FORM 109 (RULE 22-2(2) and (7))



This is the 1st Affidavit
of JAMES ANDREW WARREN in this case
and was made on 20/Dec/2018

No. S1811213
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

3L DEVELOPMENTS INC.

PETITIONER

AND:

COMOX VALLEY REGIONAL DISTRICT

RESPONDENT

AFFIDAVIT

I, JAMES ANDREW WARREN, municipal civil servant, of 600 Comox Road, Courtenay, British Columbia, V9N 3P6, AFFIRM THAT:

1. I am currently employed by the Respondent, Comox Valley Regional District, (the "Regional District"), as its General Manager of Corporate Services. I have been the statutory corporate officer for the Regional District at all times relevant to this matter. I have personal knowledge of the matters hereinafter deposed to, save and except where those matters are stated to be based on information and belief, and to such latter matters, I verily believe the same to be true.

2. On March 29, 2011, the Board of the Regional District (the "Regional Board") adopted the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010", (the "RGS Bylaw"), which bylaw enacted the "Comox Valley Regional Growth Strategy", (the "RGS").

3. The Petitioner, 3L Developments Inc., ("3L Developments"), is and has been for some time interested in proceeding with the development of three parcels of land (the "Development Lands") located within Electoral Area "C" of the Regional District, commonly referred to as the "Puntledge – Black Creek Electoral Area". The development of the Development Lands is subject to the policies set out in the RGS.

4. Pursuant to the RGS, the majority of the Development Lands are designated Rural Settlement Area ("RSA") and a portion of the lands are designated Settlement Expansion Area ("SEA"). The portion of the Development Lands designated RSA may be developed for lots having a minimum size between 4 hectares (40,000 square metres) and 20 hectares (200,000 square metres), with a possibility of development for lots 2 hectares (20,000 square metres) in size where the development creates opportunities for small scale, land intensive, and entry level farming. The portion of the Development Lands designated SEA may be developed for lots having a minimum size of 4 hectares (40,000 square metres).

5. On May 22, 2013, 3L Developments made application (the "RGS Amendment Application") to the Regional District to amend the RGS as a first step to authorizing 3L Developments to proceed with the development of the Development Lands for a large-scale commercial and residential development, commonly referred to as the proposed "Riverwood Development". The proposed Riverwood Development includes 1.01488 hectares (10,148.8 square metres) of commercial development and 740 residential lots varying in size from 0.035 hectares (350 square metres) to 0.07 hectares (700 square metres). Attached as Exhibit "A" to this my Affidavit is a true copy of the RGS Amendment Application.

6. On January 13, 2014, the Regional District became aware that Mr. Kabel Atwall, a representative of 3L Developments, had filed a complaint (the "Human Rights Complaint") with the British Columbia Human Rights Tribunal against the Regional District, Mr. Edwin Grieve, who was at that time the Chair of the Regional Board, and Ms. Debra Oakman, who was at that time the Chief Administrative Officer of the Regional District.

7. By way of a Settlement Agreement (the "Settlement Agreement") executed on May 5 and 7, 2014, the Regional District, Mr. Grieve, and Ms. Oakman settled the Human Rights Complaint with Mr. Atwall. Mr. David Dutcyvich, a principal of 3L Developments, participated in the discussions leading to the Settlement Agreement, and was a signatory to the Settlement Agreement. I, along with Mr. Jon Ambler, participated in the discussions leading to the Settlement Agreement on behalf of the Regional District. We were signatories to the Settlement Agreement. Attached as Exhibit "B" to this my Affidavit is a true copy of the Settlement Agreement.

8. The Regional District, Mr. Grieve, and Ms. Oakman agreed to the settlement (the "Settlement") as set out in the Settlement Agreement on the express understanding and condition that the Settlement was made solely as a matter of business efficacy and was not to be construed as an admission of liability. Notwithstanding their agreement to the Settlement, the Regional District, Mr. Grieve, and Ms. Oakman expressly denied any liability to Mr. Atwall. The Settlement Agreement expressly provided for the above in paragraphs 11 and 12. To be clear, the Regional District, Mr. Grieve, and Ms. Oakman only agreed to the Settlement on the basis that the monetary cost of settling was significantly less than the monetary cost of defending the Human Rights Complaint.

9. Pursuant to section 9 of the Settlement Agreement, the Regional District, Mr. Grieve, Ms. Oakman, Mr. Atwall, and Mr. Dutcyvich agreed to keep the Settlement confidential.

10. As part of the Settlement, the Regional District, Mr. Grieve, and Ms. Oakman agreed that:

(a) Mr. Grieve and Ms. Oakman would recuse themselves from further involvement relating to the Development Lands, with the Regional District establishing appropriate safeguards to ensure that Mr. Grieve and Ms. Oakman had no further involvement relating to the Development Lands;

(b) Mr. Grieve and Ms. Oakman would not attend or participate in any meetings of the Regional District with respect to any matter relating to the Development Lands;

(c) Mr. Grieve would select an alternate director acceptable to Mr. Atwall; and,

(d) Mr. Grieve and Ms. Oakman would not discuss the Development Lands or any applications submitted to the Regional District in relation to the lands with any potential alternate director.

11. On May 21, 2014, the Regional District's legal counsel wrote to Mr. Atwall's legal counsel and advised of the internal safeguards (the "Internal Safeguards") implemented by the Regional District to ensure that Mr. Grieve and Ms. Oakman had no further involvement relating to the Development Lands. Attached as Exhibit "C" to this my Affidavit is a true copy of the May 21, 2014 correspondence from the Regional District's legal counsel to Mr. Atwall's legal counsel in this regard.

12. Since the Regional District entered into the Settlement Agreement, I have taken appropriate steps to ensure that the Internal Safeguards were implemented by the Regional District. As required by the Settlement Agreement, Mr. Grieve and Ms. Oakman have recused themselves from any involvement in any matters relating to the Development Lands, and have not attended or participated in any meetings of the Regional District with respect to any matter relating to the Development Lands.

13. Mr. Grieve and Ms. Oakman did participate in the process for the adoption of the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014", (the "OCP Bylaw"). At the time of their participation in that process, neither the Regional District, Mr. Grieve, nor Ms. Oakman believed that the Settlement Agreement precluded their participation in the process. The OCP Bylaw enacted a new Official Community Plan that set out general land use policy for all lands within Electoral Areas "A", "B", and "C" of the Regional District, except for Denman and Hornby Islands, which lands make up approximately 75% of the Regional District's territorial jurisdiction. The Regional District, Mr. Grieve, and Ms. Oakman neither intended that the Settlement Agreement require Mr. Grieve and Ms. Oakman to recuse themselves from participating in relation to such a broad policy matter nor understood it to do so.

14. Upon Mr. Atwall raising the participation of Mr. Grieve and Ms. Oakman in the process for adoption of the OCP Bylaw with the Regional District, the Regional District took steps to make the OCP Bylaw inapplicable to the Development Lands. While the Regional District did not agree with Mr. Atwall that the participation of Mr. Grieve and Ms. Oakman in the process for adoption of the OCP Bylaw was in violation of the Settlement Agreement, the Regional District did not believe it to be in the public interest to engage in a debate of the issue. Rather, the Regional District took steps to resolve the issue by excluding the Development Lands from the application of the OCP Bylaw. The Regional District

was of the view that the public interest was better served by having Mr. Grieve and Ms. Oakman involved in the process for the adoption of the OCP Bylaw, with it not applying to the Development Lands, than by excluding Mr. Grieve and Ms. Oakman from involvement in the process for the adoption of the OCP Bylaw, with it applying to the Development Lands. In the end, Mr. Grieve and Ms. Oakman participated in the adoption of the OCP Bylaw, with that bylaw ultimately not applying to the Development Lands.

15. On May 23, 2014, Mr. Atwall's legal counsel wrote to the Regional District's legal counsel and confirmed that it was acceptable to Mr. Atwall that Mr. Curtis Scoville be appointed as Mr. Grieve's alternate director. Attached as Exhibit "D" to this my Affidavit is a true copy of the May 23, 2014 correspondence from Mr. Atwall's legal counsel to the Regional District's legal counsel in this regard.

16. Mr. Scoville was subsequently appointed as Mr. Grieve's alternate director in accordance with the requirements of the *Local Government Act* and the Regional District's usual practice. Attached as Exhibit "E" to this my Affidavit is a true copy of the Alternate Director Appointment Forms completed by Mr. Grieve appointing Mr. Scoville as Mr. Grieve's alternate director for the times relevant to this matter.

17. On June 2, 2014, Regional District staff prepared a report (the "June 2, 2014, Staff Report") to the Regional District's Committee of the Whole (the "Committee of the Whole") in relation to the RGS Amendment Application. In the June 2, 2014, Staff Report, Regional District staff reviewed the merits of the RGS Amendment Application and recommended against the initiation of an amendment (the "Amendment") to the RGS in furtherance of the RGS Amendment Application. Attached as Exhibit "F" to this my Affidavit is a true copy of the June 2, 2014, Staff Report.

18. On June 10, 2014, the Committee of the Whole considered the RGS Amendment Application, and the advice from Regional District staff contained in the June 2, 2014, Staff Report, and resolved to defer consideration of the RGS Amendment Application to a later date pending receipt of clarification as to the process and procedures for amendments to the RGS.

19. On June 17, 2014, Regional District staff prepared a report (the "June 17, 2014, Staff Report") to the Committee of the Whole clarifying the process and procedures for amendments to the RGS. In the June 17, 2014, Staff Report, Regional District staff advised the Committee of the Whole that the first step in an amendment of the RGS was for the Regional Board to adopt a resolution to initiate the amendment. Attached as Exhibit "G" to this my Affidavit is a true copy of the June 17, 2014, Staff Report.

20. On June 24, 2014, the Committee of the Whole considered the RGS Amendment Application, and the advice from Regional District staff contained in the June 2, 2014, Staff Report, and the June 17, 2014, Staff Report, and resolved to recommend to the Regional Board that it not initiate the Amendment. Attached as Exhibit "H" to this my Affidavit is a true copy of the minutes of the June 24, 2014, meeting of the Committee of the Whole.

21. On June 24, 2014, the Regional Board considered the recommendation of the Committee of the Whole that the Regional Board not initiate the Amendment, and resolved to not initiate (the "Non-Initiation Resolution") the Amendment. Attached as Exhibit "I" to this my Affidavit is a true copy of the minutes of the June 24, 2014, meeting of the Regional Board.

22. 3L Developments brought legal proceedings (the "First JR Proceedings") in the British Columbia Supreme Court challenging the validity of the adoption of the Non-Initiation Resolution on the basis that the Regional Board did not first strike a RGS Technical Advisory Committee and a RGS Steering Committee to provide advice to the Regional Board as to whether the RGS Amendment Application met the criteria for proceeding as a minor amendment to the RGS.

23. The Regional District defended the First JR Proceedings on the basis that the *Local Government Act* required that the first step in amending the RGS was the adoption of a resolution to initiate the proposed amendment, with the second step being the consideration of whether the proposed amendment was a minor amendment, which would require the striking of a RGS Technical Advisory Committee and a RGS Steering Committee.

24. In the First JR Proceedings, the British Columbia Supreme Court held in favour of 3L Developments on the basis that the *Local Government Act* did not require the adoption of a resolution to initiate an amendment to the RGS, and ordered that the Non-Initiation Resolution be set aside, that the Regional District strike a RGS Technical Advisory Committee and a RGS Steering Committee to provide advice to the Regional Board as to whether the RGS Amendment Application met the criteria for proceeding as a minor amendment to the RGS, and that the Regional District pay 3L Developments its costs of the First JR Proceedings. Attached as Exhibit "J" to this my Affidavit is a true copy of the Reasons for Judgment of the British Columbia Supreme Court in the First JR Proceedings.

25. The Regional District brought an appeal (the "Appeal") to the British Columbia Court of Appeal from the decision in the First JR Proceedings on the basis that the British Columbia Supreme Court erred in concluding that the *Local Government Act* did not require the adoption of a resolution to initiate an amendment to the RGS. One of the reasons the Regional Board decided to bring the Appeal was that the alleged error of the British Columbia Supreme Court

resulted in a precedent that would bind other regional districts in British Columbia, and the Regional Board believed that it had an obligation to seek to have that precedent set aside. To that end, the Regional Board sought and obtained funding from the Union of British Columbia Municipalities, an organization that represents all local governments in British Columbia, in support of the Appeal.

26. In Reasons for Judgment released on April 6, 2016, the British Columbia Court of Appeal agreed with the Regional District that the *Local Government Act* requires the adoption of a resolution to initiate an amendment to the RGS. Notwithstanding this finding, the British Columbia Court of Appeal held that the specific language of the RGS required the Regional District to first strike a RGS Technical Advisory Committee and a RGS Steering Committee to provide advice to the Regional Board as to whether the RGS Amendment Application met the criteria for proceeding as a minor amendment to the RGS before considering whether to initiate the Amendment. In the result, the British Columbia Court of Appeal upheld the decision of the British Columbia Supreme Court in the First JR Proceedings, and dismissed the Appeal, with costs payable to 3L Developments. Attached as Exhibit "K" to this my Affidavit is a true copy of the Reasons for Judgment of the British Columbia Court of Appeal in the Appeal.

27. On April 20, 2016, Regional District staff wrote to 3L Developments and advised 3L Developments that, in accordance with the decision of the British Columbia Court of Appeal, the Regional District would keep 3L Developments apprised of the next steps to move forward with the RGS Amendment Application. In that letter, Regional District staff sought confirmation that 3L Developments wished to proceed with having the Regional Board consider the RGS Amendment Application. Attached as Exhibit "L" to this my Affidavit is a true copy of the April 20, 2016, letter from Regional District to 3L Developments.

28. On May 17, 2016, Regional District staff met with 3L Developments to discuss the RGS Amendment Application, and advised 3L Developments that, upon 3L Developments confirming that it wished to have the Regional Board proceed with consideration of the RGS Amendment Application, Regional District staff would be providing a detailed overview of the process and likely timing for consideration of the RGS Amendment Application.

29. On several occasions between May 17, 2016 and April 3, 2017, Regional District staff followed up with 3L Developments to seek confirmation that it wished to have the Regional Board proceed with consideration of the RGS Amendment Application.

30. On April 3, 2017, 3L Developments wrote to the Regional District requesting that the proposed Riverwood Development be considered by the Regional District as part of its 5-year review of the RGS. Attached as Exhibit "M" to this my Affidavit is a true copy of the April 3, 2017, letter from 3L Developments to Regional District.

31. On April 11, 2017, the Regional District wrote to 3L Developments to seek clarification of its request in its letter dated April 3, 2017. Specifically, the Regional District expressed the desire to proceed with consideration of the RGS Amendment Application as directed by the British Columbia Court of Appeal and asked that 3L Developments confirm whether it wished for the Regional District to proceed with consideration of the RGS Amendment Application. Attached as Exhibit "N" to this my Affidavit is a true copy of the April 11, 2017, letter from the Regional District to 3L Developments.

32. On May 8, 2017, Regional District staff met with 3L Developments in relation to the RGS Amendment Application, advised 3L Developments that the Regional District was going to proceed with consideration of the RGS Amendment Application as directed by the British Columbia Court of Appeal, and sought the

input of 3L Developments in relation to whether it wished to proceed with the Regional Board considering the RGS Amendment Application and the timing of that consideration. Attached as Exhibit "O" to this my Affidavit is a true copy of an email dated May 8, 2017, from Regional District staff to 3L Developments confirming the discussions that took place between Regional District staff and 3L Developments at the meeting held earlier that day.

33. On June 20, 2017, Regional District staff wrote to 3L Developments advising that Regional District staff intended to take forward a report to the Committee of the Whole in relation to the RGS Amendment Application for consideration at the Committee of the Whole meeting to be held on August 15, 2017. In that letter, Regional District staff sought confirmation from 3L Developments as to whether it wished to proceed with consideration of the RGS Amendment Application on August 15, 2017, or wished to defer consideration of the RGS Amendment Application, or wished to withdraw the RGS Amendment Application. Attached as Exhibit "P" to this my Affidavit is a true copy of the June 20, 2017, letter from Regional District staff to 3L Developments.

34. On July 7, 2017, 3L Developments wrote to the Regional District formally requesting that consideration of the RGS Amendment Application be put on hold so that 3L Developments could understand the process for consideration of the RGS Amendment Application and could provide additional information in support of the RGS Amendment Application. In that letter, 3L Developments indicated that it would contact the Regional District when 3L Developments was ready to proceed with the RGS Amendment Application. Attached as Exhibit "Q" to this my Affidavit is a true copy of the July 7, 2017, letter from 3L Developments to the Regional District.

35. Between July 7, 2017, and January 9, 2018, Regional District staff and 3L Developments met and exchanged correspondence in relation to consideration of the RGS Amendment Application by the Regional Board. During those meetings and in that correspondence, Regional District staff repeatedly advised 3L Developments that the process for consideration of the RGS Amendment Application, with the requirements under the *Local Government Act* for consultation, would be lengthy.

36. On January 9, 2018, 3L Developments, through its legal counsel, advised Regional District staff that 3L Developments did not wish to proceed with the Regional Board considering the RGS Amendment Application at that time as 3L Developments wished to submit additional information in support of the RGS Amendment Application.

37. I am advised by Alana Mullaly that, on May 22, 2018, Regional District staff met with 3L Developments to discuss the RGS Amendment Application, and that, during that meeting, 3L Developments advised Regional District staff that 3L Developments wished to proceed with having the Regional Board consider the RGS Amendment Application, that 3L Developments would submit updated information in support of the RGS Amendment Application by May 25, 2018, and that 3L Developments wished for the RGS Amendment Application to be considered before the upcoming local government election to be held in October 2018. Attached as Exhibit "R" to this my Affidavit is a true copy of notes taken by Regional District staff in relation to the May 22, 2018, meeting with Regional District staff.

38. On May 25, 2018, 3L Developments provided further information to the Regional District in support of the RGS Amendment Application and requested that the RGS Amendment Application be moved forward for consideration. Attached as Exhibit "S" to this my Affidavit is a true copy of the further information provided to the Regional District by 3L Developments in support of the RGS Amendment Application.

39. The Regional District then struck the RGS Technical Advisory Committee and the RGS Steering Committee to investigate and provide advice to the Regional Board as to whether the RGS Amendment Application met the criteria in the RGS for a minor amendment. The RGS Technical Advisory Committee was and continues to be made up of the senior planning staff of each of the Regional District, the Village of Cumberland, the Town of Comox, and the City of Courtenay. For the Regional District, the Town of Comox, and the City of Courtenay, those individuals respectively are Ms. Alana Mullaly, MCIP, RPP, Mr. Marvin Kamenz, MCIP, RPP, and Mr. Ian Buck, MCIP, RPP. For the Village of Cumberland, that individual was Ms. Judith Walker, MCIP, RPP, until late August/early September, 2018, and since then has been Mr. Ken Rogers, MCIP, RPP. The RGS Steering Committee was and continues to be made up of the chief administrative officers of each of the Regional District, the Village of Cumberland, the Town of Comox, and the City of Courtenay, respectively being Russell Dyson, Sundance Topham, Richard Kanigan, and David Allen.

40. Having reviewed the RGS Amendment Application, both the RGS Technical Advisory Committee and the RGS Steering Committee concluded that the RGS Amendment Application did not meet the criteria in the RGS for a minor amendment and advised the Regional Board that, if it wished to proceed with consideration of the RGS Amendment Application, it should proceed with the same as a standard amendment. Attached to this my Affidavit as Exhibits "T" to "W" respectively are a true copy of the report dated June 25, 2018, arising from

the initial meeting of the RGS Technical Advisory Committee relating to the RGS Amendment Application, the minutes of the June 28, 2018, meeting of the RGS Steering Committee, the minutes of the June 29, 2018, meeting of the RGS Technical Advisory Committee, and the minutes of the July 3, 2018, meeting of the RGS Steering Committee.

41. On July 5, 2018, Regional District staff prepared a report (the "July 5, 2018, Staff Report") to the Committee of the Whole advising that the RGS Steering Committee recommended that the Regional Board consider the RGS Amendment Application using the standard amendment process, that the Regional Board initiate the Amendment, and that the Regional Board give notice of the initiation of the Amendment to affected local governments and the Minister of Municipal Affairs and Housing. On that same day, Regional District staff provided a copy of the July 5, 2018, Staff Report to 3L Developments. Attached as Exhibit "X" to this my Affidavit is a true copy of the July 5, 2018, Staff Report.

42. On July 10, 2018, the Committee of the Whole considered the RGS Amendment Application in light of the July 5, 2018, Staff Report, and resolved to recommend that the Regional Board initiate the Amendment and give notice of the initiation of the Amendment to affected local governments and the Minister of Municipal Affairs and Housing. With respect to the process for the Regional Board to consider the Amendment, a motion (the "Minor Amendment Motion") was put forward at the meeting that the Committee of the Whole recommend that the Regional Board consider the Amendment using the minor amendment process under the RGS. Representatives of 3L Developments were in attendance at the July 10, 2018, meeting of the Committee of the Whole and spoke in favour of the

Amendment being processed as a minor amendment. The minutes of the July 10, 2018, meeting of the Committee of the Whole indicate the Minor Amendment Motion was defeated on the basis of a vote of 4 in favour and 5 opposed. Attached as Exhibit "Y" to this my Affidavit is a true copy of the minutes of the July 10, 2018, meeting of the Committee of the Whole.

43. I am advised by Mr. Russell Dyson, the Regional District's Chief Administrative Officer, that, on July 11, 2018, 3L Developments raised with Regional District staff that a reference in the July 5, 2018, Staff Report that approval of the Amendment required a unanimous vote of the Regional Board in order to proceed using the minor amendment process under the RGS (as had been indicated at the meeting as being required) was incorrect and may have affected the Committee of the Whole's voting on the Minor Amendment Motion. After considering the issue, the Regional District accepted that a mistake had been made by it and took steps to correct the mistake.

44. I am advised by Mr. Dyson that 3L Developments was also concerned at that time with the timing of consideration of the RGS Amendment Application, and that 3L Developments had expressed that it wished for the process to move along in an expeditious manner.

45. On July 13, 2018, Regional District staff prepared a report (the "July 13, 2018, Staff Report") to the Committee of the Whole advising that the Chair of the Regional Board required that the Committee of the Whole reconsider the Minor Amendment Motion. Attached as Exhibit "Z" to this my Affidavit is a true copy of the July 13, 2018, Staff Report.

46. The Regional District thereafter reconvened the RGS Technical Advisory Committee and the RGS Steering Committee to reconsider their recommendation that the Regional Board consider the Amendment using a standard amendment process in light of the fact that only a simple majority vote

for approval of the Amendment was required for it to be processed by the Regional Board as a minor amendment. On July 13, 2018, the RGS Technical Advisory Committee confirmed its previous recommendation that the Amendment be processed as a standard amendment. On July 16, 2018, the RGS Steering Committee confirmed its previous recommendation that the Amendment be processed as a standard amendment.

47. On July 17, 2018, Regional District staff prepared a report (the "July 17, 2018, Staff Report") to the Committee of the Whole advising that the RGS Steering Committee had reconsidered its recommendation that the Regional Board consider the Amendment using the standard amendment process, and that the RGS Steering Committee had confirmed its recommendation that the Regional Board consider the Amendment using a standard amendment process. On that same day, Regional District staff provided a copy of the July 17, 2018, Staff Report to 3L Developments. Attached as Exhibit "AA" to this my Affidavit is a true copy of the July 17, 2018, Staff Report.

48. On July 17, 2018, the Committee of the Whole reconsidered the Minor Amendment Motion in light of the July 17, 2018, Staff Report, and the vote was 5 in favour and 3 opposed. Representatives of 3L Developments were in attendance at the July 17, 2018, meeting of the Committee of the Whole and spoke in favour of the Amendment being processed as a minor amendment. While it was initially announced that the Minor Amendment Motion was defeated on the basis that a 2/3 majority vote of the Committee of the Whole was required, the minutes of the July 17, 2018, meeting of the Committee of the Whole record that the Minor Amendment Motion was carried on the basis that only a simple majority vote of the Committee of the Whole was required. Attached as Exhibit "BB" to this my Affidavit is a true copy of the minutes of the July 17, 2018, meeting of the Committee of the Whole.

49. I am advised by Mr. Dyson that 3L Developments expressed concerns to Regional District staff as to the likelihood that the Regional Board would consider the Amendment on the basis of a standard amendment, and expressed concerns that a standard amendment process would be too lengthy.

50. I am advised by Mr. Dyson that, in response, Regional District staff:

(a) Discussed with 3L Developments a number of scenarios for a standard amendment process, fulsome and expedited, as well as a scenario for a minor amendment process;

(b) Provided 3L Developments with a schematic that illustrated both what a regular standard amendment process could look like and its timing and what an expedited standard amendment process could look like and its timing;

(c) Cautioned 3L Developments that, if a minor amendment process was used, the perception that the RGS Amendment Application was being expedited at the expense of public consultation and consultation with the Regional District's member municipalities might negatively impact the Regional Board's consideration of the RGS Amendment Application.

(d) Indicated to 3L Developments that, if the Regional Board was agreeable to adopting an expedited standard amendment process, an expedited standard amendment process might not take much more time than a minor amendment process; and,

(e) Advised 3L Developments that whether the Regional Board would consider the Amendment using a minor amendment process (which was the recommendation of the Committee of the Whole, a regular standard amendment process, or an expedited standard amendment process was solely within the discretion of the Regional Board, and was not the decision of Regional District staff.

51. At its July 24, 2018, meeting, the Regional Board considered the Amendment in the context of the Committee of the Whole's recommendations of July 10 and 17, 2018. The Regional Board resolved, as recommended by the Committee of the Whole, to initiate the Amendment and to provide notice of the initiation of the Amendment to affected local governments and to the Minister of Municipal Affairs and Housing. At that meeting, the Regional Board defeated the recommendation of the Committee of the Whole to proceed with the Amendment using a minor amendment process. As a result, the Amendment was to proceed using a standard amendment process. Attached as Exhibit "CC" to this my Affidavit is a true copy of the minutes of the July 24, 2018, meeting of the Regional Board.

52. I am advised by Mr. Dyson that representatives of 3L Developments were in attendance at the July 24, 2018, meeting of the Regional Board and spoke in favour of the Amendment being processed as a minor amendment.

53. I am advised by Mr. Dyson that, at the July 24, 2018, meeting of the Regional Board:

(a) The Regional Board was aware of the differences between a minor amendment process and a standard amendment process for the Amendment;

(b) Regional District staff addressed the fact that a standard amendment process for the Amendment could require not much longer than the time required for a minor amendment process or could be a significantly lengthier process, at the discretion of the Regional Board; and,

(c) Regional District staff advised that, if the Regional Board chose to proceed with a standard amendment process, Regional District staff would report back to the Regional Board with options and timing for a standard amendment process.

54. On August 8, 2018, as a result of the Regional Board resolving to initiate the Amendment, the requirement in the *Local Government Act* that the Regional District adopt and follow a consultation plan in relation to the Amendment, and the direction from the Regional Board that consideration of the Amendment proceed through a standard amendment process, Regional District staff prepared a report (the "August 8, 2018, Staff Report") to the Regional Board that provided two options for consultation in relation to the Amendment, with one option being a regular standard amendment process and the other being an expedited standard amendment process. A copy of the August 8, 2018, Staff Report was provided to 3L Developments on August 10, 2018. Attached as Exhibit "DD" to this my Affidavit is a true copy of the August 8, 2018, Staff Report.

55. I am advised by Mr. Dyson that on July 25, 2018, Regional District staff spoke with representatives of 3L Developments and advised them generally of the expected contents of the August 8, 2018, Staff Report.

56. In the August 8, 2018, Staff Report, Regional District staff recommended that the Regional Board adopt a consultation plan (the "Recommended Consultation Plan") for the Amendment that was consistent with a regular standard amendment process as Regional District staff and the RGS Technical Advisory

Committee were of the view that, given the significance of the change to the RGS that would be effected by the adoption of the Amendment, a full opportunity for public consultation was appropriate. Regional District staff and the RGS Technical Advisory Committee were also of the view that the Recommended Consultation Plan was consistent with statements made by 3L Developments at the July 24, 2018, meeting of the Regional Board to the effect that 3L Developments supported a full and meaningful opportunity for the public to be engaged in the consideration of the Amendment.

57. The Recommended Consultation Plan included the following opportunities for consultation with the Regional District in relation to the Amendment prior to the Regional Board considering first reading of a bylaw enacting the Amendment:

(a) The posting of information and updates related to the Amendment on the Regional District's website;

(b) The opportunity for 3L Developments to meet with the RGS Technical Advisory Committee and the RGS Steering Committee to present in relation to the proposed Riverwood Development and to discuss the process for consideration of the Amendment;

(c) The holding of a public open house, with 3L Developments in attendance and presenting in relation to the proposed Riverwood Development and in support of the Amendment; and,

(d) The holding of a further meeting of each of the RGS Technical Advisory Committee and the RGS Steering Committee to provide recommendations to the Regional Board in relation to the Amendment.

58. At its August 14, 2018, meeting, the Regional Board resolved to adopt the Recommended Consultation Plan, subject to certain amendments (the "Board Specified Amendments") specified by the Regional Board that would result in the

possibility of the Amendment being adopted one month earlier. Representatives of 3L Developments were in attendance at the August 14, 2018, meeting of the Regional Board and spoke in favour of the Amendment being processed through an expedited standard amendment process. The Regional Board made the Board Specified Amendments in an effort to accommodate the request of 3L Developments that the RGS Amendment Application be processed in an expedited manner. Attached as Exhibit "EE" to this my Affidavit is a true copy of the minutes of the August 14, 2018, meeting of the Regional Board.

59. On August 22, 2018, Regional District staff wrote to 3L Developments to clarify some comments made by it at the August 14, 2018, meeting of the Regional Board. Attached as Exhibit "FF" to this my Affidavit is a true copy of the August 22, 2018, letter from Regional District staff to 3L Developments.

60. Regional District staff thereafter implemented the Recommended Consultation Plan, including as follows;

(a) On August 28, 2018, 3L Developments met jointly with the RGS Technical Advisory and Steering Committees to present in relation to the proposed Riverwood Development and to discuss the process for consideration of the Amendment;

(b) On September 6, 2018, the Regional District held a public open house in relation to the Amendment, with in excess of 200 members of the public in attendance, and with 3L Developments in attendance and presenting in relation to the proposed Riverwood Development and in support of the Amendment;

(c) On September 12, 2018, the RGS Technical Advisory Committee met to review the RGS Amendment Application; and,

(d) On September 20, 2018, the RGS Steering Committee met to review the RGS Amendment Application.

61. Attached as Exhibits "GG" to "JJ" to this my Affidavit respectively are a true copy of the agenda and minutes of the August 28, 2018, joint meeting of the RGS Technical Advisory and Steering Committees with 3L Developments, the summary report arising from the September 6, 2018, public open house held in relation to the Amendment, the report (the "September 19, 2018, RGS Technical Advisory Committee Report") dated September 19, 2018, arising from the September 12, 2018, meeting of the RGS Technical Advisory Committee in relation to the Amendment and the minutes of that meeting, and the agenda and minutes of the September 20, 2018, meeting of the RGS Steering Committee in relation to the Amendment. The September 19, 2018, RGS Technical Advisory Committee Report was considered by the RGS Steering Committee at its meeting of September 20, 2018.

62. On September 25, 2018, the RGS Technical Advisory Committee met to consider additional information provided by 3L Developments in relation to the RGS Amendment Application, and to consider and provide to the RGS Steering Committee requested additional detail regarding population estimates and residential unit supply relative to the proposed Riverwood Development. Attached as Exhibit "KK" to this my Affidavit is a true copy of the agenda and minutes of the September 25, 2018, meeting of the RGS Technical Advisory Committee.

63. On September 26, 2018, the RGS Technical Advisory Committee prepared a report (the "September 26, 2018, RGS Technical Advisory Committee Report") to the RGS Steering Committee to provide additional detail regarding population estimates and residential unit supply relative to the proposed Riverwood Development. Attached as Exhibit "LL" to this my Affidavit is a true copy of the September 26, 2018, RGS Technical Advisory Committee Report.

64. On September 27, 2018, the RGS Steering Committee met to review the September 26, 2018, RGS Technical Advisory Committee Report. Attached as Exhibit "MM" to this my Affidavit is a true copy of the minutes of the September 27, 2018, meeting of the RGS Steering Committee.

65. On September 28, 2018, the RGS Steering Committee completed a report (the "September 28, 2018, RGS Steering Committee Report") to the Regional Board for consideration at its meeting to be held on October 2, 2018, setting out the recommendations of the RGS Steering Committee that the Amendment be denied. The September 28, 2018, RGS Steering Committee Report, was made available to 3L Developments and the public on that same day. Attached as Exhibit "NN" to this my Affidavit is a true copy of the September 28, 2018, RGS Steering Committee Report.

66. On September 28, 2018, after having reviewed the September 28, 2018, RGS Steering Committee Report, 3L Developments made further written submissions (the "3L Developments Further Written Submissions") to the Regional Board for consideration at its meeting to be held on October 2, 2018, in support of the Amendment. Attached as Exhibit "OO" to this my Affidavit is a true copy of the 3L Developments Further Written Submissions.

67. On October 1, 2018, 3L Developments, wrote to Regional District staff asking that consideration of the Amendment by the Regional Board the next day be deferred (extended) to allow 3L Developments to provide further information in support of the Amendment. Attached as Exhibit "PP" to this my Affidavit is a true copy of the October 1, 2018, letter from 3L Developments to the Regional District.

68. On October 1, 2018, as the agenda for the October 2, 2018, meeting of the Regional Board had already been published, Regional District staff prepared a report (the "October 1, 2018, Staff Report") advising the Regional Board that 3L Developments had requested a deferral (extension) of consideration of the Amendment, and that the Regional Board now had three options in considering the Amendment; the Regional Board could decide to defer (extend) consideration of the Amendment, to give first reading to a bylaw in furtherance of the Amendment, or to deny the Amendment. Attached as Exhibit "QQ" to this my Affidavit is a true copy of the October 1, 2018, Staff Report.

69. When faced with similar circumstances in the past where an applicant has sought to defer (extend) consideration of an application that was set for consideration by the Regional Board on a published agenda, the Regional District has regularly considered such requests to be at the discretion of the Regional Board and to be dealt with at the meeting of the Regional Board.

70. At the October 2, 2018, meeting of the Regional Board, the Regional Board considered both the September 28, 2018, RGS Steering Committee Report and the October 1, 2018, Staff Report. Attached as Exhibit "RR" to this my Affidavit is a true copy of the minutes of the October 2, 2018, meeting of the Regional Board.

71. At the October 2, 2018, meeting of the Regional Board, Regional District staff advised the Regional Board of the three options available to it in addressing the Amendment, and 3L Developments made submissions to the Regional Board in relation to the request that consideration of the Amendment be deferred.

72. After hearing from Regional District staff, 3L Developments, and numerous members of the public both in favour and opposed to the proposed Riverwood Development, Regional District Director Price put forward a motion (the "Denial Motion") that the Amendment be denied, which motion was seconded by Regional District Director Sproule.

73. During the debate on the Denial Motion, 3L Developments submitted a letter dated October 2, 2018, to the Regional District requesting to withdraw the RGS Amendment Application, which letter was brought to the attention of the Regional Board. Attached as Exhibit "SS" to this my Affidavit is a true copy of the October 2, 2018, letter from 3L Developments to the Regional Board.

74. Having become aware of the request from 3L Developments to withdraw the RGS Amendment Application, the Chair of the Regional Board conferred with Regional District staff, and determined that withdrawal of the RGS Amendment Application was at the discretion of the Regional Board as the Denial Motion was on the table and was being debated.

75. As the Denial Motion was on the table for consideration by the Regional Board and was being debated, Regional District staff advised the Regional Board, 3L Developments, and the public that 3L Developments' request to withdraw the RGS Amendment Application was at the discretion of the Regional Board.

76. The Regional Board then continued to consider the Denial Motion. Prior to voting on the Denial Motion, it was open for any of the members of the Regional Board to make a motion either to grant 3L Developments' request that consideration of the Amendment be deferred or to grant 3L Developments' request to withdraw the RGS Amendment Application prior to the vote on the Denial Motion. As no member of the Regional Board did so, the Regional Board voted on the Denial Motion, which was passed, resulting in the Amendment being denied.

AFFIRMED BEFORE ME at Vancouver, British Columbia, on 20/Dec/2018.

A Commissioner for taking Affidavits for British Columbia

James Andrew Warren

Sukhbir Manhas
Young Anderson
Barristers and Solicitors
1616 - 808 Nelson Street
Box 12147, Nelson Square
Vancouver, BC V6Z 2H2
Telephone: 604.689.7400

This is Exhibit "A" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley Regional District
RECEIVED
File: 6410-01
MAY 22 2013
To: D. Oakman
cc:

3L DEVELOPMENTS INC.

#34 – 6245 BLUEBACK ROAD, NANAIMO, BC. V9V 1N7

MAY 22, 2013

Comox Valley Regional District
600 Comox Road
Courtenay, B.C.
V9N 3P6

Attention: Ms. Deb Oakman, Chief Administrative Officer

Dear Ms. Oakman:

Re: 3L Developments Inc. Properties

As per the letter dated March 27, 2013 from Edwin Grieve, in which three options were outlined for the development of our property and the email received from Kevin Lorette, dated May 14, 2013, 3L Developments Inc., hereby wishes to initiate an application for a Regional Growth Strategy Amendment.

The intent of the application would be to allow 3L to proceed with the development of its Riverwood project, which if successful, would result in the donation of 50% of the property as parkland. This parkland would include the important recreational and culturally significant areas along the Puntledge and Browns Rivers.

In Mr. Lorette's email, he stated that the RD wished to know what the development would consist of, in terms of location, density, types of uses, site access and services. In this regard, 3L provides the following for the RD's consideration.

RIVERWOOD VISION

TO DEVELOP A NEIGHBOURHOOD COMMUNITY THAT ENCOURAGES HEALTHY LIVING THROUGH THE USE OF THE BEST AVAILABLE DESIGNS, APPROACHES, AND SYSTEMS

WE STRIVE TO CREATE A UNIQUE COMMUNITY THAT RESPECTS AND CELEBRATES THE LAND WHILE PROVIDING NEW AND AFFORDABLE LIVING OPPORTUNITIES FOR A DIVERSE POPULATION

DEVEOPMENT QUICK FACTS

- Master Planned Mixed Use Community (residential, commercial, and recreational)
- 10 to 15 year build out
- Built upon the social, economic, and environmental elements of sustainability
- Will significantly contribute to the economy of the region through $1.3 million in taxes annually, $360 million in direct and indirect expenditures, and 2600 man years of employment
- No infrastructure cost to the Regional District as project is totally self-sufficient in terms of water and sewer
- LEED targeted
- Total Site Area of 370 acres
- 185 acres of public parkland dedication
- 9 kilometers of trails
- Provision of public access to the Browns and Puntledge Rivers with adequate parking and facility improvements such as washroom/change rooms
- 741 lots residential units (single family and patio homes)
- Dedication of currently private road into the public hand to ensure access to public amenities

PROJECT LOCATION

The Riverwood project is located within the Puntledge-Black Creek Electoral Area (Area C) of the Comox Valley Regional District. It is located to the northwest of the City of Courtenay on the confluence of the Browns and Puntledge Rivers. The site is ideally located upon the threshold of Forbidden Plateau and Mt. Washington, which serves and builds upon the unique recreational attributes of the development.

Riverwood is built upon 5 minute walking distances with an integrated transit loop, all serviced by self sufficient and cost effect sewer and water systems that will not burden the regional systems.

With 185 acres of land being placed within the public hand, including the popular Stotan Falls recreation area and the creation of 9 kilometers of public trails, Riverwood will significantly contribute to the broader community and the Comox Valley.

ECONOMIC DEVELOPMENT OPPORTUNITIES

Each OCP in the Comox Valley supports the economic development of the region through tourism and recreational opportunities. The RGS has policies that build upon the year-round tourism opportunities offer by the region's natural beauty, outdoor recreational opportunities, and that reflect the region's embracement of the emerging tourism market.

The stated objectives of the OCPs are to diversify the regional economy through expanding the tourism market and promotion of the area's natural amenities. Stotan Falls is one of the most popular local swimming attractions in the Comox Valley; it is minutes from the urban centres; easily accessed; attracts a wide variety of users; and is also privately owned.

Through Riverwood, the dedication of Stotan Falls, along with 185 acres and 9 kilometers of trails is a crucial part of the larger puzzle to achieving regional objectives. Riverwood would allow Stotan Falls and the linkages of recreational opportunities to be properly promoted by the RD through the Comox Valley Economic Development Society as part of the Regional destination recreation corridor.

Public tax payers cannot afford to purchase this popular regional recreational area in order to have it in the placed in the common hand. Developing the site in accordance with LEED targets and the best development practices will allow for 185 acres of this regional destination to be put into the public hand.

SUSTAINABILITY STRATEGY

The most important approach to the Riverwood development proposal, despite all of the pubic and regional benefits, is that of 3L's development approach and philosophy. 3L has imposed strict environmental, economic, and social standards for itself to achieve in order to create a responsible development. Riverwood brings enhanced ecosystem values, high efficiency, and new standard for development in the Comox Valley.

To keep 3L on track of achieving its sustainability goals, it has created a complete set of sustainability guidelines through a Sustainability Matrix (copy attached). This matrix outlines the core targets of sustainability including a full scope of sustainability issues and Riverwood's approach to meeting those strict targets. It is understood that sustainability is not a final destination but rather a continuous journey that we will take together in order to build better and memorable places.

As part of Riverwood's own strict sustainability strategy, independent and cost-effective servicing will bring a new level of self-sufficiency to the project while not burdening Regional government systems. For example, the Provincial Government will require that a utility company run the sewer, water, and stormwater systems perpetually in the future, which will remove the risk or the need for any local government to financially contribute or run the systems.

WATER AND SEWER SYSTEMS

The Region has its water and sewer strategies. Riverwood does not wish to add an additional burden on these systems as a result of its proposal. Technological advances allow Riverwood to service its property on site, allowing it to be more environmentally responsible.

Riverwood is pursuing servicing options that will not burden existing systems nor create systems that will cost tax payers money by:

- Integrating "off the grid" servicing in order to be self sufficient and responsible
- Utilizing water re-use programs to reduce the amount of potable requirements (options that would not be available under regional systems)
- Augmenting the natural environment and habitat with high-quality reclaimed water and
- Arranging a long-term servicing provision with a utility to which the user will pay a monthly utility fee (such as one does for natural gas or hydro)

3L believes that in order to be truly sustainable and start moving towards a better way of building communities, creative servicing alternatives must be included and expected as part of new developments.

REGIONAL PLANNING

In order for the Riverwood development proposal proceed, it needs as a first step, an amendment to the Regional Growth Strategy.

The Riverwood site has been classified within the Rural Settlement Area category of the RGS. The rural settlement areas encompass lands within the electoral areas that are not designated agricultural or resource areas, provincial parks, or settlement nodes. The RGS strategy is to ensure that the rural character of these places are maintained and should not be urban or suburban in form or character.

Riverwood is consistent with rural area category as it:

- Is in keeping with sustainability practices and reduces the footprint of the development compared to traditional subdivision development
- Maximizes the return of a regionally significant recreational area to the public hand
- Provides a small neighbourhood commercial center upon a future transit loop
- Will not burden municipal infrastructure in the future
- Is not located upon lands within the ALR or within resource areas

Furthermore, the various OCP's in the Comox Valley all support: economic development, responsible and sustainable growth, acquiring significant and important public amenities, avoidance of sprawl and associated costly infrastructure, preservation of resource, forest and agricultural lands, and preservation of heritage and environmental values.

Riverwood is consistent with goals of the OCP in the Comox Valley because it:

- Promotes a sustainable future by clustering development, promoting alternative transportation modes, preserves green space and will significantly contribute to the economy
- Preserves resource, forest, and agricultural lands
- Provides a healthy lifestyle by incorporating multi-user trails, recreational areas, community gardens and integrated stormwater management practices
- Approaches development in an environmentally and socially responsible manner by creating a broader public benefit rather than creating sprawling unsustainable growth
- Places Stotan Falls and 50% of the total site area within the public hand for all to enjoy

SUMMARY

Riverwood will:

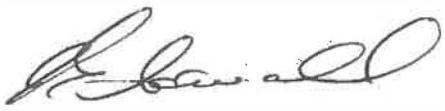
- Place 185 acres of highly valued recreational land within the public hand
- Place Stotan Falls within the public hand and meet Regional park planning goals
- Create 9 kilometers of recreational trails for residents and visitors
- Bring $360 million in direct and indirect investment dollars to the Comox Valley, while providing 2600 man years of employment
- Generate $1.3 million in taxes per year
- Provide a variety of home ownership options with a range of market prices
- Protect the heritage values along the Browns and Puntledge Rivers
- Remove servicing costs and burdens to the Regional District by providing innovative and environmentally friendly solutions to sewer and water supply, water reclamation and reuse, and stormwater management
- Introduce a small local commercial village center to provide some services to both Riverwood and surrounding residents but not to compete with the downtown commercial centers within the Comox Valley
- Utilize a high level of innovation for servicing which will enable Riverwood to be more environmentally responsible and sustainable. Independent sewer and water systems and storm water management will not burden municipal infrastructure and tax payers
- Create a model for master community planning, providing limited neighbourhood commercial services, provide a transit loop and bike lanes to promote alternative modes of transportation and foster sustainability and create a sense of place.
- Do this all over a 10 to 15 year build out period.

It is trusted that the Board will consider our vision for the property and the benefits that can accrue to the Regional District and see fit to advance it through the amendment process.

If you require any more information or need clarification of any point contained herein, please do not hesitate to contact me. To this end, it should be know that we have completed traffic

studies, an archaeological overview, environmental studies, servicing analysis, and an economic impact analysis.

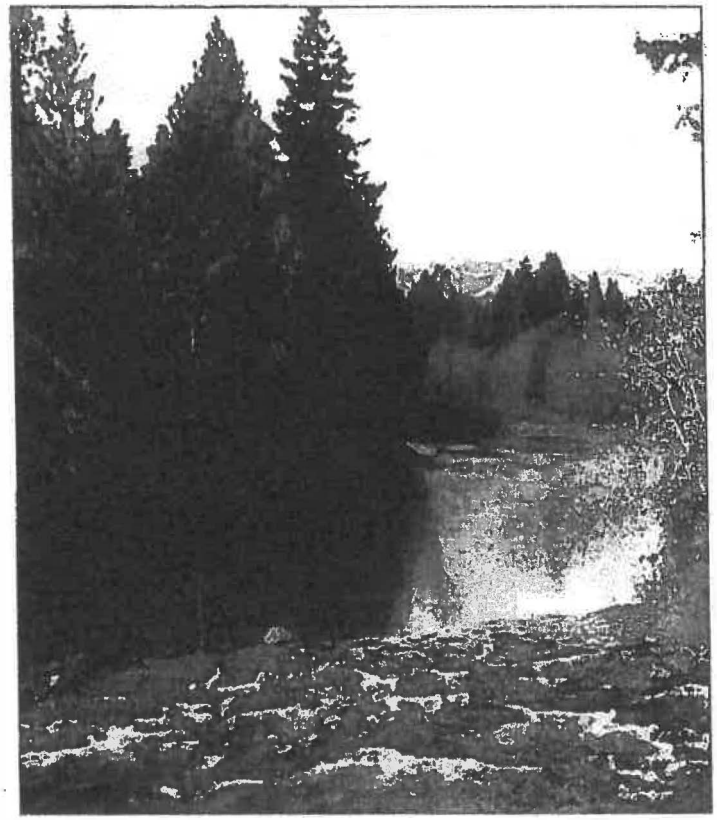
Yours sincerely,



Kabel Atwall
3L Developments Inc.

RIVERWOOD

COMOX VALLEY



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stakeholders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encoureges physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED-ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

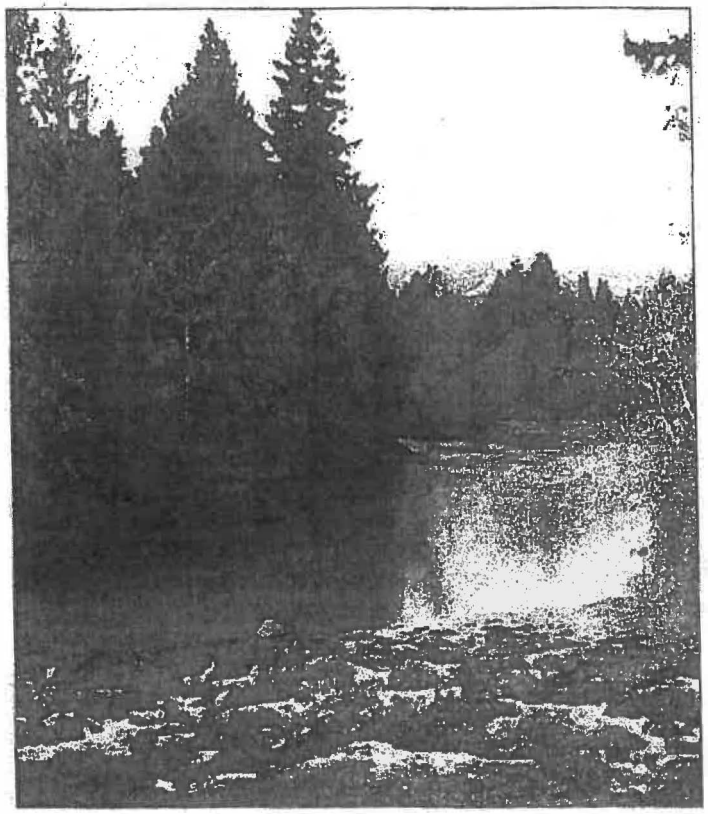
Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 60-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team

RIVERWOOD

COMOX VALLEY



Sustainability Matrix

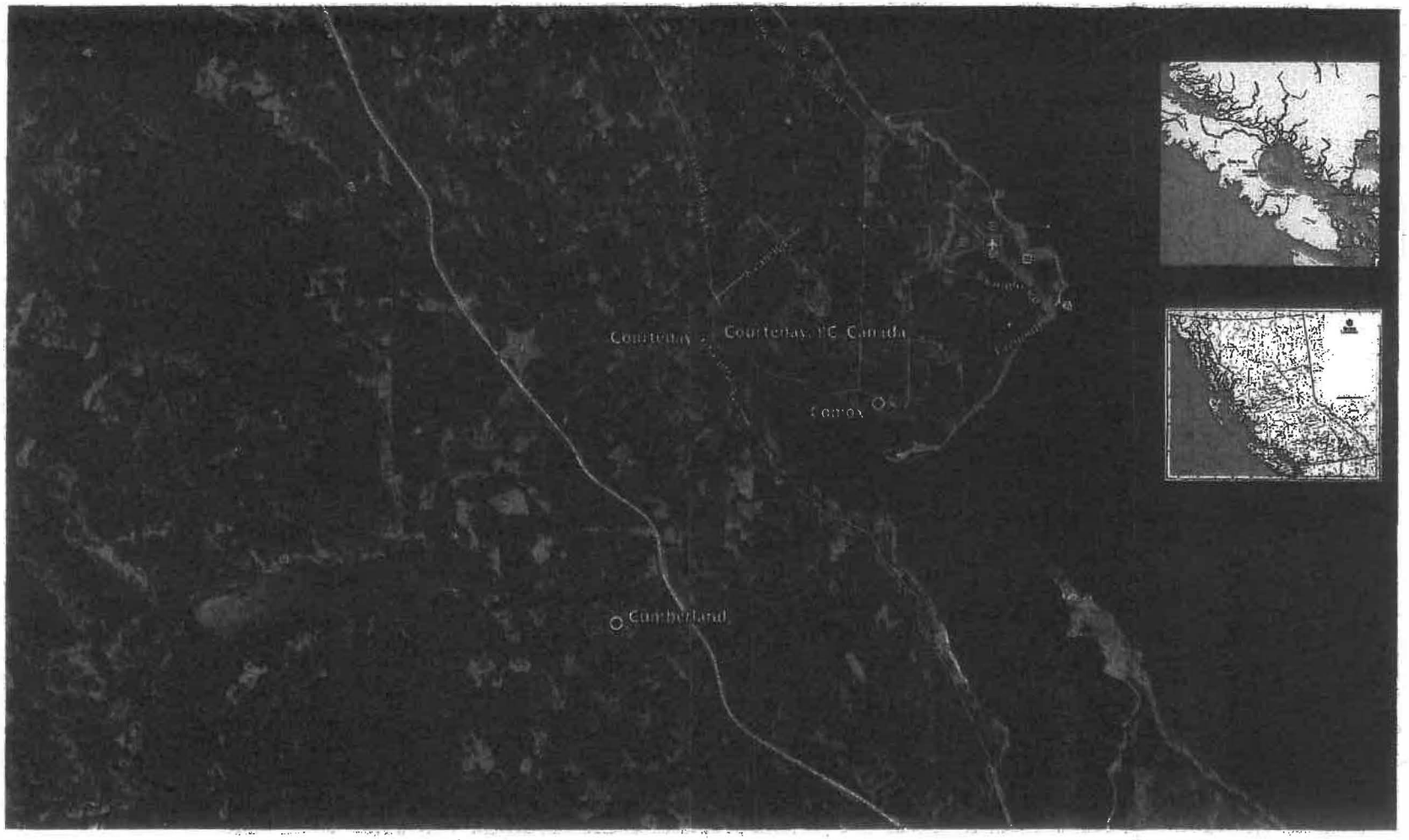
Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC; LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stake-holders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED-ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

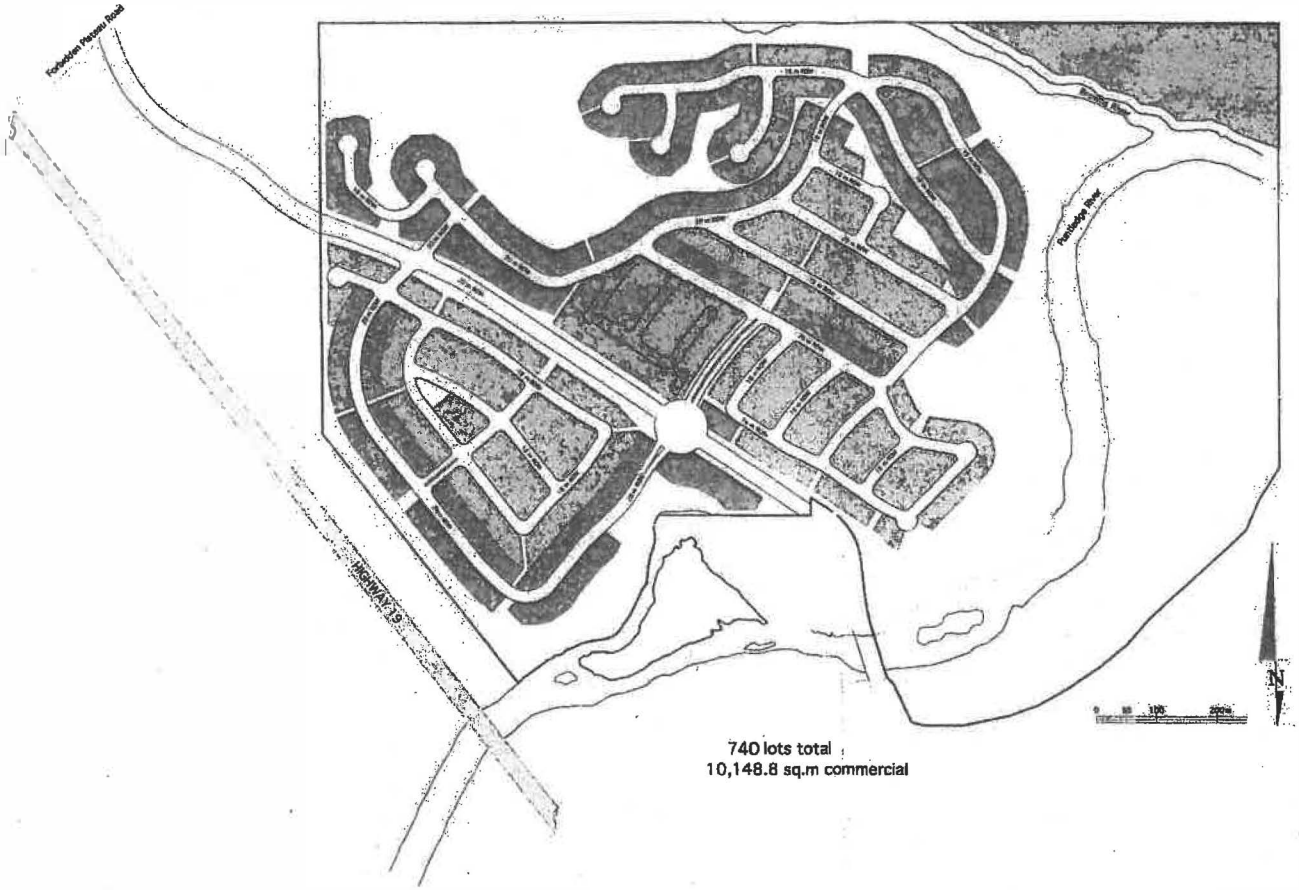
Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team



RIVERWOOD

COMOX VALLEY

Site Area Context



740 lots total
10,148.8 sq.m commercial

RIVERWOOD
COMOX VALLEY

This is Exhibit "B" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

IN THE MATTER OF THE HUMAN RIGHTS CODE
R.S.B.C. 1996, C. 210 (as amended)

AND IN THE MATTER of a complaint before
The British Columbia Human Rights Tribunal (Case Number: 12231)

BETWEEN:

KABEL ATWALL

COMPLAINANT

AND:

COMOX VALLEY REGIONAL DISTRICT BOARD ("**CVRD**") – AND – EDWIN GRIEVE ("**Grieve**") – AND – DEB OAKMAN ("**Oakman**")

RESPONDENTS

(TOGETHER "**THE PARTIES**")

SETTLEMENT AGREEMENT

WHEREAS:

A. The Complainant filed a complaint with the Human Rights Tribunal on December 6, 2013 (Case Number: 12231) and an amendment on January 8, 2014 (collectively, the "Complaint"); and

B. The Complainant and the Respondents, after attending an Early Settlement Meeting on April 10, 2014 and having received independent legal advice, have agreed to resolve and settle all issues related to the Complaint;

NOW THEREFORE WITNESSETH THAT IN CONSIDERATION of the mutual covenants and agreements herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, the Parties agree together as follows:

1. The CVRD will pay to the Complainant a lump-sum of $15,000.00, representing compensation for injury to dignity, feelings and self-respect.

2. Grieve and Oakman agree that they will recuse themselves from any further involvement relating to lands located in Electoral Area C of the CVRD that is owned by 3L Developments Inc. and its related or associated companies and is the subject of a current re-zoning application and a Regional Growth Strategy amendment application (the "Lands") and the CVRD will set up the appropriate internal safeguards to ensure that Grieve and Oakman have no further dealings with respect to the Lands in all respects.

The CVRD will advise counsel for the Complainant, Joseph Arvay, Q.C., of the internal safeguards established pursuant to this provision.

3. Grieve and Oakman agree that they will not attend or participate in any meetings of the CVRD (or any Committee meetings of the CVRD) with respect to any matter related to the Lands.

4. Grieve will select a replacement Alternate Director that is acceptable to the Complainant and any rejection of such replacement will be subject to a test of reasonableness. Any disagreement respecting any rejection will be resolved by referral to Norman Trerise.

5. Grieve and Oakman agree that they will not discuss the Lands or any applications submitted to the CVRD in relation to the Lands with any potential replacement Alternate Director for Grieve.

6. Prior to the above appointment of an Alternate Director by Grieve, Mr. Atwall and representatives of 3L Developments Inc. agree that they will not in any way attempt to contact such person.

7. The obligations of Grieve and Oakman set out above in sections 2 to 5 of this Agreement will cease when either of the following events occur:

    a. The Complainant ceases to be an employee of 3L Developments Inc. or its related or associated companies; or

    b. 3L Developments Inc. or its related or associated companies no longer owns the Lands.

8. The Complainant will withdraw the Complaint against all of the Respondents and file a Form 6.

9. The Parties and signatories to this Agreement agree to keep confidential the terms of this Agreement and henceforth the facts, details and circumstances related to the Complaint.

10. The Complainant acknowledges and agrees that the terms of this Agreement constitutes full and final satisfaction of any and all claims by the Complainant against all of the Respondents.

11. It is agreed by the Parties that the Complainant will indicate his acceptance of the terms of the Agreement by signing this Agreement and duly executing a mutually agreeable release and indemnity, which will include a no admission of liability clause.

12. The settlement referenced in this Agreement is a compromise of the matters referred to in the Complaint and is made by the Respondents as a matter of business efficacy and is not to be construed as an admission of liability on the part of any of the Respondents, by whom liability is expressly denied.

13. This Agreement contains the entire Agreement between the Parties and supersedes all other contracts, representations or warranties of the Parties to each other. The terms of this Agreement are contractual and not a recital.

14. This Agreement may be executed in counterparts. Faxed or emailed signatures shall constitute original signatures, and all counterparts shall be construed together and constitute one and the same Agreement.

15. The Complainant acknowledges that he has read this Agreement in its entirety and understands its contents.

16. The above terms are subject to ratification by the Board of the CVRD. Oakman, Grieve and Vice Chair Jon Ambler agree to recommend this settlement to the Board.

SIGNED at NANAIMO, British Columbia, this 5 day of ~~April~~ MAY 2014, in the presence of:

R.J. HOWAT
Name

3886 Rock City Road
Address

CONSULTANT.
Occupation

KABEL ATWALL

SIGNED at NANAIMO, British Columbia, this 5 day of ~~April~~ MAY 2014, in the presence of:

R.J. HOWAT
Name

3880 Rock City Road
Address

CONSULTANT.
Occupation

DAVID DUTCYVICH

SIGNED at Courtenay, British Columbia, this 7th day of ~~April~~ May 2014, in the presence of:

LEIGH CARTER
Name

2167A Anna Pl, Courtenay
Address

GM, Public Affairs
Occupation

COMOX VALLEY REGIONAL DISTRICT by its authorized signatories:

Authorized Signatory:

James Warren
Authorized Signatory:

SIGNED at Courtenay, British Columbia, this 7 day of ~~April~~ May 2014, in the presence of:

LEIGH CARTER
Name

2167A Anna Pl, Courtenay
Address

GM, Public Affairs
Occupation

EDWIN GRIEVE

SIGNED at Courtenay, British Columbia, this 7th day of ~~April~~ May 2014, in the presence of:

LEIGH CARTER
Name

2167A Anna Pl, Courtenay
Address

GM, Public Affairs
Occupation

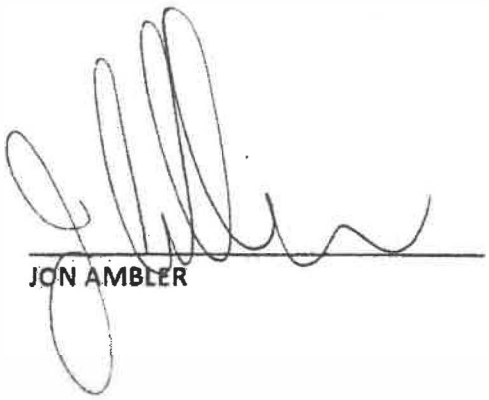
DEBRA OAKMAN

SIGNED at COURTENAY, British Columbia, this 7th day of ~~April~~ May 2014, in the presence of:

LEIGH CARTER
Name

2167A ANNAL, COURTENAY
Address

GM. PUBLIC AFFAIRS
Occupation



JON AMBLER

RELEASE

IN CONSIDERATION of the terms and conditions set out in the attached Agreement (the "Agreement"):

1. **KABEL ATWALL** ("Mr. Atwall"), his heirs, executors, administrators, successors, and assigns (collectively, the "Releasors"), hereby releases and forever discharges the **COMOX VALLEY REGIONAL DISTRICT ("CVRD")** (which includes its elected officials, officers, directors, agents, employees, successors and assigns and all related and affiliated corporations and their officers, directors, agents, employees, successors and assigns), **EDWIN GRIEVE,** and **DEBRA OAKMAN** (collectively, the "Releasees"), of and from all manner of action, causes of action, claims, complaints, demands and damages of any nature or kind which the Releasors now have or in time may have against the Releasees arising out of any cause, matter or thing occurring or existing up to and inclusive of the date of this Release in respect of or arising out of the facts alleged in the complaint filed by Mr. Atwall with the Human Rights Tribunal - Case Number: 12231 (the "Complaint").

2. In the event that the Releasors should hereafter make any claim, complaint or demand or commence or threaten to commence any action, claim or proceeding or make any complaint against the Releasees or anyone connected with the Releasees for or by reason of any cause, matter or thing, existing up to this present time, this document may be raised as an estoppel and complete bar to any such claim, demand, action, proceeding or complaint.

3. The Releasors, or any one of them, will not make any further claims or take any further proceedings in respect of any matters that are the subject of this Release against the Releasees or other persons, companies, corporations, or other legal entities who might claim contribution or indemnity from the Releasees.

4. If the Releasors, or any one of them, make any claim or take any proceedings against the Releasees or any other person, company, corporation, or other legal entity who claims over (whether for a contribution, indemnity, or otherwise) against the Releasees in relation to a matter that is the subject of this Release, the Releasors will indemnify and save harmless the Releasees from any and all such claims.

5. The Releasors will pay the appropriate authorities any taxes of any kind whatsoever that may be claimed or levied against the Releasors or the Releasees as a result of the payment of the amounts referred to in the Agreement, and the Releasors hereby agree to indemnify and save harmless the CVRD from any and all claims or demands under the *Income Tax Act*, S.C. 1985, c.1 (5th Supp.), and/or the *Income Tax Act*, R.S.B.C. 1996, c. 215, for or in respect of any failure on the part of the CVRD to withhold income tax, or for any charges of any kind whatsoever that might be claimed or levied as a result of the payments referred to in the Agreement, or from all or part of the said consideration and any interest or penalties relating thereto and any costs or expenses incurred in defending such claims and demands.

6. The Releasors agree that there are no representations, warranties, collateral agreements, or conditions with respect to the subject matter of the Agreement or this Release except as expressly contained herein.

7. The Releasors hereby represent and declare that they have read the Agreement and this Release and have had the opportunity to obtain independent legal advice with respect thereto and understands that it contains a full and final release of all claims that they have, or may have, against the Releasees with respect to the Complaint and that there is no

admission of liability on the part of the Releasees and that any such liability is denied.

As evidence of Releasors' agreement to be bound by the above terms and conditions, the Releasors have executed this release below this 5 day of ~~April~~ MAY, 2014.

Signed by **KABEL ATWALL**)
in the presence of:)
)
R.J. HOWAT)
Witness) **KABEL ATWALL**
)
)
3880 Rock City Road)
Address)
)
)
CONSULTANT.)
Occupation)

This is Exhibit "C" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

File: 2430-20/HRT

YOUNG ANDERSON

REPLY TO: VANCOUVER OFFICE

VIA Email: amitchell@farris.com

May 21, 2014

Alexander D. Mitchell
Farris, Vaughan, Wills & Murphy LLP
Barristers & Solicitors
2500 - 700 W. Georgia Street
PO Box 10026 Pacific Centre
Vancouver, BC V7Y 1B3

Dear Mr. Mitchell:

Re: Kabel Atwall v. Comox Valley Regional District Board – and- Edwin Grieve – and – Deb Oakman (Case No. 12231)
Our File No. 00025-0236

We are writing further to Sections 2 and 4 of the settlement agreement between the Parties regarding the above complaint (the "Agreement"). Pursuant to section 2 of the Agreement, the Regional District has implemented the following internal safeguards to ensure that Chair Grieve and Debra Oakman have no further dealings with respect to the lands as defined in the Agreement (the "Lands"):

1. The General Manager of Planning and Development Services has been delegated the responsibility to act in the place of Ms. Oakman on all matters related to the Lands.

2. The Regional District has advised staff that all correspondence, phone calls, emails and other such communications related to the Lands will be directed to the General Manager of Planning and Development Services or as delegated by the General Manager of Planning and Development Services.

3. The Regional District has advised staff not to have any discussions related to the Lands with either Ms. Oakman or Chair Grieve.

4. All paper documents related to any applications involving the Lands will be kept in a locked filing cabinet in the office of the General Manager of Planning and Development Services.

5. All electronic records related to any applications for the Lands will be stored in a separate folder to which Ms. Oakman and Chair Grieve will not have access.

6. At any Regional District Board or Committee meetings where the Lands will be discussed, a separate agenda will be published for the particular topic. The portion of the meeting that involves the Lands will be convened prior to the regular meeting. Neither Chair Grieve nor Debra Oakman will attend these portions of the meetings.

With respect to the issue of a replacement Alternate Director as per Section 4 of the Agreement, Chair Grieve did approach the individual discussed at the Early Settlement Meeting on April 10, 2014. However, that individual did not wish to be an Alternate Director. Therefore, we will provide you the name of a potential Alternate Director as soon as possible.

If you have any questions regarding the above, please contact the writer at your earliest convenience.

Yours truly,

YOUNG ANDERSON

C. MacEachern

Carolyn MacEachern
maceachern@younganderson.ca

CM/lym

Cc: Client

This is Exhibit "D" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Carolyn MacEachern

From: Carolyn MacEachern
Sent: Friday, May 23, 2014 11:37 AM
To: 'Email Service'; 'Debra Oakman'; 'James Warren'
Subject: FW: Alternate Director

Chair Grieve, Debra and James,

You can proceed with talking with Mr. Scoville about being your alternate director. Please keep me posted. Have a great weekend.

Carolyn MacEachern
Barrister & Solicitor

e-mail: maceachern@younganderson.ca
t: 604.689.7400 | f: 604.689.3444
www.younganderson.ca
Young, Anderson | 1616 – 808 Nelson Street | Box 12147 Nelson Square | Vancouver | BC | V6Z 2H2

From: Alexander Mitchell [mailto:amitchell@farris.com]
Sent: Friday, May 23, 2014 11:23 AM
To: Carolyn MacEachern
Subject: Alternate Director

Hi Carolyn.

Further to our telephone communication yesterday, I can confirm that Curtis Scoville is acceptable to Mr. Atwall. Please confirm as soon as you are in a position to do so whether Mr. Scoville has accepted the appointment as Alternate Director for Mr. Grieve.

Thanks.

Alex

Alexander Mitchell
Associate

FARRIS

Farris, Vaughan, Wills & Murphy LLP
25th Floor, 700 W Georgia St
Vancouver, BC V7Y 1B3

Tel 604 661 9397
Fax 604 661 9349

www.farris.com

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Thank you.

This is Exhibit "E" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Appointment of alternate director

I, Edwin Grieve, director for Electoral Area "C" of the Comox Valley Regional District do hereby appoint Curtis Scoville as my alternate director.

I hereby declare that, to the best of my knowledge, information, and belief, the above-mentioned alternate director:

a) is of the full age of eighteen years;
b) is a Canadian citizen;
c) is legally qualified to be appointed and to hold the office of alternate director for Electoral Area "C";
d) is not subject to any of the disqualifications set out in the *Local Government Act*.

Dated at Courtenay, **B.C. this** 10 **day of** June, 20 14.

Director

Under section 787 of the *Local Government Act*, we consent to the above-mentioned appointment:

Qualified Elector

6739 Rennie Rd Courtenay BC V9J 1V2
Residential Address

Qualified Elector

6739 Rennie Rd. Courtenay BC V9J 1V2
Residential Address

I accept the above-mentioned appointment:

Alternate Director

2181 Miracle Beach Dr. Black Creek V9J 1K3
Residential Address

Same
Mailing Address

337-1985
Telephone (Home)

337-1986
Telephone (Business)

(Fax)

CurtisScoville@shaw.ca
E-mail address

RECEIVED

File:

DEC 12 2014

To:

cc:

Comox Valley REGIONAL DISTRICT

Appointment of alternate director

File: 0530-01

I, Edwin Grieve, director for Electoral Area "C" of the Comox Valley Regional District do hereby appoint Curtis Scoville as my alternate director.

I hereby declare that, to the best of my knowledge, information, and belief, the above-mentioned alternate director:

a) is of the full age of eighteen years;
b) is a Canadian citizen;
c) is legally qualified to be appointed and to hold the office of alternate director for Electoral Area "C";
d) is not subject to any of the disqualifications set out in the *Local Government Act*.

Dated at Black Creek, **B.C. this** 2 **day of** December, 20 14.

Director

Under section 787 of the *Local Government Act*, we consent to the above-mentioned appointment:

Geraldine J. Cannon
Qualified Elector

7042A Headquarters Road, Courtenay, B.C. V9J 1N4
Residential Address

James A. Messenger
Qualified Elector

7042A HEADQUARTERS ROAD COURTENAY V9J 1N4
Residential Address

I accept the above-mentioned appointment:

Alternate Director

2181 MIRACLE BEACH DR. BLACK CREEK BC V9J 1K3
Residential Address

(SAME)
Mailing Address

250-337-1985
Telephone (Home)

250-337-1986
Telephone (Business)

1-866-268-2296
(Fax)

CURTISSCOVILLE@SHAW.CA
E-mail address

This is Exhibit "F" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Staff report

DATE: June 2, 2014

FILE: 6410-20 / CV RGS Amendment

TO: Vice Chair and Members
Committee of the Whole

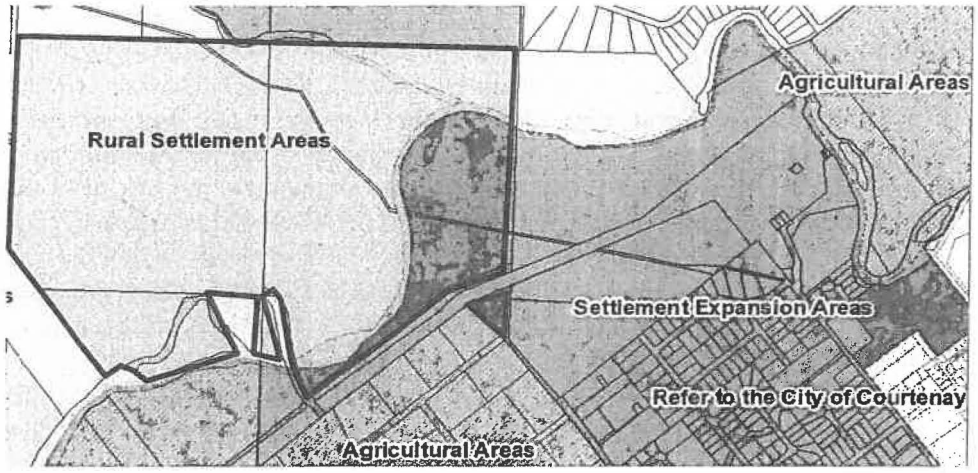
FROM: Ann MacDonald, MCIP, RPP
General Manager of Planning and Development Services Branch

RE: Regional growth strategy amendment initiation – 3L Developments Inc.
PID 000-866-814, SW ¼ Section 15, TWP 9, Comox District, Plan 552G
PID 028-915-194, Lot A, Section 10 & 15, Comox District, Plan EPP23059
PID 000-866-792, NW ¼ west of the Puntledge River, Section 10, Township 9, Comox District, Plan 552G

Purpose

For the regional board to consider whether or not to initiate an amendment to the regional growth strategy (RGS), as per an application by 3L Developments for the Riverwood proposal.

Figure 1: Subject lands Shown as outlined in Red



Policy analysis

Section 854 of the *Local Government Act* (LGA) identifies the process for the preparation of an RGS including the requirement for a resolution of the board to initiate that preparation.

Section 857.1 clarifies that consultation, facilitation, and acceptance of an amendment to an RGS shall be undertaken in the same manner as the preparation of an RGS. Further, this section identifies the ability of, and the requirements for, a board to proceed with a proposed amendment to a regional growth strategy as a minor amendment.

Section 869 establishes a requirement for a regional district to establish a monitoring program through which to consider the success of its implementation efforts and to annually report on

implementation and progress relative to the objectives of its RGS. Further, this section states that at least once every five years consideration must be given to whether a review of the RGS is required. Public input on that decision point is required.

Bylaw No. 274 CVRD Regional Growth Strategy Fees and Charges Bylaw details the process and costs associated with processing an amendment to the regional growth strategy.

Executive summary

This is the first step in the process, as outlined in Bylaw 274, whereby the board is being asked to initiate an amendment. If the board does not initiate this amendment, the application is denied and re-application is not be permitted for 12 months, per Section 5(1) & schedule 2 of Bylaw 274.

If the board decides that it is in the public interest to initiate the amendment, the matter will return to the board in due course for it to consider two further decisions: to determine if the amendment is a minor or standard amendment, and to approve a consultation plan that will establish the estimate of fees and guide the consultation process.

The proposal, known and advertised locally as the Riverwood project, includes 741 residential lots, 10,000m^2 of commercial development and approximately 74 hectares of park/open space including approximately nine kilometres of trails. Pursuing an amendment to the regional growth strategy to enable this development will essentially lead to either the creation of a new settlement node or the extension of an existing settlement expansion area.

An amendment to enable this development is not recommended because:

1. Existing settlement nodes have been identified in the RGS managing growth (MG) policies 1A-1to 1E-6 as areas that are intended to accommodate compact forms of development and areas that are not contiguous to municipalities. (Page 87, RGS) These three settlement nodes at Mt. Washington, Saratoga Beach and Union Bay have significant development capacity well into the planning phase. A portion of the area included within this application is in an existing settlement expansion area and is therefore contiguous to the City of Courtenay.
2. Existing settlement expansion areas are intended to be developed with publicly owned water and sewer services, per MG policies 1A-1 – MG policy 1E-5, in an orderly manner that does not detract from compact growth options within municipal areas, with a four hectare minimum lot size. This proposal includes privately owned services with residential lot sizes that are well below four hectares.
3. The review of the rural Comox Valley OCP is currently underway, including preparation of two settlement node local area plans and a transportation road network plan. That planning exercise has identified significant existing capacity in the rural settlement areas and existing settlement nodes for which master development agreements are already in place.
4. Findings of the most recent RGS annual report do not indicate a need for additional expansion of settlement nodes or settlement expansion areas.

Recommendation from the general manager of planning and development services branch:

THAT the board not initiate an amendment to Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" to enable the development of the Riverwood development, attached as Appendix 1 and for lands legally described as:

1. Southwest ¼ of section 15, TWP 9, Plan 552G, except Plan 79 R/W and VIP 70188;
2. Fractional Northwest ¼, West of the Puntledge River, Section 10, TWP 9, Plan 552G, except Plan 70188; and
3. Lot A, Sections 10 and 15, TWP 9, Plan EPP 23059.

Respectfully:

A. MacDonald

Ann MacDonald, MCIP, RPP
General Manager of Planning and
Development Services Branch

History/background factors

On March 12th, 2013, the owner of the subject lands made a presentation to the committee of the whole (in camera) and presented an offer to the regional board to purchase lands within the area known as the Puntledge Triangle (e.g. Stotan Falls for $9 million, subject to a series of conditions (including development approval)). The board considered the offer, but declined through resolution stating that notwithstanding the public benefit associated with acquisition of the specific parkland, the proposed development was inconsistent with the RGS.

On May 22nd, 2013, the owner of the subject lands submitted a letter requesting that an amendment to the RGS be initiated to accommodate a residential development as follows. Details of this amendment and proposal are attached as Appendix A.

- Approximately 741 residential dwelling units (single detached dwellings and "patio homes");
- Approximately 10,000m^2 commercial development; and
- Approximately 74 hectares of park/open space including approximately 9km of trail development.

The regional board approved the following motion on August 20, 2013:

> *THAT prior to initiating any minor or standard amendment process, a regional growth strategy fees and charges bylaw be adopted.*
>
> *THAT the staff report regarding the application by 3L Developments Inc. (dated August 7, 2013) to amend the regional growth strategy be referred to a subsequent committee of the whole meeting following adoption of the regional growth strategy fees and charges bylaw.*

In December 2013, the applicant submitted an application to rezone the subject lands in accordance with the rural settlement area and settlement expansion area policies of the RGS, to permit eventual subdivision of approximately 36 lots (approximately four hectares each). In a meeting with planning and development services staff on May 20th, 2014, the owner advised that the application for zoning amendment will be withdrawn. Staff await written confirmation of this.

On March 18, 2014, the regional board adopted Bylaw No. 274, the Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014. Bylaw No. 274 establishes the application

requirements, procedures and costs for processing an amendment to the RGS. Briefly, the initial procedure involves:

- preliminary review of proposal by staff with proponent;
- initiation of amendment preparation by board resolution;
- technical advisory committee review and steering committee review;
- board resolution regarding nature of amendment (i.e. standard or minor) following steering committee recommendation to board; and
- approval of consultation plan by board resolution in accordance with procedural requirements of LGA.

At this time, the board is being asked to initiate an amendment to the RGS. Given the density associated with this proposal, the amendment, if initiated and approved, will effectively create a new core settlement area. The details of the amendment (i.e. standard or minor amendment) as well as the details of the proposed land use (e.g. servicing, park dedication, environmental protection, etc.) would be fleshed out following a decision of the board to initiate. It is only after the board determines that it is in the public interest to initiate an amendment that a complete application to amend the RGS including any additional information as described in Bylaw No. 274 would be obtained (as well as fees).

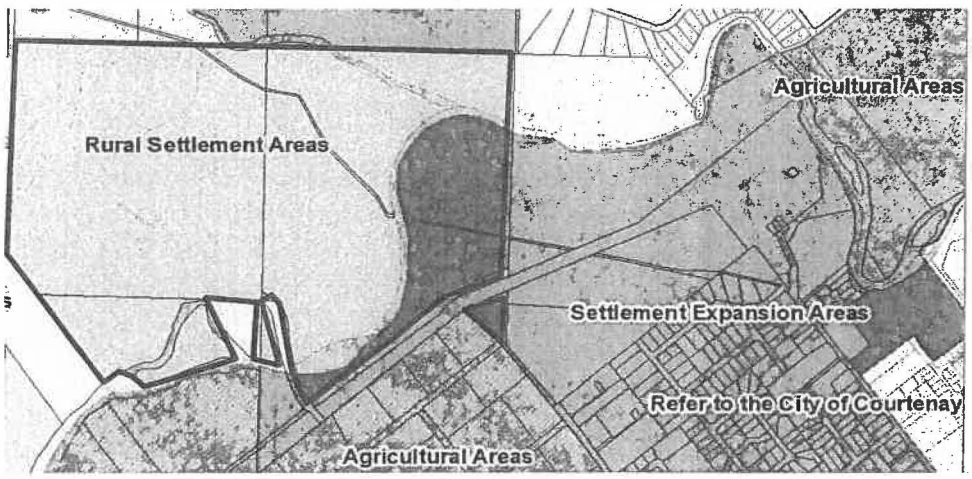
At this time, the board is being asked to decide on whether or not it is in the public interest to initiate this amendment, and detailed consideration of the proposal will require a later review by the board, in the event that the amendment is initiated.

Planning analysis

Regional growth strategy

The subject lands are primarily designated rural settlement area (RSA) within the RGS, with a small portion included within an area designated as settlement expansion area (SEA).

Figure 2: RGS designations



The RSA designation is one of two *rural areas* designations and comprises all lands outside of the core settlement areas except for agricultural, resource, and park lands. New development within the RSA designation is not to be "urban or suburban in form", but rather should accommodate housing, employment and commercial needs in a manner that is respectful (i.e. in scale and form) of the surrounding rural and agricultural context. To address the principles of growth management

articulated by the RGS, a minimum lot area for subdivision ranging between four and 20 hectares has been established. Note that consideration for implementing this range is being refined through the ongoing official community plan (OCP) review.

The SEA designation is included within the definition of core settlement areas. SEA lands are located on the fringes of the municipal areas and are envisioned, over the long term, to serve the needs of the municipal areas to expand as needed based on population growth. The lands have been identified as expansion areas because either:

1. they contain existing residential settlements that are serviced with private sewer and/or on-site water that will eventually require full public servicing in order to address health and environmental issues before they arise; or
2. they have the long-term potential to accommodate future growth subject to boundary extensions and the provision of publicly-owned water and sewer services.

The RGS directs that development of the SEA lands should occur at such time as existing municipal areas have been intensified (e.g. through intensification of existing neighbourhoods and greenfield development). Further, subdivision within lands designated SEA is limited to a four hectare minimum until such time as the lands have been incorporated into a municipal area and provided with publicly owned water and sewer services. Within the 20-year planning horizon of the RGS, a minimum of 90 per cent of residential growth is to be directed to the core settlement areas in order to promote the efficient use of land and public infrastructure.

Official community plan

The subject lands are designated "rural" in the OCP. The rural OCP review is ongoing and is expected to be completed by fall 2014. Should the board initiate an amendment to the RGS to permit designation of the lands as a new core settlement area, an OCP amendment will be required in order for the lands to develop at a residential density that is greater than the present four to20 hectare minimum lot size as directed by the regional growth strategy. Amendment to the official community plan (be it municipal or rural) would be undertaken following amendment of the RGS.

Zoning bylaw

The subject properties are predominately zoned rural 20 (RU-20). A small portion of the northeast corner of the subject property is zoned upland resource 40 (UR-40). Should the board initiate an amendment to the RGS to designate the subject lands as a new core settlement area, an amendment to the zoning will need to be considered in order for the lands to develop at a greater density and different mix of uses than contemplated by the RU-20 and UR-40 zones.

It is at the time of rezoning a property that a local government can obtain community benefits, such as parkland. This process, that generally includes voluntary offers by the developer, is typically referred to as "community amenity contributions". These community benefits are intended to offset the impact of increased density. Though not required by law, development proponents will often offer such amenities as part of a development proposal particularly when the supporting infrastructure and existing community amenities may not be designed or have optimal capacity to host the proposed new density.

As the development of the subject lands is proposed to be at a density greater than what is provided for in the existing land use designations, at a minimum, a zoning bylaw amendment will be required, as well as an OCP amendment and an RGS amendment.

Options

1. The board could initiate an amendment to the RGS to create a new core settlement area as proposed in Appendix A.
2. The board could decide not to initiate an amendment to the RGS.

Staff recommends option 2 as the initiation of an amendment to the RGS in not considered to be in in the public interest. Specifically, staff recommends option 2 on the basis of the following:

- Significant opportunities for intensification and greenfield development remain in the municipal areas and settlement nodes (i.e. RGS managing growth policy 1.2);
- No public servicing infrastructure is required or planned in the area at this time (i.e. RGS policies 5A-2, 5A-5, 5D-1, managing growth policies 1E-3 and 1E-4);
- The review of the rural Comox Valley OCP is underway, including preparation of settlement node plans wherein land uses, development criteria and identification of additional growth opportunities will be identified, as well as a regional transportation plan;
- Findings of the most recent RGS annual report do not indicate a need for additional core settlement areas nor expansion of existing settlement expansion areas.

Financial factors

The request of the land owner to the regional board to initiate an amendment to the RGS was made on May 22nd, 2013 prior to the adoption of Bylaw No. 274. As a result, the non-refundable processing fee of $1,000 provided for in Bylaw No. 274 has been waived.

In the event that the board decides to initiate an amendment, staff will return to the board within due course with a full report and recommendations from the steering committee on the type of amendment (i.e. standard or minor), and a consultation plan. Following those two decisions by the board, the applicant will be provided with an estimate of fees in accordance with Bylaw 274, and the application fee of $9000.00 will be collected.

Legal factors

The information contained within this report is presented in accordance with the LGA and specifically, part 25 of the regional growth strategy.

Sustainability implications

There are no sustainability implications directly pertaining to the board's contemplation of RGS amendment initiation. There will be significant sustainability implications in the event that the board decides to initiate the amendment and a future staff report will identify those sustainability implications.

Intergovernmental factors

There are no intergovernmental factors at this time. In the event that the board decides to initiate an amendment, and the amendment is deemed to be a standard amendment at a future meeting, the CVRD will be required to establish an intergovernmental advisory committee as part of the required consultation process, and the technical advisory committee and steering committee involving staff from member municipalities will be convened.

Interdepartmental involvement

This report has been prepared by planning services staff. If the board decides to initiate an amendment to the RGS, interdepartmental consultation will be required.

Citizen/public relations

This report is provided for information. Should the board initiate an amendment to the RGS, public consultation will be conducted in accordance with the LGA and specifically in accordance with a board approved consultation plan as per Bylaw No. 274. Significant public consultation will be an important component of any RGS amendment.

Prepared by:

A. Mullaly

Alana Mullaly, M.Pl, MCIP, RPP
Manager of Planning Services

Attachments: Appendix A – "3L Development Inc.'s amendment request and development concept"

Comox Valley Regional District
RECEIVED
File: 6410-01
MAY 22 2013
To: D. Oakman
cc:

3L DEVELOPMENTS INC.

#34 – 6245 BLUEBACK ROAD, NANAIMO, BC. V9V 1N7

MAY 22, 2013

Comox Valley Regional District
600 Comox Road
Courtenay, B.C.
V9N 3P6

Attention: Ms. Deb Oakman, Chief Administrative Officer

Dear Ms. Oakman:

Re: 3L Developments Inc. Properties

As per the letter dated March 27, 2013 from Edwin Grieve, in which three options were outlined for the development of our property and the email received from Kevin Lorette, dated May 14, 2013, 3L Developments Inc., hereby wishes to initiate an application for a Regional Growth Strategy Amendment.

The intent of the application would be to allow 3L to proceed with the development of its Riverwood project, which if successful, would result in the donation of 50% of the property as parkland. This parkland would include the important recreational and culturally significant areas along the Puntledge and Browns Rivers.

In Mr. Lorette's email, he stated that the RD wished to know what the development would consist of, in terms of location, density, types of uses, site access and services. In this regard, 3L provides the following for the RD's consideration.

RIVERWOOD VISION

TO DEVELOP A NEIGHBOURHOOD COMMUNITY THAT ENCOURAGES HEALTHY LIVING THROUGH THE USE OF THE BEST AVAILABLE DESIGNS, APPROACHES, AND SYSTEMS

WE STRIVE TO CREATE A UNIQUE COMMUNITY THAT RESPECTS AND CELEBRATES THE LAND WHILE PROVIDING NEW AND AFFORDABLE LIVING OPPORTUNITIES FOR A DIVERSE POPULATION

DEVEOPMENT QUICK FACTS

- Master Planned Mixed Use Community (residential, commercial, and recreational)
- 10 to 15 year build out
- Built upon the social, economic, and environmental elements of sustainability
- Will significantly contribute to the economy of the region through $1.3 million in taxes annually, $360 million in direct and indirect expenditures, and 2600 man years of employment
- No infrastructure cost to the Regional District as project is totally self-sufficient in terms of water and sewer
- LEED targeted
- Total Site Area of 370 acres
- 185 acres of public parkland dedication
- 9 kilometers of trails
- Provision of public access to the Browns and Puntledge Rivers with adequate parking and facility improvements such as washroom/change rooms
- 741 lots residential units (single family and patio homes)
- Dedication of currently private road into the public hand to ensure access to public amenities

PROJECT LOCATION

The Riverwood project is located within the Puntledge-Black Creek Electoral Area (Area C) of the Comox Valley Regional District. It is located to the northwest of the City of Courtenay on the confluence of the Browns and Puntledge Rivers. The site is ideally located upon the threshold of Forbidden Plateau and Mt. Washington, which serves and builds upon the unique recreational attributes of the development.

Riverwood is built upon 5 minute walking distances with an integrated transit loop, all serviced by self sufficient and cost effect sewer and water systems that will not burden the regional systems.

With 185 acres of land being placed within the public hand, including the popular Stotan Falls recreation area and the creation of 9 kilometers of public trails, Riverwood will significantly contribute to the broader community and the Comox Valley.

ECONOMIC DEVELOPMENT OPPORTUNITIES

Each OCP in the Comox Valley supports the economic development of the region through tourism and recreational opportunities. The RGS has policies that build upon the year-round tourism opportunities offer by the region's natural beauty, outdoor recreational opportunities, and that reflect the region's embracement of the emerging tourism market.

The stated objectives of the OCPs are to diversify the regional economy through expanding the tourism market and promotion of the area's natural amenities. Stotan Falls is one of the most popular local swimming attractions in the Comox Valley; it is minutes from the urban centres; easily accessed; attracts a wide variety of users; and is also privately owned.

Through Riverwood, the dedication of Stotan Falls, along with 185 acres and 9 kilometers of trails is a crucial part of the larger puzzle to achieving regional objectives. Riverwood would allow Stotan Falls and the linkages of recreational opportunities to be properly promoted by the RD through the Comox Valley Economic Development Society as part of the Regional destination recreation corridor.

Public tax payers cannot afford to purchase this popular regional recreational area in order to have it in the placed in the common hand. Developing the site in accordance with LEED targets and the best development practices will allow for 185 acres of this regional destination to be put into the public hand.

SUSTAINABILITY STRATEGY

The most important approach to the Riverwood development proposal, despite all of the pubic and regional benefits, is that of 3L's development approach and philosophy. 3L has imposed strict environmental, economic, and social standards for itself to achieve in order to create a responsible development. Riverwood brings enhanced ecosystem values, high efficiency, and new standard for development in the Comox Valley.

To keep 3L on track of achieving its sustainability goals, it has created a complete set of sustainability guidelines through a Sustainability Matrix (copy attached). This matrix outlines the core targets of sustainability including a full scope of sustainability issues and Riverwood's approach to meeting those strict targets. It is understood that sustainability is not a final destination but rather a continuous journey that we will take together in order to build better and memorable places.

As part of Riverwood's own strict sustainability strategy, independent and cost-effective servicing will bring a new level of self-sufficiency to the project while not burdening Regional government systems. For example, the Provincial Government will require that a utility company run the sewer, water, and stormwater systems perpetually in the future, which will remove the risk or the need for any local government to financially contribute or run the systems.

WATER AND SEWER SYSTEMS

The Region has its water and sewer strategies. Riverwood does not wish to add an additional burden on these systems as a result of its proposal. Technological advances allow Riverwood to service its property on site, allowing it to be more environmentally responsible.

Riverwood is pursuing servicing options that will not burden existing systems nor create systems that will cost tax payers money by:

- Integrating "off the grid" servicing in order to be self sufficient and responsible
- Utilizing water re-use programs to reduce the amount of potable requirements (options that would not be available under regional systems)
- Augmenting the natural environment and habitat with high-quality reclaimed water and
- Arranging a long-term servicing provision with a utility to which the user will pay a monthly utility fee (such as one does for natural gas or hydro)

3L believes that in order to be truly sustainable and start moving towards a better way of building communities, creative servicing alternatives must be included and expected as part of new developments.

REGIONAL PLANNING

In order for the Riverwood development proposal proceed, it needs as a first step, an amendment to the Regional Growth Strategy.

The Riverwood site has been classified within the Rural Settlement Area category of the RGS. The rural settlement areas encompass lands within the electoral areas that are not designated agricultural or resource areas, provincial parks, or settlement nodes. The RGS strategy is to ensure that the rural character of these places are maintained and should not be urban or suburban in form or character.

Riverwood is consistent with rural area category as it:

- Is in keeping with sustainability practices and reduces the footprint of the development compared to traditional subdivision development
- Maximizes the return of a regionally significant recreational area to the public hand
- Provides a small neighbourhood commercial center upon a future transit loop
- Will not burden municipal infrastructure in the future
- Is not located upon lands within the ALR or within resource areas

Furthermore, the various OCP's in the Comox Valley all support: economic development, responsible and sustainable growth, acquiring significant and important public amenities, avoidance of sprawl and associated costly infrastructure, preservation of resource, forest and agricultural lands, and preservation of heritage and environmental values.

Riverwood is consistent with goals of the OCP in the Comox Valley because it:

- Promotes a sustainable future by clustering development, promoting alternative transportation modes, preserves green space and will significantly contribute to the economy
- Preserves resource, forest, and agricultural lands
- Provides a healthy lifestyle by incorporating multi-user trails, recreational areas, community gardens and integrated stormwater management practices
- Approaches development in an environmentally and socially responsible manner by creating a broader public benefit rather than creating sprawling unsustainable growth
- Places Stotan Falls and 50% of the total site area within the public hand for all to enjoy

SUMMARY

Riverwood will:

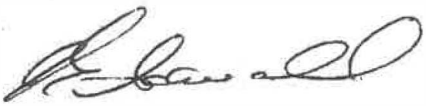
- Place 185 acres of highly valued recreational land within the public hand
- Place Stotan Falls within the public hand and meet Regional park planning goals
- Create 9 kilometers of recreational trails for residents and visitors
- Bring $360 million in direct and indirect investment dollars to the Comox Valley, while providing 2600 man years of employment
- Generate $1.3 million in taxes per year
- Provide a variety of home ownership options with a range of market prices
- Protect the heritage values along the Browns and Puntledge Rivers
- Remove servicing costs and burdens to the Regional District by providing innovative and environmentally friendly solutions to sewer and water supply, water reclamation and reuse, and stormwater management
- Introduce a small local commercial village center to provide some services to both Riverwood and surrounding residents but not to compete with the downtown commercial centers within the Comox Valley
- Utilize a high level of innovation for servicing which will enable Riverwood to be more environmentally responsible and sustainable. Independent sewer and water systems and storm water management will not burden municipal infrastructure and tax payers
- Create a model for master community planning, providing limited neighbourhood commercial services, provide a transit loop and bike lanes to promote alternative modes of transportation and foster sustainability and create a sense of place.
- Do this all over a 10 to 15 year build out period.

It is trusted that the Board will consider our vision for the property and the benefits that can accrue to the Regional District and see fit to advance it through the amendment process.

If you require any more information or need clarification of any point contained herein, please do not hesitate to contact me. To this end, it should be know that we have completed traffic

studies, an archaeological overview, environmental studies, servicing analysis, and an economic impact analysis.

Yours sincerely,



Kabel Atwall
3L Developments Inc.

RIVERWOOD

COMOX VALLEY



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stakeholders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED-ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost a to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low-flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team

RIVERWOOD

COMOX VALLEY



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stakeholders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED-ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing, spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
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Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

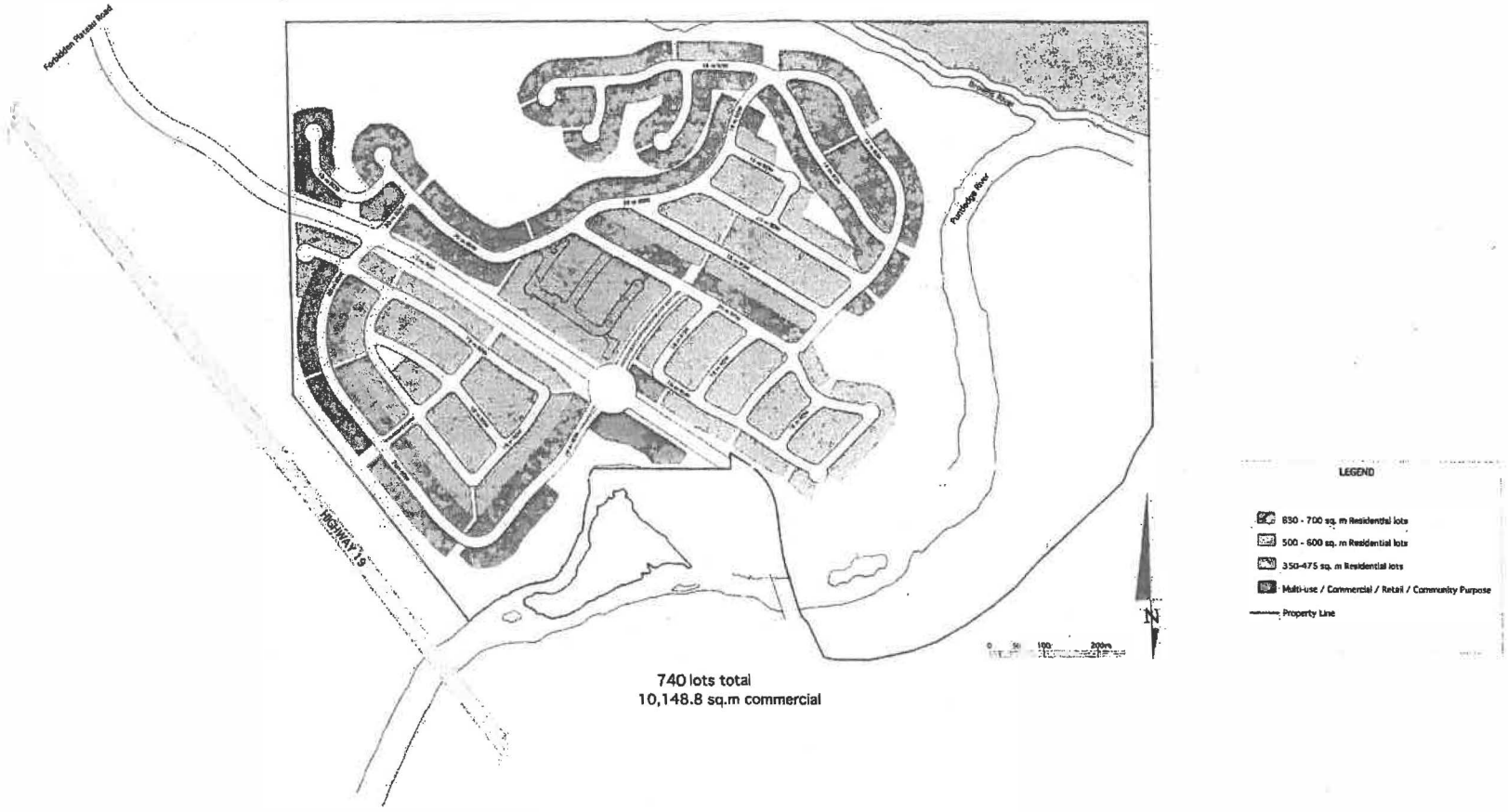
Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educetional value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team



RIVERWOOD

COMOX VALLEY

Site Area Context



740 lots total
10,148.8 sq.m commercial

RIVERWOOD
COMOX VALLEY

This is Exhibit "GA" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Staff report

DATE: June 17, 2014

FILE: 6410-20 / CV RGS Amendment

TO: Vice Chair and directors
Committee of the Whole

FROM: James Warren
Corporate Legislative Officer

RE: Regional growth strategy amendment initiation – 3L Developments Inc.
PID 000-866-814, SW ¼ Section 15, TWP 9, Comox District, Plan 552G
PID 028-915-194, Lot A, Section 10 & 15, Comox District, Plan EPP23059
PID 000-866-792, NW ¼ west of the Puntledge River, Section 10, Township 9, Comox District, Plan 552G

Purpose
The purpose of this report is to provide the committee of the whole with clarity as to the process to amend the Comox Valley regional growth strategy (RGS).

Policy analysis
The Comox Valley Regional District (CVRD) has adopted the Comox Valley Regional Growth Strategy Bylaw No. 120 that establishes a regional growth strategy for the Comox Valley. The bylaw is enacted under part 25 of the *Local Government Act* (LGA). Additionally, the CVRD adopted the Comox Valley Regional Growth Strategy Bylaw No. 274.

Amendments to the RGS must be processed under applicable sections of the *Local Government Act* and in accordance with the RGS itself and its accompanying fees and charges bylaw.

Executive summary
At its June 10, 2014 meeting, the committee of the whole considered a staff report dated June 2, 2014 on an amendment to the RGS, as per an application by 3L Developments for the Riverwood proposal. During the meeting, directors questioned the board's requirement to initiate an amendment as a step that is over and above the process described in the RGS itself. The committee adopted a resolution at that meeting to refer the matter to staff for further clarity on the process to amend the RGS. This report addresses the referral and clarifies the method in which the board must proceed with the Riverwood proposal.

Amending a regional growth strategy requires the following steps:

1) Board must adopt a resolution to initiate an amendment to the RGS (s. 854(1), applicable to amendments through s. 853(4) of LGA). This step is required regardless of whether the board ultimately decides the amendment is minor or standard. If the board does not initiate an amendment, any proposed changes to the RGS may be further considered when the board considers "whether the RGS must be reviewed for possible amendment", which must occur "at least every 5 years" (s. 869(2) of the LGA).
2) If a resolution to initiate an amendment is approved, a technical advisory committee and steering committee are convened to review and discuss the application and make

recommendations to the board on whether to proceed as a minor or standard amendment. (RGS page 111 and Bylaw No. 274, schedule 4)

3) The board must decide "by an affirmative vote of 2/3 of the board members present, to proceed with an amendment application as a minor amendment." (RGS page 111).
4) Depending on the board decision regarding the application being minor or standard, the board then approves an appropriate consultation plan and refers the application to external agencies as required. Bylaw readings are given in accordance with the LGA.

After seeking legal advice on this matter, staff is satisfied that the process described here is valid.

The points raised at the committee of the whole meeting regarding process clarity centred on step number one: the board needing to adopt a resolution to initiate an amendment to the RGS. The directors asked for clarity as to why s.857.1 of the LGA does not supersede the requirement for an initiating resolution by the board (s. 854(1)). It does not supersede s. 854(1) because s.857.1 applies only as an exception to the requirements of s. 857 (acceptance by affected local governments required). Section 857.1 describes an alternate process for obtaining acceptance by affected local governments when conducting a minor amendment to the RGS.

Recommendation
None. This report is presented for information only.

Prepared by:

J. Warren

James Warren
Corporate Legislative Officer

This is Exhibit "H" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

COMMITTEE OF THE WHOLE

Tuesday, June 24, 2014

Minutes of the meeting of the committee of the whole held on June 24, 2014 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, B.C. commencing at 10:00 a.m.

MINUTES

Present:

Vice-Chair:	J. Ambler	City of Courtenay
Directors:	B. Anglin	City of Courtenay
	P. Fletcher	Town of Comox
	J. Gillis	Lazo North (Area 'B)
	T. Grant	Town of Comox
	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
	S. Winchester	City of Courtenay
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	L. Carter	General Manager of Public Affairs/Info Systems
	A. MacDonald	General Manager of Planning and Development Services
	J. Warren	Corporate Legislative Officer
	A. Baldwin	Legislative Services Assistant

ADJOURN TO IN-CAMERA:

J. Gillis/M. Theos: THAT the committee adjourn to an in-camera session pursuant to the following sub-section of section 90 of the Community Charter:
90(1)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
791(2) Carried

P. Fletcher/M. Theos: THAT Alternate Director Price be permitted to attend the in-camera portion of this meeting.
791(2) Carried

Time: 10:00 a.m.

RISE AND REPORT:

The committee rose from its in-camera session at 10:21 a.m. and reported the following:

THAT the committee of the whole rise and report on the legal opinion dated June 19, 2014 received from Young Anderson regarding the regional growth strategy amendment process and that the legal opinion be made available to the public immediately.

The committee reconvened at 10:30 a.m.

DELEGATIONS:

J. Warren, corporate legislative officer, advised that requests have been made to appear as late delegations.

J. Gillis/M. Theos: THAT Jack Minard, Comox Valley Conservation Strategy and Nick Strussi be accepted to appear as late delegations to speak to the application by 3L Development Inc. for an amendment to the regional growth strategy.
791(2) Carried

Jack Minard, Comox Valley Conservation Strategy, spoke in opposition to the application to amend the regional growth strategy and raised concerns that approving the application by 3L Development Inc. would set a precedent and the proposed development is contrary to the regional growth strategy.

Nick Strussi raised concerns regarding the protection of the riparian areas around the Puntledge River and the streams in that area.

REPORTS:

REGIONAL GROWTH STRATEGY AMENDMENT INITIATION - 3L DEVELOPMENT INC.

B. Anglin/M. Theos: THAT the report dated June 17, 2014 regarding the process to amend the Comox Valley regional growth strategy be received.
791(2) Carried

J. Gillis/P. Fletcher: THAT the report dated June 2, 2014 regarding an application by 3L Developments Inc. for a regional growth strategy amendment for the Riverwood proposal be received.
791(2) Carried

The applicants, Mr. Atwall and Mr. Howat, were in attendance and provided information regarding the application.

J. Gillis/G. Sproule: THAT the board not initiate an amendment to Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" to enable the development of the Riverwood development, attached as Appendix 1 and for lands legally described as:

1. Southwest ¼ of section 15, TWP 9, Plan 552G, except Plan 79 R/W and VIP 70188;
2. Fractional Northwest ¼, West of the Puntledge River, Section 10, TWP 9, Plan 552G, except Plan 70188; and
3. Lot A, Sections 10 and 15, TWP 9, Plan EPP 23059.

791(2) Carried *NAY: S. Winchester, M. Theos, B. Anglin*

TERMINATION:

J. Gillis/B. Anglin: THAT the meeting terminate.
791(2) Carried

Time: 11:14 a.m.

Confirmed by:

Jon Ambler
Vice-Chair

Certified Correct:

James Warren
Corporate Legislative Officer

Recorded By:

Baldwin

Antoinette Baldwin
Legislative Services Assistant

These minutes were received by the Comox Valley Regional District board on the 24th day of June, 2014.

This is Exhibit "I" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

COMOX VALLEY REGIONAL DISTRICT BOARD

Tuesday, June 24, 2014

Minutes of the meeting of the Comox Valley Regional District board of directors held on Tuesday, June 24, 2014 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, B.C. commencing at 4:00 p.m.

MINUTES

Present:

Vice-Chair:	J. Ambler	City of Courtenay
Directors:	B. Anglin	City of Courtenay
	P. Fletcher	Town of Comox
	J. Gillis	Lazo North (Area 'B)
	T. Grant	Town of Comox
	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
	S. Winchester	City of Courtenay
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	L. Carter	General Manager of Public Affairs/Info Systems
	B. Dunlop	Corporate Financial Officer
	A. MacDonald	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	J. Warren	Corporate Legislative Officer

IN-CAMERA MEETING:

J. Gillis/M. Theos: THAT the committee adjourn to an in-camera session pursuant to the following sub-section of section 90 of the Community Charter:
90(1)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
AND FINALLY THAT the in-camera portion convene immediately following the open portion of the meeting.
791(2) Carried

DELEGATIONS:

J. Warren, corporate legislative officer, advised that a request has been made to appear as late a delegation.

S. Winchester/M. Theos: THAT the board accept Kabel Atwall as a late delegation regarding the proposed 3L Development application.
791(2) Defeated

REPORTS:

COMMITTEE OF THE WHOLE - JUNE 10, 2014

P. Fletcher/J. Gillis: THAT the committee of the whole minutes dated June 10, 2014 be received.
791(2) Carried

COMMITTEE OF THE WHOLE - JUNE 24, 2014

J. Gillis/M. Theos: THAT the committee of the whole minutes dated June 24, 2014 be received.
791(2) Carried

J. Gillis/P. Fletcher: THAT the board not initiate an amendment to Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" to enable the development of the Riverwood development, attached as appendix 1 to the staff report dated June 2, 2014 and for lands legally described as:
1. Southwest ¼ of section 15, TWP 9, Plan 552G, except Plan 79 R/W and VIP 70188;
2. Fractional Northwest ¼, West of the Puntledge River, Section 10, TWP 9, Plan 552G, except Plan 70188; and
3. Lot A, Sections 10 and 15, TWP 9, Plan EPP 23059.
791(2) Carried *NAY: B. Anglin, M. Theos, S. Winchester*

ADJOURN TO IN-CAMERA:
The board adjourned to its in-camera session at 4:08 p.m.

RISE:
The board rose to its open session at 4:11 p.m.

TERMINATION:
J. Gillis/B. Anglin: THAT the meeting terminate.
791(2) Carried

Time: 4:11 p.m.

Confirmed by:

Jon Ambler
Vice-Chair

Certified Correct and Recorded By:

James Warren
Corporate Legislative Officer

This is Exhibit "J" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *3L Developments Inc. v. Comox Valley Regional District,* 2015 BCSC 738

Date: 20150506
Docket: S143392
Registry: Victoria

Between:

3L Developments Inc.

Petitioner

And

Comox Valley Regional District

Respondent

Before: The Honourable Madam Justice Burke

In the Matter of the *Judicial Review Procedure Act* the *Local Government Act*, Sections 850, 857, and 857.1 and Re Comox Valley, Regional District Regional Growth Strategy Bylaw No. 120, 2010

Reasons for Judgment

Counsel for the Petitioner:	K. Birney
Counsel for the Respondent:	S. Manhas
Place and Date of Trial/Hearing:	Victoria, B.C. January 15 and 16, 2015
Place and Date of Judgment:	Victoria, B.C. May 6, 2015

I. INTRODUCTION

[1] The Petitioner, 3L Developments Inc. ("3L") owns a parcel of undeveloped land in the Puntledge-Black Creek Electoral Area of Comox Valley Regional District ("CVRD"). In May 2013, 3L applied for an amendment to the applicable Regional Growth Strategy (the "RGS") to allow for subdivision of its land into smaller lots, an aspect of its strategy for developing the land. CVRD's Board (the "Board") however rejected 3L's application on June 24, 2014, acting on a recommendation adopted by its Committee of the Whole (the "Committee"). 3L

now seeks judicial review of that rejection under s. 2 of the *Judicial Review Procedure Act,* R.S.B.C. 1996, c. 241.

II. BACKGROUND

[2] This petition is about the power delegated to local governments to conduct land use planning. Municipalities and regional districts are creatures of statute with no inherent power or authority. An understanding of the applicable statutory regime is important in resolving the issues in this case.

[3] CVRD was incorporated on February 15, 2008. It consists of a federation of three municipalities and four unincorporated rural areas known as "electoral areas." The land which 3L seeks to develop is located within one of these electoral areas. The local government in that area accepted the RGS, as set out in Comox Valley Regional District Regional Growth Strategy Bylaw No. 120.

Governing Legislation and the Regional Growth Strategy

[4] At the regional level, land use planning takes place through implementation of regional growth strategies. Part 25 of the *Local Government Act,* R.S.B.C. 1996, c. 323 (the "*Act*") establishes procedures through which such strategies are initiated, developed, accepted, and amended, stipulating that they must cover a period of at least 20 years (s. 850(2)). Sections 849(1) and 850(1) define the purpose of an RGS: to "guid[e] decisions on growth, change and development" and "to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources."

[5] The *Act* encourages consultation, coordination and integration amongst various planning documents and regulations, including regional growth strategies and bylaws, to promote cooperation between regional districts and their constituent municipalities and electoral areas: *Greater Vancouver (Regional District) v. Langley (Township)*, 2014 BCSC 414, aff'd 2014 BCCA 512, at paras. 17-20.

[6] Section 857.1 of the *Act* governs the implementation of minor amendments to regional growth strategies. The section provides as follows:

> **Minor amendments to regional growth strategies**
>
> 857.1 (1) As exceptions to the requirements of section 857 that would otherwise apply to the amendment of a regional growth strategy, a regional growth strategy may be amended
>
> (a) in accordance with provisions under subsection (2) of this section, or

(b) if the regional growth strategy does not include provisions under subsection (2), in accordance with subsection (3).

(2) A regional growth strategy may include provisions that establish a process for minor amendments to the regional growth strategy, which must include the following:

(a) criteria for determining whether a proposed amendment is minor for the purposes of allowing the process to apply;

(b) a means for the views of affected local governments respecting a proposed minor amendment to be obtained and considered;

(c) a means for providing notice to affected local governments respecting a proposed minor amendment;

(d) procedures for adopting the minor amendment bylaw.

(3) A board may proceed with a proposed amendment to a regional growth strategy as a minor amendment in accordance with the following:

(a) the board must give notice, including notice that the proposed amendment may be determined to be a minor amendment and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading, to each affected local government at least 30 days before the meeting;

(b) before first reading of the amending bylaw, the board must allow an affected local government that is not represented on the board an opportunity to make representations to the board;

(c) if at first reading, the amending bylaw receives an affirmative vote of all board members attending the meeting, the bylaw may be adopted in accordance with the procedures that apply to the adoption of a regional growth strategy bylaw under section 791 and the board's procedure bylaw;

(d) if at first reading, the amending bylaw does not receive an affirmative vote of all board members attending the meeting, the bylaw may only be adopted in accordance with the procedure established by section 857 *[acceptance by affected local governments required]*.

(4) The following may not be considered a minor amendment for the purposes of this section:

(a) an amendment to a regional growth strategy to establish or amend a process referred to in subsection (2);

(b) an amendment to anything that the minister has established or directed under section 851 (3) or (4) or the Lieutenant Governor in Council has required under section 852;

(c) an amendment to a regional growth strategy proposed as a result of a resolution process under section 859 (2) (a);

(d) a type of amendment prescribed by regulation.

[7] As stipulated in s. 857.1(1), minor amendments are exempted from the requirements in s. 857, which apply to other amendments to an RGS. Non-minor amendments must be accepted by all members of the federation, unlike minor amendments. Section 853(1)(c)

provides that an amendment to an RGS "must be accepted by affected local governments ... except in relation to an amendment under section 857.1."

[8] Section 857.1(1) gives local governments a choice as to the procedure applicable to minor amendments. Where the RGS includes provisions which establish a process for making minor amendments to the RGS, s. 857.1(a) provides that the RGS may be accordingly amended. However, that process must be consistent with the requirements set out in s. 857.1(2). If the RGS does not stipulate a minor amendment process, the default process for making minor amendments in s. 857.1(3) applies.

[9] The RGS in this case includes provisions that establish a process for minor amendments, Part 5.2. There are five clauses in Part 5.2 of the RGS, as well as an "amendment summary chart." The pertinent provisions read as follows:

> **5.2 Amendments to the RGS**
>
> **1. Standard Amendments**
>
> An amendment to the RGS, other than those considered to be a minor amendment, is considered a standard amendment and will follow the same process that is required to adopt a RGS as set out in Part 25 of the *Local Government Act*.
>
> **2. Minor Amendments**
>
> Recognizing that the RGS will require some flexibility to respond to changing conditions in the region, the minor amendment process will provide a more streamlined amendment process for minor changes, while ensuring that amendments which substantially change the vision and direction of the strategy remain subject to acceptance by all affected local governments.
>
> ...
>
> Amendments to the RGS may only be made by bylaw. Under the *Local Government Act* a RGS amendment bylaw, other than one that is considered to be a minor amendment, must follow the same process that is required to first adopt the RGS. The *Local Government Act* enables minor amendments where a process has been established pursuant to section 857.1 that includes the following:
>
> - criteria for determining whether a proposed amendment is minor for the purposes of allowing the process to apply;
> - a means for the views of affected local governments respecting a proposed minor amendment to be obtained and considered;
> - a means for providing notice to affected local governments respecting a proposed minor amendment;
> - a means for providing public consultation and input into the proposed minor amendment; and
> - procedures for adopting the minor amendment bylaw.
>
> **3. Criteria for Minor Amendments**
>
> Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

a. Where a land use or development proposal is inconsistent with the Regional Growth Strategy, and, in the opinion of the CVRD Board:

- is not to be of regional significance in terms of scale, impacts or precedence;
- contributes to achieving the goals and objectives set out in Part 3; and,
- contributes to achieving the general principles contained in the grown management strategy Part 4.

...

4. Minor Amendment Process

Minor amendments may be applied for by a member municipality, the regional district, external agency, private land owner or developer. Once a minor amendment application has been received, the process for review and adoption is as follows:

- Upon receiving a minor amendment application, the CVRD will set up a Technical Advisory Committee (TAC) meeting for review and discussion of the application and provide comments to CVRD staff.
- On receipt of an application with comments from the technical advisory committee, CVRD staff will prepare a preliminary report for review by the RGS steering committee. Steering committee comments and recommendations will be forwarded to the CVRD Board to assist in its decision on whether the application should be processed as a minor amendment.
- The CVRD board will assess any proposed amendment in terms of the minor amendment criteria. The Board may resolve, by *an affirmative vote* of 2/3 of the board members present, to proceed with an amendment application as a minor amendment. Where the Board resolves to proceed with an amendment application as a minor amendment, the Board will:
  - Refer the application to TAC for comment.
  - Determine the appropriate form of public consultation required in conjunction with the proposed minor amendment.
  - Give 30 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment. The notice shall include a summary of the proposed amendment and any staff reports, other relevant supporting documentation and the date, time and place of the board meeting at which the amending bylaw is to be considered for first reading.

    ...

  - Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.

[10] As reflected in the excerpt above, Clause 3 of Part 5.2 of the RGS sets out criteria under which a proposed amendment may be considered "minor." Clause 4 specifies the five-step process to be followed "[o]nce a minor amendment application has been received."

Notably, it permits an application for amendment of the RGS to be brought by a private land owner or developer.

[11] The amendment summary chart depicts the process for adoption of an amendment to the RGS. According to the chart, this proceeds in four stages as follows: 1) RGS Amendment initiated; 2) CVRD Board determines if amendment is minor; 3) various readings and hearings; and 4) adoption.

The Challenged Decision

[12] 3L applied to amend the RGS in May 2013, seeking rezoning of its land to allow for subdivision into smaller lots. 3L did so in order to facilitate its intended large-scale commercial and residential development of the land.

[13] CVRD received 3L's application to amend on May 22, 2013. This led to the preparation of a report relating to 3L's application, which the Committee then considered at its July 16, 2013 meeting. At the conclusion of that meeting, the Committee adopted the following recommendations to the Board:

(a) That any standard amendment to the RGS only be considered as part of any review process for the RGS; and

(b) That prior to initiating any minor or standard amendment process to the RGS, a regional growth strategy fees and charges bylaw be adopted.

[14] On August 13, 2013, the Committee adopted a further recommendation to the Board. That recommendation deferred consideration of 3L's application to a subsequent meeting, after the Board's adoption of a bylaw pertaining to RGS fees and charges. The Board approved the Committee's recommendation at its meeting on August 20, 2013. CVRD then adopted the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014," on March 18, 2014.

[15] Following CVRD's adoption of the fees and charges bylaw, the Committee received a further report pertaining to 3L's application. The Committee considered the report at its June 10, 2014 meeting, but again deferred consideration of the application. The Committee also requested that a further report be prepared, clarifying the process for addressing applications to amend the RGS. A report dated June 17, 2014 was then submitted to the Committee, setting out the steps for amending the RGS.

[16] On June 24, 2014, the Committee convened a special meeting to decide what recommendations it would make to the Board concerning 3L's application. 3L's agent,

Mr. Kabel Atwall, appeared at the meeting and provided information on short notice. At the outset of the meeting, Mr. Atwall was handed a copy of a letter from CVRD's solicitors to the Board. He was not given an opportunity to review the letter or make submissions to the Committee. At the conclusion of the meeting, the Committee adopted a recommendation to the Board, that the Board not initiate an amendment to the RGS further to 3L's application.

[17] A few hours later, the Board met to consider the Committee's recommendations. Atwall attended that meeting as well, and asked to appear as a special delegate in order to make submissions. That request was denied. At the conclusion of the meeting, the Board resolved not to amend the RGS.

[18] Subsequently, 3L (through counsel) wrote to CVRD's solicitors and challenged the process followed in declining to initiate an amendment to the RGS. 3L submitted it was not open to the Board to decide not to proceed with the application, as it did on June 24, 2014. 3L stated that the Board is required to follow the procedures in the *Act* and the RGS. On July 29, 2014, the Board resolved "that the Board is of the view that the procedure that it followed in considering the application by 3L Developments to amend the RGS was reasonable and appropriate in the context of section 4 of part 5.2 of the RGS and the RGS fees and charges bylaw." The Resolution reads:

> "WHEREAS the regional district board has received correspondence from the solicitors for 3L Developments Inc. in respect of the regional district's procedure for considering the application by 3L Developments to amend the regional growth strategy;
>
> AND WHEREAS the board has reviewed section 4 of part 5.2 of the RGS and the RGS fees and charges bylaw;
>
> AND WHEREAS the board is of the view that the intent of section 4 of part 5.2 of the RGS and the RGS fees and charges bylaw was that, upon receipt of an application to amend the RGS, the board would first consider whether to initiate the requested amendment to the RGS;
>
> AND WHEREAS the board believes it to be in the public interest to have adopted such a procedure in order to avoid the waste of scarce economic and staff resources in undertaking a detailed review of an application to amend the RGS (through staff time and the formation of a technical advisory committee and RGS steering committee) in circumstances where the board does not support such an application;
>
> NOW THEREFORE, be it resolved that, the board is of the view that the procedure that it followed in considering the application by 3L Developments to amend the RGS was reasonable and appropriate in the context of section 4 of part 5.2 of the RGS and the RGS fees and charges bylaw" ...

[19] 3L then commenced its Petition seeking judicial review of CVRD's decision.

III. THE PARTIES' POSITIONS

The Petitioner

[20] 3L says that the Board exceeded its statutory authority, as defined under ss. 853, 854, and 857.1 of the *Act*. 3L contends that it applied for a "minor amendment" to the RGS, and that CVRD was bound to consider its application under the minor amendment process established in Part 5.2 of the RGS. This would require that the Board first determine whether or not the amendment applied for is "minor." 3L says that no such determination was ever made, nor were any other of the steps mandated by Part 5.2 of the RGS ever undertaken by CVRD.

[21] By deviating from the process in the RGS, 3L says the Board acted beyond the power granted by the *Act*. 3L therefore asks the Court to set aside the Board's decision, and seeks an order that the Board consider and decide 3L's application pursuant to the process defined in the RGS. Alternatively, 3L seeks a declaration that the Board has refused to exercise a statutory power. 3L further contends it has been denied natural justice and procedural fairness. It says first by departing from the amending process in the RGS, CVRD deprived 3L of the opportunity to explain how its proposed development should be assessed in light of the applicable criteria. Second, 3L states CVRD did not provide it with a copy of a key document in a timely manner, and did not permit a representative of 3L to speak at the meeting at which the impugned decision was made.

The Respondent

[22] CVRD does not dispute it failed to apply Part 5.2 of the RGS in considering 3L's application. CVRD maintains however the minor amendment process in Part 5.2 is inconsistent with Part 25 of the *Act*. Accordingly, it says the appropriate procedure to be followed in addressing applications to amend the RGS is actually that set out in its fees and charges bylaw. The first step in that process involves referring an application for amendment of the RGS to the Board for consideration. Only if the Board then resolves to initiate an amendment must further steps be taken.

[23] CVRD argues the process for amendment of the RGS in Part 5.2 only becomes engaged upon initiation of an amendment. It says that this can only be done by resolution of the Board, relying on ss. 853(4) and 854(1) of the *Act*. While s. 853(1)(c) excepts minor amendments from the requirements for "adoption" under the *Act, ss.* 854 and 855, concerning "initiation" and "development" nevertheless apply. As the Board never resolved to initiate an amendment relating to 3L's application, CVRD says that it was not obligated to observe the Part 5.2 process.

[24] CVRD also asserts that a deferential standard applies in judicial review of local government decisions. It says its decision not to initiate an amendment was reasonable. CVRD also says it was open to the Board, on a standard of reasonableness, to prefer the process in the fees and charges bylaw to that set out in Part 5.2 of the RGS. Finally, CVRD states as bylaws are legislative rather than adjudicative in nature, procedural fairness does not apply.

IV. ANALYSIS

The Standard of Review

[25] The standard of review is at issue in this case. 3L says the applicable standard is correctness, as its petition raises a jurisdictional issue.

[26] CVRD agrees if Part 5.2 purports to affect the requirement that the Board initiate an amendment to the RGS, the standard is one of correctness. CVRD maintains, however, this matter deals with the interpretation of the procedure set out in Part 5.2 of the RGS, rather than jurisdictional issues under the *Act*. The standard of review is therefore reasonableness, says CVRD, and its interpretation of the process required under the RGS constitutes a "possible acceptable outcome."

[27] The Supreme Court of Canada discussed the standard of review as it relates to municipalities in *Catalyst Paper Corp. v. North Cowichan (District)*, 2012 SCC 2. Writing for a unanimous Court, McLachlin C.J.C. said this:

> **11** Municipalities do not have direct powers under the Constitution. They possess only those powers that provincial legislatures delegate to them. This means that they must act within the legislative constraints the province has imposed on them. If they do not, their decisions or bylaws may be set aside on judicial review.
>
> **12** A municipality's decisions and bylaws, like all administrative acts, may be reviewed in two ways. First, the requirements of procedural fairness and legislative scheme governing a municipality may require that the municipality comply with certain procedural requirements, such as notice or voting requirements. If a municipality fails to abide by these procedures, a decision or bylaw may be invalid. But in addition to meeting these bare legal requirements, municipal acts may be set aside because they fall outside the scope of what the empowering legislative scheme contemplated. This substantive review is premised on the fundamental assumption derived from the rule of law that a legislature does not intend the power it delegates to be exercised unreasonably, or in some cases, incorrectly.

[28] In *Dunsmuir v. New Brunswick*, 2008 SCC 9, the Court described the process for determining the standard of review as follows:

> **62** ... the process of judicial review involves two steps. First, courts ascertain whether the jurisprudence has already determined in a satisfactory manner the degree of defence [sic] to be accorded with regard to a particular category of question.

> Second, where the first inquiry proves unfruitful, courts must proceed to an analysis of the factors making it possible to identify the proper standard of review.

The Court identified factors suggestive of circumstances in which deference will be owed to a decision maker: the presence of a privative clause; whether the decision was made in the context of a discrete and special administrative regime respecting which the decision maker has special expertise; and, the nature of the question of law raised (para. 55).

[29] The Court also held in *Dunsmuir* that questions of law will be always be reviewable on a correctness standard where they are of "central importance to the legal system" and fall outside of the decision maker's specialized area of expertise (para. 55). Further, decision makers must also be correct in determinations relating to "true questions of jurisdiction," i.e. where the decision maker must explicitly determine the scope of its statutory authority (para. 59).

[30] The discussion from our Court of Appeal in *Central Saanich Society v. Central Saanich (District)*, 2011 BCCA 484 is also of assistance, though it precedes the decision in *Catalyst*:

> **49** This case does not fall within any of the examples given by the Supreme Court of where the correctness standard will generally apply - constitutional questions regarding the division of powers, questions of general law that are "both of central importance to the legal system as a whole and outside the adjudicator's specialized area of expertise", or questions regarding jurisdictional lines between two or more competing specialized tribunals. .. .Further, the nature of municipal councils and the decisions often made by them weighs in favour of deference. ... *Dunsmuir* does not appear to depart from the principle that courts should defer to local authorities where policy-laden or legislative (as opposed to adjudicative) decisions are concerned. ... [citations omitted]

[31] In my view, a standard of reasonableness applies to CVRD's decision. As in *Central Saanich,* the case at bar does not fall within any of the examples where the correctness standard is understood to apply. The decision in this case was made in the context of a discrete administrative regime respecting which CVRD undoubtedly has special expertise. Further, the decision here at issue involved interpretation of CVRD's enabling statute. CVRD's familiarity with the *Act* suggests that deference is appropriate (*Dunsmuir,* at para. 54). More importantly, the very fact that s. 857.1 of the *Act* permits local governments to establish custom process for minor amendments to the RGS indicates that some deference is owed in this respect.

The Reasonableness of CVRD's Decision

[32] 3L says that contrary to the RGS, CVRD decided against initiating 3L's amendment without first determining whether it was a minor amendment. In effect, 3L argues that CVRD

acted unreasonably in failing to follow the process mandated under Clause 4 of Part 5.2 of the RGS. For the reasons that follow, I agree.

[33] There is no dispute the words of the *Act* should be construed purposively, in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament: *Rizzo & Rizzo Shoes Ltd. (Re)*, [1998] 1 S.C.R. 27, at para. 21.

[34] As mentioned, the Board did not initiate an amendment relating to 3L's application for amendment of the RGS. CVRD thus says that it was not obligated to observe the Part 5.2 process. In support, CVRD points to the amendment summary chart which indicates that the first stage of an amendment, whether minor or otherwise, is initiation by the Board. At the second stage, the Board determines whether the amendment is minor. CVRD says that the procedure in Clause 4 arises between the first and second stages of an amendment. If the first stage is never completed, Clause 4 is never engaged.

[35] However, CVRD's position is contradicted by the express words of Part 5.2 of the RGS. The opening words of Clause 4 provide that "[o]nce a minor amendment application has been received, the process for review and adoption is as follows" [emphasis added]. These words expressly describe the preconditions for engagement of Clause 4. No other preconditions for engagement of the process are described in Clause 4, nor is the process implicitly or explicitly made contingent upon a Board resolution. The process commences upon receipt of an application for a minor amendment, not the initiation of an amendment by resolution of the Board, as stated in clear, unequivocal language. CVRD does not dispute that 3L's May 2013 application was a "minor amendment application." Receipt of 3L's application therefore triggered the process for review and adoption set out in Clause 4.

[36] I note further the amendment summary chart does not actually indicate where the Part 5.2 process is to occur within the four stages it depicts. Certainly, it appears that the Part 5.2 process must be completed prior to "first reading," i.e. prior to the commencement of the third stage depicted in the chart. However, the chart says nothing about where the Part 5.2 process begins. In my view, it is not logical that the Part 5.2 process arises only after completion of the first stage depicted in the chart. This would require the initiation of an amendment by Board resolution prior to receipt of an application for that amendment. More significantly, the Board resolution would have been made before it determined whether the amendment in question was minor. Thus, when the amendment summary chart is read together with Clause 4 of Part 5.2, it appears the Clause 4 process commences prior to the first stage depicted on the chart, and concludes at the end of the second stage.

[37] Section 857.1(1) of the *Act* provides local governments with a choice: they may establish their own processes for making minor amendments to their regional growth strategies, or they may avail themselves of the default process under s. 857.1(3). This operates as an exception to the requirements under s. 857.

[38] While s. 857.1 of the *Act* permits CVRD to define its own minor amendment process, that discretion does not, by extension, authorize CVRD to deviate at will from the amendment process so defined. Indeed, changes to the process for adoption of minor amendments must themselves be adopted under s. 857; such changes are not minor amendments under Part 25 of the *Act*, per s. 857.1(4)(a).

[39] Where a local government opts to establish its own process for minor amendments, s. 857.1(1)(a) mandates that this must be done "in accordance" with s. 857.1(2). The latter section states that "[a] regional growth strategy may include provisions that establish a process for minor amendments..." [emphasis added]. Similarly, under s. 857.1(1)(b) the default process for minor amendments is only available "if the regional growth strategy does not include provisions [that establish a process for minor amendments]" [emphasis added]. Accordingly, the *Act* does not authorize establishing a process respecting minor amendments, except for where that process is included within a regional growth strategy. That is the effect of ss. 857.1(1)(b) and 857.1(2). Section 857.1 does not expressly or impliedly permit establishing a minor amendment process outside of a regional growth strategy.

[40] CVRD may establish processes outside of the RGS to supplement the minor amendment process. However, such processes cannot supplant the process mandated by s. 857.1(1).

[41] CVRD concedes that it enacted Part 5.2 of the RGS pursuant to s. 857.1 of the *Act*. That process cannot then be usurped by the process in the fees and charges bylaw, which exists outside of the RGS. Further, Part 5.2 of the RGS appears entirely consistent with the requirements for a minor amendment process under s. 857.1, including the criteria in s. 857.1(2). Even were that not so, the applicable alternative process would be the default process under s. 857.1(1)(b). As the *Act* does not contemplate or permit recourse to the process in the fees and charges bylaw, except in a supplementary sense, CVRD cannot "prefer" that process over Part 5.2.

[42] Clause 4 of Part 5.2 of the RGS frames the process for considering minor amendments in unequivocally mandatory language. Such language is used throughout the process described in Clause 4: "CVRD will set up a Technical Advisory Committee," "CVRD

staff will prepare a preliminary report," "[t]he CVRD board will assess any proposed amendment in terms of the minor amendment criteria" [emphases added]. CVRD enacted the minor amendment process in the RGS. If it so desired, that process or any facet of it could have been made optional, or contingent upon Board approval. This was not done. CVRD provided for a mandatory process triggered upon receipt of an application to amend, and then proceeded to abandon that process in relation to 3L's application.

[43] CVRD also relies on ss. 853(4) and 854(1) of the *Act* in support of its position. Section 853(4) provides that Part 25, as it applies "to the initiation, development, and adoption of a regional growth strategy, applies to the amendment ... of a regional growth strategy," while s. 854(1) states that "preparation of a regional growth strategy must be initiated by resolution of the board" [emphasis added]. It says that taken together, these provisions stipulate that amendment of a regional growth strategy must be initiated by resolution of the Board. However, I note that s. 854(1) states that a Board resolution is a prerequisite to preparation of a regional growth strategy. It does not stipulate, even in conjunction with s. 853(4), that a Board resolution is required for amendment of a regional growth strategy.

[44] The process utilized is in my view contrary to the intent of the enabling statute, which clearly provides for the ability to have minor amendments to the RGS made without meeting the requirements under s. 857. A detailed process was adopted through Part 5.2 of the RGS that CVRD did not follow. Such a process, while not mandatory, once agreed to must be followed. Departure from the required approval process is not reasonable. The process for minor amendments in the RGS will require the district to expend resources, but that is what each member of the federation agreed to in accepting the RGS.

Conclusion

[45] In light of the foregoing, I am of the view that CVRD acted unreasonably with regard to its consideration of 3L's application for amendment. Instead of processing the application to amend in accordance with the RGS, CVRD embarked on a process outside of the *Act* and the RGS. While a number of possible acceptable outcomes can result upon CVRD's receipt of an application to amend, abandonment of the process mandated by s. 857.1(1) is not among them. As CVRD's decision not to initiate an amendment in relation to 3L's application flowed directly from the flawed process applied, it must be set aside.

V. DISPOSITION

[46] Given my finding that the Board's decision was not reasonable, I decline to address 3L's alternative arguments. I order that CVRD's June 24, 2014 decision be set aside, and

direct that CVRD consider 3L's application in a manner consistent with the mandatory process set out in Part 5.2 of the RGS.

"Burke J."

This is Exhibit "K" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

COURT OF APPEAL FOR BRITISH COLUMBIA

Citation: *3L Developments Inc. v. Comox Valley Regional District,* 2016 BCCA 148

Date: 20160406
Docket: CA42842

Between:

3L Developments Inc.

Respondent
(Petitioner)

And

Comox Valley Regional District

Appellant
(Respondent)

Before: The Honourable Madam Justice Saunders
The Honourable Madam Justice D. Smith
The Honourable Mr. Justice Willcock

On appeal from: An order of the Supreme Court of British Columbia, dated May 6, 2015 (*3L Developments Inc. v. Comox Valley Regional District*, 2015 BCSC 738, Victoria Registry S143392).

Counsel for the Appellant:	S.S. Manhas
Counsel for the Respondent:	K.M. Birney
Place and Date of Hearing:	Victoria, British Columbia March 10, 2016
Place and Date of Judgment:	Vancouver, British Columbia April 6, 2016

Written Reasons by:
The Honourable Mr. Justice Willcock

Concurred in by:
The Honourable Madam Justice Saunders
The Honourable Madam Justice D. Smith

Summary:

The respondent developer applied for a minor amendment to the regional growth strategy adopted by the appellant, Comox Regional District. The appellant rejected the application. The respondent brought a petition for judicial review, arguing the appellant had not engaged in the prescribed process for evaluating its application. The reviewing judge set aside the appellant's decision and directed the appellant to evaluate the application according to its prescribed process. The appellant appeals the order made on judicial review. Held: appeal dismissed. The appellant is correct that an amendment to the regional growth strategy must be initiated by resolution. However, any such resolution must come after the preliminary process prescribed by the regional growth strategy, to evaluate whether an amendment is a minor one or not. The appellant has no discretion to deny applicants this preliminary process, whether or not the appellant then resolves to propose an amendment.

Reasons for Judgment of the Honourable Mr. Justice Willcock:

[1] In May 2013, the respondent ("3L Developments") applied for a minor amendment to the regional growth strategy adopted by the appellant, Comox Regional District (the "Regional District"). 3L Developments sought to subdivide a large property into lots smaller than those permitted by the Regional District's existing growth strategy. On June 24, 2014 the Regional District rejected the application.

[2] This is an appeal from an order, made on judicial review brought by petition under the *Judicial Review Procedure Act,* R.S.B.C. 1996, c. 241, setting aside the Regional District's decision and directing it to engage in the process for evaluating the application prescribed in the growth strategy. I would dismiss the appeal, although for different reasons than those set out by the chambers judge in her reasons for judgment, indexed at 2015 BCSC 738.

History

[3] The Regional District was incorporated in 2008 as a federation of three municipalities and four unincorporated rural areas. Land-use planning within the Regional District is regulated by the *Comox Valley Regional District Regional Growth Strategy* (referred to throughout these proceedings as the "RGS"). The RGS was enacted by bylaw pursuant to the *Local Government Act*, R.S.B.C. 1996, c. 323 (now known as the *Municipal Replotting Act*, though I refer to it in these reasons by its former title). The impugned decision and the challenge to that decision can only be understood in the light of the scheme for land-use planning established by Part 25 of the *Local Government Act* and the manner in which that scheme was effected in the Regional District.

[4] Part 25 of the *Act* calls for the creation of long-term growth strategies by regional districts with a view toward coordinating the manner in which municipalities and adjacent areas are developed over the long-term. Local land-use planning and development must be

consistent with the scheme established by the regional district responsible for the creation of the growth strategy. The *Local Government Act* prescribes the manner in which such strategies are first proposed, and then developed through a process of consultative planning with member municipalities and local government, and their constituents. The *Act* prescribes a specific procedure for acceptance of regional growth strategies by affected local governments. Significantly, in this case, the *Act* also prescribes the manner in which strategies may be amended so as to permit the accommodation of development not conforming to the strategy, where such accommodation is considered to be desirable. The *Act* provides that a distinction may be made between standard and minor amendments to a regional growth strategy. The former requires the same unanimous acceptance by members of the regional district that is mandated for the approval of the initial growth strategy, whereas the latter does not require that consensus. Regional districts are afforded some discretion to develop appropriate procedures for acceptance of minor amendments. In the case at bar, the Regional District prepared and accepted a regional growth strategy that includes a number of provisions, found in s. 5.2 of the RGS, in relation to minor amendments.

[5] Pursuant to those provisions, 3L Developments applied to the Regional Board for consideration of a minor amendment to the RGS, which would be necessary in order for 3L Developments to proceed with its plan to subdivide a large plot of land. After a preliminary review of the application, the Regional Board decided not to initiate the process of amending the RGS. 3L Developments challenged this decision, arguing that the Regional Board had not engaged in the process it had adopted for reviewing applications under s. 5.2 of the RGS. In response, the Regional Board passed a resolution on July 29, 2014 declaring that it was of the view "that the procedure that it followed in considering the application by 3L Developments to amend the Comox RGS was reasonable and appropriate in the context of s. 4 of Part 5.2 of the RGS and the *RGS* fees and charges bylaw".

[6] In September 2014, 3L Developments filed a petition in which it claimed:

> [9] The intent of [the RGS] is that, upon receipt of an application to amend the RGS, the Board will assess the proposed amendment against the criteria for minor amendments, and with the benefit of information and recommendations from the Technical Advisory Committee, staff and the RGS steering committee, will consider whether to initiate the requested amendment. Here the board skipped all of the steps in the amending process except the final step, namely the resolution to initiate, or not to initiate, the amendment.

[7] 3L Developments further pleaded:

> [10] The Board was required to process the Developer's application in accordance with... the RGS, since these procedures were established pursuant to ... the *Local Government Act* and have been accepted by all affected local governments.

Applicable Legislation and Bylaw

The Local Government Act

[8] The *Local Government Act*, as it stood on the date of 3L Developments' application for consideration of a minor amendment, set out the following requirements for adoption or amendment of a regional growth strategy:

> 853 (1) The following are required before a regional growth strategy is adopted:
>
> (a) the regional growth strategy must be **initiated in accordance with section 854**;
>
> (b) consultation must be **conducted in accordance with section 855**;
>
> (c) the regional growth strategy must be **accepted by affected local governments in accordance with section 857, except in relation to an amendment under section 857.1** [minor amendments to regional growth strategies].
>
> ...
>
> (4) **This Part, as it applies to the initiation, development and adoption of a regional growth strategy, applies to the amendment** and repeal of a regional growth strategy.
>
> [Emphasis added.]

[9] The *Act* described the process for *initiation* in s. 854, for *consultation* in s. 855 and for *acceptance* in s. 857.

[10] The *initiation* process is described as follows:

> 854 (1) The preparation of a regional growth strategy **must be initiated by resolution of the board.**
>
> ...
>
> (4) The **proposing board** must give written notice of an initiation under this section to affected local governments and to the minister.
>
> [Emphasis added.]

[11] The *consultation* process is described, in part, as follows:

> 855 (1) During the development of a regional growth strategy,
>
> (a) the proposing board must provide opportunity for consultation with persons, organizations and authorities who the board considers will be affected by the regional growth strategy, and
>
> (b) the board and the affected local governments must make all reasonable efforts to reach agreement on a proposed regional growth strategy.

(2) For the purposes of subsection (1) (a), as soon as possible after the initiation of a regional growth strategy, the board must adopt a consultation plan that, in the opinion of the board, provides opportunities for early and ongoing consultation with, at a minimum,

(a) its citizens,

(b) affected local governments,

(c) first nations,

(d) school district boards, greater boards and improvement district boards, and

(e) the Provincial and federal governments and their agencies.

(2.1) In adopting a consultation plan under subsection (2), the board must consider whether the plan should include the holding of a public hearing to provide an opportunity for persons, organizations and authorities to make their views known before the regional growth strategy is submitted for acceptance under section 857.

(3) A failure to comply with a consultation plan under subsection (2) does not invalidate the regional growth strategy as long as reasonable consultation has been conducted.

...

[12] Finally, the *acceptance* process is described as follows:

857 (1) Before it is adopted, **a regional growth strategy must be accepted by the affected local governments** or, failing acceptance, become binding on the affected local governments under section 860 (6).

(2) Acceptance of a regional growth strategy by an affected local government must be done **by resolution of the local government**.

(3) For the purposes of this section, before third reading of the bylaw to adopt a regional growth strategy, the board must submit the regional growth strategy to

(a) the council of each municipality all or part of which is covered by the regional growth strategy,

(a.1) the board of directors of the South Coast British Columbia Transportation Authority if the regional growth strategy is for the Greater Vancouver Regional District,

(b) the board of each regional district that is adjoining an area to which the regional growth strategy is to apply, and

(c) the facilitator or, if no facilitator for the regional growth strategy has been designated, the minister....

[Emphasis added.]

[13] The exception to this acceptance procedure, available where the amendment under consideration is a minor amendment to the RGS, the less extensive process for which provision is made in s. 853(1)(c), is described in s. 857.1:

857.1 (1) As **exceptions to the requirements of section 857** that would otherwise apply to the amendment of a regional growth strategy, a regional growth strategy may be amended

> (a) in accordance with provisions under subsection (2) of this section, ...
>
> (2) A regional growth strategy may include **provisions that establish a process for minor amendments to the regional growth strategy**, which must include the following:
>
> **(a) criteria for determining whether a proposed amendment is minor for the purposes of allowing the process to apply;**
>
> (b) a means for the views of affected local governments respecting a proposed minor amendment to be obtained and considered;
>
> (c) a means for providing notice to affected local governments respecting a proposed minor amendment;
>
> **(d) procedures for adopting the minor amendment bylaw**
>
> ...
>
> (4) **The following may not be considered a minor amendment for the purposes of this section:**
>
> **(a) an amendment to a regional growth strategy to establish or amend a process referred to in subsection (2);**
>
> ...
>
> [Emphasis added.]

[14] A regional growth strategy can only be adopted by agreement of all the members of the regional district. It is noteworthy, for reasons discussed below, that the criteria for classifying a minor amendment, and the process for acceptance of minor amendments, may themselves only be amended in accordance with s. 853 – that is, an amendment to either the prescribed criteria or process is not considered to be a minor amendment.

Comox Valley Regional District Regional Growth Strategy

[15] On March 29, 2011, the Regional District adopted the RGS as a schedule to the *Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010.* The RGS included the following provisions with respect to its amendment:

> ***5.2 Amendments to the RGS***
>
> *1. Standard Amendments*
>
> An amendment to the RGS, other than those considered to be a minor amendment, is considered a standard amendment and will follow the same process that is required to adopt a RGS as set out in *Part 25 of the Local Government Act.*
>
> *2. Minor Amendments*
>
> Recognizing that the RGS will require some flexibility to respond to changing conditions in the region, the minor amendment process will provide a more streamlined amendment process for minor changes, while ensuring that amendments which substantially change the vision and direction of the strategy remain subject to acceptance by all affected local governments.
>
> ...

3. Criteria for Minor Amendments

Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

a. Where a land use or development proposal is inconsistent with the Regional Growth Strategy, and, in the opinion of the CVRD Board:

- is not to be of regional significance in terms of scale, impacts or precedence;
- contributes to achieving the goals and objectives set out in Part 3; and,
- contributes to achieving the general principles contained in the growth management strategy Part 4.

b. Text and map amendments which are not directly related to enabling specific proposed developments may be considered minor if, in the opinion of the Board, the amendment is not of regional significance.

c. Boundary extensions for the purposes of incorporating designated *Settlement Expansion Areas* into a *Municipal Area,* consistent with MG Policies 1E-1 through 1E-6, shall be deemed in conformity with the RGS and not require either a minor amendment or standard amendment. ...

d. For boundary extensions beyond the *Settlement Expansion Areas*, an RGS amendment will not be required....

e. Any proposal that does not meet the criteria set out above would be considered a standard amendment and will be required to follow the regular process as outlined in the *Local Government Act, Part 25.*

4. Minor Amendment Process

Minor amendments may be applied for by a member municipality, the regional district, external agency, **private land owner or developer**. **Once a minor amendment application has been received, the process for review and adoption is as follows**:

- Upon receiving a minor amendment application, **the CVRD will set up a Technical Advisory Committee (TAC) meeting** for review and discussion of the application and provide comments to CVRD staff.
- On receipt of an application with comments from the technical advisory committee, **CVRD staff will prepare a preliminary report for review by the RGS steering committee.** Steering committee comments and recommendations will be forwarded to the CVRD Board to assist in its decision on whether the application should be processed as a minor amendment.
- The **CVRD board will assess any proposed amendment in terms of the minor amendment criteria**. The Board may resolve, by *an affirmative* vote of 2/3 of the board members present, to proceed with an amendment application as a minor amendment. **Where the Board resolves to proceed with an amendment application as a minor amendment**, the Board will:
  - Refer the application to TAC for comment.
  - Determine the appropriate form of public consultation required in conjunction with the proposed minor amendment.

> • Give 30 days written notice to each affected local government, including notice that the proposed amendment has been determined to be a minor amendment....
>
> • Direct staff to prepare a report on the minor amendment with an analysis that examines the benefits of the proposed change, and how the proposed change is consistent with the principles and goals of the RGS and the relationship between targets and performance measures.
>
> • Consider the written comments provided by the affected local governments prior to giving first reading to the proposed amendment bylaw.
>
> • At the time of consideration of first reading, the Board will determine whether a public hearing on the RGS minor amendment bylaw is required.
>
> • Any minor amendment bylaw shall be adopted in accordance with the procedures that apply to the adoption of a RGS under section 791 of the *Local Government Act* and Comox Valley Regional District Procedure Bylaw No. 1, 2008.
>
> [Emphasis added.]

[16] When it received 3L Developments' application for an amendment to the RGS, the Regional District took the position it was not required to take any step in relation to an application for an amendment to its growth strategy unless and until its Board passed a resolution to initiate an amendment. In defence of this position, it says s. 5.2 of the RGS must be read in light of Part 25 of the *Local Government Act,* which provides that all amendments to the growth strategy, both standard and minor, must be initiated by a resolution. Its position before the chambers judge was that the steps described in s. 5.2 of the RGS are only applicable after a Board has passed a resolution to consider an amendment. It says the part of s. 5.2.4 that reads: "Once a minor amendment application has been received, the process for review and adoption is as follows..." must be read, in context, to refer to an application that has been initiated by resolution. In effect, the Regional District reads that passage to say: "Once a minor amendment has been initiated by resolution and received for consideration, the process for review and adoption is as follows ..."

[17] 3L Developments argues there is no reason to read s. 5.2 in such a manner. It acknowledges that the amendment process must be initiated by a resolution but says the Regional District has adopted an RGS in which the criteria for determining whether a proposed amendment is minor are described and a procedure for adopting a minor amendment is set out. Section 5.2.4 of the RGS permits a member municipality, the regional district, an external agency, a private land owner or a developer to apply to have an amendment considered by the Regional District, in order to determine whether it is an application for a minor amendment or not, before the Board considers whether it will initiate

an amendment process by passing a resolution. The question whether a proposed amendment is a minor one is a preliminary issue that must be considered, before an initiating resolution, upon receipt of such an application. After such preliminary consideration, the Board will still have a decision to make: whether to resolve to propose a minor amendment to the RGS, to propose a standard amendment or to propose no amendment at all.

[18] 3L Developments does not seek an order requiring the Regional District to examine its application on the merits without passing a resolution to do so. Rather, it seeks to require the Regional District to consider its application with a view toward determining what type of amendment 3L Developments needs in order to proceed with the contemplated subdivision.

Reasons for Judgment

[19] The chambers judge held the Regional District was obliged to consider the application in a manner consistent with the mandatory process set out in Part 5.2 of the RGS. The order made does not require the Regional District to take any steps other than those described in s. 5.2 of the RGS.

[20] Strictly construed, the order requires the Regional District to:

a) Set up a Technical Advisory Committee (TAC) meeting to review and discuss the application and to provide comments to CVRD staff;

b) On receipt of the comments from the TAC, have its staff prepare a preliminary report;

c) Have that report reviewed by the RGS steering committee;

d) Forward the RGS steering committee comments and recommendations to the CVRD Board; and

e) Decide whether the application should proceed as a minor amendment.

[21] The Board is required by s. 5.2.4 to assess a proposed amendment in terms of the minor amendment criteria set out in s. 5.2.3 and may resolve by an affirmative vote of two-thirds of those members present to proceed with the proposed amendment as a minor amendment. In the event the amendment is considered not to be a minor amendment, the Regional District is required to follow the same process that is required to adopt the Regional Growth Strategy, as set out in Part 25 of the *Local Government Act*.

[22] The order from which this appeal is brought does not specifically address the question whether, as part of the mandatory process that is now called for, the Regional Board must

later pass a resolution initiating (or proposing) an amendment, but the reasons suggest a resolution is not necessary to initiate a minor amendment.

[23] By its petition, 3L Developments sought an order requiring the Regional District to conduct the investigation referred to in s. 5.2.4 of the RGS to determine whether its proposed amendment was in fact a minor amendment, having regard to the minor amendment criteria. 3L Developments sought an order compelling the Regional District to submit its application to the Technical Advisory Committee and the RGS steering committee, before consideration of a resolution initiating the amending process.

[24] In response to the petition, the Regional District took the position that it could resolve not to proceed with any amendment without submitting the application to the TAC and the RGS steering committee for review (or, in other words, that an initiating resolution was a precondition for the Regional District proceeding with a review of an application under s. 5.2.4).

[25] The chambers judge held the Regional District could not refuse to commence the process described in s. 5.2.4 of the RGS. She came to that result because she concluded that a resolution of the Regional Board was not required in order to initiate the process of considering a minor amendment to the RGS.

[26] She did not address the argument of 3L Developments on the terms upon which it was described in the petition: namely, that the process described in s. 5.2.4 of the RGS was a preliminary process adopted by the Regional District for the purpose of determining whether a proposed amendment to the regional growth strategy could be properly classified as a minor amendment, before consideration of a resolution to initiate the amending process.

[27] The chambers judge held:

> [43] CVRD also relies on ss. 853(4) and 854(1) of the *Act* in support of its position. Section 853(4) provides that Part 25, as it applies "to the initiation, development, and adoption of a regional growth strategy, applies to the amendment ... of a regional growth strategy," while s. 854(1) states that "preparation of a regional growth strategy must be initiated by resolution of the board" ... It says that taken together, these provisions stipulate that amendment of a regional growth strategy must be initiated by resolution of the Board. However, I note that s. 854(1) states that a Board resolution is a prerequisite to preparation of a regional growth strategy. It does not stipulate, even in conjunction with s. 853(4), that a Board resolution is required for amendment of a regional growth strategy.
>
> [44] The process utilized is in my view contrary to the intent of the enabling statute, which clearly provides for the ability to have minor amendments to the RGS made without meeting the requirements under s. 857. A detailed process was adopted through Part 5.2 of the RGS that CVRD did not follow. Such a process, while not

> mandatory, once agreed to must be followed. Departure from the required approval process is not reasonable. The process for minor amendments in the RGS will require the district to expend resources, but that is what each member of the federation agreed to in accepting the RGS.
>
> **Conclusion**
>
> [45] In light of the foregoing, I am of the view that CVRD acted unreasonably with regard to its consideration of 3L's application for amendment. Instead of processing the application to amend in accordance with the RGS, CVRD embarked on a process outside of the *Act* and the RGS. While a number of possible acceptable outcomes can result upon CVRD's receipt of an application to amend, abandonment of the process mandated by s. 857.1(1) is not among them. As CVRD's decision not to initiate an amendment in relation to 3L's application flowed directly from the flawed process applied, it must be set aside.
>
> [Emphasis in original.]

[28] In short, the judge was of the view the Regional District could not refuse to engage in the process described by Part 5.2 of the RGS because, contrary to the argument of the Regional District, a Board resolution was not required to initiate a minor amendment of the RGS.

Grounds of Appeal

[29] The appellant submits the chambers judge erred in law in concluding:

a) the *Local Government Act* does not require that an amendment to the RGS be initiated by resolution of the Regional District's Board;

b) the procedures specified in Part 5.2 of the RGS automatically applied to the consideration by the Regional District's Board of 3L Developments' amendment application; and

c) the procedure followed by the Regional District's Board in considering the amendment application was flawed, and in setting aside the Board's decision to not initiate the amendment application.

[30] 3L Developments, says the first two impugned conclusions were not fundamental to the third, and are not necessary to sustain the order made. Even conceding that the amendment process described in the *Local Government Act* cannot be "initiated" without a Board resolution, the respondent says the Regional District is nonetheless compelled to engage in the preliminary classification process described in Part 5.2 of the RGS whenever it receives an application for a minor amendment. For that reason, the Regional District's refusal to consider the amendment application was flawed and was correctly set aside.

[31] In reply, the Regional District says, relying on *Hidber, Koopman, and Munroe v. Regional District of Bulkley-Nechako*, 2006 BCSC 789, and *Virdis v. North Vancouver (City)*, 2010 BCCA 222, that even if its decision was flawed it cannot be set aside on the grounds of a procedural irregularity.

[32] 3L Developments responds by arguing that the process to be followed on receipt of an application for a minor amendment is prescribed by the RGS. The RGS was approved by all the member municipalities of the federation comprising the Regional District and the District does not have any discretion to adopt a different procedure for addressing applications. Section 857.1(4) of the *Act* expressly provides that amendments to the amending process itself are not minor amendments. Hence, the process cannot be modified or deviated from except by way of the standard amending process.

Analysis

[33] In my opinion, the *Act* is clear in expressing the requirement that an amendment to a regional growth strategy must be initiated by a Board resolution. On this point I respectfully disagree with the conclusion drawn by the chambers judge. That requirement is not only plain on the face of the *Act,* but consistent with the nature of the growth strategy as a high-level planning document which, as the Regional District submits, is a policy document.

[34] As the chambers judge points out, s. 853(4) of the *Act* provides that Part 25, as it applies "to the initiation, development, and adoption of a regional growth strategy, applies to the amendment ... of a regional growth strategy." Further, s. 854(1) states that "preparation of a regional growth strategy must be initiated by resolution of the board".

[35] The judge concluded that because s. 854(1) states that a Board resolution is a prerequisite to preparation of a regional growth strategy but does not stipulate that a Board resolution is required for amendment of a regional growth strategy, a resolution is not necessary. I disagree with that reading of the *Act*. First, the whole of s. 854, without exception, is made applicable to amendments by operation of s. 853(4). Second, it is clear that all the provisions of s. 854 contemplate a resolution. Subsection 854(3) refers to a resolution as part of the initiating process[1] and s. 854(4) refers to a "proposing board", which implies a resolution to propose an amendment.[2] If the legislature had not intended to require a Board resolution to initiate the amendment process it could simply have provided that Part 25, as it applies to the development and adoption of a regional growth strategy, also applies to the amendment of a regional growth strategy. It did not do so but, rather,

made all of the provisions of Part 25 applicable, expressly including those with respect to initiation.

[36] Further, the conclusion of the chambers judge leads to a problematic result. The procedure that is set up in the *Act* to follow the initiation of an amendment also contemplates a "proposing board". The statutorily mandated consultation is to follow "initiation" and the member municipalities are directed to attempt to reach agreement on the "proposed strategy". This model clearly does not contemplate consideration of a proposal made by anyone other than a member municipality or district. The scheme of the *Act* as a whole is inconsistent with an interpretation that allows proposals to come from, *inter alia*, private developers such as 3L Developments.

[37] As the Regional District argues, if an application alone is sufficient to compel the Regional District to address the proposed amendment, as if the amendment process had been initiated by resolution, then significant resources will be expended assessing the merits of applications without the support of any municipality or district. Such an assessment would presumably include the comprehensive consultation steps described in s. 855(2).[3] It is not necessary to read the *Act* in such a manner as to impose that burdensome obligation upon local government; that is not the framework that the RGS sets out. While the Regional District, in approving the RGS, has resolved to take some steps on receiving an application for a minor amendment, it has not resolved to undertake an examination of proposed amendments on their merits. It has resolved to assess such applications in light of the criteria for minor amendments with a view toward considering a resolution to proceed with an amendment application as a minor amendment.

[38] In my view, the RGS may be read in a manner that is consistent with the conclusion that amendments must be initiated by resolution. That is, as suggested by 3L Developments, by reading the process set out in s. 5.2.4 of the RGS to be a preliminary examination of the application. The section itself speaks of a resolution to proceed with an amendment as a step that follows reference to the Technical Advisory Committee, the Regional District Staff and the RGS Steering Committee. Those committees are not, ultimately, charged with the task of investigating the merits of the proposed amendment, but simply with determining whether an amendment is a minor amendment or not, having regard to the criteria the Regional District has adopted. There is no reason to read into the enactments setting out the process, as the Regional District suggests we do, a requirement to pass three resolutions: one to initiate the amendment; a second to proceed after the procedure described in s. 5.2.4; and a third after consideration of the proposal on its merits. The *Act* identifies only two resolutions: one to initiate the amendment and a second to accept a proposal after

consultation. In my view, it is correct to consider the initiating resolution to be that which follows the preliminary assessment described in s. 5.2.4.

[39] Reading s. 5.2.4 of the RGS as a description of a preliminary assessment, to be conducted before a resolution, is more consistent with a plain reading of the words of the section, which require the Regional District to take steps "once a minor amendment application has been received for consideration". Doing so makes it unnecessary to read into the RGS the words suggested by the Regional District: "once a minor amendment has been initiated by resolution and received for consideration". There is nothing in Part 25 of the *Act*, having regard to its scheme and purpose, which would seem to import special meaning to the word "received". An amendment application is received when an applicant submits it, and not when a Board resolution sets any process in motion.

[40] Nor is reading s. 5.2.4 in this manner inconsistent with the *Local Government Act.* The Regional District submits that s. 857.1 of the *Local Government Act*, as it stood at the time of 3L Developments' application, did not authorize exceptions to the requirement of a board resolution initiating the preparation of an amendment (under s. 854), or to the consultation requirement of consultation (under s. 855). The Regional District submits the sections permitting the adoption of an abridged process for minor amendments address only the processes of acceptance and adoption of such minor amendments. It argues that by explicitly permitting regional districts to vary the *approval* process in relation to minor amendments, the *Act* implicitly precludes them from altering the *initiation* process. I would not accede to that argument. By adopting provisions for a preliminary review that do not entail an examination of the merits, the Regional Government has not abridged or detracted from the amendment process prescribed by the *Act.* Neither a plain reading of the *Act* nor public policy precludes regional districts from establishing procedures for preliminary consideration of amendment requests, so as to determine whether an abridged approval process will be available, if a resolution to initiate a proposed amendment is passed.

[41] I would not accede to the Regional District's argument that to require it to take the preliminary steps set out in s. 5.2.4 before rejecting an application for a minor amendment improperly fetters the discretion of a local government. Nor would I accede to the argument that the Regional District cannot be compelled by order to follow the process described in the RGS. Both arguments are founded upon the proposition that it is in the hands of the Regional District to determine, on a discretionary basis, how and when it will consider applications for amendments to the RGS. In my view, 3L Developments is correct to say the Regional District cannot adopt a means of dealing with applications made under s. 5.2.4 other than that set out in the RGS. The *Act* clearly calls for a process to be agreed to by the municipal members of the Regional District and precludes amendments to that process

(other than in circumstances that are not applicable here) except with the agreement of all of the members of the Regional District. Here, the Regional District's members have agreed to implement the amendment application process described in s. 5.2.4. Unless and until its members amend the terms of that process, in accordance with the terms of the *Act*, the Regional District is bound to follow the processes it has adopted for itself.

[42] This is not a case such as *Virdis*; *Hidber, Koopman, and Munroe*; *Botterill v. Cranbrook (City)*, 2000 BCSC 1225; or the leading case cited therein, *Houde v. Québec Catholic School Commission*, [1978] 1 S.C.R. 937, involving procedural error by a public body with the power to determine its own procedures. Those cases recognize that the internal regulation of their affairs by municipal bodies is a matter for such bodies and for them alone, in the absence of statutory obligation. The rule is stated as follows in *Houde* at 940:

> [P]ublic bodies, such as municipal councils and school commissions have broad discretion in the regulation of their procedures. It is not for the courts to dictate the manner in which such bodies shall manage their internal affairs. If a council or a commission fails to observe the formalities which the Legislature has prescribed in plain language for the calling and conduct of meetings, then the Court may, in a proper case, intervene; if questions of natural justice, or fraudulent, inequitable, or oppressive use of power arise, the courts may act; but in the absence of statutory obligation, or misconduct, the internal regulation of their affairs by municipal bodies is a matter for such bodies and for them alone: see *Re Howard and the City of Toronto* [[1928] 1 D.L.R. 952 (Ont. C.A.)], at p. 965.
>
> [Emphasis added.]

Conclusion

[43] For that reason, while differing with her in some respects, I agree with the conclusion of the chambers judge that because the members of the federation resolved to take the steps set out in s. 5.2.4 of the RGS upon receipt of an application for a minor amendment to the growth strategy, the Regional District could not refuse to take those steps. I agree with her conclusion that the Regional District's resolution should be set aside and the Regional District should be ordered to consider the application of 3L Developments in a manner consistent with the mandatory process set out in Part 5.2 of the RGS.

[44] I would dismiss the appeal.

"The Honourable Mr. Justice Willcock"

I agree:

"The Honourable Madam Justice Saunders"

I agree:

"The Honourable Madam Justice D. Smith"

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[1] (3) If, at the time of initiation, the board proposes to deal with an additional regional matter referred to in section 850 (3), the initiating resolution must identify the matter.

[2] (4) The proposing board must give written notice of an initiation under this section to affected local governments and to the minister.

[3] (2) ...[As] soon as practicable after the initiation of [an amendment to] a regional growth strategy, the board must adopt a consultation plan that, in the opinion of the board, provides opportunities for early and ongoing consultation with, at a minimum,

(a) its citizens,
(b) affected local governments,
(c) first nations
(d) school district boards, greater boards and improvement district boards, and
(e) the Provincial and federal governments and their agencies.

(2.1) In adopting a consultation plan under subsection (2), the board must consider whether the plan should include the holding of a public hearing to provide an opportunity for persons, organizations and authorities to make their views known before the regional growth strategy is submitted for acceptance under section 857.

This is Exhibit "L" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley
REGIONAL DISTRICT

File: 6410-20 / CV RGS Amendments

April 20, 2016

Mr. Kabel Atwall
34 – 6245 Blueback Road
Nanaimo, BC V9V 1N7

katwall@telus.net

Dear Mr. Atwall:

Re: 3L Developments Inc. application

I wish to acknowledge receipt of the April 14, 2016 BC Court of Appeal decision. Please note that in accordance with that decision, I will ensure that you are kept apprised of the next steps to move your application forward.

Can you please confirm that you wish to have the Comox Valley Regional District (CVRD) proceed with the application as outlined in your May 22, 2013 letter to the CVRD? Once you have provided confirmation on that question, I will prepare an estimated fee structure, in accordance with Bylaw No. 274, being the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014", attached. Please note that fees are due, in accordance with that bylaw, in advance of the application proceeding. At that time I will also provide you with a detailed assessment of next steps and some outline of expected timing.

Thank you.

Sincerely,

Ann MacDonald, MCIP, RPP
General Manager of Planning and Development Services Branch

enclosure

cc: James Warren, general manager of corporate services branch

Comox Valley
REGIONAL DISTRICT

REGIONAL GROWTH STRATEGY FEES AND CHARGES BYLAW

The following is a consolidated copy of the regional growth strategy fees and charges bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
274	Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014	March 18, 2014	To establish fees and charges for amending the Comox Valley regional growth strategy

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 274

A bylaw to establish fees and charges for amending the Comox Valley regional growth strategy

WHEREAS the Comox Valley Regional District adopted the Comox Valley regional growth strategy (RGS) by Bylaw No. 120 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" on the 29th day of March 2011;

AND WHEREAS the board may, by bylaw in accordance with section 363 of the *Local Government Act* impose a fee or charge payable in respect of all or part of a service of the regional district,

AND WHEREAS under section 803.1 of the *Local Government Act* all costs incurred by a regional district in relation to a service, including costs of administration attributable to the service, are part of the costs of that service;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Citation

This Bylaw No. 274 may be cited for all purposes as the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014".

Application

1. (1) This bylaw shall be applicable to all lands within the jurisdiction of the CVRD above the high-water mark of the east coast of Vancouver Island, that are subject to any amendment of the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010".

   (2) The fee schedule for the applications included in this bylaw is set out in schedule '1' attached hereto, which forms part of this bylaw.

   (3) The application requirements under which an applicant may apply for an amendment to the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" are set out in schedules '2' and '3' attached hereto, which forms part of this bylaw.

   (4) The procedures to process an amendment to the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" are set out in schedule '4' attached hereto, which forms part of this bylaw.

Relation to *Local Government Act* and severability

2. (1) This bylaw is not intended to conflict with any provision of the *Local Government Act* relating to any application nor to fetter any statutory authority of the regional district.

(2) If any section or subsection of this bylaw is found to be invalid it may be severed without affecting the validity of the remainder of the bylaw.

SCHEDULE 1

The applicant shall be fully responsible for the following fees

1. Application fees for all applications to amend the RGS	
• Pre-application meeting - preliminary review of proposed amendment.	No charge
• Non-refundable processing fee for each application received to determine if board wants to initiate the amendment.	$1,000.00
• A potentially refundable fee for board review to determine if the application warrants a minor or a standard amendment and to obtain board approval for the consultation plan.	$9,000.00
2. Upon board approval of the consultation plan for the RGS amendment, when a public hearing is included	
• A potentially refundable advertising fee for each public hearing required.	$1,500.00
3. Upon board approval of the consultation plan for the RGS amendment, when public meetings, public information sessions and open houses are included	
• A potentially refundable advertising fee for each public meeting, public information session and/or open house organized and conducted by CVRD staff as included in the approved consultation plan.	$1,500.00
4. Upon board approval of the consultation plan, the full cost of renting venues and potential equipment for public hearings, public meetings, public information sessions and/or open houses specified in the consultation plan	
• A non-refundable fee for the deposit and rental of each venue and potential equipment when meetings are organized and conducted by CVRD staff.	T.b.d.
5. Upon receiving a bill, the full cost of potential direct legal expenses	
• A non-refundable fee to cover all potential direct legal expenses of the CVRD pertaining to the RGS amendment application received, amounts of which will be negotiated.	T.b.d.
6. Upon receiving a bill, the full cost of expenses relating to potential arbitration fees	
• A non-refundable fee for potential arbitration expenses of the CVRD pertaining to dispute resolution regarding the application received.	T.b.d.
7. Upon receiving a bill, the full cost of title searches for obtaining copies of covenants, easements, rights-of-way etcetera	
• A non-refundable fee on an at-cost basis, which includes all potential legal costs incurred by the CVRD to review or revise the necessary documentation pertaining to the amendment application received.	T.b.d.

SCHEDULE 2

Application requirements

1. Application

Any member municipality, the regional district, external agency, private land owner or developer may apply to amend the RGS. An application must be completed upon the form included as schedule '3' of this bylaw and submitted to the CVRD together with all plans, dimensions, and fees specified in this bylaw.

2. Application acceptance

To complete an application, the upfront application fee specified in schedule '1' of this bylaw are required to be paid upon submission of an an application to amend the RGS.

The CVRD may refuse to receive any applications that fail to include the fees required in schedule '1' of this bylaw or any required information per the application requirements noted within this bylaw.

If payment is not received in accordance with this bylaw, the processing of the RGS amendment application shall not proceed.

The upfront application fees as specified in schedule '1' of this bylaw shall be paid to the CVRD at the time of submitting an application. The official date of application shall be when all information required for the application and the corresponding fee in accordance with this bylaw are received.

The application processing fee attached as schedule '1' of this bylaw may be waived in whole or in part when the board determines that the application warrants a minor amendment of the RGS and this amendment is reviewed and processed in conjunction with a five year review of the RGS that has been planned and budgeted.

In addition to the upfront application fee, the applicant shall be responsible for the full cost of all other fees and expenses specified in schedule '1' of this bylaw, which shall be paid to the CVRD before the processing of the application will continue. These other expenses include:

(1) A potentially refundable processing fee for each application received to assess and let the board determine if the application warrants a minor or a standard amendment of the RGS and to obtain board approval for the consultation plan.

(2) Advertising cost and staff resources ($1,500.00) for each public hearing, and other public meetings, information sessions and/or open houses determined by the board-approved consultation plan.

(3) The full cost of all meetings, potential rental of venues, potential renting of equipment such as microphones and speakers resulting from the board approved public consultation plan.

(4) The full cost of direct legal expenses including, but not limited to, professional fees arising from legal work required in conjunction with the processing of any application in their entirety. An applicant shall not be responsible for paying legal expenses incurred by the regional district for obtaining advice or opinions which represent the district's interest.

(5) The CVRD's portion of costs for resolution of non-acceptance of a RGS bylaw amendment including facilitation or arbitration by a neutral party.

(6) The full at-cost of title searches for obtaining copies of covenants, easements, rights-of-way, etcetera, which includes all legal costs incurred by the CVRD to review or revise any of the aforementioned items.

3. Refunds

Where an application does not proceed or is withdrawn, a refund as outlined in schedule '1' of this bylaw will be provided to the applicant where an applications is withdrawn in writing before a review by the technical advisory committee (TAC). In that instance, the applicant shall be eligible for a 50 per cent refund of the application fee. ($4500)

No refunds of any portion of the application fee shall apply to any submission that has been considered by the board to determine if the proposed amendment warrants a minor or a standard amendment of the RGS or where the board declines to approve the amendment.

The advertising fees paid for each aforementioned public hearing or meeting shall be refundable if the regional district board declines to advance the application to the proposed public hearing or meeting.

4. Cancellation

Applications one year old or older, that are inactive for a period of six months due to an applicant not providing information or fees required, are deemed to be abandoned and will be closed. Where appropriate and requested by the applicants, refunds will be provided pursuant to schedules '1' and '2' of this bylaw.

5. Reapplication

(1) Where an application has been denied, no reapplication for a substantially similar amendment shall be considered within 12 months of the date of rejection of the previous application. Fees as per schedule '1' of this bylaw are applicable to any new application.

(2) Where an application has been withdrawn, fees as per schedule '1' of this bylaw are applicable to any new application.

6. Application requirements

At the time of submitting an application, the applicant shall provide:

(1) The completed application form included as schedule '3' of this bylaw to the CVRD strategic and long range planning branch.

(2) Detailed site plans of the proposed land use and any other information required by the CVRD. All drawings submitted must be clearly drawn to scale. Where applicable drawings must include an authorized professional's signature and seal.

(3) A written brief to the satisfaction of the CVRD, describing the current and proposed amendment to the RGS:

(a) In the context of the RGS, describing the location of the subject land, and/or text portions that are subject to the amendment application and the reasons/rationale for the proposed amendment.

(b) When applicable, indicating the present RGS growth management map designated use of the subject land and the proposed RGS use of the subject land.

(c) When applicable, listing all the policies of the RGS that support the proposed use of the subject land and those policies that need to be amended and a proposal of how the proposed amended policies should be worded to accommodate the proposed amendment.

(d) When applicable, indicating the text portions of the RGS that need to be amended and how the proposed amended text portions should be worded.

(4) As every application is unique, there may be further requirements at the discretion of the CVRD that the applicant, at the cost of the applicant, has to provide. These requirements may include, but are not limited to, geotechnical analyses, building schemes, archaeological and heritage site analyses, and/or any other items described below. Any additional requirements not specified above in section 6 (1) to (3), will be set out in a letter from the CVRD to the applicant, which may include the following:

(a) Servicing requirements: proposed development must address impacts on ground water, on-site and off-site drainage, sanitary services, flood proofing, water supply, and transportation access. This may include studies prepared by professional engineers, soil scientists, biologists, and/or geotechnical specialists on any of these areas of interest prior to consideration by the CVRD. Terms of reference for these studies will be specified by the CVRD, when required.

(b) Certification of compliance as required prior to proceeding to a potential public hearing, where the proposed development falls within the scope of the contaminated sites regulations of the *Environmental Management Act.*

(c) A current (dated not more than 12 months prior to the date of application) compliance letter and septic report addressing the state of the septic system from a registered onsite wastewater practitioner (ROWP). Where the scope of the project is sufficiently large, it may require a community sewage disposal system with the appropriate permit from the environmental management branch of Ministry of Environment. In addition, the regional district may forward the application to the Vancouver Island Health Authority (VIHA) for its review and comment. A letter of support from the VIHA may be requested by the CVRD.

(d) The feasibility of constructing and/or altering the sewer and water systems for the purpose of extending the infrastructure into the proposed development.

(e) An environmental assessment may be required, with the terms of reference specified by the CVRD, where the proposed development contains or is in close proximity to environmental hazards, environmentally sensitive habitats, groundwater recharge areas, and/or other areas of environmental significance.

SCHEDULE 3

Application form

Include the form together with all the information required in schedule '2' of this bylaw

Property information (Refer to your tax assessment notice or certificate of title.)

Legal description	
Civic address	
PID	BC Assessment roll no.

Owner information

Name(s)	Company	
Mailing address	City	
	Province	Postal code
Phone(s)	Email	

Applicant information (If the applicant is not the owner(s), complete this and the agent authorization sections. All communication will be forwarded to the applicant only.)

Name(s)	Company	
Mailing address	City	
	Province	Postal code
Phone(s)	Email	

Agent authorization (Complete only if the applicant is not the owner(s).)

I/we, (owner's name)

declare that I am/we are the property owner(s) noted on this form, and hereby authorize

(agent's name) to act as agent in the matter of this application

Owner's name 1	Signature
Owner's name 2	Signature
Owner's name 3	Signature

All owners shown on the certificate of title must sign. Attach a separate page with additional signatures.

Imprint area

Office use

PSR

Date received

Received by

Fees $

Payment method

File number

Provincial site profile

Section 40(1) of the *Environmental Management Act* requires a site profile to be completed with an application when the applicant knows, or reasonably should know, that a site has been used or is being used for commercial or industrial purposes. If any activities found in schedule two of the *Contaminated Sites Regulation* apply to the subject property, the applicant is required to complete a site profile. The above- mentioned schedule two and the site profile application form are available in the "land remediation" section of the BC Government web site (www.gov.bc.ca), as well as at the CVRD. If any of the listed activities in schedule two applies, contact the CVRD. If any of the listed activities in schedule two does not apply, complete the following declaration:

I hereby declare that, based upon my current knowledge of the subject property, no schedule two activities listed in the Contaminated Sites Regulation have been carried out.

Signature	Date

Notice of collection of personal information

Personal information on this application form is collected for the administration, enforcement and processing of this application. The personal information is collected under the authority of the *Freedom of Information and Protection of Privacy Act* (FIPPA), *Local Government Act* and CVRD bylaws. All documentation, drawings, plans and information submitted in support of this application become part of the CVRD's records and therefore subject to the FIPPA. For questions about the collection of personal information, please contact the CVRD's corporate legislative officer at 600 Comox Road, Courtenay, BC or at 250-334-6000.

Declaration

I, the undersigned, am aware that a pre-consultation meeting with staff from strategic and long range planning branch is required as a part of the planning process. Together with the project proposal, I have attached the required documentation as noted on the this application form, along with the required application fee and hereby agree to submit further information deemed necessary for processing this application. I hereby certify that the documentation and information provided with respect to this application is full and complete[1] and is, to the best of my knowledge, a true statement of the facts related to this application. Lastly, I hereby acknowledge that an incomplete application will not be processed and will be returned to me, and that any fees paid are non-refundable except as noted in the RGS fees and charges bylaw.

Signature	Date

[1] **A complete application includes**: a completed application form, required attachments and all application fees paid; a complete set of plans and supporting information regarding the project proposal compiled by applicant; proof of compliance with potential development agreements identified on certificates of title and conditions of previous planning approvals; identification of existing easements and rights-of-way affecting the subject land(s). Incomplete applications will not be processed and will be returned.

Submit a complete application to:

Comox Valley Regional District, strategic and long range planning branch 600 Comox Road Courtenay, BC V9N 3P6	Tel: 250-334-6000 Toll free: 1-800-331-6007 Email: administration@comoxvalleyrd.ca Fax: 250-334-8156

SCHEDULE 4

Processing an application received

1. *Pre-application meeting*

Before an application in accordance with schedule '2' of this bylaw is prepared, the applicant is required to have a pre-application meeting with staff from the CVRD (strategic and long range planning, and planning services) to determine the details of the application and any additional information listed in schedule '2' section 6(4) of this bylaw that is required.

2. *The CVRD board initiates an RGS amendment*

Upon receipt of a completed application, staff will prepare a report to the board to determine if:

(1) The board is in favour of initiating an RGS amendment process.

(2) More information is required from the applicant in order for the board to make the decision.

(3) Once the board has approved initiating an application, the application will be assessed and reviewed by the technical advisory committee and the steering committee and presented for a second time to the board to determine if it will proceed as a minor or standard amendment based on the CVRD regional growth strategy criteria, and to obtain board approval for the consultation plan.

If the board initiates the RGS amendment through a board resolution, the CVRD will set up a technical advisory committee and prepare a report for the meeting. The technical advisory committee will review the application against the RGS minor amendment criteria and provide comments to the steering committee.

The RGS steering committee will review the information gathered, comments from the technical advisory committee and make recommendations to the board.

3. *Processing an Application*

(1) Once the board has, by resolution, determined if the application shall be considered a minor or standard amendment, and to proceed with the application, the application will be processed in accordance with the RGS and *Local Government Act* provisions.

(2) These provisions include the design of a public consultation plan and written notice to each affected local government and in the case of a standard amendment, notification to the Minister of Community, Sport and Cultural Development.

(3) Upon board approval of the consultation plan, the CVRD will notify the applicant in writing of the fees required in accordance with schedules '1' and '2' of this bylaw. These additional fees must be paid prior to the application proceeding.

(4) The board may, at any time, amend the consultation plan and accordingly, the fees owed by the applicant, in response to issues that may emerge during the consultation phase of the application in accordance with the fee structure included in this bylaw.

4. Public notification

(1) The *Local Government Act* sets out the requirements for designing a public consultation plan, which may or may not include public hearings, meetings, information sessions and/or open houses, and which must be approved by the board.

(2) Notice of a public hearing shall be published in an appropriate newspaper, according to the policies of the board.

(3) A project website will be used to notify the public of the progress made with the amendment of the RGS.

5. Conclusion of the RGS bylaw amendment

After the board has processed an amendment application, the applicant will be notified in writing of the outcome.

This is Exhibit "M" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits
within British Columbia

3L Developments Inc.
340 Berray Road
Fanny Bay, BC V0R 1W0

Phone: 250 335-1013
Fax: 250 335-1020

April 3, 2017

Comox Valley Regional District
RECEIVED
File: 6480-20/ 5YR REVIEW
APR 04 2017
To: WEB
cc: AMACDONALD : JWARREN

Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Attention: Chairman and Board Members

Dear Sirs and Mesdames:

Re: Regional Growth Strategy Review

I am writing on behalf of 3L Developments Inc. which owns the lands shown on the attached plan. Essentially, 3L owns all of the land along the Puntledge and Browns Rivers, extending from the BC Hydro power facility at the end of Powerhouse Road to the Inland Island Highway. This property is some +/- 500 acres in size.

3L Developments is putting this letter forward as part of the Regional District's review of the Regional Growth Strategy. In doing so, it must be noted that 3L would have attended the March 16th open house but it was unaware of the Open House as no notices of the review were ever put up on the Regional District's website until last week, after the Open House had taken place. Before that, we are lead to believe that the only other mention of the Open House was a small notice in the newspaper. One would have thought that something as important as a review of the RGS would have been promoted a little better than that and more people made aware of such a review.

In regards to the lands owned by 3L they contain some of the most significant recreational as well as culturally significant lands in the Comox Valley. The lands are heavily utilized for recreational purposes, even though they are privately owned. The land also has areas that contain important fossil remains and other culturally important characteristics. The riverbeds of both the Puntledge and Browns Rivers, as they traverse the properties are also owned by 3L. As such, Stotan Falls is also on private land and not publicly owned.

3L Developments in the past, tried to deliver these lands into the public's hands as part of a comprehensive development of its lands. As the Regional District is aware, this possibility was rebuffed by the Regional District, even though the idea of the land's development and dedication of 50% of the property as park was initially the idea of its own Director of Planning.

In 2010 when the original Regional Growth Strategy was put forward, 3L made a submission to the Regional District requesting that consideration be given to having its lands designated as a Settlement

Node, given that it complied with almost all of the criteria identified in the RGS for a Settlement Node. In fact, it met more of these criteria that some of lands that were designated as Settlement Nodes.

In this regard, while the lands were originally noted in the first drafts of the RGS as a Settlement Node, they were later changed to Rural. We never did understand the flip flop as to why this happened, but it did. Then, the same RGS also down zoned the land owned by 3L from 5 acre minimum lot size to 50 acre minimum lot size.
Attempts, later, to initiate an RGS amendment were met with resistance from the Regional District and it was proven in Court on two occasions that the Regional District did not even follow its own procedures in doing considering such an amendment and did so unlawfully.

The net result of all of this has been significant amounts of heavily utilized recreational lands remaining in private hands while the public clamours to have the lands become part of the Valley's park system. There seems to be a great disconnect between what the public wants and what the Regional District staff seems to want to see happen with the lands. This situation is not benefitting anyone.

With the current situation, wherein the Board is considering a review of the RGS, it would seem that now is an appropriate time to look at delivering these recreationally and culturally important lands into the public's hands.

In doing so, 3L can bring information to the table that shows how its comprehensive development plan can meet the "Eight Goals of the RGS" as identified in the RGS documents. The goals are indentified below along with a brief explanation on how the 3L development complies with these goals:

1. Ensuring a diversity of housing options.
   The 3L proposal includes a variety of housing options, including single family lots, compact zero lot line properties, seniors housing, rental housing, and land for Habitat for Humanity.

2. Protection of Ecosystems, Natural Areas, and Parks
   The 3L proposal delivers over 250 acres of land as park. This includes the river corridors as well as the culturally significant lands in the area. This amount of park dedication relates to over 50% of the property as a minimum. All significant ecosystems and natural areas will be protected and park will be dedicated. This area includes the most heavily recreated lands in the Comox Valley.

3. Local Economic Development
   The 3L proposal is a $700 million investment in local economy. The direct employment impact of the project is estimated at 2,050 person-years, or an average of 185 jobs per year over the development period. What other project has the potential to provide such economic benefits for the Valley?

4. Transportation
   The lands owned by 3L are located 7 minutes from downtown Courtenay. In addition, it is adjacent to the Inland Island Highway, with access to the Highway at Piercy Road. It is also

adjacent to Piercy Road and the improvements to that road will bring the new hospital, big box retail and other shopping areas as well as the airport within a 10 minute drive from the property. In this regard, it is closer to the core of the community and its services than the Settlement Nodes identified at Union Bay or Saratoga Beach. Realistically, it is easier and more entirely possible to link to the transportation networks and to transit than it is for these other areas identified as Settlement Nodes.

5. Infrastructure
   The 3L development proposal is to be entirely self sufficient by having its own water, storm and sanitary sewer systems. By doing so, it will be able to integrate more sustainable servicing practices into the development which would be far more efficient that those presently possible utilizing the regional systems. As there is no need to utilize the regional systems, there will be no impact on these systems.

6. Food Systems
   The proposal would have no impact on the region's food systems as none of the lands in the proposal are within the ALR. In addition, none of the lands in the proposal have ever been utilized for agricultural.

7. Public Safety
   The proposal being put forward looks to provide housing for a diverse demographic profile. The project is well located in that residents can easily enjoy the amenities of the areas not only from a social perspective but culturally as well. As noted, the development is 7 minutes from downtown Courtenay and quick connections are in place to the hospital as well as other health and safety resources. Conversely, the development can quickly be accessed by those providing fire, health, and policing services.

8. Climate Change
   The proposal, when compared to other Settlement Nodes, will help minimize gas emissions given its proximity to the City of Courtenay and other services such as shopping, health services, and transportation. Being so close to these, as compared to the Settlement Nodes at Saratoga and Union Bay, clearly makes it possible for the project to minimize the regional gas emissions more than the development of those other two Settlement Nodes would do.

Add to this the fact that Sage Hills was conditionally identified as a Settlement Node, clearly makes it difficult to understand why the Regional District will not consider the 3L lands for a Settlement Node. Sage Hills had less going for it than the subject property. Nonetheless, it was still approved for development. At the end of the day, that development failed to get off the ground. In fact, the consideration given to Sage Hill could easily be transferred over to the 3L lands.

Therefore, 3L strongly urges that the Regional Board consider amending the RGS. By doing so, the underlying principles of the RGS will not be compromised. In addition, a very significant parkland dedication will occur that will be a legacy for the valley and put the very important recreational and cultural lands along the Puntledge and Browns Rivers into the public's hands. The opportunity to do so will become increasingly less likely to happen in the future if this opportunity is not realized now. That would be a great loss for the community.

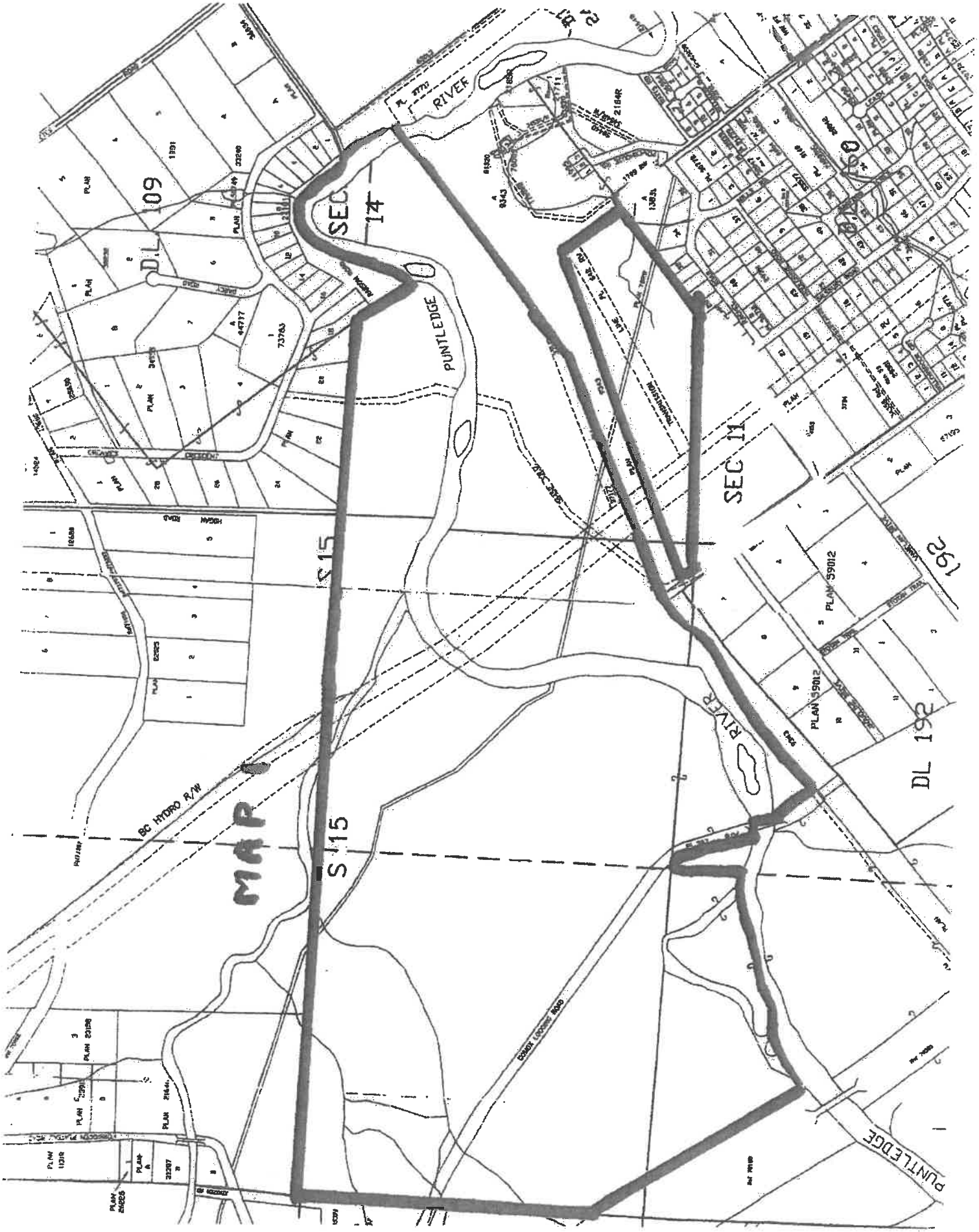
If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

3L DEVELOPMENTS INC.

David Dutcyvich
President

Attachment


MAP
S 15
SEC 14
SEC 11
D.L. 109
D.L. 192
PUNTLEDGE
PUNTLEDGE
RIVER
RIVER
BC HYDRO R/W
PLAN 59012
PLAN 59012
COMOX LOOKOUT ROAD

This is Exhibit "N" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Office of the Chair

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley
REGIONAL DISTRICT

File: 6410-20 / CV RGS 5 Year Review
3220-20 / 3L Stotan Falls Riverwood

April 11, 2017

Mr. David Dutcyvich
3L Developments Inc.
340 Berray Road
Fanny Bay BC V0R 1W0

Dear Mr. Dutcyvich:

Re: Regional Growth Strategy Review - Your Puntledge River Property

Thank you for your April 3, 2017 correspondence regarding the Regional Growth strategy (RGS) and your property. As you may know, the Comox Valley Regional District (CVRD) is required, once every five years, to consider whether or not a review of the RGS is required, and to provide an opportunity for its citizens, local agencies and other levels of government, to provide input into that decision.

Please note that the CVRD advertised on four separate occasions the March 16, 2017 open house. Letters were also sent to agencies and local governments, though no house to house mail out occurred to all citizens. CVRD staff will continue to post frequent and on-going "spotlight profiles" on the CVRD website to invite on-going submissions. The board intends to review all input and consider this decision in July 2017. To that end, your submission will be reviewed with other materials received to date.

On another matter, I wish to clarify some comments in your April 3, 2017 correspondence requesting that the CVRD amend its RGS to create a new settlement node in the Puntledge-Browns River area. As a result of the attached April 20, 2016 correspondence from the CVRD to Mr. Kabel Atwal, staff were advised on several occasions that 3L Developments Inc. did not wish for its May 22, 2013 application to proceed, and hence, to date the CVRD has not proceeded with carrying out the next steps, per the April 14, 2016 BC Court of Appeal decision. It would now appear from your statements that you wish to have that May 22, 2013 application for a minor amendment forwarded in order to create a new settlement node.

The CVRD wishes to proceed with next steps, as directed by the court, and so I request that you contact Ann MacDonald, General Manager of Planning and Development Services Branch at 250-334-6077 or at amacdonald@comoxvalleyrd.ca to clarify if you wish for the CVRD board and staff to process your May 22, 2013 application in accordance with the next steps outlined in the April 14, 2016 court of appeal decision.

Thank you again for taking the time to provide feedback to the CVRD on a five year review of the RGS.

Sincerely,

Bruce Jolliffe
Chair

Enclosure: Appendix A 20160420_MacDonald_Atwall_3L_Developments_application

cc: Ann MacDonald, General Manager of Planning and Development Services Branch
James Warren, General Manager of Corporate Services Branch
Board of Directors, Comox Valley Regional District

This is Exhibit "O" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits
within British Columbia

From: Ann MacDonald
Sent: May-08-17 4:42 PM
To: 'Kabel Atwall'; twinoaks
Cc: Alana Mullaly; Sylvia Stephens; James Warren
Subject: 3 L Developments Inc.

David and Kabel,

Good afternoon to you both, and thank you again for the opportunity to meet with you both today.

As discussed, your two options remain:

1. Apply to rezone the property to allow for lots between 4-20 hectares, and possibly include a negotiated combination of park land dedication and sale of land for park purposes, or full dedication, depending on size of the park.

2. Proceed with your application to amend the RGS, in accordance with the process outlined in our discussion.

As discussed, staff plan to proceed with carrying out the court direction from April 2016, which includes convening the technical advisory committee to prepare a preliminary report, forwarding the report to the steering committee of the four CAOs, then bringing that report forward for the board to make a decision on as to whether or not the amendment is a minor or standard amendment, and if it wishes to initiate the amendment.

And also, as discussed, staff have already received direction to take forward a separate staff report to the board at its July meeting for the board to consider whether or not a five year review of the RGS is required. I appreciate your view, and agree, that if possible, we want to take these matters forward concurrently, so that the board has the full picture when making its decisions. To that end, the following timeline is proposed:

- May 24, 2017 technical advisory committee (TAC) scheduled to meet to carry out direction of BC Court of Appeal and develop preliminary report based on the information you have provided to date

- June 1, 2017 proposed completion date of the TAC preliminary report

- June (date not confirmed) for steering committee review of TAC preliminary report

- June 19, 2017 deadline to finalize all reports for the July 11 committee of the whole meeting

- July 11 2017 committee of the whole meeting

- July 25, 2017 CVRD board meeting to consider motions from the July 11, committee of the whole meeting

As you can see, we have a very short window if you wish to have your application reviewed at the same time as the board considers whether or not to conduct a five year review of the RGS. Please confirm, as discussed, within the next few days if you wish to proceed with this schedule, or alternatively, have your report go forward at a later date, perhaps at the August meeting.

Please also recall that we discussed you providing some correspondence from 2007 confirming the zoning of the day, and the names of staff we discussed who may have engaged in discussions about 3L Developments with another regional district director, over the next day or so.

Thank again for the chance to discuss this matter today,

Regards, Ann

Ann MacDonald, MCIP, RPP
General Manager of Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6077; Fax: 250-334-4358
Toll Free: 1-800-331-6007

This is Exhibit "P" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley
REGIONAL DISTRICT

File: 3220-20 / 3L Stotan Falls

June 20, 2017

Sent via email only: 3LDevelopments.office@gmail.com

David Dutcyvich
3L Developments Inc
340 Berry Rd
Fanny Bay BC V0R 1W0

Dear Mr. Dutcyvich:

Re: Comox Valley Regional District Board Review of the 2013 3L Developments Inc. Application to Amend the Regional Growth Strategy

Please be advised that the Comox Valley Regional District (CVRD) Committee of the Whole, at its regular meeting on August 15, 2017, will be considering whether or not to commence a five year review of the Regional Growth Strategy. At that same meeting, staff intend to take forward a staff report and preliminary report on the 3L Developments Inc. application to amend the Regional Growth Strategy.

As indicated in previous correspondence to you, the CVRD intends to carry out direction given to it in the April 2016 Court Order from the BC Court of Appeal. As it has been over a year, the CVRD wishes to address this matter forthwith.

As discussed at our May 8, 2017 meeting, and again in correspondence following that meeting, you had asked for additional time to compile additional information that you wish included in a preliminary report to be reviewed by the Technical Advisory Committee and Steering Committee on August 15, 2017.

In order to ensure that this material can be assessed in the technical review of your proposed project, and included in the preliminary report, I require that you submit that information to me on or before July 10, 2017. In the event that we do not receive additional information by that date, staff will prepare the preliminary report with the information already provided to us by your company for the 2013 application.

Alternatively, if you do not wish to have the application reviewed at the August 15, 2017 Committee of the Whole meeting please provide, in writing, a formal request to either withdraw the application, or put the application on hold pending your providing further information for the application review.

Thank you.

Sincerely,

A. MacDonald

Ann MacDonald, MCIP, RPP
General Manager of Planning and Development Services Branch

cc: Sukh Manhas, Young Anderson
Russell Dyson, Chief Administrative Officer
James Warren, General Manager of Corporate Services Branch

This is Exhibit "Q" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

3L Developments Inc.
340 Berray Road
Fanny Bay, BC V0R 1W0

Phone: 250 335-1013
Fax: 250 335-1020

July 7, 2017

Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Attention: Ms. Ann MacDonald, MCIP, RPP
General Manager of Planning and Development Services Branch

Dear Ms. MacDonald:

Re: Comox Valley Regional District Board Review
of the 2013 3L Developments Inc.
Application to Amend the Regional Growth Strategy

Upon review of your June 20, 2017 letter, I am somewhat confused as to the dates and reviews referenced.

The first paragraph states that the CVRD Committee of the Whole, at its regular meeting on August 15, 2017, will be considering whether or not to commence a five year review of the RGS and at the same meeting, staff intend to take forward a staff report and preliminary report on the 3L Developments Inc. application to amend the RGS.

The third paragraph refers to a Technical Advisory Committee and Steering Committee review on August 15, 2017. Is the TAC review of the 3L application and the staff report and preliminary report on that application, referred to earlier, occurring on the same day?

It would seem that the application needs to be reviewed by TAC before any report is presented to the Board. Are we wrong in this assumption?

Hopefully the processes are not being amended on the fly in order to make a hasty decision on our application.

In any regard, we formally request the 3L application to amend the RGS be put on hold at this time so that we can totally understand how the process to consider the application will unfold. Also, notwithstanding this, we still require time to put together further information to support the application.

We will contact you when we are ready to proceed.

Yours sincerely,

3L DEVELOPMENTS INC.

D. Dutcyvich

David Dutcyvich
President

cc: Sukh Manhas, Young Anderson
Russell Dyson, Chief Administrative Officer
James Warren, General Manager of Corporate Services Branch

This is Exhibit "R" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Meeting Notes

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Re: 3L Developments Development Application (Riverwood) in the Stotan Falls area

Notes of meeting held May 22, 2018, 9:00 am at the offices of the Comox Valley Regional District (CVRD).

Meeting Attendees:

- Kabel Atwall, 3L Developments
- Alana Mullaly, Manager of Planning Services
- Sylvia Stephens, Branch Assistant Planning and Development Services

Mr. Atwall expressed his view that there is currently a collective effort to move forward with this application. Applications to be considered include:

- Regional Growth Strategy (RGS) amendment
- Official Community Plan (OCP) amendment
- Rezoning

Mr. Atwall advised that he will submit an updated copy of the 2013 RGS amendment application by May 25, 2018 and also noted that he plans to pursue the OCP amendment and rezoning together once a decision has been made on the RGS amendment.

CVRD staff suggested that the new application be a complete application and also advised of the following outline for a minor RGS amendment per the RGS bylaw:

- Technical Advisory Committee (TAC), comprising planning staff from all participating RGS member municipalities and the CVRD, will prepare a staff report.
- Steering Committee comprising CAO's from the same member municipalities including the CVRD, will review the staff report and prepare for the CVRD Committee of the Whole (COW) with the option to initiate/or not the RGS amendment and then to decide whether the application is a minor or standard amendment.
- With a board decision to initiate the RGS amendment, then a notice to affected local governments (e.g. member municipalities and adjacent regional districts) would be sent out and comments received.
- TAC to prepare a draft bylaw for approval.

There was discussion on the number of votes at the board required to move the application ahead as a minor amendment (i.e. requires 2/3 affirmative vote), CVRD staff to confirm if it's 6 of 10 or 7 of 10 (i.e. whether the chair votes).

Mr. Atwall noted that they would like to have the RGS amendment considered by the current board, before the municipal election in October 2018. Staff advised that the last board meeting prior to the

October 20 election is scheduled for October 2, 2018, that the earliest COW meeting to start the application would be July 10, 2018 with a possible board decision regarding initiation and review type on July 24, 2018. Should the board decide on a standard amendment, it will take much more time to complete than a minor amendment and would not be complete by October 2018.

Mr. Atwall advised that should the decision of the board be to initiate a minor amendment to the RGS, 3L Developments would be willing to remove the gate and toll to allow public access to Stotan Falls and area. CVRD staff advised that the property is private land and the issue of public access is at the discretion of the owner and unrelated to the matter of the RGS amendment application.

Next steps:

1. Staff to confirm number of votes for board approval (i.e. 2/3 affirmative for minor amendment).
2. 3L Developments to submit updated application by May 25, 2018.

Meeting ended at 9:50 am.

This is Exhibit "S" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Rec'd 20180525
6410-20 / CV RGS Amed.
RGS 1C 17
A. Mullaly

3L Developments Inc.

May 25, 2018

Ms. Alana Mullaly
Manager of Planning Services, Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road
Courtenay, B.C.
V9N 3P6

Dear Ms. Mullaly

Re: Riverwood Development

As per our meeting of May 22, 2018, 3L Developments wishes to submit the following information in support of its application for a **minor** amendment to the Regional Growth Strategy for its Riverwood development.

In requesting a minor amendment and the designation of its lands as a Settlement Node, 3L is confident that its request complies with Section 5.2.3 of the RGS, which identifies the criteria for minor amendments. This will be expanded upon further in this submission, however, it bears noting here that its request for the amendment should also be looked at as a repositioning of the densities allowed under the current RGS for the Sage Hills node and some of the other densities allocated to projects such as the Trilogy project. These projects will never be built or developed to the scale envisioned in the RGS, so their densities could and should be transferred to other areas such as Riverwood. This does not materially affect the RGS by allowing additional densities over and above what is noted in the document but merely transfers them to another area. In addition, the Riverwood lands, as will be demonstrated, are also well positioned to respect the intent and policies of the RGS while addressing its goals.

It should also be noted that the proposal has the ability to deliver approximately 50% of its land base or approximately 265 acres of the most important recreational as well as culturally important lands along the Puntledge and Browns River into the hands of the public as park.

3L Developments Inc.

RIVERWOOD VISION

TO DEVELOP A NEIGHBOURHOOD COMMUNITY THAT ENCOURAGES HEALTHY LIVING THROUGH THE USE OF THE BEST AVAILABLE DESIGNS, APPROACHES, AND SYSTEMS.

WE STRIVE TO CREATE A UNIQUE COMMUITY THAT RESPECTS AND CELEBRATES THE LAND WHILE PROVIDING NEW AND AFFORDABLE LIVING OPPORTUNITIES FOR A DIVERSE POPULATION

PROJECT OVERVIEW

- 525 ACRES OF LAND
- 1100 RESIDENTIAL UNITS OF ALL TYPES
- BUILT ON THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL ELEMENTS OF SUSTAINABILITY
- A MINIMUM OF 50% OF THE PROPERTY TO BE DESIGNATED AS PARK
- 9 KILOMETERES OF TRAILS
- LEED TARGETED
- NO INFRASTRUCTURE COSTS TO THE REGIONAL DISTRICT AS PROJECT WILL BE TOTALLY SELF-SUFFICIENT IN TERMS OF WATER AND SEWER
- DEDICATION OF THE CURRENTLY PRIVATE ROAD AS A PUBLIC ROAD TO ENSURE ACCESS TO ALL THE PUBLIC AMENITIES
- $96 MILLION IN TOTAL CONSTRUCTION AND DEVELOPMENT SPENDING PER YEAR
- 470 JOBS PER YEAR
- $56 MILLION IN SPENDING PER YEAR BY NEW HOUSEHOLDS
- PROJECT LOCATED 5 MINUTES FROM DOWNTOWN COURTENAY
- PROJECT LOCATED 7 MINUTES FROM BIG BOX RETAIL AND NEW HOSPITAL
- WITHIN 5 MINUTES OF LOCAL SCHOOLS
- 2 MINUTES AWAY FROM AN INTERSECTION ON THE INLAND ISLAND HIGHWAY

The development philosophy of Riverwood is **Triple Bottom Line Sustainability:** integration of the **social, economic, and environmental elements into land use planning and decision making.**

The Triple Bottom Line approach to sustainable community development will assist with the implementation of the RGS and the sustainability strategies.

Riverwood is a development proposal that embraces the tenets of sustainability by incorporating green building technologies, social responsibility, efficient use of energy and a commitment to reducing its impact on the environment by **dedicating approximately 265 acres of parkland, open space, conservation, recreation wetlands and community gardens.**

3L Developments Inc.

Riverwood will be a distinctive community, offering natural landscapes, trail amenities, a mix of housing choices, commercial and retail services, and public amenities with a mix of natural landscapes. Located next to **Stotan Falls,** this major Comox Valley attraction offers a series of glacier fed pools and falls that attract visitors and residents alike. **Riverwood will result in public access to this coveted recreational area in perpetuity.**

The Riverwood development will enhance this area by offering land for and building a formalized public parking area and a washroom/change house for all users, the construction of 9 kms. of new trails, and the provision of land for a fire hall and assistance with its creation to service the broader community.

The development will result in a heavily used regional recreational area and greenways to be placed in public hands. Regional park plans identify the Rivewood site as a key component in realizing park acquisition goals. The river corridors are recognized as upland habitat greenways, recreation corridors, biodiversity corridors and have been identified as a critical area worthy of protection.

In addition, Riverwood will create a public road, increase transit opportunities and will assist in with telecommunication enhancements for the broader community

The Riverwood site was designed using an integrated approach to sustainability, which calls for a thorough understanding of the land before determining the master development plan and uses. A comprehensive analysis of the environment, archaeology, economics, and biology of the area were completed, as well as analysis of traffic impacts, road standards, design standards, park land and housing options.

The development concept brought together environmental preservation, physical site assessments, public consultation, design standards and market analysis in order to achieve the regional goals of building sustainable and healthy communities where people can live, work and play.

Riverwood brings enhanced ecosystem values, high efficiency, and a new standard for development in the Comox Valley.

A copy of the Sustainability Guidelines Matrix, which set out the sustainable development goals, is attached to this submission. This Matrix was informed by:

- Comox Valley Regional Growth Strategy
- Comox Valley Sustainability Strategy
- LEED: CaGBC LEED Canada NC and CaGBC Canada for Homes

- Smart Growth BC

In designing the community development, Riverwood is targeting measureable and significant reductions in the following key areas:

Energy Use	Heat Island Impacts	Water Consumption
Waste Water Flows	Storm Water Flows	Solid Waste
Construction Waste		

RGS PART 3: Regional Policies

Riverwood is committed to meeting the RGS policies. Riverwood is a model of development that strives to implement the relevant policies in the RGS.

Riverwood is founded on design principles that create compact growth in order to dedicate a minimum of 50% of the site into public hands. With on-site servicing utilizing sustainable and innovative technologies that will be privately operated under government regulations, Riverwood will not burden the regional sewer or water systems.

Part 3 of the RGS identifies goals which are organized into 8 inter-related policy areas. These are indentified below along with how the Riverwood proposal would address the goals and implement them.

Goal 1: Housing

Ensure a diversity of housing options to meet evolving demographics and needs

Riverwood Implementation:

- Range of lot sizes increases the attainability of ownership
- Range of lot sizes and mix of residential housing types will allow for smaller housing types for those portions of the population over 65 that require these types of homes
- Opportunity for secondary suites and carriage homes which could allow "aging in place" or provide affordable rental housing
- Contributions to Habitat for Humanity
- Work/live spaces could be in a professional building (ground floor retail with apartments above) in the small commercial core area

- Potential opportunity for home occupations
- Compact design respects the integrity of the surrounding community
- Create an age friendly community
- Walkable with limited local services to support housing

Goal 2: Ecosystems, Natural Areas, and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems

Riverwood Implementation:

- Establishes as park, the identified regional ecological and recreational greenway link between Strathcona and the Comox Valley
- The project will include extensive natural corridors, greenways, and open space to provide habitat for plants and animals and will reintroduce native habitat where possible
- The project will enhance aquatic habitat through stream augmentation, increasing dry weather flows to improve primary production
- Addition of approximately 265 acres as regional park land
- Creation of 9 kms. of additional trails to the region
- Expanded gateway to Forbidden Plateau and Mt. Washington
- Enhanced services for and access to Stotan Falls
- Increased quality of life
- Bike and pedestrian friendly trails throughout the development that link to transportation networks and recreational opportunities beyond
- Expanded setbacks along the rivers and re-naturalization of a minimum of 10% of the actual development site
- Spawning channels adjacent to Bull Island returned to public hands

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Riverwood Implementation:

- $780 million in direct investment dollars
- $276 million in direct spin-off benefits
- Creation of 5,130 man-years of employment or 470 jobs per year

- $51 million in spending, by residents, per year on retail, restaurants, personal services, household services, vehicle operating expenses, and miscellaneous items
- Ripple effect of development: construction related jobs and the need for additional doctors, lawyers, accountants, hairdressers, grocery stores, service personnel, etc.
- Opportunities for home based business
- Inclusion of a commercial/retail center to service the development and surrounding area
- Live/work opportunities
- Property location enforces the viability of the Town Centres of Courtenay
- New economic opportunities will arise from the Riverwood development: through short term direct employment opportunities, the spin off economic benefits that are derived from the development; and the longer term economic benefits of the sustainable technologies and practices that will be used within this development
- Design guidelines will specify use of local materials where possible

Goal 4: Transportation:

Develop an accessible, efficient, and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Riverwood Implementation:

- Connects to Inland Island Highway (2 minutes)
- Direct links to Courtenay (5 minutes), Cumberland (7 minutes), Comox (10 minutes), Mt. Washington (12 minutes to chairlift), Forbidden Plateau (10 minutes), Hospital (7 minutes), Airport (12 minutes)
- BC Transit has indicated Riverwood and the broader area has the potential for a bus program in the short term, with full service as the area grows out
- Transit loop has been included in the design of Riverwood
- Streets designed to support future bus routes
- Walkable and bike-friendly community
- Enhanced recreational opportunities for the biking and hiking community
- Separate bicycle lanes to encourage cycling, opportunity for bicycle storage, signage and shower facilities at the public amenity building to service Stotan Falls and recreation users
- Commercial and recreational on-site amenities will reduce the need for vehicular off-site travel for residents

3L Developments Inc.

Goal 5: Infrastructure

Provide affordable, effective, and efficient services and infrastructure that conserves land, water and energy resources

Riverwood Implementation:

- State-of-the-art on site servicing offers a sustainable option to the "collective pipe" of water supply and sewer treatment
- On-site servicing will reduce burden on the regional and municipal systems thereby saving tax payers money
- On-site servicing is a proven Alternate Development Standard (green infrastructure) that promotes sustainability, saves water, and is cost effective
- Integrated stormwater management to ensure that post-development flows match that of pre-development flows while augmenting wetland habitat
- LEED targets reduce overall water demand and consumption, thereby decreasing waste and reducing output flows
- Utilization of grey-water plumbing to reduce water consumption
- Independence of the system to serve Riverwood will ensure long-term sustainability for the development and the greater community as a whole. An alternative to connecting to bigger systems will help to achieve long-term sustainability goals
- Compact design of Riverwood is more cost effective to service than larger lots that are spread farther apart
- Promotion of Alternative Development Standards, which are proven to lower costs of development (environmental and economic), improve quality of life, improve affordability, reduce greenhouse gases, preserve natural habitats and ecosystems and allow integrated stormwater management techniques and sewer treatment
- Self-reliance servicing that does not burden regional services
- Use of innovative technologies to reduce and re-use water throughout the development
- Waste reduction and recycling programs
- Use of rain gardens within the integrated water management plan
- Lighting will be designed to mitigate light pollution; ensure pedestrian visibility at night and adhere to " Dark Sky" policies



3L Developments Inc.

Goal 6: Food Systems

Support and enhance the agricultural and aquaculture sectors and increase food security

Riverwood Implementation:

- Introduction of community gardens within the development proposal (urban gardening, community orchards, and community supported agriculture programs contribute to regional food security)
- Expansive buffer zones between the development and rivers
- No ALR land involved in Riverwood, so no effect on the agricultural land base of the Comox Valley

Goal 7: Public Health and Safety

Support a high quality of life through the protection and enhancement of community health, safety, and well-being

Riverwood Implementation:

- Increased trails and environment enhancement encourages an active population and lifestyles, which increase quality of life
- Access to recreation encourages an active lifestyle, therefore reduces health costs
- Allows for an aging population
- Allows for a diverse population
- Opportunity for a fire hall to service the development and the surrounding community to promote public safety
- Integration of trails, recreation opportunities, cycling, and transit as alternatives to the private automobile helps contribute to a healthier population and thereby reduces health care costs to society
- Trail connections and development will realize regional park goals, by significantly contributing to the completion of the Puntledge Triangle – a key greenway system in the Comox Valley
- Integration of cycling and pedestrian plans support active transportation
- Bicycle infrastructure and amenities are provided for
- Walkable communities increase safety
- "Eyes on the street" promotes informal neighbourhood watch
- Integration of basic Crime Prevention Through Environment Design (CPTED) analysis prior to construction

3L Developments Inc.

- Riverwood will ensure, through design guidelines, that products and materials to be selected will be free of substances that could be harmful to occupants (specifically adhesives, sealants, paints and coatings, carpets, composite wood products, door cores, and agrifiber products will be targeted)

Goal 8: Climate Change

Minimize regional greenhouse gas emissions and plans for adaption

Riverwood Implementation:

- Riverwood is closer to the service areas of Courtenay and other services in the Comox Valley than many other areas designated for development, thus having a smaller environmental footprint than those areas
- Net zero development as prescribed for Riverwood means housing our population with no increases in the carbon footprint
- Leed targeted strategies
- Green site design and building practices will be written into the design guidelines
- Alternative transportation programs and pattern of development (compact lot sizes are easier and cost-effective to service, reduce GHG emissions and preserve green space which can then be turned over to the public to realize region-wide recreation goals)
- Emphasis on recreation
- Self-servicing infrastructure will reduce costs to the local government through the construction of green community design and buildings
- Designing communities that promote alternative forms of transportation to help reduce GHG emissions is important to urban and rural areas
- Integrated bicycle and transit systems to recreation destinations and town centres will reduce GHG emissions
- Bicycling infrastructure and amenities are included within the Riverwood development
- Community gardens offer a composting option for residents, which will help divert organics from the landfill
- Through compact community design, preservation of existing forested areas coupled with extensive landscaping and reforestation plans, planting programs are possible, which helps reduce GHG emissions unlike typical suburban developments
- Renewable energy alternatives will be planned for, including geothermal heating and a public amenity building for Stotan Falls users and recreationalists that will be "off the grid" (i.e. solar powered, on-site water and sewer treatment)

- Water conservation strategies included within the development including water reclamation, reuse, and augmentation of habitat
- Design guidelines will include highly reflective roofing materials to mitigate summer heat absorption into the homes, reducing the need for mechanical cooling systems

RGS PART 4: MANAGING GROWTH

Part 4 of the RGS aims to manage growth and land-use activities in a manner consistent with the Part 3 of the RGS and puts forward a strategy for managing this growth.

In doing so, Part 4 identifies 14 Growth Management Principles. These are found in Section 4.4. These principles build on the goals, objectives, and policies contained in Part 3 of RGS.

The Riverwood development measures very favourably against the applicable principles. How it does so, is identified below. The principles will be referred to as they are referenced in the Section 4.4.

Section 4.4.1: The Riverwood development protects all key natural and ecological features within the property. In planning the Riverwood development, all areas with ecological sensitivities and key natural features were identified first and protected. All these areas were placed in the proposed parkland dedications and will be put in the hands of the public.

Section 4.4.2: All public health and environmental issues were identified and where needed, were addressed in the planning of the development.

Section 4.4.3: The distinctiveness of the existing communities and especially the neighbouring City of Courtenay was recognized. The intent of the development is to compliment the City of Courtenay and to ensure that it benefits, economically and socially, from the development. The parkland dedications will also benefit the other communities and the Comox Valley Regional District.

Section 4.4.4: There has been a great deal of discussion with the Komoks First Nation and 3L is well aware of the treaty process. The recent discussions that have taken place have centered around the Riverwood development assisting KFN in the development of some of the lands being offered to it in treaty. These lands are immediately adjacent to the Riverwood development. To assist KFN in recognizing economic benefit from these lands, Riverwood has agreed to provide access to its proposed water and sewage infrastructure.

Section 4.4.5: The Riverwood development espouses compact development and by doing so, promotes efficient use of land and achieves environmental benefits through the protection of all areas that have environmental sensitivities. A minimum of 50% of the property will be dedicated as park, thereby ensuring protection of all these areas.

The project has also been designed to accommodate public transit and contact has been made with BC Transit about providing service to the development as well as the surrounding area. Provision has also been made for cycling. Public servicing costs are not an issue as all servicing infrastructure will be private.

Section 4.4.6: This section is not applicable as there will be no public investment in public infrastructure. The operation of the water and sewer systems will be undertaken by a fully qualified operator and covered by a Certificate of Public Convenience and Necessity issued by the Ministry of Health, which will set the security parameters necessary for the long term operation of the systems.

Section 4.4.7: This section is not applicable other than to note that the development will not take away from the ability of the Municipal Areas to carry out their mandate as outlined. The development could also compliment the goals of this section.

Section 4.4.8: A Settlement Node has been requested for the site. As noted earlier in this submission, the Riverwood development is being developed in a compact and transit-supportive manner.

Section 4.4.9: Not applicable as the Riverwood development will have its own water and sewer systems.

Section 4.4.10: This section is somewhat applicable as the properties are identified within the City of Courtenay OCP for eventual inclusion into the City. However, no water and sewer service is required.

Section 4.4.11: There are no agricultural or aquaculture activities on the site, so there is no issue with respect to these functions being compromised.

Section 4.4.12: The development having been planned as a compact community has a great deal of parkland that buffers the developable area from the adjoining rural functions. None of these will be affected by the development and the rural character of these lands will not be affected.

Section 4.4.13: Not applicable as there are no areas within the properties are used for resource extraction or part of the working landscape.

3L Developments Inc.

Section 4.4.14: One of the basic premises of the Riverwood development has been to promote and support the economic viability of the municipal areas. There are no real significant commercial activities planned within the development, except for a small commercial component to service the basic needs of the development and surrounding area. The development does not wish to compete with the municipal areas in that regard. In addition, many of the direct and indirect economic benefits accruing from the development will help further establish and compliment the economic viability of the existing municipal areas.

In MB Policy 1B-1- Settlement Nodes, it is noted that Settlement Nodes shall accommodate growth through a balance of new development, intensification and improvements to public infrastructure. As has been made clear in this submission, no public infrastructure is required for this development However, it has recognized the need for enhanced public transit and active transportation options and these have been included in the development plans.

Furthermore, also as noted earlier, while a Settlement Node is requested, the fact that Sage Hills is not proceeding as envisioned in the RGS and other developments such as Trilogy may never go ahead, the densities associated with these and others that may never be built should and could be transferred to the Riverwood development. The net result will likely be no increase in the number of housing units contemplated in the current RGS. If there is, the amount of units would be miniscule.

It is recognized in the MB Policy 1B-3 – New Settlement Nodes, that the designation of any new Settlement Nodes will require an amendment to the RGS but this policy does not define that in order to do so, a what type of amendment would be required. Therefore, it is quite appropriate to use a minor amendment as requested, to establish a Settlement Node.

At this point, it should also be noted again, that 3L has had a very long and involved dialogue with the Komoks First Nation about the Riverwood development. KFN recognizes that it could benefit from the Riverwood development through access being provided to it in order to tie into the Riverwood water and sewer systems. Discussions have also taken place with regards to the water and sewer systems being designed to accommodate growth on the lands being offered to KFN in treaty, which are immediately adjacent to the northern boundary of the Riverwood project. This would help provide economic opportunities to KFN, while allowing their future lands to be developed in an environmentally and sustainable manner. Therefore, there is benefit to KFN from the Riverwood project proceeding.

In the foregoing, we have demonstrated that the request for a minor amendment meets the requirements set out in the RGS for minor amendments and proposal has great merit. It is hoped that the contributions that the Riverwood development can make through park dedications, a sustainable mode of development, and from an economic perspective will be appreciated.

3L Developments Inc.

If you have any questions or require any more information, please do not hesitate to contact me.

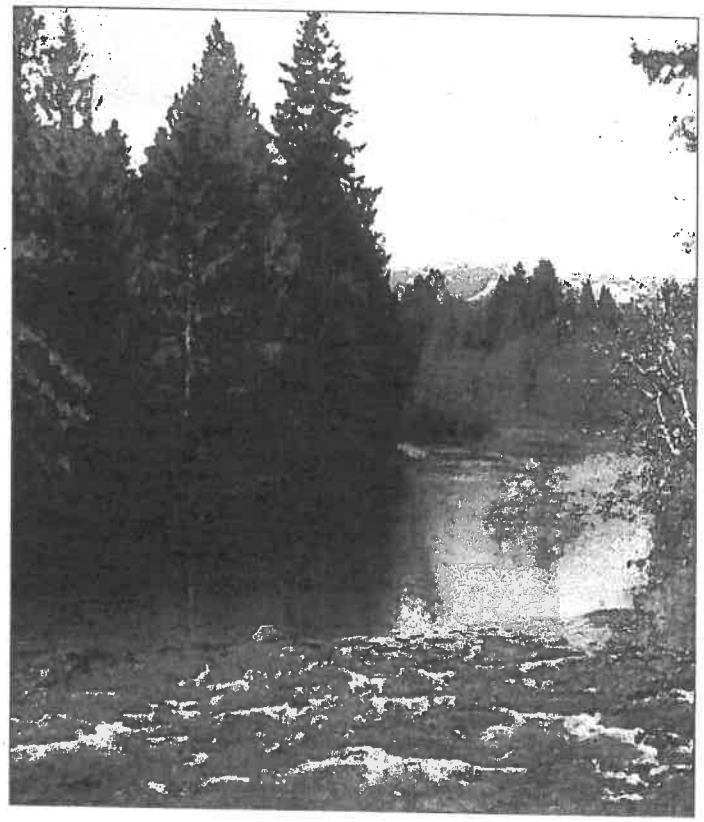
Respectfully submitted,

Kabel Atwall
3L Developments Inc.

RIVERWOOD

COMOX VALLEY

Rec'd 20180525
6410-20 / CV RGS Amed.
RGS 1C 17
A. Mullaly



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stake-holders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED–ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy; Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team

PROPOSED 1000 LOT RIVERWOOD DEVELOPMENT
COURTENAY, B.C.

SCALE = 1 : 5000

All distances are in metres and decimals thereof unless otherwise stated

PROPERTIES

S-L DEVELOPMENTS INC.

PID: 003-922-391
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C LYING TO THE WEST OF THE EAST BANK OF THE PUNTLEDGE RIVER EXCEPT THOSE PARTS IN PLANS 6504 AND 6343

PID: 026-915-194
LOT A SECTIONS 10 AND 15 TOWNSHIP 9 COMOX DISTRICT PLAN EPP23909

PID: 003-922-308
THAT PART OF THE SOUTH 1/2 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C LYING TO THE SOUTH OF THE SOUTH BANK OF THE PUNTLEDGE RIVER

PID: 003-926-033
THE SOUTH WEST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C EXCEPT THAT PART IN PLAN 6343 AND EXCEPT THAT PART SHOWN COLOURED RED ON PLAN 629 R.W.

0768816 B.C. Ltd.

PID 000-698-814
THE SOUTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C, EXCEPT THAT PART SHOWN COLOURED RED ON PLAN 79 RW AND EXCEPT THAT PART IN PLAN VIP76188

PID 000-698-792
THAT PART OF THE NORTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C, LYING WEST OF PUNTLEDGE RIVER EXCEPT THAT PART IN PLAN VIP76188 AND EPP24351

PARCEL AREAS

PID: 003-922-391	1.25 HA
PID: 026-915-194	75.0 HA
PID: 003-922-308	2.48 HA
PID: 003-926-033	48.34 HA
PID: 000-698-814	64.36 HA
PID: 000-698-792	7.63 HA
TOTAL AREA	200.04 HA
TOTAL AREA	494.3 AC

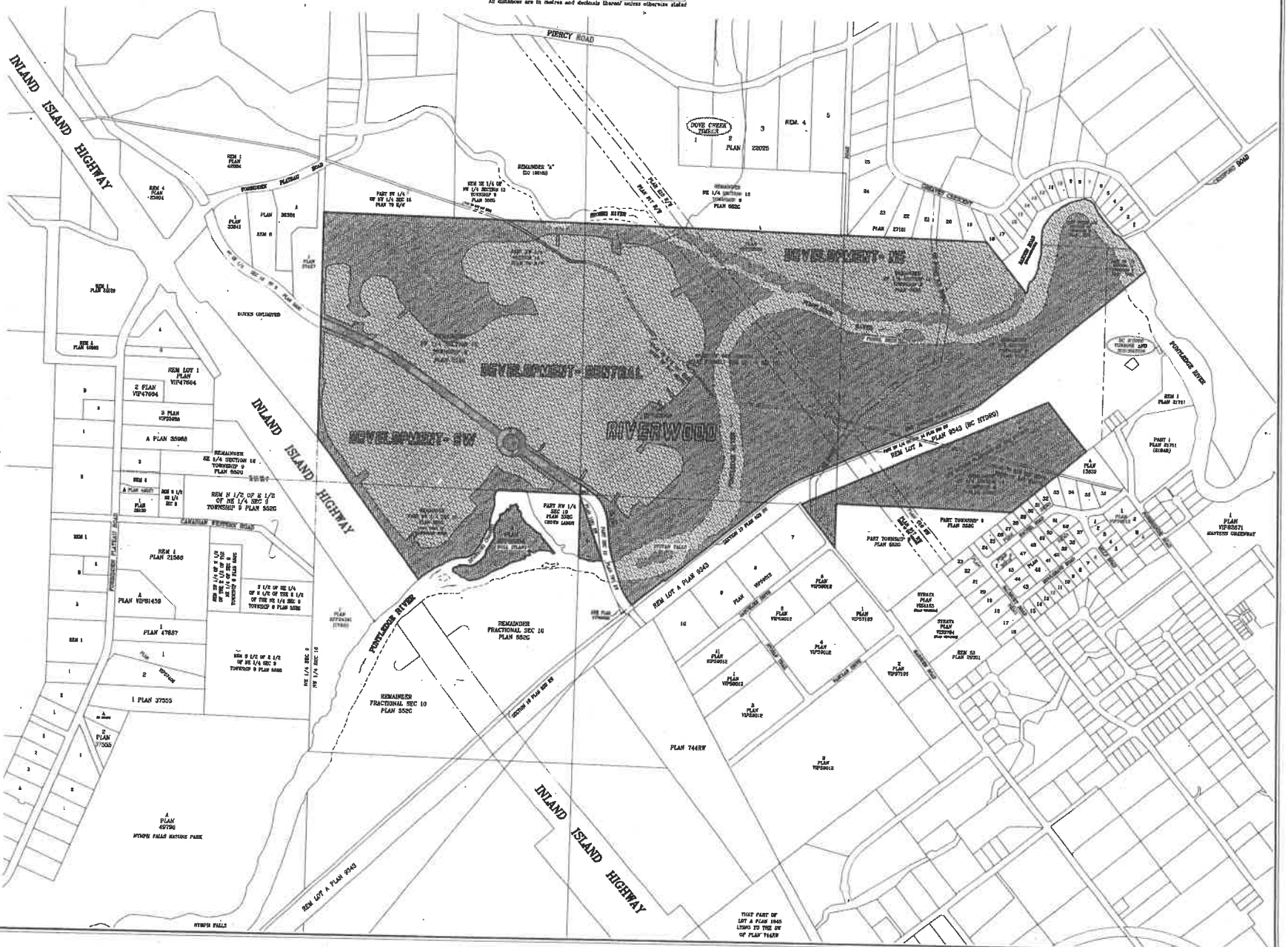
DEVELOPMENT AREAS

WATER +/-	14.23 HA
DEVELOPMENT-SW	21.23 HA (225 LOTS)
DEVELOPMENT-CENTRAL	48.51 HA (515 LOTS)
DEVELOPMENT-NE	16.31 HA (260 LOTS)
PARK	97.12 HA
MAIN ROAD	2.63 HA
TOTAL AREA	200.04 HA (1000 LOTS)

NOTE: LOT LAYOUT, DIMENSIONS AND AREAS ARE SUBJECT TO LEGAL SURVEY, APPROVALS AND REGISTRATION AND MAY VARY THROUGH SURVEY, DESIGN AND APPROVAL PROCESS

LEGEND

- DENOTES - PARK DEDICATION
- DENOTES - ROAD DEDICATION
- DENOTES - DEVELOPMENT LANDS
- DENOTES - WATER DEDICATION



BRUCE LEWIS LAND SURVEYING INC.
FILE: 0848-A22

DATE: NOVEMBER 17, 2017.

A. Mullaly

6410-20 / CV RGS Amend
RGS 1C 17

Subject: FW: Riverwood

From: Kabel Atwall [mailto:atwall@shaw.ca]
Sent: May 25, 2018 8:45 AM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: Riverwood

Hi Alana:

As discussed in our meeting of May 22nd, attached please find the additional information that 3L wishes to submit to support its application for a minor amendment to the RGS.

I have also attached our Sustainability Matrix, as noted in the submission, along with a plan of the property which outlines the parkland dedications and the area slated for development.

I also thought it would be appropriate to invite you to take a site visit of the property. Please let me know if you are able to do so, so we can set up a time to do so.

If you have any questions or feel that a meeting is required to go over the information provided, please do not hesitate to let me know. I will make myself available.

Thank you

Kabel

This is Exhibit "T" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Staff report

DATE: June 25, 2018

FILE: 6410-20/Amendments
RGS 1C 17

TO: Steering Committee
Regional Growth Strategy

FROM: Technical Advisory Committee
Regional Growth Strategy

RE: **Regional Growth Strategy Standard Amendment Recommendation and Next Steps – 3L Developments Inc.**

Purpose
To provide the Regional Growth Strategy (RGS) Steering Committee (SC) with recommendations from the RGS Technical Advisory Committee (TAC) regarding an application for minor amendment made by 3L Developments Inc..

Recommendation from the Technical Advisory Committee:
THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Steering Committee recommend that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment;

AND FURTHER THAT the Steering Committee recommend that the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node;

AND FINALLY THAT the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.

Executive Summary

- In 2014, the Comox Valley Regional District (CVRD) Board, by resolution, opted not to initiate an amendment to the RGS in order to consider the May 2013 minor amendment application by 3L Developments Inc.
- 3L Developments Inc. challenged the board's decision, specifically claiming that the CVRD had not followed the process for minor amendment applications set out in Section 5.2.4 of the RGS.
- In a decision of the B.C. Supreme Court, upheld by the B.C. Court of Appeal, the CVRD has been directed to consider the minor amendment application submitted by 3L Developments Inc. in accordance with the process set out in Section 5.2.4 of the RGS.
- The Court of Appeal clarified that the CVRD Board is not required to consider the proposed amendment as a minor amendment, rather just to follow the steps set out in 5.2.4 for determining whether the proposal constitutes a minor amendment (relative to Section 5.2.3 of the RGS) having received an application for minor amendment (as provided for in the RGS).

- Having provided additional information on May 25, 2018, 3L Developments Inc. is requesting that the board initiate an amendment in order to consider its "Riverwood" proposal as a new Settlement Node and is requesting that the application be considered as a minor amendment (versus standard amendment) (Appendix A).
- The key differences between the minor amendment process established in Section 5.2.4 and the standard amendment process as set out in the RGS (and the *Local Government Act* (RSBC, 2015, c. 1) (LGA)) pertain to whether an amendment needs to be accepted by affected local governments (i.e. requirement of standard amendment) (Appendix B).
- At this time, per the direction of the Court, the role of the TAC and the SC is not to investigate the merits of the application (i.e. the details of the "Riverwood" proposal). Rather the role of the TAC is to provide advice to the SC and the role of the SC is to provide advice to the board on whether the proposed amendment is minor (having had regard for the minor amendment criteria in Section 5.2.3) and on whether to initiate an amendment (e.g. that would trigger the provision of notice to affected local governments, a consultation plan, and a review of the merits of the proposed new settlement node).

Prepared by:

A. Mullaly
Alana Mullaly, MCIP, RPP
Acting General Manager of
Planning and Development
Services Branch

Concurrence:

J. Walker
Judith Walker, MCIP, RPP
Senior Planner
Village of Cumberland

Concurrence:

M. Kamenz
Marvin Kamenz, MCIP, RPP
Town Planner
Town of Comox

Concurrence:

I. Buck
Ian Buck, MCIP, RPP
Director of Development Services
City of Courtenay

Background/Current Situation

The CVRD has been directed by the Court to consider the minor amendment application by 3L Developments Inc. in accordance with the process spelled out in the RGS Bylaw. To be very clear, the CVRD has no obligation relative to the application other than to undertake the steps prescribed in RGS Section 5.2.4. Specifically:

1. Set up a TAC meeting to discuss the application (which is to create a new Settlement Node) and provide comments to CVRD staff.
2. On receipt of comments from the TAC, have CVRD staff prepare a preliminary report for the SC.
3. Have the SC consider the report.
4. Forward the SC's comments and recommendations to the CVRD Board.
5. Have the board decide whether the application should proceed as a minor amendment.

On May 25, 2018, 3L Developments Inc. submitted updated application information to CVRD staff and requested that their application be considered by the board as soon as possible. In accordance with Section 5.2.4, CVRD staff has prepared this report, with comments from the TAC, to recommend two things to the SC:

1. Having considered the minor amendment criteria set out in Section 5.2.3 of the RGS, the proposed amendment to create a new Settlement Node in Electoral Area C (Puntledge / Black Creek) should be considered to be a standard amendment (versus a minor amendment as proposed by the applicant).
2. In order for the board to consider whether a new Settlement Node should be established (and specifically assess the proposed amendment by 3L Developments Inc. that could enable their proposed "Riverwood" project), the board should initiate an amendment to the RGS.

It is very important to note that in its reasons for decision, the Appeal Court confirmed that the role of the TAC and SC at this point is not to review the merits of a proposed amendment application, rather to provide advice to the board on whether the proposed amendment constitutes a minor or standard amendment (and subsequently, whether or not to initiate in accordance with the LGA). Initiation of the amendment does not fetter the board in any future consideration of the proposed amendment (confirmed in the reasons for judgement).

Note that a separate process to amend Section 5.2.4 is underway. If the board initiates an amendment to change the minor amendment process set out in the RGS, it will have no bearing on the fact (or way) that the CVRD has been ordered to process 3L Development Inc.'s proposed amendment.

Policy Analysis

Sections 5.2.3 "Criteria for Minor Amendments" and 5.2.4 "Minor Amendment Process" are the key RGS sections relative to this initial point in the amendment proposal process.

5.2.3 Criteria for Minor Amendments (Appendix C)

This section establishes five criteria under which a proposed amendment may be considered by the board as a minor amendment. TAC finds that only the first criterion, below, pertains to the application that has been made by 3L Developments:

a) Where a land use or development proposal is inconsistent with the RGS and, in the opinion of the board:
    a. Is not to be of regional significance in terms of scale, impacts or precedence;
    b. Contributes to the achieving of the goals and objectives as set out in Part 3; **and**
    c. Contributes to achieving the general principles contained in the growth management strategy Part 4.

To be clear, this criterion applies as the "Riverwood" proposal is inconsistent with the RGS because the applicant proposes residential densities that exceed the densities contemplated in the Rural Settlement Area and Settlement Expansion Area designations, and relies on piped water and sewer servicing (municipal type servicing that is presently only available in the municipal areas). The applicant is proposing to change the RGS designation of the lands from "Rural Settlement Area" and "Settlement Expansion Area" to "Settlement Node".

TAC acknowledges that it may be a little challenging to assess the above criterion without reviewing the application in detail, however the Court has made it plain that the role of the TAC and SC at this juncture is not to consider the merits of the application. Therefore TAC has considered, on the first component of the criterion (i.e. regional significance), if a proposed amendment to create a new Core Settlement Area, specifically a new Settlement Node, is, of regional significance in terms of scale, impacts or precedence. TAC finds that it is.

(a) *Regional Significance*

- *Scale*: Establishing a new Core Settlement Area effectively creates a new location to which growth in the electoral areas is to be directed. The scale of establishing a new Core Settlement Area relative to other changes that could be made to the RGS is regionally significant in that it would change the growth management scheme of the RGS as presently envisioned.
- *Impacts*: Establishing a new Core Settlement Area will impact the proportion of expected growth in the other Core Settlement Areas (e.g. overall population projections have not surpassed the capacity of existing Core Settlement Areas to accept additional population). This has regional significance in that investment decisions by private landowners, local government and higher level governments (e.g. land use and infrastructure development) will be affected: the locus of investment will shift or detract from the economic opportunities/needs of existing Core Settlement Areas.
- *Precedence*: Establishing a new Core Settlement Area through the minor amendment process will establish precedence for how the designation of other, new, Core Settlement Areas may be considered in future (i.e. minor versus standard amendment). Notably Managing Growth Policy 1B-4 states that "should minor adjustments to existing Settlement Node Boundaries be identified through a Local Area Plan process, such boundary adjustments shall be permitted subject to a minor amendment of the RGS". Relative to this policy and the LGA, which establishes that if an amendment is not minor, it is standard, and the RGS policy that "New Settlement Nodes can only be created through amendments to the RGS" TAC infers that the board through the RGS' preparation turned its mind to the types of changes to the Settlement Nodes that could be considered as minor amendments and determined that only "minor adjustments to existing Settlement Nodes" be considered as minor.

(b) *Goals and Objectives in Part 3*: In respect to whether establishment of a new Settlement Node will contribute to the goals and objectives set out in Part 3, the TAC finds that it is not readily apparent. It may be that designating a New Settlement Node would contribute to achieving these goals and objectives but a fulsome assessment of that could only be undertaken if the board initiates an amendment thereby enabling TAC and the SC to review the merits of the "Riverwood" proposal relative to the goals and objectives in Part 3.

(c) *Growth Management Principles in Part 4*: It is TAC's opinion that the designation of a new Settlement Node, at this time, does not appear to contribute to achieving the growth management principles established in Part 4. Among the RGS principles salient to this proposed amendment is: "*Limit the number of existing and planned Settlement Nodes outside of the Municipal Areas and ensure that such nodes are developed in a compact and transit supportive manner*". The Settlement Nodes, being Union Bay, Saratoga, and Mt. Washington, were established through "local planning policy documents around existing communities" in the electoral areas with "significant planned capacity to accommodate new growth". Development in the Settlement Nodes has not yet reached levels to exceed their capacity to accommodate growth. Two significant Master Development Agreements, one for lands in Union Bay and one for lands in Saratoga, are in place and have not yet been constructed. Similarly, Mt. Washington still has significant growth potential relative to the Mt. Washington Local Area Plan. Therefore designation of a new Settlement Node relative to supply management appears premature. If the board wants to contemplate re-designating an existing Settlement Node to Rural Settlement Area, or Settlement Expansion Area, for example, perhaps there would be rationale to consider designation of a new Settlement Node. The impacts of that, however, on landowners in the existing Settlement Nodes and planned infrastructure projects would be significant. This type of analysis could be undertaken if the board opts to initiate an amendment and allocate funds for that review.

Based on the criteria set out in Section 5.2.3 the TAC finds that the proposed amendment to create a new Settlement Node is not minor.

In respect to whether the board should initiate an amendment, the TAC suggests that the best way to assess whether a new Core Settlement Area, specifically, a new Settlement Node as proposed by the applicant, is required, is to direct staff to review the merits of the application relative to the major trends, population and employment forecasts identified in the RGS as well as Parts 3 and 4 of the RGS.

Options

In accordance with the minor amendment process set out in Section 5.2.4, TAC has identified the following options for the SC:

1. Concur with the TAC's recommendation and instruct CVRD staff to prepare a report from the SC to the Committee of the Whole and board with a recommendation that the proposed amendment be considered a standard amendment and that the board initiate an amendment in order to assess the merits of 3L Development Inc.'s "Riverwood" proposal.
2. Refer the matter to CVRD staff with direction to prepare a report for the Committee of the Whole to reflect recommendation(s) from the SC that differ from the TAC's recommendation (i.e. minor not standard, do not initiate/initiate).

The TAC recommends option 1.

Financial Factors

Costs relating to the TAC's recommendation will relate to staff time, advertising, hosting a public hearing and legal review. The following provisions are made in the approved 2018-2022 Function No: 512 budget to address any proposed amendments initiated in 2018:

- Meeting expenses: $500
- Advertisement: $1,000
- Legal review: $8,000

As Bylaw No. 274, being the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014" was not in effect at the time of 3L Developments Inc.'s application, no fees can be levied.

Legal Factors

Sections 433 (initiation), and 437 (minor amendments) of the LGA are particularly salient to the TAC's recommendations.

Regional Growth Strategy Implications

If the board initiates, by resolution, an amendment to the RGS, the TAC will re-convene and will begin to assess the merits of the "Riverwood" application relative to the objectives and policies of the RGS. At that time, the TAC will provide the SC with a fulsome review of the RGS implications of the proposed amendment.

Intergovernmental Factors

The TAC comprises the four planning staff members that represent the RGS service's four participants. The TAC was established via a 2008 Memorandum of Understanding on the preparation of the RGS. The purpose of the TAC in the amendment process is to provide the SC (the four Chief Administrative Officer's) with technical advice on the planning implications of proposed amendments. As a first step in the amendment proposal process, the TAC provides advice on whether to initiate an amendment and on the process type (i.e. standard versus minor). Additionally, the TAC may also propose a consultation plan to the SC. Initiation of an amendment

by the board is the trigger for the TAC to provide advice to the SC on the substance of a proposed amendment.

If the board initiates an amendment, as a standard amendment, "affected local governments" (i.e. Cumberland, Courtenay, Comox, Powell River Regional District, Strathcona Regional District, Regional District of Nanaimo, Alberni-Clayoquot Regional District) will be notified of the board's resolution to initiate. Similarly, notice of initiation will be provided to the Ministry of Municipal Affairs and Housing: these are requirements of the LGA.

Citizen/Public Relations

The LGA requires that after the initiation of an amendment (or concurrently), the board must adopt a consultation plan that, in the opinion of the board, provides opportunities for early and ongoing consultation. In adopting a consultation plan, the board must turn its mind to whether a public hearing is required. If the board initiates an amendment by resolution and determines whether the proposed amendment by 3L Developments Inc. is to be reviewed as a standard or minor amendment, TAC will prepare a consultation plan for the SC's consideration.

Attachments: Appendix A – "3L Developments Inc.'s May 25, 2018 Submission"
Appendix B – "Minor amendment (RGS Section 5.2.4) and Standard Amendment Comparison Chart"
Appendix C – "Section 5.2.3 Criteria for Minor Amendments"

3L Developments Inc.

May 25, 2018

Ms. Alana Mullaly
Manager of Planning Services, Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road
Courtenay, B.C.
V9N 3P6

Dear Ms. Mullaly

Re: Riverwood Development

As per our meeting of May 22, 2018, 3L Developments wishes to submit the following information in support of its application for a **minor** amendment to the Regional Growth Strategy for its Riverwood development.

In requesting a minor amendment and the designation of its lands as a Settlement Node, 3L is confident that its request complies with Section 5.2.3 of the RGS, which identifies the criteria for minor amendments. This will be expanded upon further in this submission, however, it bears noting here that its request for the amendment should also be looked at as a repositioning of the densities allowed under the current RGS for the Sage Hills node and some of the other densities allocated to projects such as the Trilogy project. These projects will never be built or developed to the scale envisioned in the RGS, so their densities could and should be transferred to other areas such as Riverwood. This does not materially affect the RGS by allowing additional densities over and above what is noted in the document but merely transfers them to another area. In addition, the Riverwood lands, as will be demonstrated, are also well positioned to respect the intent and policies of the RGS while addressing its goals.

It should also be noted that the proposal has the ability to deliver approximately 50% of its land base or approximately 265 acres of the most important recreational as well as culturally important lands along the Puntledge and Browns River into the hands of the public as park.

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RIVERWOOD VISION

TO DEVELOP A NEIGHBOURHOOD COMMUNITY THAT ENCOURAGES HEALTHY LIVING THROUGH THE USE OF THE BEST AVAILABLE DESIGNS, APPROACHES, AND SYSTEMS.

WE STRIVE TO CREATE A UNIQUE COMMUITY THAT RESPECTS AND CELEBRATES THE LAND WHILE PROVIDING NEW AND AFFORDABLE LIVING OPPORTUNITIES FOR A DIVERSE POPULATION

PROJECT OVERVIEW

- 525 ACRES OF LAND
- 1100 RESIDENTIAL UNITS OF ALL TYPES
- BUILT ON THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL ELEMENTS OF SUSTAINABILITY
- A MINIMUM OF 50% OF THE PROPERTY TO BE DESIGNATED AS PARK
- 9 KILOMETERES OF TRAILS
- LEED TARGETED
- NO INFRASTRUCTURE COSTS TO THE REGIONAL DISTRICT AS PROJECT WILL BE TOTALLY SELF-SUFFICIENT IN TERMS OF WATER AND SEWER
- DEDICATION OF THE CURRENTLY PRIVATE ROAD AS A PUBLIC ROAD TO ENSURE ACCESS TO ALL THE PUBLIC AMENITIES
- $96 MILLION IN TOTAL CONSTRUCTION AND DEVELOPMENT SPENDING PER YEAR
- 470 JOBS PER YEAR
- $56 MILLION IN SPENDING PER YEAR BY NEW HOUSEHOLDS
- PROJECT LOCATED 5 MINUTES FROM DOWNTOWN COURTENAY
- PROJECT LOCATED 7 MINUTES FROM BIG BOX RETAIL AND NEW HOSPITAL
- WITHIN 5 MINUTES OF LOCAL SCHOOLS
- 2 MINUTES AWAY FROM AN INTERSECTION ON THE INLAND ISLAND HIGHWAY

The development philosophy of Riverwood is **Triple Bottom Line Sustainability:** integration of the **social, economic, and environmental elements into land use planning and decision making.**

The Triple Bottom Line approach to sustainable community development will assist with the implementation of the RGS and the sustainability strategies.

Riverwood is a development proposal that embraces the tenets of sustainability by incorporating green building technologies, social responsibility, efficient use of energy and a commitment to reducing its impact on the environment by **dedicating approximately 265 acres of parkland, open space, conservation, recreation wetlands and community gardens.**

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Riverwood will be a distinctive community, offering natural landscapes, trail amenities, a mix of housing choices, commercial and retail services, and public amenities with a mix of natural landscapes. Located next to **Stotan Falls,** this major Comox Valley attraction offers a series of glacier fed pools and falls that attract visitors and residents alike. **Riverwood will result in public access to this coveted recreational area in perpetuity.**

The Riverwood development will enhance this area by offering land for and building a formalized public parking area and a washroom/change house for all users, the construction of 9 kms. of new trails, and the provision of land for a fire hall and assistance with its creation to service the broader community.

The development will result in a heavily used regional recreational area and greenways to be placed in public hands. Regional park plans identify the Rivewood site as a key component in realizing park acquisition goals. The river corridors are recognized as upland habitat greenways, recreation corridors, biodiversity corridors and have been identified as a critical area worthy of protection.

In addition, Riverwood will create a public road, increase transit opportunities and will assist in with telecommunication enhancements for the broader community

The Riverwood site was designed using an integrated approach to sustainability, which calls for a thorough understanding of the land before determining the master development plan and uses. A comprehensive analysis of the environment, archaeology, economics, and biology of the area were completed, as well as analysis of traffic impacts, road standards, design standards, park land and housing options.

The development concept brought together environmental preservation, physical site assessments, public consultation, design standards and market analysis in order to achieve the regional goals of building sustainable and healthy communities where people can live, work and play.

Riverwood brings enhanced ecosystem values, high efficiency, and a new standard for development in the Comox Valley.

A copy of the Sustainability Guidelines Matrix, which set out the sustainable development goals, is attached to this submission. This Matrix was informed by:

- Comox Valley Regional Growth Strategy
- Comox Valley Sustainability Strategy
- LEED: CaGBC LEED Canada NC and CaGBC Canada for Homes

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- Smart Growth BC

In designing the community development, Riverwood is targeting measureable and significant reductions in the following key areas:

Energy Use	Heat Island Impacts	Water Consumption
Waste Water Flows	Storm Water Flows	Solid Waste
Construction Waste		

RGS PART 3: Regional Policies

Riverwood is committed to meeting the RGS policies. Riverwood is a model of development that strives to implement the relevant policies in the RGS.

Riverwood is founded on design principles that create compact growth in order to dedicate a minimum of 50% of the site into public hands. With on-site servicing utilizing sustainable and innovative technologies that will be privately operated under government regulations, Riverwood will not burden the regional sewer or water systems.

Part 3 of the RGS identifies goals which are organized into 8 inter-related policy areas. These are indentified below along with how the Riverwood proposal would address the goals and implement them.

Goal 1: Housing

Ensure a diversity of housing options to meet evolving demographics and needs

Riverwood Implementation:

- Range of lot sizes increases the attainability of ownership
- Range of lot sizes and mix of residential housing types will allow for smaller housing types for those portions of the population over 65 that require these types of homes
- Opportunity for secondary suites and carriage homes which could allow "aging in place" or provide affordable rental housing
- Contributions to Habitat for Humanity
- Work/live spaces could be in a professional building (ground floor retail with apartments above) in the small commercial core area

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- Potential opportunity for home occupations
- Compact design respects the integrity of the surrounding community
- Create an age friendly community
- Walkable with limited local services to support housing

Goal 2: Ecosystems, Natural Areas, and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems

Riverwood Implementation:

- Establishes as park, the identified regional ecological and recreational greenway link between Strathcona and the Comox Valley
- The project will include extensive natural corridors, greenways, and open space to provide habitat for plants and animals and will reintroduce native habitat where possible
- The project will enhance aquatic habitat through stream augmentation, increasing dry weather flows to improve primary production
- Addition of approximately 265 acres as regional park land
- Creation of 9 kms. of additional trails to the region
- Expanded gateway to Forbidden Plateau and Mt. Washington
- Enhanced services for and access to Stotan Falls
- Increased quality of life
- Bike and pedestrian friendly trails throughout the development that link to transportation networks and recreational opportunities beyond
- Expanded setbacks along the rivers and re-naturalization of a minimum of 10% of the actual development site
- Spawning channels adjacent to Bull Island returned to public hands

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Riverwood Implementation:

- $780 million in direct investment dollars
- $276 million in direct spin-off benefits
- Creation of 5,130 man-years of employment or 470 jobs per year

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- $51 million in spending, by residents, per year on retail, restaurants, personal services, household services, vehicle operating expenses, and miscellaneous items
- Ripple effect of development: construction related jobs and the need for additional doctors, lawyers, accountants, hairdressers, grocery stores, service personnel, etc.
- Opportunities for home based business
- Inclusion of a commercial/retail center to service the development and surrounding area
- Live/work opportunities
- Property location enforces the viability of the Town Centres of Courtenay
- New economic opportunities will arise from the Riverwood development: through short term direct employment opportunities, the spin off economic benefits that are derived from the development; and the longer term economic benefits of the sustainable technologies and practices that will be used within this development
- Design guidelines will specify use of local materials where possible

Goal 4: Transportation:

Develop an accessible, efficient, and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Riverwood Implementation:

- Connects to Inland Island Highway (2 minutes)
- Direct links to Courtenay (5 minutes), Cumberland (7 minutes), Comox (10 minutes), Mt. Washington (12 minutes to chairlift), Forbidden Plateau (10 minutes), Hospital (7 minutes), Airport (12 minutes)
- BC Transit has indicated Riverwood and the broader area has the potential for a bus program in the short term, with full service as the area grows out
- Transit loop has been included in the design of Riverwood
- Streets designed to support future bus routes
- Walkable and bike-friendly community
- Enhanced recreational opportunities for the biking and hiking community
- Separate bicycle lanes to encourage cycling, opportunity for bicycle storage, signage and shower facilities at the public amenity building to service Stotan Falls and recreation users
- Commercial and recreational on-site amenities will reduce the need for vehicular off-site travel for residents

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Goal 5: Infrastructure

Provide affordable, effective, and efficient services and infrastructure that conserves land, water and energy resources

Riverwood Implementation:

- State-of-the-art on site servicing offers a sustainable option to the "collective pipe" of water supply and sewer treatment
- On-site servicing will reduce burden on the regional and municipal systems thereby saving tax payers money
- On-site servicing is a proven Alternate Development Standard (green infrastructure) that promotes sustainability, saves water, and is cost effective
- Integrated stormwater management to ensure that post-development flows match that of pre-development flows while augmenting wetland habitat
- LEED targets reduce overall water demand and consumption, thereby decreasing waste and reducing output flows
- Utilization of grey-water plumbing to reduce water consumption
- Independence of the system to serve Riverwood will ensure long-term sustainability for the development and the greater community as a whole. An alternative to connecting to bigger systems will help to achieve long-term sustainability goals
- Compact design of Riverwood is more cost effective to service than larger lots that are spread farther apart
- Promotion of Alternative Development Standards, which are proven to lower costs of development (environmental and economic), improve quality of life, improve affordability, reduce greenhouse gases, preserve natural habitats and ecosystems and allow integrated stormwater management techniques and sewer treatment
- Self-reliance servicing that does not burden regional services
- Use of innovative technologies to reduce and re-use water throughout the development
- Waste reduction and recycling programs
- Use of rain gardens within the integrated water management plan
- Lighting will be designed to mitigate light pollution; ensure pedestrian visibility at night and adhere to " Dark Sky" policies

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Goal 6: Food Systems

Support and enhance the agricultural and aquaculture sectors and increase food security

Riverwood Implementation:

- Introduction of community gardens within the development proposal (urban gardening, community orchards, and community supported agriculture programs contribute to regional food security)
- Expansive buffer zones between the development and rivers
- No ALR land involved in Riverwood, so no effect on the agricultural land base of the Comox Valley

Goal 7: Public Health and Safety

Support a high quality of life through the protection and enhancement of community health, safety, and well-being

Riverwood Implementation:

- Increased trails and environment enhancement encourages an active population and lifestyles, which increase quality of life
- Access to recreation encourages an active lifestyle, therefore reduces health costs
- Allows for an aging population
- Allows for a diverse population
- Opportunity for a fire hall to service the development and the surrounding community to promote public safety
- Integration of trails, recreation opportunities, cycling, and transit as alternatives to the private automobile helps contribute to a healthier population and thereby reduces health care costs to society
- Trail connections and development will realize regional park goals, by significantly contributing to the completion of the Puntledge Triangle – a key greenway system in the Comox Valley
- Integration of cycling and pedestrian plans support active transportation
- Bicycle infrastructure and amenities are provided for
- Walkable communities increase safety
- "Eyes on the street" promotes informal neighbourhood watch
- Integration of basic Crime Prevention Through Environment Design (CPTED) analysis prior to construction

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- Riverwood will ensure, through design guidelines, that products and materials to be selected will be free of substances that could be harmful to occupants (specifically adhesives, sealants, paints and coatings, carpets, composite wood products, door cores, and agrifiber products will be targeted)

Goal 8: Climate Change

Minimize regional greenhouse gas emissions and plans for adaption

Riverwood Implementation:

- Riverwood is closer to the service areas of Courtenay and other services in the Comox Valley than many other areas designated for development, thus having a smaller environmental footprint than those areas
- Net zero development as prescribed for Riverwood means housing our population with no increases in the carbon footprint
- Leed targeted strategies
- Green site design and building practices will be written into the design guidelines
- Alternative transportation programs and pattern of development (compact lot sizes are easier and cost-effective to service, reduce GHG emissions and preserve green space which can then be turned over to the public to realize region-wide recreation goals)
- Emphasis on recreation
- Self-servicing infrastructure will reduce costs to the local government through the construction of green community design and buildings
- Designing communities that promote alternative forms of transportation to help reduce GHG emissions is important to urban and rural areas
- Integrated bicycle and transit systems to recreation destinations and town centres will reduce GHG emissions
- Bicycling infrastructure and amenities are included within the Riverwood development
- Community gardens offer a composting option for residents, which will help divert organics from the landfill
- Through compact community design, preservation of existing forested areas coupled with extensive landscaping and reforestation plans, planting programs are possible, which helps reduce GHG emissions unlike typical suburban developments
- Renewable energy alternatives will be planned for, including geothermal heating and a public amenity building for Stotan Falls users and recreationalists that will be "off the grid" (i.e. solar powered, on-site water and sewer treatment)

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- Water conservation strategies included within the development including water reclamation, reuse, and augmentation of habitat
- Design guidelines will include highly reflective roofing materials to mitigate summer heat absorption into the homes, reducing the need for mechanical cooling systems

RGS PART 4: MANAGING GROWTH

Part 4 of the RGS aims to manage growth and land-use activities in a manner consistent with the Part 3 of the RGS and puts forward a strategy for managing this growth.

In doing so, Part 4 identifies 14 Growth Management Principles. These are found in Section 4.4. These principles build on the goals, objectives, and policies contained in Part 3 of RGS.

The Riverwood development measures very favourably against the applicable principles. How it does so, is identified below. The principles will be referred to as they are referenced in the Section 4.4.

Section 4.4.1: The Riverwood development protects all key natural and ecological features within the property. In planning the Riverwood development, all areas with ecological sensitivities and key natural features were identified first and protected. All these areas were placed in the proposed parkland dedications and will be put in the hands of the public.

Section 4.4.2: All public health and environmental issues were identified and where needed, were addressed in the planning of the development.

Section 4.4.3: The distinctiveness of the existing communities and especially the neighbouring City of Courtenay was recognized. The intent of the development is to compliment the City of Courtenay and to ensure that it benefits, economically and socially, from the development. The parkland dedications will also benefit the other communities and the Comox Valley Regional District.

Section 4 4.4: There has been a great deal of discussion with the Komoks First Nation and 3L is well aware of the treaty process. The recent discussions that have taken place have centered around the Riverwood development assisting KFN in the development of some of the lands being offered to it in treaty. These lands are immediately adjacent to the Riverwood development. To assist KFN in recognizing economic benefit from these lands, Riverwood has agreed to provide access to its proposed water and sewage infrastructure.

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Section 4.4.5: The Riverwood development espouses compact development and by doing so, promotes efficient use of land and achieves environmental benefits through the protection of all areas that have environmental sensitivities. A minimum of 50% of the property will be dedicated as park, thereby ensuring protection of all these areas.

The project has also been designed to accommodate public transit and contact has been made with BC Transit about providing service to the development as well as the surrounding area. Provision has also been made for cycling. Public servicing costs are not an issue as all servicing infrastructure will be private.

Section 4.4.6: This section is not applicable as there will be no public investment in public infrastructure. The operation of the water and sewer systems will be undertaken by a fully qualified operator and covered by a Certificate of Public Convenience and Necessity issued by the Ministry of Health, which will set the security parameters necessary for the long term operation of the systems.

Section 4.4.7: This section is not applicable other than to note that the development will not take away from the ability of the Municipal Areas to carry out their mandate as outlined. The development could also compliment the goals of this section.

Section 4.4.8: A Settlement Node has been requested for the site. As noted earlier in this submission, the Riverwood development is being developed in a compact and transit-supportive manner.

Section 4.4.9: Not applicable as the Riverwood development will have its own water and sewer systems.

Section 4.4.10: This section is somewhat applicable as the properties are identified within the City of Courtenay OCP for eventual inclusion into the City. However, no water and sewer service is required.

Section 4.4.11: There are no agricultural or aquaculture activities on the site, so there is no issue with respect to these functions being compromised.

Section 4.4.12: The development having been planned as a compact community has a great deal of parkland that buffers the developable area from the adjoining rural functions. None of these will be affected by the development and the rural character of these lands will not be affected.

Section 4.4.13: Not applicable as there are no areas within the properties are used for resource extraction or part of the working landscape.

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Section 4.4.14: One of the basic premises of the Riverwood development has been to promote and support the economic viability of the municipal areas. There are no real significant commercial activities planned within the development, except for a small commercial component to service the basic needs of the development and surrounding area. The development does not wish to compete with the municipal areas in that regard. In addition, many of the direct and indirect economic benefits accruing from the development will help further establish and compliment the economic viability of the existing municipal areas.

In MB Policy 1B-1- Settlement Nodes, it is noted that Settlement Nodes shall accommodate growth through a balance of new development, intensification and improvements to public infrastructure. As has been made clear in this submission, no public infrastructure is required for this development However, it has recognized the need for enhanced public transit and active transportation options and these have been included in the development plans

Furthermore, also as noted earlier, while a Settlement Node is requested, the fact that Sage Hills is not proceeding as envisioned in the RGS and other developments such as Trilogy may never go ahead, the densities associated with these and others that may never be built should and could be transferred to the Riverwood development. The net result will likely be no increase in the number of housing units contemplated in the current RGS. If there is, the amount of units would be miniscule.

It is recognized in the MB Policy 1B-3 – New Settlement Nodes, that the designation of any new Settlement Nodes will require an amendment to the RGS but this policy does not define that in order to do so, a what type of amendment would be required. Therefore, it is quite appropriate to use a minor amendment as requested, to establish a Settlement Node.

At this point, it should also be noted again, that 3L has had a very long and involved dialogue with the Komoks First Nation about the Riverwood development. KFN recognizes that it could benefit from the Riverwood development through access being provided to it in order to tie into the Riverwood water and sewer systems. Discussions have also taken place with regards to the water and sewer systems being designed to accommodate growth on the lands being offered to KFN in treaty, which are immediately adjacent to the northern boundary of the Riverwood project. This would help provide economic opportunities to KFN, while allowing their future lands to be developed in an environmentally and sustainable manner. Therefore, there is benefit to KFN from the Riverwood project proceeding.

In the foregoing, we have demonstrated that the request for a minor amendment meets the requirements set out in the RGS for minor amendments and proposal has great merit. It is hoped that the contributions that the Riverwood development can make through park dedications, a sustainable mode of development, and from an economic perspective will be appreciated.

3L Developments Inc.

If you have any questions or require any more information, please do not hesitate to contact me.

Respectfully submitted,

Kabel Atwall
3L Developments Inc.

COURTENAY, B.C.

All distances are in metres and decimals thereof unless otherwise stated

PROPERTIES

3-L DEVELOPMENTS INC.

PID: 003-932-391
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 6286 LYING TO THE WEST OF THE EAST BANK OF THE PUNTLEDGE RIVER EXCEPT THOSE PARTS IN PLANS 6284 AND 6543

PID: 028-915-194
LOT A, SECTIONS 10 AND 15 TOWNSHIP 9 COMOX DISTRICT PLAN EPP62059

PID: 003-932-308
THAT PART OF THE SOUTH 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 6286 LYING TO THE SOUTH OF THE NORTH BANK OF THE PUNTLEDGE RIVER

PID: 003-924-033
THE SOUTH WEST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 6286 EXCEPT THAT PART IN PLAN 6543 AND EXCEPT THAT PART SHOWN COLOURED RED ON PLAN RED N.Y.

0768816 B.C. Ltd.

PID 000-966-814
THE SOUTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 6286, EXCEPT THAT PART SHOWN COLOURED RED ON PLAN TO NY AND EXCEPT THAT PART IN PLAN VIP70186

PID 000-966-792
THAT PART OF THE NORTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 6286, LYING WEST OF PUNTLEDGE RIVER EXCEPT THAT PART IN PLAN VIP70186 AND EPP62060

PARCEL AREAS

PID: 003-932-391	1.25 HA
PID: 028-915-194	76.0 HA
PID: 003-932-396	2.46 HA
PID: 003-924-033	49.34 HA
PID: 000-966-814	54.36 HA
PID: 000-966-792	7.63 HA
TOTAL AREA	200.04 HA
TOTAL AREA	494.3 AC

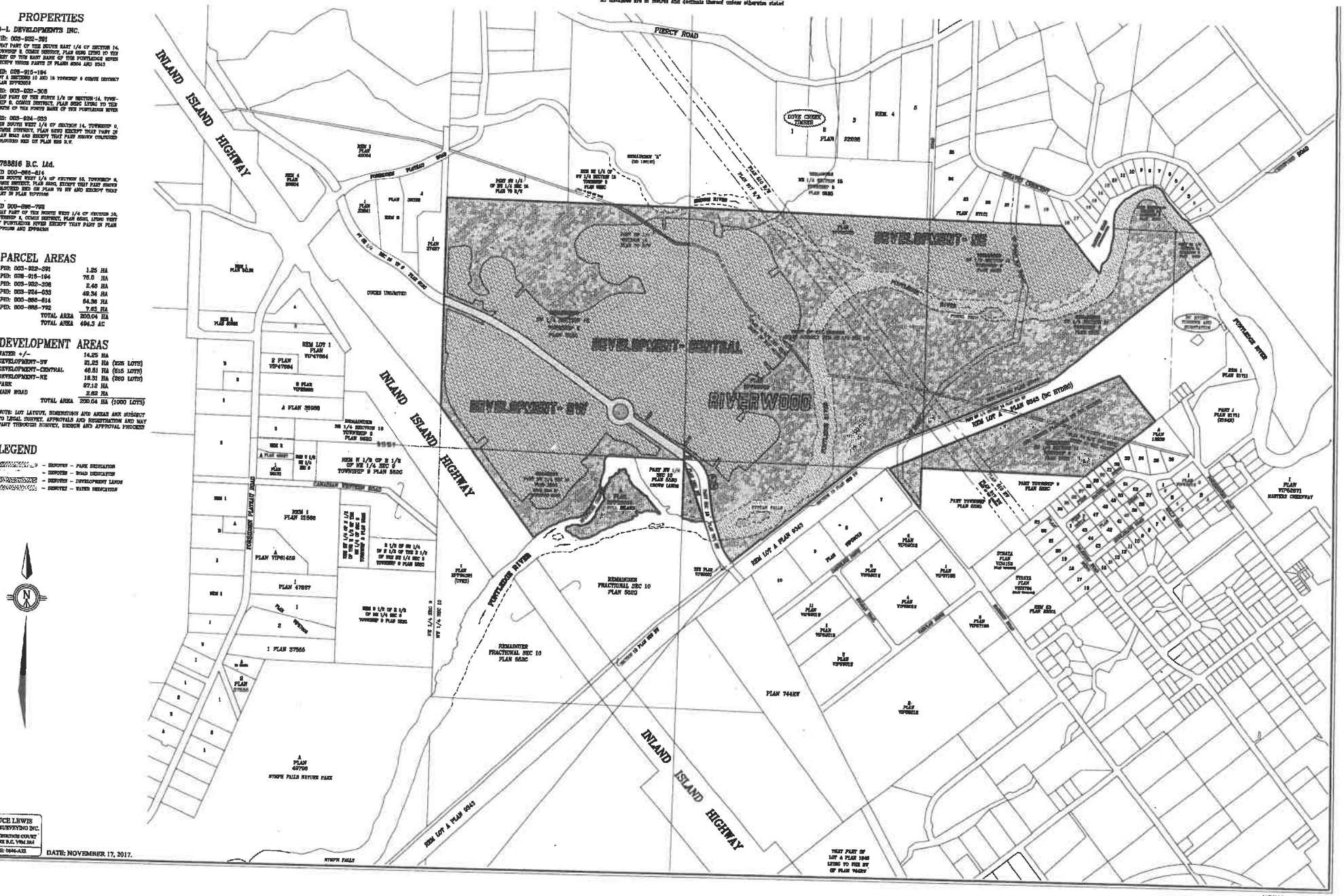
DEVELOPMENT AREAS

WATER +/-	14.25 HA	
DEVELOPMENT-SW	81.25 HA	(825 LOTS)
DEVELOPMENT-CENTRAL	46.51 HA	(615 LOTS)
DEVELOPMENT-NE	16.31 HA	(260 LOTS)
PARK	97.12 HA	
MAIN ROAD	2.62 HA	
TOTAL AREA	200.04 HA	(1000 LOTS)

NOTE: LOT LAYOUT, DIMENSIONS AND AREAS ARE SUBJECT TO LEGAL SURVEY, APPROVALS AND REGISTRATION AND MAY VARY THROUGH SURVEY, DESIGN AND APPROVAL PROCESS

LEGEND

- [redacted] HECTARES - PARK DEDICATION
- [redacted] HECTARES - ROAD DEDICATION
- [redacted] HECTARES - DEVELOPMENT LANDS
- [redacted] HECTARES - WATER DEDICATION

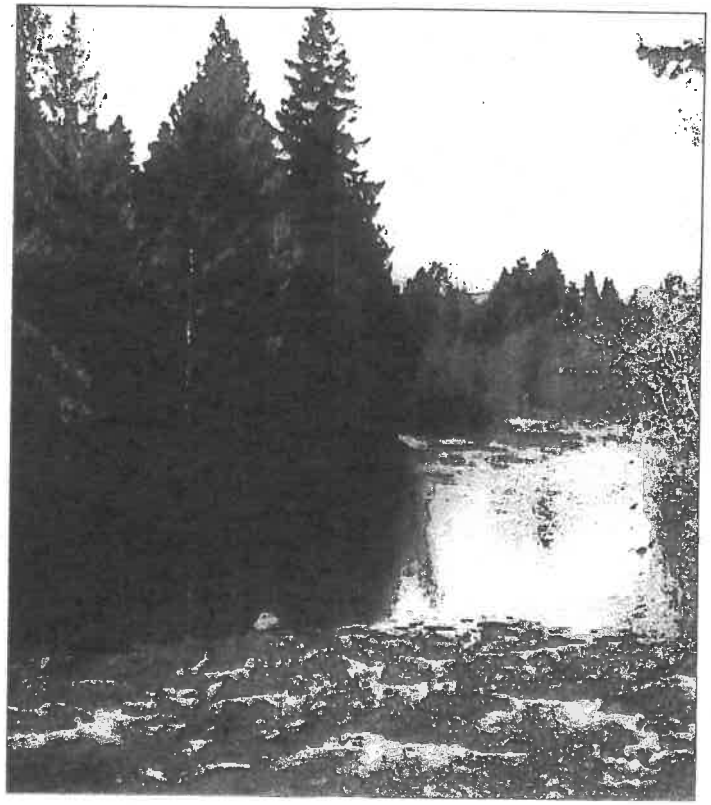


BRUCE LEWIS
LAND SURVEYING INC.
611 HIGHLANDS COURT
COMOX B.C. V9M 3M4
FILE: 0946-A2S

DATE: NOVEMBER 17, 2017.

RIVERWOOD

COMOX VALLEY



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stake-holders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

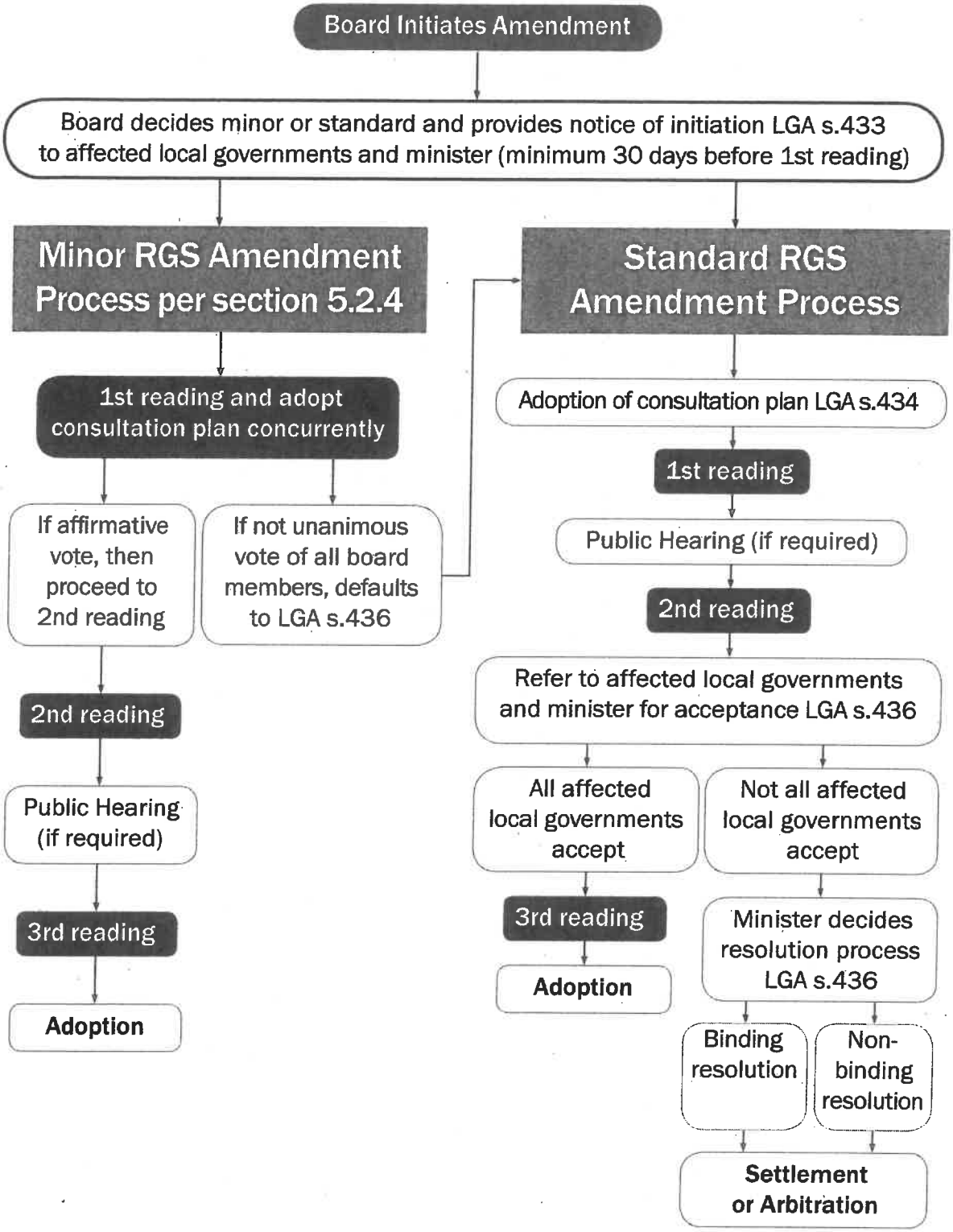
Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED–ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team

RGS Amendment Comparison Chart



Comox Valley
REGIONAL DISTRICT

comoxvalleyrd.ca

Excerpt from RGS, "Criteria for Minor Amendments"

3. Criteria for Minor Amendments

Criteria under which a proposed amendment to the RGS may be considered a minor amendment include the following:

a. Where a land use or development proposal is inconsistent with the Regional Growth Strategy, and, in the opinion of the CVRD Board:

- is not to be of regional significance in terms of scale, impacts or precedence;
- contributes to achieving the goals and objectives set out in Part 3; and,
- contributes to achieving the general principles contained in the growth management strategy Part 4.

b. Text and map amendments which are not directly related to enabling specific proposed developments may be considered minor if, in the opinion of the Board, the amendment is not of regional significance.

c. Boundary extensions for the purposes of incorporating designated *Settlement Expansion Areas* into a *Municipal Area,* consistent with MG Policies 1E-1 through 1E-6, shall be deemed in conformity with the RGS and not require either a minor amendment or standard amendment. Under such circumstances, the RGS designation and other CVRD planning regulations will continue to apply until such time as the local jurisdiction amends its OCP, at which time the RGS designation will change to *Municipal Area.*

d. For boundary extensions beyond the *Settlement Expansion Areas*, an RGS amendment will not be required. However, under such circumstances the *Municipal Area* undertaking the boundary extension must adopt OCP policies that are consistent with the RGS designation for such lands. Should the *Municipal Area* seek to adopt OCP policies that differ from the policies of the RGS, at either the time of the boundary extension or at a future date, then a standard amendment to the RGS will be required to follow the regular process as outlined in the *Local Government Act.*

e. Any proposal that does not meet the criteria set out above would be considered a standard amendment and will be required to follow the regular process as outlined in the *Local Government Act, Part 25.*

This is Exhibit "U" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on June 28, 2018 in the Comox Valley Regional District Committee Room located at 550B Comox Road, Courtenay BC, commencing at 8:30 am.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present:	Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
	Sundance Topham, Chief Administrative Officer, Village of Cumberland
	David Allen, Chief Administrative Officer, City of Courtenay
	Richard Kanigan, Administrator, Town of Comox
	Alana Mullaly, Manager of Planning Services, Comox Valley Regional District
Recording:	Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

The committee met to review a preliminary report from the Technical Advisory Committee regarding application RGS 1C 17 (3L Development Inc.).

RECOMMENDATION

The Regional Growth Strategy Steering Committee recommend that the Regional Growth Strategy Technical Advisory Committee convene for a final review of the staff report and report back to the Regional Growth Strategy Steering Committee.

MINUTES

R. Kanigan / D. Allen: THAT the Regional Growth Strategy Steering Committee accept the steering committee minutes dated June 15, 2018.
CARRIED

ADJOURNMENT

Time: 9:03 am

Recorded By:

S. Stephens

Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

This is Exhibit "V" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

RGS Technical Advisory Committee Minutes

Minutes of the Regional Growth Technical Advisory Committee meeting held on June 29, 2018 in the Town of Comox Council Chambers located at 1809 Beaufort Avenue, Comox BC, commencing at 8:00 am.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present:

Judith Walker, Senior Planner, Village of Cumberland
Ian Buck, Director of Development Services, City of Courtenay
Marvin Kamenz, Town Planner, Town of Comox
Alana Mullaly, Acting General Manager of Planning and Development Services, Comox Valley Regional District

Recording: Alana Mullaly

TOPIC

The committee met to review the Regional Growth Strategy Steering Committee's June 28, 2018 direction to re-convene for a final review of the Technical Advisory Committee's preliminary report (dated June 25, 2018) on whether the proposed minor amendment from 3L Development Inc. should be reviewed as a minor or standard amendment and whether the board should initiate an amendment.

RECOMMENDATION

A. Mullaly / M. Kamenz: THAT the Regional Growth Strategy Technical Advisory Committee re-confirms the recommendations contained in the June 25, 2018 preliminary report.
CARRIED

ADJOURNMENT

Time: 9:00 am

Recorded By:

A. Mullaly

Alana Mullaly
Acting General Manager Planning
and Development Services Branch
Comox Valley Regional District

Certified Correct:

J. Walker

Judith Walker
Senior Planner
Village of Cumberland

Certified Correct

I. Buck

Ian Buck
Director or Development Services
City of Courtenay

Certified Correct

M. Kamenz

Marvin Kamenz
Town Planner
Town of Comox

This is Exhibit "W" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

RGS
Steering Committee
Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on July 3, 2018 in the Comox Valley Regional District Boardroom located at 550B Comox Road, Courtenay BC, commencing at 1:07 pm.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present:	Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
	Sundance Topham, Chief Administrative Officer, Village of Cumberland
	David Allen, Chief Administrative Officer, City of Courtenay
	Richard Kanigan, Administrator, Town of Comox
	Alana Mullaly, Manager of Planning Services, Comox Valley Regional District
Recording:	Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC
The committee met to consider a preliminary report from the Technical Advisory Committee regarding application RGS 1C 17 (3L Development Inc.).

MINUTES
D. Allen / S. Topham: THAT the Regional Growth Strategy Steering Committee accept the minutes of the June 29, 2018 Regional Growth Strategy Technical Advisory Committee.
CARRIED

RECOMMENDATION
D. Allen / R. Kanigan: THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Steering Committee recommend that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment;

AND FURTHER THAT the Steering Committee recommend that the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node;

AND FINALLY THAT the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.
CARRIED

NEXT STEPS
A. Mullaly advised that a report will be prepared for consideration by the Committee of the Whole at its July 10, 2018 meeting, a copy of the report will be sent to 3L Developments Inc. (Kabel Atwall) prior to the meeting. The Comox Valley Regional District Board may consider the Committee of the Whole recommendation at its July 24, 2018 meeting.

MINUTES

S. Topham / D. Allen: THAT the Regional Growth Strategy Steering Committee accept the steering committee minutes dated June 28, 2018.
CARRIED

ADJOURNMENT

Time: 1:11 pm

Recorded By:

S. Stephens

Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

This is Exhibit "X" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff report

DATE: July 5, 2018

FILE: 6410-20/RGS 1C 17

TO: Chair and Directors
Committee of the Whole

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

FROM: Russell Dyson
Chief Administrative Officer

RE: **Regional Growth Strategy Amendment Proposal: 3L Developments Inc.**

Purpose
The purpose of this report is to provide the board with recommendations from the Regional Growth Strategy (RGS) Steering Committee regarding an application by 3L Developments Inc. for a minor amendment to the RGS to enable establishment of a new Settlement Node.

Recommendation from the Chief Administrative Officer:
THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Steering Committee recommends that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment;

AND FURTHER THAT the Steering Committee recommend that the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node;

AND FINALLY THAT the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.

Executive Summary

- In a decision of the B.C. Supreme Court, upheld by the B.C. Court of Appeal (the Court), the Comox Valley Regional District (CVRD) has been directed to consider the minor amendment application submitted by 3L Developments Inc. in accordance with the process set out in Section 5.2.4 of the RGS.
- The Court of Appeal clarified that the CVRD Board is not required to consider the proposed amendment as a minor amendment, rather just to follow the steps set out in 5.2.4 for determining whether the proposal constitutes a minor amendment (relative to Section 5.2.3 of the RGS).
- 3L Developments Inc. is requesting that the board initiate an amendment to the RGS in order to consider its "Riverwood" proposal as a new Settlement Node and is requesting that the application be considered as a minor amendment (versus standard amendment) (Appendix A).
- The key differences between the minor amendment process established in Section 5.2.4 and the standard amendment process as set out in the RGS (and the *Local Government Act* (RSBC,

2015, c. 1) (LGA)) pertain to whether an amendment needs to be accepted by affected local governments (i.e. requirement of standard amendment) (Appendix B).

- Per the direction of the Court, neither the RGS Technical Advisory Committee (TAC) nor RGS Steering Committee have reviewed, in detail, 3L Development Inc.'s application as to its technical merit. Rather the role of both committees at this initial point is to consider whether, based on the information presented by 3L Development Inc.'s and CVRD staff, the request to designate a new Settlement Node should be reviewed as a minor or standard amendment and whether an amendment should be initiated.
- The Steering Committee, having had regard for the minor amendment criteria in Section 5.2.3 of the RGS, and the information provided by 3L Developments Inc. in support of its application, recommends that the application to create a new Settlement Node should be reviewed, in detail, as a standard amendment as designation of a new Settlement Node is regionally significant in respect to scale, impact and precedence.
- The Steering Committee recommends that in order for the board to consider the merits, in detail, of designating a new Settlement Node, and specifically 3L Development Inc.'s proposed "Riverwood" development, the board should initiate an amendment.

Prepared by:	Concurrence:	Concurrence:
A. Mullaly	***R. Dyson***	***D. Allen***
Alana Mullaly Acting General Manager of Planning and Development Services, CVRD	Russell Dyson Chief Administrative Officer, CVRD	David Allen Chief Administrative Officer, City of Courtenay
Concurrence:	Concurrence:	
R. Kanigan	***S. Topham***	
Richard Kanigan Chief Administrative Officer, Town of Comox	Sundance Topham Chief Administrative Officer Village of Cumberland	

Stakeholder Distribution (Upon Agenda Publication)

3L Developments Inc. c/o Mr. Kabel Atwall	✔
Village of Cumberland	✔
Town of Comox	✔
City of Courtenay	✔

Background/Current Situation

The CVRD has been directed by the Court to consider the minor amendment application by 3L Developments Inc. in accordance with the process for minor amendment applications defined in the RGS Bylaw. To be clear, the CVRD has no obligation relative to the application other than to undertake the steps prescribed in RGS Section 5.2.4. Specifically:

1. Set up a TAC meeting to discuss the application (being creation of a new Settlement Node) and provide comments to CVRD staff. This occurred on June 8, 2018 and June 29, 2018.
2. On receipt of comments from the TAC, have CVRD staff prepare a preliminary report for the Steering Committee (Appendix C).

3. Have the Steering Committee consider the report. This occurred on June 28, 2018 and July 3, 2018 (Appendix D)
4. Forward the Steering Committee's comments and recommendations to the CVRD Board. This is the subject of this report.
5. Have the board decide whether the application should proceed as a minor amendment.

It is important to note that in its reasons for decision, the Appeal Court confirmed that the role of the TAC and Steering Committee is not to ultimately review the merits of a proposed amendment application, but to provide advice to the board on whether the proposed amendment constitutes a minor or standard amendment (and subsequently, whether or not to initiate in accordance with the LGA). Initiation of the amendment does not fetter the board in any future consideration of the proposed amendment (confirmed in the reasons for judgement).

Note that a separate process to amend Section 5.2.4 is underway. If the board initiates an amendment to change the minor amendment process set out in the RGS, it will have no bearing on the fact (or way) that the CVRD has been ordered to process 3L Development Inc.'s proposed amendment.

Policy Analysis

Sections 5.2.3 "Criteria for Minor Amendments" and 5.2.4 "Minor Amendment Process" are the key RGS sections relative to this initial point in the amendment proposal process.

5.2.3 Criteria for Minor Amendments (Appendix C)

This section establishes five criteria under which a proposed amendment may be considered by the board as a minor amendment. Only the first criterion, below, pertains to the application that has been made by 3L Developments Inc.:

a) *"Where a land use or development proposal is inconsistent with the Regional Growth Strategy, and, in the opinion of the board:*
   - *Is not to be of regional significance in terms of scale, impacts or precedence;*
   - *Contributes to the achieving of the goals and objectives as set out in Part 3;* ***and***
   - *Contributes to achieving the general principles contained in the growth management strategy Part 4."*

The above criterion applies as the applicant's land use proposal is inconsistent with the RGS as it includes residential densities that exceed the densities contemplated in the Rural Settlement Area and Settlement Expansion Area designations. Further, the proposed density relies on piped water and sewer servicing (municipal type servicing that is presently only available in the municipal areas). The applicant is proposing to change the RGS designation of the lands from "Rural Settlement Area" and "Settlement Expansion Area" to "Settlement Node".

At this juncture the role of the Steering Committee is to provide advice to the board on whether a proposed amendment to create a new Core Settlement Area, specifically a new Settlement Node, is, of regional significance in terms of scale, impacts or precedence. Having reviewed the above criterion in the context of the information contained in the 3L Development Inc.'s application, the Steering Committee finds that it is.

(a) Regional Significance

- *Scale*: Establishing a new Core Settlement Area effectively creates a new location to which growth in the electoral areas is to be directed. The scale of establishing a new Core Settlement Area relative to other changes that could be made to the RGS is regionally

significant in that it would change the growth management scheme of the RGS as presently envisioned.

- *Impacts*: Establishing a new Core Settlement Area will impact the proportion of expected growth in the other Core Settlement Areas (e.g. overall population projections have not surpassed the capacity of existing Core Settlement Areas to accept additional population). This has regional significance in that investment decisions by private landowners, local government and higher level governments (e.g. land use and infrastructure development) will be affected: the locus of investment will shift or detract from the economic opportunities/ needs of existing Core Settlement Areas.
- *Precedence*: Establishing a new Core Settlement Area through the minor amendment process will establish precedence for how the designation of other, new, Core Settlement Areas may be considered in future (i.e. minor versus standard amendment). Notably Managing Growth Policy 1B-4 states that *"Should minor adjustments to existing Settlement Node Boundaries be identified through a Local Area Plan process, such boundary adjustments shall be permitted subject to a minor amendment of the RGS"*. Further, the RGS states that *"New Settlement Nodes can only be created through amendment to the RGS"*. In light of these policies and the LGA, which states that if an amendment is not minor, it is standard, it is reasonable to infer that the board through the RGS' preparation turned its mind to the types of changes to the Settlement Nodes that could be considered as minor amendments and determined that only "minor adjustments to existing Settlement Nodes" be considered as minor.

(b) *Goals and Objectives in Part 3*: As neither the TAC nor Steering Committee have reviewed the merits of 3L Development Inc.'s application, it is not readily apparent whether establishment of a new Settlement Node will contribute to the goals and objectives set out in Part 3. It may be that designating a New Settlement Node would contribute to achieving these goals and objectives but a fulsome assessment of that could only be undertaken if the board initiates an amendment. Initiation would enable the TAC and the Steering Committee to review the merits of the "Riverwood" proposal relative to the goals and objectives in Part 3.

(c) *Growth Management Principles in Part 4*: Designation of a new Settlement Node, at this time, does not appear to contribute to achieving the growth management principles established in Part 4. Among the RGS principles salient to this proposed amendment is: "*Limit the number of existing and planned Settlement Nodes outside of the Municipal Areas and ensure that such nodes are developed in a compact and transit supportive manner*". The Settlement Nodes, being Union Bay, Saratoga, and Mt. Washington, were established through "local planning policy documents around existing communities" in the electoral areas with "significant planned capacity to accommodate new growth". Development in the Settlement Nodes has not yet reached levels to exceed their capacity to accommodate growth. Two significant Master Development Agreements, one for lands in Union Bay and one for lands in Saratoga, are in place and have not yet been constructed. Similarly, Mt. Washington still has significant growth potential relative to the Mt. Washington Local Area Plan. Therefore designation of a new Settlement Node relative to supply management appears premature. If the board wants to contemplate re-designating an existing Settlement Node to Rural Settlement Area, or Settlement Expansion Area, for example, perhaps there would be rationale to consider designation of a new Settlement Node. The impacts of that, however, on landowners in the existing Settlement Nodes and planned infrastructure projects would be significant. This type of analysis could be undertaken if the board opts to initiate an amendment and allocate funds for that review.

Based on the criteria set out in Section 5.2.3 the Steering Committee is of the opinion that the proposed amendment to create a new Settlement Node is not minor. The Steering Committee,

having reviewed the information provided by 3L Development Inc. in support of its application, does not accept the basis put forward by 3L Development Inc. as warranting the board proceeding with the proposed amendment as a minor amendment.

In respect to whether the board should initiate an amendment, the Steering Committee suggests that the best way to assess whether a new Core Settlement Area, specifically, a new Settlement Node as proposed by the applicant, is required, is to direct staff to review the merits of the application relative to the major trends, population and employment forecasts identified in the RGS as well as Parts 3 and 4 of the RGS.

Options

The board has the following options:

1. Concur with the Steering Committee's recommendation to initiate a standard amendment and provide notice to affected local governments and the Minister of Municipal Affairs and Housing.
2. Determine that the proposal to establish a new Settlement Node should be reviewed as a standard amendment, but not initiate an amendment.
3. Determine that the proposal to establish a new Settlement Node should be reviewed as a minor amendment and make a decision to initiate or not.
4. Refer the matter back to CVRD staff with direction on next steps.

The Steering Committee recommends option 1.

Financial Factors

A resolution to initiate an amendment, whether standard or minor, will trigger a detailed review of the merits of the "Riverwood" proposal. The costs related to this review, namely staff time, legal review and the implementation of the required consultation plan (e.g. public notice, public hearing), will be borne by the RGS service (Function 512). As 3L Development Inc.'s application was received prior to the adoption of the RGS procedures and fees bylaw, no application fees can be levied.

Legal Factors

As noted, the Court has ordered the CVRD to review 3L Development Inc.'s minor amendment application in accordance with the process described in section 5.2.4 of the RGS. A motion of the board to consider the applicant's proposal as a minor amendment requires an affirmative 2/3 vote of the board.

If the board initiates an amendment (whether standard or minor), staff will provide notice of the initiation in accordance with the LGA and will report back with a consultation plan as well "next steps" in the amendment process.

Regional Growth Strategy Implications

If the board initiates, by resolution, an amendment to the RGS, staff will assess, in detail, the merits of the "Riverwood" proposal relative to the goals, objectives and policies of the RGS and provide a fulsome analysis of the RGS implications.

Intergovernmental Factors

The TAC comprises the RGS planning representatives from each of the four service participants (i.e. CVRD, Cumberland, Comox, Courtenay). The TAC has provided recommendations to the RGS Steering Committee (i.e. Chief Administrative Officers of each participant jurisdiction) on whether the proposed amendment should be reviewed as a standard or minor amendment and

whether an amendment should be initiated. Subsequently, the Steering Committee convened and is recommending that the board consider the proposed amendment as a standard amendment and that the board initiate an amendment in order for staff to review the merits of the proposed "Riverwood" Settlement Node.

If the board passes a resolution to initiate an amendment, affected local governments (i.e. Village of Cumberland, Town of Comox, City of Courtenay, Powell River Regional District, Strathcona Regional District, Regional District of Nanaimo and the Alberni-Clayoquot Regional District) and the Minister of Municipal Affairs and Housing will be notified of the initiation. The details of further intergovernmental involvement will be reported to the board as the amendment process unfolds (e.g. acceptance by affected local governments).

Interdepartmental Involvement

Staff in the Planning and Development Services Branch are leading review of this amendment proposal. Input from Corporate Services and Engineering Services will be sought if the board opts to initiate an amendment.

Citizen/Public Relations

If the board initiates an amendment, CVRD staff will report back to the board with a proposed consultation plan. The LGA requires that as soon as is practicable after initiating an amendment, the board must adopt a consultation plan and consider whether a public hearing should be held.

Attachments: Appendix A – "3L Development Inc.'s "Riverwood" proposal"
Appendix B – "Process comparison chart"
Appendix C – "TAC report, dated June 25, 2018"
Appendix D – "Steering Committee minutes, dated June 28, 2018 and July 3, 2018"

3L Developments Inc.

May 25, 2018

Ms. Alana Mullaly
Manager of Planning Services, Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road
Courtenay, B.C.
V9N 3P6

Dear Ms. Mullaly

Re: Riverwood Development

As per our meeting of May 22, 2018, 3L Developments wishes to submit the following information in support of its application for a **minor** amendment to the Regional Growth Strategy for its Riverwood development.

In requesting a minor amendment and the designation of its lands as a Settlement Node, 3L is confident that its request complies with Section 5.2.3 of the RGS, which identifies the criteria for minor amendments. This will be expanded upon further in this submission, however, it bears noting here that its request for the amendment should also be looked at as a repositioning of the densities allowed under the current RGS for the Sage Hills node and some of the other densities allocated to projects such as the Trilogy project. These projects will never be built or developed to the scale envisioned in the RGS, so their densities could and should be transferred to other areas such as Riverwood. This does not materially affect the RGS by allowing additional densities over and above what is noted in the document but merely transfers them to another area. In addition, the Riverwood lands, as will be demonstrated, are also well positioned to respect the intent and policies of the RGS while addressing its goals.

It should also be noted that the proposal has the ability to deliver approximately 50% of its land base or approximately 265 acres of the most important recreational as well as culturally important lands along the Puntledge and Browns River into the hands of the public as park.

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RIVERWOOD VISION

TO DEVELOP A NEIGHBOURHOOD COMMUNITY THAT ENCOURAGES HEALTHY LIVING THROUGH THE USE OF THE BEST AVAILABLE DESIGNS, APPROACHES, AND SYSTEMS.

WE STRIVE TO CREATE A UNIQUE COMMUITY THAT RESPECTS AND CELEBRATES THE LAND WHILE PROVIDING NEW AND AFFORDABLE LIVING OPPORTUNITIES FOR A DIVERSE POPULATION

PROJECT OVERVIEW

- 525 ACRES OF LAND
- 1100 RESIDENTIAL UNITS OF ALL TYPES
- BUILT ON THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL ELEMENTS OF SUSTAINABILITY
- A MINIMUM OF 50% OF THE PROPERTY TO BE DESIGNATED AS PARK
- 9 KILOMETERES OF TRAILS
- LEED TARGETED
- NO INFRASTRUCTURE COSTS TO THE REGIONAL DISTRICT AS PROJECT WILL BE TOTALLY SELF-SUFFICIENT IN TERMS OF WATER AND SEWER
- DEDICATION OF THE CURRENTLY PRIVATE ROAD AS A PUBLIC ROAD TO ENSURE ACCESS TO ALL THE PUBLIC AMENITIES
- $96 MILLION IN TOTAL CONSTRUCTION AND DEVELOPMENT SPENDING PER YEAR
- 470 JOBS PER YEAR
- $56 MILLION IN SPENDING PER YEAR BY NEW HOUSEHOLDS
- PROJECT LOCATED 5 MINUTES FROM DOWNTOWN COURTENAY
- PROJECT LOCATED 7 MINUTES FROM BIG BOX RETAIL AND NEW HOSPITAL
- WITHIN 5 MINUTES OF LOCAL SCHOOLS
- 2 MINUTES AWAY FROM AN INTERSECTION ON THE INLAND ISLAND HIGHWAY

The development philosophy of Riverwood is **Triple Bottom Line Sustainability:** integration of the **social, economic, and environmental elements into land use planning and decision making.**

The Triple Bottom Line approach to sustainable community development will assist with the implementation of the RGS and the sustainability strategies.

Riverwood is a development proposal that embraces the tenets of sustainability by incorporating green building technologies, social responsibility, efficient use of energy and a commitment to reducing its impact on the environment by **dedicating approximately 265 acres of parkland, open space, conservation, recreation wetlands and community gardens.**

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Riverwood will be a distinctive community, offering natural landscapes, trail amenities, a mix of housing choices, commercial and retail services, and public amenities with a mix of natural landscapes. Located next to **Stotan Falls,** this major Comox Valley attraction offers a series of glacier fed pools and falls that attract visitors and residents alike. **Riverwood will result in public access to this coveted recreational area in perpetuity.**

The Riverwood development will enhance this area by offering land for and building a formalized public parking area and a washroom/change house for all users, the construction of 9 kms. of new trails, and the provision of land for a fire hall and assistance with its creation to service the broader community.

The development will result in a heavily used regional recreational area and greenways to be placed in public hands. Regional park plans identify the Rivewood site as a key component in realizing park acquisition goals. The river corridors are recognized as upland habitat greenways, recreation corridors, biodiversity corridors and have been identified as a critical area worthy of protection.

In addition, Riverwood will create a public road, increase transit opportunities and will assist in with telecommunication enhancements for the broader community

The Riverwood site was designed using an integrated approach to sustainability, which calls for a thorough understanding of the land before determining the master development plan and uses. A comprehensive analysis of the environment, archaeology, economics, and biology of the area were completed, as well as analysis of traffic impacts, road standards, design standards, park land and housing options.

The development concept brought together environmental preservation, physical site assessments, public consultation, design standards and market analysis in order to achieve the regional goals of building sustainable and healthy communities where people can live, work and play.

Riverwood brings enhanced ecosystem values, high efficiency, and a new standard for development in the Comox Valley.

A copy of the Sustainability Guidelines Matrix, which set out the sustainable development goals, is attached to this submission. This Matrix was informed by:

- Comox Valley Regional Growth Strategy
- Comox Valley Sustainability Strategy
- LEED: CaGBC LEED Canada NC and CaGBC Canada for Homes

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- Smart Growth BC

In designing the community development, Riverwood is targeting measureable and significant reductions in the following key areas:

Energy Use	Heat Island Impacts	Water Consumption
Waste Water Flows	Storm Water Flows	Solid Waste
Construction Waste		

RGS PART 3: Regional Policies

Riverwood is committed to meeting the RGS policies. Riverwood is a model of development that strives to implement the relevant policies in the RGS.

Riverwood is founded on design principles that create compact growth in order to dedicate a minimum of 50% of the site into public hands. With on-site servicing utilizing sustainable and innovative technologies that will be privately operated under government regulations, Riverwood will not burden the regional sewer or water systems.

Part 3 of the RGS identifies goals which are organized into 8 inter-related policy areas. These are indentified below along with how the Riverwood proposal would address the goals and implement them.

Goal 1: Housing

Ensure a diversity of housing options to meet evolving demographics and needs

Riverwood Implementation:

- Range of lot sizes increases the attainability of ownership
- Range of lot sizes and mix of residential housing types will allow for smaller housing types for those portions of the population over 65 that require these types of homes
- Opportunity for secondary suites and carriage homes which could allow "aging in place" or provide affordable rental housing
- Contributions to Habitat for Humanity
- Work/live spaces could be in a professional building (ground floor retail with apartments above) in the small commercial core area

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- Potential opportunity for home occupations
- Compact design respects the integrity of the surrounding community
- Create an age friendly community
- Walkable with limited local services to support housing

Goal 2: Ecosystems, Natural Areas, and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems

Riverwood Implementation:

- Establishes as park, the identified regional ecological and recreational greenway link between Strathcona and the Comox Valley
- The project will include extensive natural corridors, greenways, and open space to provide habitat for plants and animals and will reintroduce native habitat where possible
- The project will enhance aquatic habitat through stream augmentation, increasing dry weather flows to improve primary production
- Addition of approximately 265 acres as regional park land
- Creation of 9 kms. of additional trails to the region
- Expanded gateway to Forbidden Plateau and Mt. Washington
- Enhanced services for and access to Stotan Falls
- Increased quality of life
- Bike and pedestrian friendly trails throughout the development that link to transportation networks and recreational opportunities beyond
- Expanded setbacks along the rivers and re-naturalization of a minimum of 10% of the actual development site
- Spawning channels adjacent to Bull Island returned to public hands

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Riverwood Implementation:

- $780 million in direct investment dollars
- $276 million in direct spin-off benefits
- Creation of 5,130 man-years of employment or 470 jobs per year

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- $51 million in spending, by residents, per year on retail, restaurants, personal services, household services, vehicle operating expenses, and miscellaneous items
- Ripple effect of development: construction related jobs and the need for additional doctors, lawyers, accountants, hairdressers, grocery stores, service personnel, etc.
- Opportunities for home based business
- Inclusion of a commercial/retail center to service the development and surrounding area
- Live/work opportunities
- Property location enforces the viability of the Town Centres of Courtenay
- New economic opportunities will arise from the Riverwood development: through short term direct employment opportunities, the spin off economic benefits that are derived from the development; and the longer term economic benefits of the sustainable technologies and practices that will be used within this development
- Design guidelines will specify use of local materials where possible

Goal 4: Transportation:

Develop an accessible, efficient, and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Riverwood Implementation:

- Connects to Inland Island Highway (2 minutes)
- Direct links to Courtenay (5 minutes), Cumberland (7 minutes), Comox (10 minutes), Mt. Washington (12 minutes to chairlift), Forbidden Plateau (10 minutes), Hospital (7 minutes), Airport (12 minutes)
- BC Transit has indicated Riverwood and the broader area has the potential for a bus program in the short term, with full service as the area grows out
- Transit loop has been included in the design of Riverwood
- Streets designed to support future bus routes
- Walkable and bike-friendly community
- Enhanced recreational opportunities for the biking and hiking community
- Separate bicycle lanes to encourage cycling, opportunity for bicycle storage, signage and shower facilities at the public amenity building to service Stotan Falls and recreation users
- Commercial and recreational on-site amenities will reduce the need for vehicular off-site travel for residents

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Goal 5: Infrastructure

Provide affordable, effective, and efficient services and infrastructure that conserves land, water and energy resources

Riverwood Implementation:

- State-of-the-art on site servicing offers a sustainable option to the "collective pipe" of water supply and sewer treatment
- On-site servicing will reduce burden on the regional and municipal systems thereby saving tax payers money
- On-site servicing is a proven Alternate Development Standard (green infrastructure) that promotes sustainability, saves water, and is cost effective
- Integrated stormwater management to ensure that post-development flows match that of pre-development flows while augmenting wetland habitat
- LEED targets reduce overall water demand and consumption, thereby decreasing waste and reducing output flows
- Utilization of grey-water plumbing to reduce water consumption
- Independence of the system to serve Riverwood will ensure long-term sustainability for the development and the greater community as a whole. An alternative to connecting to bigger systems will help to achieve long-term sustainability goals
- Compact design of Riverwood is more cost effective to service than larger lots that are spread farther apart
- Promotion of Alternative Development Standards, which are proven to lower costs of development (environmental and economic), improve quality of life, improve affordability, reduce greenhouse gases, preserve natural habitats and ecosystems and allow integrated stormwater management techniques and sewer treatment
- Self-reliance servicing that does not burden regional services
- Use of innovative technologies to reduce and re-use water throughout the development
- Waste reduction and recycling programs
- Use of rain gardens within the integrated water management plan
- Lighting will be designed to mitigate light pollution; ensure pedestrian visibility at night and adhere to " Dark Sky" policies

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Goal 6: Food Systems

Support and enhance the agricultural and aquaculture sectors and increase food security

Riverwood Implementation:

- Introduction of community gardens within the development proposal (urban gardening, community orchards, and community supported agriculture programs contribute to regional food security)
- Expansive buffer zones between the development and rivers
- No ALR land involved in Riverwood, so no effect on the agricultural land base of the Comox Valley

Goal 7: Public Health and Safety

Support a high quality of life through the protection and enhancement of community health, safety, and well-being

Riverwood Implementation:

- Increased trails and environment enhancement encourages an active population and lifestyles, which increase quality of life
- Access to recreation encourages an active lifestyle, therefore reduces health costs
- Allows for an aging population
- Allows for a diverse population
- Opportunity for a fire hall to service the development and the surrounding community to promote public safety
- Integration of trails, recreation opportunities, cycling, and transit as alternatives to the private automobile helps contribute to a healthier population and thereby reduces health care costs to society
- Trail connections and development will realize regional park goals, by significantly contributing to the completion of the Puntledge Triangle – a key greenway system in the Comox Valley
- Integration of cycling and pedestrian plans support active transportation
- Bicycle infrastructure and amenities are provided for
- Walkable communities increase safety
- "Eyes on the street" promotes informal neighbourhood watch
- Integration of basic Crime Prevention Through Environment Design (CPTED) analysis prior to construction

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- Riverwood will ensure, through design guidelines, that products and materials to be selected will be free of substances that could be harmful to occupants (specifically adhesives, sealants, paints and coatings, carpets, composite wood products, door cores, and agrifiber products will be targeted)

Goal 8: Climate Change

Minimize regional greenhouse gas emissions and plans for adaption

Riverwood Implementation:

- Riverwood is closer to the service areas of Courtenay and other services in the Comox Valley than many other areas designated for development, thus having a smaller environmental footprint than those areas
- Net zero development as prescribed for Riverwood means housing our population with no increases in the carbon footprint
- Leed targeted strategies
- Green site design and building practices will be written into the design guidelines
- Alternative transportation programs and pattern of development (compact lot sizes are easier and cost-effective to service, reduce GHG emissions and preserve green space which can then be turned over to the public to realize region-wide recreation goals)
- Emphasis on recreation
- Self-servicing infrastructure will reduce costs to the local government through the construction of green community design and buildings
- Designing communities that promote alternative forms of transportation to help reduce GHG emissions is important to urban and rural areas
- Integrated bicycle and transit systems to recreation destinations and town centres will reduce GHG emissions
- Bicycling infrastructure and amenities are included within the Riverwood development
- Community gardens offer a composting option for residents, which will help divert organics from the landfill
- Through compact community design, preservation of existing forested areas coupled with extensive landscaping and reforestation plans, planting programs are possible, which helps reduce GHG emissions unlike typical suburban developments
- Renewable energy alternatives will be planned for, including geothermal heating and a public amenity building for Stotan Falls users and recreationalists that will be "off the grid" (i.e. solar powered, on-site water and sewer treatment)

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- Water conservation strategies included within the development including water reclamation, reuse, and augmentation of habitat
- Design guidelines will include highly reflective roofing materials to mitigate summer heat absorption into the homes, reducing the need for mechanical cooling systems

RGS PART 4: MANAGING GROWTH

Part 4 of the RGS aims to manage growth and land-use activities in a manner consistent with the Part 3 of the RGS and puts forward a strategy for managing this growth.

In doing so, Part 4 identifies 14 Growth Management Principles. These are found in Section 4.4. These principles build on the goals, objectives, and policies contained in Part 3 of RGS.

The Riverwood development measures very favourably against the applicable principles. How it does so, is identified below. The principles will be referred to as they are referenced in the Section 4.4.

Section 4.4.1: The Riverwood development protects all key natural and ecological features within the property. In planning the Riverwood development, all areas with ecological sensitivities and key natural features were identified first and protected. All these areas were placed in the proposed parkland dedications and will be put in the hands of the public.

Section 4.4.2: All public health and environmental issues were identified and where needed, were addressed in the planning of the development.

Section 4.4.3: The distinctiveness of the existing communities and especially the neighbouring City of Courtenay was recognized. The intent of the development is to compliment the City of Courtenay and to ensure that it benefits, economically and socially, from the development. The parkland dedications will also benefit the other communities and the Comox Valley Regional District.

Section 4.4.4: There has been a great deal of discussion with the Komoks First Nation and 3L is well aware of the treaty process. The recent discussions that have taken place have centered around the Riverwood development assisting KFN in the development of some of the lands being offered to it in treaty. These lands are immediately adjacent to the Riverwood development. To assist KFN in recognizing economic benefit from these lands, Riverwood has agreed to provide access to its proposed water and sewage infrastructure.

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Section 4.4.5: The Riverwood development espouses compact development and by doing so, promotes efficient use of land and achieves environmental benefits through the protection of all areas that have environmental sensitivities. A minimum of 50% of the property will be dedicated as park, thereby ensuring protection of all these areas.

The project has also been designed to accommodate public transit and contact has been made with BC Transit about providing service to the development as well as the surrounding area. Provision has also been made for cycling. Public servicing costs are not an issue as all servicing infrastructure will be private.

Section 4.4.6: This section is not applicable as there will be no public investment in public infrastructure. The operation of the water and sewer systems will be undertaken by a fully qualified operator and covered by a Certificate of Public Convenience and Necessity issued by the Ministry of Health, which will set the security parameters necessary for the long term operation of the systems.

Section 4.4.7: This section is not applicable other than to note that the development will not take away from the ability of the Municipal Areas to carry out their mandate as outlined. The development could also compliment the goals of this section.

Section 4.4.8: A Settlement Node has been requested for the site. As noted earlier in this submission, the Riverwood development is being developed in a compact and transit-supportive manner.

Section 4.4.9: Not applicable as the Riverwood development will have its own water and sewer systems.

Section 4.4.10: This section is somewhat applicable as the properties are identified within the City of Courtenay OCP for eventual inclusion into the City. However, no water and sewer service is required.

Section 4.4.11: There are no agricultural or aquaculture activities on the site, so there is no issue with respect to these functions being compromised.

Section 4.4.12: The development having been planned as a compact community has a great deal of parkland that buffers the developable area from the adjoining rural functions. None of these will be affected by the development and the rural character of these lands will not be affected.

Section 4.4.13: Not applicable as there are no areas within the properties are used for resource extraction or part of the working landscape.

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Section 4.4.14: One of the basic premises of the Riverwood development has been to promote and support the economic viability of the municipal areas. There are no real significant commercial activities planned within the development, except for a small commercial component to service the basic needs of the development and surrounding area. The development does not wish to compete with the municipal areas in that regard. In addition, many of the direct and indirect economic benefits accruing from the development will help further establish and compliment the economic viability of the existing municipal areas.

In MB Policy 1B-1- Settlement Nodes, it is noted that Settlement Nodes shall accommodate growth through a balance of new development, intensification and improvements to public infrastructure. As has been made clear in this submission, no public infrastructure is required for this development However, it has recognized the need for enhanced public transit and active transportation options and these have been included in the development plans.

Furthermore, also as noted earlier, while a Settlement Node is requested, the fact that Sage Hills is not proceeding as envisioned in the RGS and other developments such as Trilogy may never go ahead, the densities associated with these and others that may never be built should and could be transferred to the Riverwood development. The net result will likely be no increase in the number of housing units contemplated in the current RGS. If there is, the amount of units would be miniscule.

It is recognized in the MB Policy 1B-3 – New Settlement Nodes, that the designation of any new Settlement Nodes will require an amendment to the RGS but this policy does not define that in order to do so, a what type of amendment would be required. Therefore, it is quite appropriate to use a minor amendment as requested, to establish a Settlement Node.

At this point, it should also be noted again, that 3L has had a very long and involved dialogue with the Komoks First Nation about the Riverwood development. KFN recognizes that it could benefit from the Riverwood development through access being provided to it in order to tie into the Riverwood water and sewer systems. Discussions have also taken place with regards to the water and sewer systems being designed to accommodate growth on the lands being offered to KFN in treaty, which are immediately adjacent to the northern boundary of the Riverwood project. This would help provide economic opportunities to KFN, while allowing their future lands to be developed in an environmentally and sustainable manner. Therefore, there is benefit to KFN from the Riverwood project proceeding.

In the foregoing, we have demonstrated that the request for a minor amendment meets the requirements set out in the RGS for minor amendments and proposal has great merit. It is hoped that the contributions that the Riverwood development can make through park dedications, a sustainable mode of development, and from an economic perspective will be appreciated.

3L Developments Inc.

If you have any questions or require any more information, please do not hesitate to contact me.

Respectfully submitted,

Kabel Atwall
3L Developments Inc.

PROPOSED 1000 LOT RIVERWOOD DEVELOPMENT
COURTENAY, B.C.

SCALE = 1 : 5000

100 0 100 200 300 400 500

All distances are in metres and decimals thereof unless otherwise stated

PROPERTIES

3-L DEVELOPMENTS INC.

PID: 003-922-391
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C LYING TO THE WEST OF THE EAST BANK OF THE PUNTLEDGE RIVER EXCEPT THOSE PARTS IN PLANS 8304 AND 8343

PID: 023-915-194
LOT A SECTIONS 10 AND 15 TOWNSHIP 9 COMOX DISTRICT PLAN EPP25039

PID: 003-922-308
THAT PART OF THE SOUTH 1/2 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C LYING TO THE SOUTH OF THE SOUTH BANK OF THE PUNTLEDGE RIVER

PID: 003-924-033
THE SOUTH WEST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C EXCEPT THAT PART IN PLAN 8343 AND EXCEPT THAT PART SHOWN COLORED COLORED RED ON PLAN 629 R.W.

0768816 B.C. Ltd.

PID 000-966-914
THE SOUTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C, EXCEPT THAT PART SHOWN COLOURED RED ON PLAN 70 RW AND EXCEPT THAT PART IN PLAN VIP70168

PID 000-966-795
THAT PART OF THE SOUTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 552C, LYING WEST OF PUNTLEDGE RIVER EXCEPT THAT PART IN PLAN VIP70168 AND EPP43438

PARCEL AREAS

PID: 003-922-391	1.25 HA
PID: 023-915-194	75.0 HA
PID: 003-922-308	2.48 HA
PID: 003-924-033	49.34 HA
PID: 000-966-914	64.38 HA
PID: 000-966-795	7.63 HA
TOTAL AREA	200.04 HA
TOTAL AREA	494.3 AC

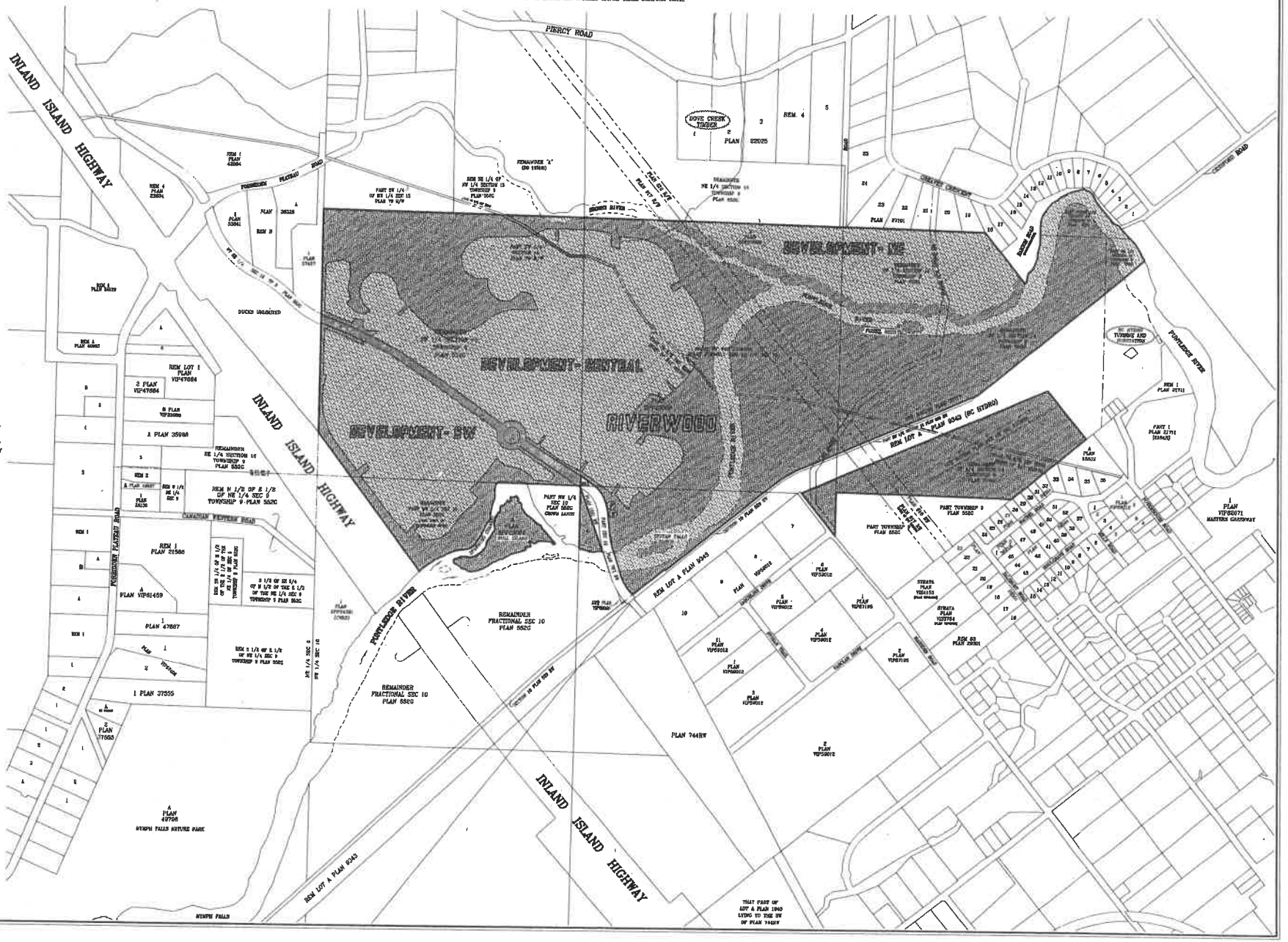
DEVELOPMENT AREAS

WATER +/-	14.25 HA
DEVELOPMENT-SW	21.23 HA (225 LOTS)
DEVELOPMENT-CENTRAL	46.51 HA (515 LOTS)
DEVELOPMENT-NE	16.31 HA (260 LOTS)
PARK	97.19 HA
MAIN ROAD	2.82 HA
TOTAL AREA	200.04 HA (1000 LOTS)

NOTE: LOT LAYOUT, DIMENSIONS AND AREAS ARE SUBJECT TO LEGAL SURVEY, APPROVALS AND REGISTRATION AND MAY VARY THROUGH SURVEY, DESIGN AND APPROVAL PROCESS

LEGEND

- DENOTES - PARK DEDICATION
- DENOTES - ROAD DEDICATION
- DENOTES - DEVELOPMENT LANDS
- DENOTES - WATER DEDICATION

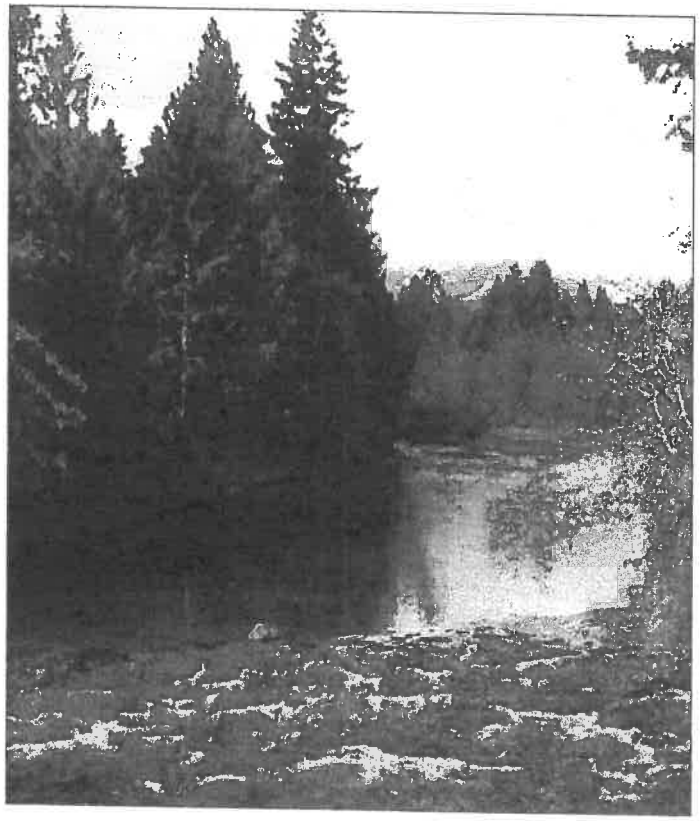


BRUCE LEWIS
LAND SURVEYING INC.
811 RIVERBRIDGE COURT
COURTENAY, B.C. V9N 5M4
PH: 250-338-6622

DATE: NOVEMBER 17, 2017.

RIVERWOOD

COMOX VALLEY



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stake-holders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

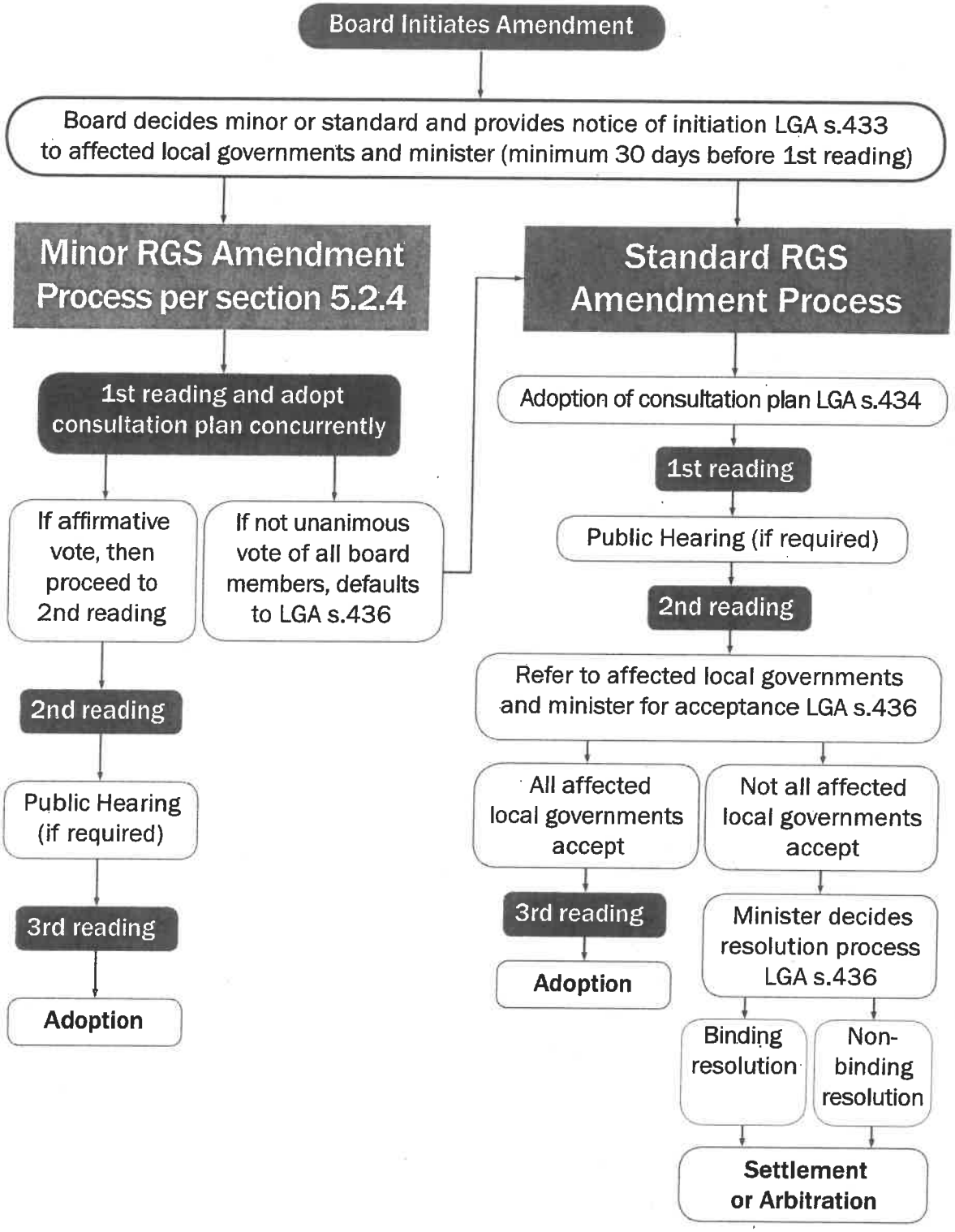
Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED–ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team

RGS Amendment Comparison Chart



Comox Valley
REGIONAL DISTRICT

comoxvalleyrd.ca

Comox Valley REGIONAL DISTRICT

Staff report

DATE: June 25, 2018

FILE: 6410-20/Amendments RGS 1C 17

TO: Steering Committee
Regional Growth Strategy

FROM: Technical Advisory Committee
Regional Growth Strategy

RE: **Regional Growth Strategy Standard Amendment Recommendation and Next Steps – 3L Developments Inc.**

Purpose
To provide the Regional Growth Strategy (RGS) Steering Committee (SC) with recommendations from the RGS Technical Advisory Committee (TAC) regarding an application for minor amendment made by 3L Developments Inc..

Recommendation from the Technical Advisory Committee:
THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Steering Committee recommend that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment;

AND FURTHER THAT the Steering Committee recommend that the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node;

AND FINALLY THAT the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.

Executive Summary

- In 2014, the Comox Valley Regional District (CVRD) Board, by resolution, opted not to initiate an amendment to the RGS in order to consider the May 2013 minor amendment application by 3L Developments Inc.
- 3L Developments Inc. challenged the board's decision, specifically claiming that the CVRD had not followed the process for minor amendment applications set out in Section 5.2.4 of the RGS.
- In a decision of the B.C. Supreme Court, upheld by the B.C. Court of Appeal, the CVRD has been directed to consider the minor amendment application submitted by 3L Developments Inc. in accordance with the process set out in Section 5.2.4 of the RGS.
- The Court of Appeal clarified that the CVRD Board is not required to consider the proposed amendment as a minor amendment, rather just to follow the steps set out in 5.2.4 for determining whether the proposal constitutes a minor amendment (relative to Section 5.2.3 of the RGS) having received an application for minor amendment (as provided for in the RGS).

- Having provided additional information on May 25, 2018, 3L Developments Inc. is requesting that the board initiate an amendment in order to consider its "Riverwood" proposal as a new Settlement Node and is requesting that the application be considered as a minor amendment (versus standard amendment) (Appendix A).
- The key differences between the minor amendment process established in Section 5.2.4 and the standard amendment process as set out in the RGS (and the *Local Government Act* (RSBC, 2015, c. 1) (LGA)) pertain to whether an amendment needs to be accepted by affected local governments (i.e. requirement of standard amendment) (Appendix B).
- At this time, per the direction of the Court, the role of the TAC and the SC is not to investigate the merits of the application (i.e. the details of the "Riverwood" proposal). Rather the role of the TAC is to provide advice to the SC and the role of the SC is to provide advice to the board on whether the proposed amendment is minor (having had regard for the minor amendment criteria in Section 5.2.3) and on whether to initiate an amendment (e.g. that would trigger the provision of notice to affected local governments, a consultation plan, and a review of the merits of the proposed new settlement node).

Prepared by:

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Alana Mullaly, MCIP, RPP
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Services Branch

Concurrence:

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Senior Planner
Village of Cumberland

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Town Planner
Town of Comox

Concurrence:

I. Buck
Ian Buck, MCIP, RPP
Director of Development Services
City of Courtenay

Background/Current Situation

The CVRD has been directed by the Court to consider the minor amendment application by 3L Developments Inc. in accordance with the process spelled out in the RGS Bylaw. To be very clear, the CVRD has no obligation relative to the application other than to undertake the steps prescribed in RGS Section 5.2.4. Specifically:

1. Set up a TAC meeting to discuss the application (which is to create a new Settlement Node) and provide comments to CVRD staff.
2. On receipt of comments from the TAC, have CVRD staff prepare a preliminary report for the SC.
3. Have the SC consider the report.
4. Forward the SC's comments and recommendations to the CVRD Board.
5. Have the board decide whether the application should proceed as a minor amendment.

On May 25, 2018, 3L Developments Inc. submitted updated application information to CVRD staff and requested that their application be considered by the board as soon as possible. In accordance with Section 5.2.4, CVRD staff has prepared this report, with comments from the TAC, to recommend two things to the SC:

1. Having considered the minor amendment criteria set out in Section 5.2.3 of the RGS, the proposed amendment to create a new Settlement Node in Electoral Area C (Puntledge / Black Creek) should be considered to be a standard amendment (versus a minor amendment as proposed by the applicant).
2. In order for the board to consider whether a new Settlement Node should be established (and specifically assess the proposed amendment by 3L Developments Inc. that could enable their proposed "Riverwood" project), the board should initiate an amendment to the RGS.

It is very important to note that in its reasons for decision, the Appeal Court confirmed that the role of the TAC and SC at this point is not to review the merits of a proposed amendment application, rather to provide advice to the board on whether the proposed amendment constitutes a minor or standard amendment (and subsequently, whether or not to initiate in accordance with the LGA). Initiation of the amendment does not fetter the board in any future consideration of the proposed amendment (confirmed in the reasons for judgement).

Note that a separate process to amend Section 5.2.4 is underway. If the board initiates an amendment to change the minor amendment process set out in the RGS, it will have no bearing on the fact (or way) that the CVRD has been ordered to process 3L Development Inc.'s proposed amendment.

Policy Analysis
Sections 5.2.3 "Criteria for Minor Amendments" and 5.2.4 "Minor Amendment Process" are the key RGS sections relative to this initial point in the amendment proposal process.

5.2.3 Criteria for Minor Amendments (Appendix C)
This section establishes five criteria under which a proposed amendment may be considered by the board as a minor amendment. TAC finds that only the first criterion, below, pertains to the application that has been made by 3L Developments:

a) Where a land use or development proposal is inconsistent with the RGS and, in the opinion of the board:
    a. Is not to be of regional significance in terms of scale, impacts or precedence;
    b. Contributes to the achieving of the goals and objectives as set out in Part 3; **and**
    c. Contributes to achieving the general principles contained in the growth management strategy Part 4.

To be clear, this criterion applies as the "Riverwood" proposal is inconsistent with the RGS because the applicant proposes residential densities that exceed the densities contemplated in the Rural Settlement Area and Settlement Expansion Area designations, and relies on piped water and sewer servicing (municipal type servicing that is presently only available in the municipal areas). The applicant is proposing to change the RGS designation of the lands from "Rural Settlement Area" and "Settlement Expansion Area" to "Settlement Node".

TAC acknowledges that it may be a little challenging to assess the above criterion without reviewing the application in detail, however the Court has made it plain that the role of the TAC and SC at this juncture is not to consider the merits of the application. Therefore TAC has considered, on the first component of the criterion (i.e. regional significance), if a proposed amendment to create a new Core Settlement Area, specifically a new Settlement Node, is, of regional significance in terms of scale, impacts or precedence. TAC finds that it is.

(a) *Regional Significance*

- *Scale*: Establishing a new Core Settlement Area effectively creates a new location to which growth in the electoral areas is to be directed. The scale of establishing a new Core Settlement Area relative to other changes that could be made to the RGS is regionally significant in that it would change the growth management scheme of the RGS as presently envisioned.
- *Impacts*: Establishing a new Core Settlement Area will impact the proportion of expected growth in the other Core Settlement Areas (e.g. overall population projections have not surpassed the capacity of existing Core Settlement Areas to accept additional population). This has regional significance in that investment decisions by private landowners, local government and higher level governments (e.g. land use and infrastructure development) will be affected: the locus of investment will shift or detract from the economic opportunities/needs of existing Core Settlement Areas.
- *Precedence*: Establishing a new Core Settlement Area through the minor amendment process will establish precedence for how the designation of other, new, Core Settlement Areas may be considered in future (i.e. minor versus standard amendment). Notably Managing Growth Policy 1B-4 states that "should minor adjustments to existing Settlement Node Boundaries be identified through a Local Area Plan process, such boundary adjustments shall be permitted subject to a minor amendment of the RGS". Relative to this policy and the LGA, which establishes that if an amendment is not minor, it is standard, and the RGS policy that "New Settlement Nodes can only be created through amendments to the RGS" TAC infers that the board through the RGS' preparation turned its mind to the types of changes to the Settlement Nodes that could be considered as minor amendments and determined that only "minor adjustments to existing Settlement Nodes" be considered as minor.

(b) *Goals and Objectives in Part 3*: In respect to whether establishment of a new Settlement Node will contribute to the goals and objectives set out in Part 3, the TAC finds that it is not readily apparent. It may be that designating a New Settlement Node would contribute to achieving these goals and objectives but a fulsome assessment of that could only be undertaken if the board initiates an amendment thereby enabling TAC and the SC to review the merits of the "Riverwood" proposal relative to the goals and objectives in Part 3.

(c) *Growth Management Principles in Part 4*: It is TAC's opinion that the designation of a new Settlement Node, at this time, does not appear to contribute to achieving the growth management principles established in Part 4. Among the RGS principles salient to this proposed amendment is: "*Limit the number of existing and planned Settlement Nodes outside of the Municipal Areas and ensure that such nodes are developed in a compact and transit supportive manner*". The Settlement Nodes, being Union Bay, Saratoga, and Mt. Washington, were established through "local planning policy documents around existing communities" in the electoral areas with "significant planned capacity to accommodate new growth". Development in the Settlement Nodes has not yet reached levels to exceed their capacity to accommodate growth. Two significant Master Development Agreements, one for lands in Union Bay and one for lands in Saratoga, are in place and have not yet been constructed. Similarly, Mt. Washington still has significant growth potential relative to the Mt. Washington Local Area Plan. Therefore designation of a new Settlement Node relative to supply management appears premature. If the board wants to contemplate re-designating an existing Settlement Node to Rural Settlement Area, or Settlement Expansion Area, for example, perhaps there would be rationale to consider designation of a new Settlement Node. The impacts of that, however, on landowners in the existing Settlement Nodes and planned infrastructure projects would be significant. This type of analysis could be undertaken if the board opts to initiate an amendment and allocate funds for that review.

Based on the criteria set out in Section 5.2.3 the TAC finds that the proposed amendment to create a new Settlement Node is not minor.

In respect to whether the board should initiate an amendment, the TAC suggests that the best way to assess whether a new Core Settlement Area, specifically, a new Settlement Node as proposed by the applicant, is required, is to direct staff to review the merits of the application relative to the major trends, population and employment forecasts identified in the RGS as well as Parts 3 and 4 of the RGS.

Options

In accordance with the minor amendment process set out in Section 5.2.4, TAC has identified the following options for the SC:

1. Concur with the TAC's recommendation and instruct CVRD staff to prepare a report from the SC to the Committee of the Whole and board with a recommendation that the proposed amendment be considered a standard amendment and that the board initiate an amendment in order to assess the merits of 3L Development Inc.'s "Riverwood" proposal.
2. Refer the matter to CVRD staff with direction to prepare a report for the Committee of the Whole to reflect recommendation(s) from the SC that differ from the TAC's recommendation (i.e. minor not standard, do not initiate/initiate).

The TAC recommends option 1.

Financial Factors

Costs relating to the TAC's recommendation will relate to staff time, advertising, hosting a public hearing and legal review. The following provisions are made in the approved 2018-2022 Function No. 512 budget to address any proposed amendments initiated in 2018:

- Meeting expenses: $500
- Advertisement: $1,000
- Legal review: $8,000

As Bylaw No. 274, being the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014" was not in effect at the time of 3L Developments Inc.'s application, no fees can be levied.

Legal Factors

Sections 433 (initiation), and 437 (minor amendments) of the LGA are particularly salient to the TAC's recommendations.

Regional Growth Strategy Implications

If the board initiates, by resolution, an amendment to the RGS, the TAC will re-convene and will begin to assess the merits of the "Riverwood" application relative to the objectives and policies of the RGS. At that time, the TAC will provide the SC with a fulsome review of the RGS implications of the proposed amendment.

Intergovernmental Factors

The TAC comprises the four planning staff members that represent the RGS service's four participants. The TAC was established via a 2008 Memorandum of Understanding on the preparation of the RGS. The purpose of the TAC in the amendment process is to provide the SC (the four Chief Administrative Officer's) with technical advice on the planning implications of proposed amendments. As a first step in the amendment proposal process, the TAC provides advice on whether to initiate an amendment and on the process type (i.e. standard versus minor). Additionally, the TAC may also propose a consultation plan to the SC. Initiation of an amendment

by the board is the trigger for the TAC to provide advice to the SC on the substance of a proposed amendment.

If the board initiates an amendment, as a standard amendment, "affected local governments" (i.e. Cumberland, Courtenay, Comox, Powell River Regional District, Strathcona Regional District, Regional District of Nanaimo, Alberni-Clayoquot Regional District) will be notified of the board's resolution to initiate. Similarly, notice of initiation will be provided to the Ministry of Municipal Affairs and Housing: these are requirements of the LGA.

Citizen/Public Relations

The LGA requires that after the initiation of an amendment (or concurrently), the board must adopt a consultation plan that, in the opinion of the board, provides opportunities for early and ongoing consultation. In adopting a consultation plan, the board must turn its mind to whether a public hearing is required. If the board initiates an amendment by resolution and determines whether the proposed amendment by 3L Developments Inc. is to be reviewed as a standard or minor amendment, TAC will prepare a consultation plan for the SC's consideration.

Attachments: Appendix A – "3L Developments Inc.'s May 25, 2018 Submission"
Appendix B – "Minor amendment (RGS Section 5.2.4) and Standard Amendment Comparison Chart"
Appendix C – "Section 5.2.3 Criteria for Minor Amendments"

Comox Valley REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on June 28, 2018 in the Comox Valley Regional District Committee Room located at 550B Comox Road, Courtenay BC, commencing at 8:30 am.

File: 6410-20 / CV RGS Amendments

Present: Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
Sundance Topham, Chief Administrative Officer, Village of Cumberland
David Allen, Chief Administrative Officer, City of Courtenay
Richard Kanigan, Administrator, Town of Comox
Alana Mullaly, Manager of Planning Services, Comox Valley Regional District
Recording: Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

The committee met to review a preliminary report from the Technical Advisory Committee regarding application RGS 1C 17 (3L Development Inc.).

RECOMMENDATION

The Regional Growth Strategy Steering Committee recommend that the Regional Growth Strategy Technical Advisory Committee convene for a final review of the staff report and report back to the Regional Growth Strategy Steering Committee.

MINUTES

R. Kanigan / D. Allen: THAT the Regional Growth Strategy Steering Committee accept the steering committee minutes dated June 15, 2018.
CARRIED

ADJOURNMENT

Time: 9:03 am

Recorded By:

S. Stephens

Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

Comox Valley REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on July 3, 2018 in the Comox Valley Regional District Boardroom located at 550B Comox Road, Courtenay BC, commencing at 1:07 pm.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
Sundance Topham, Chief Administrative Officer, Village of Cumberland
David Allen, Chief Administrative Officer, City of Courtenay
Richard Kanigan, Administrator, Town of Comox
Alana Mullaly, Manager of Planning Services, Comox Valley Regional District
Recording: Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC
The committee met to consider a preliminary report from the Technical Advisory Committee regarding application RGS 1C 17 (3L Development Inc.).

MINUTES
D. Allen / S. Topham: THAT the Regional Growth Strategy Steering Committee accept the minutes of the June 29, 2018 Regional Growth Strategy Technical Advisory Committee.
CARRIED

RECOMMENDATION
D. Allen / R. Kanigan: THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Steering Committee recommend that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment;

AND FURTHER THAT the Steering Committee recommend that the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node;

AND FINALLY THAT the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.
CARRIED

NEXT STEPS
A. Mullaly advised that a report will be prepared for consideration by the Committee of the Whole at its July 10, 2018 meeting, a copy of the report will be sent to 3L Developments Inc. (Kabel Atwall) prior to the meeting. The Comox Valley Regional District Board may consider the Committee of the Whole recommendation at its July 24, 2018 meeting.

MINUTES

S. Topham / D. Allen: THAT the Regional Growth Strategy Steering Committee accept the steering committee minutes dated June 28, 2018.
CARRIED

ADJOURNMENT

Time: 1:11 pm

Recorded By:

S. Stephens

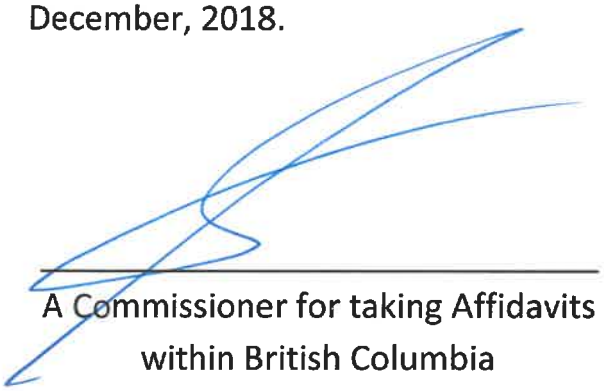
Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

This is Exhibit "4" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

COMMITTEE OF THE WHOLE - 3L

Tuesday, July 10, 2018

Minutes of the meeting of the Committee of the Whole held on July 10, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 4:49 pm.

MINUTES

Present:		
Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	K. Grant	Town of Comox
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	K. La Rose	Acting General Manager of Engineering Services
	A. Mullaly	Acting General Manager of Planning Services
	J. Warren	General Manager of Corporate Services
	I. Smith	General Manager of Community Services
	L. Dennis	Legislative Services Assistant
Absent:		
Directors:	M. Theos	City of Courtenay

RECOGNITION OF TRADITIONAL TERRITORIES

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

REPORTS:

REGIONAL GROWTH STRATEGY AMENDMENT PROPOSAL: 3L DEVELOPMENTS INC.

K. Grant/B. Wells: THAT the report dated July 5, 2018 providing the board with recommendations from the Regional Growth Strategy (RGS) Steering Committee regarding an application by 3L Developments Inc. for a minor amendment to the RGS to enable establishment of a new Settlement Node be received.

208 and 212 Carried

A. Mullaly, Acting General Manager of Planning & Development Services, presented an overview of the staff report regarding recommendations from the Regional Growth Strategy (RGS) Steering Committee regarding an application by 3L Developments Inc. for a minor amendment to the RGS to enable establishment of a new Settlement Node.

Pamela Groberman and Kabel Atwall, 3L Developments Inc., were in attendance at the meeting.

K. Grant/B. Price: THAT the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node.
208 and 212 Carried

K. Grant/L. Jangula: THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a minor amendment.
208 and 212 Defeated *NAY: E. Eriksson, R. Nichol, B. Price, C. Scoville, G. Sproule*

B. Price/R. Nichol: THAT the Comox Valley Regional District Board provide written notice of the initiation of the 3L Developments Inc. Regional Growth Strategy amendment to affected local governments and the Minister of Municipal Affairs and Housing.
208 and 212 Carried

TERMINATION:
B. Jolliffe/K. Grant: THAT the meeting terminate.
208 Carried

Time: 6:35 pm.

Confirmed by:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

James Warren
Corporate Legislative Officer

Recorded By:

Lisa Dennis
Corporate Legislative Officer

These minutes were received by the Comox Valley Regional District board on the 24th day of July, 2018

This is Exhibit "Z" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff report

DATE: July 13, 2018

FILE: 6410-20/Amendments/RGS 1C 17

TO: Chair and Directors
Committee of the Whole

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: **Regional Growth Strategy Amendment Proposal: 3L Developments Inc. Reconsideration**

Purpose

At the direction of the Chair, have the Committee of the Whole reconsider its July 10, 2018 resolution to process the 3L Developments Inc. Regional Growth Strategy Amendment Proposal as a minor application (a resolution which was defeated meaning a standard amendment procedure is to be followed).

Recommendation from the Chief Administrative Officer:

This report does not contain any recommendations. Rather, at the direction of Chair Jolliffe, the Committee of the Whole will reconsider its vote on the following resolution, which was defeated on July 10, 2018:

> THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a minor amendment.

Following receipt of this report at its July 17, 2018 Committee of the Whole meeting, the above resolution will be placed before the committee for reconsideration. There is no requirement for the committee to move or second this resolution.

Executive Summary

Information presented to the Committee of the Whole in the staff report dated July 5, 2018 and during the July 10, 2018 meeting described a process in which a unanimous vote on first reading of a minor amendment bylaw to the Regional Growth Strategy (RGS) would be required. While section 437(3) of the *Local Government Act* [RSBC, c. 1, 2015] does describe such a scenario, the legislation also defers to the process contained in an RGS where the minor amendment process is defined. The Comox Valley RGS in fact defines a minor amendment process and requires that voting on such amendment bylaws would follow normal procedures (meaning a simple majority on first reading is required for approval). The process comparison chart (Appendix A) illustrating the difference between a minor and standard amendment is updated to reflect the correct steps for amending the RGS.

Further, it should be noted that the Technical Advisory Committee's (TAC) and the Steering Committee's (SC) reports make no reference to the matter of a unanimous vote being required on first reading of a minor amendment. TAC and SC will meet July 13, 2018 to review the matter with the Committee of the Whole being advised of the outcome. Should an update to the TAC and SC recommendations be required following those discussions, that update would be provided in the form of an addendum to the Committee of the Whole meeting.

Chair Jolliffe has requested that a special Committee of the Whole meeting be held on July 17, 2018 to present the correct information and enable the committee members to reconsider whether the 3L Developments Inc. application should be processed as a minor amendment. The recommendations approved on July 10 (to initiate the 3L Developments Inc. RGS amendment application and to provide notice of affected local governments and the Minister of Municipal Affairs and Housing) and any recommendations made by the committee on July 17 will be forwarded to the Board for consideration at its July 24, 2018 meeting.

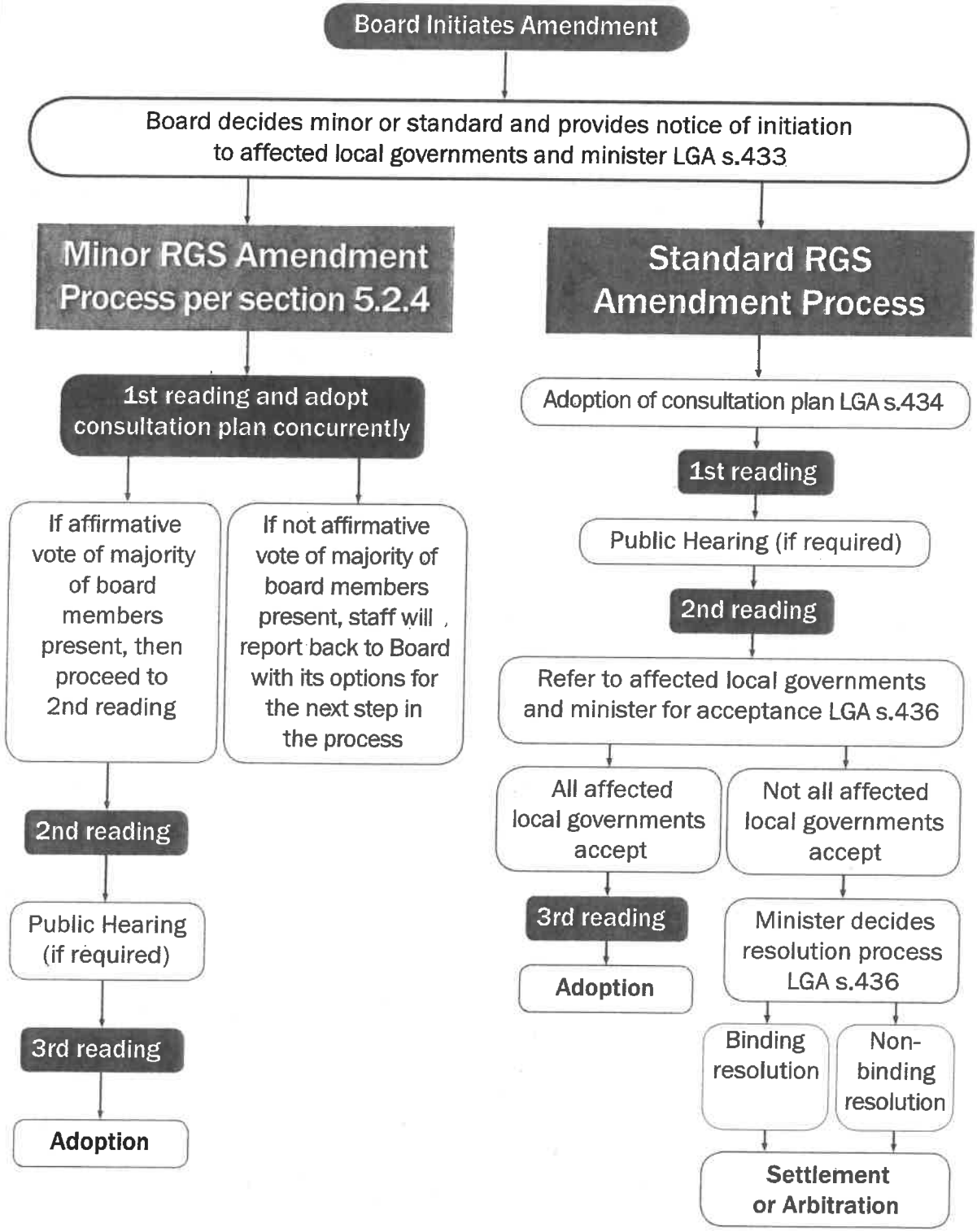
Prepared by:	Concurrence:
J. Warren	*A. Mullaly*
James Warren General Manager of Corporate Services	Alana Mullaly Acting General Manager of Planning and Development Services

Stakeholder Distribution (Upon Agenda Publication)

3L Developments Inc. c/o Mr. Kabel Atwall	✔
Village of Cumberland	✔
Town of Comox	✔
City of Courtenay	✔

Attachments: Appendix A – "Updated Process Comparison Chart"

RGS Amendment Comparison Chart



Comox Valley
REGIONAL DISTRICT
comoxvalleyrd.ca

This is Exhibit "AA" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff report

DATE: July 17, 2018

FILE: 6410-20/Amendment/RGS 1C 17

TO: Chair and Directors
Committee of the Whole

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

FROM: Russell Dyson
Chief Administrative Officer

RE: **Regional Growth Strategy Amendment Proposal: 3L Developments Inc.**

Purpose
To provide the board with an update regarding recommendations from the Regional Growth Strategy (RGS) Steering Committee regarding an application by 3L Developments Inc. for a minor amendment to the RGS to enable establishment of a new Settlement Node. This update is provided on account of new information pertaining to the voting process for a minor amendment to the RGS.

The recommendation from the Steering Committee contained in staff's report dated July 5, 2018, remains unchanged, as follows:

> THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Steering Committee recommends that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment;
>
> AND FURTHER THAT the Steering Committee recommend that the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node;
>
> AND FINALLY THAT the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.

Recommendation from the Chief Administrative Officer:
For information only.

Executive Summary

- This reconsideration is being provided on account of new information received regarding the voting procedure for a minor amendment. The voting procedure at first reading calls for an affirmative vote of the majority of board members present.
- The RGS Technical Advisory Committee and Steering Committee have considered the new voting information and their recommendation remains unchanged. Reports and minutes of these meetings are attached (Appendix A).
- The Steering Committee, having had regard for the minor amendment criteria in Section 5.2.3 of the RGS, and the information provided by 3L Developments Inc. in support of its application, recommends that the application to create a new Settlement Node should be reviewed, in detail, as a standard amendment as designation of a new Settlement Node is regionally significant in respect to scale, impact and precedence.

Prepared by:

A. Mullaly

Alana Mullaly
Acting General Manager of Planning and Development Services, CVRD

Concurrence:

R. Dyson

Russell Dyson
Chief Administrative Officer, CVRD

Concurrence:

D. Allen

David Allen
Chief Administrative Officer, City of Courtenay

Concurrence:

S. Ashfield

Shelley Ashfield
Acting Chief Administrative Officer
Town of Comox

Concurrence:

S. Topham

Sundance Topham
Chief Administrative Officer
Village of Cumberland

Stakeholder Distribution (Upon Agenda Publication)

3L Developments Inc. c/o Mr. Kabel Atwall	✔
Village of Cumberland	✔
Town of Comox	✔
City of Courtenay	✔

Attachments: Appendix A – Steering Committee and Technical Advisory Committee minutes

Comox Valley REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on July 16, 2018 in the Comox Valley Regional District Boardroom located at 550B Comox Road, Courtenay BC, commencing at 2:05 pm.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
Sundance Topham, Chief Administrative Officer, Village of Cumberland
David Allen, Chief Administrative Officer, City of Courtenay
Shelley Ashfield, Acting Chief Administrative Officer, Town of Comox
Alana Mullaly, Manager of Planning Services, Comox Valley Regional District
Recording: Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

The Regional Growth Strategy Steering Committee met to consider new information regarding the minor amendment voting procedure regarding application RGS 1C 17 (3L Developments Inc.).

RECOMMENDATION

D. Allen/S. Topham: THAT having received new information on voting procedure at first reading in the minor amendment process, the Regional Growth Strategy Steering Committee, confirms its previous recommendation that the application made by 3L Developments Inc. to establish a new Settlement Node, be processed as a standard amendment.
CARRIED

ADJOURNMENT

Time: 2:21 pm

Recorded By:

S. Stephens

S. Stephens
Branch Assistant
Planning and Development Services
Branch, CVRD

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer
CVRD

Comox Valley REGIONAL DISTRICT

RGS Technical Advisory Committee Minutes

Minutes of the Regional Growth Strategy Technical Advisory meeting held on July 13, 2018 in the Comox Valley Regional District Boardroom located at 550B Comox Road, Courtenay BC, commencing at 1:40 pm.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Alana Mullaly, Manager of Planning Services, Comox Valley Regional District
Ken Rogers, Manager of Development, Village of Cumberland
Tatsuyuki Setta, Manager of Planning, City of Courtenay
Marvin Kamenz, Municipal Planner, Town of Comox

Recording: Alana Mullaly, Manager of Planning Services, Comox Valley Regional District

TOPIC

The committee met to consider new information regarding the minor amendment process voting structure and reviewed the minor amendment criteria in Section 5.2.3 of the Regional Growth Strategy (RGS) relative to application RGS 1C 17 (3L Developments Inc.). The Technical Advisory Committee agreed on the following recommendation to the Steering Committee.

RECOMMENDATION

K. Rogers/M. Kamenz: THAT having received new information on voting structure at first reading in the minor amendment process, the RGS Technical Advisory Committee, based on the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the RGS, recommends that the RGS Steering Committee recommend that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment.
CARRIED

ADJOURNMENT

Time: 2:10 pm

Recorded By:

A. Mullaly

A. Mullaly
Manager of Planning Services
Comox Valley Regional District

Comox Valley REGIONAL DISTRICT

Technical Advisory Committee Report

DATE: July 13, 2018

FILE: 6410-20/Amendments RGS 1C 17

TO: Regional Growth Strategy Steering Committee

FROM: Regional Growth Strategy Technical Advisory Committee

RE: **Technical Advisory Committee Minutes of July 13, 2018 – 3L Developments Inc.**

Purpose
To provide the Regional Growth Strategy Steering Committee with the minutes from the RGS Technical Advisory Committee's July 13, 2018 meeting pertaining to the new information on voting structure at the time of first reading in the minor amendment process.

Recommendation from the Regional Growth Strategy Technical Advisory Committee:
THAT having received new information on voting structure at first reading in the minor amendment process, the Regional Growth Strategy Technical Advisory Committee, based on the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, recommends that the Regional Growth Strategy Steering Committee recommend that the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a standard amendment.

Prepared by:

A. Mullaly

Alana Mullaly
Acting General Manager of Planning and Development Services, CVRD

Concurrence:

K. Rogers

Ken Rogers
Manager of Development
Village of Cumberland

Concurrence:

M. Kamena

Marvin Kamenz
Municipal Planner
Town of Comox

Concurrence:

T. Setta

Tatsuyuki Setta
Manager of Planning
City of Courtenay

Attachments: Appendix A – "Technical Advisory Committee Minutes – July 13, 2018"

This is Exhibit "BB" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

COMMITTEE OF THE WHOLE

Tuesday, July 17, 2018

Minutes of the meeting of the Committee of the Whole held on July 17, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 4:00 pm.

MINUTES

Present:		
Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	K. Grant	Town of Comox
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	A. Mullaly	Acting General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	I. Smith	General Manager of Community Services
	J. Warren	General Manager of Corporate Services
	L. Dennis	Legislative Services Assistant
Absent:		
Directors:	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay

RECOGNITION OF TRADITIONAL TERRITORIES

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

ADDENDUM - UPON APPROVAL OF THE COMMITTEE:

B. Wells/K. Grant: THAT the addendum be considered.

208 Carried

REPORTS:

RECONSIDERATION OF REGIONAL GROWTH STRATEGY AMENDMENT PROPOSAL: 3L DEVELOPMENTS INC.

R. Nichol/B. Wells: THAT the following items be received:

- Report dated July 13, 2018 regarding the 3L Developments Inc. Regional Growth Strategy Amendment Proposal reconsideration; and

• Report dated July 17, 2018 regarding the 3L Developments Inc. Regional Growth Strategy amendment proposal.
208 and 212 Carried

A. Mullaly, Acting General Manager of Planning & Development, presented an overview of the staff report regarding the 3L Developments Inc. Regional Growth Strategy amendment proposal.

Mr. Kabel Atwall and Mr. David Dutcyvich were in attendance at the meeting.

The following resolution was placed before the committee for reconsideration:

THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a minor amendment.
208 and 212 Carried *NAY: E. Eriksson, B. Price, C. Scoville*

NOTE: The above resolution was announced as being defeated at the meeting due to a required 2/3 affirmative vote; however required only a simple majority at the Committee of the Whole and will be put forward as a recommendation to the Board.

TERMINATION:
K. Grant/B. Wells: THAT the meeting terminate.
208 Carried

Time: 4:55 pm.

Confirmed by:

Bruce Jolliffe
Chair

Certified Correct:

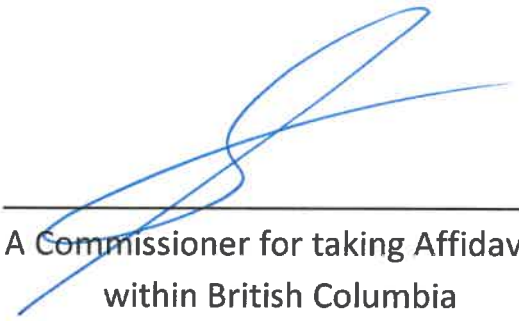
James Warren
Corporate Legislative Officer

Recorded By:

Lisa Dennis
Legislative Services Assistant

These minutes were received by the Comox Valley Regional District board on the 24th day of JULY, 2018

This is Exhibit "CC" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

COMOX VALLEY REGIONAL DISTRICT BOARD - 3L

Tuesday, July 24, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, July 24, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, B.C. commencing at 4:00 p.m.

MINUTES

Present:		
Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Directors:	E. Eriksson	City of Courtenay
	K. Grant	Town of Comox
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	B. Wells	City of Courtenay
	M. Theos	City of Courtenay
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	B. Dunlop	Corporate Financial Officer
	R. Dyson	Chief Administrative Officer
	J. Martens	Manager of Legislative Services
	A. Mullaly	Acting General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services

ATTENDANCE:

Director Theos participated in the meeting by teleconference.

RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional terrority of the K'ómoks First Nation.

LATE DELEGATION REQUESTS:

B. Wells/R. Nichol: THAT the late delegation request from G. Hart regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

B. Wells/R. Nichol: THAT the late delegation request from N. Strussi regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

B. Wells/R. Nichol: THAT the late delegation request from P. Walker regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

B. Wells/R. Nichol: THAT the late delegation request from L. Wilson regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

VARY THE AGENDA:

B. Wells/B. Price: THAT the agenda be varied to consider the addendum.

208 Carried

ADDENDUM:

DELEGATION REQUESTS - 3L DEVELOPMENTS INC. APPLICATION TO AMEND REGIONAL GROWTH STRATEGY

B. Wells/R. Nichol: THAT the addendum be considered.

208 Carried

B. Wells/R. Nichol: THAT the late delegation request from D. Schroeder and G. Gordon regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

B. Wells/R. Nichol: THAT the late delegation request from G. Gordon and D. Bostock regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

B. Wells/R. Nichol: THAT the late delegation request from W. Morin regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

B. Wells/R. Nichol: THAT the late delegation request from L. Christensen regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

PETITIONS AND DELEGATIONS:

3L DEVELOPMENTS INC. APPLICATION TO AMEND REGIONAL GROWTH STRATEGY

Kabel Atwall presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

D. Eliason presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

G. Hart presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

D. McCartney presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

K. and G. Schmidt presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

N. Strussi presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

P. Walker presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

L. Wilson presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

D. Schroeder presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

G. Gordon and D. Bostock presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

L. Christensen presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

W. Morin presented information regarding the 3L Developments Inc. application to amend the Comox Valley Regional Growth Strategy.

The telephone connection with Director Theos was lost at 5:15 pm and reconnected at 5:35 pm.

The meeting recessed at 5:40 pm and reconvened at 5:45 pm.

REPORTS:

COMMITTEE OF THE WHOLE - JULY 10, 2018

B. Wells/K. Grant: THAT the Committee of the Whole (3L) minutes dated July 10, 2018 be received.

208 Carried

K. Grant/L. Jangula: THAT the Comox Valley Regional District Board initiate an amendment to the Regional Growth Strategy in order to consider the application made by 3L Developments Inc. that proposes creation of a new Settlement Node.

208 and 212 Carried

K. Grant/B. Wells: THAT the Comox Valley Regional District Board provide written notice of the initiation of the 3L Developments Inc. Regional Growth Strategy amendment to affected local governments and the Minister of Municipal Affairs and Housing.
208 and 212 Carried

COMMITTEE OF THE WHOLE - JULY 17, 2018

K. Grant/B. Wells: THAT the Committee of the Whole (3L) minutes dated July 17, 2018 be received.
208 Carried

K. Grant/L. Jangula: THAT having had regard for the criteria established in Section 5.2.3 "Criteria for Minor Amendments" of the Regional Growth Strategy, the Comox Valley Regional District Board consider the minor amendment application made by 3L Developments Inc. to establish a new Settlement Node, as a minor amendment.
208 and 212 Defeated *NAY: G. Sproule, C. Scoville, B. Wells, R. Nichol, E. Eriksson, B. Jolliffe, B. Price*

TERMINATION:

B. Wells/R. Nichol: THAT the meeting terminate.
208 Carried

Time: 6:20 pm.

Confirmed this _____ day of _____ 20___:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services

This is Exhibit "DD" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff report

DATE: August 8, 2018

FILE: 6410-20/RGS 1C 17

TO: Chair and Directors
Comox Valley Regional District Board

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

FROM: Russell Dyson
Chief Administrative Officer

RE: **Consultation Plan – RGS Standard Amendment (3L Developments Inc.)**

Purpose
This report provides the board with options for the development of a required consultation plan to consider the Regional Growth Strategy (RGS) standard amendment that was initiated by board resolution to consider 3L Developments Inc.'s proposed new settlement node.

Recommendation from the Chief Administrative Officer:
THAT the board adopt the consultation plan appended to this report as Appendix A, dated August 8, 2018, which includes a public hearing, to consider the RGS standard amendment proposal to create a new settlement node for 3L Development Inc.'s proposed "Riverwood" project.

Executive Summary

- On July 24, 2018, the board initiated a standard amendment to consider 3L Developments Inc.'s proposal to create a new settlement node;
- The *Local Government Act (RSBC, 2015, c.1)* (LGA) requires that as soon as is practicable after initiating an amendment, the board must adopt a consultation plan;
- The LGA establishes that at a minimum the board must provide opportunities for early and ongoing consultation with its citizens, affected local governments, First Nations, boards of education, greater boards and improvements districts and the Provincial and Federal governments and their agencies;
- Staff recommends a consultation plan that includes opportunities to inform, consult and involve the stakeholders named above;
- Staff recommends consulting with K'omoks First Nation through regular staff meetings;
- The LGA specifically requires the board to consider whether the consultation plan should include the holding of a public hearing. Staff recommends including a public hearing in the consultation plan;
- Key differences between staff's two options relate to depth and breadth of consultation, costs and timing.

Prepared by:

A. Mullaly

Alana Mullaly, MCIP RPP
Manager of Planning Services

Stakeholder Distribution (Upon Agenda Publication)

3L Developments Inc. (c/o Mr. Kabel Atwall)	✔

Background/Current Situation

On July 24, 2018, the board initiated a standard amendment process to review 3L Developments Inc.'s RGS amendment proposal to create a new settlement node. The *Local Government Act (RSBC, 2015, c.1)* (LGA) requires that, as soon as is practicable after initiating an amendment, the board adopt a consultation plan.

Staff has prepared two options for consultation for the board's review, described below. Both options include a public hearing.

Policy Analysis

Section 434 of the LGA establishes the consultation framework for the development of an RGS (including a standard amendment). Two key principles are articulated as the basis for consultation plan development:

1. provide opportunity for consultation with those that the board considers will be affected;
2. make "reasonable efforts" to reach agreement with affected local government.

As such, staff has identified stakeholders (i.e. those that may be affected) and built in opportunities for dialogue with affected local government, specifically the member municipalities prior to the required referral for acceptance. Staff has also included opportunities for direct consultation with K'omoks First Nation (i.e. meetings between the Comox Valley Regional District's (CVRD) CAO and K'omoks First Nation's administrator). Staff has also considered the relative value of holding a public hearing as part of the consultation.

Options

Staff has prepared two possible consultation plans for the board's consideration (Appendices A and B). The plans differ in the following ways:

1. Depth of consultation (i.e. inform/consult/involve versus inform/consult);
2. Breadth of consultation (i.e. tools and opportunities);
3. Timing and cost.

Depth of consultation: IAP2 spectrum

Both plans are designed to *inform* and *consult* with stakeholders. On the International Association of Public Participation's (IAP2) spectrum of consultation, to which the CVRD subscribes, the public participation goal of "inform" is "to provide the public with balanced and objective information to assist them in understanding the problems/alternatives and/or solutions". The public participation goal of "consult" is "to obtain public feedback on analysis, alternatives and/or decisions". Both plans recommend using the CVRD website as the key mechanism through which to "inform" and include a public hearing as the primary mechanism to "consult".

Staff's recommended consultation plan (Appendix A) includes opportunities to "involve" the public. The IAP2 spectrum defines the public participation goal of public involvement as "to work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered". Staff's recommended plan includes the following measures intended to involve stakeholders:

- Technical advisory committee and steering committee meeting with 3L Developments Inc. as an opportunity for proponent to present information about proposed settlement node;
- Joint public open house: CVRD hosted open house with presentations by 3L Developments Inc., technical advisory committee and public question and response period;

- Technical advisory committee and steering committee meetings throughout process to ascertain and clarify interests of electoral areas and member municipalities;
- Information open house if proposal progresses beyond first reading of an amendment bylaw; and
- Public hearing.

Breadth of consultation
Integral to both plans is a recommendation to engage K'omoks First Nation as a regional planning partner (i.e. scheduled meetings between K'omoks First Nation's administrator and the CVRD's Chief Administrative Officer). Through these meetings K'omoks First Nation should have a meaningful opportunity to determine whether or not the Nation's interests are affected by the proposed amendment and provide comment to the CVRD accordingly.

Staff's recommended consultation plan (Appendix A) includes the following consultation tools:

- CVRD website updates;
- Opportunity for 3L Developments Inc. to meet with Technical Advisory Committee and Steering Committee to present proposal;
- Referral of information package and invitation to provide feedback to stakeholders identified in s. 434 of the Local Government Act;
- Public open houses (minimum two);
- Infographic development (e.g. graphics to help explain the RGS, the amendment process, and the consultation and decision-making steps related to the applicant's proposal); and
- Public hearing.

The alternative consultation plan (Appendix B) does not include the above (except use of the website), and rather relies solely on the CVRD website information updates and a public hearing.

Timing
It is very important to note that the timing that staff has suggested is entirely subject to a smooth process; no buffers have been built in. If acceptance by affected local governments is not garnered as presented in the consultation plans, the timing within each option will need to be adjusted (i.e. appointment of provincial facilitator and possible binding resolution process).

Staff's recommended option (Appendix A) includes potential bylaw amendment adoption in May 2019. The second option (Appendix B) includes potential bylaw adoption in December 2018.

Staff recommends that the board adopt the consultation plan included in Appendix A to this report. It provides opportunities to involve stakeholders in the decision-making process; additional information resources to stakeholders; and greater opportunity to obtain agreement prior to referring an amendment bylaw to affected local governments for acceptance.

Financial Factors
The RGS service is minimally resourced; cost estimates are included in the consultation plans. Staff's recommended option includes an estimate of $4900 (not including GST). The majority of that estimate is newspaper advertising for the open house(s) and public hearing. No application fees have been levied as 3L Development Inc.'s application was made prior to the adoption of the RGS procedures and fees bylaw.

Legal Factors
The recommendation contained within this report has been prepared in accordance with the LGA, section 434. Board adoption of a consultation plan is a requirement of the provincial legislation.

Regional Growth Strategy Implications
Adoption of a consultation plan is the next step in the legislative process of considering an amendment to the RGS. Further next steps include reporting back to the Board with an assessment of the applicant's proposal to create a new settlement node. Staff will provide a fulsome analysis of the RGS implications of creating a new settlement node as proposed by the applicant.

Intergovernmental Factors
The RGS legislation is intended to provide a framework for collaborative regional planning that reflects both local and provincial policy interests. As such, the LGA requires intergovernmental involvement in the RGS amendment process, specifically through a requirement to provide notice of initiation of an amendment and to garner acceptance of an RGS amendment from affected local governments. The CVRD has established the TAC and SC to support collaborative regional planning and to provide advice to the regional board in its deliberation of regionally significant amendments, such as the proposal by 3L Developments Inc. to establish a new settlement node. Staff's recommended consultation plan includes involvement of the TAC and SC, which should assist with ensuring a collaborative review process.

Interdepartmental Involvement
Planning staff, in consultation with Communications and Legislative Services staff, has prepared this report.

Citizen/Public Relations
This report offers the board a recommended consultation plan (as well as an alternative plan), intended to inform, consult, and involve stakeholders. To date, there has been significant public interest in this matter and that is expected to continue.

Attachments: Appendix A – "Recommended Consultation Plan"
Appendix B – "Alternative Consultation Plan"

Comox Valley REGIONAL DISTRICT

Consultation Plan

Subject: RECOMMENDED Regional Growth Strategy Standard Amendment Consultation Plan – 3L	File: 18-000068

Purpose
To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

Target audience(s):

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K'omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - 3L Developments Inc.
  - Regional District of Nanaimo
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Waste Management Board
  - Comox Valley Hospital Board
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs

Project background:

- 3L Developments Inc. requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its "Riverwood" proposal as a new settlement node and requested that the application be considered as a minor amendment (versus standard amendment).
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24th to proceed with a standard amendment process.

Spokesperson: Alana Mullaly, Acting General Manager of Planning and Development Services

Key speaking points:

- The CVRD board has initiated a standard amendment process for 3L Developments Inc.'s application to create a new settlement node.
- As part of this process the public is encouraged to have their say at the public hearing and to attend the open house to learn more about the process and application.

- For details regarding the process and to learn more about 3L Developments Inc.'s application please visit www.comoxvalleyrd.ca/rgs.

Guiding principles:

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

Budget: $4,900 excluding GST

Communication Objectives: 3-5 objectives

1. To educate stakeholders regarding the RGS, the amendment process and 3L Development Inc.'s application.
2. To gather feedback from the public regarding the 3L Development Inc. application.
3. To ensure the amendment process is transparent to all stakeholders.

Communication/Engagement Strategies:

	Component	Description	Responsibility	IAP2 Spectrum	Budget	Due Date
1.	Update CVRD website	Update the CVRD website and ensure information current throughout entire process.	Content: Alana/Jennifer Updating: Communications Approvals: Alana	Inform	Staff time	Ongoing
2.	Notice of Initiation to affected local governments	Letter to affected local governments	Planning	Consult	Staff time	July 25, 2018
3.	Board-adopted consultation plan	Statutory consultation plan to provide opportunities for early and ongoing consultation	Content: Planning Approval: Board	Consult	Staff time	Board August 14, 2018
4.	Notice of initiation and application information to stakeholders, including First Nations and Ministry of Indigenous Relations and Reconciliation	Website updates and information package to stakeholders, including K'omoks First Nation and Ministry of Indigenous Relations and Reconciliation; Letter to other First Nations		Consult	Staff time	August 15, 2018

5.	Technical Advisory Committee and Steering Committee joint meeting with 3L Developments Inc.	Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process	Alana	Inform	Staff time	August 15, 2018
6.	Infographic development	Develop infographic of process	Infographic: Colleen Lucas Design		Info-graphic: $600	August 31, 2018
7.	Open House (CVRD hosted with 3L presentation)	Information meeting on RGS, amendment process, and 3L Development Inc.'s application	All TAC and SC to attend	Inform	Venue booking : $350 Staff time	September 6, 2018
8.	Technical Advisory Committee meeting	Review options and provide recommendation to steering committee	Content: Technical advisory committee		Staff time	Week of September 10, 2018
9.	Steering Committee meeting	Review options and provide recommendation to CVRD board	Content: Planning Approval: Steering committee		Staff time	Week of September 17, 2018
10.	CVRD board – First reading	First reading of amendment at CVRD board	Planning	Consult	Staff time	Board October 2, 2018
11.	Proposed bylaw to be sent to stakeholders identified in LGA s. 434	Send bylaw to stakeholders for comment	Planning	Consult	Staff time	October 9, 2018
12.	Meet with stakeholder upon request	To discuss bylaw and obtain feedback	Planning	Consult	Staff time	Ongoing
13.	Public open house	Public open house in the CVRD Boardroom. (CVRD staff can work with the TAC members if municipality wishes to host their own open	Event Planning: Planning Display Boards: -Content: Planning -Design: Communications Advertising:	Consult	Total: $2,800 Ads: $2,400 (print ads and Face-book	October/ November 2018

		house in own jurisdiction).	-Design: Communications -Book: Communications Pamphlet: -Content: Planning -Design: Communications		boosted posts) Display Board: $58/ Board ($300--400)	
14.	RGS orientation to new board on 3L process and application	Orientation to new board prior to 3L public hearing to provide information on process and 3L application	Planning	Inform	Staff time	November 27th
15.	Public hearing advertisements	Two ads in support of a public hearing in the Comox Valley Record	Content: Planning Design/Distribute: Beverly	Inform	Legal ad costs	November 15 & 22, 2018
16.	Public hearing	Public hearing for citizens to provide feedback. Display boards from open house present along with mechanisms for feedback (e.g. comment forms)	Planning	Consult	Staff time	November 29, 2018
17.	Technical Advisory Committee meeting	Incorporate feedback from open house and public hearing into recommendations for steering committee	TAC/CVRD planning staff	Consult	Staff time	Week of December 4, 2018 (following public hearing)
18.	Steering Committee meeting	Prepare recommendations to board on bylaw and next steps	SC/CVRD planning staff	Consult	Staff time	Week of December 10th
19.	Engagement roll up report	Roll up feedback provided by public and provide to board	Full Report: Planning	Inform	Staff time	December 18 Board

		to assist with decision making				
20.	CVRD board – Second reading	Second reading of amendment at CVRD board	Planning	Consult	Staff time	December 18 Board
21.	Refer to affected local government and minister for acceptance	Following second reading provide materials to affected local governments and minister for acceptance	Planning	Consult	Staff time	January 2019
22.	CVRD board – Third reading (upon acceptance by all affected local governments)	Third reading of amendment at CVRD board- accepted by all local governments	Planning	Consult	Staff time	April 2019
23.	CVRD board – Final adoption	Final adoption of amendment at CVRD board – if accepted by all local governments	Planning	Consult	Staff time	May 2019

Next Steps:

- **Approval of consultation plan**
- **Implement plan**

Approval History

Created by: Jennifer Steel/ Alana Mullaly	July 31, 2018
Amended:	

Comox Valley REGIONAL DISTRICT

Consultation Plan

Subject: Regional Growth Strategy Standard Amendment Consultation Plan – 3L	File: 18-000068

Purpose
To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

Target audience(s):

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K'omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Regional District of Nanaimo
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Waste Management Board
  - Comox Valley Hospital Board
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs
  - 3L Developments Inc.

Project background:

- 3L Developments Inc. has requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its "Riverwood" proposal as a new Settlement Node.
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24th to initiate a standard amendment in order to consider 3L Development Inc.'s application for a new Settlement Node.

Spokesperson: Alana Mullaly, Acting General Manager of Planning and Development Services

Key speaking points:

- The CVRD board has initiated a standard amendment process to consider 3L Developments Inc.'s application to create a new settlement node.
- As part of this process the Board must adopt a consultation plan.
- The public is encouraged to attend the public hearing or send feedback to planningdevelopmentservices@comoxvalleyrd.ca to ensure their thoughts are heard.

- For details regarding the process and to learn more about 3L Developments Inc.'s application please visit www.comoxvalleyrd.ca/rgs.

Guiding principles:

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

Budget: $2000 (excluding GST)

Communication Objectives: 3-5 objectives

1. To educate stakeholders regarding the RGS amendment process and 3L Development Inc.'s application.
2. To gather feedback from the public regarding 3L Development Inc.'s application.
3. To ensure the amendment process is transparent to all stakeholders.

Communication/Engagement Strategies:

Tactic	Description	Responsibility	IAP2 Spectrum	Budget	Due Date
Update CVRD website	Update the CVRD website and ensure information current throughout process.	Content: Alana/Jennifer Updating: Communications Approvals: Alana	Inform	Staff time	Ongoing
Notice of Initiation to affected local governments	Letter to member municipalities, adjacent regional districts and the Ministry of Municipal Affairs and Housing regarding proposed amendment.	Planning	Inform	Staff time	July 25, 2018
Consultation Plan	Board to adopt a consultation plan per the requirements of the *Local Government Act*	Content: Alana/Jennifer Approvals: Board		Staff time	To board on August 14, 2018
Notice of Initiation and application information to stakeholders, including First Nations and	Information package to Stakeholders, including K'omoks First Nation and Ministry of		Consult	Staff time	August 15, 2018

Ministry of Indigenous Relations and Reconciliation	Indigenous Relations and Reconciliation; letter to other First Nations				
TAC and steering committee joint meeting with 3L Developments Inc.	Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process	Alana	Inform	Staff time	August 15, 2018
Proposed recommend-ation	Alana to send to TAC & steering committees as FYI	Alana	Inform	Staff time	August 30, 2018
CVRD board – First reading	First reading of bylaw at CVRD Board	Planning Content: Technical advisory committee and steering committee Approval: Board	Consult	Staff time	To board on September 18, 2018
Proposed bylaw to be sent to stakeholders identified in LGA s. 434	Send bylaw to stakeholders for comment	Planning	Consult	Staff time	September 19, 2018
Meet with stakeholder upon request	To obtain feedback on proposed bylaw	Russell Alana	Consult	Staff time	Ongoing
Public hearing advertisement	Two ads in support of a public hearing in the Comox Valley Record	Content: Planning Design/ Distribute: Beverly	Inform	Ad costs	September 6, 2018
Statutory public hearing	Public hearing in the boardroom for the public to provide input on the application and proposed bylaw.	Planning	Consult	Staff time Display boards: $58/ board (3-5 boards $174-290	September 27, 2018

CVRD board – Second reading	Receive public hearing minutes and second reading of bylaw at CVRD board	Planning	Consult	Staff time	October 2, 2018
Refer to affected local governments for acceptance	Bylaw forwarded to affected local governments for acceptance.	Planning	Consult	Staff time	October 15, 2018
CVRD board – Third reading (upon acceptance by all affected local governments)	Third reading of amendment at CVRD board	Planning	Consult	Staff time	December 18, 2018
CVRD board – Final adoption	Final adoption of amendment at CVRD board	Planning	Consult	Staff time	December 18, 2018*

***requires 2/3 affirmative board vote to do third reading and adoption at same meeting**

Next Steps:

- **Approval of consultation plan**
- **Implement plan**

Approval History

Created by: Jennifer Steel/ Alana Mullaly	July 31, 2018
Amended:	

This is Exhibit "EE" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits
within British Columbia

Comox Valley REGIONAL DISTRICT

COMOX VALLEY REGIONAL DISTRICT BOARD

Tuesday, August 14, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, August 14, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, B.C. commencing at 4:35 p.m.

MINUTES

Present:		
Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	K. Grant	Town of Comox
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	B. Dunlop	Corporate Financial Officer
	R. Dyson	Chief Administrative Officer
	A. Mullaly	Acting General Manager of Planning and Development Services
	J. Martens	Manager of Legislative Services
	J. Warren	General Manager of Corporate Services
Absent:		
Directors:	M. Theos	City of Courtenay

ATTENDANCE:

Vice-Chair Wells participated in the meeting via teleconference.

RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

ADOPTION OF MINUTES:

K. Grant/G. Sproule: THAT the Comox Valley Regional District Board (3L) minutes dated July 24, 2018 be adopted.

208 Carried

PETITIONS AND DELEGATIONS:

GRANT GORDON - REGIONAL GROWTH STRATEGY CONSULTATION PROCESS

R. Nichol/K. Grant: THAT the delegation from Grant Gordon providing information regarding the proposed consultation process for the application by 3L Developments Inc. to amend the Comox Valley Regional Growth Strategy be received.
208 Carried

DIANE BOSTOCK - REGIONAL GROWTH STRATEGY CONSULTATION PROCESS

R. Nichol/G. Sproule: THAT the delegation from Diane Bostock providing information regarding the proposed consultation process to consider the application by 3L Developments Inc. to amend the Comox Valley Regional Growth Strategy be received.
208 Carried

REPORTS:
CONSULTATION PLAN - RGS STANDARD AMENDMENT (3L DEVELOPMENTS INC.)

B. Price/K. Grant: THAT the report dated August 8, 2018 providing the board with options for the development of a required consultation plan to consider the Regional Growth Strategy (RGS) standard amendment that was initiated by board resolution to consider 3L Developments Inc.'s proposed new settlement node, be received.
208 and 212 Carried

A. Mullaly, Acting General Manager of Planning & Development Services, presented an overview of the staff report dated August 8, 2018 providing the board with options for the development of a required consultation plan to consider 3L Developments Inc. application to amend the Regional Growth Strategy.

Kabel Atwall and David Dutcyvich, 3L Developments Inc., were in attendance at the meeting.

G. Sproule/K. Grant: THAT the board adopt the consultation plan appended to this report as Appendix A, dated August 8, 2018, which includes a public hearing, to consider the RGS standard amendment proposal to create a new settlement node for 3L Development Inc.'s proposed "Riverwood" project.
208 and 212

R. Nichol/L. Jangula: THAT the motion be amended by inserting the following text after the words "August 8, 2018, which includes a public hearing":

"and with an amended consultation process timeline concluding in April 2019 through the scheduling of a special board meeting"
208 Carried

Vote on main motion as amended as follows:

THAT the board adopt the consultation plan appended to this report as Appendix A, dated August 8, 2018, which includes a public hearing and with an amended consultation process timeline concluding in April 2019 through the scheduling of a special board meeting, to consider the RGS standard amendment proposal to create a new settlement node for 3L Development Inc.'s proposed "Riverwood" project.
208 and 212 Carried

TERMINATION:
K. Grant/B. Price: THAT the meeting terminate.
208 Carried

Time: 6:05 p.m.

Confirmed this 2nd day of October, 2018:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services

This is Exhibit "FF" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley
REGIONAL DISTRICT

File: 6410-20 RGS 1C 17

August 22, 2018

Sent via email only: atwall@shaw.ca

Kabel Atwall, Development Manager
3L Developments Inc.
340 Berray Road
Fanny Bay BC V0R 1W0

Dear Kabel:

Re: 3L Developments Inc. Application to Amend the Regional Growth Strategy

Thank you for attending the August 14, 2018 meeting of the Comox Valley Regional District (CVRD) Board in which the consultation plan associated with 3L Development's application to amend the Regional Growth Strategy was considered and adopted. I am writing to you to clarify a few of the matters you raised during your presentation to the Board.

Firstly, in your statements you referenced a number of purported commitments by myself and other senior staff at the CVRD regarding your application, including the specific statutory amending process that it would be considered under and the timeframe for the consultation process. While we have discussed with you the various considerations and options regarding such matters, we have been clear that these decisions will be made by resolution of the board as the governing body who exercise such legislative powers on behalf of the CVRD. While staff are not the decision-makers, the role of administration is to support the board's function and service delivery through the provision of professional advice and implementing their direction and decisions.

With respect to the consultation plan, you further expressed concern regarding the timeline and the perceived change of opinion by staff to provide for a compressed schedule concluding in 2018. The staff report on the consultation process provided the board with two options, one of which was specifically aligned with that target date. Staff carefully considered the numerous components involved to ensure both options presented were reasonable and achievable for all parties and we confirmed that this was ultimately a board decision. Staff's recommendation for the process concluding in May 2019 was based on these considerations and the principle that the amendment of a Regional Growth Strategy is a collaborative and interactive process with the involvement of member municipalities, the public and others. In your comments to the board on July 24, 2018 you supported the notion of a robust public engagement process incorporating municipal staff review, a public hearing and public open houses. The recommendation by staff simply incorporated these elements into the most expedient timeline possible.

I believe strongly that the process established for considering your application provides opportunities for the ongoing involvement of all those affected through public information and input sessions and the intergovernmental advisory committees. These are critical elements to ensure acceptance of the process and gives your application fair and appropriate consideration.

Please contact me if you wish to discuss any of these matters. I look forward to continuing to work with you and other members of your team as we proceed through this process.

Sincerely,

Russell Dyson
Chief Administrative Officer

cc: Alana Mullaly, Acting General Manager of Planning and Development Services
James Warren, General Manager of Corporate Services

This is Exhibit "GG" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Agenda

File: 6410-20 / RGS / CV RGS Amendments/RGS 1 C17

Notice of meeting of the
JOINT REGIONAL GROWTH STRATEGY TECHNICAL ADVISORY COMMITTEE/STEERING COMMITTEE with 3L DEVELOPMENTS INC
Tuesday, August 28, 2018
Boardroom, 600 Comox Road
11:00 am

Page

001 1. Proposed amendment: 3L Developments Inc.

- Applicant and Agent will be in attendance

021 2. Board approved consultation plan – for information only (CVRD staff)

Rec'd 20180525
6410-20 / CV RGS Amed.
RGS 1C 17
A. Mullaly

3L Developments Inc.

May 25, 2018

Ms. Alana Mullaly
Manager of Planning Services, Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road
Courtenay, B.C.
V9N 3P6

Dear Ms. Mullaly

Re: Riverwood Development

As per our meeting of May 22, 2018, 3L Developments wishes to submit the following information in support of its application for a **minor** amendment to the Regional Growth Strategy for its Riverwood development.

In requesting a minor amendment and the designation of its lands as a Settlement Node, 3L is confident that its request complies with Section 5.2.3 of the RGS, which identifies the criteria for minor amendments. This will be expanded upon further in this submission, however, it bears noting here that its request for the amendment should also be looked at as a repositioning of the densities allowed under the current RGS for the Sage Hills node and some of the other densities allocated to projects such as the Trilogy project. These projects will never be built or developed to the scale envisioned in the RGS, so their densities could and should be transferred to other areas such as Riverwood. This does not materially affect the RGS by allowing additional densities over and above what is noted in the document but merely transfers them to another area. In addition, the Riverwood lands, as will be demonstrated, are also well positioned to respect the intent and policies of the RGS while addressing its goals.

It should also be noted that the proposal has the ability to deliver approximately 50% of its land base or approximately 265 acres of the most important recreational as well as culturally important lands along the Puntledge and Browns River into the hands of the public as park.

3L Developments Inc.

RIVERWOOD VISION

TO DEVELOP A NEIGHBOURHOOD COMMUNITY THAT ENCOURAGES HEALTHY LIVING THROUGH THE USE OF THE BEST AVAILABLE DESIGNS, APPROACHES, AND SYSTEMS.

WE STRIVE TO CREATE A UNIQUE COMMUITY THAT RESPECTS AND CELEBRATES THE LAND WHILE PROVIDING NEW AND AFFORDABLE LIVING OPPORTUNITIES FOR A DIVERSE POPULATION

PROJECT OVERVIEW

- 525 ACRES OF LAND
- 1100 RESIDENTIAL UNITS OF ALL TYPES
- BUILT ON THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL ELEMENTS OF SUSTAINABILITY
- A MINIMUM OF 50% OF THE PROPERTY TO BE DESIGNATED AS PARK
- 9 KILOMETERES OF TRAILS
- LEED TARGETED
- NO INFRASTRUCTURE COSTS TO THE REGIONAL DISTRICT AS PROJECT WILL BE TOTALLY SELF-SUFFICIENT IN TERMS OF WATER AND SEWER
- DEDICATION OF THE CURRENTLY PRIVATE ROAD AS A PUBLIC ROAD TO ENSURE ACCESS TO ALL THE PUBLIC AMENITIES
- $96 MILLION IN TOTAL CONSTRUCTION AND DEVELOPMENT SPENDING PER YEAR
- 470 JOBS PER YEAR
- $56 MILLION IN SPENDING PER YEAR BY NEW HOUSEHOLDS
- PROJECT LOCATED 5 MINUTES FROM DOWNTOWN COURTENAY
- PROJECT LOCATED 7 MINUTES FROM BIG BOX RETAIL AND NEW HOSPITAL
- WITHIN 5 MINUTES OF LOCAL SCHOOLS
- 2 MINUTES AWAY FROM AN INTERSECTION ON THE INLAND ISLAND HIGHWAY

The development philosophy of Riverwood is **Triple Bottom Line Sustainability:** integration of the **social, economic, and environmental elements into land use planning and decision making.**

The Triple Bottom Line approach to sustainable community development will assist with the implementation of the RGS and the sustainability strategies.

Riverwood is a development proposal that embraces the tenets of sustainability by incorporating green building technologies, social responsibility, efficient use of energy and a commitment to reducing its impact on the environment by **dedicating approximately 265 acres of parkland, open space, conservation, recreation wetlands and community gardens.**

3L Developments Inc.

Riverwood will be a distinctive community, offering natural landscapes, trail amenities, a mix of housing choices, commercial and retail services, and public amenities with a mix of natural landscapes. Located next to **Stotan Falls,** this major Comox Valley attraction offers a series of glacier fed pools and falls that attract visitors and residents alike. **Riverwood will result in public access to this coveted recreational area in perpetuity.**

The Riverwood development will enhance this area by offering land for and building a formalized public parking area and a washroom/change house for all users, the construction of 9 kms. of new trails, and the provision of land for a fire hall and assistance with its creation to service the broader community.

The development will result in a heavily used regional recreational area and greenways to be placed in public hands. Regional park plans identify the Rivewood site as a key component in realizing park acquisition goals. The river corridors are recognized as upland habitat greenways, recreation corridors, biodiversity corridors and have been identified as a critical area worthy of protection.

In addition, Riverwood will create a public road, increase transit opportunities and will assist in with telecommunication enhancements for the broader community

The Riverwood site was designed using an integrated approach to sustainability, which calls for a thorough understanding of the land before determining the master development plan and uses. A comprehensive analysis of the environment, archaeology, economics, and biology of the area were completed, as well as analysis of traffic impacts, road standards, design standards, park land and housing options.

The development concept brought together environmental preservation, physical site assessments, public consultation, design standards and market analysis in order to achieve the regional goals of building sustainable and healthy communities where people can live, work and play.

Riverwood brings enhanced ecosystem values, high efficiency, and a new standard for development in the Comox Valley.

A copy of the Sustainability Guidelines Matrix, which set out the sustainable development goals, is attached to this submission. This Matrix was informed by:

- Comox Valley Regional Growth Strategy
- Comox Valley Sustainability Strategy
- LEED: CaGBC LEED Canada NC and CaGBC Canada for Homes

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- Smart Growth BC

In designing the community development, Riverwood is targeting measureable and significant reductions in the following key areas:

Energy Use	Heat Island Impacts	Water Consumption
Waste Water Flows	Storm Water Flows	Solid Waste
Construction Waste		

RGS PART 3: Regional Policies

Riverwood is committed to meeting the RGS policies. Riverwood is a model of development that strives to implement the relevant policies in the RGS.

Riverwood is founded on design principles that create compact growth in order to dedicate a minimum of 50% of the site into public hands. With on-site servicing utilizing sustainable and innovative technologies that will be privately operated under government regulations, Riverwood will not burden the regional sewer or water systems.

Part 3 of the RGS identifies goals which are organized into 8 inter-related policy areas. These are indentified below along with how the Riverwood proposal would address the goals and implement them.

Goal 1: Housing

Ensure a diversity of housing options to meet evolving demographics and needs

Riverwood Implementation:

- Range of lot sizes increases the attainability of ownership
- Range of lot sizes and mix of residential housing types will allow for smaller housing types for those portions of the population over 65 that require these types of homes
- Opportunity for secondary suites and carriage homes which could allow "aging in place" or provide affordable rental housing
- Contributions to Habitat for Humanity
- Work/live spaces could be in a professional building (ground floor retail with apartments above) in the small commercial core area

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- Potential opportunity for home occupations
- Compact design respects the integrity of the surrounding community
- Create an age friendly community
- Walkable with limited local services to support housing

Goal 2: Ecosystems, Natural Areas, and Parks:

Protect, steward and enhance the natural environment and ecological connections and systems

Riverwood Implementation:

- Establishes as park, the identified regional ecological and recreational greenway link between Strathcona and the Comox Valley
- The project will include extensive natural corridors, greenways, and open space to provide habitat for plants and animals and will reintroduce native habitat where possible
- The project will enhance aquatic habitat through stream augmentation, increasing dry weather flows to improve primary production
- Addition of approximately 265 acres as regional park land
- Creation of 9 kms. of additional trails to the region
- Expanded gateway to Forbidden Plateau and Mt. Washington
- Enhanced services for and access to Stotan Falls
- Increased quality of life
- Bike and pedestrian friendly trails throughout the development that link to transportation networks and recreational opportunities beyond
- Expanded setbacks along the rivers and re-naturalization of a minimum of 10% of the actual development site
- Spawning channels adjacent to Bull Island returned to public hands

Goal 3: Local Economic Development:

Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.

Riverwood Implementation:

- $780 million in direct investment dollars
- $276 million in direct spin-off benefits
- Creation of 5,130 man-years of employment or 470 jobs per year

- $51 million in spending, by residents, per year on retail, restaurants, personal services, household services, vehicle operating expenses, and miscellaneous items
- Ripple effect of development: construction related jobs and the need for additional doctors, lawyers, accountants, hairdressers, grocery stores, service personnel, etc.
- Opportunities for home based business
- Inclusion of a commercial/retail center to service the development and surrounding area
- Live/work opportunities
- Property location enforces the viability of the Town Centres of Courtenay
- New economic opportunities will arise from the Riverwood development: through short term direct employment opportunities, the spin off economic benefits that are derived from the development; and the longer term economic benefits of the sustainable technologies and practices that will be used within this development
- Design guidelines will specify use of local materials where possible

Goal 4: Transportation:

Develop an accessible, efficient, and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.

Riverwood Implementation:

- Connects to Inland Island Highway (2 minutes)
- Direct links to Courtenay (5 minutes), Cumberland (7 minutes), Comox (10 minutes), Mt. Washington (12 minutes to chairlift), Forbidden Plateau (10 minutes), Hospital (7 minutes), Airport (12 minutes)
- BC Transit has indicated Riverwood and the broader area has the potential for a bus program in the short term, with full service as the area grows out
- Transit loop has been included in the design of Riverwood
- Streets designed to support future bus routes
- Walkable and bike-friendly community
- Enhanced recreational opportunities for the biking and hiking community
- Separate bicycle lanes to encourage cycling, opportunity for bicycle storage, signage and shower facilities at the public amenity building to service Stotan Falls and recreation users
- Commercial and recreational on-site amenities will reduce the need for vehicular off-site travel for residents

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Goal 5: Infrastructure

Provide affordable, effective, and efficient services and infrastructure that conserves land, water and energy resources

Riverwood Implementation:

- State-of-the-art on site servicing offers a sustainable option to the "collective pipe" of water supply and sewer treatment
- On-site servicing will reduce burden on the regional and municipal systems thereby saving tax payers money
- On-site servicing is a proven Alternate Development Standard (green infrastructure) that promotes sustainability, saves water, and is cost effective
- Integrated stormwater management to ensure that post-development flows match that of pre-development flows while augmenting wetland habitat
- LEED targets reduce overall water demand and consumption, thereby decreasing waste and reducing output flows
- Utilization of grey-water plumbing to reduce water consumption
- Independence of the system to serve Riverwood will ensure long-term sustainability for the development and the greater community as a whole. An alternative to connecting to bigger systems will help to achieve long-term sustainability goals
- Compact design of Riverwood is more cost effective to service than larger lots that are spread farther apart
- Promotion of Alternative Development Standards, which are proven to lower costs of development (environmental and economic), improve quality of life, improve affordability, reduce greenhouse gases, preserve natural habitats and ecosystems and allow integrated stormwater management techniques and sewer treatment
- Self-reliance servicing that does not burden regional services
- Use of innovative technologies to reduce and re-use water throughout the development
- Waste reduction and recycling programs
- Use of rain gardens within the integrated water management plan
- Lighting will be designed to mitigate light pollution; ensure pedestrian visibility at night and adhere to " Dark Sky" policies



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Goal 6: Food Systems

Support and enhance the agricultural and aquaculture sectors and increase food security

Riverwood Implementation:

- Introduction of community gardens within the development proposal (urban gardening, community orchards, and community supported agriculture programs contribute to regional food security)
- Expansive buffer zones between the development and rivers
- No ALR land involved in Riverwood, so no effect on the agricultural land base of the Comox Valley

Goal 7: Public Health and Safety

Support a high quality of life through the protection and enhancement of community health, safety, and well-being

Riverwood Implementation:

- Increased trails and environment enhancement encourages an active population and lifestyles, which increase quality of life
- Access to recreation encourages an active lifestyle, therefore reduces health costs
- Allows for an aging population
- Allows for a diverse population
- Opportunity for a fire hall to service the development and the surrounding community to promote public safety
- Integration of trails, recreation opportunities, cycling, and transit as alternatives to the private automobile helps contribute to a healthier population and thereby reduces health care costs to society
- Trail connections and development will realize regional park goals, by significantly contributing to the completion of the Puntledge Triangle – a key greenway system in the Comox Valley
- Integration of cycling and pedestrian plans support active transportation
- Bicycle infrastructure and amenities are provided for
- Walkable communities increase safety
- "Eyes on the street" promotes informal neighbourhood watch
- Integration of basic Crime Prevention Through Environment Design (CPTED) analysis prior to construction

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- Riverwood will ensure, through design guidelines, that products and materials to be selected will be free of substances that could be harmful to occupants (specifically adhesives, sealants, paints and coatings, carpets, composite wood products, door cores, and agrifiber products will be targeted)

Goal 8: Climate Change

Minimize regional greenhouse gas emissions and plans for adaption

Riverwood Implementation:

- Riverwood is closer to the service areas of Courtenay and other services in the Comox Valley than many other areas designated for development, thus having a smaller environmental footprint than those areas
- Net zero development as prescribed for Riverwood means housing our population with no increases in the carbon footprint
- Leed targeted strategies
- Green site design and building practices will be written into the design guidelines
- Alternative transportation programs and pattern of development (compact lot sizes are easier and cost-effective to service, reduce GHG emissions and preserve green space which can then be turned over to the public to realize region-wide recreation goals)
- Emphasis on recreation
- Self-servicing infrastructure will reduce costs to the local government through the construction of green community design and buildings
- Designing communities that promote alternative forms of transportation to help reduce GHG emissions is important to urban and rural areas
- Integrated bicycle and transit systems to recreation destinations and town centres will reduce GHG emissions
- Bicycling infrastructure and amenities are included within the Riverwood development
- Community gardens offer a composting option for residents, which will help divert organics from the landfill
- Through compact community design, preservation of existing forested areas coupled with extensive landscaping and reforestation plans, planting programs are possible, which helps reduce GHG emissions unlike typical suburban developments
- Renewable energy alternatives will be planned for, including geothermal heating and a public amenity building for Stotan Falls users and recreationalists that will be "off the grid" (i.e. solar powered, on-site water and sewer treatment)

- Water conservation strategies included within the development including water reclamation, reuse, and augmentation of habitat
- Design guidelines will include highly reflective roofing materials to mitigate summer heat absorption into the homes, reducing the need for mechanical cooling systems

RGS PART 4: MANAGING GROWTH

Part 4 of the RGS aims to manage growth and land-use activities in a manner consistent with the Part 3 of the RGS and puts forward a strategy for managing this growth.

In doing so, Part 4 identifies 14 Growth Management Principles. These are found in Section 4.4. These principles build on the goals, objectives, and policies contained in Part 3 of RGS.

The Riverwood development measures very favourably against the applicable principles. How it does so, is identified below. The principles will be referred to as they are referenced in the Section 4.4.

Section 4.4.1: The Riverwood development protects all key natural and ecological features within the property. In planning the Riverwood development, all areas with ecological sensitivities and key natural features were identified first and protected. All these areas were placed in the proposed parkland dedications and will be put in the hands of the public.

Section 4.4.2: All public health and environmental issues were identified and where needed, were addressed in the planning of the development.

Section 4.4.3: The distinctiveness of the existing communities and especially the neighbouring City of Courtenay was recognized. The intent of the development is to compliment the City of Courtenay and to ensure that it benefits, economically and socially, from the development. The parkland dedications will also benefit the other communities and the Comox Valley Regional District.

Section 4.4.4: There has been a great deal of discussion with the Komoks First Nation and 3L is well aware of the treaty process. The recent discussions that have taken place have centered around the Riverwood development assisting KFN in the development of some of the lands being offered to it in treaty. These lands are immediately adjacent to the Riverwood development. To assist KFN in recognizing economic benefit from these lands, Riverwood has agreed to provide access to its proposed water and sewage infrastructure.

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Section 4.4.5: The Riverwood development espouses compact development and by doing so, promotes efficient use of land and achieves environmental benefits through the protection of all areas that have environmental sensitivities. A minimum of 50% of the property will be dedicated as park, thereby ensuring protection of all these areas.

The project has also been designed to accommodate public transit and contact has been made with BC Transit about providing service to the development as well as the surrounding area. Provision has also been made for cycling. Public servicing costs are not an issue as all servicing infrastructure will be private.

Section 4.4.6: This section is not applicable as there will be no public investment in public infrastructure. The operation of the water and sewer systems will be undertaken by a fully qualified operator and covered by a Certificate of Public Convenience and Necessity issued by the Ministry of Health, which will set the security parameters necessary for the long term operation of the systems.

Section 4.4.7: This section is not applicable other than to note that the development will not take away from the ability of the Municipal Areas to carry out their mandate as outlined. The development could also compliment the goals of this section.

Section 4.4.8: A Settlement Node has been requested for the site. As noted earlier in this submission, the Riverwood development is being developed in a compact and transit-supportive manner.

Section 4.4.9: Not applicable as the Riverwood development will have its own water and sewer systems.

Section 4.4.10: This section is somewhat applicable as the properties are identified within the City of Courtenay OCP for eventual inclusion into the City. However, no water and sewer service is required.

Section 4.4.11: There are no agricultural or aquaculture activities on the site, so there is no issue with respect to these functions being compromised.

Section 4.4.12: The development having been planned as a compact community has a great deal of parkland that buffers the developable area from the adjoining rural functions. None of these will be affected by the development and the rural character of these lands will not be affected.

Section 4.4.13: Not applicable as there are no areas within the properties are used for resource extraction or part of the working landscape.



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Section 4.4.14: One of the basic premises of the Riverwood development has been to promote and support the economic viability of the municipal areas. There are no real significant commercial activities planned within the development, except for a small commercial component to service the basic needs of the development and surrounding area. The development does not wish to compete with the municipal areas in that regard. In addition, many of the direct and indirect economic benefits accruing from the development will help further establish and compliment the economic viability of the existing municipal areas.

In MB Policy 1B-1- Settlement Nodes, it is noted that Settlement Nodes shall accommodate growth through a balance of new development, intensification and improvements to public infrastructure. As has been made clear in this submission, no public infrastructure is required for this development However, it has recognized the need for enhanced public transit and active transportation options and these have been included in the development plans.

Furthermore, also as noted earlier, while a Settlement Node is requested, the fact that Sage Hills is not proceeding as envisioned in the RGS and other developments such as Trilogy may never go ahead, the densities associated with these and others that may never be built should and could be transferred to the Riverwood development. The net result will likely be no increase in the number of housing units contemplated in the current RGS. If there is, the amount of units would be miniscule.

It is recognized in the MB Policy 1B-3 – New Settlement Nodes, that the designation of any new Settlement Nodes will require an amendment to the RGS but this policy does not define that in order to do so, a what type of amendment would be required. Therefore, it is quite appropriate to use a minor amendment as requested, to establish a Settlement Node.

At this point, it should also be noted again, that 3L has had a very long and involved dialogue with the Komoks First Nation about the Riverwood development. KFN recognizes that it could benefit from the Riverwood development through access being provided to it in order to tie into the Riverwood water and sewer systems. Discussions have also taken place with regards to the water and sewer systems being designed to accommodate growth on the lands being offered to KFN in treaty, which are immediately adjacent to the northern boundary of the Riverwood project. This would help provide economic opportunities to KFN, while allowing their future lands to be developed in an environmentally and sustainable manner. Therefore, there is benefit to KFN from the Riverwood project proceeding.

In the foregoing, we have demonstrated that the request for a minor amendment meets the requirements set out in the RGS for minor amendments and proposal has great merit. It is hoped that the contributions that the Riverwood development can make through park dedications, a sustainable mode of development, and from an economic perspective will be appreciated.

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If you have any questions or require any more information, please do not hesitate to contact me.

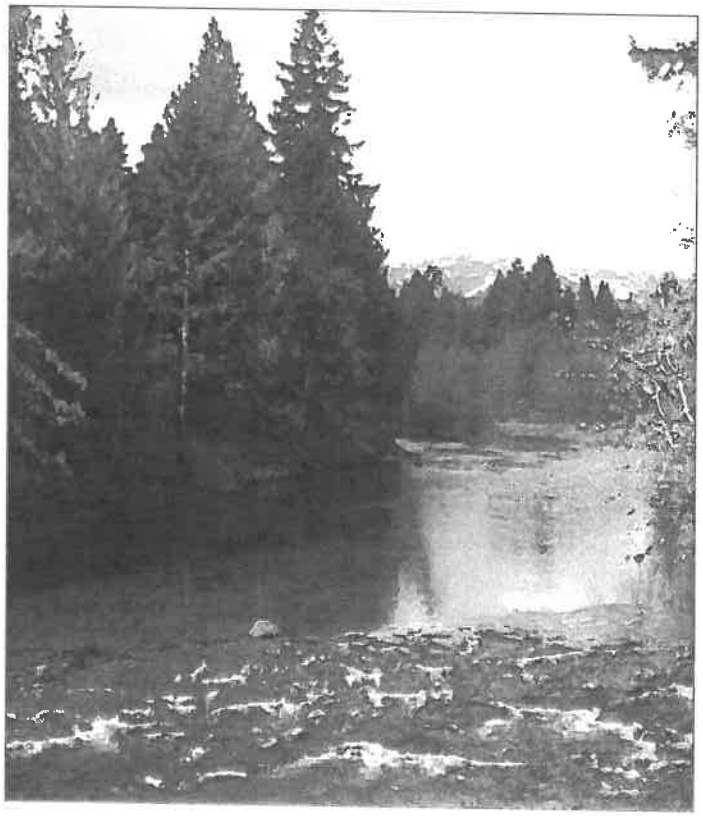
Respectfully submitted,

Kabel Atwall
3L Developments Inc.

RIVERWOOD

COMOX VALLEY

Rec'd 20180525
6410-20 / CV RGS Amed.
RGS 1C 17
A. Mullaly



Sustainability Matrix

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Social Certified Green Building	Utilize green building practices for the design and construction of buildings	Demonstrates commitment to green buildings and educates people on green building practices	Certified buildings provide higher building value	Certified buildings have third party review and certification processes that act as a quality control system that instils a rigour to the design and construction process	Design guidelines will cite LEED green building rating system measures for design and construction	Regional Growth Strategy, Smart Growth BC, LEED-ND GIB Prereq 1
Social Community Input	Include the views of all stake-holders in the plans for the development	The development should reflect the views of all stakeholders. Participation is a key aspect of sustainability and provides educational value as well.	Reduced risks of delays in planning procedures	Project will reflect environmental concerns of the community	Meet with local groups and host a open community meeting to solicit and document input and one open house and a web site with dedicated email	Regional Growth Strategy, Smart Growth BC LEED-ND NPD 12
Social Equity	Enable citizens from a wide range of economic levels, household sizes, and age groups to live within the community	Creates socially equitable and socially engaging communities	Families of varying incomes can live in the community	No direct environmental factors.	Include a sufficient variety of housing sizes and types and include a proportion of rental and/or for-sale dwelling units. Development will also provide a percentage of carriage houses	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Social Population Growth	To accommodate population growth in a sustainable framework	The development will aim to provide suitable housing for the full cross section of the community.	A wide range of housing will stimulate the local economy.	Minimize the amount of future renovations to accommodate a changing demographic	Variety of housing types to accommodate different demographics	Regional Growth Strategy, Smart Growth BC, LEED-ND NPD 4
Transportation Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	LEED-ND NPD Prereq 1
Ecology Conservation	Conserve local flora and fauna and protect imperilled species and ecological communities.	Maintains local flora and fauna for future generations Educational value	Maintains desirable amenity areas and increases land values	Protects unique and endangered ecological resources	Provide a habitat conservation plan from a qualified biological scientist Permanently protect ecologically sensitive areas and integrate them into the layout	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL Prereq 2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Ecology Restoration	Provide habitat and promote biodiversity	Maintains local flora and fauna for future generations Educational value	Native plantings often require less maintenance than non-native plantings	Re-introducing native plants to the area enhances habitat area and biodiversity	Work with an ecologist/biologist to restore 10% of the development footprint to pre-development native habitat	LEED-ND SLLc8
Ecology Erosion	Protect unstable slopes from erosion Minimize construction impacts	Maintains and protects surroundings and also maintains the aesthetic value of the area.	Avoids costs of remediation	Minimizing erosion protects habitat and reduces stress on natural water systems	Erosion and sedimentation control measures for construction	LEED-NC SS Prereq 1
Ecology Natural Areas	Maintain the quality of the existing natural vistas in the area that provide habitat and promote biodiversity	Natural areas provide pleasant surroundings for building users	Preserving topsoil, plants and trees on the site can reduce landscaping costs and likely increases property values	Limiting the extent of construction activities to certain areas of the site minimizes ecological site damage resulting in preservation of wildlife corridors and habitat	Limit site disturbance including earthwork and clearing of vegetation to 12 meters beyond building perimeter, 1.5 meters beyond primary roads, walkways and main utility branch trenches	Regional Growth Strategy, Smart Growth BC, LEED-NC v2
Ecology Natural Wetlands and Surface Water	Protect and enhance surface water bodies (watersheds, wetlands, and riparian areas)	Avoiding development in sensitive ecological areas can encourage public support for a project as well as educate the public	Avoid remediation work and enhance property values	Protects and enhances water quality, and plant and animal habitat	Limit impacts to wetlands, water bodies, and buffer zones to less that 20% of those areas and implement storm water management	Regional Growth Strategy, LEED-ND Prereq 3
Ecology Open Space	Provide a variety of open spaces to encourage walking, physical activity and time spent outdoors	Open spaces provide appealing spaces for social networking, civic engagement, personal recreation and other activities that create social bonds between individuals and groups	Low cost maintenance for multiple community benefits	Vegetated open spaces provide habitat and other ecological services	Locate and/or design project so that a park or plaza at least 1/2 acre in area, lies within a ¼ mile walk distance of 90% of planned and existing dwelling units and business entrances.	Regional Growth Strategy, LEED-ND NPD 9
Economy Local Material	Use locally sourced materials as much as possible	Pride in local materials, increased connection with nearby communities and adds educational value	Increased activity in local businesses and services, reduced environmental footprint	Reduced transport and associated emissions	Source products and materials as much as possible from within the Comox Regional District At least 20% by cost from within 800km by road	LEED-NC MR5

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Economy Generation	Be able to generate economic opportunities	The development will provide opportunities for local employment and inclusion, helping keep communities together.	The development will stimulate the local economy, directly and indirectly.	Environmental issues will be considered throughout the plans for the development in the economic viability of the project	Local employment and economic opportunities such as job creation will be generated as a result of the project	Regional Growth Strategy, Smart Growth BC, LEED-ND SLL 5
Health and Wellness Indoor Air Quality	Ensure residential development conforms to public health guidelines	Maintain health and vitality of the community	Avoid costs associated with illness, absenteeism and treatment.	Reduces toxic materials in the local environment	Specify low VOC materials, no added formaldehyde and ventilation standards	LEED-NC IEQ
Health and Wellness Walkable Streets	Promote walking and bicycling by providing safe, appealing, and comfortable street environments	Provides safe, appealing, and comfortable street environments	Encourages physical activity that reduces risk of obesity, heart disease, and hypertension, reducing the strain on public health systems	Walkable streets promote transportation efficiency and reduce pollution and GHG emissions	Design streets such that: a) each building has a principal functional entry b) continuous sidewalks in 90% of streets c) multi-use paths throughout	Smart Growth BC, LEED-ND NPD Prereq 1
Infrastructure Centralized Development	Have a focused and centralized development pattern	Creates vibrant and financially sustainable communities rather than individual lots Social capital enhanced	Creates a core of businesses that support each other	Communal water, energy and wastewater systems can be implemented	Project to be designed to allow businesses and services to be close to each other in centralized area.	Regional Growth Strategy, Smart Growth BC, Best Practice
Infrastructure Technology	Use appropriate technologies to achieve the development sustainability objectives	Public education, knowledge and exposure to sustainable technologies	Minimizes long term cost s to the community	Prevents environmental impacts	Conventional and innovative technologies will be considered to optimize performance and sustainability	Developer driven Best Practice
Infrastructure Dark Skies	Preservation of dark skies that contribute to the rural character of the Region and protect the nocturnal wildlife	A night sky filled with galaxies, stars and planets is a source of beauty and inspiration to people and also part of a 'good neighbour policy'	Carefully designed exterior lighting solutions can reduce infrastructure costs and energy use.	Stray light that enters the atmosphere needlessly consumes energy and adversely affects nocturnal wildlife environments	Design exterior lighting so that all site and building mounted luminaries produce a max initial luminance no greater than 1.1 horizontal and vertical lux at the site boundary	LEED-NC SSc8

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Waste and Recycling Waste Reduction Construction	Promote recycling, composting and other waste reduction practices	Encourages the innovative reuse of waste materials, raises environmental awareness	Encourages local recycling facilities	Reduction in volume going to landfill	Design guidelines will require contractors to implement a construction waste management plan and aim to divert at least 75% of construction waste from landfill	LEED-NC MR2
Carbon Emissions Minimum Building Energy Efficiency	Reduce air, water, and land pollution and environmental impacts from energy production and consumption	Need for community to minimize its global impacts Educational value	Reduces impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that all non residential buildings must be 10% better than ASHRAE 90.1 -2007 (weighted average) and 90% of residential buildings must meet Energy Star or equivalent criteria	Regional Growth Strategy, LEED-ND GIB Prereq. 2
Carbon Emissions Energy Efficient Infrastructure	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Energy efficient street lighting (such as LED / Solar / Battery system) and infrastructure	LEED-ND GIB13
Carbon Emissions Energy use in buildings	Desire for low carbon, low energy development	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Design guidelines will cite that buildings exceed MNECB by 50% energy consumption for commercial buildings Energy consumption rating of 76 or better on Energuide for Homes (HERS)	LEED-NC EAc2 LEED for Homes credit EA1.1
Carbon Emissions Passive Energy	Maximize passive energy benefits	Need for neighbourhood community to minimize its global impacts	Reduce impact of future carbon taxes and operating costs	Carbon emissions reductions in buildings required to mitigate climate change	Passive Solar Layout	Regional Growth Strategy, Developer driven Best practises
Pollution Community Air Quality	Maintain air quality within the region	Maintains healthy, clean surroundings	Avoid costs associated with illness	Improved environmental air quality	Specify NOx, SOx and particulate emission limits for buildings	LEED specific limits to be confirmed
Water Efficient Landscaping	Impose no external demands on the community water supply	Water-efficient landscaping helps to conserve local potable water resources	Recycle water for irrigation and avoid paying utility rates for potable water. Also reduces maintenance	Native landscapes that have lower irrigation requirements tend to attract native wildlife	Use captured rain or recycled site water to eliminate potable water consumption for irrigation	LEED-NC v2

Sustainability Issue	Aim	Sustainability Pillar			Proposed Measures	Reference Source
		Social	Economic	Environmental		
Water Optimum Building Water Efficiency	Reduce the impact on natural water resources	Aquifer is conserved for future generations Educational value	Minimize long term costs to community for water and waste-water infrastructure	Minimizes the amount of water withdrawn from the aquifer	Mandate low flow fixtures use 30% less than LEED bench-mark for non-residential, mixed use and multi-family residential buildings - 90% of residential buildings achieve all 3 points in LEED for Homes.	Regional Growth Strategy, LEED-ND GIB Prereq 3
Water Self sufficiency	Impose no external demands on community water supply	Affordable clean water is a right for everyone Educational value	Control of water consumption costs and lower cost of supply than Regional connection	Better awareness of the value of water	Integrated water management plan making the best of water conservation measures including high water use efficiencies, storm water and rainwater collection, and water re-use to achieve net zero impact	LEED-NC Achieve all water credits
Water Storm Water Management	Mitigate the impact of development on drainage patterns	Benefits the community through improved water quality Educational value	Storm water ponds can provide a source of water for fire protection for rainwater storage tanks during dry periods	Reduction and treatment of run-off volumes decrease or eliminate contaminants that pollute receiving water bodies	Infiltrate, re-use and evapotranspirate 80-95% of rain-fall from the development footprint through measures such as pervious pavers and rainwater collection	Regional Growth Strategy, LEED ND GIB 8
Water Wastewater	Impose no additional demands on the community wastewater infrastructure	Treating wastewater to re-use standards for non-potable water applications reduces the demand on local aquifers. Social awareness of wastewater management issues	Capital and operating costs	On-site wastewater management and water reuse minimizes potential for impact on surface and ground-water quality	Treat all wastewater onsite to reuse standards with nutrient removal	Best practices, Health Canada Guidelines CaGBC LEED-NC v2
Water Water use in buildings	Impose no external demands on the community water supply	Water aquifer is conserved for future generations	Reduction in water consumption can reduce capital costs of needed water supply and wastewater facilitates	Reducing potable water use reduces the amount of water withdrawn from rivers, streams, aquifers etc...	Reduce potable water use within buildings by at least 30% against LEED baseline	BC MSR CaGBC LEED-NC v2
Legacy On going sustainability	Ensure that the development continues to perform over time	Ensures quality surroundings for future community members	Maintains value of property and low running costs	Long term environmental perfor-mance	Requirements will be put in place to ensure that all of the sustainable design features are properly maintained and managed	Suggested by the project team

PROPOSED 1000 LOT RIVERWOOD DEVELOPMENT
COURTENAY, B.C.

SCALE = 1 : 5000

All distances are in metres and decimals thereof unless otherwise stated

PROPERTIES

3-L DEVELOPMENTS INC.

PID: 003-922-301
THAT PART OF THE SOUTH EAST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 5892 LYING TO THE WEST OF THE EAST BANK OF THE PUNTLEDGE RIVER EXCEPT THOSE PARTS IN PLANS 5304 AND 5343

PID: 026-916-194
LOT A SECTIONS 10 AND 15 TOWNSHIP 9 COMOX DISTRICT PLAN EPP23058

PID: 003-922-328
THAT PART OF THE NORTH 1/2 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 5892 LYING TO THE SOUTH OF THE SOUTH BANK OF THE PUNTLEDGE RIVER

PID: 003-924-323
THE SOUTH WEST 1/4 OF SECTION 14, TOWNSHIP 9, COMOX DISTRICT, PLAN 5892 EXCEPT THAT PART IN PLAN 5343 AND EXCEPT THAT PART SHOWN COLOURED RED ON PLAN 522 R.W.

0766816 B.C. Ltd.

PID 000-866-814
THE SOUTH WEST 1/4 OF SECTION 15, TOWNSHIP 9, COMOX DISTRICT, PLAN 5892, EXCEPT THAT PART SHOWN COLOURED RED ON PLAN 70 RW AND EXCEPT THAT PART OF PLAN VIP78139

PID 000-866-792
THAT PART OF THE NORTH WEST 1/4 OF SECTION 10, TOWNSHIP 9, COMOX DISTRICT, PLAN 5892, LYING WEST OF PUNTLEDGE RIVER EXCEPT THAT PART IN PLAN VIP78139 AND EPP24291

PARCEL AREAS

PID: 003-922-301	1.25 HA
PID: 026-916-194	75.0 HA
PID: 003-922-328	2.46 HA
PID: 003-924-323	49.34 HA
PID: 000-866-814	64.38 HA
PID: 000-866-792	7.63 HA
TOTAL AREA	200.04 HA
TOTAL AREA	494.3 AC

DEVELOPMENT AREAS

WATER +/-	14.35 HA
DEVELOPMENT-SW	21.23 HA (325 LOTS)
DEVELOPMENT-CENTRAL	46.51 HA (515 LOTS)
DEVELOPMENT-NE	15.31 HA (250 LOTS)
PARK	97.12 HA
MAIN ROAD	2.52 HA
TOTAL AREA	200.04 HA (1000 LOTS)

NOTE: LOT LAYOUT, DIMENSIONS AND AREAS ARE SUBJECT TO LEGAL SURVEY, APPROVALS AND REGISTRATION AND MAY VARY THROUGH SURVEY, EROSION AND APPROVAL PROCESS

LEGEND

- DENOTES - PARK DEDICATION
- DENOTES - ROAD DEDICATION
- DENOTES - DEVELOPMENT LANDS
- DENOTES - WATER DEDICATION

DEVELOPMENT-NE

DEVELOPMENT-CENTRAL

DEVELOPMENT-SW

RIVERWOOD

INLAND ISLAND HIGHWAY

PIERCY ROAD

PUNTLEDGE RIVER

DOVE CREEK TIMBER

MYNPH FALLS NATURE PARK

BRUCE LEWIS LAND SURVEYING INC.
811 HIGHRIDGE COURT
COMOX B.C. V9M 3R4
FILE: 0846-A22

DATE: NOVEMBER 17, 2017.

Comox Valley
REGIONAL DISTRICT

APPROVED
Consultation Plan

Subject:	Regional Growth Strategy Standard Amendment Consultation Plan – 3L Developments	File:	18-000068

Purpose
To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

Target audience(s):

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K'omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - 3L Developments Inc.
  - Regional District of Nanaimo
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Regional District (Comox Strathcona Waste Management)
  - Comox Strathcona Regional Hospital
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs

Project background:

- 3L Developments Inc. requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its "Riverwood" proposal as a new settlement node and requested that the application be considered as a minor amendment (versus standard amendment).
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24th to proceed with a standard amendment process.

Spokesperson: Alana Mullaly, Acting General Manager of Planning and Development Services

Key speaking points:

- The CVRD board has initiated a standard amendment process for 3L Developments Inc.'s application to create a new settlement node.
- As part of this process the public is encouraged to have their say at the public hearing and to attend the open house to learn more about the process and application.

- For details regarding the process and to learn more about 3L Developments Inc.'s application please visit www.comoxvalleyrd.ca/rgs.

Guiding principles:

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

Budget: $4,900 excluding GST

Communication Objectives: 3-5 objectives

1. To educate stakeholders regarding the RGS, the amendment process and 3L Development Inc.'s application.
2. To gather feedback from the public regarding the 3L Development Inc. application.
3. To ensure the amendment process is transparent to all stakeholders.

Communication/Engagement Strategies:

	Component	Description	Responsibility	IAP2 Spectrum	Budget	Due Date
1.	Update CVRD website	Update the CVRD website and ensure information current throughout entire process.	Content: Alana/Jennifer Updating: Communications Approvals: Alana	Inform	Staff time	Ongoing
2.	Notice of Initiation to affected local governments	Letter to affected local governments	Planning	Consult	Staff time	July 25, 2018
3.	Board-adopted consultation plan	Statutory consultation plan to provide opportunities for early and ongoing consultation	Content: Planning Approval: Board	Consult	Staff time	Board August 14, 2018
4.	Notice of initiation and application information to stakeholders, including First Nations and Ministry of Indigenous Relations and Reconciliation	Website updates and information package to stakeholders, including K'omoks First Nation and Ministry of Indigenous Relations and Reconciliation; Letter to other First Nations		Consult	Staff time	August 15, 2018

WE ARE HERE

5.	Technical Advisory Committee and Steering Committee joint meeting with 3L Developments Inc.	Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process	Alana	Inform	Staff time	August 15, 2018
6.	Infographic development	Develop infographic of process	Infographic: Colleen Lucas Design		Info-graphic: $600	August 31, 2018
7.	Open House (CVRD hosted with 3L presentation)	Information meeting on RGS, amendment process, and 3L Development Inc.'s application	All TAC and SC to attend	Inform	Venue booking: $350 Staff time	September 6, 2018
8.	Technical Advisory Committee meeting	Review options and provide recommendation to steering committee	Content: Technical advisory committee		Staff time	Week of September 10, 2018
9.	Steering Committee meeting	Review options and provide recommendation to CVRD board	Content: Planning Approval: Steering committee		Staff time	Week of September 17, 2018
10.	CVRD board – First reading	First reading of amendment at CVRD board	Planning	Consult	Staff time	Board October 2, 2018
11.	Proposed bylaw to be sent to stakeholders identified in LGA s. 434	Send bylaw to stakeholders for comment	Planning	Consult	Staff time	October 9, 2018
12.	Meet with stakeholder upon request	To discuss bylaw and obtain feedback	Planning	Consult	Staff time	Ongoing
13.	Public open house	Public open house in the CVRD Boardroom. (CVRD staff can work with the TAC members if municipality wishes to host their own open	Event Planning: Planning Display Boards: -Content: Planning -Design: Communications Advertising:	Consult	Total: $2,800 Ads: $2,400 (print ads and Face-book	October/ November 2018

		house in own jurisdiction).	-Design: Communications -Book: Communications Pamphlet: -Content: Planning -Design: Communications		boosted posts) Display Board: $58/ Board ($300--400)	
14.	RGS orientation to new board on 3L process and application	Orientation to new board prior to 3L public hearing to provide information on process and 3L application	Planning	Inform	Staff time	November 27th
15.	Public hearing advertisements	Two ads in support of a public hearing in the Comox Valley Record	Content: Planning Design/Distribute: Beverly	Inform	Legal ad costs	November 15 & 22, 2018
16.	Public hearing	Public hearing for citizens to provide feedback. Display boards from open house present along with mechanisms for feedback (e.g. comment forms)	Planning	Consult	Staff time	November 29, 2018
17.	Technical Advisory Committee meeting	Incorporate feedback from open house and public hearing into recommendations for steering committee	TAC/CVRD planning staff	Consult	Staff time	Week of December 4, 2018 (following public hearing)
18.	Steering Committee meeting	Prepare recommendations to board on bylaw and next steps	SC/CVRD planning staff	Consult	Staff time	Week of December 10th
19.	Engagement roll up report	Roll up feedback provided by public and provide to board	Full Report: Planning	Inform	Staff time	December 18 Board

		to assist with decision making				
20.	CVRD board – Second reading	Second reading of amendment at CVRD board	Planning	Consult	Staff time	December 18 Board
21.	Refer to affected local government and minister for acceptance	Following second reading provide materials to affected local governments and minister for acceptance	Planning	Consult	Staff time	January 2019
22.	CVRD board – Third reading (upon acceptance by all affected local governments)	Third reading of amendment at CVRD board- accepted by all local governments	Planning	Consult	Staff time	April 2019
23.	CVRD board – Final adoption	Final adoption of amendment at CVRD board – if accepted by all local governments	Planning	Consult	Staff time	April 2019

Approval History

Board Approved:	August 14, 2018
Amended:	

Comox Valley REGIONAL DISTRICT

RGS Technical Advisory and Steering Committee Minutes

Minutes of the Regional Growth Strategy Technical Advisory Committee and Steering Committee meeting held on August 28, 2018 in the Comox Valley Regional District Boardroom located at 550B Comox Road, Courtenay, BC commencing at 11:00 am.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Kabel Atwall, 3L Developments Ltd. Representative
David Dutcyvich, 3L Developments Ltd. Representative
Mark Holland, 3L Developments Ltd. Representative, Holland Planning Innovations (via conference call)
Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
Michelle Mason, Acting Chief Administrative Officer, Village of Cumberland
David Allen, Chief Administrative Officer, City of Courtenay
Shelley Russwurm, Acting Chief Administrative Officer, Town of Comox
Ken Rogers, Manager of Development, Village of Cumberland
Judy Walker, Senior Planner, Village of Cumberland
Ian Buck, Director of Development Services, City of Courtenay
Alana Mullaly, Manager of Planning Services, Comox Valley Regional District

Recording: Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

Opportunity for 3L Developments Inc. representatives to present their Regional Growth Strategy (RGS) amendment application to members of the RGS Technical Advisory Committee (TAC) and Steering Committee (SC). The Comox Valley Regional District Board adopted an RGS Standard Amendment Consultation Plan for the 3L Developments Ltd. Application on August 14, 2018.

DISCUSSION

3L Developments Inc. representatives gave a presentation on the background of their proposed "Riverwood" development and their current RGS amendment application.

Following the presentation a question and answer period occurred.

3L Developments Inc. representatives left the meeting at 11:43 am.

Discussion relating to the Board's consultation plan between TAC and SC members followed.

ADJOURNMENT

Time: 12:10 pm

Recorded By:

S. Stephens

Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

This is Exhibit "HH" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

RGS / 3L Developments Open House Summary

Issued September 12, 2018

Summary from Comox Valley Regional District and 3L Developments Inc. Open House (held September 6, 2018)

An open house was held on September 6, 2018 at the Florence Filberg Centre in Courtenay, BC to consider an application to amend the Comox Valley Regional Growth Strategy (RGS). The application, known as Riverwood, is made by 3L Developments Inc. to establish a new settlement node in a portion of Electoral Area C. The open house began at 7 pm, ended at 9:20 pm and included presentations by CVRD staff and 3L Developments Inc. representatives followed by a question and answer session. Approximately 240 people attended the open house and approximately 35 people spoke about the project. This summary describes the topics presented during the open house.

- Affordable housing
- Economic opportunities
- Environmental impact
- First Nation interests
- Parkland
- Public utilities
- Regional Growth Strategy principles
- Road access

Following this open house, staff from the CVRD, City of Courtenay, Town of Comox and Village of Cumberland will review the application and information provided at the open house and make a recommendation to the CVRD Board of Directors at its October 2, 2018 meeting. Written submissions from the Open House will also be provided to the Board of Directors and posted on the CVRD website.

Contact:
Alana Mullaly, Acting General Manager of Planning and Development Services
250-334-6000

This is Exhibit "II" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff Report

DATE: September 19, 2018

FILE: 6410-20/Amendments RGS 1C 17

TO: Steering Committee
Regional Growth Strategy

FROM: Technical Advisory Committee
Regional Growth Strategy

RE: **Regional Growth Strategy Standard Amendment Recommendation 3L Developments Inc.**

Purpose
To provide the Regional Growth Strategy (RGS) Steering Committee with a recommendation from the RGS Technical Advisory Committee (TAC) regarding 3L Developments Inc.'s application to create a new Settlement Node in Electoral Area C – Puntledge-Black Creek.

Recommendation from the Technical Advisory Committee:
THAT having reviewed the application by 3L Developments Inc. to create a new Settlement Node ("Riverwood") the Technical Advisory Committee recommends that the Steering Committee recommend to the Comox Valley Regional District Board that the application be denied.

Executive Summary

- The TAC convened on September 12, 2018 to review the application by 3L Developments Inc. to create a new Core Settlement Area, specifically a Settlement Node, in order to develop their proposed "Riverwood" community, comprising 1,100 new residential lots.
- The TAC considered the application in the context of the RGS' goals and policies.
- The TAC considered the impact of the proposed new Settlement Node on the growth management framework of the RGS, specifically impacts on the existing Core Settlement Areas.
- The TAC considered the impact of the proposed new Settlement Node on the adjacent rural areas.
- The TAC notes that the application material supplied by the applicant does not adequately consider the regional significance of the proposal.
- The TAC recommends that the Steering Committee recommend to the Comox Valley Regional District (CVRD) Board that the application by 3L Developments Inc. should be refused.

Prepared by:	Concurrence:	Concurrence:
A. Mullaly	*I. Buck*	*M. Kamenz*
Alana Mullaly, MCIP RPP Senior Manager of Planning and Protective Services CVRD	Ian Buck, MCIP RPP Director of Development Services City of Courtenay	Marvin Kamenz, MCIP RPP Municipal Planner Town of Comox

Concurrence:

K. Rogers

Ken Rogers, MCIP RPP
Manager of
Development Services
Village of Cumberland

Stakeholder Distribution (Upon Agenda Publication)

RGS TAC	✔
RGS Steering Committee	✔

Background/Current Situation

The TAC met on September 12, 2018 to review and discuss the application by 3L Developments Inc. (3L) to create a new Settlement Node in the context of the RGS goals and policies. The TAC considered the related impacts of designating a new Core Settlement Area on the growth management framework of the RGS, as well as the adjacent rural settlement, resource, and agricultural areas. The TAC provides this report to the Steering Committee to assist it in preparing a recommendation to the CVRD Board on 3L's RGS amendment application.

Policy Analysis

The purpose of an RGS, per the *Local Government Act* (RSBC, 2015, c. 1) (LGA) is:

> "*to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources*" (LGA, s.428).

Options

The Steering Committee can accept the TAC's recommendation and instruct CVRD staff to prepare a report to the board. Alternatively, if the Steering Committee wishes to recommend first reading of an amending bylaw to enable advancement of 3L Developments Inc.'s proposal, it can direct CVRD staff to prepare a report and amendment bylaw accordingly.

Financial Factors

Financial factors related to the recommendation contained in this report pertain to staff time. As Bylaw No. 274, being the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014" was not in effect at the time of 3L Developments Inc.'s application, no fees can be levied. All application review costs to date, and any costs going forward related to this application will be incurred to the RGS service (i.e. regional service apportioned to each electoral area and each municipality).

Legal Factors

On August 14, 2018, the CVRD Board adopted a consultation plan (Appendix A). In accordance with that plan, the next decision point for the board is October 2, 2018. At that time the board will consider whether to advance the application to first reading of a bylaw. Note that there are no outstanding requirements of the Supreme Court order: the board has fully complied with the direction to accept 3L's application and consider whether or not to initiate an amendment and determine the type of amendment (i.e. minor versus standard). There is no obligation to undertake any further process steps under the order or LGA. The board has full discretion to decide whether to introduce an amendment for first reading, deny the application or provide alternative direction to staff.

Regional Growth Strategy Implications

The RGS establishes eight goal areas with related objectives and supporting policies, all of which are relevant to the application to create a new Settlement Node.

RGS Goals/Policy Areas:

1. *Housing: Ensure a diversity of housing options to meet evolving demographics and needs*

The TAC has assessed 3L's application and considered population projections, demographic trends, affordability and housing supply relative to achieving the above goal statement.

Population numbers:

The RGS states that population increase in the CVRD (i.e. municipalities and electoral areas) is projected to rise 31 per cent from 2011 to 2031, mostly due to in-migration (versus natural occurrence). Between 2011 and 2016 (census years), Cumberland saw the greatest percentage increase of 10.4 per cent which equalled approximately 355 new citizens. Courtenay saw a percentage increase of 6.2 per cent or the addition of 1500 citizens and Comox saw a percentage increase of 2.9 per cent or 300 new citizens. In the three electoral areas, combined, over the same period, a percentage increase of 3.3 per cent (or 762 citizens) was captured. Population projections for the electoral areas were calculated in 2014 as part of the preparation of the rural Official Community Plan (OCP) (Bylaw No. 337 being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014"). Projected population in the electoral areas, combined, is 0 per cent. This suggests that there is a very limited need for increased housing in the electoral areas (i.e. lands outside of the existing settlement nodes of Union Bay, Saratoga and Mt. Washington). This is wholly consistent with the RGS and its key growth management principle that 90 per cent of new growth in the CVRD should be directed to existing Core Settlement Areas.

Demographic trends:

Median age is increasing rapidly as existing population ages and new seniors move to the CVRD. The demographics show that the population of the CVRD is older than the rest of the province, particularly in the rural areas. The "baby boomers" continue to represent the largest and fastest growing demographic in the CVRD, essentially creating an inverted population pyramid.

If demographic trends continue, the majority of in-migration will be citizens over the age of 65: this is key in respect to the type of housing units that will be required to serve the population. To date, limited housing choice has been identified as a challenge in the CVRD insofar as single-family housing represents the majority of housing options. The movement to enable infill development in the form of multi-family units, smaller units, and accessory units (e.g. secondary suites, carriage houses) is a prudent policy and regulatory choice. We are already seeing the impact of an aging population on our housing market and the related demand for housing options that are proximate to

the amenities that core settlement area infill locations can provide (e.g. biking infrastructure, walkability to neighbourhood scale retail and services, transit routes).

Residential land and housing supply:
To meet the projected demand for housing in the next 20 years, the RGS forecasts that a 22 per cent increase in supply is needed. 22 per cent equates to 432 new dwelling units per year. Available and projected supply exceeds this requirement. (Note that this does not equate to 432 new single detached dwelling units per year: demographic trends illustrate that the form of those units is almost, if not more, important that the number). TAC offers the following numbers as indicators of supply:

Jurisdiction	Units in Zoning and/or Development Agreement	Units in Subdivision	Building Permits Issued in 2017/2018 for New Units
Electoral Areas	3099	43	206
Courtenay		340	480
Comox	732	162	77
Cumberland	4227	103	137
Total	8058 (plus Courtenay's number)	648	900

As was the case when the RGS was adopted, it remains true that current development proposals demonstrate the capacity to supply housing for the next twenty years. This is important: directing growth away from existing Core Settlement Areas in order to enable the establishment of a new Settlement Node will have a direct correlation on the financial feasibility of existing and planned infrastructure (which also affects the already identified "reserve areas", being the settlement expansion areas).

Affordability:
It is misleading to consider housing purchase price and abundant supply as the sole arbiters of housing affordability. The argument that urban fringe housing is more affordable than housing in existing communities seriously overlooks the affordability of secondary suites and other infill housing options for citizens. Housing at the urban fringe (and certainly in the rural area) tends to have higher utility and transport costs for residents: important factors in the overall assessment of affordability. Although for decades Canada Mortgage and Housing has defined housing affordability as housing that does not cost more than 30 per cent of a household's gross monthly income, increasingly transport costs are also being considered as a key component of housing affordability. The argument is that mortgage or rent payments are only one factor in assessing the true affordability of housing. Transport costs represent a significant component of a household's ability to own/rent a home in a given location.

The applicant has argued that their proposed Greenfield development is automatically more affordable than development in existing Core Settlement Areas. This is because the conversion of raw, rural land is cheaper in respect to initial capital costs for a developer when compared to serviced land in Core Settlement Areas. TAC suggests that this is a narrow assessment of true affordability for citizens. Housing unaffordability results from a combination of population and economic growth plus constraints on urban infill (e.g. zoning regulations that deter infill) and policies that enable sprawl into rural and fringe areas (e.g. higher servicing and transport costs).

Insofar as the above serve as indicators in measuring progression towards ensuring a diversity of housing options, the TAC finds that establishment of a new Core Settlement Area is not warranted at this time. Current population projections, demographic trends, affordability and supply

considerations do not support the development of up to 1,100 units in the rural settlement area adjacent to the City of Courtenay.

Goal 2: *Ecosystems, Natural Areas and Parks: Protect, steward and enhance the natural environment and ecological connections and systems*
The subject properties contain riparian areas, wooded corridors and critical watersheds (confluence of the Browns and Puntledge Rivers) that provide habitat corridors and important eco-services. The creation of a new Settlement Node in this location will impact these features, systems and services and the wildlife and people that depend on them. The TAC wishes to counter the assertion by 3L that Greenfield development is intrinsically more supportive of protecting the natural environment and the ecological systems found therein than either development of existing Core Settlement Areas or rural industrial use of the lands. In fact, compact, infill development can have significantly greater environmental benefits than Greenfield development insofar as infill development takes pressure off rural and fringe areas for urban and rural sprawl thereby helping to protect the ecological functions of those rural lands.

If the Steering Committee is inclined to recommend that the board advance this application to bylaw readings, the TAC recommends that the applicant be required to provide an environmental impact assessment such that the site layout can be undertaken in accordance with the RGS' principle of precaution, being:

> *"Where the environmental outcomes of a specific development proposal will significantly impact sensitive ecosystems err on the side of caution and require documentation as to impact, mitigation and restoration or limit the action to avoid significant impact."*

In respect to natural areas and parks, the applicant has stated that in exchange for an amendment to the RGS to create a new Settlement Node, it will donate 50 per cent of its land for park purposes. If the Steering Committee is inclined to recommend that the board advance the application to bylaw readings, the TAC recommends that the Board obtain a legal agreement from the owner that identifies the specific lands (i.e. BCLS site plan), and the terms of the applicant's dedication (e.g. timing, method of protecting the lands). This should be done prior to bylaw adoption.

As the Steering Committee knows, there are opportunities to acquire land for park and/or conservation purposes through land development applications other than an RGS amendment. Specifically, if the applicant seeks subdivision or development permit under the current Rural Twenty zoning (or seeks to amend the zoning under the RGS rural settlement area framework), opportunities for acquisition and/or "return to Crown" will arise.

Goal 3: *Local Economic Development: Achieve a sustainable, resilient and dynamic local economy that supports businesses and the region's entrepreneurial spirit.*
The TAC considered the impacts on rural economic development opportunities that arise from the conversion of rural working lands to residential lands with urban/suburban densities.

No part of the subject properties remain within Private Managed Forest class (those that were, were removed in 2012 and 2017). Merchantable timber has largely been removed from the properties. Staff understands that remaining stands are located within riparian areas and their related steep slopes. These are rural working lands: the present RGS and OCP designations reflect their past rural resource use as does the Rural Twenty zoning of the lands (zone permits silviculture, agriculture, wood processing, sawmills, resource extraction, crushing and screening). The RGS notes that although historic economic drivers in the rural resource sector have declined, long-term opportunities for value-added rural industry remain. For example, local food processing, specialty forest products and value-added resource manufacturing.

Speculation on rural land drives rural land prices up and moves us away from being able to support resource-based employment opportunities in the rural areas (a key principle of the RGS). Speculation on rural land becomes one more contributing factor in the barriers to bringing rural land into agricultural production, resource extraction and value-added resource manufacturing. The application does not address the impact of removing a large, intact rural parcel from the rural land base.

Goal 4: *Transportation: Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.*
The proposal to create a new Settlement Node in a rural area that is outside of the Comox Valley transit service area, as well as not being linked by public road or other public right-of-way to existing commuter corridors detracts from this goal. The application states that 3L will provide 9km of public trails. Details have not been provided, however, and therefore TAC cannot assess whether a 9km section(s) of trail would connect the proposed Settlement Node to existing Core Settlement Areas on the south side of the Puntledge River (connectivity is an RGS principle) or to existing or planned active transportation routes.

Goal 5: *Infrastructure: Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.*
3L proposes a new community to be served by a private utility operator. In their application, 3L states that *"there will be no infrastructure costs to the Regional District as (the) project will be totally self-sufficient in terms of water and sewer"*. 3L has stated that they have not yet made applications to the provincial ministries responsible for authorizing private utility establishment and operation. TAC cannot therefore comment on whether there will be a role for the CVRD. TAC does note, however, that in recent years the CVRD has taken over multiple services that were originally constructed as private utilities (e.g. Parnell Water, King Coho Sewer, Watutco Water (in progress), Jackson Drive Sewer, Greaves Crescent Water). The costs related to service area establishment and the ongoing costs of maintenance and improvements are borne by service area participants (not the general tax base as asserted by 3L, as is the case in municipalities).

In respect to water service, the RGS directs the majority (90 per cent) of growth to the core settlement areas where publicly owned water servicing systems already exist. Further the plan encourages smaller lot development and higher density development in Core Settlement Areas in order to make efficient use of water servicing infrastructure. Similarly, the plan directs growth to Core Settlement Areas where sewer servicing exists. 3L does not identify whether the proposed Settlement Node will receive solid waste collection, or like it proposes for water and sewer, whether a private contractor will collect and dispose of the proposed community's waste. TAC also notes that approximately 115 hectares of the land under application is located outside or the Courtenay Fire Protection District. The applicant has not addressed fire protection.

In the absence of details about the proposed utilities, TAC considered the impact of creating a new area that will require utilities (be they private or public) on the financial viability of existing and planned infrastructure in the existing Core Settlement Areas. A policy decision to direct growth away from existing Core Settlement Areas and their town centres in order to establish a new, Greenfield community, will set conditions to undermine private and public investments in existing Core Settlement Areas. Public infrastructure programs depend on population density to provide services in line with an acceptable cost to the public. The infrastructure policies of the RGS promote stable infrastructure spending that will maximize public investment. Policies that promote compact development that support existing services (and offset the costs to existing citizens) and focus

investment, provide greater economic certainty to citizens, developers, and the local governments that serve them both.

Goal 6: Food Systems: Support and enhance the agricultural and aquaculture sectors and increase local food security.
The TAC suggests that converting rural land to suburban/urban residential land removes opportunities to bring rural land into agricultural production or related value-added food industry opportunities. Further, introducing up to 1,100 new residential dwellings in the rural area risks creation of urban/agriculture interface conflict with existing agricultural land that is already contributing to achieving goal 6.
The RGS identifies agricultural sector's reliance on groundwater relative to the impact of residential demand for groundwater as a potential source of interface conflict. The plan states that *"all local governments will ensure appropriate buffers and transition zones between working landscapes and residential areas to minimize negative impact from residential development on farm and resource land."* (Policy 6A-1). Presently, the Puntledge river corridor provides a natural topographical buffer between the settlement expansion area lands to the south (i.e. reserve growth areas) and the majority of the subject properties in the rural settlement area. Removing land from the rural land base does not contribute to the necessary conditions that support regional food security operations. 3L's proposed Settlement Node does not contribute to achieving the RGS' food systems goal.

Goal 7: Public Health and Safety: Support a high quality of life through the protection and enhancement of community health, safety and well-being.
The RGS identifies several contributing factors that influence health outcomes (i.e. access to clear air and water, affordable housing, recreation opportunities, education, access to healthy food). RGS policies pertaining to these factors are intended to support community health and well-being. The primary health and safety focus of the RGS relative to quality of life is the strong linkage between active transportation strategies and long-term health outcomes of the populace. Household transport costs are directly tied to the proximity of employment, services, schools and other institutions that household's access. Directing growth to areas that are proximal to employment, services, schools and other social institutions, will have a positive impact on the creation of active transportation options as well as establishing shorter driving distances. It is widely held that non-drivers (recall the CVRD's demographics) have more independent mobility in urban areas. Further, physically, economically, and socially disadvantaged citizens have more independence, more economic opportunities and better health outcomes in compact, connected neighbourhoods than in automobile-dependent fringe areas.

Goal 8: Climate Change: Minimize regional greenhouse gas emissions and plan for adaptation.
Compact development can reduce the amount that people drive and increase transportation options thereby establishing the conditions to proactively reduce vehicular greenhouse gas emissions. While 3L's application focuses on the LEED standard that future builders will strive to achieve if the project receives all approvals to enable future construction, the policy consideration should be whether the creation of a new Core Settlement area will help us to achieve our climate change goals. TAC suggests that policy that favours Greenfield development in a rural area over compact development options in existing Core Settlement Areas does not.

Impact on managing growth and the role of a five year review:
The applicant has made a number of assertions that refute the RGS and the principles that support it, specifically stating that:

1. Prioritizing servicing of existing communities has resulted in "not creating sufficient land to meet market demands for new growth",
2. "Policies that limit private utilities increase housing prices", and

3. "The majority of the land highlighted for growth areas within existing Settlement Nodes is not actually available for development" (Appendix B).

Ultimately, the applicant has assessed economic development, housing supply, growth projections, and market housing demand through a generic, urban-centred, lens that has not properly considered the Comox Valley including actual development patterns, plans, investment or regulatory frameworks within the Core Settlement Areas. The analysis provided by the applicant (Appendix B) fails to assess a rural perspective and the impact of suburban speculation on the cost of rural land for rural uses. Further, the analysis does not adequately address the economic impact of rural land speculation on the financial viability of existing Core Settlement Areas. Instead, the analysis is singularly focussed on advancing the interests of Greenfield development.

If, as the applicant states in their application, densities in the existing Core Settlement Areas should be considered for transferring elsewhere, the TAC suggests that this assessment should be done within the context of an RGS five year review. Having, in August 2017, resolved that a five review was not warranted, the TAC suggests that at the next opportunity for a five year review (e.g. 2022), the board may consider whether the Core Settlement Area boundaries need to be revisited. This timing could align with the 5 year financial plan and each jurisdiction's related Development Cost Charge program (i.e. assess the implementation and absorption rates of developments, and their related public infrastructure, currently underway and in the 'queue').

Intergovernmental Factors

The RGS states that the success of the RGS depends on ongoing cooperation and collaborative planning efforts between the local governments, provincial and federal agencies and the public. The plan calls for maintaining a collaborative, agreement-seeking, regional strategic planning program directed towards achievement of the long-term objectives of the Regional Growth Strategy.

The TAC and Steering Committee are regional, representing, at a staff level, each of the member municipalities and electoral areas. The standard amendment process includes a formal referral for acceptance to all member municipalities and adjacent regional districts of any amending bylaw that the board intends to adopt. Per the board's consultation plan, this formal referral will be undertaken following second reading of an amending bylaw (if the application progresses to bylaw readings). RGS amendment bylaws require approval of the Minister of Municipal Affairs and Housing.

The RGS recognizes that as K'ómoks First Nation's (KFN) treaty negotiations are ongoing, an implementation agreement could serve as a useful tool to help identify land interests of the KFN. The RGS provides for servicing agreements and partnership opportunities between KFN and the CVRD in advance of treaty settlement.

Citizen/Public Relations

This report will be available to the public. There is significant public interest in this application and the TAC anticipates that interest to continue. An open house, held on September 6th, 2018 drew approximately 240 people. Staff proposes to attach all written feedback received to date on the application to the Steering Committee's report to the board (October 2nd board). The board's consultation plan (Appendix A) sets out the mechanisms and timing of public consultation. If the board advances the application to first reading of an amending bylaw, a second public open house will be held on November 13, 2018 and subsequent public hearing on November 29, 2018. Members of the public have been directed to the CVRD website and CVRD planning staff for information about the application and the amendment process.

Attachments: Appendix A – "Consultation plan"
Appendix B – "Mark Holland's September 13, 2018 letter"

Comox Valley
REGIONAL DISTRICT

APPROVED
Consultation Plan

Subject:	Regional Growth Strategy Standard Amendment Consultation Plan – 3L Developments	**File:**	18-000068

Purpose
To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

Target audience(s):

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K'omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - 3L Developments Inc.
  - Regional District of Nanaimo
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Regional District (Comox Strathcona Waste Management)
  - Comox Strathcona Regional Hospital
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs

Project background:

- 3L Developments Inc. requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its "Riverwood" proposal as a new settlement node and requested that the application be considered as a minor amendment (versus standard amendment).
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24th to proceed with a standard amendment process.

Spokesperson: Alana Mullaly, Acting General Manager of Planning and Development Services

Key speaking points:

- The CVRD board has initiated a standard amendment process for 3L Developments Inc.'s application to create a new settlement node.
- As part of this process the public is encouraged to have their say at the public hearing and to attend the open house to learn more about the process and application.

- For details regarding the process and to learn more about 3L Developments Inc.'s application please visit www.comoxvalleyrd.ca/rgs.

Guiding principles:

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

Budget: $4,900 excluding GST

Communication Objectives: 3-5 objectives

1. To educate stakeholders regarding the RGS, the amendment process and 3L Development Inc.'s application.
2. To gather feedback from the public regarding the 3L Development Inc. application.
3. To ensure the amendment process is transparent to all stakeholders.

Communication/Engagement Strategies:

	Component	Description	Responsibility	IAP2 Spectrum	Budget	Due Date
1.	Update CVRD website	Update the CVRD website and ensure information current throughout entire process.	Content: Alana/Jennifer Updating: Communications Approvals: Alana	Inform	Staff time	Ongoing
2.	Notice of Initiation to affected local governments	Letter to affected local governments	Planning	Consult	Staff time	July 25, 2018
3.	Board-adopted consultation plan	Statutory consultation plan to provide opportunities for early and ongoing consultation	Content: Planning Approval: Board	Consult	Staff time	Board August 14, 2018
4.	Notice of initiation and application information to stakeholders, including First Nations and Ministry of Indigenous Relations and Reconciliation	Website updates and information package to stakeholders, including K'omoks First Nation and Ministry of Indigenous Relations and Reconciliation; Letter to other First Nations		Consult	Staff time	August 15, 2018

5.	Technical Advisory Committee and Steering Committee joint meeting with 3L Developments Inc.	Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process	Alana	Inform	Staff time	August 15, 2018
6.	Infographic development	Develop infographic of process	Infographic: Colleen Lucas Design		Info-graphic: $600	August 31, 2018
7.	Open House (CVRD hosted with 3L presentation)	Information meeting on RGS, amendment process, and 3L Development Inc.'s application	All TAC and SC to attend	Inform	Venue booking: $350 Staff time	September 6, 2018
8.	Technical Advisory Committee meeting	Review options and provide recommendation to steering committee	Content: Technical advisory committee		Staff time	Week of September 10, 2018
9.	Steering Committee meeting	Review options and provide recommendation to CVRD board	Content: Planning Approval: Steering committee		Staff time	Week of September 17, 2018
10.	CVRD board – First reading	First reading of amendment at CVRD board	Planning	Consult	Staff time	Board October 2, 2018
11.	Proposed bylaw to be sent to stakeholders identified in LGA s. 434	Send bylaw to stakeholders for comment	Planning	Consult	Staff time	October 9, 2018
12.	Meet with stakeholder upon request	To discuss bylaw and obtain feedback	Planning	Consult	Staff time	Ongoing
13.	Public open house	Public open house in the CVRD Boardroom. (CVRD staff can work with the TAC members if municipality wishes to host their own open	Event Planning: Planning Display Boards: -Content: Planning -Design: Communications Advertising:	Consult	Total: $2,800 Ads: $2,400 (print ads and Face-book	October/ November 2018

		house in own jurisdiction).	-Design: Communications -Book: Communications Pamphlet: -Content: Planning -Design: Communications		boosted posts) Display Board: $58/ Board ($300--400)	
14.	RGS orientation to new board on 3L process and application	Orientation to new board prior to 3L public hearing to provide information on process and 3L application	Planning	Inform	Staff time	November 27th
15.	Public hearing advertisements	Two ads in support of a public hearing in the Comox Valley Record	Content: Planning Design/Distribute: Beverly	Inform	Legal ad costs	November 15 & 22, 2018
16.	Public hearing	Public hearing for citizens to provide feedback. Display boards from open house present along with mechanisms for feedback (e.g. comment forms)	Planning	Consult	Staff time	November 29, 2018
17.	Technical Advisory Committee meeting	Incorporate feedback from open house and public hearing into recommendations for steering committee	TAC/CVRD planning staff	Consult	Staff time	Week of December 4, 2018 (following public hearing)
18.	Steering Committee meeting	Prepare recommendations to board on bylaw and next steps	SC/CVRD planning staff	Consult	Staff time	Week of December 10th
19.	Engagement roll up report	Roll up feedback provided by public and provide to board	Full Report: Planning	Inform	Staff time	December 18 Board

		to assist with decision making				
20.	CVRD board – Second reading	Second reading of amendment at CVRD board	Planning	Consult	Staff time	December 18 Board
21.	Refer to affected local government and minister for acceptance	Following second reading provide materials to affected local governments and minister for acceptance	Planning	Consult	Staff time	January 2019
22.	CVRD board – Third reading (upon acceptance by all affected local governments)	Third reading of amendment at CVRD board-accepted by all local governments	Planning	Consult	Staff time	April 2019
23.	CVRD board – Final adoption	Final adoption of amendment at CVRD board – if accepted by all local governments	Planning	Consult	Staff time	April 2019

Approval History

Board Approved:	August 14, 2018
Amended:	

Holland
Planning Innovations Inc

Sept 13, 2018.

6410-20 / CV RGS Amendment
RGS 1C 17
A. Mullaly

Alana Mullaly RPP

Senior Manager of Planning and Protective Services

Planning and Development Services Branch

Comox Valley Regional District

600 Comox Road

Courtenay, BC, V9N 3P6

Re: Follow up information from Public Open House on September 6, 2018

Alana:

This document outlines some information to address some of the high priority issues that were raised in the public open house on Sept 6, 2018 regarding the Riverwood RGS amendment application.

The choice: preservation or resource extraction

Many residents addressed the park and environmental preservation issues in the discussion in the open house on September 6, 2018. What was not very clear in the presentation by staff was that the rural areas are intended for rural and resource uses -and this means typically clearing, resource extraction and similar uses. There appears to be a misunderstanding in the community that there is an option to not have it developed but have it stay the way it is.

The land owner states that it is his intention to finish logging the site and to pursue gravel extraction as well, wherever feasible if the proposed project is not approved. Gravel extraction requires additional approvals but it is his intent to try to realize value out of the lands. This resource extraction is the intent of the rural designation in the RGS and as such, is in line with policy intent.

Even if resource extraction is not pursued by the current land owner and instead he sells large estate lots in accordance with the RGS, it is highly likely that the land may then face resource by others or it may be fenced and made inaccessible to the public. While the RGS implicitly envisions a bucolic rural residential image, the reality is that governments have little control over clearing on private rural land and that is to be expected in this situation.

In staff's communications to the Board, we request that staff make this information clear – that the only way to preserve the land in a park-like, conservation manner with public protection and access, is to support this proposal – which gives 50% of the land to the public in exchange for the proposed development rights to the other 50% of the land.

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The choice is not between development or no development, it is between a clear cut or a park. The RGS has policies that support both of these options, but the outcomes are significantly different.

The private utility

There is a policy in the RGS to typically not support private utilities and the District has begun absorbing some existing water and sanitary utilities in local improvement areas into the public utility system. The benefit of this approach is that the responsibilities for health and safety in servicing is totally within the purview of the local government. In addition, this policy provides further controls within the local government to control new development.

There are other private utilities in the region, including Saratoga Beach, Mt Washington and others, and other developers such as Kensington are looking at them too. Many of these have plans for the District to take over them when other properties plan to connect.

The challenge with this policy is that many existing areas need those services and as such, the District prioritizes the upgrades of existing areas with their infrastructure investment. This results in the servicing not creating sufficient land to meet market demands for new growth, which means that the prices of region's housing will continue to rise because land is much more expensive and difficult to assemble in existing areas for several reasons:

- Most land owners do not want to sell;
- It is very difficult to assemble sufficient land to develop a critical mass to make projects viable; and
- The surrounding neighbours oppose much additional density in their neighbourhoods.

Therefore, inadvertently, policies that limit private utilities increase housing prices in a growing region like the CVRD. The prices for land and homes are now increasingly causing social and economic problems in the CVRD because of the rising cost of land for new homes.

By allowing private utilities with the intent to have them incorporated into the public utility system in the future and/or when the public utility system reaches out to connect with them, the CVRD can, at no cost to itself at this time, allow new development to occur in a way where users, not the general taxpayer, pay for the utility, and the local government's policy of upgrading infrastructure in existing areas remains on track.

A further challenge with utilities is in their management, maintenance and long-term reliability. There are often problems with some private systems in local improvement districts, as they can have directors who are not experts and subscribers who do not want to raise utility costs to pay for necessary upgrades and replacements. In this regard, there is a significant difference between Corix as an owner/operator of a utility and a local improvement district, with a local board of citizens managing the system. Corix is a large utility company owned by the BC Government Employees Pension Fund and are thereby seen as a strong reliable company and investment for the future.

While there are challenges with all infrastructure systems, there is significant evidence in the benefits of these systems in their ability to support neighbourhood services. There are also many opportunities to integrate or transfer ownership of the private utility in the future to the public system, if desired. Corix

has extensive experience in transferring ownership to public utilities, typically for the capital cost of the infrastructure.

Water supply and First Nations

The landowner undertook analysis that indicates that the amount of water that would be drawn from the river is a tiny fraction of 1% of the lowest flow volumes and as such, independent of the fact that the low flow levels are controlled by Hydro, it would not impact the river. The water license has not yet been applied for but that would be part of the subsequent approvals phases, especially for subdivision and servicing.

3L is also committing to efforts to reduce water consumption in the Riverwood community.

3L developments have had many discussions with the K'omoks First Nation (KFN) and have an agreement regarding water supply. KFN have rights to a significant amount of water from the Comox Lake / river system but have no ability to get water treated and to their lands adjacent Riverwood. In their agreement, KFN will provide the water for both Riverwood and their lands, and Riverwood will provide the infrastructure for treatment and conveyance through their water utility. Without this system, KFN faces formidable challenges in getting water to their lands to support economic development.

General environmental impacts

All development has impact on the natural ecosystems within which it occurs. All existing and growing areas in the Comox Valley used to be natural but the previous ecosystems were removed to allow for development. The RGS envisions significant ongoing impact to the environment in all its current and future growth areas.

The Riverwood area likewise will experience significant environmental changes in its future, in any option. As a rural / resource development area, its current forests are likely to be removed with associated impacts and efforts to extract gravel may be pursued. Under the proposed development plan, the Riverwood neighbourhood would preserve 50% of the land in perpetuity including the river corridors and other sensitive areas. As such, regarding the physical environment on the lands, the Riverwood proposal has the best environmental performance of its current probable options.

The size and location of the park proposed for the neighbourhood was established through and environmental study conducted by Biologists with FishFor Contracting (now Strategic Natural Resource Consultants in Campbell River). The methodology for evaluating the most sensitive land to be preserved in the proposed park area included:

- Areas to be conserved based on levels of sensitivity including habitats that support possible species in peril or at risk as well as the imperative to protect surface waterways, riparian areas and wetlands; and
- Areas to be restored.

The sensitive habitat areas and the riparian areas were combined into a logical land protection pattern, resulting the design of the neighbourhood and the park area.

Additional environmental studies will be undertaken if the project moves forward, in support of rezoning and development permit approvals.

Regarding climate emissions from transportation, the Riverwood neighbourhood is significantly closer to the employment, educational and shopping centres of Courtenay and Cumberland than many areas currently in the RGS, including Kensington and Sage Hills. As such, emissions from transportation would be lower per capita for settlement in Riverwood than in many other areas.

Regarding emissions from buildings, the landowner of Riverwood has committed to promoting green building standards in development on the site. Securing these commitments would occur at later stages in the approvals process for the site, but it is an important value in the project.

Transportation

A transportation study for the project was completed by Bunt & Associates. It evaluated the existing and proposed traffic patterns with various scenarios. The focus of the study was on the initial plan for the site, that had slightly fewer units that currently envisioned, and in all of its scenarios, there were limited to no major offsite road improvements required.

As the current proposal has added new land and envisions a slightly higher density, this initial traffic study reflects the reality of the first phases of the project, and additional traffic studies and possibly road enhancements may be required in the late stages of the project.

Overall regional growth patterns and amendments

The final issue to address is the issue of the RGS pattern and amendments to it. The majority of work on the RGS was undertaken nearly a decade ago, with its final approval a few years later. At that time, there was a lot of confidence that the large projects of Kensington and Sage Hills would be commencing development imminently. Both are located far south of the main settlement areas of Comox, Courtenay and Cumberland, and nearly a decade later, neither has started construction, in large part due to the infrastructure issues associated with the area.

Many areas, much closer to the main urban centres in the region were left out of the RGS, including Riverwood.

In addition, there are significant areas within the RGS that are highlighted for more development that have not seen development, despite a significant rise in prices and demand. The lesson from these patterns is that an RGS does not determine what develops or when. Individual land owners make those decisions and the financial logic of any given piece of land is complex and frequently parcels within growth areas are not feasible to develop.

The supply of land determines the price of land in response to various levels of demand. The cost of construction is the same in most communities in Canada regardless and therefore the difference in the cost of housing between Courtenay and Vancouver lies in the cost of land. The supply of developable land and density is entirely under the purview of the local government.

It the responsibility of planners to manage the land supply so as to not create a scarcity of land that drives up land prices and thereby creates a land affordability problem – and many social and economic problems that then emerge from that issue.

Recent VIREB statistic show that the RGS and its associated OCP and other policy implementation, have launched a critical problem with land and housing prices in the region. During the years of implementing this RGS, land values have gone up a startling amount.

- in 2014:
  - The average home price was approximately $350,000.
  - The inventory (available supply) of land and homes for sale was extensive, including:
    - Lots -128
    - Acreages – 80
    - Single family – 482
    - The average sale time for inventory was 7.9 months.
- In 2018:
  - The average home price was approximately $520,000 – an increase of 35-40%.
  - The inventory of land and homes for sale had shrunk significantly (causing the price increase) to:
    - Lots- 25
    - Acreages – 29
    - Single family – 216
    - The average sale time for inventory in 2018 has often been as short as 3 months.

There is significant capital and builders available in the region and the growth rate has not increased significantly during that time. What has happened is that the RGS and its supporting OCPs, infrastructure plans and other policies have shrunk the available and developable land supply and are in the process of creating a major housing affordability problem that will have significant negative impacts on the local community, society and economy long term. This same pattern has occurred in many jurisdictions with the same approach to growth management.

This pattern should be of significant concern to the District and the community. The forces underpinning this problematic housing issue are not going to recede since the cornerstone problem is availability of affordable land for a broad range of home builders to acquire. Unless that core issue is changed, the problem will persist and become worse.

However, the problem is not solved by opening up any or all land for development in the region, but rather by changing the geometry of the regional growth concept.

The current spatial growth control model is based on a pattern of general ovoid-shaped town centres with rural areas in between – and this model is the cause of the problem. Within any of these ovoid areas, the actual affordable and available land or density for development is a very small fraction of what planners believe is available in the plan. Most land owners are not ready to sell because they live or work on their properties, and as such, the majority of the land highlighted for growth areas within existing settlement nodes is not actually available for development.

In many cases, even if the land is for sale, it is not for sale at a price that supports redevelopment because the cost of the land per unit that might be approved is too high for a project to be feasible. This is the case with most "gentle infill" projects – putting duplexes and triplexes, laneway houses and similar small sale infill housing in single family areas. If the cost of a single-family home site is $500,000, even if a

triplex is approved, that is over $160,000 in land costs per triplex unit, making the resulting unit likely too expensive in most cases.

In some cases, one owner will own significant areas of land in a community but only bring on development very slowly as suits their personal interests. In a region like the Comox Valley, a few land owners (individuals, families, corporations) can own a significant amount of the greenfield land that is available in the growth strategy (such as Trilogy, Kensington, Sage Hills, Crown Isle, others) and thereby a few individuals have inordinate control over the region's actual growth process because an RGS or OCP gives them that power.

Where infill development is supported in a plan, the reality of infill development must be considered. It takes a long time to get new infill homes approved and they typically come in only a few at a time and then it can only be so dense, because the opposition to development in these areas is significant because residents want little change, traffic or tall buildings in their view sheds. In addition, while there is a scarcity of land, the growth rate is slow and steady, so no bank will lend a developer the money to build a very tall or large building because it will take too long to get presales or sell the building out.

Therefore, the question arises around how to bring on a lot of land but to do so in a way that meets regional, sustainability and community goals. The answer lies in the spatial pattern of growth that is selected.

A better geometry for growth management is not ovoid settlement centres, but rather multiple corridors that connect all existing areas and reach out into the surrounding areas in a way that promotes efficient linear infrastructure and transit. This approach leads to a "corridor urbanism" model.

Along these corridors are a wide range of densities and land uses around a continuing or necklace of mixed use neighbourhood centres. This opens up a significant amount of land across a region to keep land prices low and thereby housing prices more affordable, but it also achieves the sustainable goals of compact "linear" development with efficient infrastructure and transit orientation. The "compact" nature then is based on the integrity of the corridor, rather than the distance to a hypothetical town centre, because the core centre is opened up to stretch along the corridor. The corridor growth pattern has people living and working approximately 500m on either side of a main street network. As such, a linear, sustainable sequence of neighbourhoods opens up over time. The natural areas on either side of these corridors can be protected, keeping a much more integrated and complete ecosystem in the region than the current model does.

In this context, the Riverwood neighbourhood proposal fits much better in a sustainable regional growth network than some areas already in the RGS, as Riverwood extends existing developed areas in a corridor fashion to better connect Courtenay and Cumberland along existing road networks, while protecting a significant amount of the natural space along the way.

In this context, while as a proposal it asks to amend the current RGS, the results of approving Riverwood will be to better achieve the goals of the RGS and the Comox Valley Sustainability and at the same time, contribute to trying to stabilize land and house prices.

Finally, the RGS has a formal amendment process that thereby declares implicitly that amendments are to be entertained and taken seriously. Plans, including the RGS, are the product of the time at which they were drafted and are subject to the significant limits to knowledge, ideas and understandings of future

realities that existed at that time. They also are not drafted with any analysis of the actual financial feasibility of development in any of the areas in which they propose development, or due diligence on many other issues. They also do not compel or bind any land owner to develop in the way envisioned in the plan.

As such all plans need to be revisited on a regular basis. It is critically important that plans not become, in the minds of the community or local government, a "bible" or sacred text that cannot be changed. Rather they should be a reference point from that point in time to refer to when considering changes at any future point in time. To discourage amendments on principle causes significant problems in reality over time.

Conclusion

This document has provided additional information, highlighted aspects of existing information in the RGS amendment application and provided perspectivs and supporting documents with the intent of addressing the issues raised in the public open house on September 6, 2018. It is submitted to assist staff and the Directors in assessing the issues associated with this application.

I will be pleased to discuss any aspect of this application or supplementary information with you at any time.

Respectfully,



Mark Holland RPP

President - Holland Planning Innovations Inc.

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Comox Valley
REGIONAL DISTRICT

RGS Technical Advisory Committee Minutes

Minutes of the Regional Growth Strategy Technical Advisory meeting held on September 12, 2018 at the Comox Valley Regional District (CVRD) office located at 550B Comox Road, Courtenay BC, commencing at 2:00 pm.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Ken Rogers, Manager of Development, Village of Cumberland
Ian Buck, Director of Development Services, City of Courtenay
Marvin Kamenz, Municipal Planner, Town of Comox
Alana Mullaly, Senior Manager of Planning and Protective Services, CVRD

Recording: Alana Mullaly

TOPIC

The committee met to de-brief on the September 6, 2018 joint CVRD / 3L Development Inc. open house and to review all of the application material submitted by 3L Development Inc. in support of their Regional Growth Strategy amendment application (RGS 1C 17). The Technical Advisory Committee agreed on the following recommendation to the Steering Committee.

RECOMMENDATION

K. Rogers / M. Kamenz: THAT having reviewed the application by 3L Developments Inc. to create a new Settlement Node ("Riverwood"), the Technical Advisory Committee recommends that the Steering Committee recommend to the Comox Valley Regional District Board that the application be denied.

CARRIED

ADJOURNMENT

Time: 3:10 pm

Recorded By:

A. Mullaly

A. Mullaly, MCIP, RPP
Senior Manager of Planning and
Protective Services
Comox Valley Regional District

This is Exhibit "JJ" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Agenda

File: 6410-20 / CV RGS Amendments/RGS 1C 17

Notice of meeting of the
REGIONAL GROWTH STRATEGY STEERING COMMITTEE
September 20, 2018
Boardroom, 600 Comox Road
8:30 am

1. Review of staff report from the Regional Growth Strategy Technical Advisory Committee to the Regional Growth Strategy Steering Committee (attached) regarding 3L Development Inc.'s application for a standard amendment to the Regional Growth Strategy.
2. Prepare Recommendation from the Steering Committee and direct CVRD staff to prepare a report for October 2, 2018 CVRD Board meeting.

Comox Valley
REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on September 20, 2018 in the Comox Valley Regional District Boardroom, 550B Comox Road, Courtenay BC, commencing at 8:31 am.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present:	Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair) Sundance Topham, Chief Administrative Officer, Village of Cumberland David Allen, Chief Administrative Officer, City of Courtenay Richard Kanigan, Administrator, Town of Comox Alana Mullaly, Senior Manager of Planning and Protective Services, Comox Valley Regional District
Recording:	Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

The committee met to review information provided by the Technical Advisory Committee regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy and to discuss options and recommendations going forward to the Comox Valley Regional District Board.

RECOMMENDATIONS

S. Sundance/D. Allen: THAT the Technical Advisory Committee (TAC) reconvene to review newly submitted 3L Developments Inc. application information; finalize the residential land and housing supply statistics contained in the September 19, 2018 TAC report to the Steering Committee; and report back to the Steering Committee on September 27, 2018. CARRIED

ADJOURNMENT

Time: 9:43 am

Recorded By:

S. Stephens

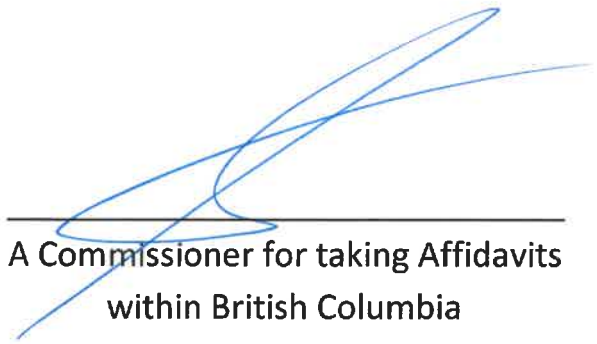
Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

This is Exhibit "KK" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

Agenda

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Notice of meeting of the
REGIONAL GROWTH STRATEGY TECHNICAL ADVISORY COMMITTEE
September 25, 2018
Comox Valley Regional District Office, 600 Comox Road
3:00 pm

1. Review Steering Committee recommendation

2. Review supplementary application material provided by 3L Developments Inc. (see 3 documents attached)

3. Finalize residential land and housing supply statistics

Holland
Planning Innovations Inc

Sept 13, 2018.

6410-20 / CV RGS Amendment
RGS 1C 17
A. Mullaly

Alana Mullaly RPP

Senior Manager of Planning and Protective Services

Planning and Development Services Branch

Comox Valley Regional District

600 Comox Road

Courtenay, BC, V9N 3P6

Re: Follow up information from Public Open House on September 6, 2018

Alana:

This document outlines some information to address some of the high priority issues that were raised in the public open house on Sept 6, 2018 regarding the Riverwood RGS amendment application.

The choice: preservation or resource extraction

Many residents addressed the park and environmental preservation issues in the discussion in the open house on September 6, 2018. What was not very clear in the presentation by staff was that the rural areas are intended for rural and resource uses -and this means typically clearing, resource extraction and similar uses. There appears to be a misunderstanding in the community that there is an option to not have it developed but have it stay the way it is.

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In staff's communications to the Board, we request that staff make this information clear – that the only way to preserve the land in a park-like, conservation manner with public protection and access, is to support this proposal – which gives 50% of the land to the public in exchange for the proposed development rights to the other 50% of the land.

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The choice is not between development or no development, it is between a clear cut or a park. The RGS has policies that support both of these options, but the outcomes are significantly different.

The private utility

There is a policy in the RGS to typically not support private utilities and the District has begun absorbing some existing water and sanitary utilities in local improvement areas into the public utility system. The benefit of this approach is that the responsibilities for health and safety in servicing is totally within the purview of the local government. In addition, this policy provides further controls within the local government to control new development.

There are other private utilities in the region, including Saratoga Beach, Mt Washington and others, and other developers such as Kensington are looking at them too. Many of these have plans for the District to take over them when other properties plan to connect.

The challenge with this policy is that many existing areas need those services and as such, the District prioritizes the upgrades of existing areas with their infrastructure investment. This results in the servicing not creating sufficient land to meet market demands for new growth, which means that the prices of region's housing will continue to rise because land is much more expensive and difficult to assemble in existing areas for several reasons:

- Most land owners do not want to sell;
- It is very difficult to assemble sufficient land to develop a critical mass to make projects viable; and
- The surrounding neighbours oppose much additional density in their neighbourhoods.

Therefore, inadvertently, policies that limit private utilities increase housing prices in a growing region like the CVRD. The prices for land and homes are now increasingly causing social and economic problems in the CVRD because of the rising cost of land for new homes.

By allowing private utilities with the intent to have them incorporated into the public utility system in the future and/or when the public utility system reaches out to connect with them, the CVRD can, at no cost to itself at this time, allow new development to occur in a way where users, not the general taxpayer, pay for the utility, and the local government's policy of upgrading infrastructure in existing areas remains on track.

A further challenge with utilities is in their management, maintenance and long-term reliability. There are often problems with some private systems in local improvement districts, as they can have directors who are not experts and subscribers who do not want to raise utility costs to pay for necessary upgrades and replacements. In this regard, there is a significant difference between Corix as an owner/operator of a utility and a local improvement district, with a local board of citizens managing the system. Corix is a large utility company owned by the BC Government Employees Pension Fund and are thereby seen as a strong reliable company and investment for the future.

While there are challenges with all infrastructure systems, there is significant evidence in the benefits of these systems in their ability to support neighbourhood services. There are also many opportunities to integrate or transfer ownership of the private utility in the future to the public system, if desired. Corix

has extensive experience in transferring ownership to public utilities, typically for the capital cost of the infrastructure.

Water supply and First Nations

The landowner undertook analysis that indicates that the amount of water that would be drawn from the river is a tiny fraction of 1% of the lowest flow volumes and as such, independent of the fact that the low flow levels are controlled by Hydro, it would not impact the river. The water license has not yet been applied for but that would be part of the subsequent approvals phases, especially for subdivision and servicing.

3L is also committing to efforts to reduce water consumption in the Riverwood community.

3L developments have had many discussions with the K'omoks First Nation (KFN) and have an agreement regarding water supply. KFN have rights to a significant amount of water from the Comox Lake / river system but have no ability to get water treated and to their lands adjacent Riverwood. In their agreement, KFN will provide the water for both Riverwood and their lands, and Riverwood will provide the infrastructure for treatment and conveyance through their water utility. Without this system, KFN faces formidable challenges in getting water to their lands to support economic development.

General environmental impacts

All development has impact on the natural ecosystems within which it occurs. All existing and growing areas in the Comox Valley used to be natural but the previous ecosystems were removed to allow for development. The RGS envisions significant ongoing impact to the environment in all its current and future growth areas.

The Riverwood area likewise will experience significant environmental changes in its future, in any option. As a rural / resource development area, its current forests are likely to be removed with associated impacts and efforts to extract gravel may be pursued. Under the proposed development plan, the Riverwood neighbourhood would preserve 50% of the land in perpetuity including the river corridors and other sensitive areas. As such, regarding the physical environment on the lands, the Riverwood proposal has the best environmental performance of its current probable options.

The size and location of the park proposed for the neighbourhood was established through and environmental study conducted by Biologists with FishFor Contracting (now Strategic Natural Resource Consultants in Campbell River). The methodology for evaluating the most sensitive land to be preserved in the proposed park area included:

- Areas to be conserved based on levels of sensitivity including habitats that support possible species in peril or at risk as well as the imperative to protect surface waterways, riparian areas and wetlands; and
- Areas to be restored.

The sensitive habitat areas and the riparian areas were combined into a logical land protection pattern, resulting the design of the neighbourhood and the park area.

Additional environmental studies will be undertaken if the project moves forward, in support of rezoning and development permit approvals.

Regarding climate emissions from transportation, the Riverwood neighbourhood is significantly closer to the employment, educational and shopping centres of Courtenay and Cumberland than many areas currently in the RGS, including Kensington and Sage Hills. As such, emissions from transportation would be lower per capita for settlement in Riverwood than in many other areas.

Regarding emissions from buildings, the landowner of Riverwood has committed to promoting green building standards in development on the site. Securing these commitments would occur at later stages in the approvals process for the site, but it is an important value in the project.

Transportation

A transportation study for the project was completed by Bunt & Associates. It evaluated the existing and proposed traffic patterns with various scenarios. The focus of the study was on the initial plan for the site, that had slightly fewer units that currently envisioned, and in all of its scenarios, there were limited to no major offsite road improvements required.

As the current proposal has added new land and envisions a slightly higher density, this initial traffic study reflects the reality of the first phases of the project, and additional traffic studies and possibly road enhancements may be required in the late stages of the project.

Overall regional growth patterns and amendments

The final issue to address is the issue of the RGS pattern and amendments to it. The majority of work on the RGS was undertaken nearly a decade ago, with its final approval a few years later. At that time, there was a lot of confidence that the large projects of Kensington and Sage Hills would be commencing development imminently. Both are located far south of the main settlement areas of Comox, Courtenay and Cumberland, and nearly a decade later, neither has started construction, in large part due to the infrastructure issues associated with the area.

Many areas, much closer to the main urban centres in the region were left out of the RGS, including Riverwood.

In addition, there are significant areas within the RGS that are highlighted for more development that have not seen development, despite a significant rise in prices and demand. The lesson from these patterns is that an RGS does not determine what develops or when. Individual land owners make those decisions and the financial logic of any given piece of land is complex and frequently parcels within growth areas are not feasible to develop.

The supply of land determines the price of land in response to various levels of demand. The cost of construction is the same in most communities in Canada regardless and therefore the difference in the cost of housing between Courtenay and Vancouver lies in the cost of land. The supply of developable land and density is entirely under the purview of the local government.

It the responsibility of planners to manage the land supply so as to not create a scarcity of land that drives up land prices and thereby creates a land affordability problem – and many social and economic problems that then emerge from that issue.

Recent VIREB statistic show that the RGS and its associated OCP and other policy implementation, have launched a critical problem with land and housing prices in the region. During the years of implementing this RGS, land values have gone up a startling amount.

- in 2014:
  - The average home price was approximately $350,000.
  - The inventory (available supply) of land and homes for sale was extensive, including:
    - Lots -128
    - Acreages – 80
    - Single family – 482
    - The average sale time for inventory was 7.9 months.
- In 2018:
  - The average home price was approximately $520,000 – an increase of 35-40%.
  - The inventory of land and homes for sale had shrunk significantly (causing the price increase) to:
    - Lots- 25
    - Acreages – 29
    - Single family – 216
    - The average sale time for inventory in 2018 has often been as short as 3 months.

There is significant capital and builders available in the region and the growth rate has not increased significantly during that time. What has happened is that the RGS and its supporting OCPs, infrastructure plans and other policies have shrunk the available and developable land supply and are in the process of creating a major housing affordability problem that will have significant negative impacts on the local community, society and economy long term. This same pattern has occurred in many jurisdictions with the same approach to growth management.

This pattern should be of significant concern to the District and the community. The forces underpinning this problematic housing issue are not going to recede since the cornerstone problem is availability of affordable land for a broad range of home builders to acquire. Unless that core issue is changed, the problem will persist and become worse.

However, the problem is not solved by opening up any or all land for development in the region, but rather by changing the geometry of the regional growth concept.

The current spatial growth control model is based on a pattern of general ovoid-shaped town centres with rural areas in between – and this model is the cause of the problem. Within any of these ovoid areas, the actual affordable and available land or density for development is a very small fraction of what planners believe is available in the plan. Most land owners are not ready to sell because they live or work on their properties, and as such, the majority of the land highlighted for growth areas within existing settlement nodes is not actually available for development.

In many cases, even if the land is for sale, it is not for sale at a price that supports redevelopment because the cost of the land per unit that might be approved is too high for a project to be feasible. This is the case with most "gentle infill" projects – putting duplexes and triplexes, laneway houses and similar small sale infill housing in single family areas. If the cost of a single-family home site is $500,000, even if a

triplex is approved, that is over $160,000 in land costs per triplex unit, making the resulting unit likely too expensive in most cases.

In some cases, one owner will own significant areas of land in a community but only bring on development very slowly as suits their personal interests. In a region like the Comox Valley, a few land owners (individuals, families, corporations) can own a significant amount of the greenfield land that is available in the growth strategy (such as Trilogy, Kensington, Sage Hills, Crown Isle, others) and thereby a few individuals have inordinate control over the region's actual growth process because an RGS or OCP gives them that power.

Where infill development is supported in a plan, the reality of infill development must be considered. It takes a long time to get new infill homes approved and they typically come in only a few at a time and then it can only be so dense, because the opposition to development in these areas is significant because residents want little change, traffic or tall buildings in their view sheds. In addition, while there is a scarcity of land, the growth rate is slow and steady, so no bank will lend a developer the money to build a very tall or large building because it will take too long to get presales or sell the building out.

Therefore, the question arises around how to bring on a lot of land but to do so in a way that meets regional, sustainability and community goals. The answer lies in the spatial pattern of growth that is selected.

A better geometry for growth management is not ovoid settlement centres, but rather multiple corridors that connect all existing areas and reach out into the surrounding areas in a way that promotes efficient linear infrastructure and transit. This approach leads to a "corridor urbanism" model.

Along these corridors are a wide range of densities and land uses around a continuing or necklace of mixed use neighbourhood centres. This opens up a significant amount of land across a region to keep land prices low and thereby housing prices more affordable, but it also achieves the sustainable goals of compact "linear" development with efficient infrastructure and transit orientation. The "compact" nature then is based on the integrity of the corridor, rather than the distance to a hypothetical town centre, because the core centre is opened up to stretch along the corridor. The corridor growth pattern has people living and working approximately 500m on either side of a main street network. As such, a linear, sustainable sequence of neighbourhoods opens up over time. The natural areas on either side of these corridors can be protected, keeping a much more integrated and complete ecosystem in the region than the current model does.

In this context, the Riverwood neighbourhood proposal fits much better in a sustainable regional growth network than some areas already in the RGS, as Riverwood extends existing developed areas in a corridor fashion to better connect Courtenay and Cumberland along existing road networks, while protecting a significant amount of the natural space along the way.

In this context, while as a proposal it asks to amend the current RGS, the results of approving Riverwood will be to better achieve the goals of the RGS and the Comox Valley Sustainability and at the same time, contribute to trying to stabilize land and house prices.

Finally, the RGS has a formal amendment process that thereby declares implicitly that amendments are to be entertained and taken seriously. Plans, including the RGS, are the product of the time at which they were drafted and are subject to the significant limits to knowledge, ideas and understandings of future

realities that existed at that time. They also are not drafted with any analysis of the actual financial feasibility of development in any of the areas in which they propose development, or due diligence on many other issues. They also do not compel or bind any land owner to develop in the way envisioned in the plan.

As such all plans need to be revisited on a regular basis. It is critically important that plans not become, in the minds of the community or local government, a "bible" or sacred text that cannot be changed. Rather they should be a reference point from that point in time to refer to when considering changes at any future point in time. To discourage amendments on principle causes significant problems in reality over time.

Conclusion

This document has provided additional information, highlighted aspects of existing information in the RGS amendment application and provided perspectivs and supporting documents with the intent of addressing the issues raised in the public open house on September 6, 2018. It is submitted to assist staff and the Directors in assessing the issues associated with this application.

I will be pleased to discuss any aspect of this application or supplementary information with you at any time.

Respectfully,



Mark Holland RPP

President - Holland Planning Innovations Inc.

Rec'd 20180919
6410-20 / CV RGS Amendment
RGS 1C 17
A. Mullaly

RIVERWOOD RESIDENTIAL DEVELOPMENT

TRANSPORTATION ASSESSMENT

FINAL REPORT

Prepared For:	**3L Developments Inc.**
Prepared By:	**Bunt & Associates Engineering Ltd**
File Number:	**5804.04**
Date of Issue:	**October 30, 2009**

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1. Introduction

3L Developments Inc. is proposing to rezone the subject property on Duncan Bay Main Road (DBM Road) in the Comox Valley from the Rural 20 (RU20) district into a Residential Subdivision consisting of 600 properties across 400 acres. Bunt & Associates has been commissioned by 3L Developments Inc. to provide traffic and transportation advice to support their rezoning application to develop the Riverwood Residential development. This report provides an overview of the potential off-site transportation impacts of the proposed development, as well as potential strategies to reduce the auto-dependence of the development in keeping with the principals of sustainability.

This report has been set out in the following manner:

- Section 2 describes the existing conditions in the study area and establishes the general scope for the planned study network;
- Section 3 outlines relevant municipal, regional and provincial transportation plans and policies that need to be considered in the context of the site development;
- Section 4 provides information on the proposal for the site development;
- Section 5 outlines the methodology for predicting the vehicle trip generation by the subdivision, using data that is consistent with the characteristics of the development design and the planned infrastructure and initiatives to support it. It also examines the likely trip distribution, including the potential for internal, linked and diverted trips
- Section 6 will assess the effect of the development traffic on the study road network, it will identify locations where off-site improvements are considered appropriate to support the site redevelopment;
- Section 7 outlines potential sustainable transportation measures for the site;
- Section 8 sets out the conclusions and recommendations of the study.

2. Existing Conditions

This section will review the existing conditions by describing the site layout, surrounding land uses, the site's current zoning, and the local road network and transportation movements.

2.1 Site Location & Existing Land Uses

The site location is illustrated on **Exhibit 1** in the context of the local road network. The site covers approximately 400 acres of rural land and is bounded by rural properties to the north, Browns River to the east, the Puntledge River to the south, and the Inland Island Highway (Highway 19) to the west. The site is divided by the Duncan Bay Main Road / Comox Logging Co. Road (referred throughout as DBM Road) which runs from north to south through the middle of the site and from which site access will be provided.

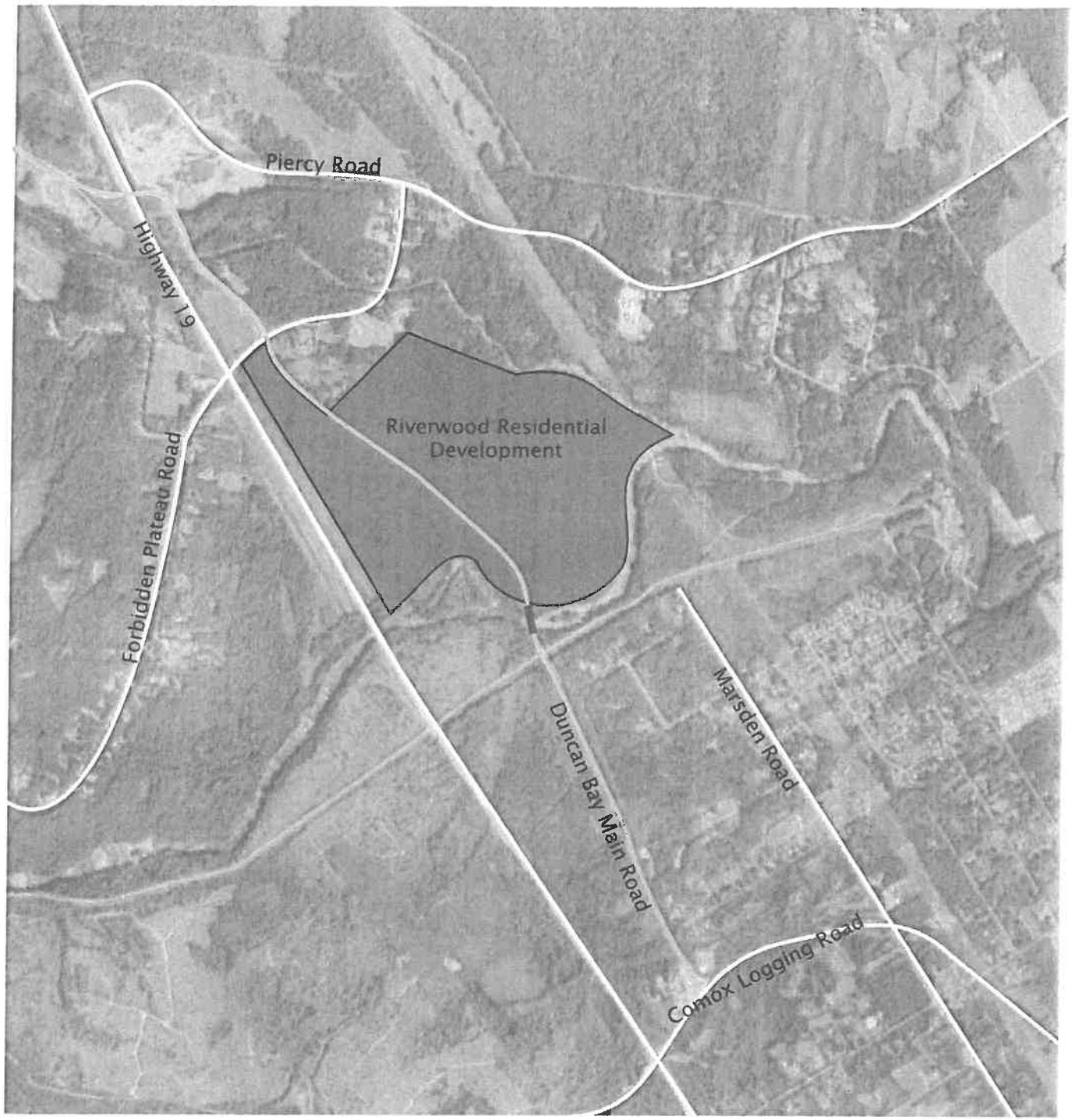
2.2 Current Zoning

The development site is subject to a rezoning application. At present, the site is zoned RU20 Rural. While the southern area of the site bordering on the Puntledge River is not zoned as a park, it is currently used as a recreational area by those accessing the river and existing trails along the north side of the river.

2.3 Existing Road Network

Highway 19 is a limited access Arterial Highway that runs parallel to the Island Highway (Highway 19A) from Parkville to Campbell River. Highway 19 is a four-lane divided facility with a mix of grade separated interchanges and at-grade signals that provide an alternative and more direct route along the eastern coast line than the Old Island Highway.

To access the site from the north, vehicles are required to take exit 127 from Highway 19 at Piercy Road, turn right onto Forbidden Plateau Road before turning left onto DBM Road to access the site. The intersection of the Highway 19 and Piercy Road is a signalized T-intersection with separate right turn lanes on all approaches. On the Highway 19 approaches to the intersection the posted speed limit is 90km/hr and on Piercy Road the speed limit of 70km/hr. Pedestrian crossing facilities are provided at the intersection; however pedestrians are not permitted to walk along the highway and sidewalks are not



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Location of the site and Northern Access

Riverwood Residential Development, Courtenay

Exhibit 1

provided on any of the approaches. Road condition, pavement marking and signage are currently of a high standard.

Piercy Road is a Rural Collector road providing access from Highway 19 into the northern part of downtown Courtenay. Forbidden Plateau Road is a Rural Local road providing access to adjacent residential properties as well as industrial, agricultural and forestry block properties located south and west of its intersection with DBM Road.

The intersection of Piercy Road and Forbidden Plateau Road is a stop controlled intersection, with priority afforded to Piercy Road. A 30m long left turn bay is provided on the westbound approach on Piercy Road and 30m right and left turn bays are provided on the Forbidden Plateau Road approach. The posted speed limit on both roads in this location is 60km/hr and paved shoulders are also provided on both roads. While the road pavement at the intersection is currently in good condition; however the pavement markings are very faded on the northbound approach, as shown in **Exhibit 2**. During the site visit, it was observed that this intersection is used by a significant number of heavy vehicles turning to and from Forbidden Plateau Road, including oversize loads. On the day of the site visit the sight distance from a car stopped at the stop bar looking west to approaching traffic on Piercy Road was measured and it was noted that a row of pine trees on the southern side of Piercy Road, just west of the intersection limited the available sight distance for vehicles exiting Forbidden Plateau Road. In keeping with the rural environment, pedestrian facilities are not provided at this intersection.



Exhibit 2 – Faded road markings on Forbidden Plateau Road approach to Piercy Road

The intersection of Forbidden Plateau Road and DBM Road is stop sign controlled with priority afforded to traffic on Forbidden Plateau Road. The intersection is elevated via fill from the surrounding rural properties in order to tie-in with the Forbidden Plateau Road overpass of Highway 19, some 200m west of the intersection. As a result, there are no shoulders provided on DBM Road and there is Concrete Roadside Barrier provided to protect a residential property in the southeast quadrant of the intersection. The elevation of the intersection assists with good sight distances from all approaches. The pavement is currently in good condition; however the pavement markings are worn on Forbidden Plateau Road and not provided on DBM Road, as shown in **Exhibit 3**. During the site visit, it was observed that this intersection is also used by a large number of heavy vehicles as well as cyclists.



Exhibit 3 – No road markings on DBM Road northbound approach to Forbidden Plateau Road

DBM Road is a Ministry of Forests road for several hundred metres south of its intersection with Forbidden Plateau Road, then becomes a private road which runs through the site from Forbidden Plateau Road to the private one lane bridge crossing the Puntledge River. Although it is a private road, DBM Road is currently available for use by the public and it was observed during the site visit that the route is well used by both vehicular and cycling traffic. Once the site is redeveloped, it is proposed to make the section of DBM Road between Forbidden Plateau Road to just north of the one-lane bridge over the Puntledge River a public road. South of the one-lane bridge, the DMB Road continues through private property and across a private gravel industrial yard, used as the headquaters for a logging operation, to the intersection of Comox Logging Road. This gravel yard begins 150m north of the intersection, and where the two roads meet is about 50m wide. There is no positive guidance to drivers through this gravel yard.

The intersection of Comox Logging Road and Marsden Road is stop sign controlled with priority afforded to traffic on Comox Logging Road. The pavement is currently in good condition, but markings at this intersection are very faded. Unsealed shoulders are provided on all approaches and the posted speed limit is 60km/hr.

To access the site from the south (if the private section of DBM Road is available) vehicles would take exit 117 from Highway 19 at the Comox Valley Parkway interchange. This interchange is about 8km south of the site and the most direct route from this exit point is left onto Cumberland Road, left onto Marsden Road, left onto Comox Logging Road and right onto DBM Road. The route travels through forestry and agricultural land along these minor roads and is shown in the context of the wider road network in **Exhibit 4**.

The most convenient route to the southern part of Downtown Courtenay from the site is to travel south of the site on DBM Road via Comox Logging Road, onto Lake Trail Road, Pidcock Avenue and Cumberland Road. The most convenient route to Comox is north along DBM Road to Piercy Road, via Forbidden Plateau Road. At the end of Piercy Road vehicles turn right onto Dove Creek Road, cross a signalized one lane bridge, and follow Headquarters Road and Vanier Drive to Veterans Memorial Parkway. The Parkway then becomes Lenwick Road and Guthrie Road, before intersecting Anderton Road in Comox.

2.4 Study Road Network

The study area for the traffic impact assessment was agreed with the Ministry of Transportation and Infrastructure (MoTI) as follows:

Signalized Intersections:

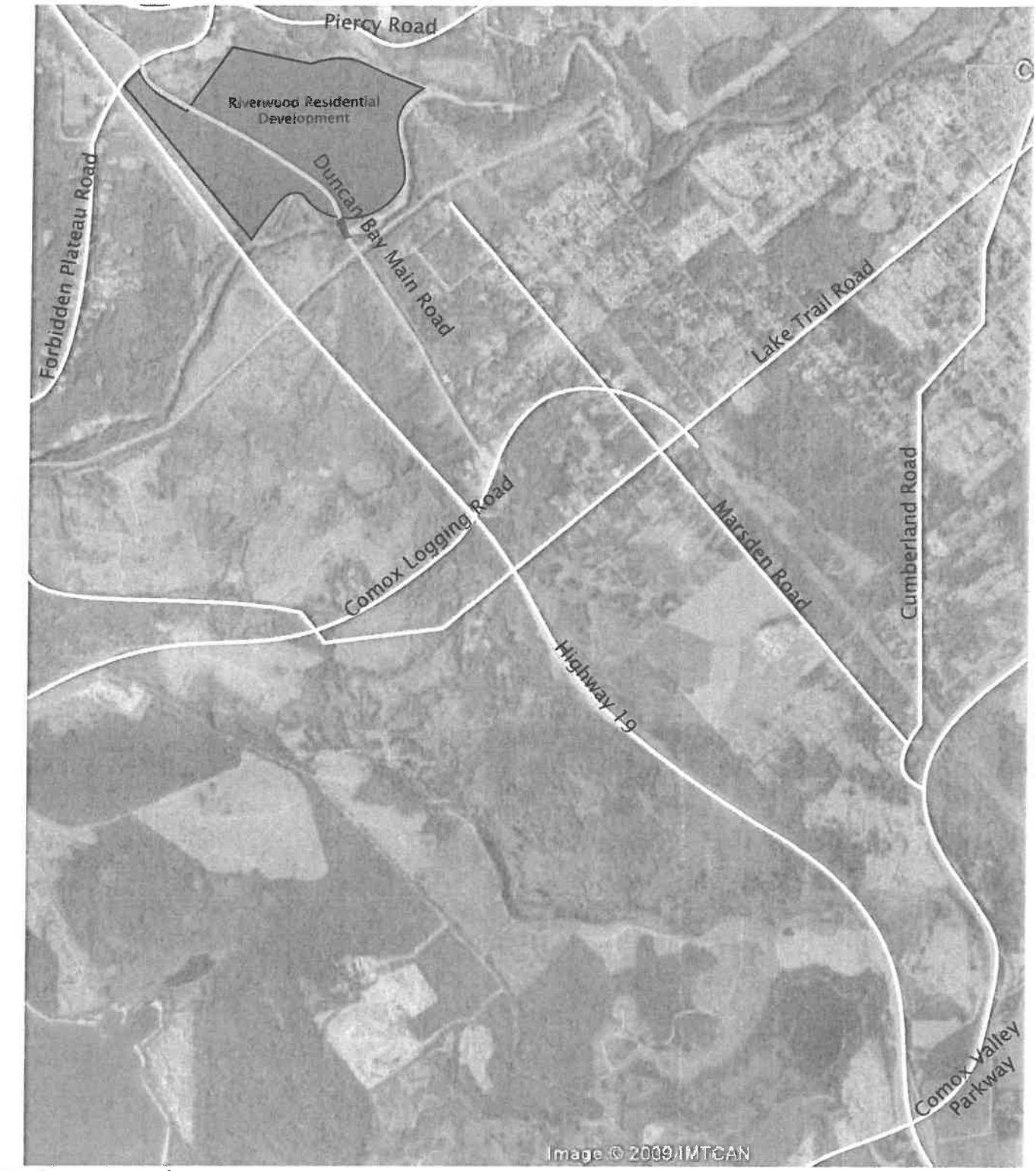
- Highway 19 and Piercy Road

Unsignalized Intersections:

- Piercy Road and Forbidden Plateau Road
- Forbidden Plateau Road and DBM Road
- Comox Logging Road and Marsden Road

The laning and form of traffic control at these key intersections are shown in **Exhibit 5**.

Given the development will be primarily residential, the peak periods for the traffic impact assessment were agreed to be the weekday morning, weekday afternoon and the Saturday midday peak hours.



One Lane Bridge
Existing Private Road

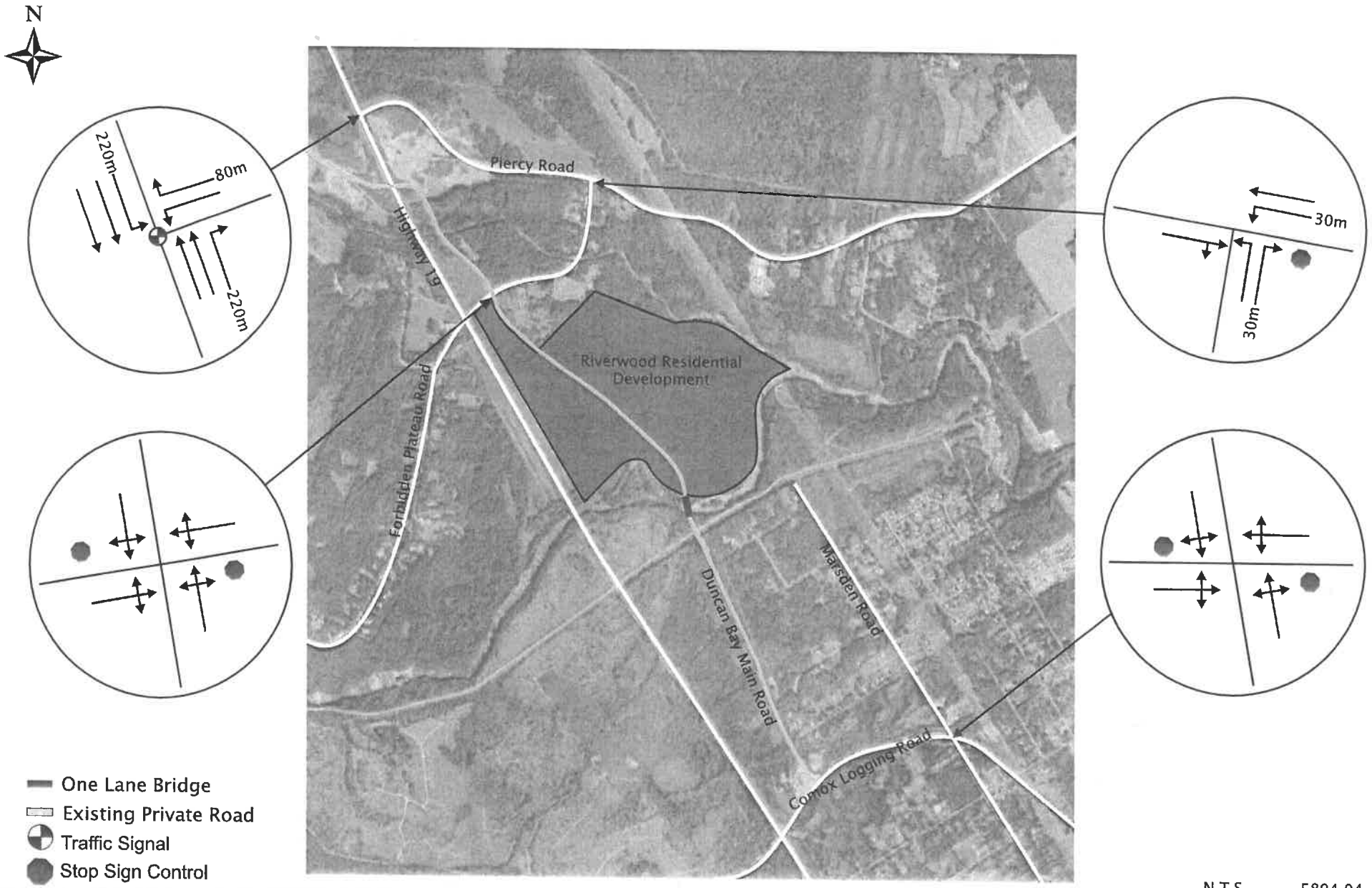
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Location of the site and Southern Access

Riverwood Residential Development, Courtenay

Exhibit 4



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Intersection Layouts

Riverwood Residential Development, Courtenay

Exhibit 5

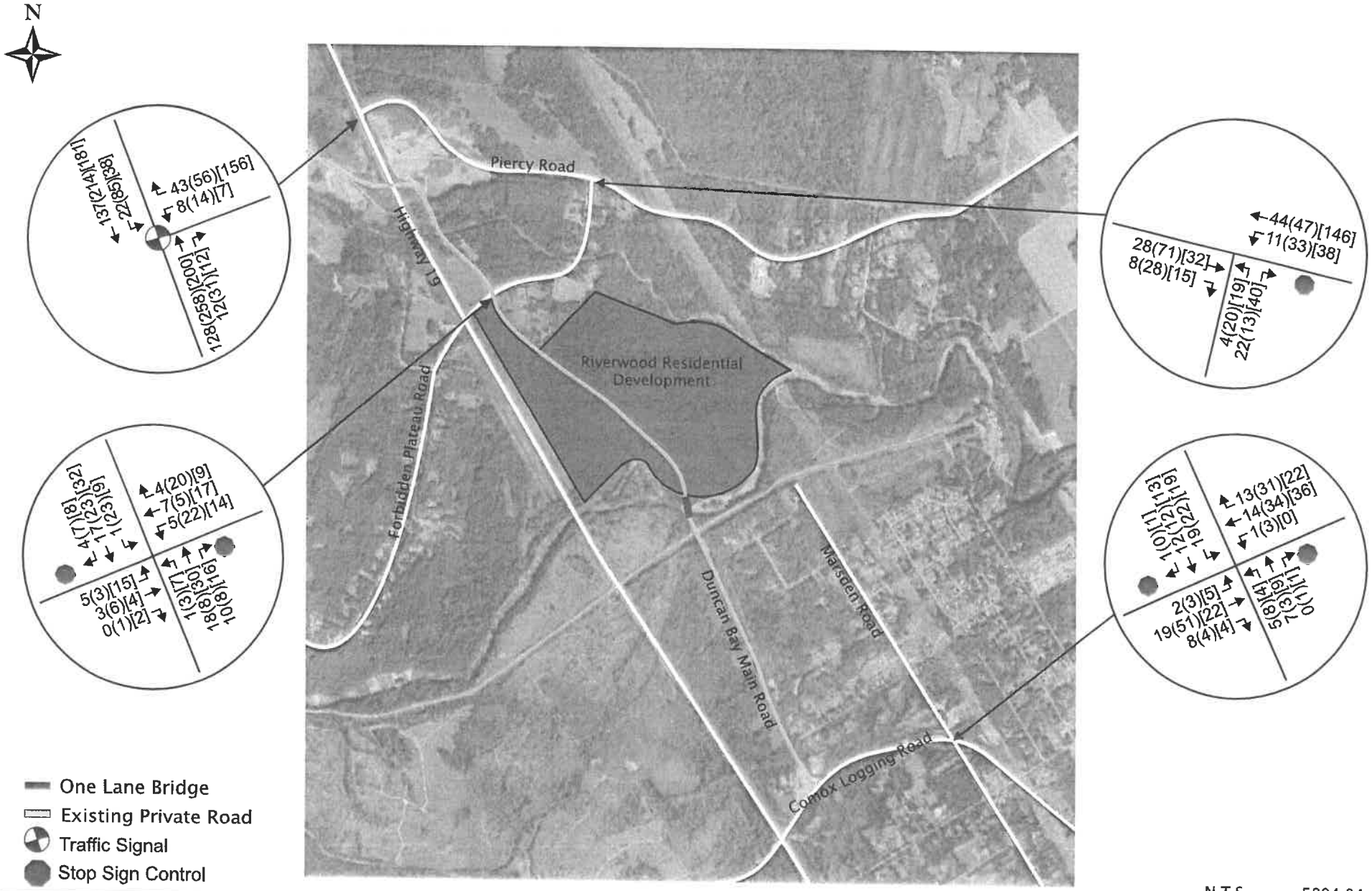
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2.5 Existing Traffic Volumes & Operations

As no recent traffic data were available for the study area intersections, traffic surveys were conducted in mid September 2009 to document the existing traffic movements in the study network for the peak periods identified. **Exhibit 6** illustrates the peak hour volumes from the three design periods. The observed traffic counts are presented in **Appendix A** on the Ministry of Transportation Vehicle Turning Movement Survey summary sheets.

As shown in **Exhibit 6**, the weekday afternoon period was found to have the highest traffic flows, with volumes on Highway 19 in the order of 620vph. On the local roads traffic volumes were lower with Piercy Road recording around 170vph, Forbidden Plateau Road recording 90vph, DBM Road recording 70vph and Marsden Road recording 30vph in the weekday afternoon peak period.

Heavy vehicle traffic volumes were also collected as part of the traffic survey, with the results shown in **Exhibit 7** for the peak periods surveyed. As shown a number of heavy vehicles travel through the intersections surveyed, with a peak of around 40 heavy vehicles recorded in the peak hour on HW19 at the intersection with Piercy Road.



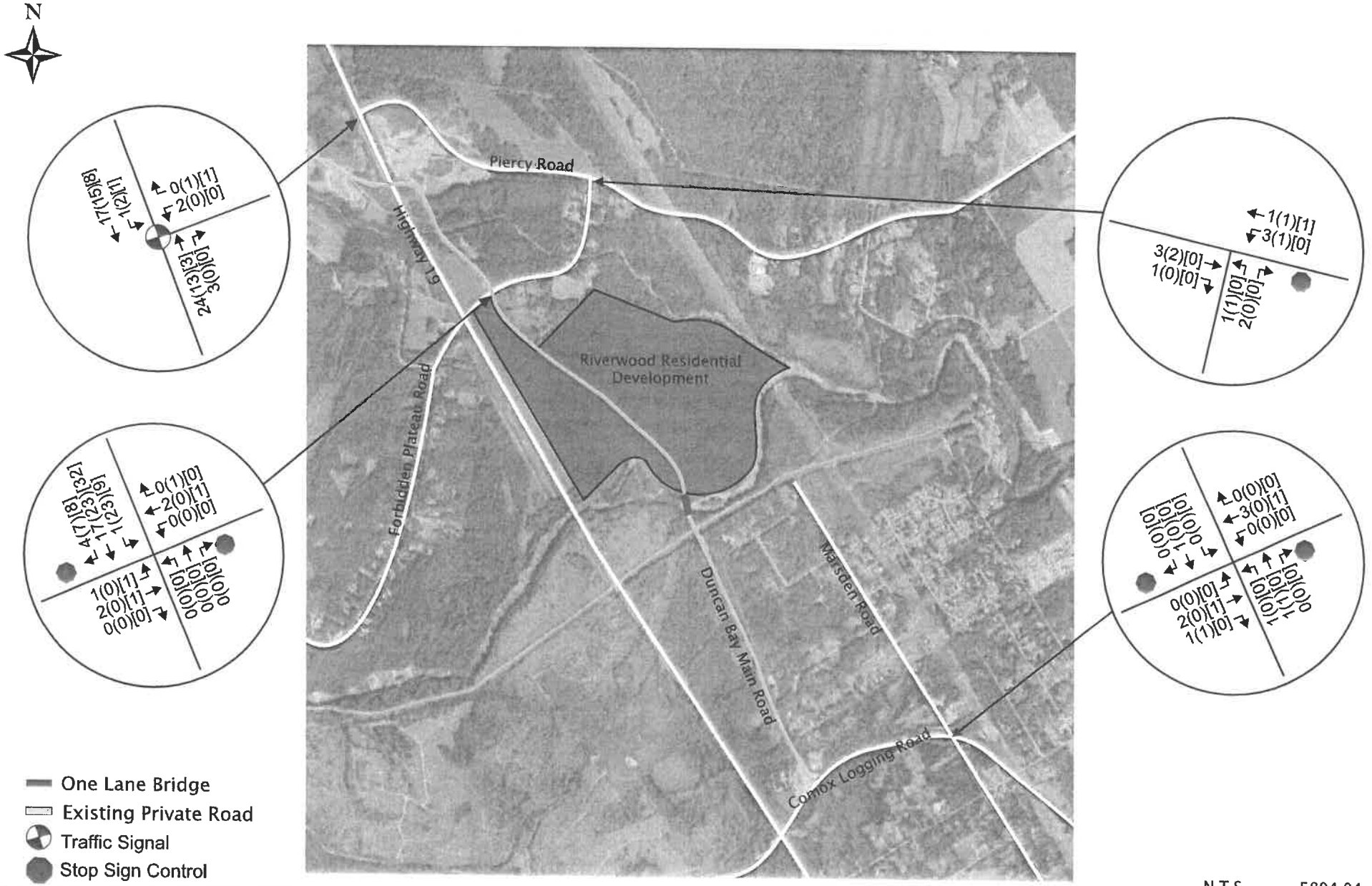
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Existing Total Traffic Volumes

Riverwood Residential Development, Courtenay

Exhibit 6

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Existing Heavy Vehicle Volumes

Riverwood Residential Development, Courtenay

Exhibit 7

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3. Current Transportation Plans & Infrastructure Change

3.1 Provincial Plans

As part of this study, discussion with MoTI District staff confirmed that MoTI has no plans for any roadway or traffic control improvements associated with roadways in the study area.

3.2 Regional Plans & Polices

Both the Regional Growth Strategy (RGS) and the Comox Valley Sustainability Strategy (CVSS) are currently being drafted. At this stage it is envisioned that a preliminary draft of the RGS will be available in January 2010, with a final draft by July 2010. A final draft for the CVSS was issued in July 2009. Both these documents provide a good indication of the direction of both land use and transportation plans and policies in the area of the site; each of these plans aim to introduce a number of transportation changes in the Comox valley to reduce the reliance upon the private automobile.

This section will first describe the policies identified in the RGS and the CVSS. Brief descriptions will then be provided for each of the transportation infrastructure schemes identified above.

Regional Growth Strategy

The document "Understanding Our Choices" was prepared in June 2009 to provide the foundation from which the RGS is to be developed. Therefore, this document outlines the role of the RSG, describes the trends and issues and then raises points for discussion. This document provides a good overview of how the region currently operates and with regards to transport it outlines the key infrastructure elements in the Comox Valley.

Further to this, the document suggests "Points for Discussion" and identifies proper land use planning, management of development at highway exits, support transit-first development, encourage transportation demand management, evaluate intelligent transportation systems and advocate cycle lanes on all major regional roads as policy ideas for consideration.

Comox Valley Sustainability Strategy

The CVSS provides a series of goals that are addressed with objectives, targets and actions. With respect to transportation these goals are primarily focused on reducing the reliance upon private vehicles with the draft goals outlined as follows:

- Reduce the need for single occupant vehicles;
- Promote high-efficiency, low emission, and no-emission vehicles and alternative fuels; and,
- Implement transportation programs that increase walking, cycling and transit use.

The proposed Riverwood Residential development aims to address these goals. Section 7 below offers some options for implementing sustainable transportation measures for the development.

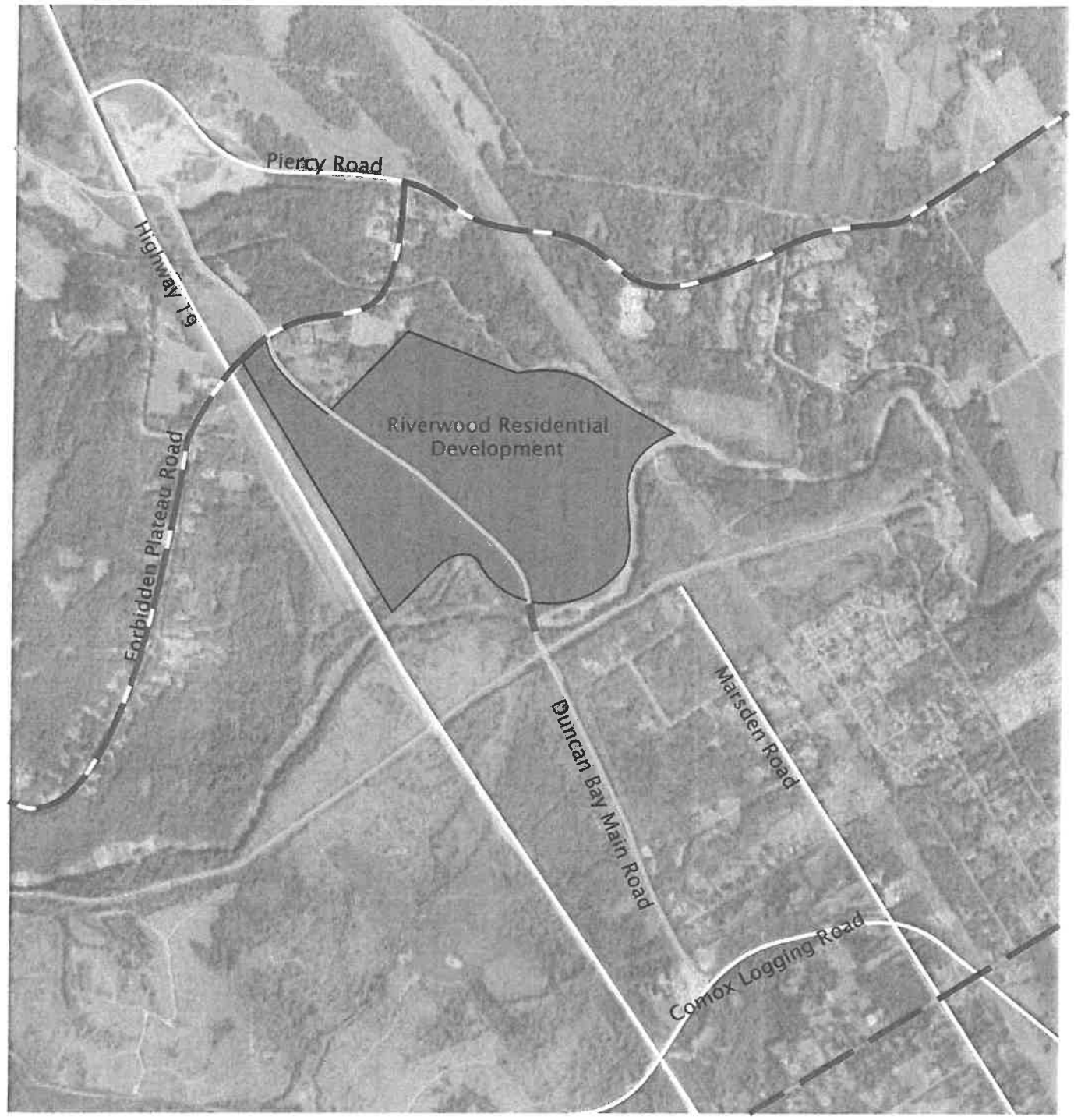
The Comox Valley Regional District currently has Cycleway and Greenway Plans that will be reviewed as part of the CVSS. Exerts from the Cycleway map is shown in **Exhibit 8** and the Greenway map is shown in **Exhibit 9**. A cycleway is shown following Forbidden Plateau Road and continues along Piercy Road, to the north of the site. This cycleway intersects with Dove Creek Road and then heads south into Courtenay. To the south of the site a cycleway follows Lake Trail Road and this also takes cyclists into Courtenay.

The Regional District Greenway plan shows the various greenway trails and roads. Within the study area a greenway is shown running parallel to the Highway, along Piercy Road, adjacent to a section of Forbidden Plateau Road and adjacent to both the Brown's River and Puntledge River. In addition to these, a trail is shown running adjacent to DBM Road from the one lane bridge to Comox Logging Road. Given that there are Greenway trails to the north and south of the proposed site, it is recommended that the possibility of connecting up these greenways be considered as part of the improvements to DBM Road.

3.3 Municipal Plans

The site lies outside of the boundary of the cities of Courtenay and Comox so municipal improvement plans will only indirectly impact the site. Courtenay and Comox have plans to connect Piercy Road directly with Veterans Memorial Parkway via a river crossing, which would make a more direct northern connection between Highway 19 and Comox. However, the timing of this improvement is unknown. The impact of this new connection will be to make Piercy Road more attractive as an access to Highway 19, so traffic volumes are expected to increase. In this study, background traffic growth scenarios have been selected

which, in our view, would address the range of volumes anticipated on Piercy Road if the connection to Veteran's Memorial Parkway was completed within the study time horizons.



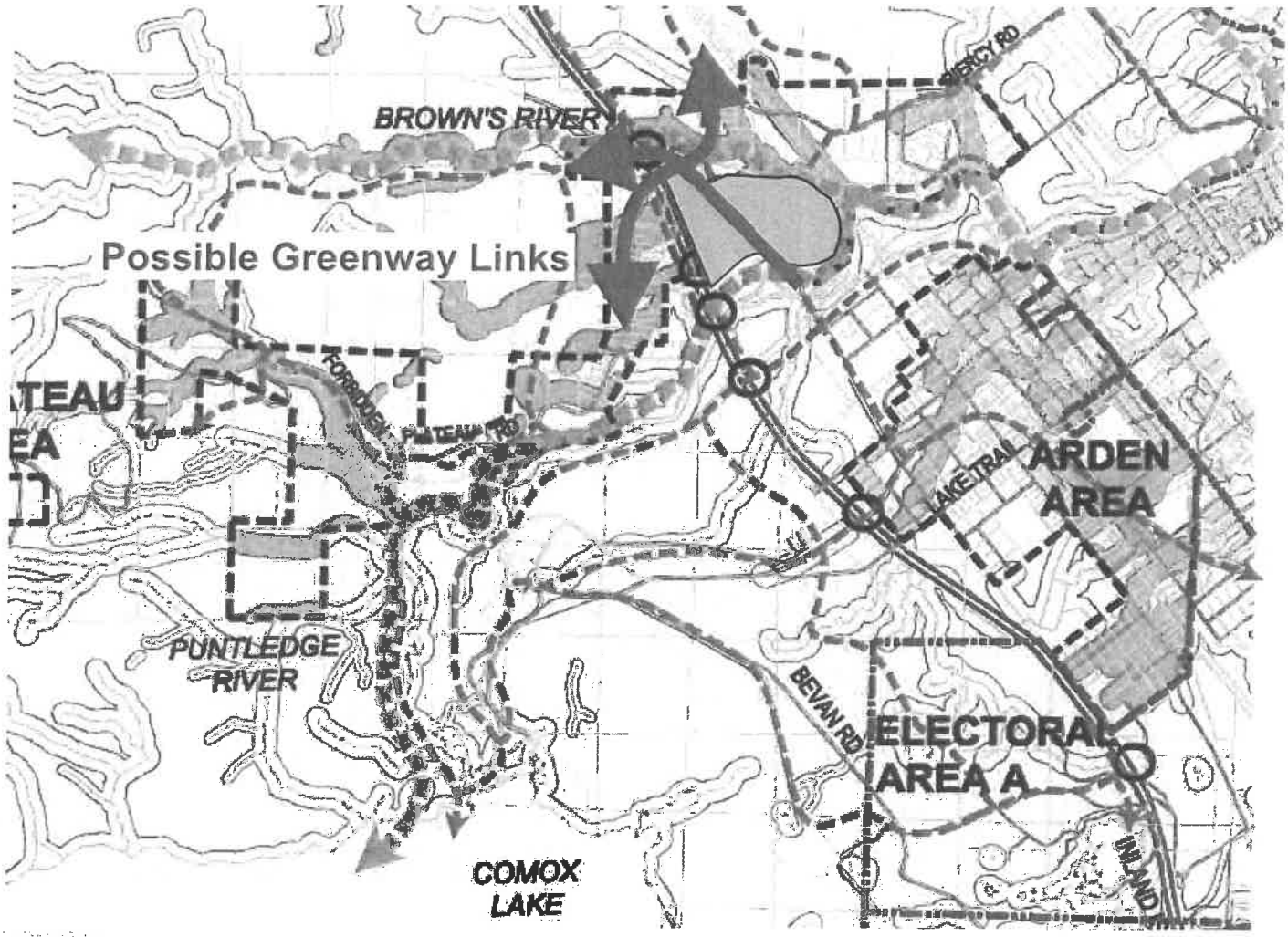
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Cycle Network

Riverwood Residential Development, Courtenay

Exhibit 8



Source: Map #6: Area C Greenway Plan, Regional District of Comx-Strathcona Electoral Area C N.T.S. 5804-04

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Proposed Greenway Network

Riverwood Residential Development, Courtenay

Exhibit 9

4. Development Plan

3L Developments Inc. is proposing to rezone the property on DBM Road from the Rural 20 (RU20) district into a Residential Subdivision consisting of 600 properties across 400 acres.

It is anticipated that the development will be developed in phases, with the first phase of 60 homes being completed by 2012 and all remaining phases with 540 homes and some neighbourhood retail completed by 2022. The planned uses and areas for the development are summarized in **Table 4.1** below.

Table 4-1: Proposed Development Content

Land Use	Number / Area
Residential – Single Family Residence	450 house
Residential – Patio Homes, Carriage Homes	150 houses
Neighbourhood Retail	n/a*

Note that the amount of neighbourhood retail development is not yet known although it will is intended to be relatively small scale; therefore for the purposes of this analysis, no retail has been assumed to be present. This is a conservative approach, as the presence of some local retail opportunities would reduce the vehicle trip generation of the site development, without adding vehicle trips from those originating outside of the site development.

5. Traffic Forecasts

This section provides estimates of the number of vehicle trips that could potentially be generated by the proposed development given, a range of development scenarios. It will also outline the key assumptions applied in determining the site-generated trips and how these are distributed on the road network.

5.1 Site Trip Generation

The proposed residential development is planned to provide mainly single family residential properties with some smaller townhouses also available.

In order to determine the likely trip generation rate of the site both the MoTI rates and the ITE rates have been reviewed for comparison. The rates obtained from ITE assume 75% of trips are from single family properties, and 25% are from townhouses (representing the smaller Patio Homes and Carriage Homes). This distinction within residential properties was not available from the MoTI data and as a result all trips have been conservatively assigned a single family residential trip rate. **Table 5-1** sets out the MoTI generation rates for the proposed Riverwood Residential Development. It should be noted that MoTI do not provide a trip generation rate for the Saturday midday peak period.

Table 5-1: MoTI Trip Generation Rates for the Proposed Development

Land Use	Weekday Morning			Weekday Afternoon		
	In	Out	Total	In	Out	Total
Single Family residential	0.26	0.74	1.00	0.77	0.43	1.20

By comparison the ITE trip generation rates are outlined below in **Table 5-2**.

Table 5-2 ITE Trip Generation Rates for the Proposed Development

Land Use	Weekday Morning			Weekday Afternoon			Saturday Midday		
	In	Out	Total	In	Out	Total	In	Out	Total
Single Family Residential	0.19	0.56	0.75	0.64	0.37	1.01	0.49	0.44	0.93
Townhouse Residential (Patio Homes, Carriage Homes)	0.07	0.37	0.44	0.35	0.17	0.52	0.25	0.22	0.47

As shown in **Table 5-2**, the ITE rates for a single family residential property are lower than the MoTI rates, and as expected the ITE townhouse rate representing the Patio and Carriage Homes is lower again. In the analysis to follow both the MoTI and ITE rates have been applied and compared to determine the number of trips generated by the site. As expected the number of trips generated was much higher when the MoTI rate was applied.

5.2 Site Vehicle Trip Summary & Distribution

The number of trips generated by the development was estimated and is summarized by phase in the tables below. Once again the analysis has been carried out using both the MoTI rates and the ITE rates. These results are outlined in **Tables 5-3 and 5-4**.

Table 5-3: MoTI Trip Generation Levels for the Proposed Development

Phase	Total Number of properties	Weekday Morning			Weekday Afternoon		
		In	Out	Total	In	Out	Total
Phase 1 (2012)	60	16	44	60	46	26	72
Phase 2* (2022)	600	156	444	600	461	259	720

Table 5-4 ITE Trip Generation Levels for the Proposed Development

Phase	Total Number of Properties	Weekday Morning			Weekday Afternoon			Saturday Midday		
		In	Out	Total	In	Out	Total	In	Out	Total
Phase 1 (2012)	60	9	29	39	32	19	50	25	22	47
Phase 2* (2022)	600	90	293	384	321	148	506	247	218	466

*Phase 2 is the full development

The ITE trip generation results shown in **Table 5-4** have also been reduced by 5% to account for internal trips within the development due to the presence of the neighbourhood commercial shops and the surrounding parks, which would be attractive for some walking or cycling trips.

As **Tables 5-3 and 5-4** demonstrate, the proposed development will generate between of 720 and 506 trips (two-way) during the afternoon peak period and between 600 and 384 trips during the morning peak period.

Trip distribution of the residential development has been assigned according to two different scenarios. The first scenario assumes that all development traffic must enter and exit the site from the north, as would be the case if the private road to the south of the site is closed to public use. The second scenario assumes that 60% of traffic will enter and exit the site from the north and 40% from the south. This second scenario is in keeping with the existing traffic patterns in the area and assumes that the private road is used by residents to travel south of the site. **Tables 5-5 and 5-6** show the predicted traffic distribution patterns for the two scenarios during the peak periods.

Table 5-5: Predicted Traffic Distribution Pattern – 100% North

Street	Weekday Morning		Weekday Afternoon		Saturday Midday	
	In	Out	In	Out	In	Out
Piercy Road (east)	85%	85%	85%	85%	68%	68%
Highway 19 (north)	10%	13%	11%	12%	24%	30%
Highway 19 (south)	5%	2%	4%	3%	8%	2%
Comox Logging Road (east)	0%	0%	0%	0%	0%	0%
Marsden Road (south)	0%	0%	0%	0%	0%	0%
Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

Table 5-6: Predicted Traffic Distribution Pattern – 60% North, 40% South

Street	Weekday Morning		Weekday Afternoon		Saturday Midday	
	In	Out	In	Out	In	Out
Piercy Road (east)	51%	51%	51%	51%	41%	41%
Highway 19 (north)	6%	8%	7%	7%	14%	18%
Highway 19 (south)	3%	1%	2%	2%	5%	1%
Comox Logging Road (east)	30%	30%	30%	30%	30%	30%
Marsden Road (south)	10%	10%	10%	10%	10%	10%
Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

5.3 Site Traffic Assignment

Flow diagrams of site traffic have been produced to cover each step of the analysis for the two trip generation scenarios and the two trip distribution patterns. These flow diagrams are included in **Appendix B**.

5.4 Traffic Forecast Scenarios

For the purposes of the transportation assessment, two background growth rate scenarios were considered. The first scenario assumes a background growth rate of 2% on Highway 19 and Piercy Road, and a 1% growth rate on all other roads. The second scenario assumes a background growth rate of 4% on Highway 19 and Piercy Road, and a 2% growth rate on all other roads. The first scenario reflects average historical growth on Highway 19 near Piercy, according to MoTI data, and the second scenario reflects peak directional growth in the same location.

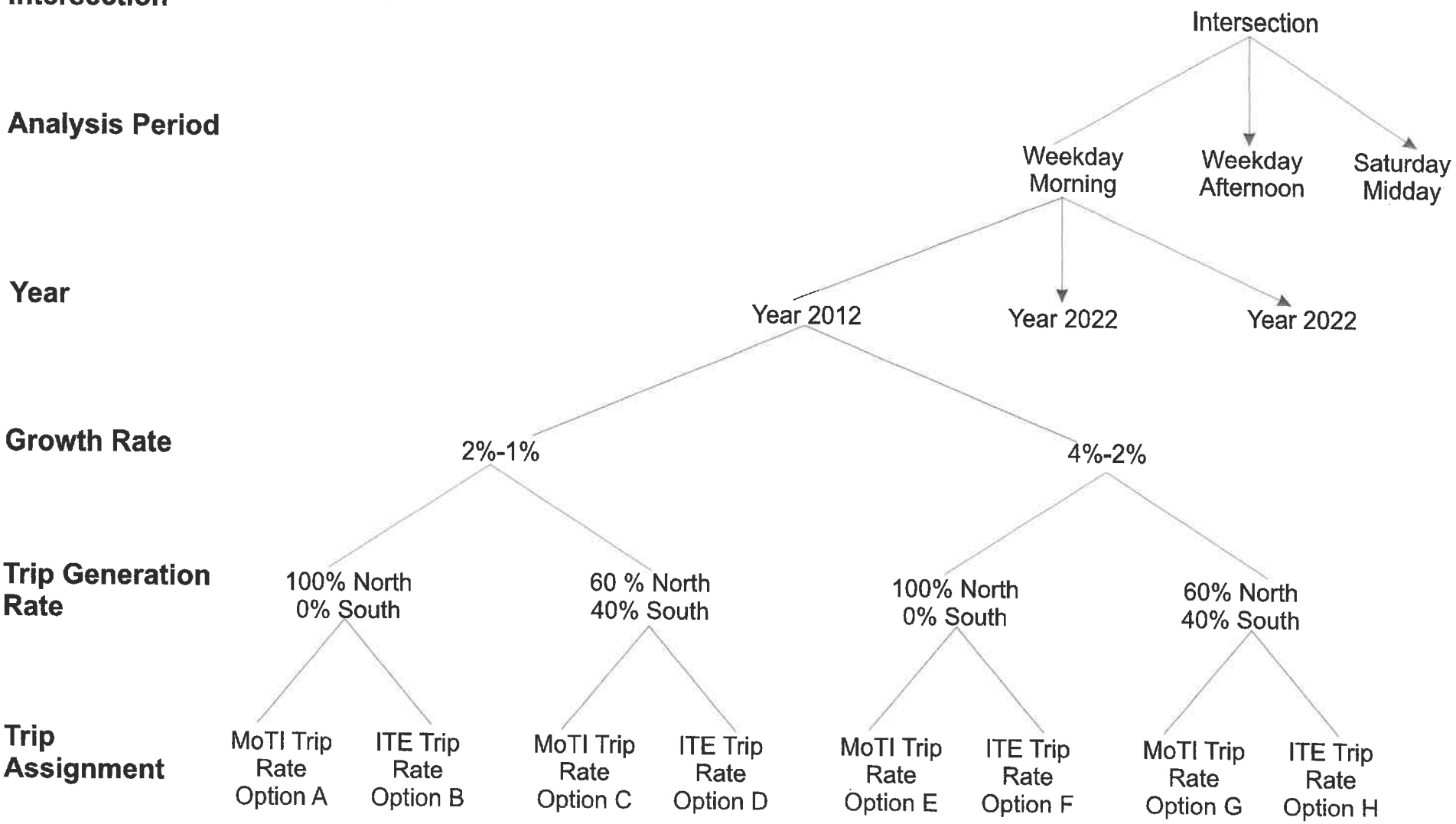
Each intersection in the study area has been assessed under the various scenarios and the resulting options are shown in **Exhibit 10**. These options have been analysed for each peak period, year and intersection and are summarised as follows:

Option A: this has a growth rate of 2% on Highway19 and Piercy Road and a growth rate of 1% on all other roads, 100% of traffic travel to and from the north and the MoTI trip generation rate has been used.

Option B: this has a growth rate of 2% on Highway 19 and Piercy Road and a growth rate of 1% on all other roads, 100% of traffic travel to and from the north and the ITE trip generation rate has been used.

Option C: this has a growth rate of 2% on Highway 19 and Piercy Road and a growth rate of 1% on all other roads, 60% of traffic travel north, 40% of traffic travel south and the MoTI trip generation rate has been used.

Option D: this has a growth rate of 2% on Highway 19 and Piercy Road and a growth rate of 1% on all other roads, 60% of traffic travel north, 40% of traffic travel south and the ITE trip generation rate has been used.



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Analysis Forecast Options

Riverwood Residential Development, Courtenay

Exhibit 10

Option E: this has a growth rate of 4% on Highway 19 and Piercy Road and a growth rate of 2% on all other roads, 100% of traffic travel to and from the north and the MoTI trip generation rate has been used.

Option F: this has a growth rate of 4% on Highway 19 and Piercy Road and a growth rate of 2% on all other roads, 100% of traffic travel to and from the north and the ITE trip generation rate has been used.

Option G: this has a growth rate of 4% on Highway 19 and Piercy Road and a growth rate of 2% on all other roads, 60% of traffic travel north, 40% of traffic travel south and the MoTI trip generation rate has been used.

Option H: this has a growth rate of 4% on Highway 19 and Piercy Road and a growth rate of 2% on all other roads, 60% of traffic travel north, 40% of traffic travel south and the ITE trip generation rate has been used.

6. Traffic Operations with Site Developed

This section provides an assessment of the off-site impacts of the development traffic within the local road network and it draws upon the traffic surveys presented in Section 2, along with the trip generation and distribution figures outlined in Section 5.

This assessment considers the operation of the road network on Opening Day in 2012 (phase 1), Build-Out in 2022 (phase 2) and Build-Out plus 10 years in 2032 for both the three peak periods. A summary of the capacity analysis for the intersections in the study network is presented in tabular format.

The traffic operations at the study intersections were evaluated using Trafficware's Synchro 6.0 traffic analysis model. This model uses Highway Capacity Manual (HCM) procedures to assess the Volume to Capacity ratio (v/c) and the corresponding delay-based traffic Level of Service (LOS) at the each of the intersections on the study network. For the Level of Service indicator, the following summarize the range of delays (in seconds per vehicle) for signalized and unsignalized intersections:

- For signalized intersection, the Level of Service ranging from LOS 'A' conditions with minimal delay (< 10 sec per vehicle) through to LOS 'E' 'near capacity' conditions (> 55 sec to ≤ 80 sec per vehicle) and LOS 'F' 'over-saturated' conditions (> 80 sec per vehicle).
- For unsignalized intersection, the Level of Service ranging from LOS 'A' conditions with minimal delay (< 10 sec per vehicle) through to LOS 'E' 'near capacity' conditions (> 35 sec to ≤ 50 sec per vehicle) and LOS 'F' 'over-saturated' conditions (> 50 sec per vehicle).

For the purposes of this analysis, we have assumed that the following performance thresholds would trigger the need for off-site improvements to support the site development:

- V/C ratios greater than 0.85; and,
- LOS D or worse.

6.1 Intersection of Highway 19 and Piercy Road

The Volume to Capacity (v/c) ratio and the Level of Service (LOS) for the intersection of Highway 19 and Piercy Road has been reported in **Table 6-1** for the various scenarios. The signal timing of this intersection has been modelled with the existing signal timing and phasing information as provided by the MoTI.

Table 6-1: Highway 19 / Piercy Road Intersection Operations Summary

Year	Option	Morning Peak		Afternoon Peak		Saturday Peak	
		V/C	LOS	V/C	LOS	V/C	LOS
2012	A	0.24	A	0.25	A		
	B	0.24	A	0.25	A	0.47	A
	C	0.23	A	0.25	A		
	D	0.23	A	0.25	A	0.46	A
	E	0.25	A	0.26	A		
	F	0.24	A	0.26	A	0.48	A
	G	0.24	A	0.26	A		
	H	0.24	A	0.26	A	0.48	A
2022	A	0.38	A	0.34	A		
	B	0.34	A	0.32	A	0.57	A
	C	0.34	A	0.32	A		
	D	0.31	A	0.30	A	0.54	A
	E	0.40	A	0.37	A		
	F	0.37	A	0.36	A	0.62	A
	G	0.36	A	0.35	A		
	H	0.34	A	0.34	A	0.60	A
2032	A	0.40	A	0.36	A		
	B	0.36	A	0.35	A	0.61	A
	C	0.36	A	0.34	A		
	D	0.33	A	0.33	A	0.59	A
	E	0.45	A	0.50	A		
	F	0.42	A	0.47	A	0.76	A
	G	0.42	A	0.47	A		
	H	0.40	A	0.45	A	0.72	A

The intersection of Highway 19 and Piercy Road recorded a maximum volume to capacity ratio of 0.76 during the Saturday midday peak period. As shown the intersection maintains a level of service of A across all time periods and options. Option E is found to represent the worst case scenario at this intersection when the growth rate is 4%, all traffic enters and exit the site from the north and the MoTI trip generation rate is used. Even under this scenario the intersection operates well and as a result no capacity or traffic control improvements are required at this intersection to support the site development.

6.2 Intersection of Piercy Road and Forbidden Plateau Road

The Volume to Capacity (v/c) ratio and the Level of Service (LOS) for the critical movement at the intersection of Piercy Road and Forbidden Plateau Road has been reported in **Table 6-2** for the various scenarios.

Table 6-2: Piercy Road / Forbidden Plateau Road Operational Analysis Summary

Year	Option	Weekday Morning			Weekday Afternoon			Saturday Midday		
		Critical move-ment	v/c	LOS	Critical move-ment	v/c	LOS	Critical move-ment	v/c	LOS
2012	A	NBL	0.06	A	EBT	0.07	A			
	B	NBL	0.05	A	EBT	0.07	A	NBL	0.10	A
	C	NBL	0.05	A	EBT	0.07	A			
	D	NBL	0.04	A	EBT	0.07	A	NBL	0.10	A
	E	NBL	0.06	A	EBT	0.08	A			
	F	NBL	0.05	A	EBT	0.07	A	NBL	0.10	A
	G	NBL	0.05	A	EBT	0.07	A			
	H	NBL	0.04	A	EBT	0.07	A	NBL	0.10	A
2022	A	NBL	0.43	B	NBL	0.49	C			
	B	NBL	0.29	A	WBL	0.25	A	NBL	0.32	B
	C	NBL	0.27	B	WBL	0.22	A			
	D	NBL	0.19	A	WBL	0.16	A	NBL	0.17	B
	E	NBL	0.45	B	NBL	0.56	C			
	F	NBL	0.30	B	NBL	0.29	C	NBL	0.39	C
	G	NBL	0.28	B	WBL	0.23	A			
	H	NBL	0.19	A	WBL	0.18	A	NBL	0.21	B
2032	A	NBL	0.44	B	NBL	0.56	C			
	B	NBL	0.30	B	NBL	0.28	B	NBL	0.38	C
	C	NBL	0.28	B	WBL	0.23	A			
	D	NBL	0.19	A	WBL	0.17	A	NBL	0.20	B
	E	NBL	0.47	B	NBL	0.88	E			
	F	NBL	0.32	B	NBL	0.43	C	NBL	0.59	C
	G	NBL	0.30	B	NBL	0.34	B			
	H	NBL	0.21	A	NBL	0.22	B	NBL	0.31	B

The critical approach to this intersection is the north bound left turn movement on Forbidden Plateau Road, which is required to stop and yield to traffic on Piercy Road. This movement is expected to operate at LOS C or better under all scenarios and all horizon years, except for Scenario E in 2031. In this case, the northbound left turn is expected to operate with a weekday peak hour volume to capacity ratio of 0.88 and a level of service E in 2032, under Option E. This same movement had a 95th percentile queue length of 67m (around 10 vehicles) in this scenario. When the intersection is modelled with just the background traffic flow and with no development traffic it is found to operate with a LOS B on the worst approach (northbound left turn movement) and a volume to capacity ratio of 0.07. Therefore, it is concluded that the site development traffic is responsible for the significant increase in delay and decrease in capacity.

We have estimated that by 2024, the northbound left turn movement under Option E drops below the desired level of service threshold of LOS D in 2024 when the volume to capacity ratio is 0.63; therefore, it is also concluded that some kind of off-site improvement is required under Option E by the year 2024 to meet operational targets.

To improve the level of service at this intersection to meet the performance threshold targets, both a roundabout and traffic signals have been considered for implementation at this intersection. A TAC Signal Warrant Analysis was completed for this intersection and the results are attached as **Appendix C**. The analysis found that a traffic signal would not be warranted at the intersection of Forbidden Plateau Road and Piercy Road in 2032 under the worst case traffic forecast scenario of Option E.

The operation of the roundabout has also been reviewed and was analysed using Sidra Intersection software. The Volume to Capacity (v/c) ratio and the Level of Service (LOS) for the intersection in 2032 is shown in **Table 6-3**.

Table 6-3: Piercy Road / Forbidden Plateau Road Roundabout

Year	Option	Morning Peak		Afternoon Peak		Saturday Peak	
		V/C	LOS	V/C	LOS	V/C	LOS
2032	A	0.32	A	0.35	B		
	B	0.22	A	0.27	B	0.33	A
	C	0.20	A	0.24	B		
	D	0.14	A	0.20	A	0.27	A
	E	0.33	A	0.40	B		
	F	0.23	A	0.32	B	0.44	A
	G	0.28	A	0.29	B		
	H	0.15	A	0.24	A	0.38	A

As shown in **Table 6-3** the introduction of a roundabout at this intersection will reduce the volume to capacity ratio and improve the level of service from an E to a B (assuming one circulating lane and one approach lane on each leg). Queue lengths on the critical northbound left turn are also reduced from 67m to 14m.

Based on the above analysis, we would conclude that under Option E, a roundabout would be the preferred off-site improvement to support the site development and that this roundabout should be in place by 2024. However, we are also of the opinion that the Option E forecast assumptions are unrealistically conservative:

- a 4% annual growth rate per year, extended through 20 years, is a very high level of growth sustained for a considerable period of time. Historical growth of traffic in the area has, on average, been closer to 2%;
- The MoTI trip rates were developed from studies conducted many years ago and are unrealistically high compared to other sources. We have been advised by MoTI staff from the Lower Mainland District that the MoTI has actually abandoned use of these rates as they are considered too high;
- The MoTI rates do not reflect the significant portion of patio homes or carriage houses, which will be smaller than the single family homes and therefore are expected to generate less vehicle trips;
- The site trip generation calculations do not include the effect of the retail component on the site, nor the adjacent recreational facilities, which could both serve to reduce vehicle trip generation;
- The site trip distribution assumes 100% of all traffic originates to and from the north. This results in a high volume turning left from Forbidden Plateau Road to Piercy

Road; this forecast would be very unrealistic if the private road to the south of the site remains open.

For these reasons, it is our opinion that the site development will not require any off-site roadway capacity or traffic control improvements at this intersection to support the additional traffic generated by the site development.

Option D is the most realistic option and under this scenario westbound left turn (the worst approach) queues reach 1 vehicle. Therefore it is concluded that the existing intersection layout can accommodate this level of traffic. However, several improvements to the existing layout are recommended.

To improve the sight distance from Forbidden Plateau Road to the west it recommended that the trees planted along the fence line of the property at 3976 Forbidden Plateau Road be removed. It was also noted that the stop bar on the Forbidden Plateau Road approach is set back from the intersection and as a result vehicles move forward over the line to gain better sight distance. It is our opinion that the stop line not be moved to ensure that the turning path of westbound left turning heavy vehicles does not cross into the northbound approach lanes.

In addition, it is recommended that the pavement markings on the northbound approach and the westbound left turn bay be repainted as they have been worn away.

6.3 Intersection of Forbidden Plateau Road and Duncan Bay Main Road

The Volume to Capacity (v/c) ratio and the Level of Service (LOS) for the critical movement at the intersection of Forbidden Plateau Road and DBM Road has been reported in **Table 6-4** for the various scenarios. For the purposes of this summary, it is assumed that Duncan Bay Main Road runs north-south and Forbidden Plateau runs east-west.

Table 6-4: Forbidden Plateau Road / Duncan Bay Main Road Operational Analysis Summary

Year	Option	Weekday Morning			Weekday Afternoon			Saturday Midday		
		Critical move-ment	v/c	LOS	Critical move-ment	v/c	LOS	Critical move-ment	v/c	LOS
2012	A	NBL	0.08	A	SBL	0.02	B			
	B	NBL	0.07	A	SBL	0.02	B	SBL	0.07	B
	C	NBL	0.06	A	SBL	0.01	B			
	D	NBL	0.05	A	NBL	0.07	A	SBL	0.07	B
	E	NBL	0.08	A	SBL	0.02	B			
	F	NBL	0.07	A	SBL	0.02	B	SBL	0.08	B
	G	NBL	0.06	A	SBL	0.02	B			
	H	NBL	0.05	A	NBL	0.07	A	SBL	0.07	B
2022	A	NBL	0.50	B	SBL	0.11	E			
	B	NBL	0.34	B	SBL	0.06	C	SBL	0.20	C
	C	NBL	0.32	B	SBL	0.05	C			
	D	NBL	0.22	B	SBL	0.03	C	NBL	0.24	B
	E	NBL	0.51	B	SBL	0.14	E			
	F	NBL	0.35	B	SBL	0.07	D	SBL	0.24	C
	G	NBL	0.32	B	SBL	0.06	C			
	H	SBL	0.04	B	SBL	0.04	C	NBL	0.26	B
2032	A	NBL	0.51	B	SBL	0.14	E			
	B	NBL	0.35	B	SBL	0.07	C	SBL	0.23	C
	C	NBL	0.32	B	SBL	0.06	C			
	D	SBL	0.04	B	SBL	0.04	C	NBL	0.26	B
	E	NBL	0.23	B	SBL	0.19	F			
	F	NBL	0.36	B	SBL	0.09	D	SBL	0.31	C
	G	NBL	0.34	B	SBL	0.07	C			
	H	SBL	0.06	B	SBL	0.05	C	NBL	0.30	B

As shown in the table above the critical movement for this intersection is the southbound left turn movement during the weekday afternoon peak hour of traffic. There is no development traffic associated with this movement; that is, all of the southbound left turn traffic is background traffic that would be present regardless of whether the Riverwood project proceeded, or not. Therefore, it is concluded that the Riverwood project would not generate the need for any roadway or traffic control improvements to address this problem.

It is important to note that while the delays associated with this movement are relatively high for some forecast scenarios resulting in LOS D-F, the volume impacted is very low, at 5 vehicles per hour. This very low level of traffic demand would not, in our view, justify any kind of roadway capacity or traffic control improvement.

From the site visit undertaken in August it was noted that existing pavement markings at this intersection are significantly faded and repainting is recommended on all approaches, regardless of whether the site redevelops.

6.4 Intersection of Comox Logging Road and Marsden Road

The Volume to Capacity (v/c) ratio and the Level of Service (LOS) for the critical movement at the intersection of Comox Logging Road and Marsden Road has been reported in **Table 6-5** for the various scenarios.

Table 6-5: Comox Logging Road / Marsden Road

Year	Option	Weekday Morning			Weekday Afternoon			Saturday Midday		
		Critical move-ment	v/c	LOS	Critical movem ent	v/c	LOS	Critical move-ment	v/c	LOS
2012	A	SBL	0.04	A	SBL	0.05	A			
	B	SBL	0.04	A	SBL	0.05	A	SBL	0.04	A
	C	SBL	0.04	A	SBL	0.05	A			
	D	SBL	0.04	A	SBL	0.05	A	SBL	0.04	A
	E	SBL	0.04	A	SBL	0.05	A			
	F	SBL	0.04	A	SBL	0.05	A	SBL	0.05	A
	G	SBL	0.04	A	SBL	0.05	A			
	H	SBL	0.04	A	SBL	0.05	A	SBL	0.05	A
2022	A	SBL	0.05	A	SBL	0.05	A			
	B	SBL	0.05	A	SBL	0.05	A	SBL	0.05	A
	C	SBL	0.06	B	NBL	0.12	B			
	D	SBL	0.06	B	NBL	0.08	B	NBL	0.07	B
	E	SBL	0.05	A	SBL	0.06	B			
	F	SBL	0.05	A	SBL	0.06	B	SBL	0.06	A
	G	SBL	0.07	B	NBL	0.13	B			
	H	SBL	0.06	B	NBL	0.09	B	SBL	0.07	B
2032	A	SBL	0.05	A	SBL	0.06	A			
	B	SBL	0.05	A	SBL	0.06	A	SBL	0.05	A
	C	SBL	0.07	B	NBL	0.12	B			
	D	SBL	0.06	B	NBL	0.09	B	SBL	0.07	B
	E	SBL	0.07	A	SBL	0.08	B			
	F	SBL	0.07	A	SBL	0.08	B	SBL	0.07	A
	G	SBL	0.09	B	NBL	0.14	B			
	H	SBL	0.08	B	SBL	0.11	B	SBL	0.09	B

The intersection of Comox Logging Road and Marsden Road will continue to operate with a low volume to capacity ratio with the additional traffic from the development. The critical northbound left turn movement was found to have a maximum 95th percentile queue length

of 3.8m (less than one vehicle) in the weekday afternoon peak period, for 2032 Option G, which can easily be accommodated on this approach.

6.5 Summary of Traffic Impact

If the private road to the south of the site remains open, then no off-site roadway capacity or traffic control improvements on public roads will be required to support the site redevelopment, although sight distance (tree removal) and pavement marking improvements are recommended at Piercy Road & Forbidden Plateau Road, and pavement marking improvements are recommended at Forbidden Plateau Road and DBM Road. If site traffic is permitted to use the private portion of DBM Road to the south, then some positive guidance to drivers through the private gravel works yard is recommended for safety reasons; this could include paving a road surface, signage and pavement markings.

If the private road to the south of the site is closed to the public, in all forecast scenarios but one, no off-site improvements other than those noted above at Piercy Road & Forbidden Plateau Road and at Forbidden Plateau Road and DBM Road will be necessary. Only if traffic grows on Piercy Road at about 4% per year and the site generates over 720 vehicles per hour during the weekday PM Peak Hour will there be a need to address northbound left turn delays at Piercy Road & Forbidden Plateau Road by about 2024. Traffic signals will not be warranted, but a roundabout may be an effective solution to traffic operations and reduce delays.

However, it is our opinion that the latter scenario is highly unlikely: 4% growth for 20 years is extremely high, MoTI trip rates are considered inappropriately high for this site and the trip generation estimates do not reflect the mixed use nature of the site and adjacent recreational opportunities which would generate more walking trips. In our opinion, the most likely forecast scenario is one with 2% growth for 20 years, with ITE trip rates and with the private road remaining open. In our view, the likelihood of the private road being closed is not high, given its significant level of use by the community.

7. Sustainable Transportation Measures

The Comox Valley Sustainability Strategy (CVSS) provides a series of goals that are addressed with objectives, targets and actions. With respect to transportation, these goals are primarily focused on reducing the reliance upon private vehicles with the draft goals outlined below:

- Reduce the need for single occupant vehicles;
- Promote high-efficiency, low emission and no-emission vehicles and alternative fuels;
- Implement transportation programs that increase walking, cycling and transit use.

To support site planning, Bunt & Associates has researched sustainable transportation measures that could be applicable to this site. The measures identified herein are based on best practices from other developments in British Columbia and across North America (some of which originated in Europe). The measures selected are specifically intended to maximize the sustainable elements of the Riverwood neighbourhood based on its scale, mix, and location. They have three primary objectives:

- Minimize automobile use (number and length of trips)
- Optimize transportation choice
- Reduce vehicle ownership

Strategy 1: Encourage Walking

Walking trips can be encouraged through a number of design aspects of the development, including:

- Centrally located services (convenience shopping, daycare, etc.) to reduce the need to travel out of the neighbourhood;
- Walkable access to a variety of transportation or community services;
- Traffic calmed streets with achieve 20-30 km/h operating speeds;
- An extensive, inviting, and safe network of sidewalks and trails within the neighbourhood and connecting to destinations outside of the neighbourhood with good lighting, signage and way finding maps; and
- Pedestrian-permeable and/or small development blocks.

Approximately half of the development land is dedicated as park land to ensure continued public access to the Puntledge River and Browns River Trail systems and other natural amenities of the area.

Strategy 2: Encourage Cycling

Cycling trips for transportation (not recreational) purposes can be encouraged through a number of design aspects of the development by incorporating the following features:

- New cycling facilities (on-street bike lanes, multi-use paved pathways within the street right-of-way, or off-street paved multi-use pathways to/from key travel destinations);
- Convenient connections to the existing and planned future cycling network;
- Way-finding and signage;
- Short term (bike racks) and long term (bike rooms, bike cages) parking located near neighbourhood services and transit hubs, and within multi-family developments;
- A charging station for electric bikes and scooters located near neighbourhood services.

Besides site design elements, developers can also support cycling through a "free bike" program with the sale of every home or provide seed money for a community bike share program.

The Comox Valley Cycling Task Force is working to develop a comprehensive cycling strategy. Its goal is to improve cycling access in the Comox Valley, both recreationally and for commuting, and to improve safe travel for all members of the public and safe access to regional bikeways. The Task Force focuses on education, recreation, and transportation. The developer could work with the Task Force, along with the Regional District, to identify and fund key cycling projects which would benefit cycling in the study area as a whole.

Strategy 3: Provide Transit to Key Destinations

Currently, there is no transit service to the proposed development area and we understand that discussions with BC Transit staff indicate that such service is unlikely given the development's lack of proximity to existing urban services and relative small population. However, the developer could provide a community shuttle van and operating funds for a private transit service to take residents into downtown Courtenay and Comox for work, shopping and personal business trips. This could be an on-demand or regularly scheduled service, originating out of the central area, which could become a transportation hub focussed around community services.

If community demand for transit use increases and ultimately could justify the investment in public transit services, a program could be implemented similar to that for residents in the Cape Lazo/Point Holmes area and the Huband Road/Seal Bay area, who have Community Bus service. This service is available three times a day, Monday to Friday. Passengers are bussed to key exchange points where they can then transfer to and from regular Comox Valley Transit trips.

Strategy 4: Encourage Car Pooling

A carpool consists of two or more people sharing a ride in a vehicle to travel to a common destination. Ride sharing may involve one person who does all the driving, with riders volunteering to pay for a share of fuel and operating costs. Drivers can also rotate with any kind of mutually acceptable cost sharing agreement.

At Riverwood, the developer could include a community amenity space in the central transportation hub that includes a "Ride Share Board" and/or internet access that would allow residents to match to other residents when making regular trips.

Strategy 5: Encourage Car Sharing

Car-sharing in BC and Canada is growing exponentially as more and more people become aware of the benefits it brings. In particular, it provides a low cost and flexible alternative to private vehicle ownership, while developers benefit by being able to reduce parking requirements and therefore achieving cost savings (for example, in the Lower Mainland the cities of Vancouver and Burnaby now allow reductions in parking supply if car-share stalls, and agreements with car-share providers are provided by developers).

Typically, 1 car-share vehicle can support somewhere between 150 and 200 units if at least one person per unit is a member of the car-share program. Vehicles are purchased by the developer ($25,000 to $35,000 depending on the model) and maintained by the car-share operator (Cooperative Auto Network, Car Share Co-op, Zip Car; all operating in BC). Members must pay a fee to join (typically, about $500 which is refundable if a member leaves the program) and then must pay for use of the vehicle by the hour or day. Members pre-book vehicles over the phone or through the internet. Best practice suggests that vehicles should be located in publically accessible and visible locations and preferably be located close to the community facilities.

In the case of Riverwood, the neighbourhood could potentially support two car-share vehicles, which should be centrally located in the development. However, as the

neighbourhood is primarily single family and patio/carriage homes, it is unlikely a parking supply reduction could be justified for these individual properties as they do not share parking supply. It is recommended that the developer contact the three car share operators and determine whether Riverwood would meet their criteria for provision of car share vehicles; it may be that the development is too small or not sufficiently dense to be a good candidate.

Strategy 6: Discourage Excessive Parking Supply

Excessive parking provision can undermine sustainability provisions and negatively impact walkable and cycling-friendly urban design. In single family development without lanes, providing one garage space per unit plus space for one additional vehicle in the driveway should be sufficient, with on-street parking supporting any resident or visitor vehicle overflow. Also, providing on-street parking on only one side of the street is usually more than sufficient for single family neighbourhoods. For single family homes with rear lanes there is more on-street supply available as there are no driveways present, so again, one-car garages should be sufficient. This approach encourages on-street parking which has been proved to reduce vehicle speeds, thereby creating a more pedestrian and cycle friendly neighbourhood.

For "pod" townhouse development with minimal street frontage that could be used for on-street parking, a maximum of 1.2 stalls per unit on-site should be provided. On-site visitor parking should be pooled rather than spread over the development site and should be a maximum of 10% of the total number of townhouse units. For street-oriented townhouse development, rear lanes with one car garages should be used and on-street parking should be provided on both sides of the street to support both resident overflow and visitor parking.

Strategy 7: Eliminate Trips

The impetus behind electronic or e-transport is to eliminate the need to make particular trips altogether, in particular shopping, education, and commuter trips. From a development perspective, high-speed internet should form a key requirement for the development and it should be something delivered to each unit at time of purchase. Those who can work from home should be encouraged to do so. The developer could also establish a neighbourhood work centre equipped with video and phone conferencing facilities.

8. Conclusions & Recommendations

The following key points summarise the findings of the Traffic Assessment for the proposed Riverwood Residential Development in Courtenay:

1. Existing traffic volumes in the study area are relatively low, except on Highway 19.

2. Existing traffic operations in the study area are good, at LOS B or better, with no queuing problems.

3. Existing pavement markings at Piercy Road & Forbidden Plateau Road are faded.

4. There is an existing sight distance obstruction for northbound drivers at Piercy Road & Forbidden Plateau Road; it appears an adjacent home owner has planted trees which block drivers' views to eastbound traffic approaching the intersection. Drivers are forced to cross the northbound stop bar in order to see oncoming traffic.

5. The first phase of development, planned to be completed by 2012, will be 60 homes and is expected to generate 39 to 60 vph in the Weekday AM Peak Hour; 50 to 72 vph in the Weekday PM Peak Hour and 47 vph in the Saturday Mid-day Peak Hour. In our view, the lower end of the range of trip generation is more likely, as the MoTI trip rates are considered too conservative for this development..

6. By build-out in 2022, the additional 540 homes and neighbourhood retail is expected to generate, in total, 384 to 600 vph in the Weekday AM Peak Hour, 506 to 720 vph in the Weekday PM Peak Hour and 466 vph in the Saturday Mid-Day Peak Hour. Again, the lower end of the range of trip generation is considered to be more likely for this development.

7. If the private road to the south of the site remains open, then no off-site roadway capacity or traffic control improvements on public roads will be required to support the site redevelopment, although sight distance (removal of trees) and pavement marking improvements are recommended at Piercy Road & Forbidden Plateau Road, and pavement marking improvements are recommended at Forbidden Plateau Road and DBM Road. If site traffic is permitted to use the private portion of DBM Road to the south, then some positive guidance to drivers through the private gravel works yard is recommended for safety reasons; this could include paving a road surface, signage and pavement markings.

8. If the private road to the south of the site is closed to the public, in all forecast scenarios but one, no off-site improvements other than those noted above at Piercy Road & Forbidden Plateau Road and at Forbidden Plateau Road and DBM Road will be necessary. Only if traffic grows on Piercy Road at about 4% per year and the site generates over 720 vehicles per hour during the weekday PM Peak Hour will there be a need to address northbound left turn delays at Piercy Road & Forbidden Plateau Road by about 2024. Traffic signals will not be warranted, but a roundabout may be an effective solution to traffic operations and reduce delays. However, it is our opinion that the latter scenario is highly unlikely: 4% growth for 20 years is extremely high, MoTI trip rates are considered inappropriately high for this site and the trip generation estimates do not reflect the mixed use nature of the site and adjacent recreational opportunities which would generate more walking trips.

9. Various measures can be pursued by the developer to support regional goals for sustainability, which are outlined in Section 7.

Appendix A – MoT Turning Movement Summary Sheets

VEHICLE TURNING MOVEMENT SURVEY
Ministry of Transportation & Highways
South Coast Region

Major Route: HW 19
Minor Route: Piercy Road
Municipality: Comox Valley Regional District
Filename: MoT - HW19 & Piercy Site Code: 00000

Date: Sept 18, 2009
Day-of-week: Friday

Speed Limit Major Rte: 90
Speed Limit Minor Rte: 70

East/West Route: Piercy Road
Intersection Type: 5 ---> 3-leg east approach
Signalized (y/n?): Yes
Weather: dry and sunny

	Lanes								Bus Stop		Bus
	TLR	R	(ch)	TR	T	TL	L	Grade	Near	Far	Bay
North Approach					2		1				
South Approach		1			2						
West Approach		1					1				
East Approach											

note: (ch) - channelized A: parallel lane B: taper

	Start	Duration
A.M. Shift	07:30	3.25
Noon Shift	11:00	2.00
P.M. Shift	15:00	3.00
	Total	8.25

Note: duration: decimal hours
start time: 24 hr clock (15 min increments)

Comments: _____

Notes: North Approach - vehicles approaching intersection from the north
15x4 - 15 min volume (from max 15 minute period [+] in peak hour period [*]) x 4
Pedestrians - N indicates pedestrians crossing north approach (east/west)

Survey Data

Location: HW 19 @ Piercy Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0				
07:45	4	37	0	0	31	3	0	0	0	4	0	7	86				
08:00	8	28	0	0	36	1	0	0	0	2	0	10	85				
08:15	2	42	0	0	30	6	0	0	0	0	0	6	86				
08:30	5	25	0	0	29	2	0	0	0	3	0	8	72				
08:45	10	37	0	0	26	1	0	0	0	2	0	13	89				
09:00	5	33	0	0	43	3	0	0	0	3	0	16	103				
09:15	3	43	0	0	33	3	0	0	0	3	0	3	88				
09:30	9	34	0	0	33	4	0	0	0	3	0	4	87 *				
09:45	8	42	0	0	31	3	0	0	0	2	0	10	96 +				
10:00	8	49	0	0	27	0	0	0	0	3	0	9	96 +				
10:15	10	41	0	0	31	1	0	0	0	3	0	10	96 +				
Total	72	411	0	0	350	27	0	0	0	28	0	96	984	0	0	0	0
Pk Hr	35	166	0	0	122	8	0	0	0	11	0	33	375 *	0	0	0	0
15x4	40	164	0	0	124	4	0	0	0	12	0	40	384 +	0	0	0	0
11:00													0				
11:15													0				
11:30													0				
11:45													0				
12:00													0 +				
12:15													0 +				
12:30													0 +				
12:45													0 +				
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
15:00	20	55	0	0	37	3	0	0	0	5	0	3	123				
15:15	13	46	0	0	40	2	0	0	0	0	0	10	111				
15:30	21	63	0	0	59	4	0	0	0	12	0	9	168				
15:45	18	67	0	0	50	1	0	0	0	1	0	10	147				
16:00	20	63	0	0	53	6	0	0	0	1	0	9	152				
16:15	22	50	0	0	71	11	0	0	0	4	0	11	169 +				
16:30	17	44	0	0	71	5	0	0	0	8	0	19	164 *				
16:45	20	54	0	0	61	11	0	0	0	0	0	14	160 *				
17:00	26	66	0	0	55	4	0	0	0	2	0	12	165 *				
17:15	12	57	0	0	43	6	0	0	0	1	0	11	130				
17:30	21	44	0	0	56	8	0	0	0	1	0	8	138				
17:45	18	38	0	0	54	3	0	0	0	2	0	7	122				
Total	228	647	0	0	650	64	0	0	0	37	0	123	1749	0	0	0	0
Pk Hr	85	214	0	0	258	31	0	0	0	14	0	56	658 *	0	0	0	0
15x4	88	200	0	0	284	44	0	0	0	16	0	44	676 +	0	0	0	0

AM Peak Period

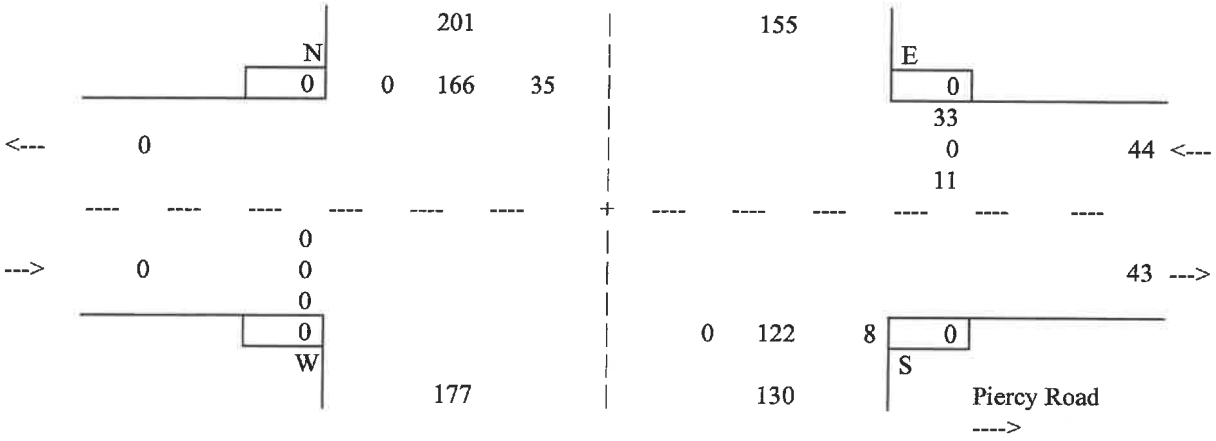
Location: HW 19 @ Piercy Road
Date: Sept 18, 2009

Time	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
Period	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	4	37	0	0	31	3	0	0	0	4	0	7	86	0	0	0	0
08:00	8	28	0	0	36	1	0	0	0	2	0	10	85	0	0	0	0
08:15	2	42	0	0	30	6	0	0	0	0	0	6	86	0	0	0	0
08:30	5	25	0	0	29	2	0	0	0	3	0	8	72	0	0	0	0
08:45	10	37	0	0	26	1	0	0	0	2	0	13	89	0	0	0	0
09:00	5	33	0	0	43	3	0	0	0	3	0	16	103	0	0	0	0
09:15	3	43	0	0	33	3	0	0	0	3	0	3	88	0	0	0	0
09:30	9	34	0	0	33	4	0	0	0	3	0	4	87 *	0	0	0	0
09:45	8	42	0	0	31	3	0	0	0	2	0	10	96 +	0	0	0	0
10:00	8	49	0	0	27	0	0	0	0	3	0	9	96 +	0	0	0	0
10:15	10	41	0	0	31	1	0	0	0	3	0	10	96 +	0	0	0	0
Total	72	411	0	0	350	27	0	0	0	28	0	96	984	0	0	0	0
Pk Hr	35	166	0	0	122	8	0	0	0	11	0	33	375 *	0	0	0	0
15x4	40	164	0	0	124	4	0	0	0	12	0	40	384 +	0	0	0	0
Avg Hr	22	126	0	0	108	8	0	0	0	9	0	30	303	0	0	0	0

Peak Hour	09:30
Peak 15min	10:15
North approach PHF	0.99
South approach PHF	1.02
West approach PHF	n/a
East approach PHF	0.85

N
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AM Peak Hour Volumes



Noon Peak Period

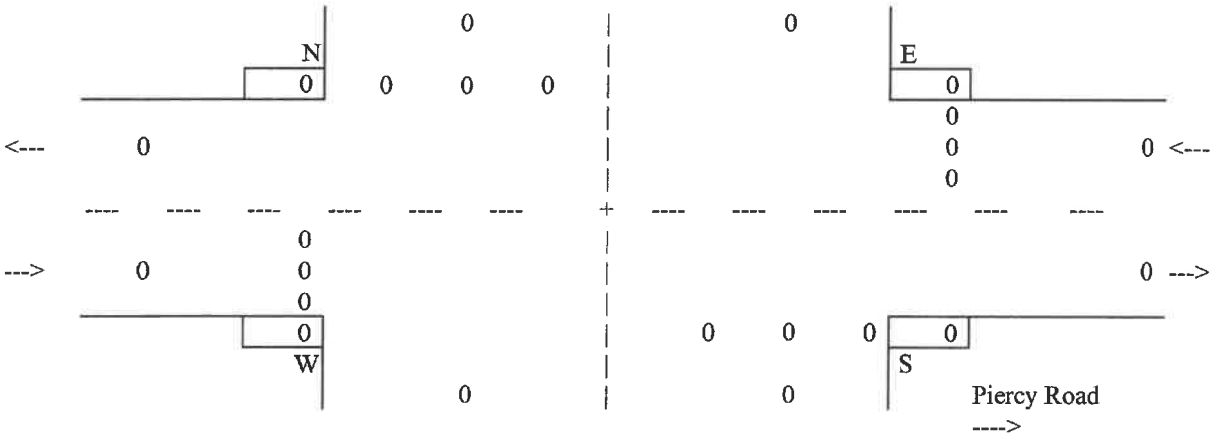
Location: HW 19 @ Piercy Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

N
^
|

Peak Hour	12:00
Peak 15min	12:45
North Leg PHF	#DIV/0!
South Leg PHF	#DIV/0!
West Leg PHF	n/a
East Leg PHF	#DIV/0!

Noon Peak Hour Volumes



PM Peak Period

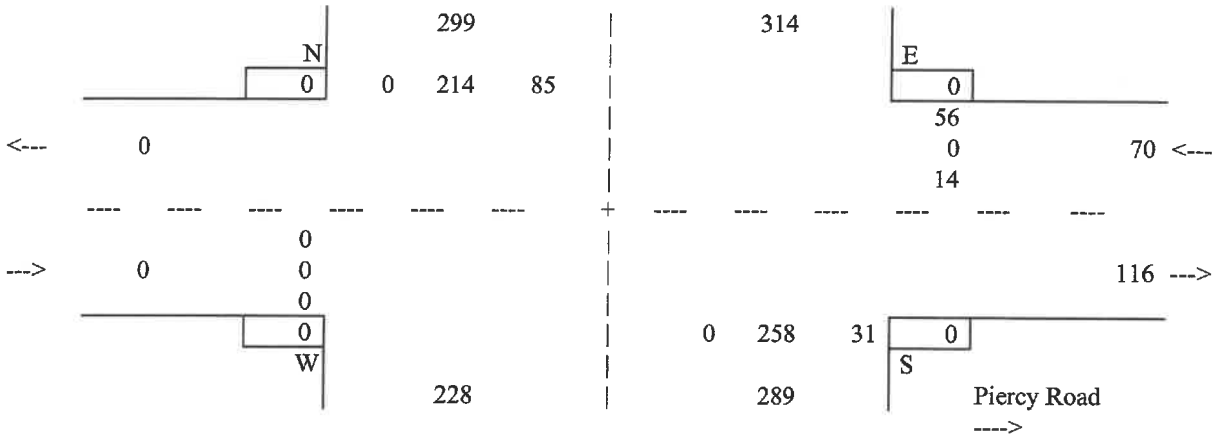
Location: HW 19 @ Piercy Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
15:00	20	55	0	0	37	3	0	0	0	5	0	3	123	0	0	0	0
15:15	13	46	0	0	40	2	0	0	0	0	0	10	111	0	0	0	0
15:30	21	63	0	0	59	4	0	0	0	12	0	9	168	0	0	0	0
15:45	18	67	0	0	50	1	0	0	0	1	0	10	147	0	0	0	0
16:00	20	63	0	0	53	6	0	0	0	1	0	9	152	0	0	0	0
16:15	22	50	0	0	71	11	0	0	0	4	0	11	169 +	0	0	0	0
16:30	17	44	0	0	71	5	0	0	0	8	0	19	164 *	0	0	0	0
16:45	20	54	0	0	61	11	0	0	0	0	0	14	160 *	0	0	0	0
17:00	26	66	0	0	55	4	0	0	0	2	0	12	165 *	0	0	0	0
17:15	12	57	0	0	43	6	0	0	0	1	0	11	130	0	0	0	0
17:30	21	44	0	0	56	8	0	0	0	1	0	8	138	0	0	0	0
17:45	18	38	0	0	54	3	0	0	0	2	0	7	122	0	0	0	0
Total	228	647	0	0	650	64	0	0	0	37	0	123	1749	0	0	0	0
Pk Hr	85	214	0	0	258	31	0	0	0	14	0	56	658 *	0	0	0	0
15x4	88	200	0	0	284	44	0	0	0	16	0	44	676 +	0	0	0	0
Avg Hr	76	216	0	0	217	21	0	0	0	12	0	41	583	0	0	0	0

Peak Hour	16:15
Peak 15min	16:15
North Leg PHF	1.04
South Leg PHF	0.88
West Leg PHF	n/a
East Leg PHF	1.17

N
^
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PM Peak Hour Volumes

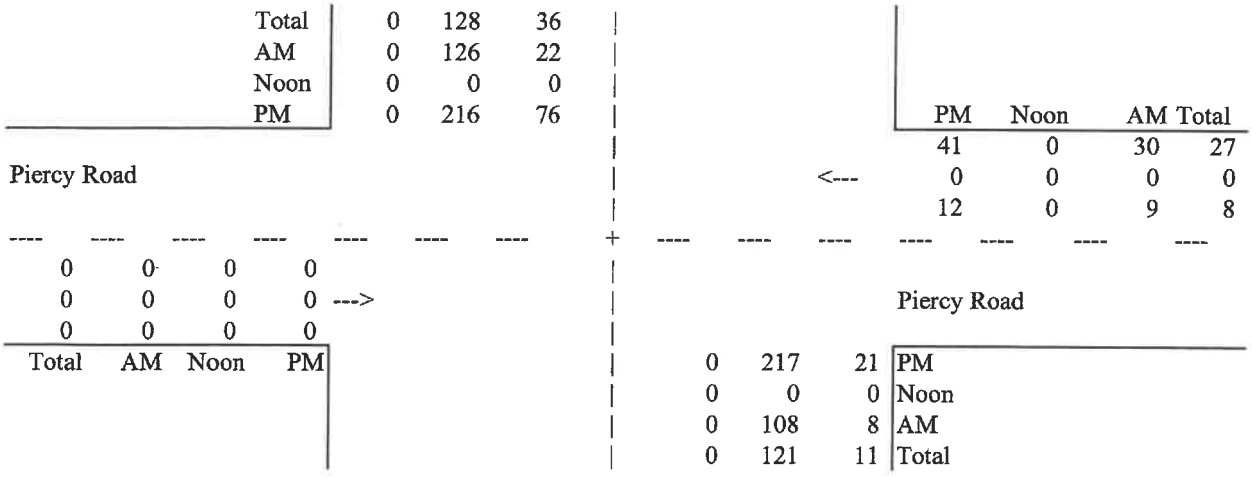


Average Hour Period

Location: HW 19 @ Piercy Road
Sept 18, 2009

	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
Survey																	
Total	300	1058	0	0	1000	91	0	0	0	65	0	219	2733	0	0	0	0
Hours	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8
Avg Hr	36	128	0	0	121	11	0	0	0	8	0	27	331	0	0	0	0
AM Period																	
Total	72	411	0	0	350	27	0	0	0	28	0	96	984	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	22	126	0	0	108	8	0	0	0	9	0	30	303	0	0	0	0
Noon Period																	
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hours	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM Period																	
Total	228	647	0	0	650	64	0	0	0	37	0	123	1749	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	76	216	0	0	217	21	0	0	0	12	0	41	583	0	0	0	0

Average Hour Volumes



VEHICLE TURNING MOVEMENT SURVEY
Ministry of Transportation & Highways
South Coast Region

Major Route:	Piercy Road
Minor Route:	Forbidden Plateau Road
Municipality:	Comox valley Regional District
Filename:	MoT Intersection Count templ Site Code: 00000
Date:	September 18,2009
Day-of-week:	Friday
Speed Limit Major Rte:	70 km/hr
Speed Limit Minor Rte:	60
East/West Route:	Piercy Road
Intersection Type:	3 ---> 3-leg south approach
Signalized (y/n?):	No
Weather:	Dry and Sunny

	Lanes								Bus Stop		Bus
	TLR	R	(ch)	TR	T	TL	L	Grade	Near	Far	Bay
North Approach											
South Approach	0	1	0	0	0	0	1				
West Approach	0	0	0	1	0	0	0				
East Approach	0	0	0	0	1	0	1				

note: (ch) - channelized A: parallel lane B: taper

	Start	Duration
A.M. Shift	07:30	3.00
Noon Shift	11:00	2.00
P.M. Shift	15:00	3.00
	Total	8.00

Note: duration: decimal hours
start time: 24 hr clock (15 min increments)

Comments: _____

Notes: North Approach - vehicles approaching intersection from the north
15x4 - 15 min volume (from max 15 minute period [+] in peak hour period [*]) x 4
Pedestrians - N indicates pedestrians crossing north approach (east/west)

Survey Data

Location: Piercy Road @ Forbidden Plateau Road
Date: September 18,2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	0	0	0	6	0	7	0	4	2	8	11	0	38	0	0	0	0
08:00	0	0	0	1	0	7	0	7	1	1	8	0	25	0	0	0	0
08:15	0	0	0	1	0	7	0	8	2	0	5	0	23	0	0	0	0
08:30	0	0	0	0	0	2	0	4	0	4	9	0	19	0	0	0	0
08:45	0	0	0	2	0	7	0	6	2	6	13	0	36 *	0	0	0	0
09:00	0	0	0	1	0	6	0	10	4	1	17	0	39 +	0	0	0	0
09:15	0	0	0	2	0	1	0	2	3	4	5	0	17 *	0	0	0	0
09:30	0	0	0	4	0	3	0	8	3	5	3	0	26 *	0	0	0	0
09:45	0	0	0	3	0	8	0	7	1	7	8	0	34	0	0	0	0
10:00	0	0	0	1	0	7	0	9	0	4	13	0	34	0	0	0	0
10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	21	0	55	0	65	18	40	92	0	291	0	0	0	0
Pk Hr	0	0	0	9	0	17	0	26	12	16	38	0	118 *	0	0	0	0
15x4	0	0	0	4	0	24	0	40	16	4	68	0	156 +	0	0	0	0
11:00													0				
11:15													0				
11:30													0				
11:45													0				
12:00													0 +				
12:15													0 +				
12:30													0 +				
12:45													0 +				
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
15:00	0	0	0	1	0	12	0	19	1	3	10	0	46	0	0	0	0
15:15	0	0	0	3	0	6	0	12	5	8	7	0	41	0	0	0	0
15:30	0	0	0	4	0	15	0	16	5	8	17	0	65	0	0	0	0
15:45	0	0	0	3	0	5	0	13	6	2	11	0	40	0	0	0	0
16:00	0	0	0	3	0	3	0	16	8	8	5	0	43	0	0	0	0
16:15	0	0	0	3	0	4	0	19	6	7	10	0	49	0	0	0	0
16:30	0	0	0	8	0	1	0	20	7	10	3	0	49 *	0	0	0	0
16:45	0	0	0	4	0	5	0	17	7	12	17	0	62 +	0	0	0	0
17:00	0	0	0	5	0	3	0	15	8	4	7	0	42 *	0	0	0	0
17:15	0	0	0	1	0	8	0	15	8	8	12	0	52 *	0	0	0	0
17:30	0	0	0	3	0	8	0	16	5	5	9	0	46	0	0	0	0
17:45	0	0	0	4	0	5	0	19	3	9	7	0	47	0	0	0	0
Total	0	0	0	42	0	75	0	197	69	84	115	0	582	0	0	0	0
Pk Hr	0	0	0	18	0	17	0	67	30	34	39	0	205 *	0	0	0	0
15x4	0	0	0	16	0	20	0	68	28	48	68	0	248 +	0	0	0	0

AM Peak Period

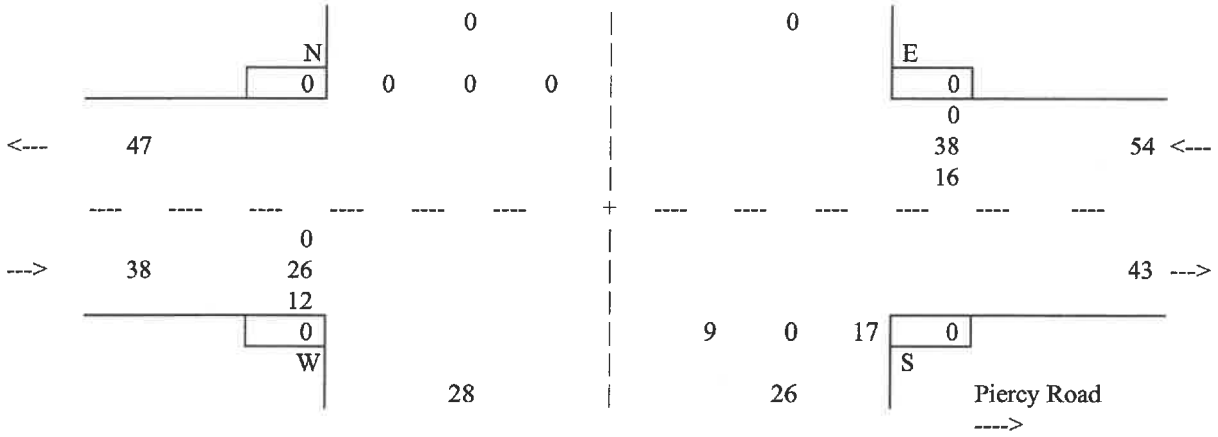
Location: Piercy Road @ Forbidden Plateau Road
Date: September 18,2009

Time	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
Period	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	0	0	0	6	0	7	0	4	2	8	11	0	38	0	0	0	0
08:00	0	0	0	1	0	7	0	7	1	1	8	0	25	0	0	0	0
08:15	0	0	0	1	0	7	0	8	2	0	5	0	23	0	0	0	0
08:30	0	0	0	0	0	2	0	4	0	4	9	0	19	0	0	0	0
08:45	0	0	0	2	0	7	0	6	2	6	13	0	36 *	0	0	0	0
09:00	0	0	0	1	0	6	0	10	4	1	17	0	39 +	0	0	0	0
09:15	0	0	0	2	0	1	0	2	3	4	5	0	17 *	0	0	0	0
09:30	0	0	0	4	0	3	0	8	3	5	3	0	26 *	0	0	0	0
09:45	0	0	0	3	0	8	0	7	1	7	8	0	34	0	0	0	0
10:00	0	0	0	1	0	7	0	9	0	4	13	0	34	0	0	0	0
10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	21	0	55	0	65	18	40	92	0	291	0	0	0	0
Pk Hr	0	0	0	9	0	17	0	26	12	16	38	0	118 *	0	0	0	0
15x4	0	0	0	4	0	24	0	40	16	4	68	0	156 +	0	0	0	0
Avg Hr	0	0	0	7	0	18	0	22	6	13	31	0	97	0	0	0	0

Peak Hour	08:45
Peak 15min	09:00
North approach PHF	n/a
South approach PHF	0.93
West approach PHF	0.68
East approach PHF	0.75

N
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AM Peak Hour Volumes



Noon Peak Period

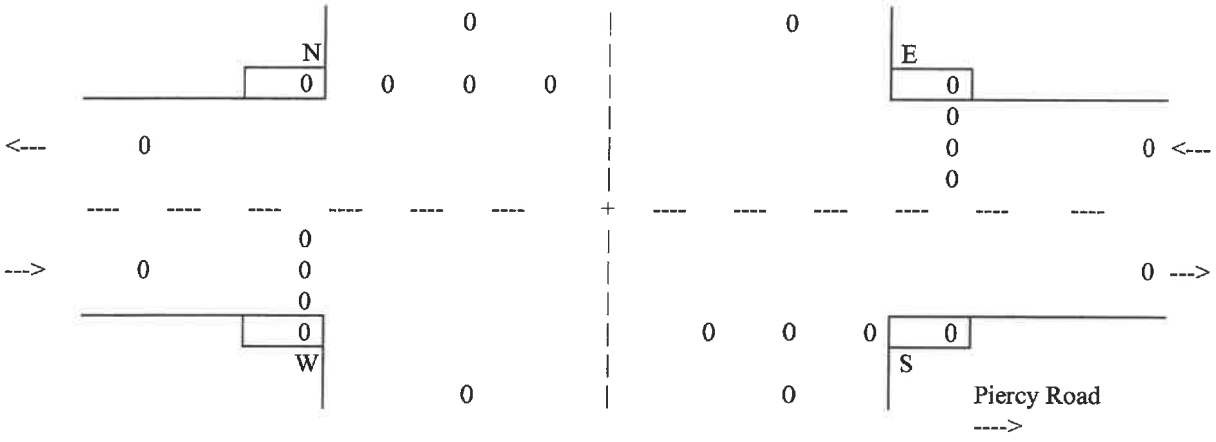
Location: Piercy Road @ Forbidden Plateau Road
Date: September 18,2009

Time	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
Period	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

N
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Peak Hour	12:00
Peak 15min	12:45
North Leg PHF	n/a
South Leg PHF	#DIV/0!
West Leg PHF	#DIV/0!
East Leg PHF	#DIV/0!

Noon Peak Hour Volumes



PM Peak Period

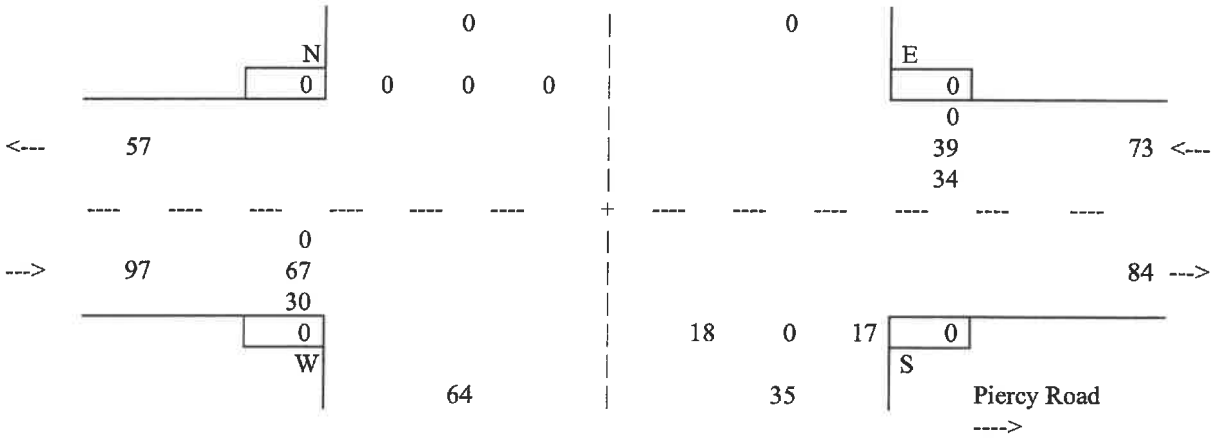
Location: Piercy Road @ Forbidden Plateau Road
Date: September 18,2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
15:00	0	0	0	1	0	12	0	19	1	3	10	0	46	0	0	0	0
15:15	0	0	0	3	0	6	0	12	5	8	7	0	41	0	0	0	0
15:30	0	0	0	4	0	15	0	16	5	8	17	0	65	0	0	0	0
15:45	0	0	0	3	0	5	0	13	6	2	11	0	40	0	0	0	0
16:00	0	0	0	3	0	3	0	16	8	8	5	0	43	0	0	0	0
16:15	0	0	0	3	0	4	0	19	6	7	10	0	49	0	0	0	0
16:30	0	0	0	8	0	1	0	20	7	10	3	0	49 *	0	0	0	0
16:45	0	0	0	4	0	5	0	17	7	12	17	0	62 +	0	0	0	0
17:00	0	0	0	5	0	3	0	15	8	4	7	0	42 *	0	0	0	0
17:15	0	0	0	1	0	8	0	15	8	8	12	0	52 *	0	0	0	0
17:30	0	0	0	3	0	8	0	16	5	5	9	0	46	0	0	0	0
17:45	0	0	0	4	0	5	0	19	3	9	7	0	47	0	0	0	0
Total	0	0	0	42	0	75	0	197	69	84	115	0	582	0	0	0	0
Pk Hr	0	0	0	18	0	17	0	67	30	34	39	0	205 *	0	0	0	0
15x4	0	0	0	16	0	20	0	68	28	48	68	0	248 +	0	0	0	0
Avg Hr	0	0	0	14	0	25	0	66	23	28	38	0	194	0	0	0	0

Peak Hour	16:30
Peak 15min	16:45
North Leg PHF	n/a
South Leg PHF	0.97
West Leg PHF	1.01
East Leg PHF	0.63

N
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PM Peak Hour Volumes

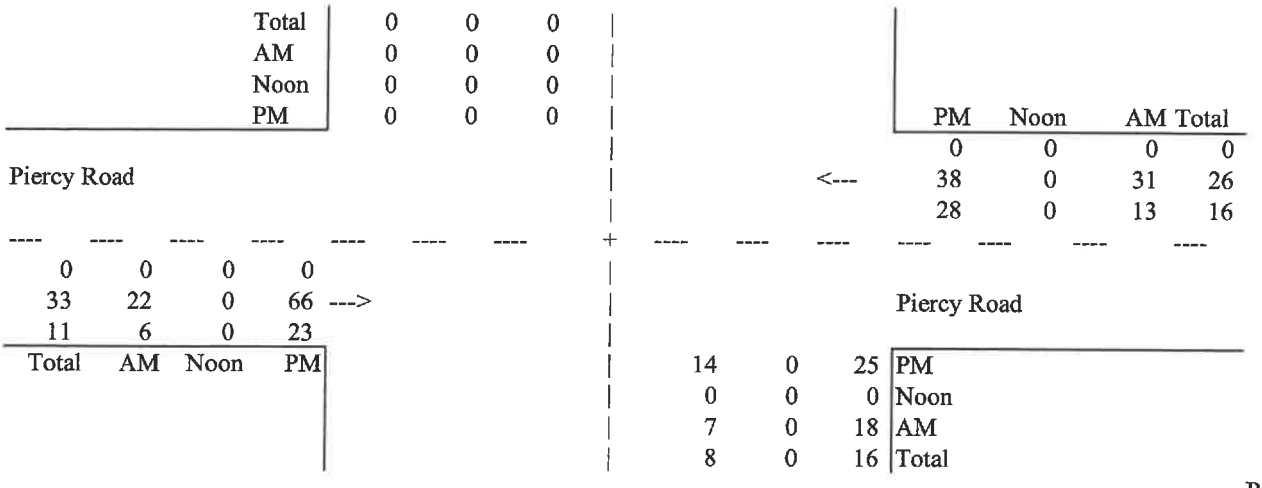


Average Hour Period

Location: Piercy Road @ Forbidden Plateau Road
September 18,2009

	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
Survey																	
Total	0	0	0	63	0	130	0	262	87	124	207	0	873	0	0	0	0
Hours	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8
Avg Hr	0	0	0	8	0	16	0	33	11	16	26	0	109	0	0	0	0
AM Period																	
Total	0	0	0	21	0	55	0	65	18	40	92	0	291	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	0	0	0	7	0	18	0	22	6	13	31	0	97	0	0	0	0
Noon Period																	
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hours	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM Period																	
Total	0	0	0	42	0	75	0	197	69	84	115	0	582	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	0	0	0	14	0	25	0	66	23	28	38	0	194	0	0	0	0

Average Hour Volumes



VEHICLE TURNING MOVEMENT SURVEY
Ministry of Transportation & Highways
South Coast Region

Major Route:	Forbidden Plateau Road
Minor Route:	Duncan Bay Main Road
Municipality:	Comox Valley Regional District
Filename:	MoT - FP & DBM Site Code: 00000
Date:	Sept 18, 2009
Day-of-week:	Friday
Speed Limit Major Rte:	60
Speed Limit Minor Rte:	60
East/West Route:	Forbidden Plateau Road
Intersection Type:	1 ---> 4-leg
Signalized (y/n?):	No
Weather:	dry and sunny

	Lanes								Bus Stop		Bus
	TLR	R	(ch)	TR	T	TL	L	Grade	Near	Far	Bay
North Approach	1										
South Approach	1										
West Approach	1										
East Approach	1										

note: (ch) - channelized A: parallel lane B: taper

	Start	Duration
A.M. Shift	07:30	2.75
Noon Shift	11:00	2.00
P.M. Shift	15:00	3.00
	Total	7.75

Note: duration: decimal hours
start time: 24 hr clock (15 min increments)

Comments: _____

Notes: North Approach - vehicles approaching intersection from the north
15x4 - 15 min volume (from max 15 minute period [+] in peak hour period [*]) x 4
Pedestrians - N indicates pedestrians crossing north approach (east/west)

Survey Data

Location: Forbidden Plateau Road @ Duncan Bay Main Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0				
07:45	0	11	2	0	3	2	2	1	0	1	1	2	25				
08:00	0	2	0	0	10	4	1	1	0	4	5	0	27				
08:15	1	1	1	1	3	2	0	1	0	0	0	1	11				
08:30	0	3	1	0	2	2	2	0	0	0	1	1	12				
08:45	1	3	1	0	7	2	0	2	0	1	0	1	18				
09:00	1	1	0	0	3	0	1	3	0	0	2	1	12				
09:15	0	6	2	0	2	1	0	2	1	1	2	2	19 *				
09:30	2	5	1	0	4	2	2	1	0	3	3	2	25 +				
09:45	0	2	3	0	6	0	3	1	0	3	1	0	19 *				
10:00	1	1	0	0	1	3	2	2	1	2	5	3	21 *				
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0				
Total	6	35	11	1	41	18	13	14	2	15	20	13	189	0	0	0	0
Pk Hr	3	14	6	0	13	6	7	6	2	9	11	7	84 *	0	0	0	0
15x4	8	20	4	0	16	8	8	4	0	12	12	8	100 +	0	0	0	0
11:00													0				
11:15													0				
11:30													0				
11:45													0				
12:00													0 +				
12:15													0 +				
12:30													0 +				
12:45													0 +				
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
15:00	1	4	1	0	2	1	1	2	1	1	1	3	18				
15:15	6	5	2	0	9	5	1	3	0	4	5	7	47				
15:30	6	4	2	0	10	2	3	3	0	3	0	4	37				
15:45	5	4	0	1	2	3	0	1	0	1	1	2	20				
16:00	5	11	0	0	2	5	1	2	1	1	1	2	31				
16:15	5	4	0	0	2	3	1	0	0	3	1	6	25				
16:30	7	7	5	1	2	2	1	1	0	7	3	6	42 +				
16:45	5	8	1	1	1	3	1	3	0	8	0	3	34 *				
17:00	6	4	1	1	3	0	0	2	1	4	1	5	28 *				
17:15	7	8	0	0	5	1	1	2	2	4	1	3	34 *				
17:30	5	3	1	0	5	2	1	0	0	3	0	2	22				
17:45	2	8	0	0	2	1	0	2	0	7	0	6	28				
Total	60	70	13	4	45	28	11	21	5	46	14	49	366	0	0	0	0
Pk Hr	25	27	7	3	11	6	3	8	3	23	5	17	138 *	0	0	0	0
15x4	28	28	20	4	8	8	4	4	0	28	12	24	168 +	0	0	0	0

AM Peak Period

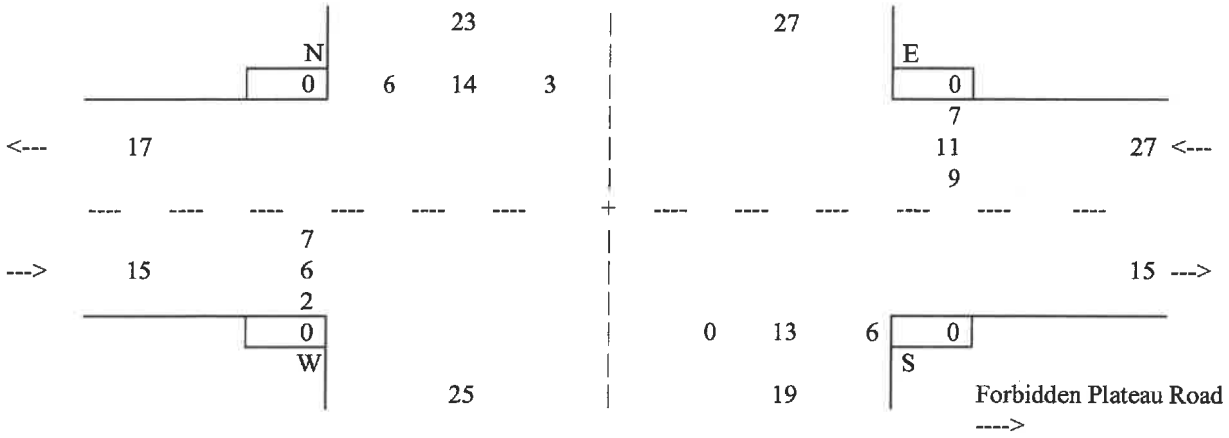
Location: Forbidden Plateau Road @ Duncan Bay Main Road
Date: Sept 18, 2009

Time	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
Period	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	0	11	2	0	3	2	2	1	0	1	1	2	25	0	0	0	0
08:00	0	2	0	0	10	4	1	1	0	4	5	0	27	0	0	0	0
08:15	1	1	1	1	3	2	0	1	0	0	0	1	11	0	0	0	0
08:30	0	3	1	0	2	2	2	0	0	0	1	1	12	0	0	0	0
08:45	1	3	1	0	7	2	0	2	0	1	0	1	18	0	0	0	0
09:00	1	1	0	0	3	0	1	3	0	0	2	1	12	0	0	0	0
09:15	0	6	2	0	2	1	0	2	1	1	2	2	19 *	0	0	0	0
09:30	2	5	1	0	4	2	2	1	0	3	3	2	25 +	0	0	0	0
09:45	0	2	3	0	6	0	3	1	0	3	1	0	19 *	0	0	0	0
10:00	1	1	0	0	1	3	2	2	1	2	5	3	21 *	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	6	35	11	1	41	18	13	14	2	15	20	13	189	0	0	0	0
Pk Hr	3	14	6	0	13	6	7	6	2	9	11	7	84 *	0	0	0	0
15x4	8	20	4	0	16	8	8	4	0	12	12	8	100 +	0	0	0	0
Avg Hr	2	13	4	0	15	7	5	5	1	5	7	5	69	0	0	0	0

Peak Hour	09:15
Peak 15min	09:30
North approach PHF	0.72
South approach PHF	0.79
West approach PHF	1.25
East approach PHF	0.84

N
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AM Peak Hour Volumes



Noon Peak Period

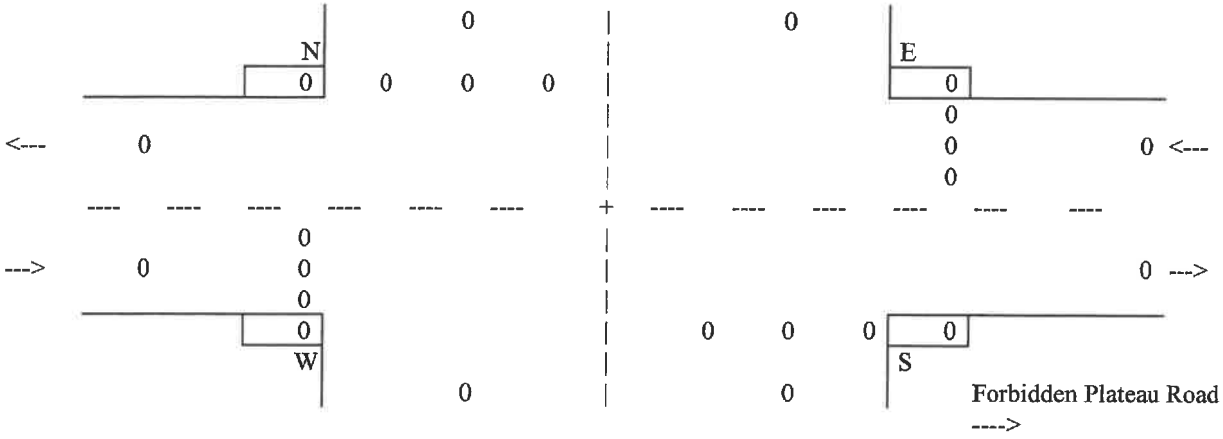
Location: Forbidden Plateau Road @ Duncan Bay Main Road
Date: Sept 18, 2009

Time	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
Period	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:15	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

N
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Peak Hour	12:00
Peak 15min	12:45
North Leg PHF	#DIV/0!
South Leg PHF	#DIV/0!
West Leg PHF	#DIV/0!
East Leg PHF	#DIV/0!

Noon Peak Hour Volumes



PM Peak Period

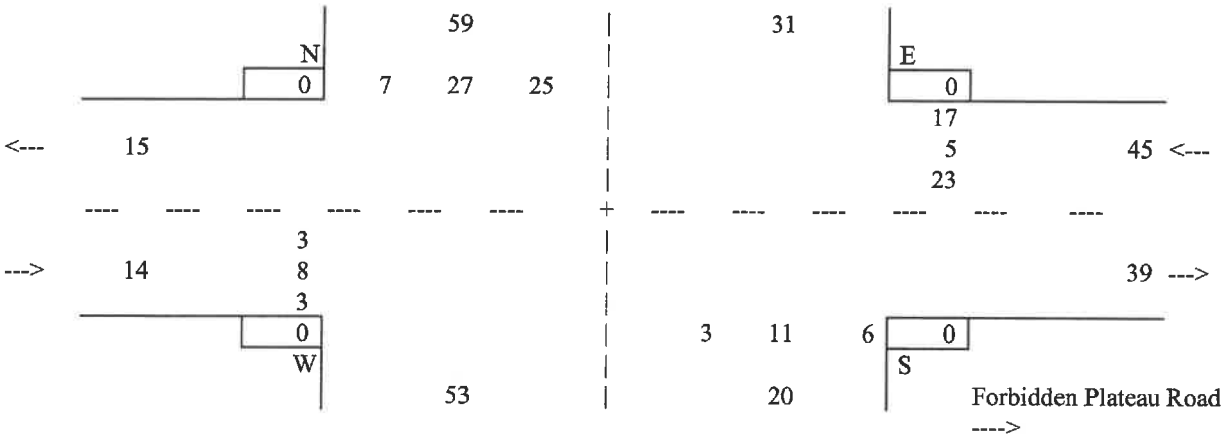
Location: Forbidden Plateau Road @ Duncan Bay Main Road
Date: Sept 18, 2009

Time	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
Period	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
15:00	1	4	1	0	2	1	1	2	1	1	1	3	18	0	0	0	0
15:15	6	5	2	0	9	5	1	3	0	4	5	7	47	0	0	0	0
15:30	6	4	2	0	10	2	3	3	0	3	0	4	37	0	0	0	0
15:45	5	4	0	1	2	3	0	1	0	1	1	2	20	0	0	0	0
16:00	5	11	0	0	2	5	1	2	1	1	1	2	31	0	0	0	0
16:15	5	4	0	0	2	3	1	0	0	3	1	6	25	0	0	0	0
16:30	7	7	5	1	2	2	1	1	0	7	3	6	42 +	0	0	0	0
16:45	5	8	1	1	1	3	1	3	0	8	0	3	34 *	0	0	0	0
17:00	6	4	1	1	3	0	0	2	1	4	1	5	28 *	0	0	0	0
17:15	7	8	0	0	5	1	1	2	2	4	1	3	34 *	0	0	0	0
17:30	5	3	1	0	5	2	1	0	0	3	0	2	22	0	0	0	0
17:45	2	8	0	0	2	1	0	2	0	7	0	6	28	0	0	0	0
Total	60	70	13	4	45	28	11	21	5	46	14	49	366	0	0	0	0
Pk Hr	25	27	7	3	11	6	3	8	3	23	5	17	138 *	0	0	0	0
15x4	28	28	20	4	8	8	4	4	0	28	12	24	168 +	0	0	0	0
Avg Hr	20	23	4	1	15	9	4	7	2	15	5	16	122	0	0	0	0

Peak Hour	16:30
Peak 15min	16:30
North Leg PHF	0.78
South Leg PHF	1.00
West Leg PHF	1.75
East Leg PHF	0.70

N
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PM Peak Hour Volumes



Average Hour Period

Location: Forbidden Plateau Road @ Duncan Bay Main Road
Sept 18, 2009

	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
Survey																	
Total	66	105	24	5	86	46	24	35	7	61	34	62	555	0	0	0	0
Hours	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8
Avg Hr	9	14	3	1	11	6	3	5	1	8	4	8	72	0	0	0	0
AM Period																	
Total	6	35	11	1	41	18	13	14	2	15	20	13	189	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	2	13	4	0	15	7	5	5	1	5	7	5	69	0	0	0	0
Noon Period																	
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hours	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM Period																	
Total	60	70	13	4	45	28	11	21	5	46	14	49	366	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	20	23	4	1	15	9	4	7	2	15	5	16	122	0	0	0	0

Average Hour Volumes

Total	3	14	9
AM	4	13	2
Noon	0	0	0
PM	4	23	20

Forbidden Plateau Road

3	5	0	4
5	5	0	7 --->
1	1	0	2
Total	AM	Noon	PM

PM	Noon	AM	Total
16	0	5	8
5	0	7	4
15	0	5	8

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Forbidden Plateau Road

1	15	9	PM
0	0	0	Noon
0	15	7	AM
1	11	6	Total

VEHICLE TURNING MOVEMENT SURVEY
Ministry of Transportation & Highways
South Coast Region

Major Route:	Comox Logging Road
Minor Route:	Marsden Road
Municipality:	Comox Valley Regional District
Filename:	MoT - Comox & marsden Site Code: 00000
Date:	Sept 18, 2009
Day-of-week:	Friday
Speed Limit Major Rte:	50
Speed Limit Minor Rte:	50 km/hr
East/West Route:	Comox Logging Road
Intersection Type:	1 ---> 4-leg
Signalized (y/n?):	No
Weather:	dry and sunny

	Lanes								Bus Stop		Bus
	TLR	R	(ch)	TR	T	TL	L	Grade	Near	Far	Bay
North Approach	1										
South Approach	1										
West Approach	1										
East Approach	1										

note: (ch) - channelized A: parallel lane B: taper

	Start	Duration
A.M. Shift	07:30	3.25
Noon Shift	11:00	0.00
P.M. Shift	15:00	3.00
	Total	6.25

Note: duration: decimal hours
start time: 24 hr clock (15 min increments)

Comments: _____

Notes: North Approach - vehicles approaching intersection from the north
15x4 - 15 min volume (from max 15 minute period [+] in peak hour period [*]) x 4
Pedestrians - N indicates pedestrians crossing north approach (east/west)

Survey Data

Location: Comox Logging Road @ Marsden Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0				
07:45	1	1	1	0	3	1	2	4	0	1	4	0	18				
08:00	7	4	2	0	2	3	0	1	2	1	0	0	22				
08:15	7	6	1	0	5	3	1	2	0	0	4	1	30 +				
08:30	8	2	0	0	1	4	0	0	0	2	4	2	23 *				
08:45	2	2	0	0	6	3	4	0	0	0	5	2	24 *				
09:00	2	2	0	1	2	3	0	5	0	0	6	3	24 *				
09:15	1	2	0	0	2	2	2	1	0	0	6	1	17				
09:30	6	2	0	0	6	1	3	1	0	2	2	2	25				
09:45	2	2	0	2	4	3	2	1	0	0	5	0	21				
10:00	4	1	0	0	7	2	2	3	0	0	3	0	22				
10:15	3	5	1	0	5	3	1	2	1	0	4	3	28				
Total	43	29	5	3	43	28	17	20	3	6	43	14	254	0	0	0	0
Pk Hr	19	12	1	1	14	13	5	7	0	2	19	8	101 *	0	0	0	0
15x4	28	24	4	0	20	12	4	8	0	0	16	4	120 +	0	0	0	0
n/a													0				
n/a													0				
n/a													0				
n/a													0				
n/a													0 +				
n/a													0 +				
n/a													0 +				
n/a													0 +				
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
15:00	0	0	0	0	0	0	0	0	0	0	0	0	0				
15:15	0	1	0	0	4	4	0	2	1	0	9	3	24				
15:30	5	6	1	1	3	4	0	2	0	2	7	10	41				
15:45	4	0	0	0	5	3	1	2	0	1	9	2	27				
16:00	2	2	0	0	3	5	1	0	0	0	12	2	27				
16:15	10	7	0	0	10	7	1	1	0	1	9	0	46 +				
16:30	4	1	0	1	14	10	2	1	0	0	12	1	46 +				
16:45	3	2	0	2	6	10	2	0	1	2	14	1	43 *				
17:00	5	2	0	0	4	4	3	1	0	0	16	2	37 *				
17:15	0	1	0	0	10	7	2	0	0	0	8	1	29				
17:30	3	2	1	0	6	7	4	1	0	1	10	1	36				
17:45	6	1	0	0	0	4	2	4	0	0	8	0	25				
Total	42	25	2	4	65	65	18	14	2	7	114	23	381	0	0	0	0
Pk Hr	22	12	0	3	34	31	8	3	1	3	51	4	172 *	0	0	0	0
15x4	16	4	0	4	56	40	8	4	0	0	48	4	184 +	0	0	0	0

AM Peak Period

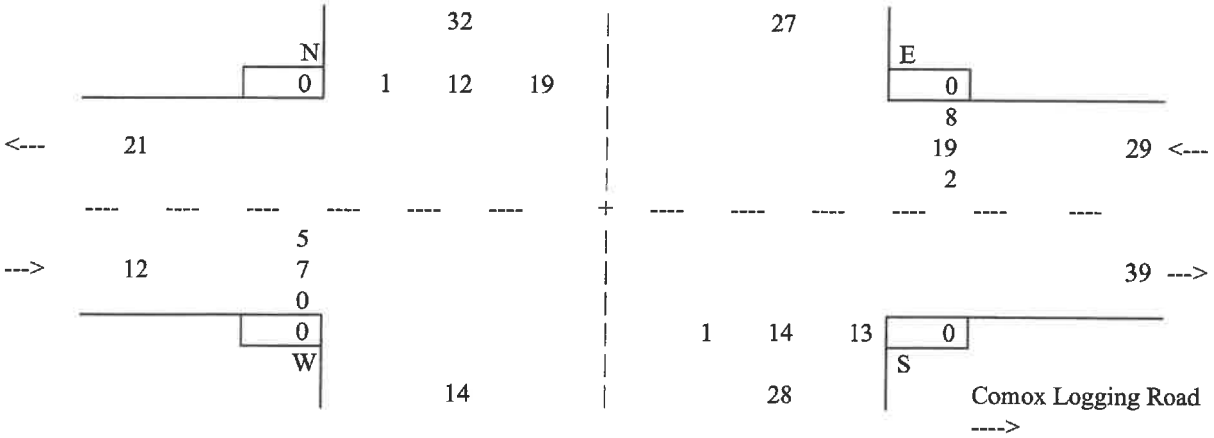
Location: Comox Logging Road @ Marsden Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
07:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45	1	1	1	0	3	1	2	4	0	1	4	0	18	0	0	0	0
08:00	7	4	2	0	2	3	0	1	2	1	0	0	22	0	0	0	0
08:15	7	6	1	0	5	3	1	2	0	0	4	1	30 +	0	0	0	0
08:30	8	2	0	0	1	4	0	0	0	2	4	2	23 *	0	0	0	0
08:45	2	2	0	0	6	3	4	0	0	0	5	2	24 *	0	0	0	0
09:00	2	2	0	1	2	3	0	5	0	0	6	3	24 *	0	0	0	0
09:15	1	2	0	0	2	2	2	1	0	0	6	1	17	0	0	0	0
09:30	6	2	0	0	6	1	3	1	0	2	2	2	25	0	0	0	0
09:45	2	2	0	2	4	3	2	1	0	0	5	0	21	0	0	0	0
10:00	4	1	0	0	7	2	2	3	0	0	3	0	22	0	0	0	0
10:15	3	5	1	0	5	3	1	2	1	0	4	3	28	0	0	0	0
Total	43	29	5	3	43	28	17	20	3	6	43	14	254	0	0	0	0
Pk Hr	19	12	1	1	14	13	5	7	0	2	19	8	101 *	0	0	0	0
15x4	28	24	4	0	20	12	4	8	0	0	16	4	120 +	0	0	0	0
Avg Hr	13	9	2	1	13	9	5	6	1	2	13	4	78	0	0	0	0

Peak Hour	08:15
Peak 15min	08:15
North approach PHF	0.57
South approach PHF	0.88
West approach PHF	1.00
East approach PHF	1.45

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AM Peak Hour Volumes



Noon Peak Period

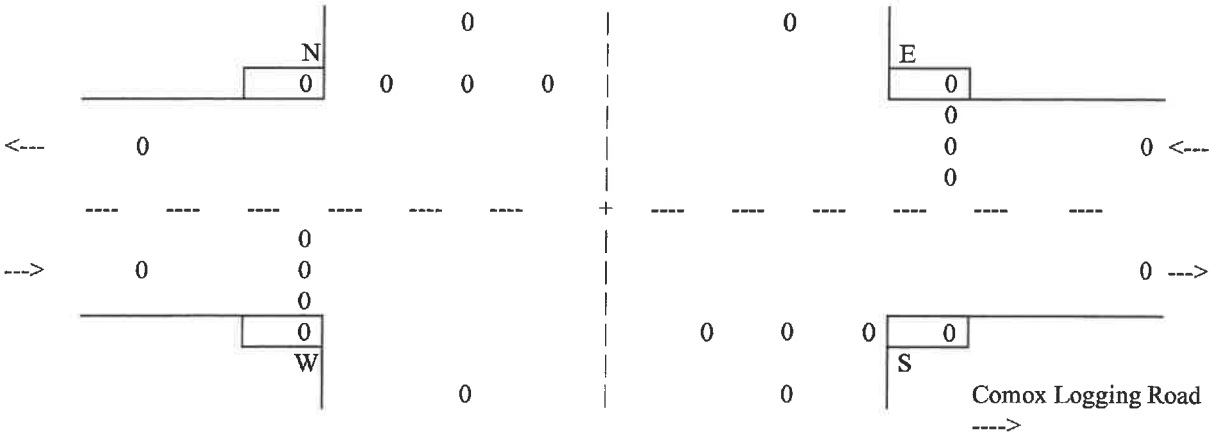
Location: Comox Logging Road @ Marsden Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
n/a	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pk Hr	0	0	0	0	0	0	0	0	0	0	0	0	0 *	0	0	0	0
15x4	0	0	0	0	0	0	0	0	0	0	0	0	0 +	0	0	0	0
Avg Hr	######	######	######	######	######	######	######	######	######	######	######	######	#DIV/0!	######	######	######	######

Peak Hour	n/a
Peak 15min	n/a
North Leg PHF	#DIV/0!
South Leg PHF	#DIV/0!
West Leg PHF	#DIV/0!
East Leg PHF	#DIV/0!

N
^
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Noon Peak Hour Volumes



PM Peak Period

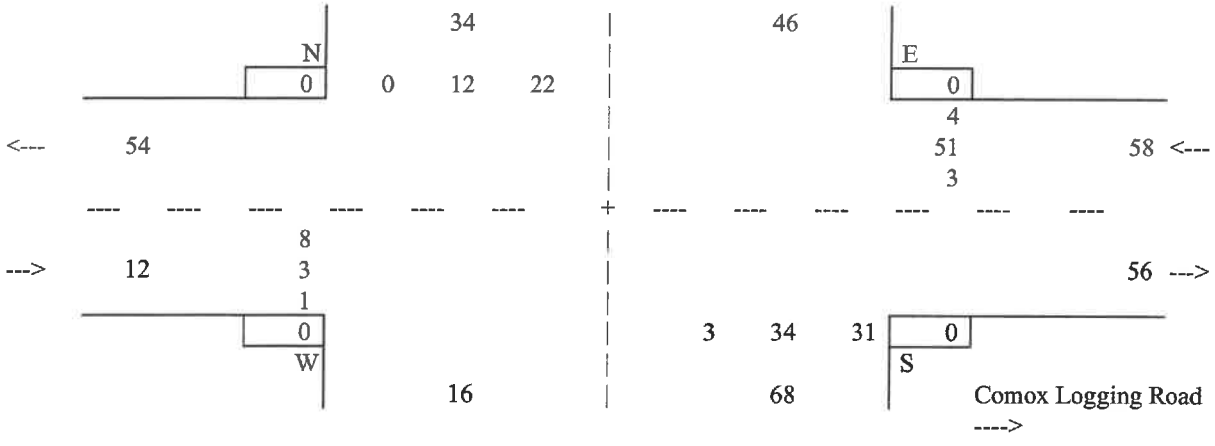
Location: Comox Logging Road @ Marsden Road
Date: Sept 18, 2009

Time Period	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total Volume	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		N	S	W	E
15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15	0	1	0	0	4	4	0	2	1	0	9	3	24	0	0	0	0
15:30	5	6	1	1	3	4	0	2	0	2	7	10	41	0	0	0	0
15:45	4	0	0	0	5	3	1	2	0	1	9	2	27	0	0	0	0
16:00	2	2	0	0	3	5	1	0	0	0	12	2	27	0	0	0	0
16:15	10	7	0	0	10	7	1	1	0	1	9	0	46 +	0	0	0	0
16:30	4	1	0	1	14	10	2	1	0	0	12	1	46 +	0	0	0	0
16:45	3	2	0	2	6	10	2	0	1	2	14	1	43 *	0	0	0	0
17:00	5	2	0	0	4	4	3	1	0	0	16	2	37 *	0	0	0	0
17:15	0	1	0	0	10	7	2	0	0	0	8	1	29	0	0	0	0
17:30	3	2	1	0	6	7	4	1	0	1	10	1	36	0	0	0	0
17:45	6	1	0	0	0	4	2	4	0	0	8	0	25	0	0	0	0
Total	42	25	2	4	65	65	18	14	2	7	114	23	381	0	0	0	0
Pk Hr	22	12	0	3	34	31	8	3	1	3	51	4	172 *	0	0	0	0
15x4	16	4	0	4	56	40	8	4	0	0	48	4	184 +	0	0	0	0
Avg Hr	14	8	1	1	22	22	6	5	1	2	38	8	127	0	0	0	0

Peak Hour	16:15
Peak 15min	16:30
North Leg PHF	1.70
South Leg PHF	0.68
West Leg PHF	1.00
East Leg PHF	1.12

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PM Peak Hour Volumes

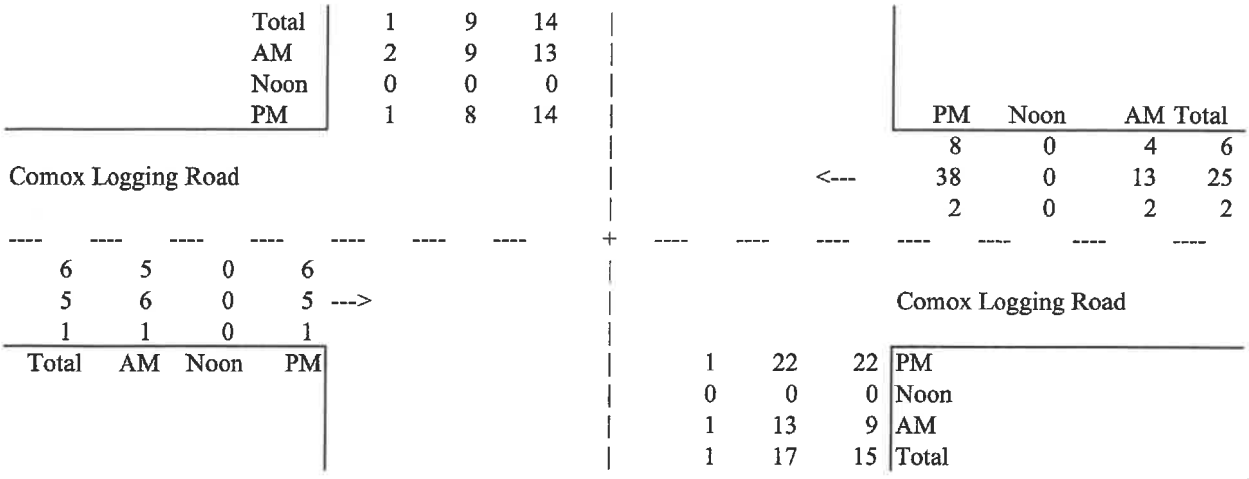


Average Hour Period

Location: Comox Logging Road @ Marsden Road
Sept 18, 2009

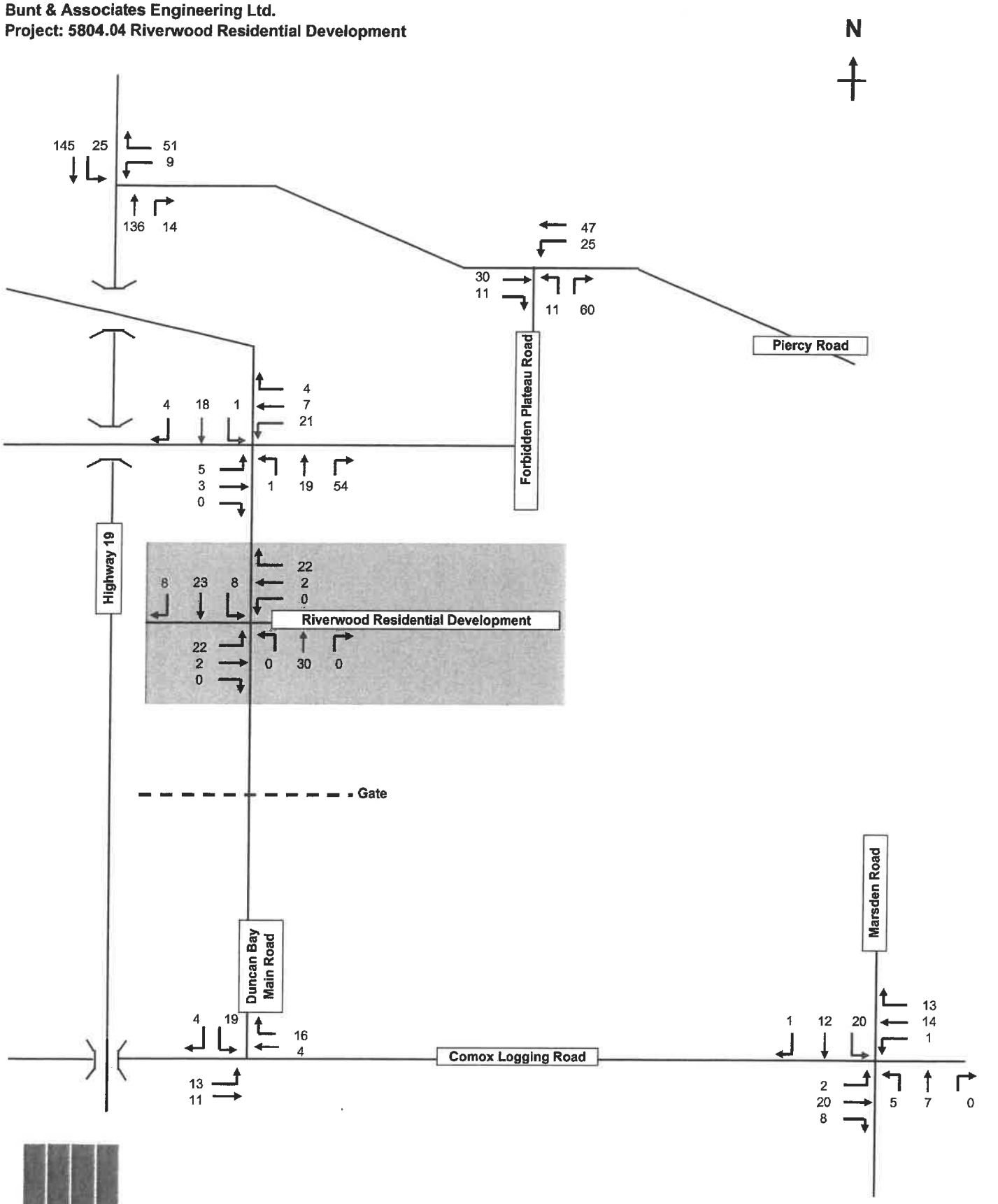
	NORTH Approach			SOUTH Approach			WEST Approach			EAST Approach			Total	Pedestrians			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Volume	N	S	W	E
Survey																	
Total	85	54	7	7	108	93	35	34	5	13	157	37	635	0	0	0	0
Hours	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6
Avg Hr	14	9	1	1	17	15	6	5	1	2	25	6	102	0	0	0	0
AM Period																	
Total	43	29	5	3	43	28	17	20	3	6	43	14	254	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	13	9	2	1	13	9	5	6	1	2	13	4	78	0	0	0	0
Noon Period																	
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Avg Hr	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM Period																	
Total	42	25	2	4	65	65	18	14	2	7	114	23	381	0	0	0	0
Hours	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Avg Hr	14	8	1	1	22	22	6	5	1	2	38	8	127	0	0	0	0

Average Hour Volumes



Appendix B – Future Traffic Flow Diagrams

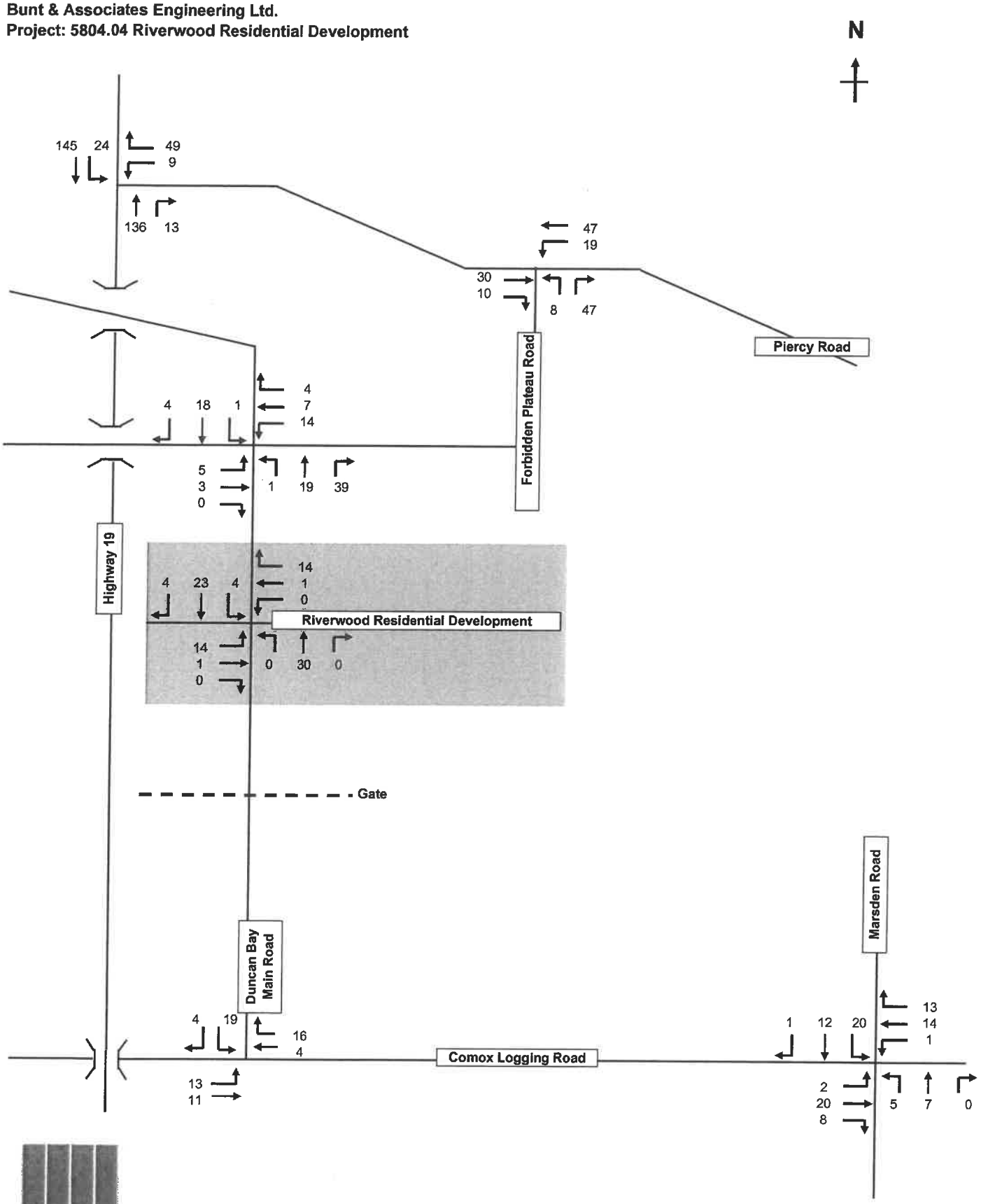
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2012
AM Peak
8:15am-9:15am

Option A (AM peak Period, Year 2012, Growth rate 2% -1%, 100% north, Trip Gen with MoT rate)

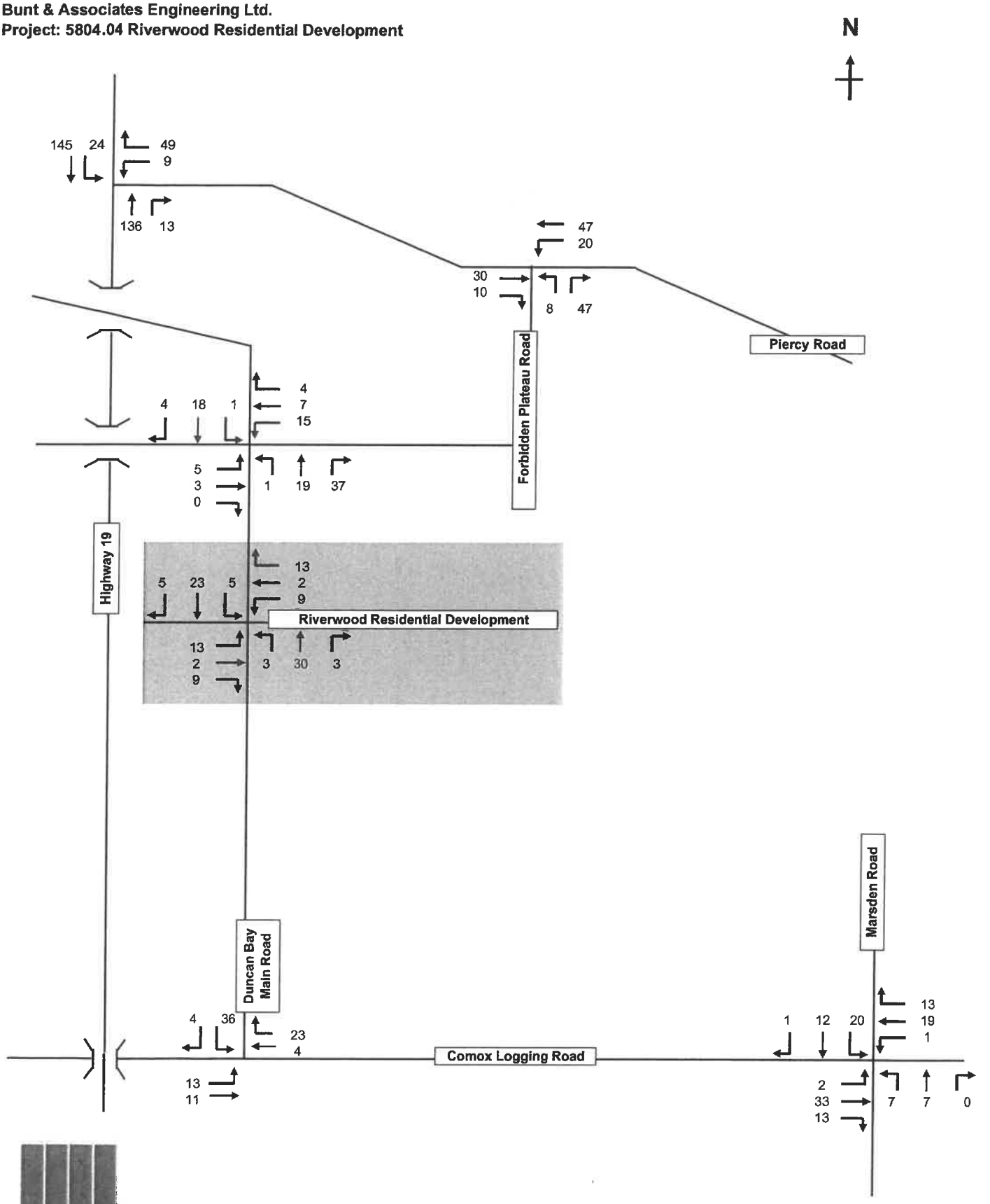
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



bunt & associates
TRANSPORTATION PLANNERS AND ENGINEERS

2012
AM Peak
8:15am-9:15am
Option B (AM Peak Period, Year 2012, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

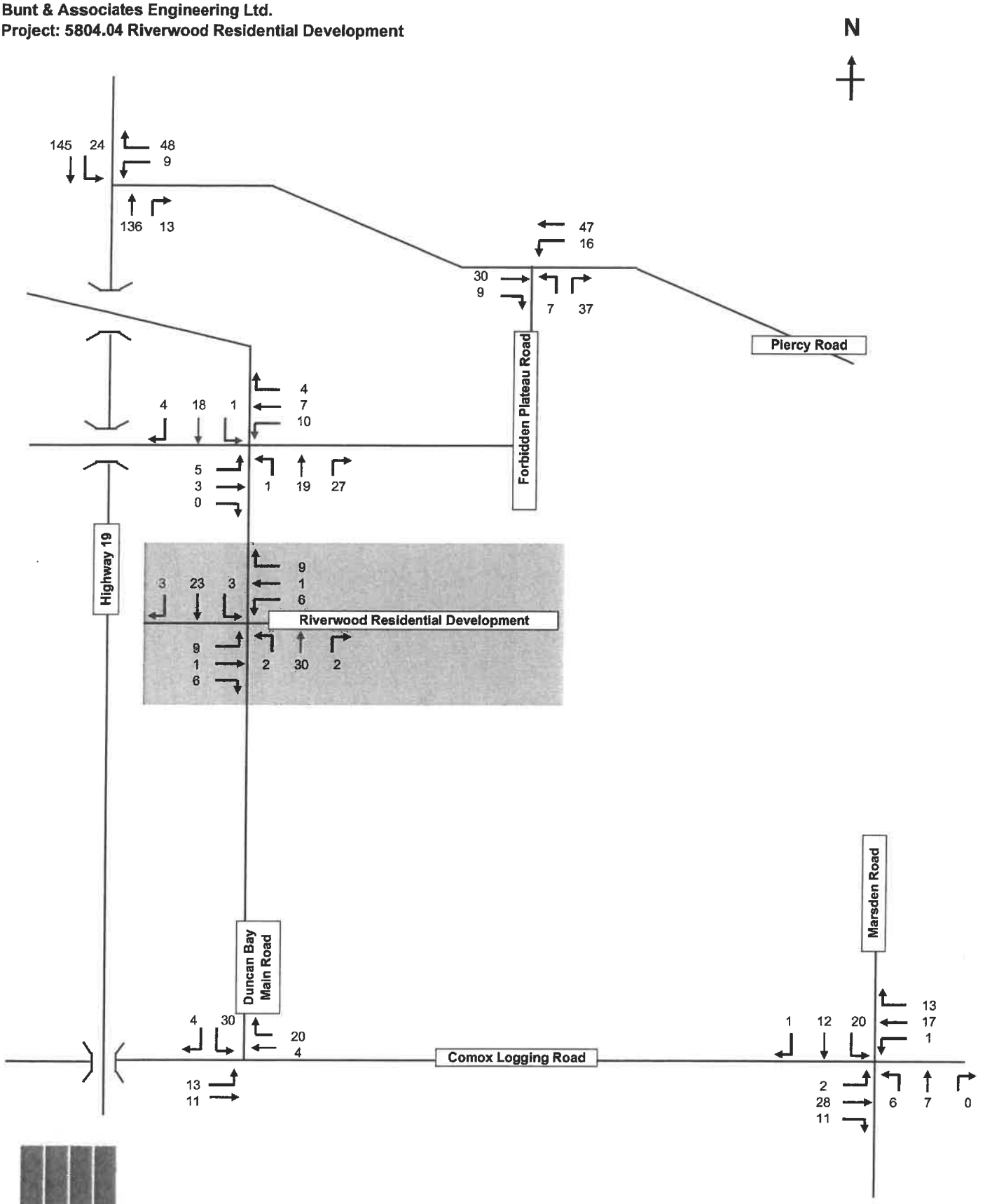
Bunt & Associates Engineering Ltd.
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2012
AM Peak
8:15am-9:15am
Option C (AM Peak Period, Year 2012, Growth rate 2% -1%, 60% north, Trip Gen with MoT rate)

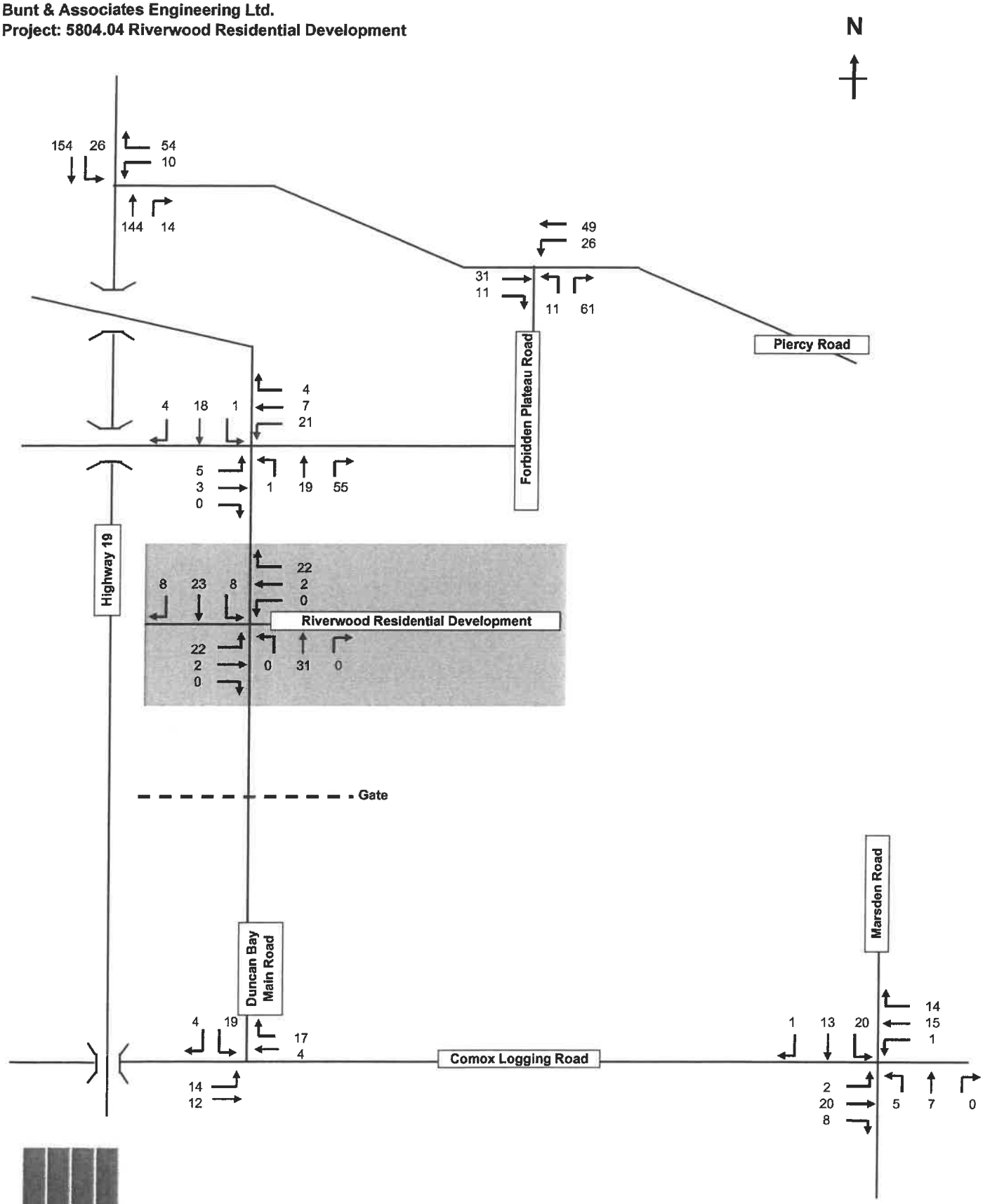
Bunt & Associates Engineering Ltd.
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2012
AM Peak
8:15am-9:15am

Option D (AM Peak Period, Year 2012, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

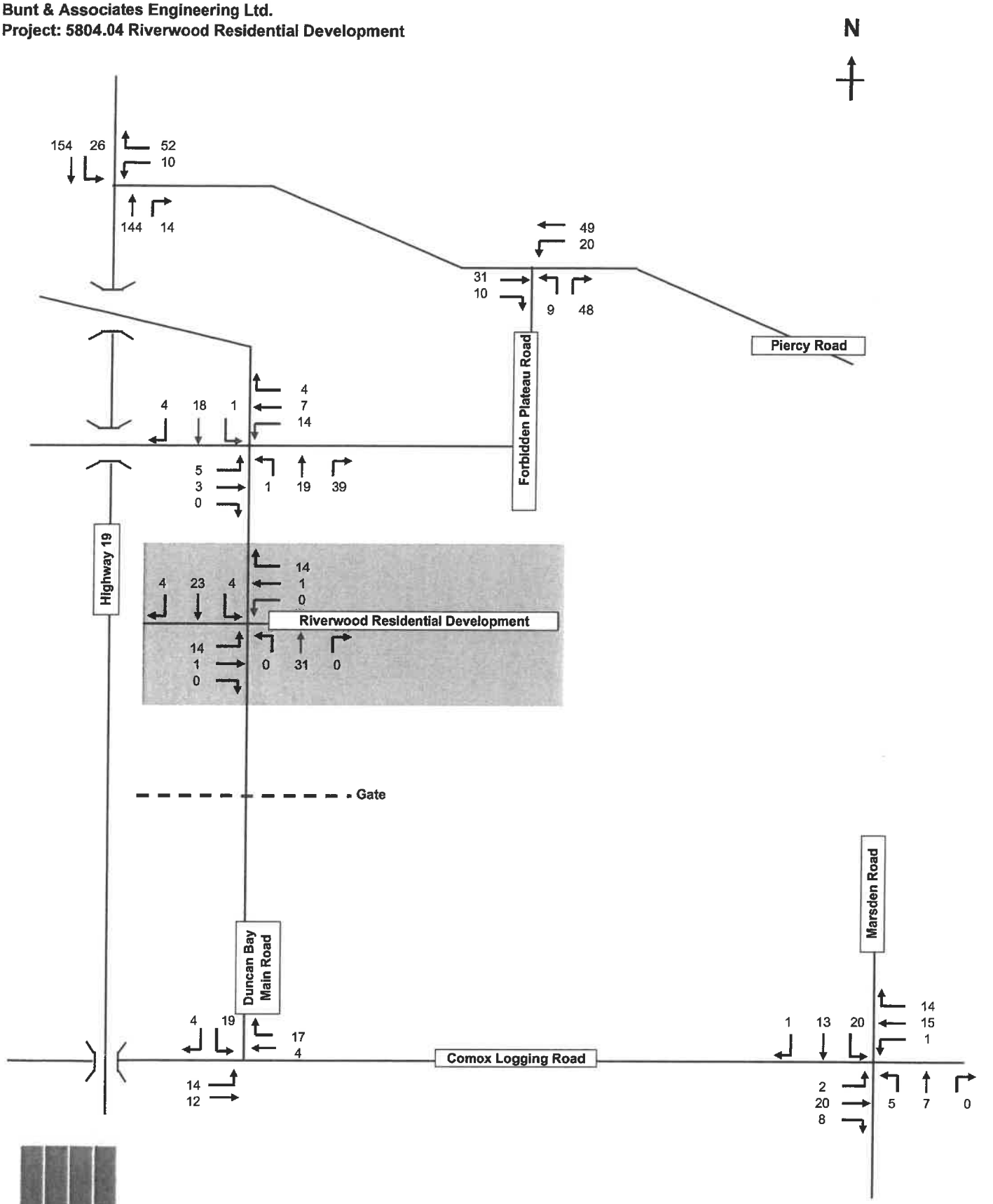
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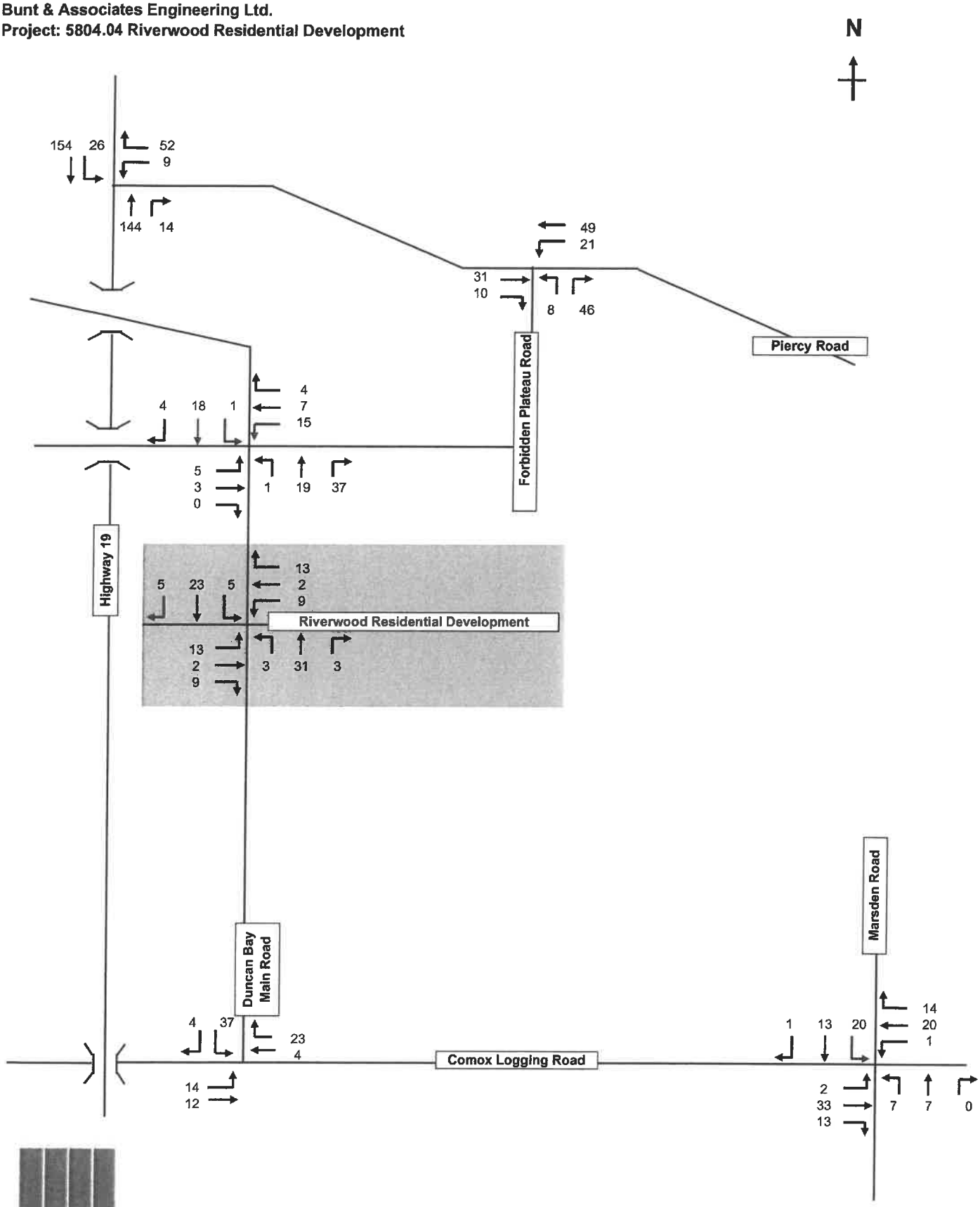
2012
AM Peak
8:15am-9:15am
Option E (AM Peak Period, Year 2012, Growth rate 4% -2%, 100% north, Trip Gen with MoT rate)

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2012
AM Peak
8:15am-9:15am
Option F (AM Peak Period, Year 2012, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

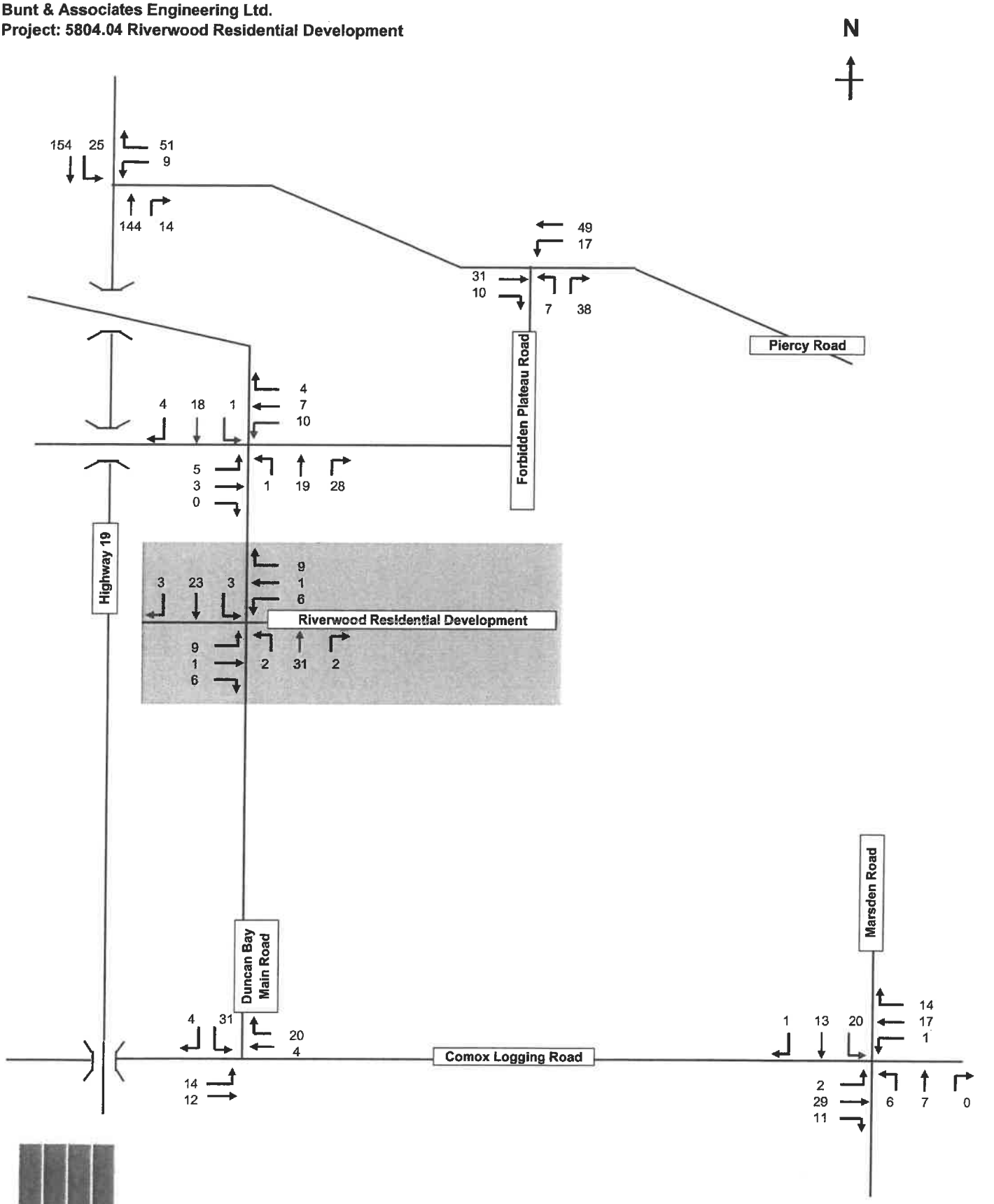
Bunt & Associates Engineering Ltd.
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2012
AM Peak
8:15am-9:15am

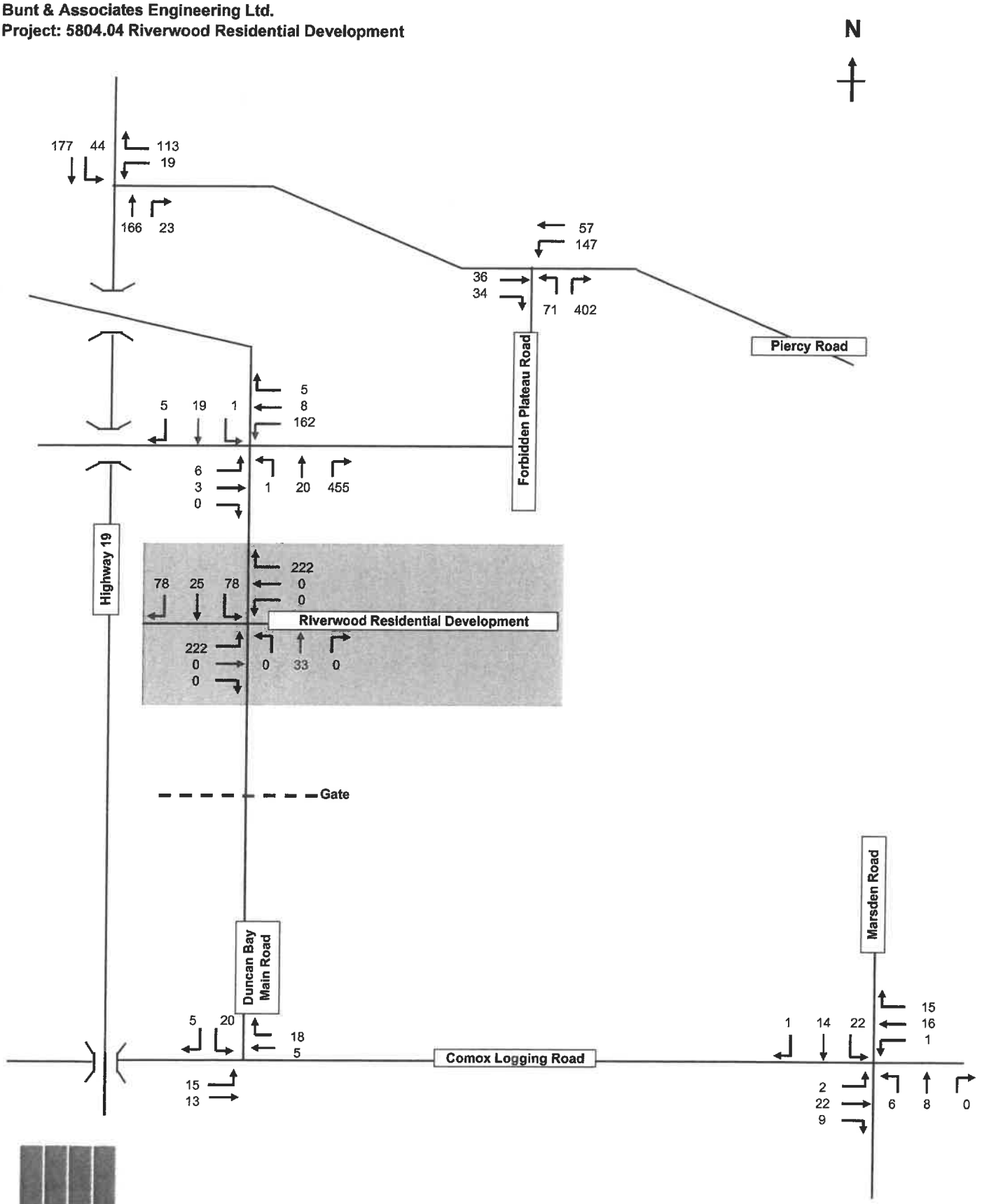
Option G (AM Peak Period, Year 2012, Growth rate 4% -2%, 60% north, Trip Gen with MoT rate)

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2012
AM Peak
8:15am-9:15am
Option H (AM Peak Period, Year 2012, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

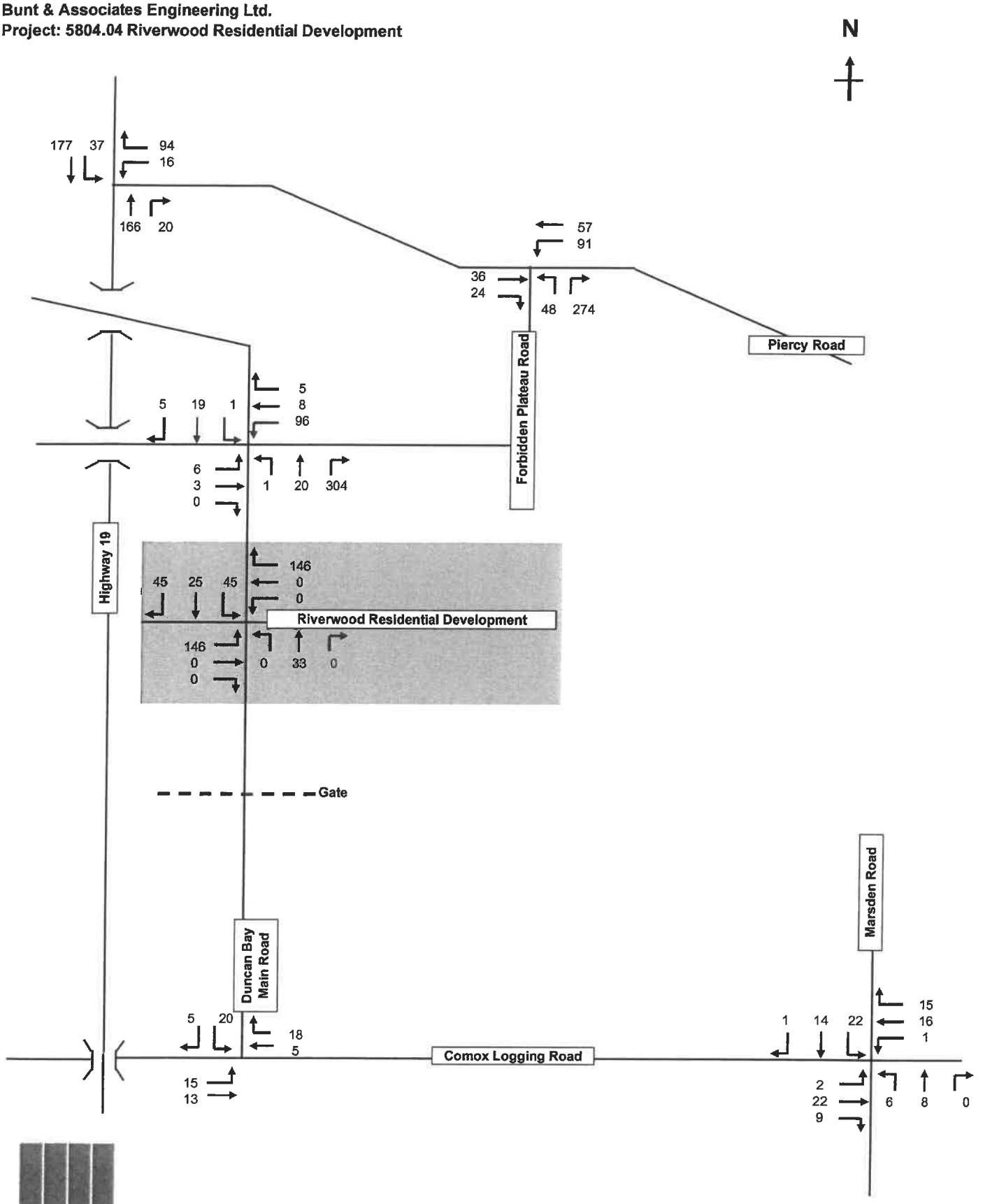
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2022
AM Peak
8:15am-9:15am
Option A (AM peak Period, Year 2022, Growth rate 2% -1%, 100% north, Trip Gen with MoT rate)

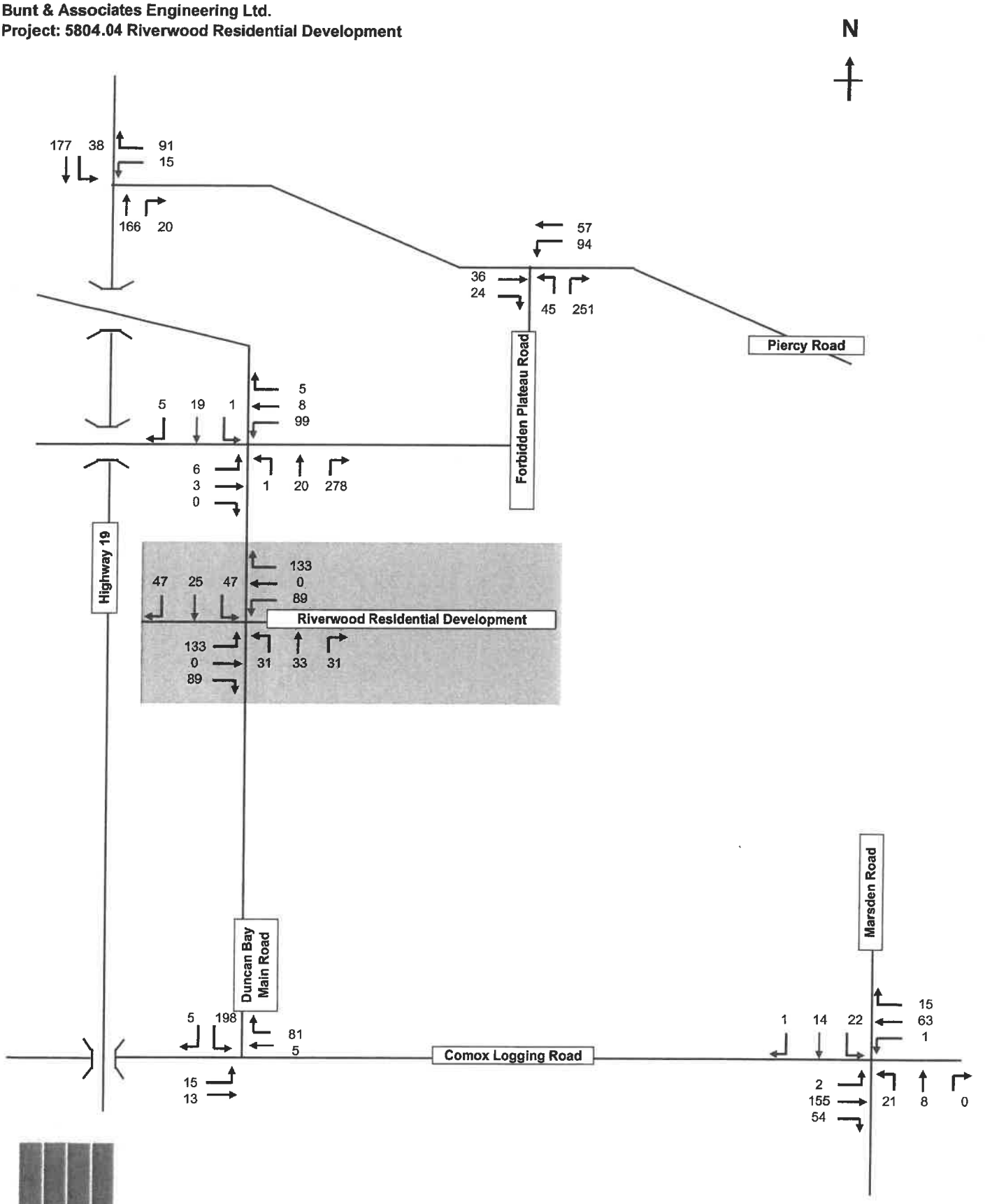
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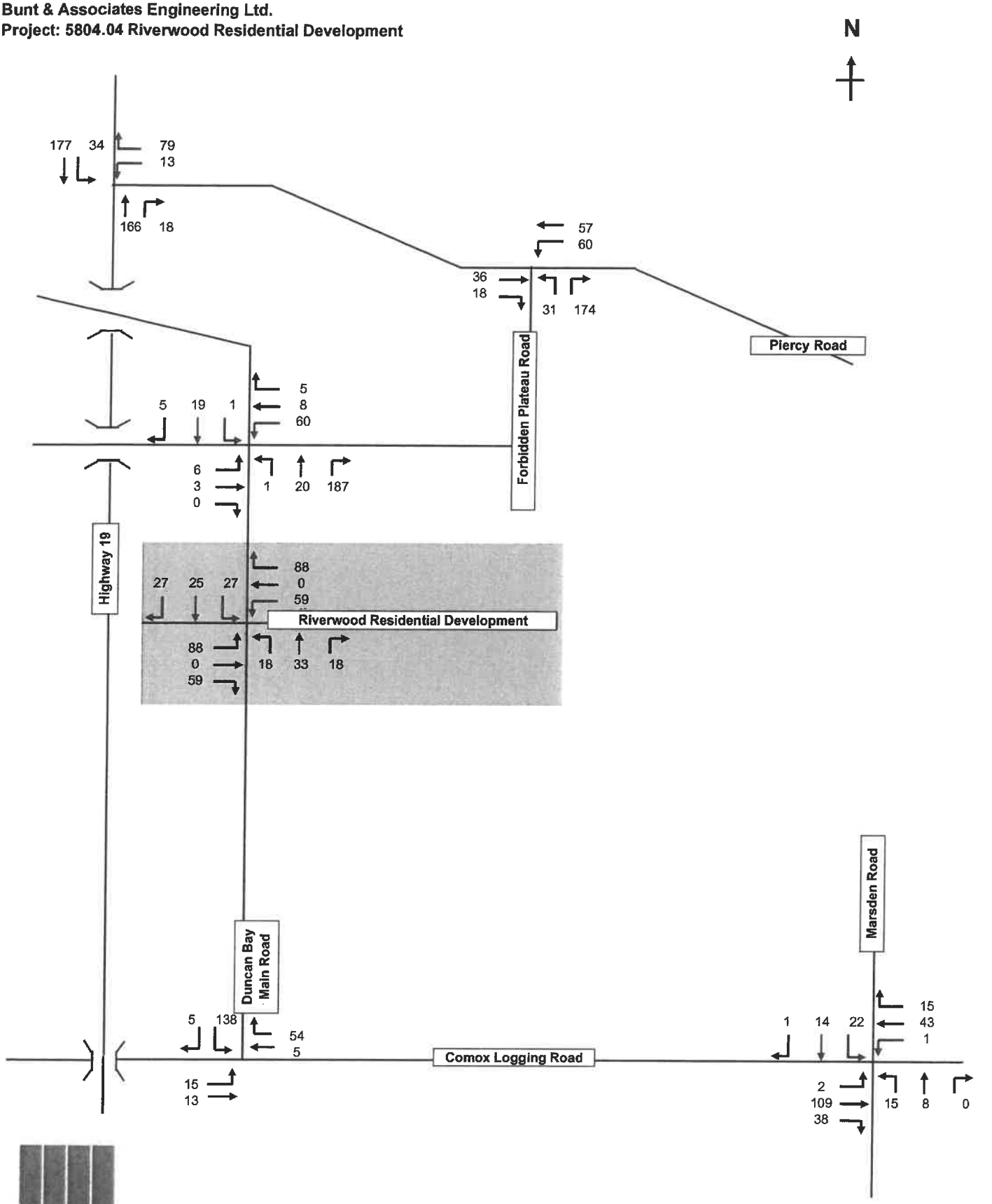
2022
AM Peak
8:15am-9:15am
Option B (AM Peak Period, Year 2022, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

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2022
AM Peak
8:15am-9:15am
Option C (AM Peak Period, Year 2022, Growth rate 2% -1%, 60% north, Trip Gen with MoT rate)

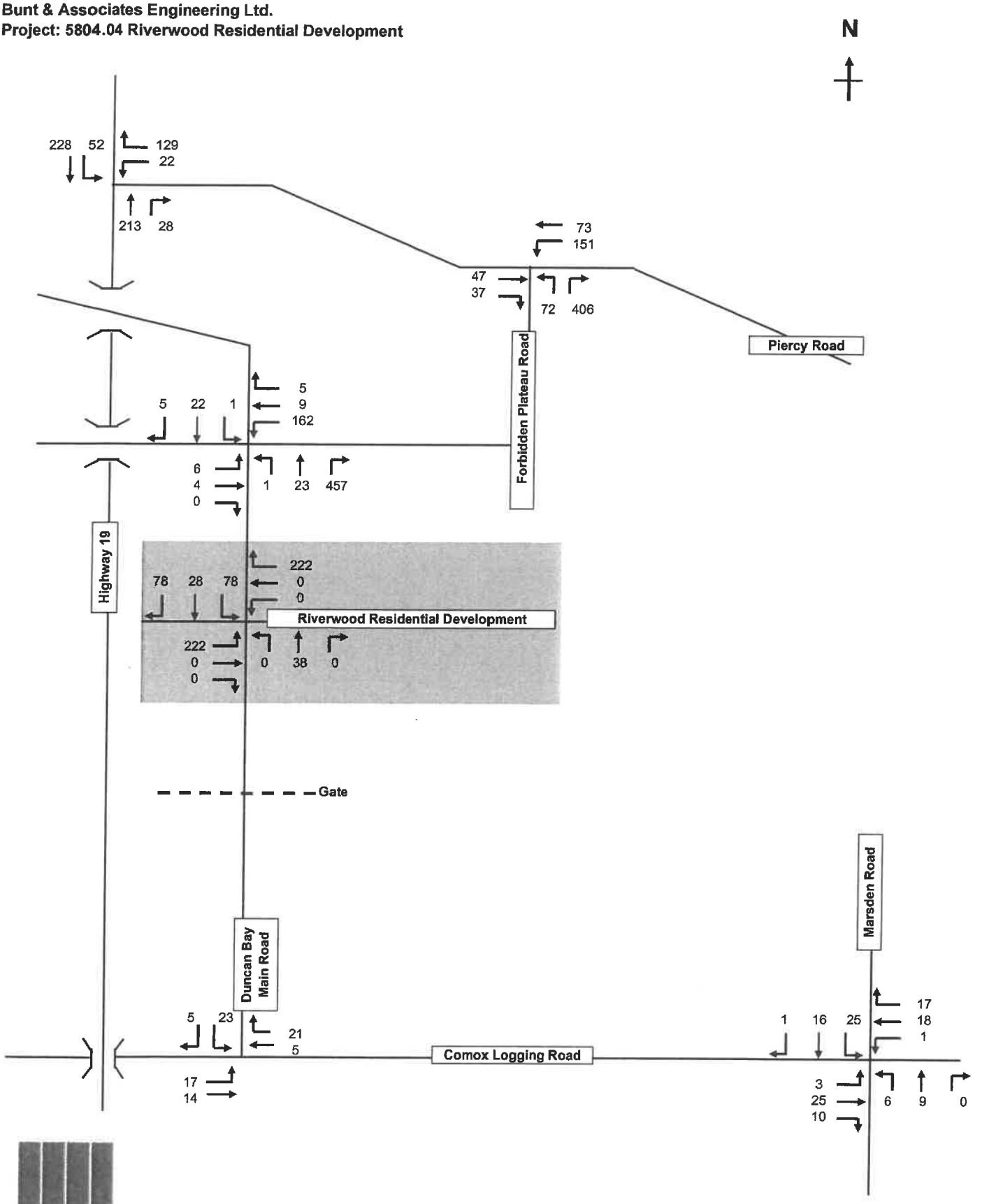
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2022
AM Peak
8:15am-9:15am
Option D (AM Peak Period, Year 2022, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

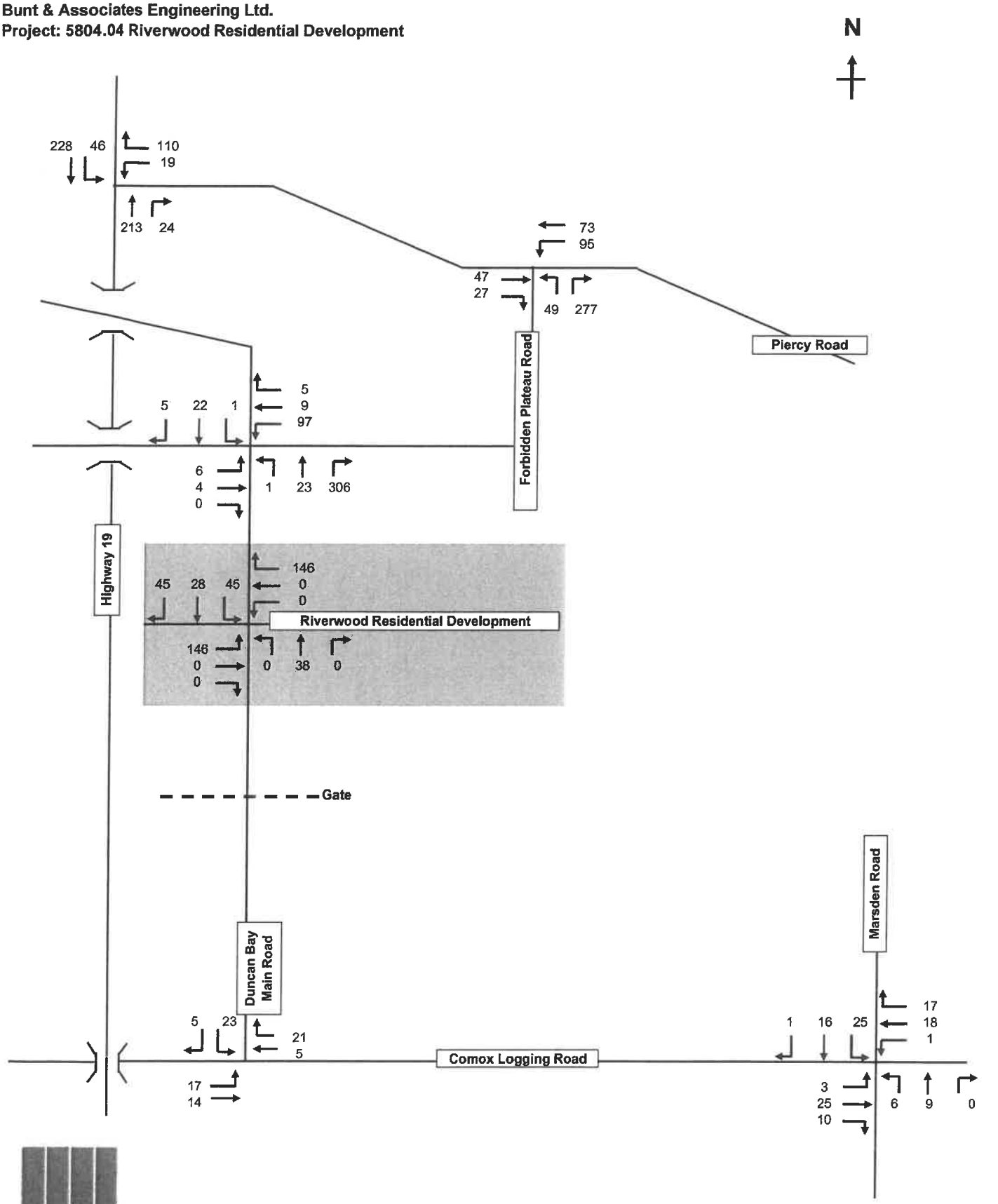
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2022
AM Peak
8:15am-9:15am

Option E (AM Peak Period, Year 2022, Growth rate 4% -2%, 100% north, Trip Gen with MoT rate)

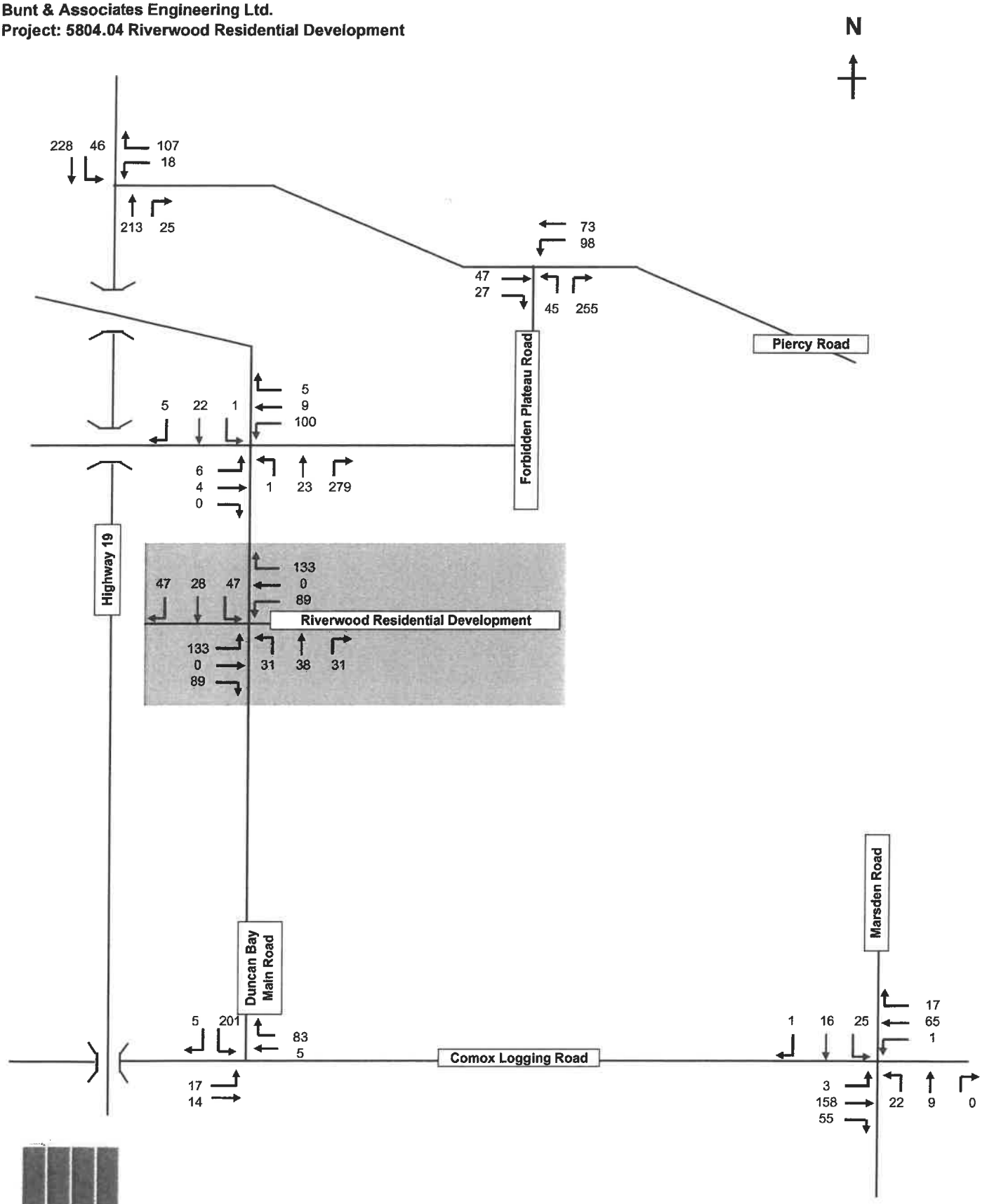
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2022
AM Peak
8:15am-9:15am

Option F (AM Peak Period, Year 2022, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

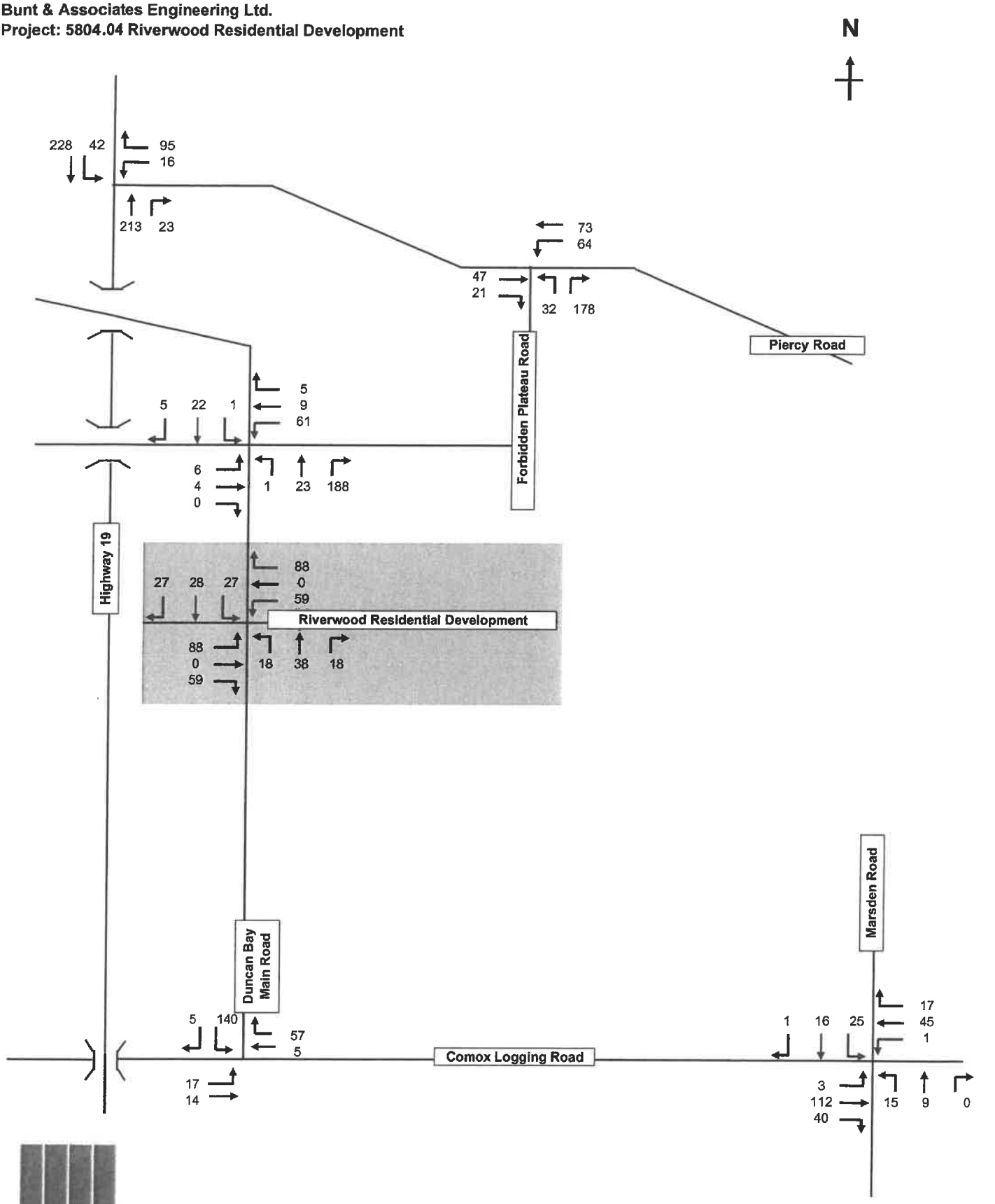
Bunt & Associates Engineering Ltd.
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2022
AM Peak
8:15am-9:15am

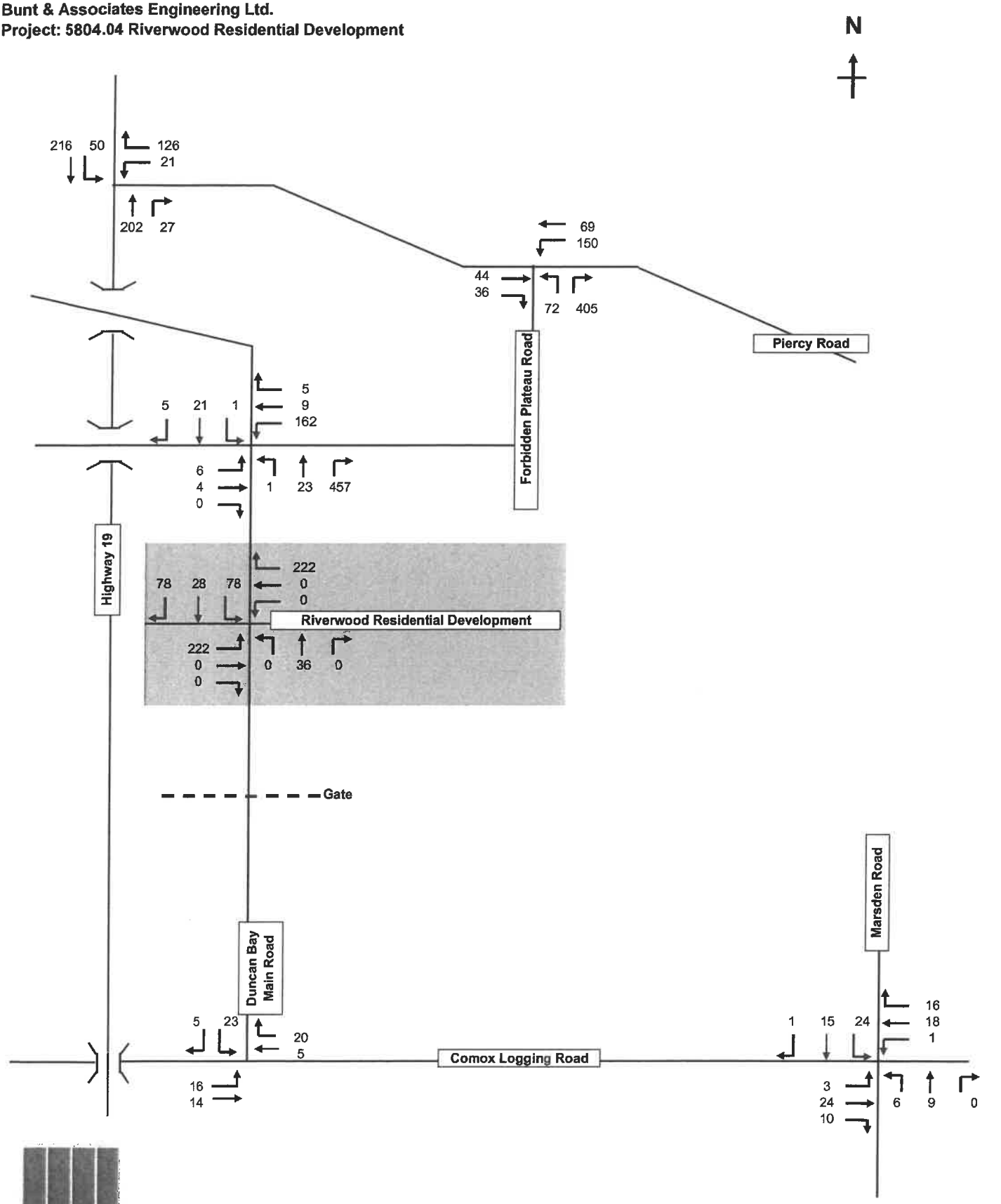
Option G (AM Peak Period, Year 2022, Growth rate 4% -2%, 60% north, Trip Gen with MoT rate)

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2022
AM Peak
8:15am-9:15am
Option H (AM Peak Period, Year 2022, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

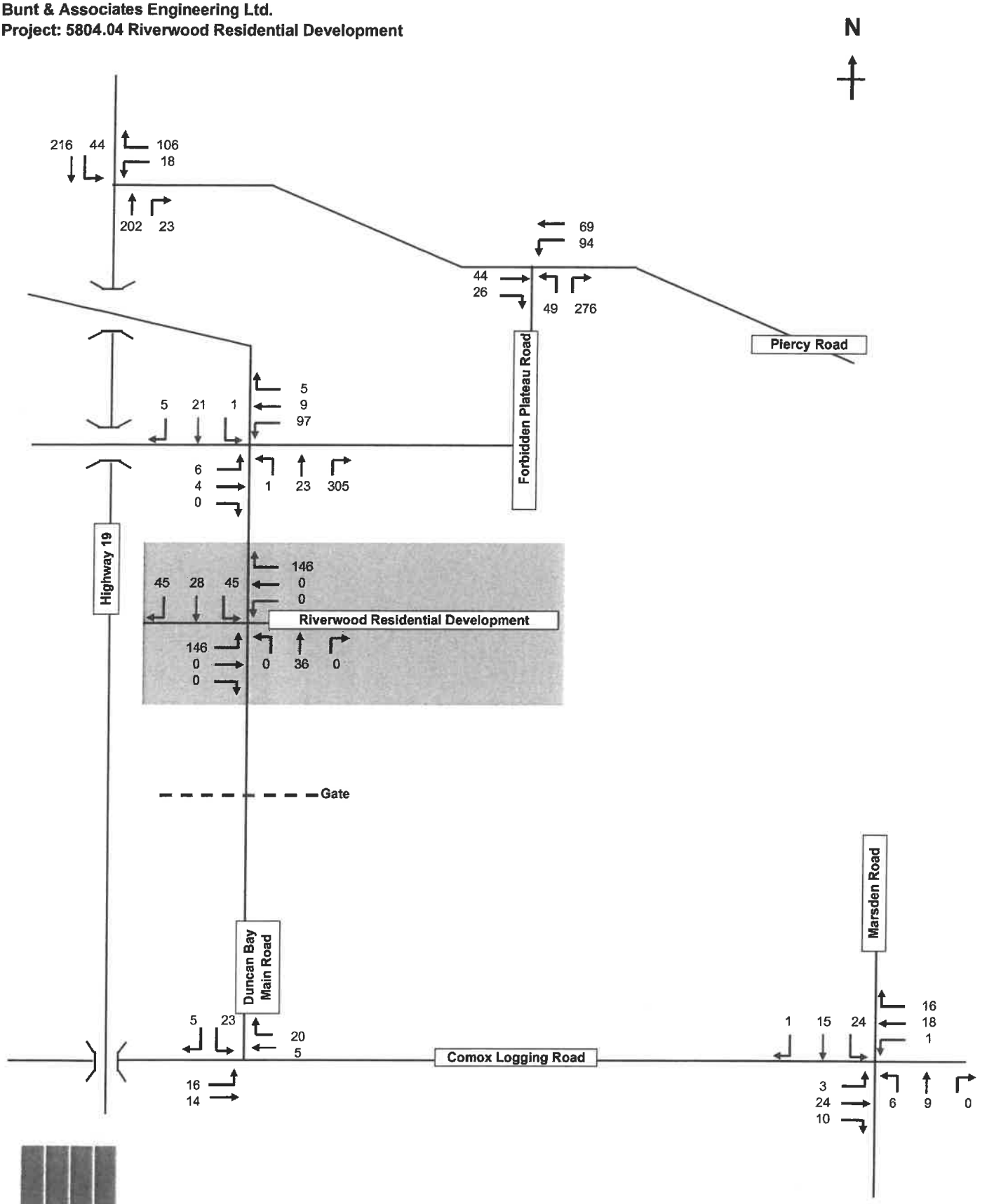
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
AM Peak
8:15am-9:15am

Option A (AM peak Period, Year 2032, Growth rate 2% -1%, 100% north, Trip Gen with MoT rate)

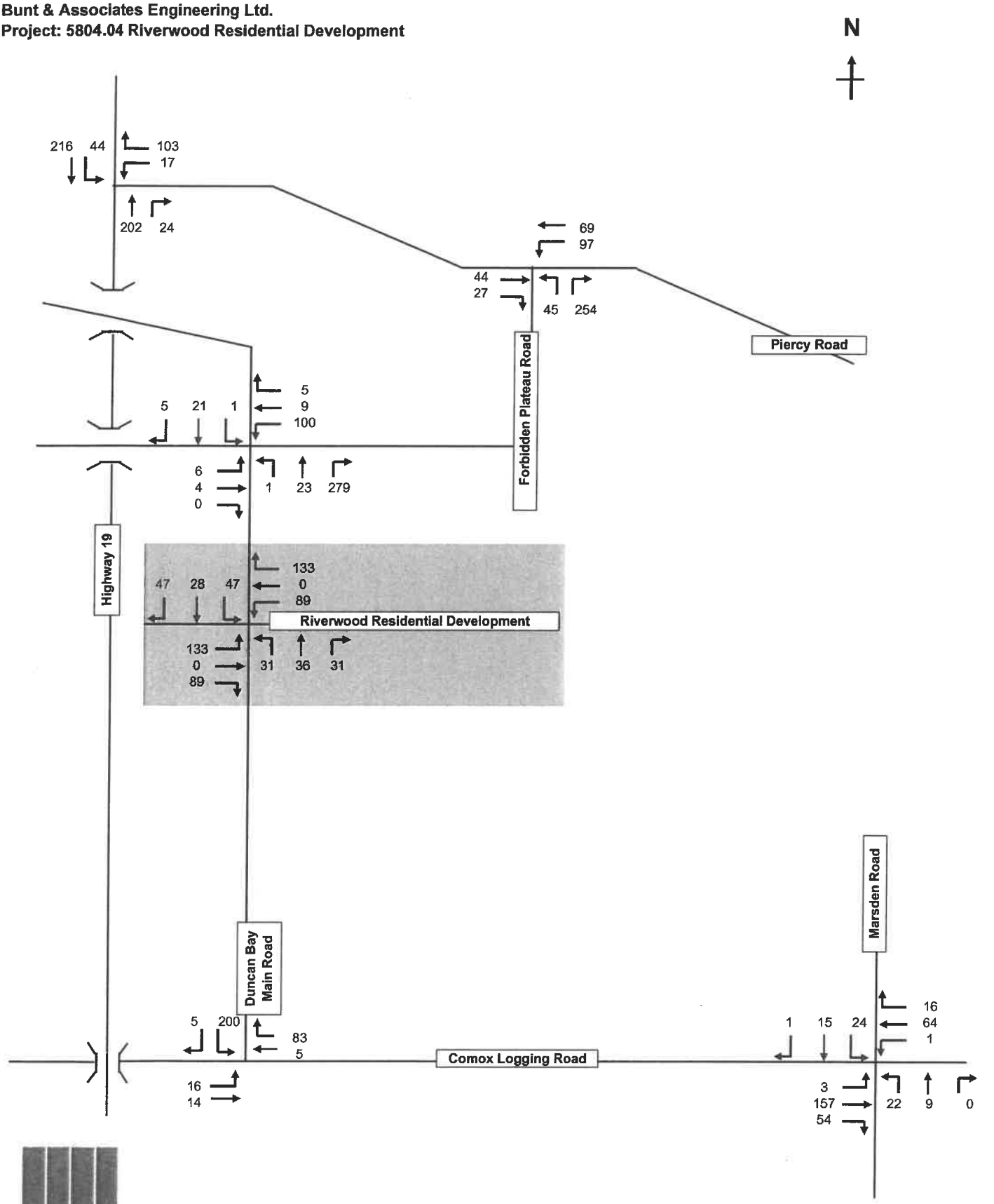
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
AM Peak
8:15am-9:15am

Option B (AM Peak Period, Year 2032, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

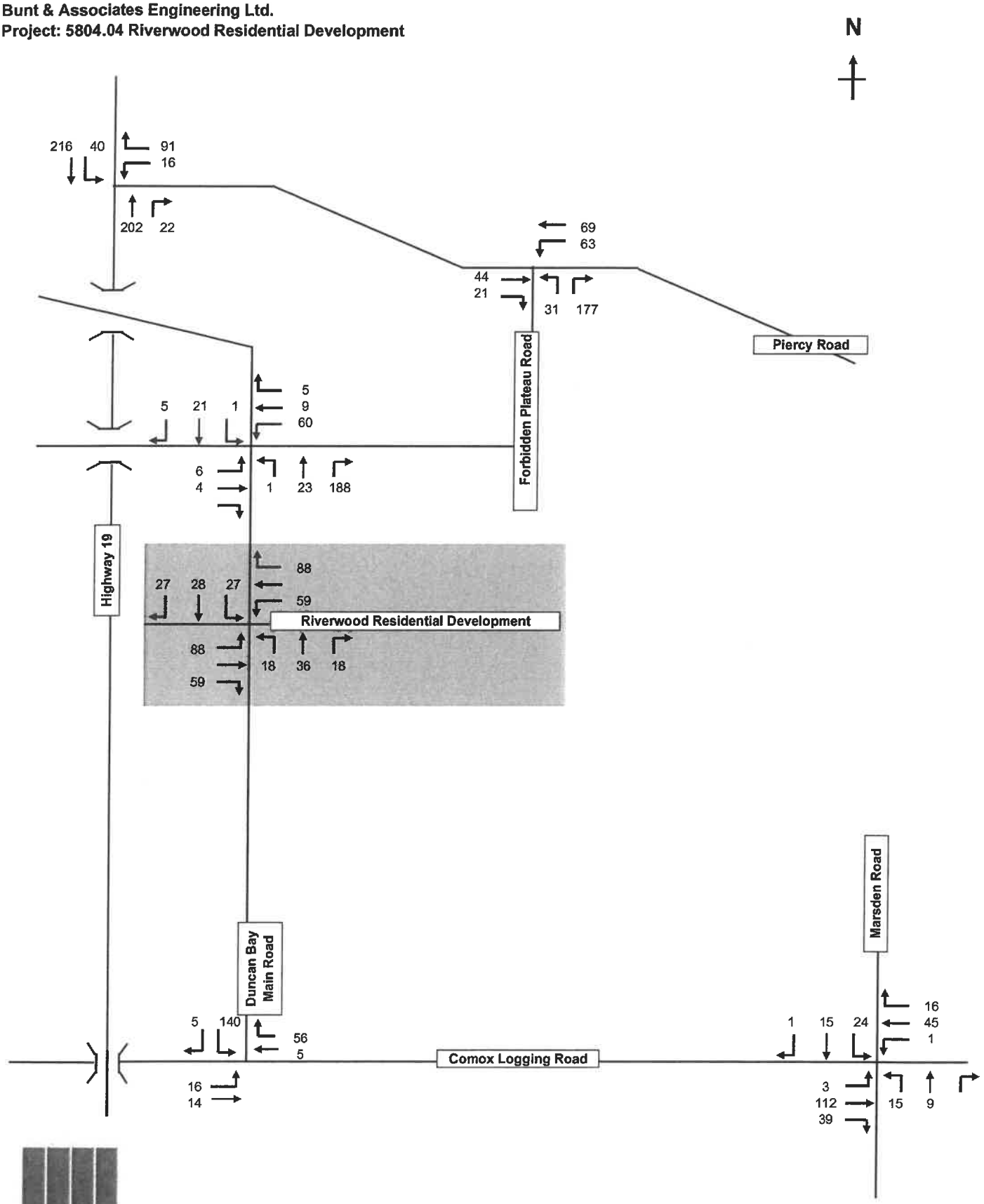
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
AM Peak
8:15am-9:15am

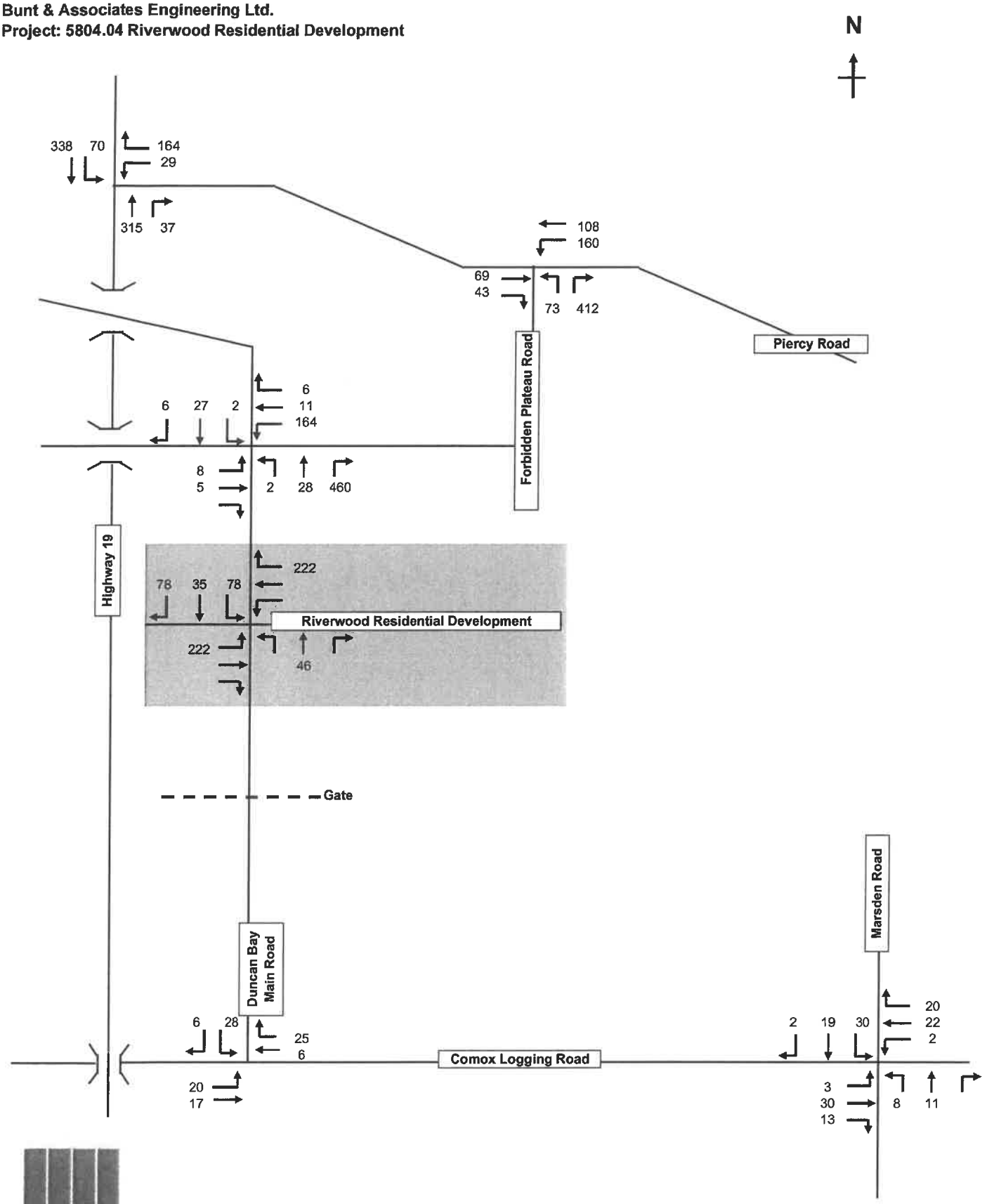
Option C (AM Peak Period, Year 2032, Growth rate 2% -1%, 60% north, Trip Gen with MoT rate)

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2032
AM Peak
8:15am-9:15am
Option D (AM Peak Period, Year 2032, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

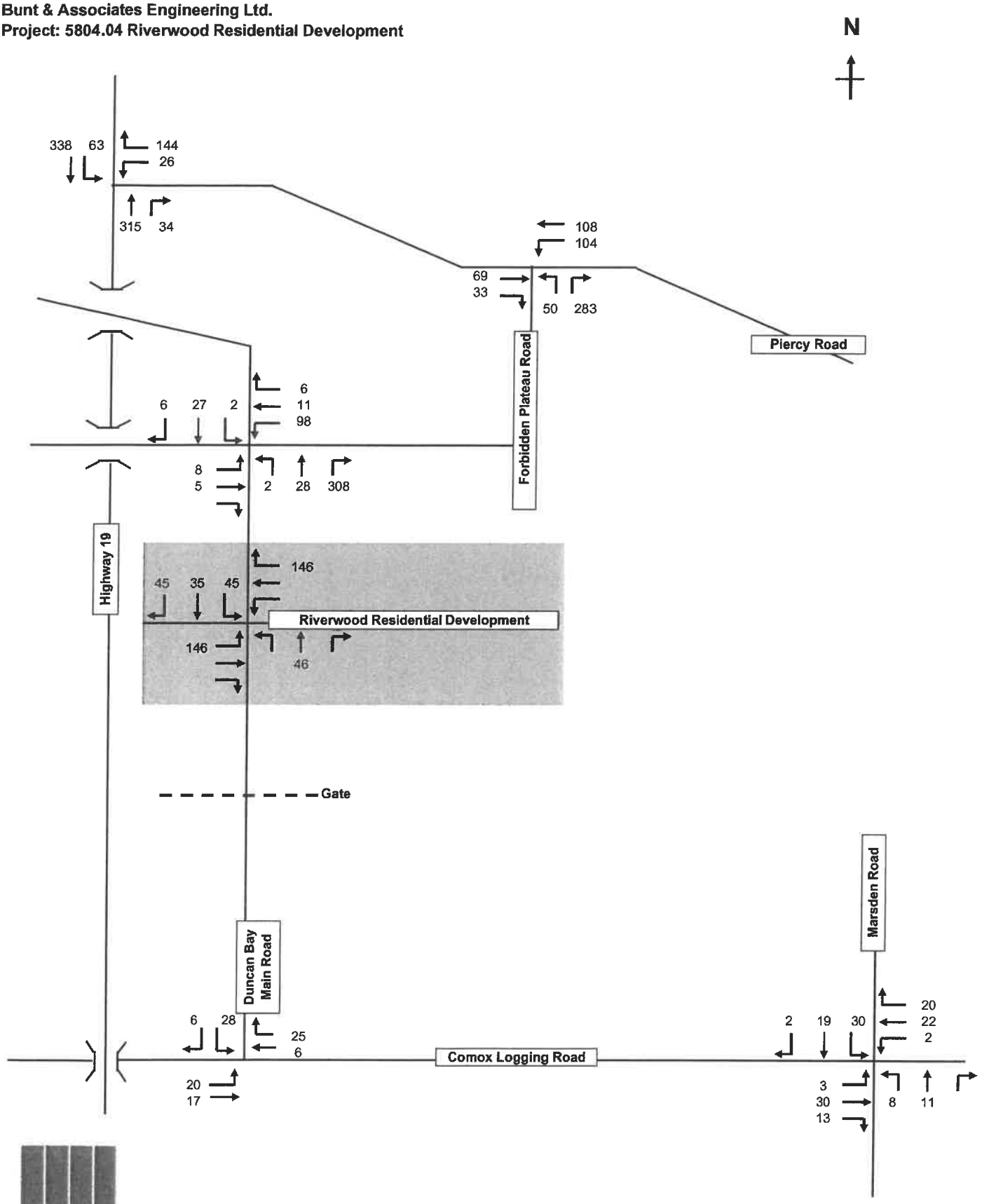
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
AM Peak
8:15am-9:15am

Option E (AM Peak Period, Year 2032, Growth rate 4% -2%, 100% north, Trip Gen with MoT rate)

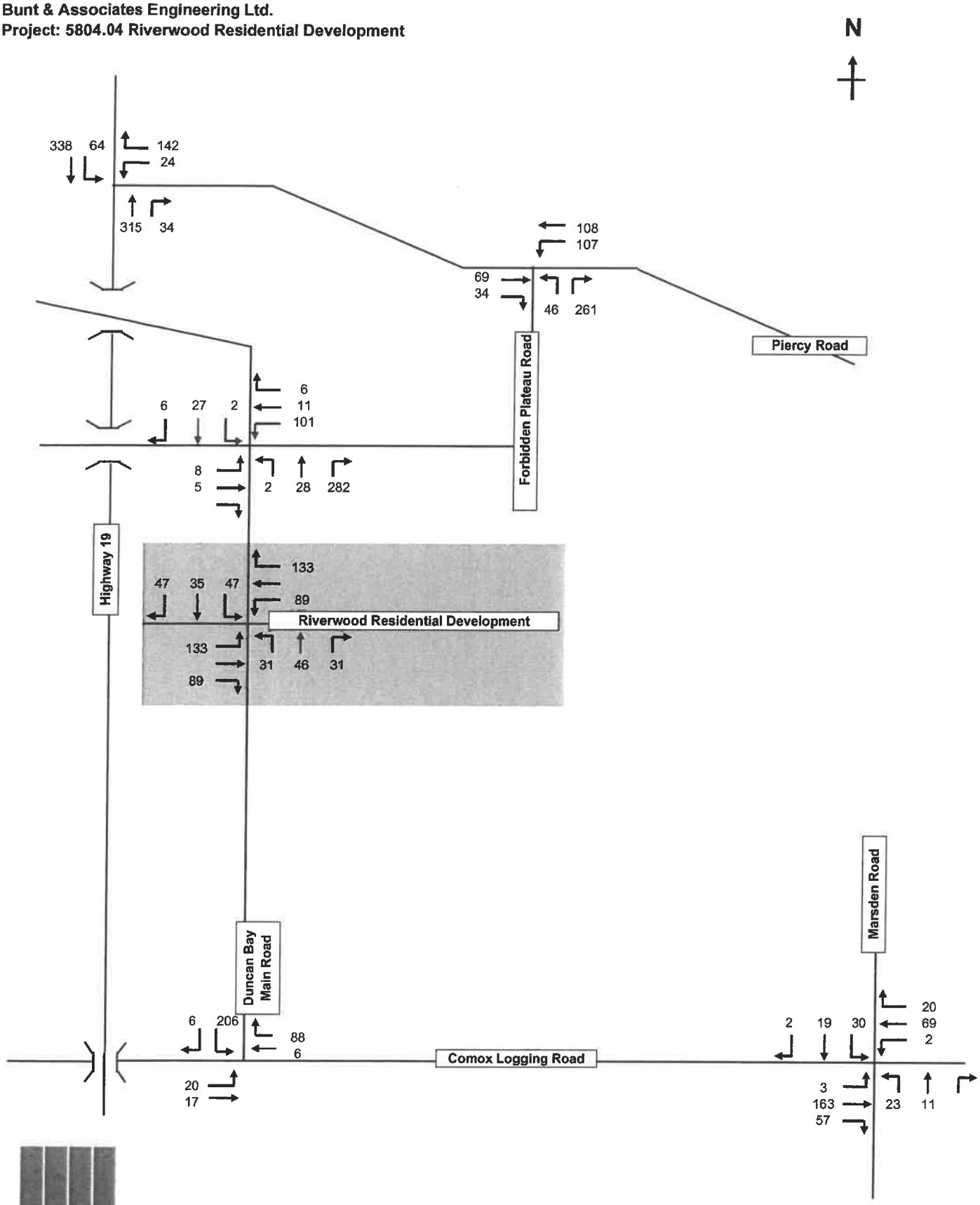
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
AM Peak
8:15am-9:15am

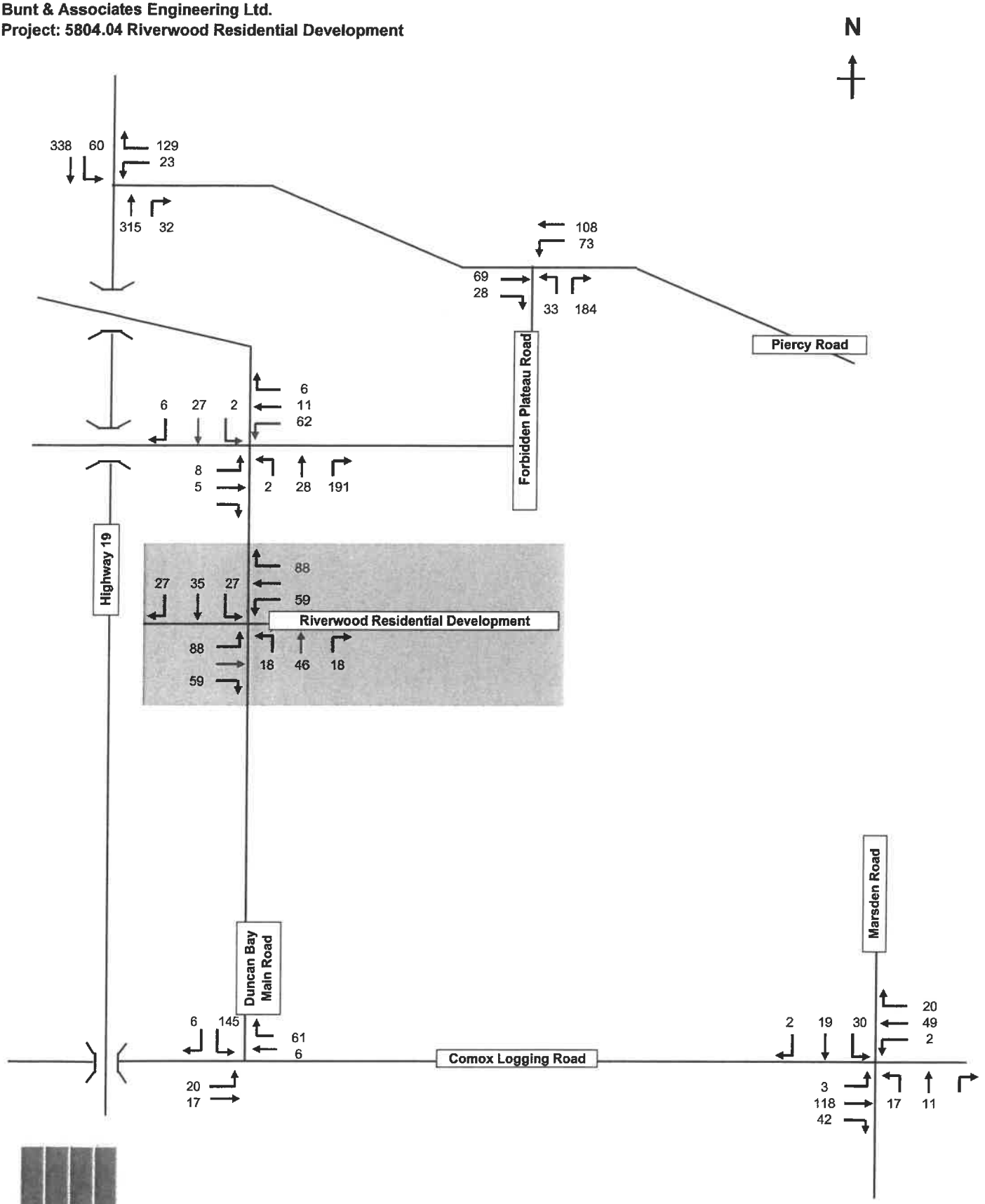
Option F (AM Peak Period, Year 2032, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

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2032
AM Peak
8:15am-9:15am
Option G (AM Peak Period, Year 2032, Growth rate 4% -2%, 60% north, Trip Gen with MoT rate)

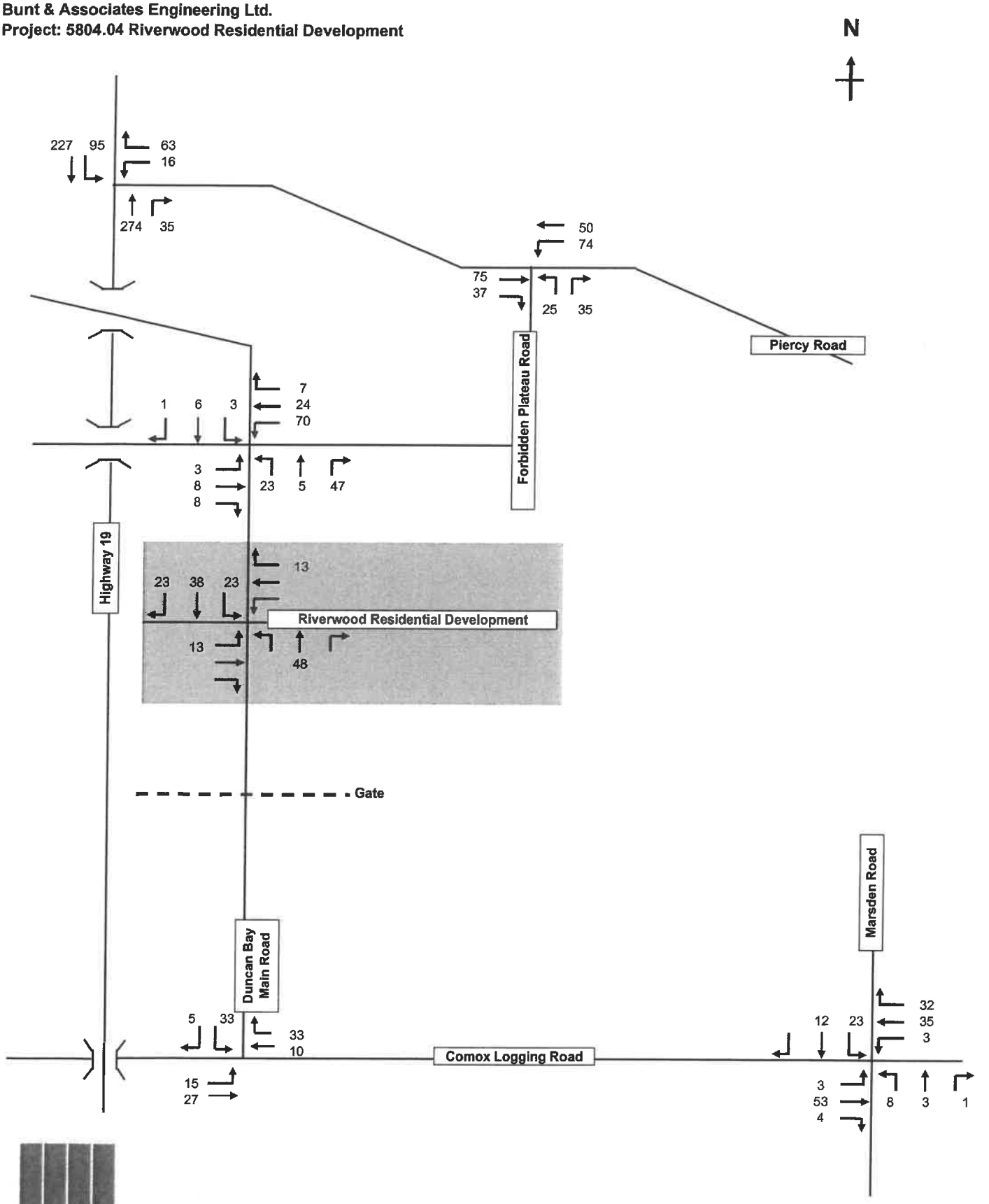
Bunt & Associates Engineering Ltd.
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2032
AM Peak
8:15am-9:15am

Option H (AM Peak Period, Year 2032, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

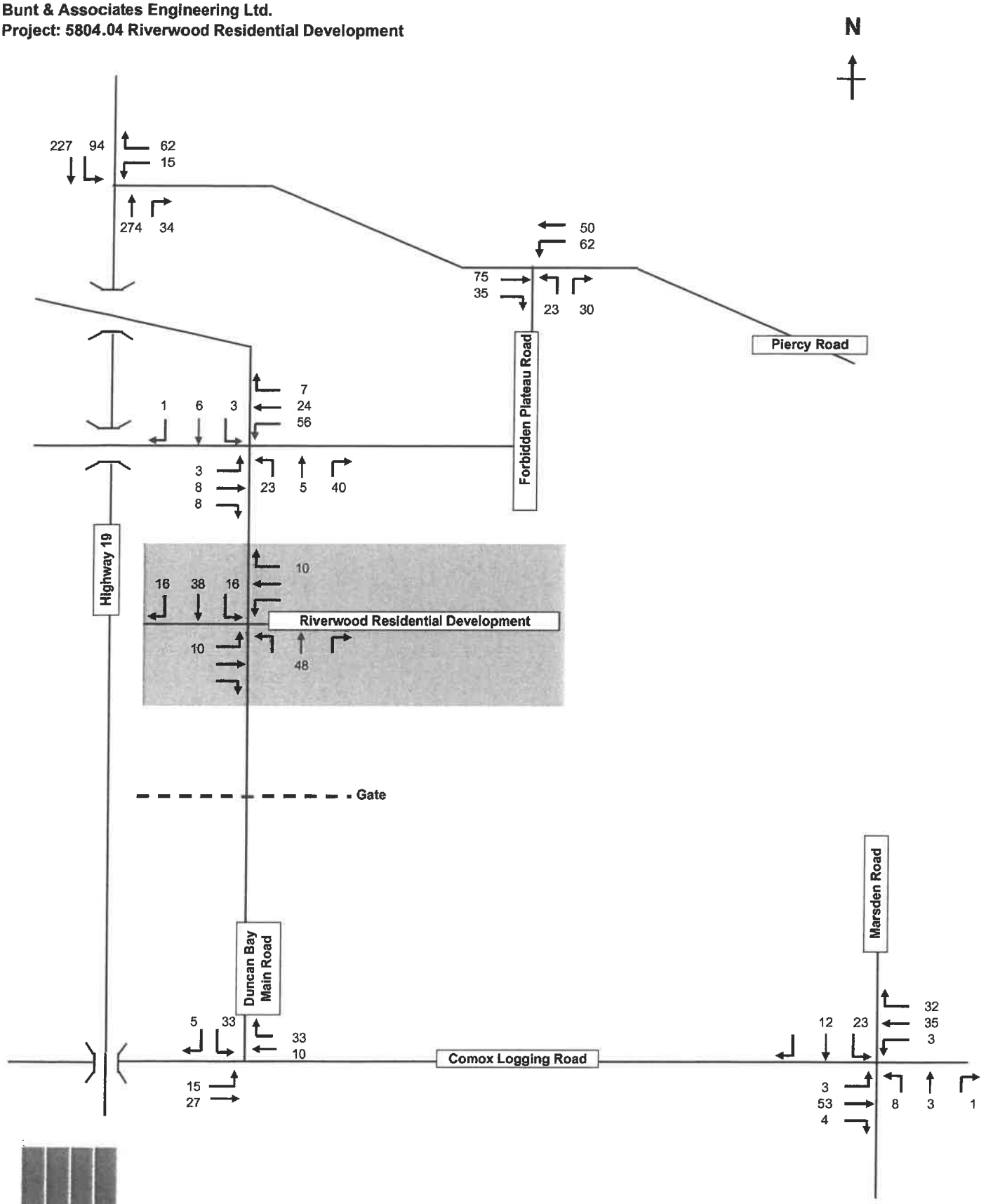
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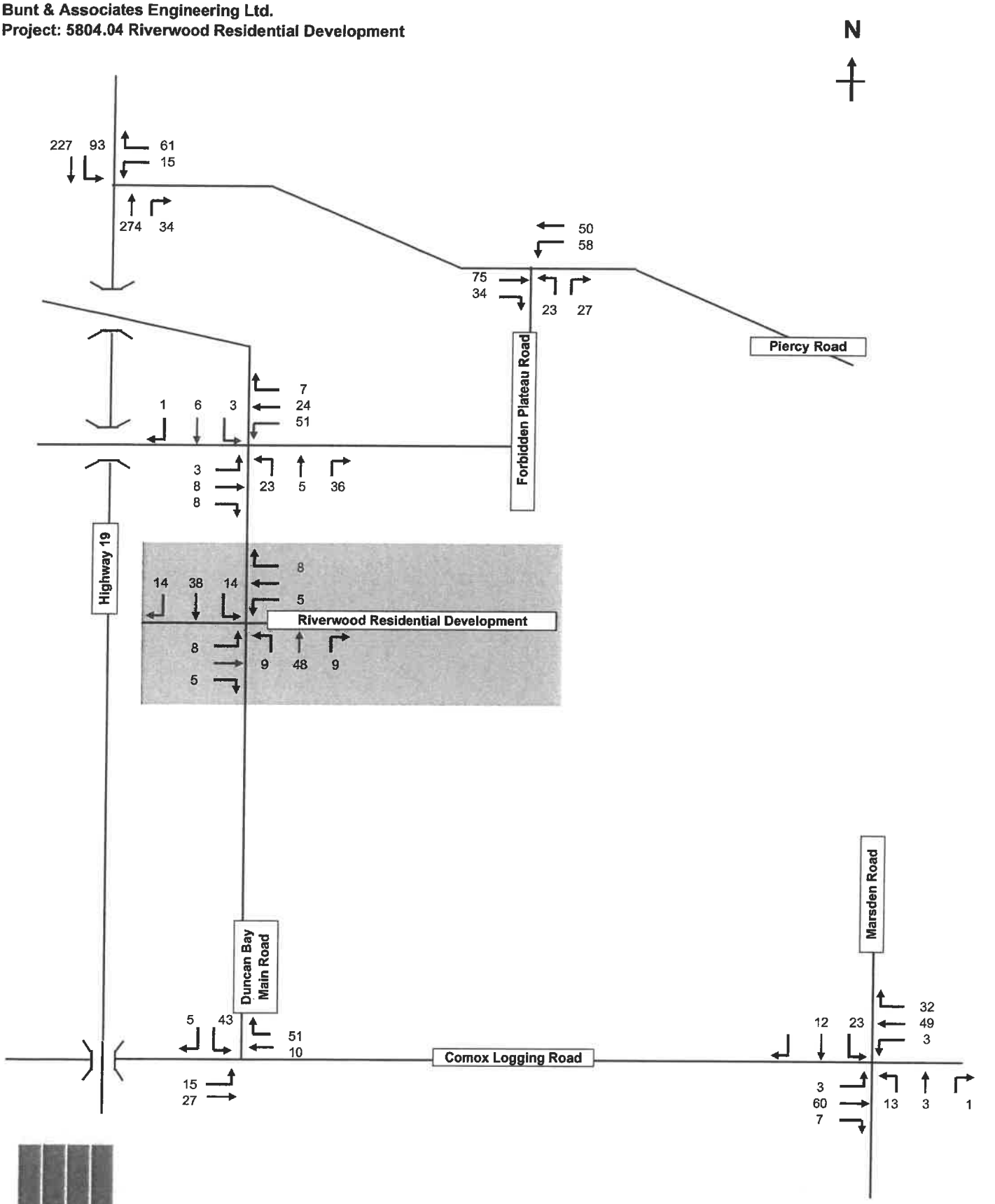
2012
PM Peak
4:15pm-5:15pm
Option A (PM peak Period, Year 2012, Growth rate 2% -1%, 100% north, Trip Gen with MoT rate)

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2012
PM Peak
4:15pm-5:15pm
Option B (PM Peak Period, Year 2012, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

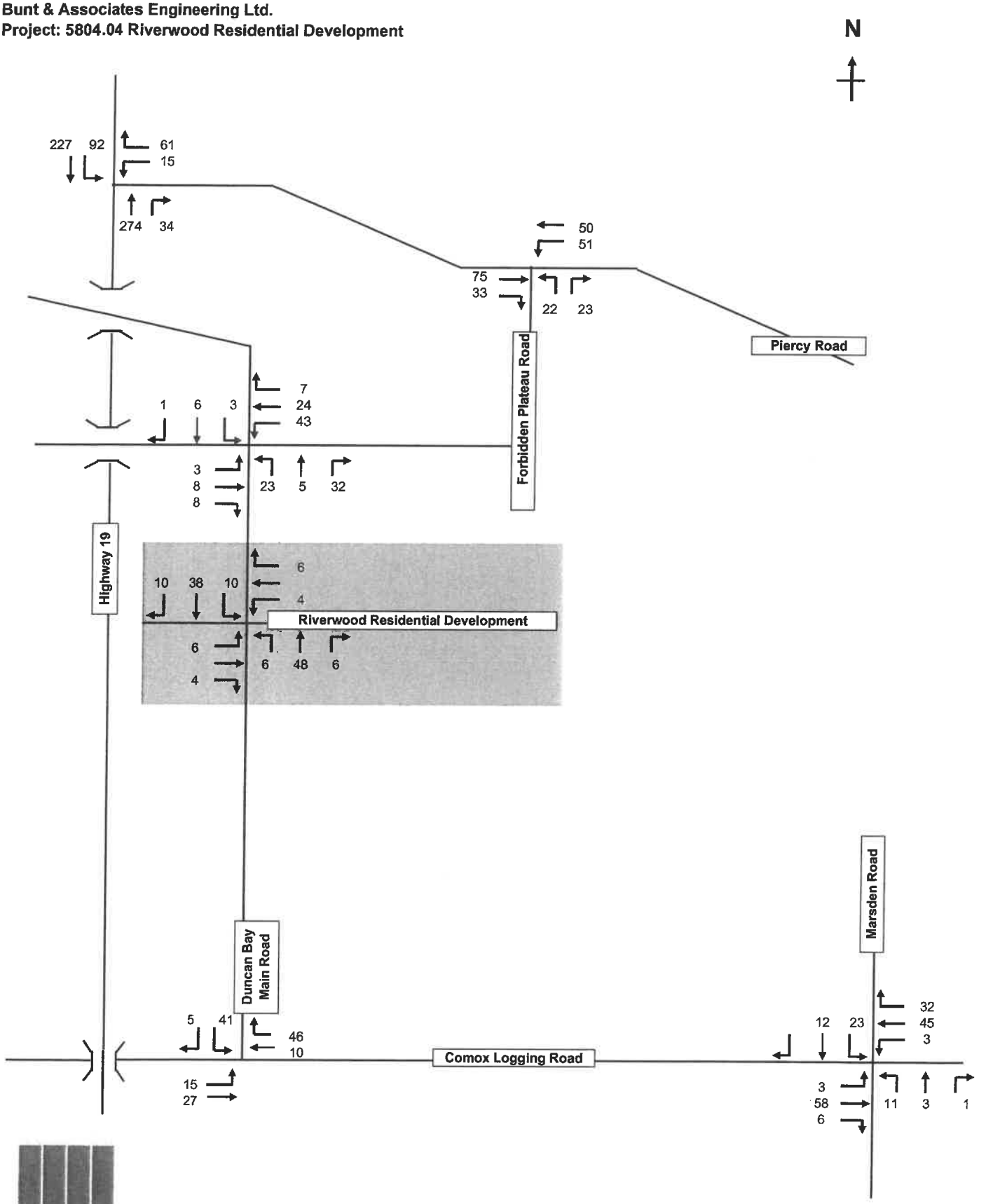
Bunt & Associates Engineering Ltd.
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2012
PM Peak
4:15pm-5:15pm

Option C (PM Peak Period, Year 2012, Growth rate 2% -1%, 60% north, Trip Gen with MoT rate)

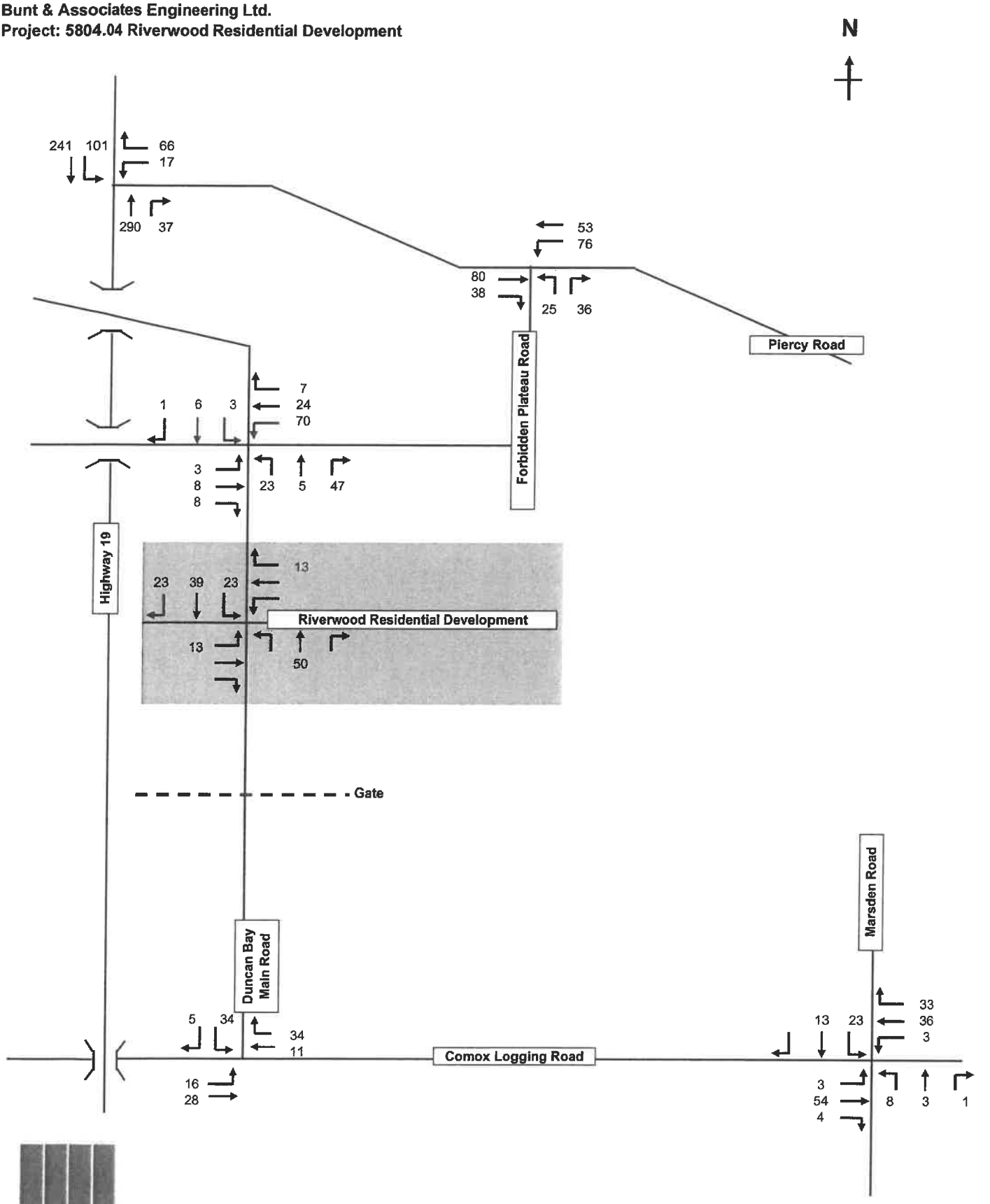
Bunt & Associates Engineering Ltd.
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2012
PM Peak
4:15pm-5:15pm

Option D (PM Peak Period, Year 2012, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

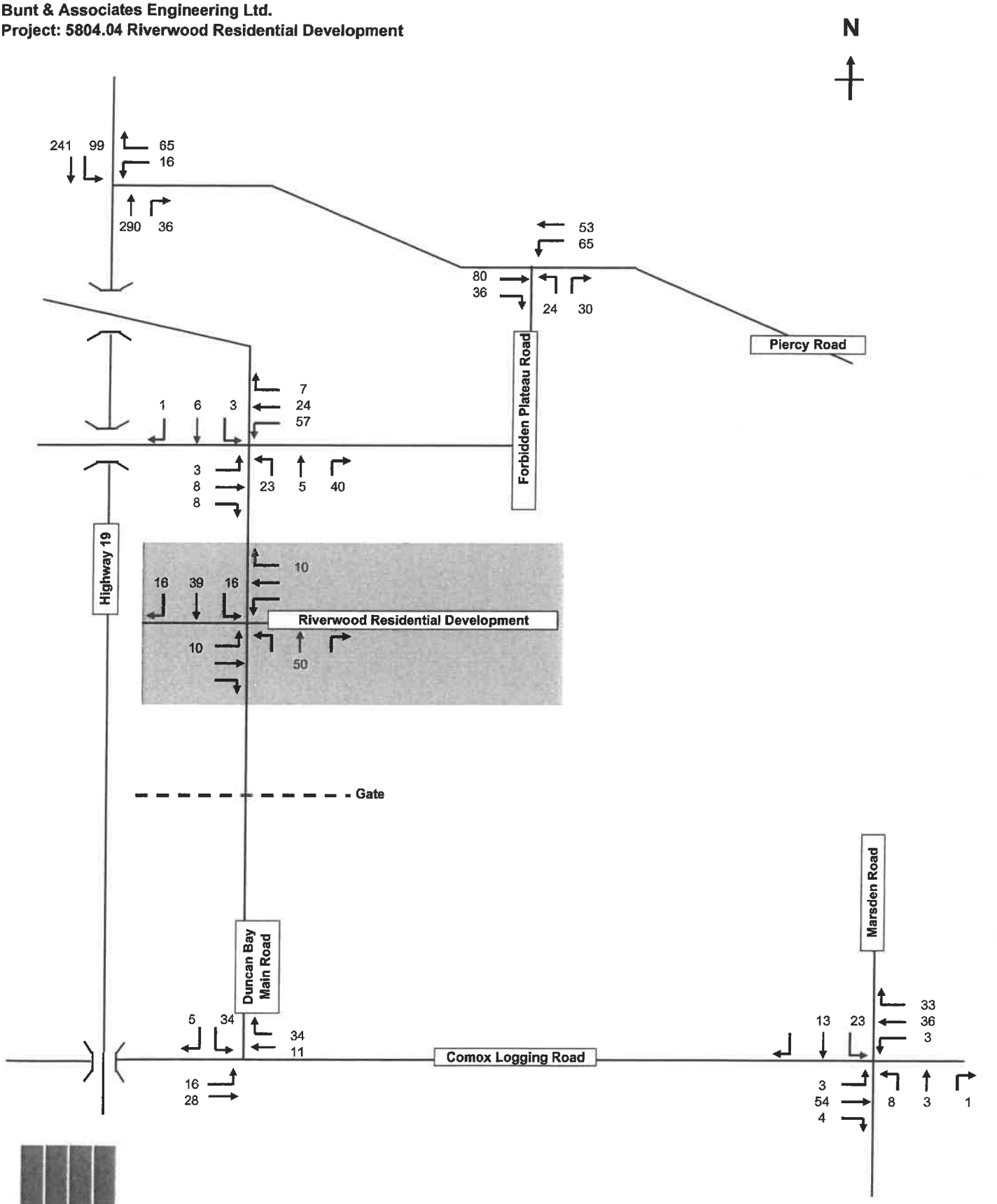
Bunt & Associates Engineering Ltd.
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2012
PM Peak
4:15pm-5:15pm

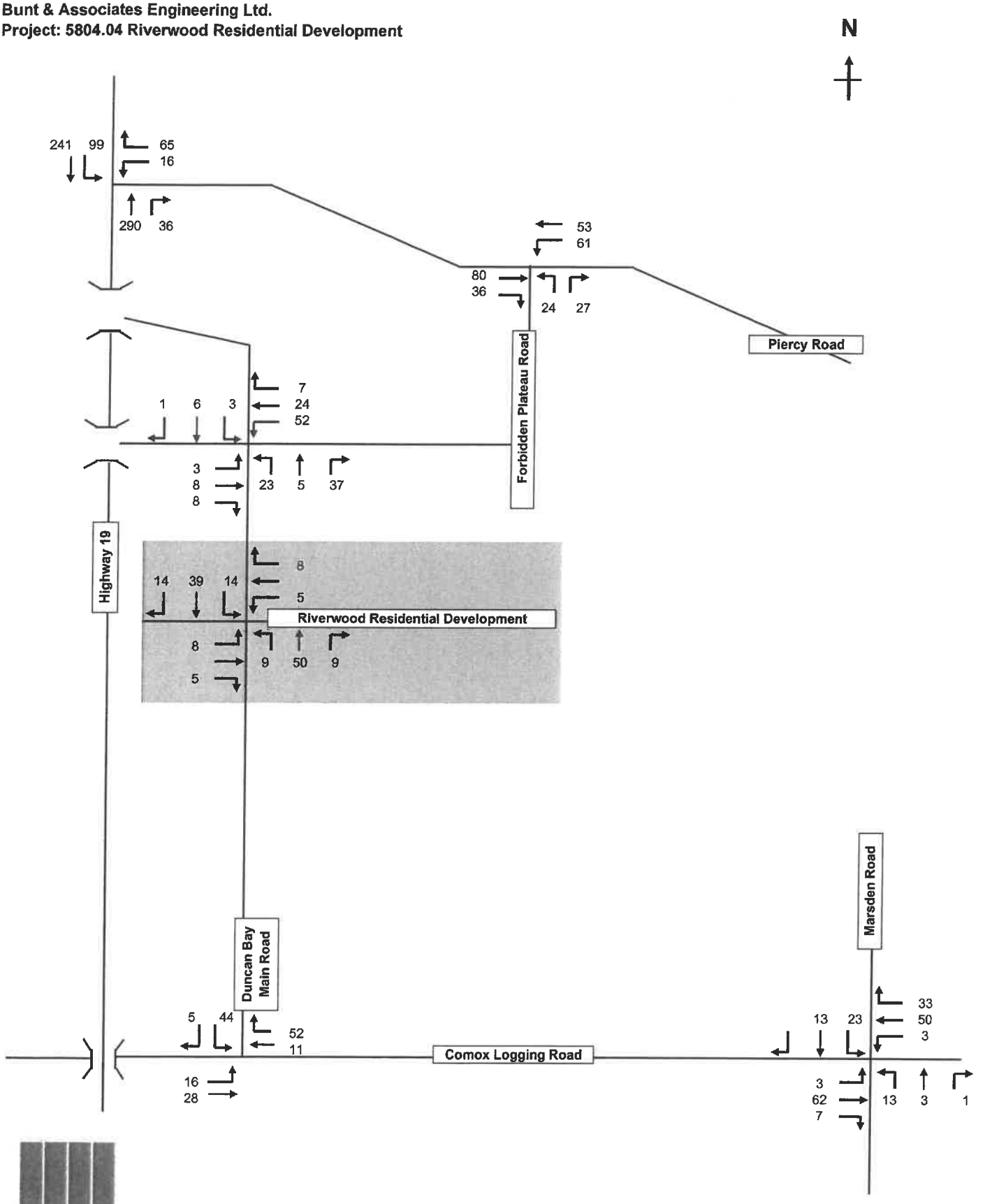
Option E (PM Peak Period, Year 2012, Growth rate 4% -2%, 100% north, Trip Gen with MoT rate)

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2012
PM Peak
4:15pm-5:15pm
Option F (PM Peak Period, Year 2012, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

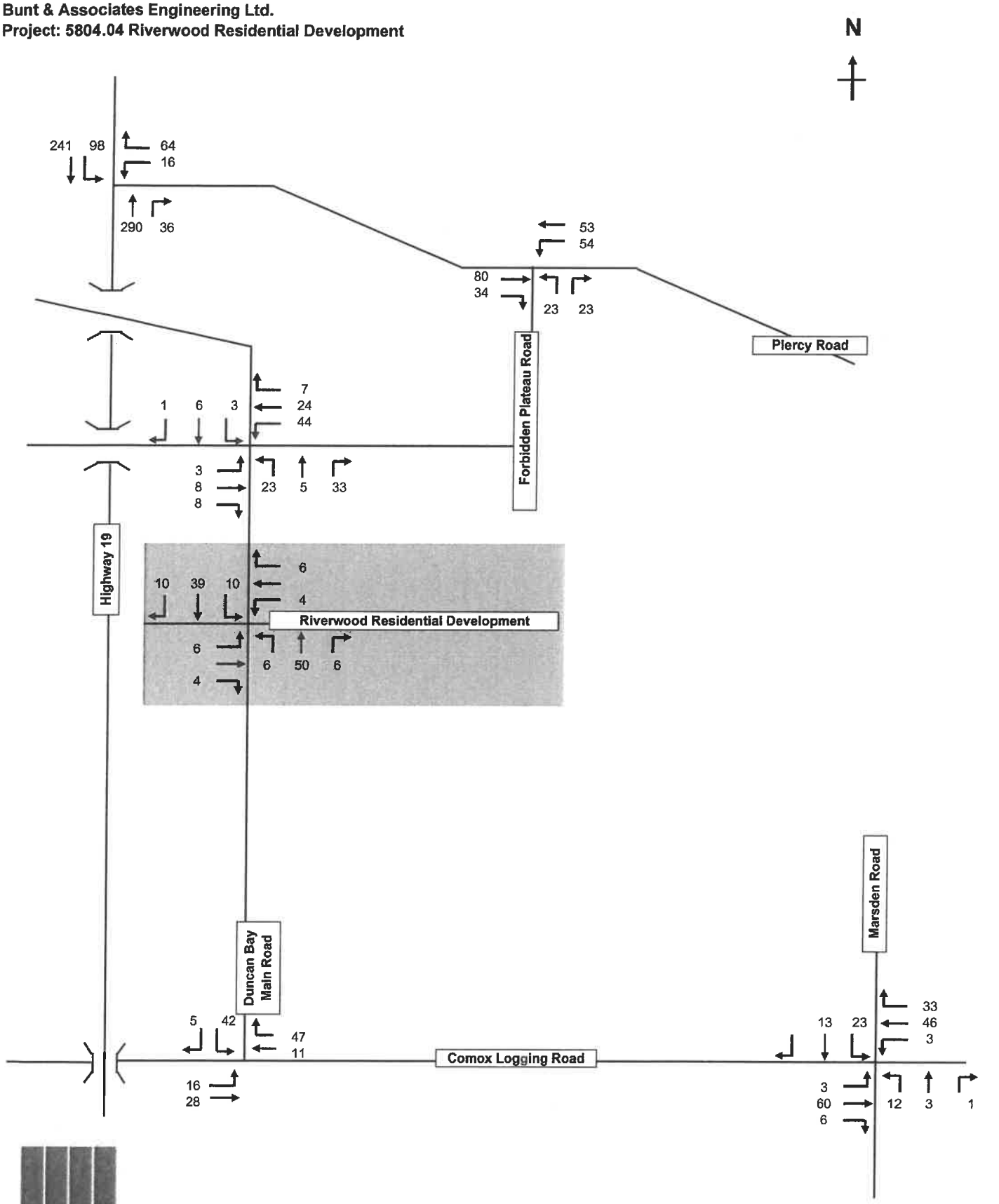
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2012
PM Peak
4:15pm-5:15pm
Option G (PM Peak Period, Year 2012, Growth rate 4% -2%, 60% north, Trip Gen with MoT rate)

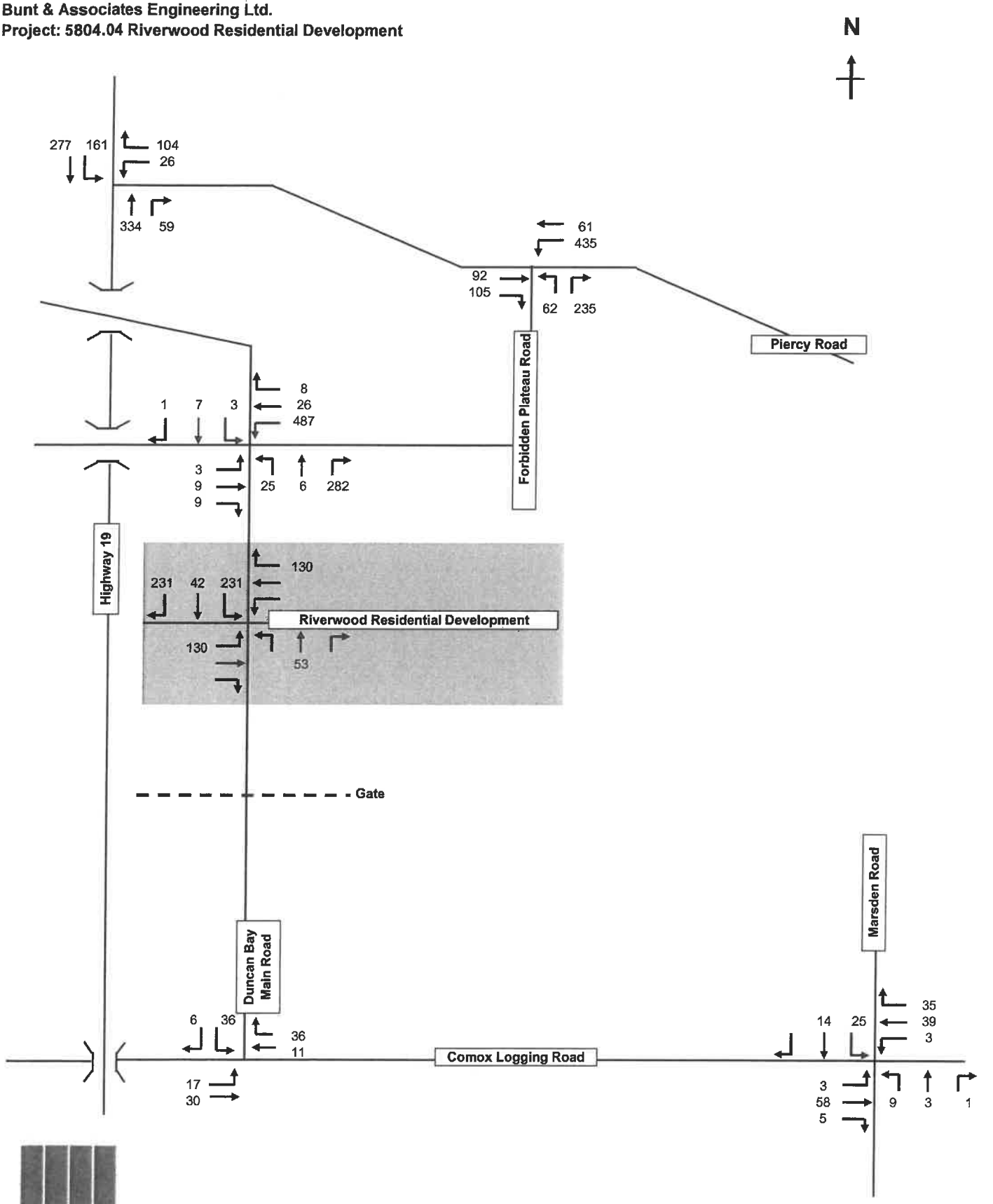
Bunt & Associates Engineering Ltd.
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2012
PM Peak
4:15pm-5:15pm

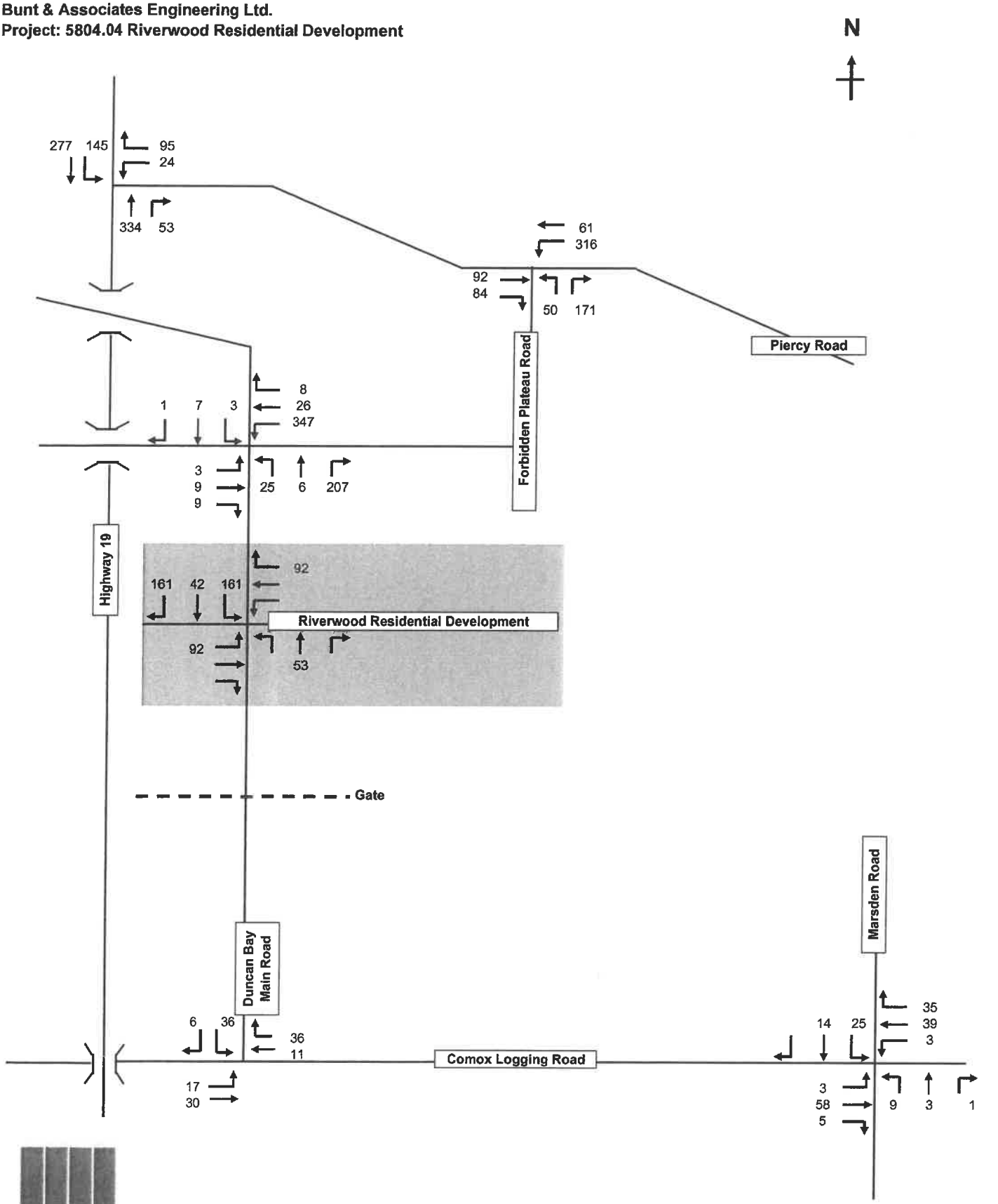
Option H (PM Peak Period, Year 2012, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

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Project: 5804.04 Riverwood Residential Development



2022
PM Peak
4:15pm-5:15pm
Option A (PM peak Period, Year 2022, Growth rate 2% -1%, 100% north, Trip Gen with MoT rate)

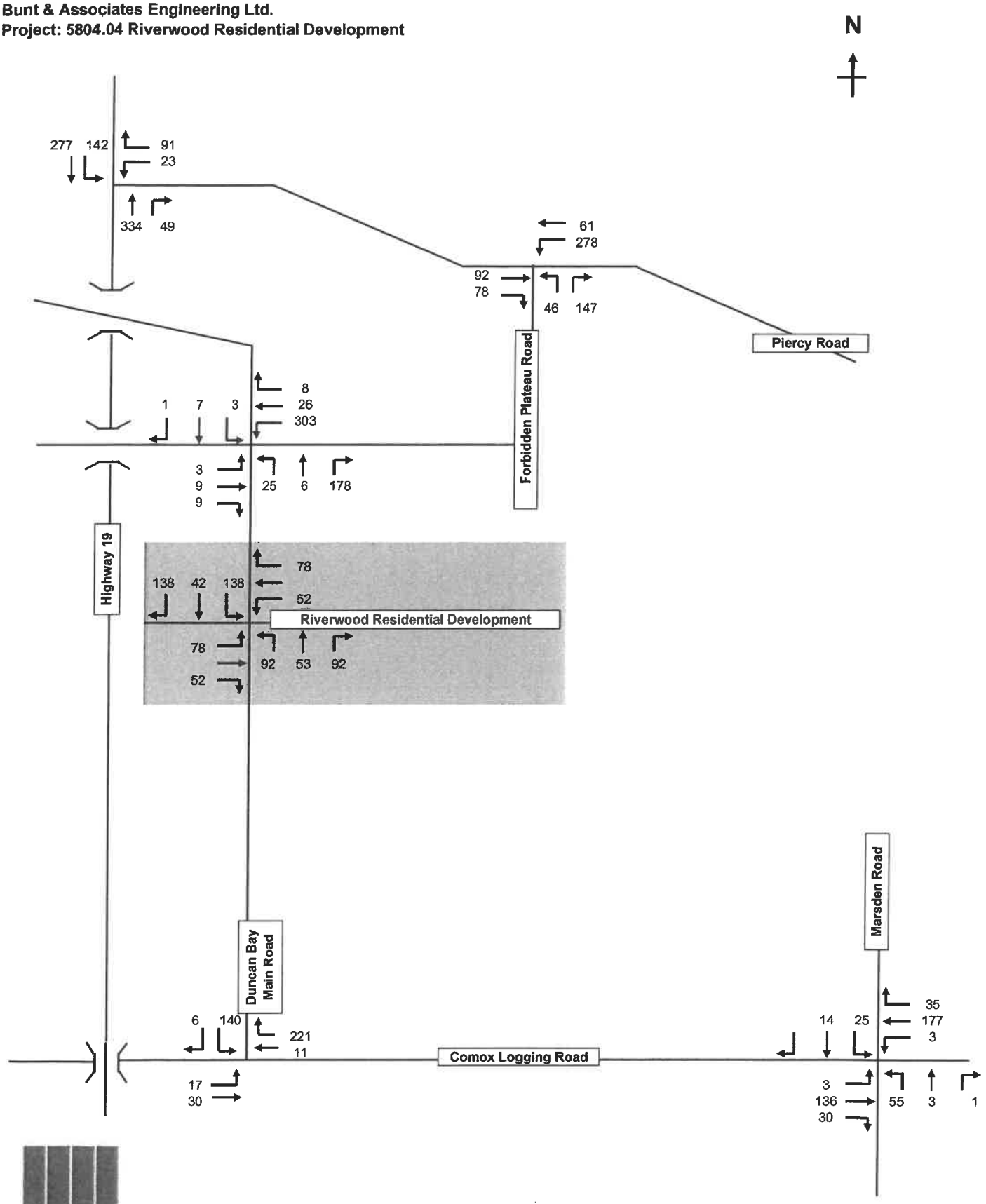
Bunt & Associates Engineering Ltd.
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2022
PM Peak
4:15pm-5:15pm

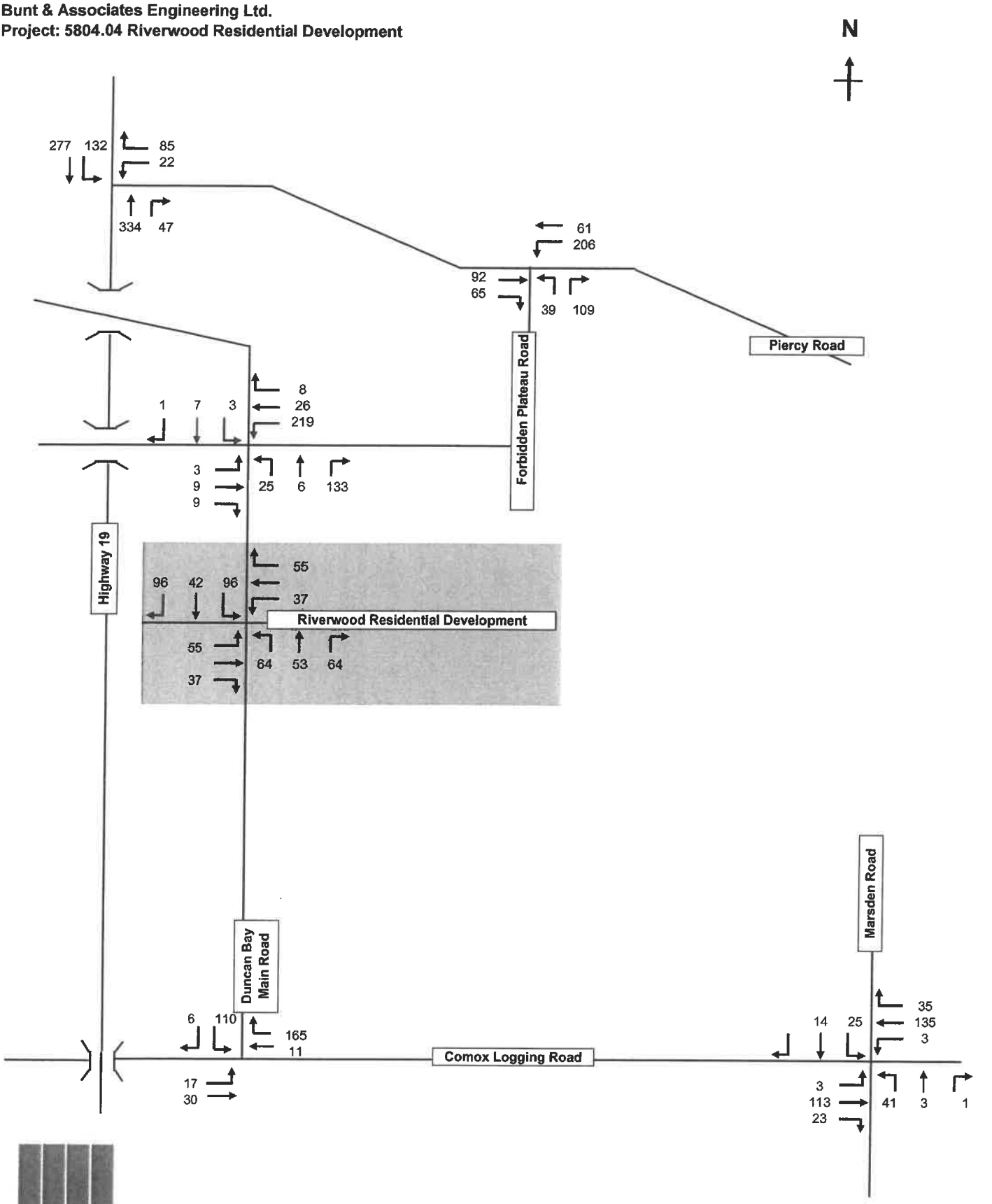
Option B (PM Peak Period, Year 2022, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

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2022
PM Peak
4:15pm-5:15pm
Option C (PM Peak Period, Year 2022, Growth rate 2% -1%, 60% north, Trip Gen with MoT rate)

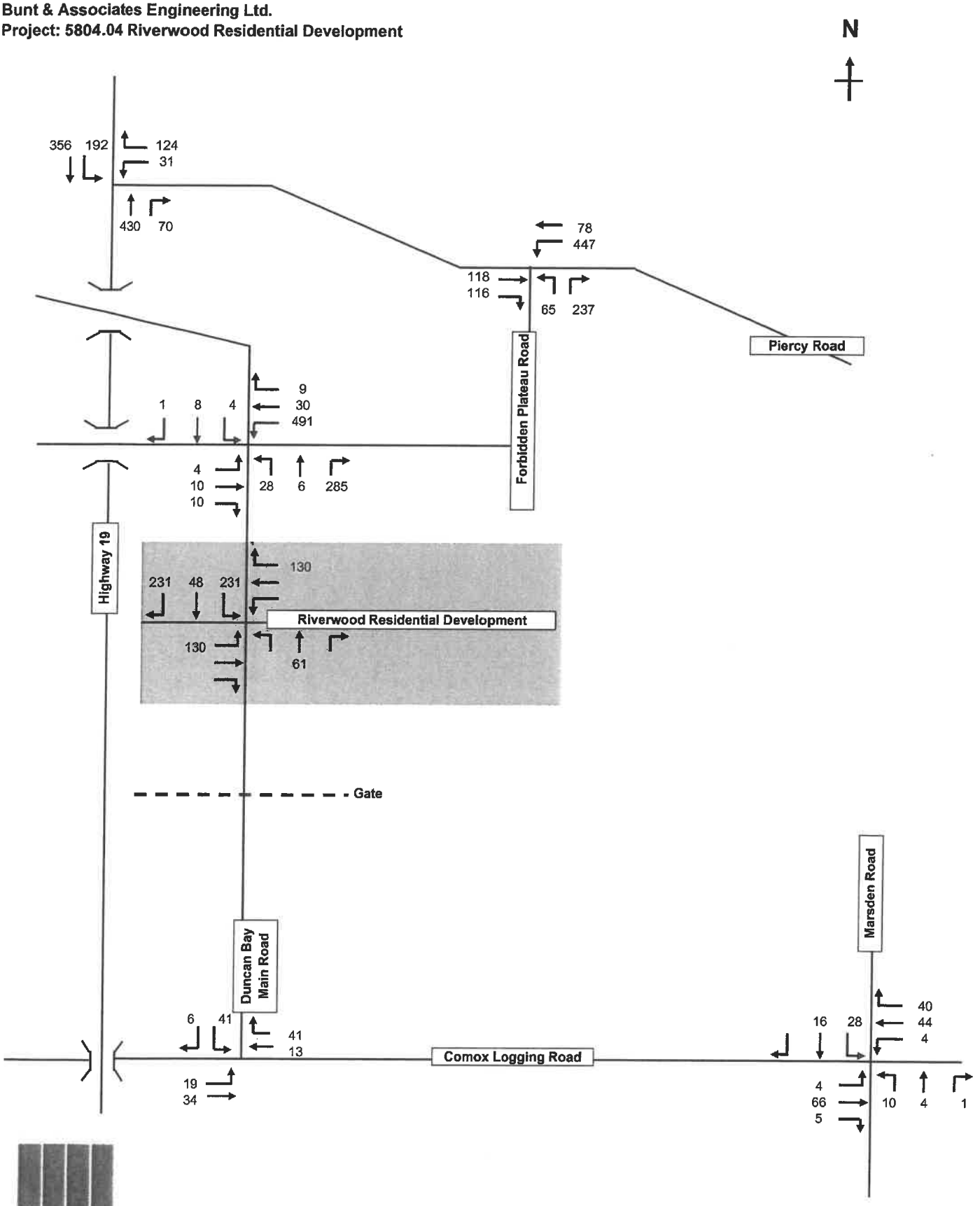
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2022
PM Peak
4:15pm-5:15pm

Option D (PM Peak Period, Year 2022, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

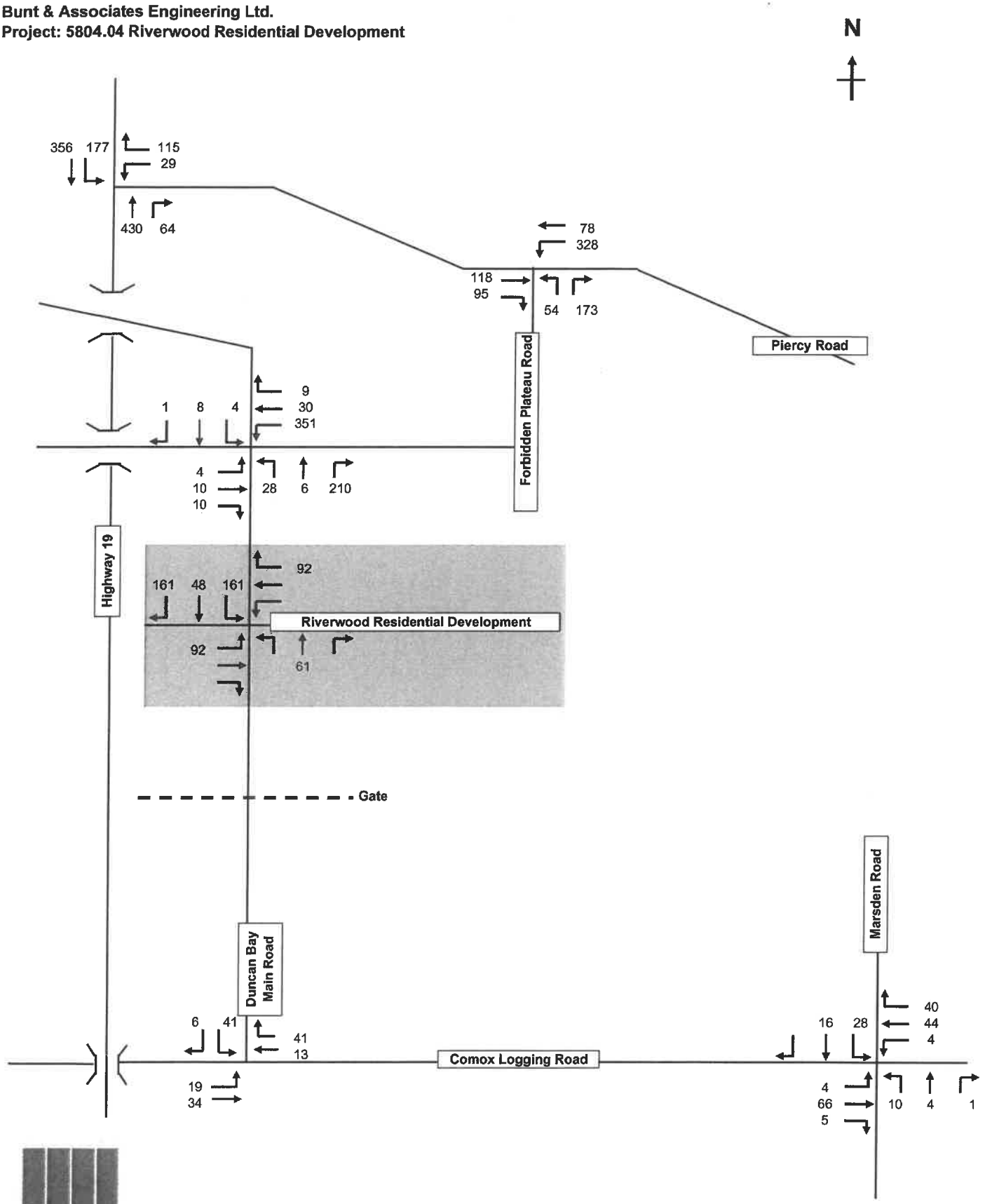
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2022
PM Peak
4:15pm-5:15pm

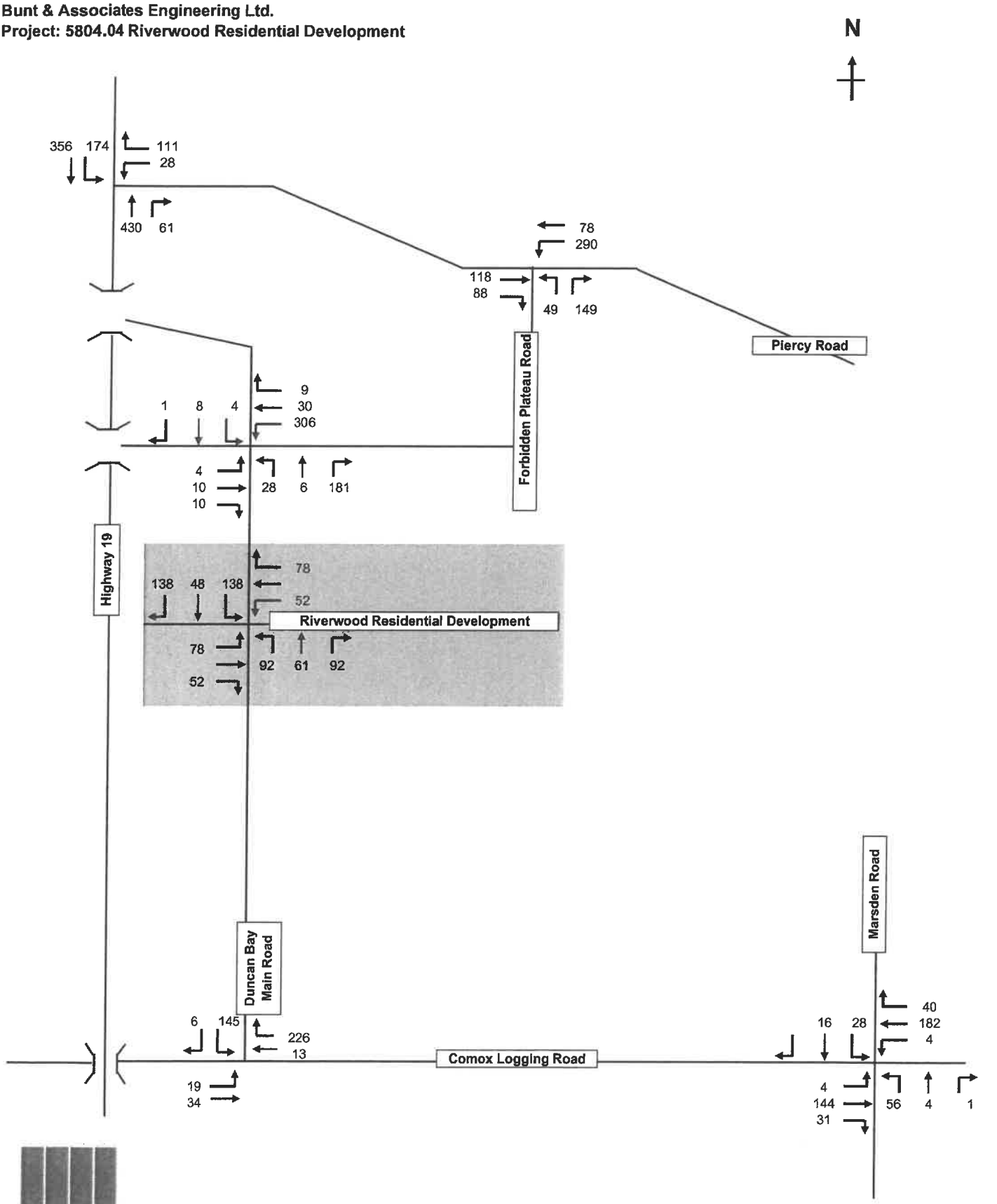
Option E (PM Peak Period, Year 2022, Growth rate 4% -2%, 100% north, Trip Gen with MoT rate)

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2022
PM Peak
4:15pm-5:15pm
Option F (PM Peak Period, Year 2022, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

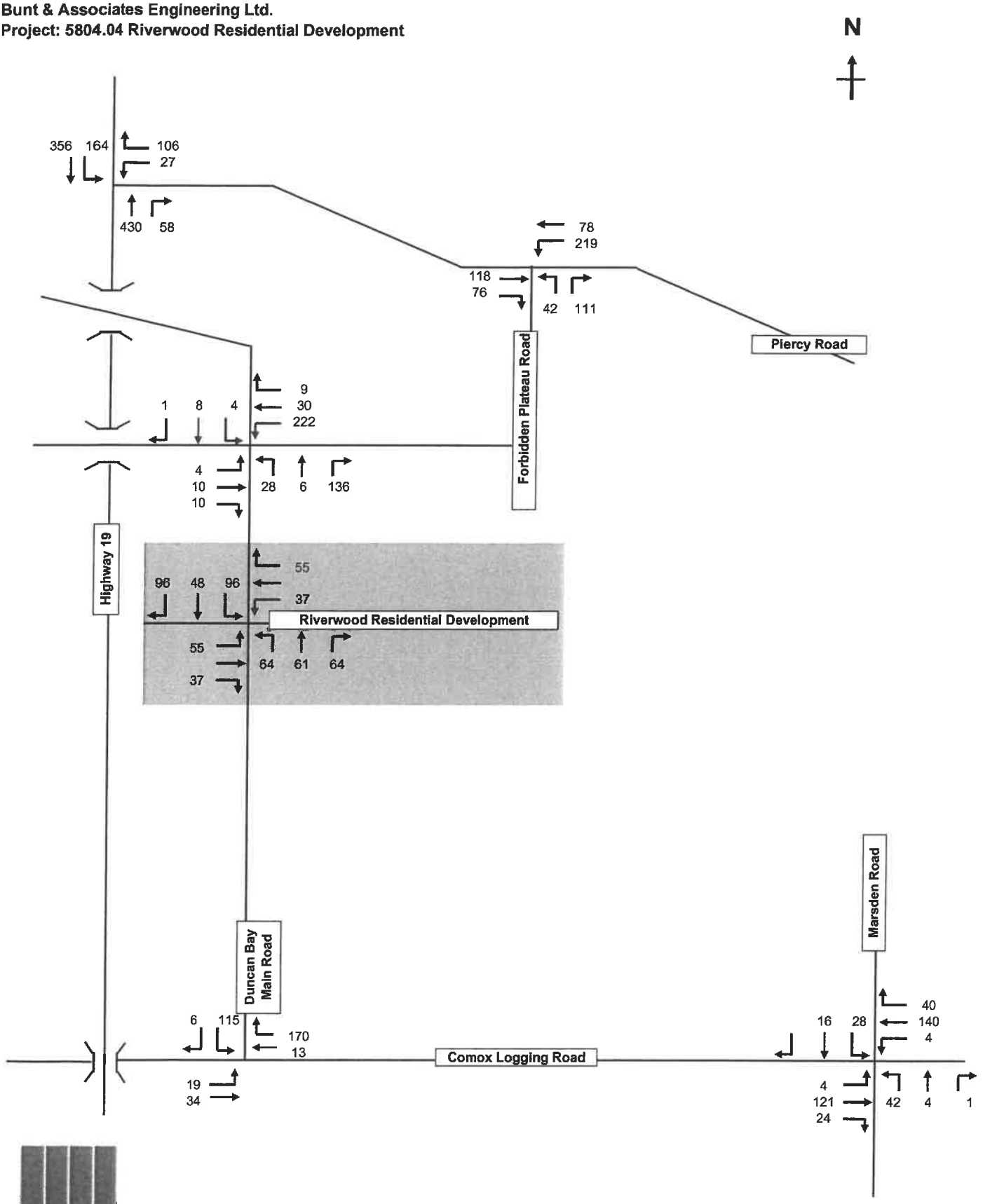
Bunt & Associates Engineering Ltd.
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2022
PM Peak
4:15pm-5:15pm

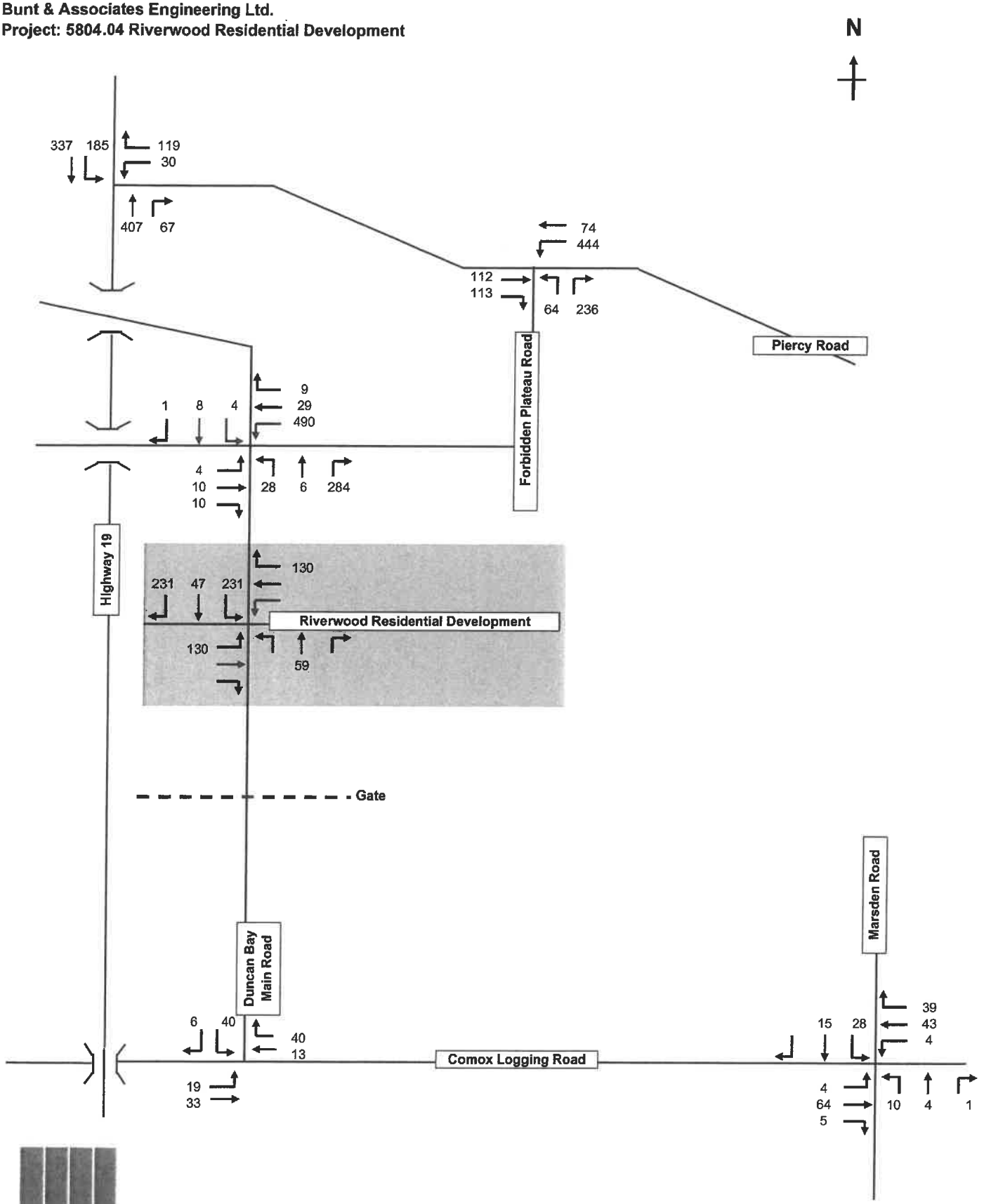
Option G (PM Peak Period, Year 2022, Growth rate 4% -2%, 60% north, Trip Gen with MoT rate)

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2022
PM Peak
4:15pm-5:15pm
Option H (PM Peak Period, Year 2022, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

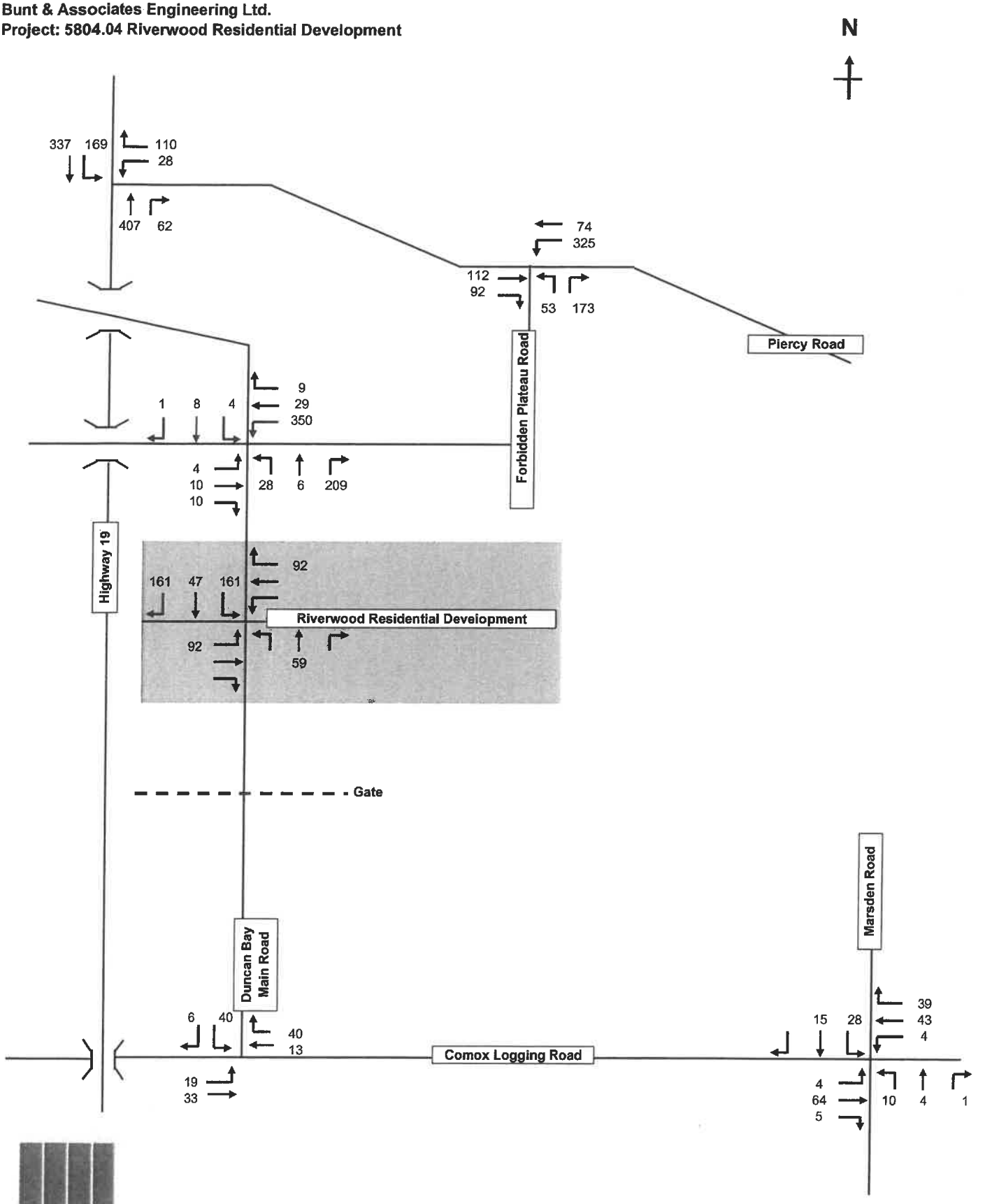
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
PM Peak
4:15pm-5:15pm

Option A (PM peak Period, Year 2032, Growth rate 2% -1%, 100% north, Trip Gen with MoT rate)

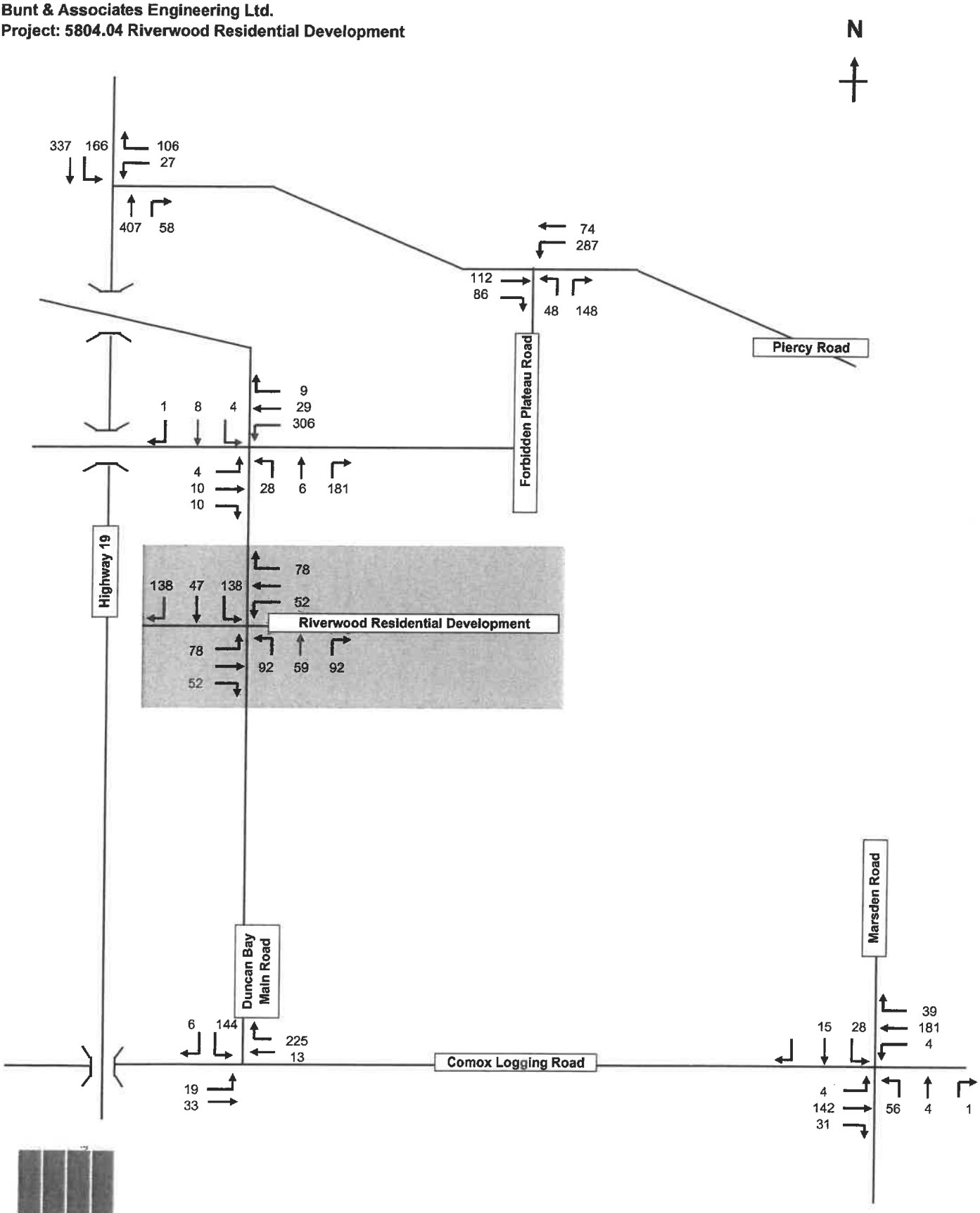
Bunt & Associates Engineering Ltd.
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2032
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4:15pm-5:15pm

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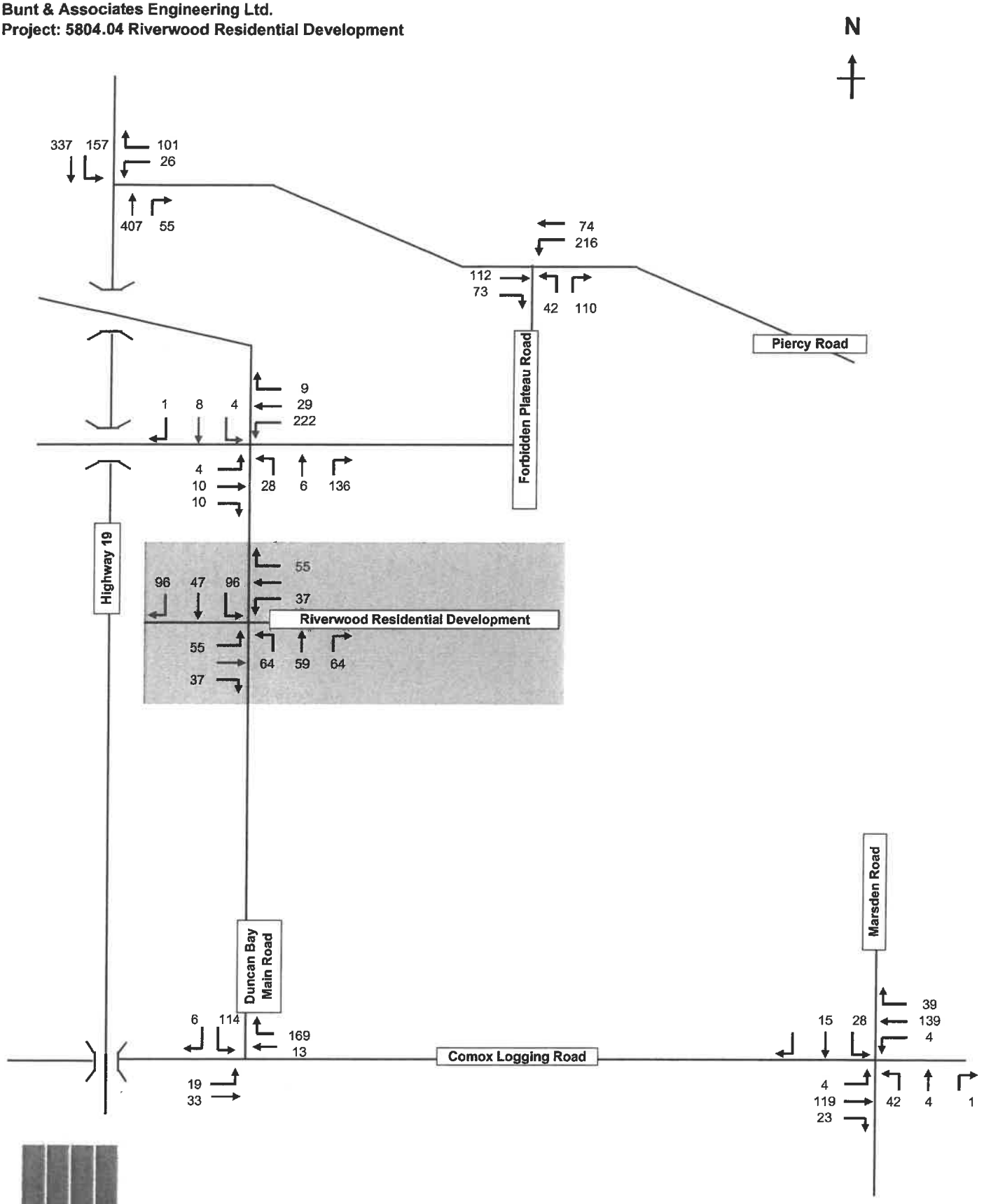
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
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Option C (PM Peak Period, Year 2032, Growth rate 2% -1%, 60% north, Trip Gen with MoT rate)

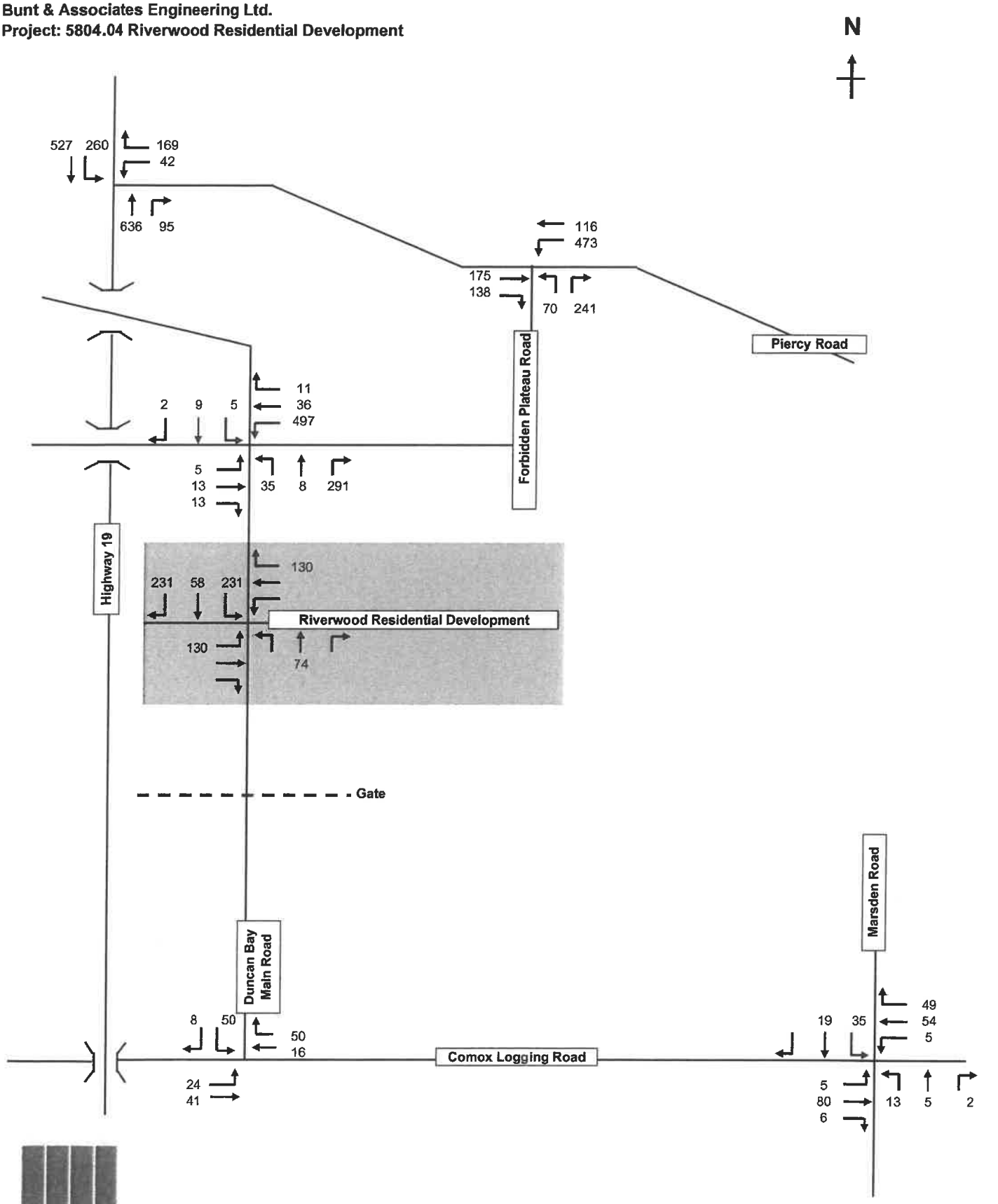
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



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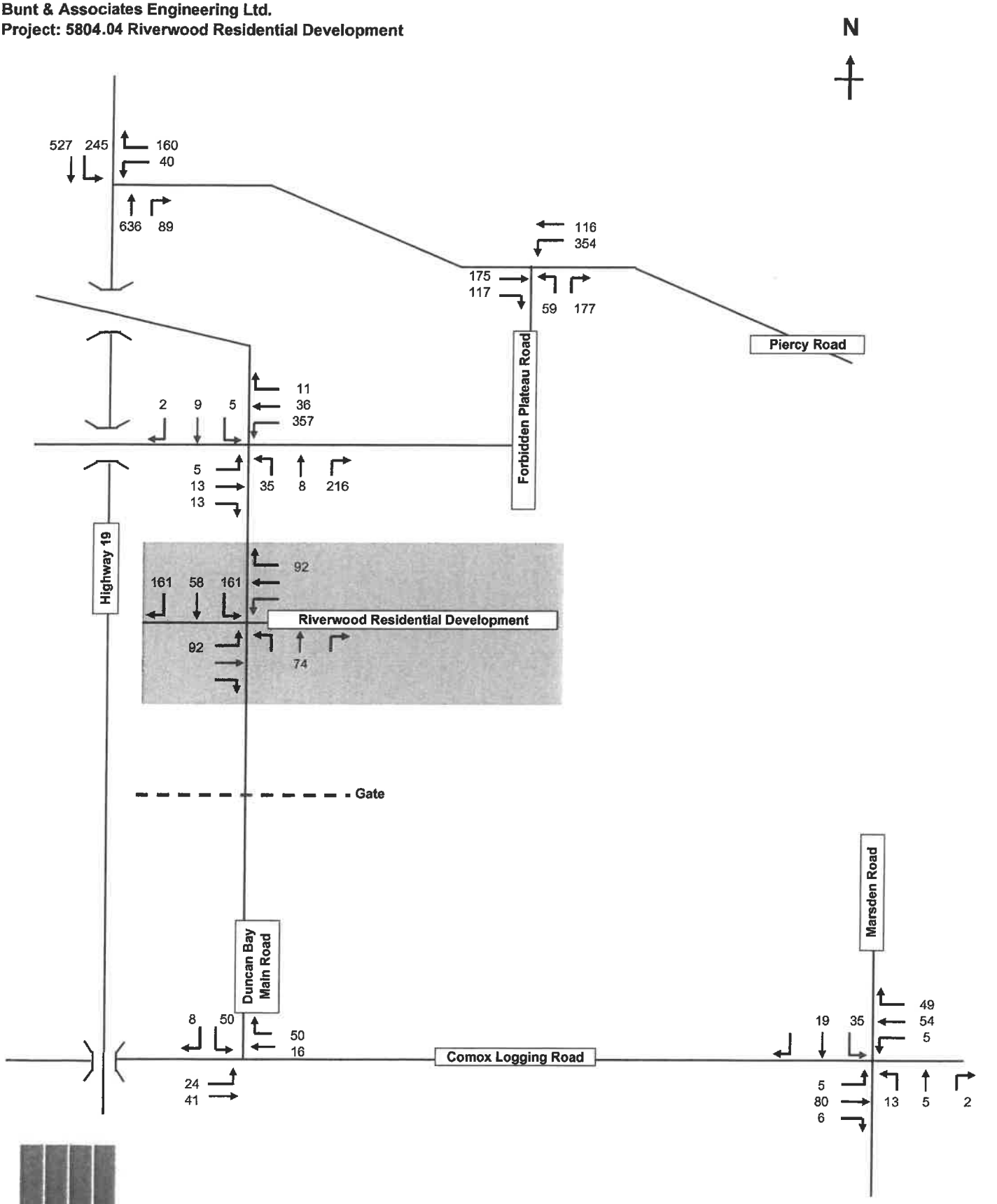
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
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4:15pm-5:15pm

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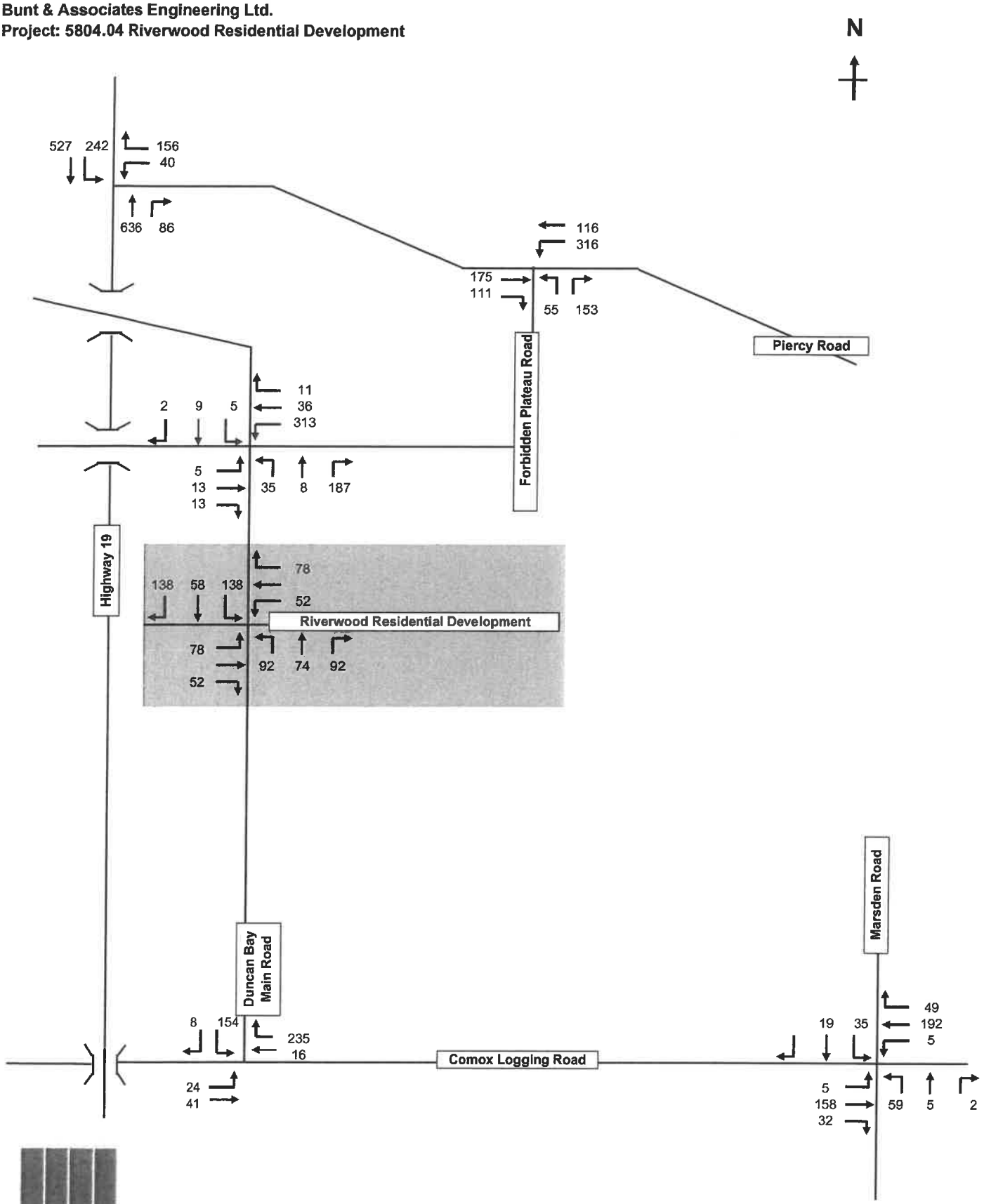
Bunt & Associates Engineering Ltd.
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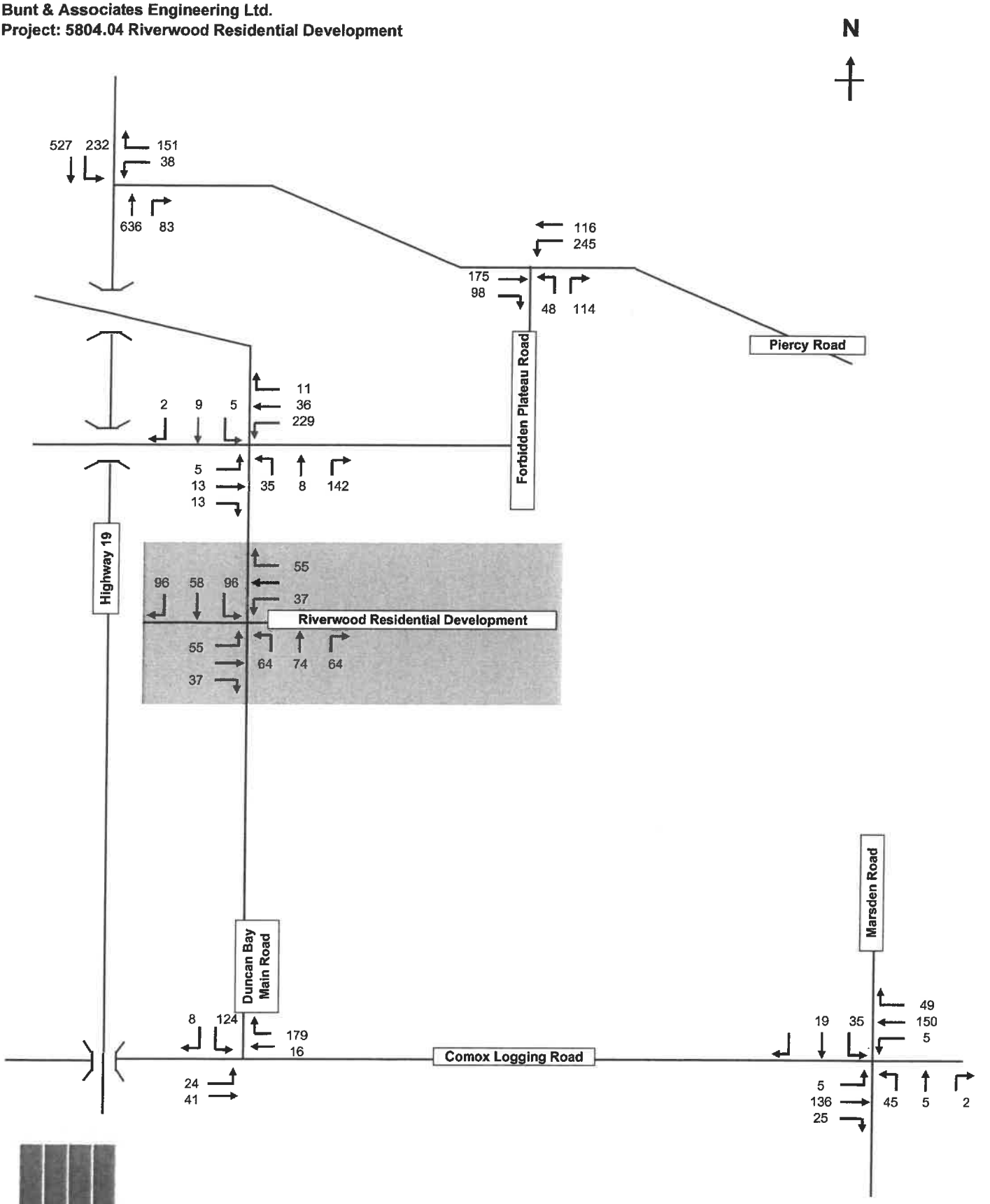
2032
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4:15pm-5:15pm
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Project: 5804.04 Riverwood Residential Development



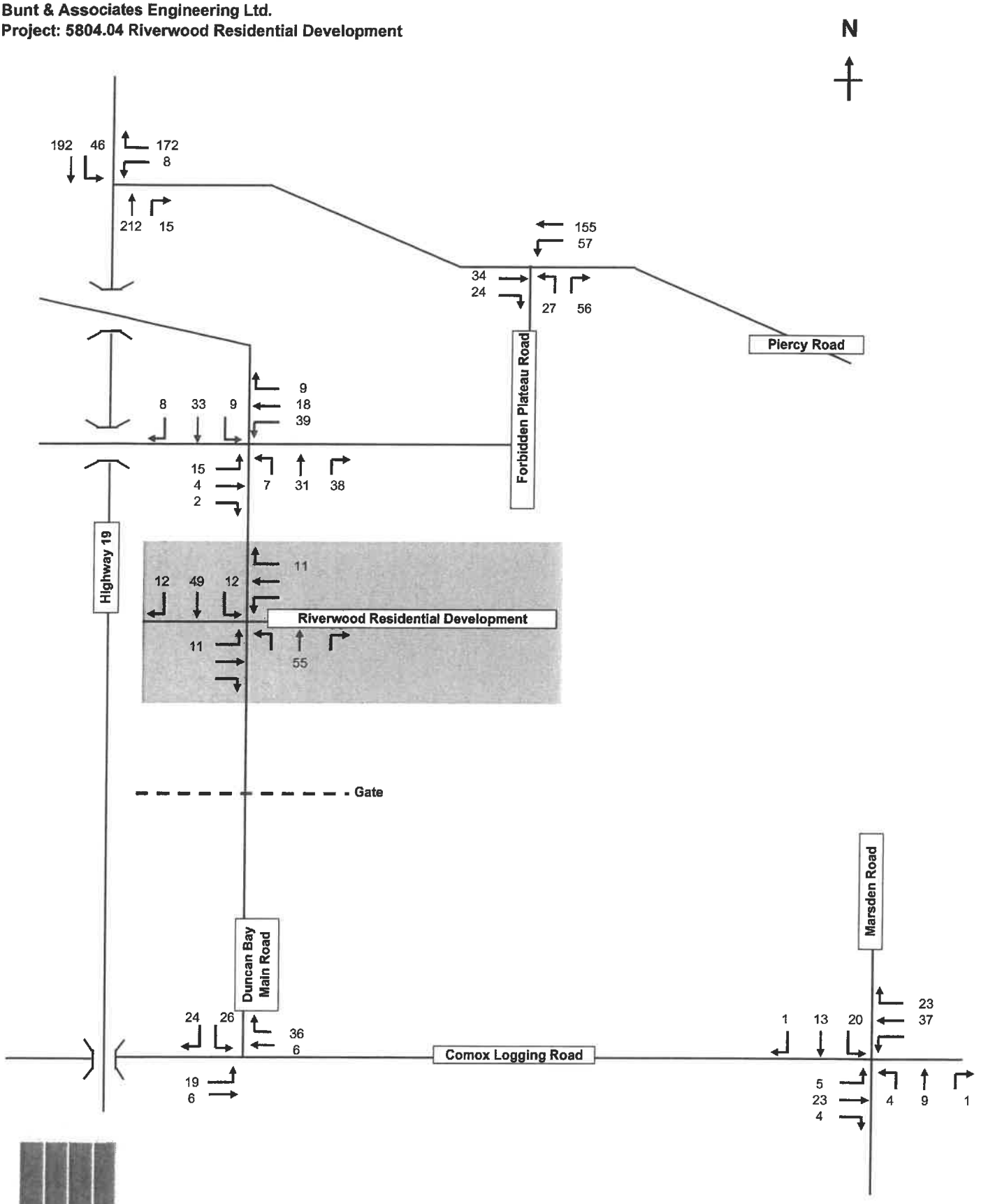
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Option G (PM Peak Period, Year 2032, Growth rate 4% -2%, 60% north, Trip Gen with MoT rate)

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2032
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4:15pm-5:15pm
Option H (PM Peak Period, Year 2032, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

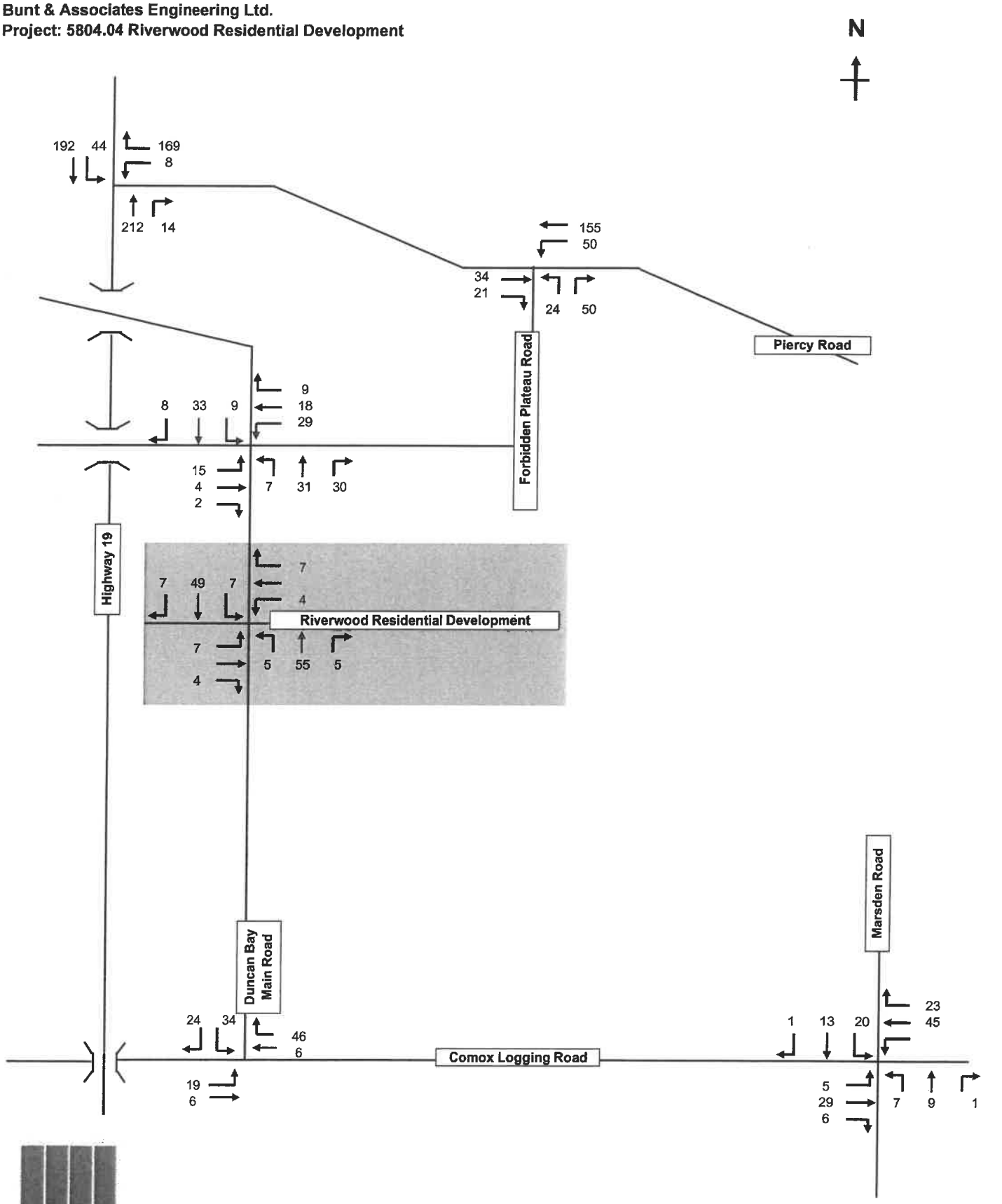
Bunt & Associates Engineering Ltd.
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2012
Sat Peak
11:45am-12:45pm
Option B (AM Peak Period, Year 2012, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

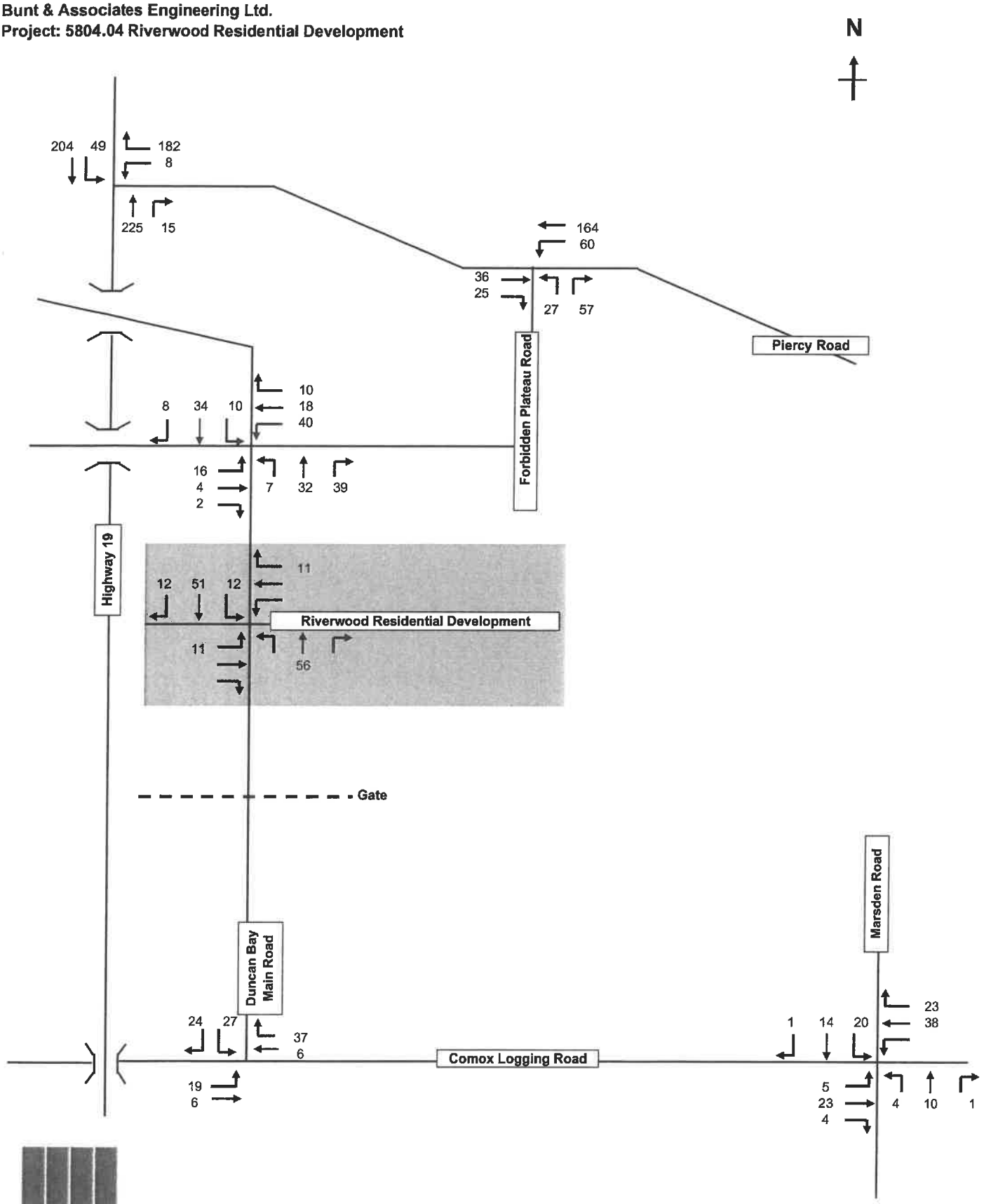
Bunt & Associates Engineering Ltd.
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2012
Sat Peak
11:45am-12:45pm
Option D (AM Peak Period, Year 2012, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

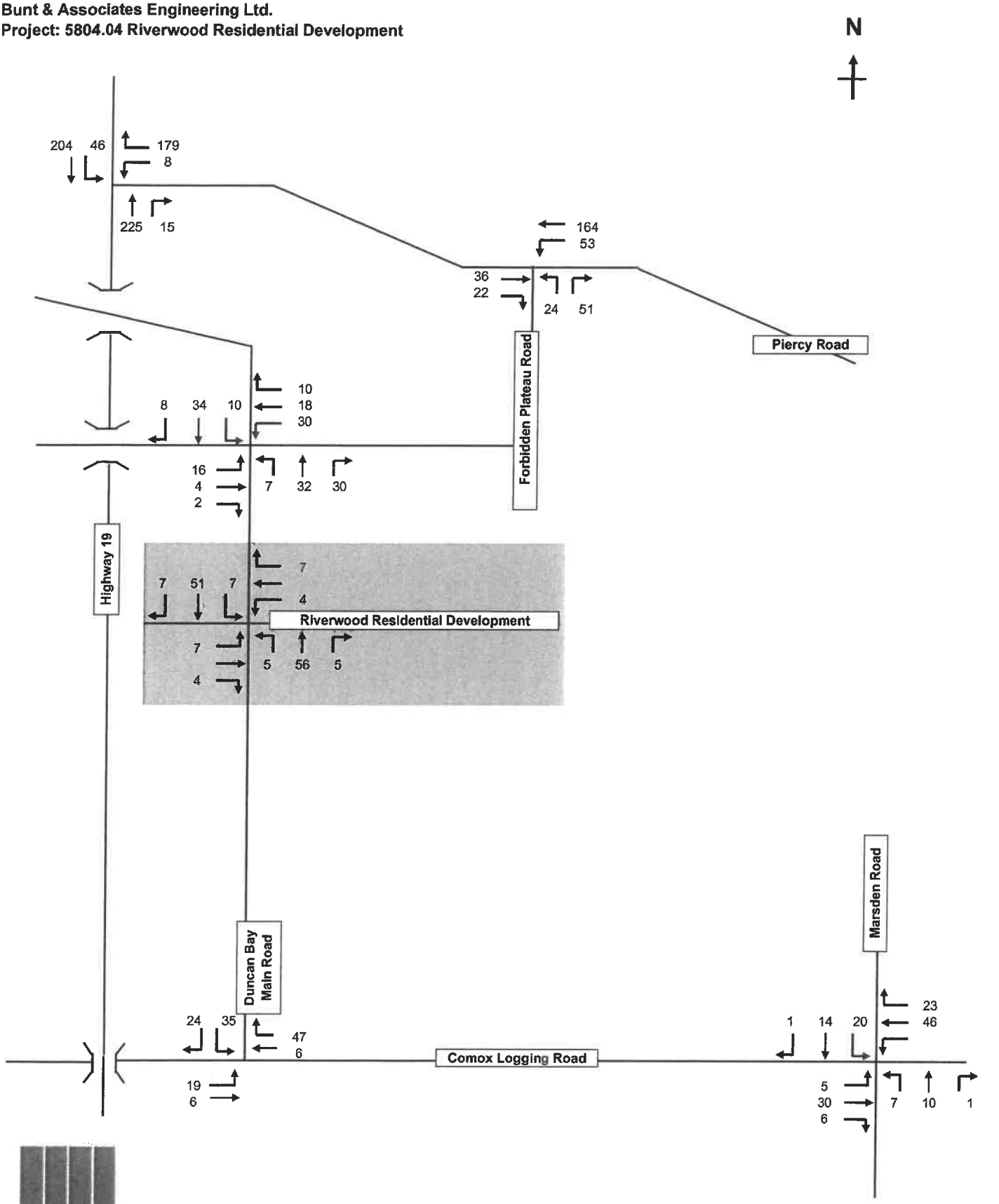
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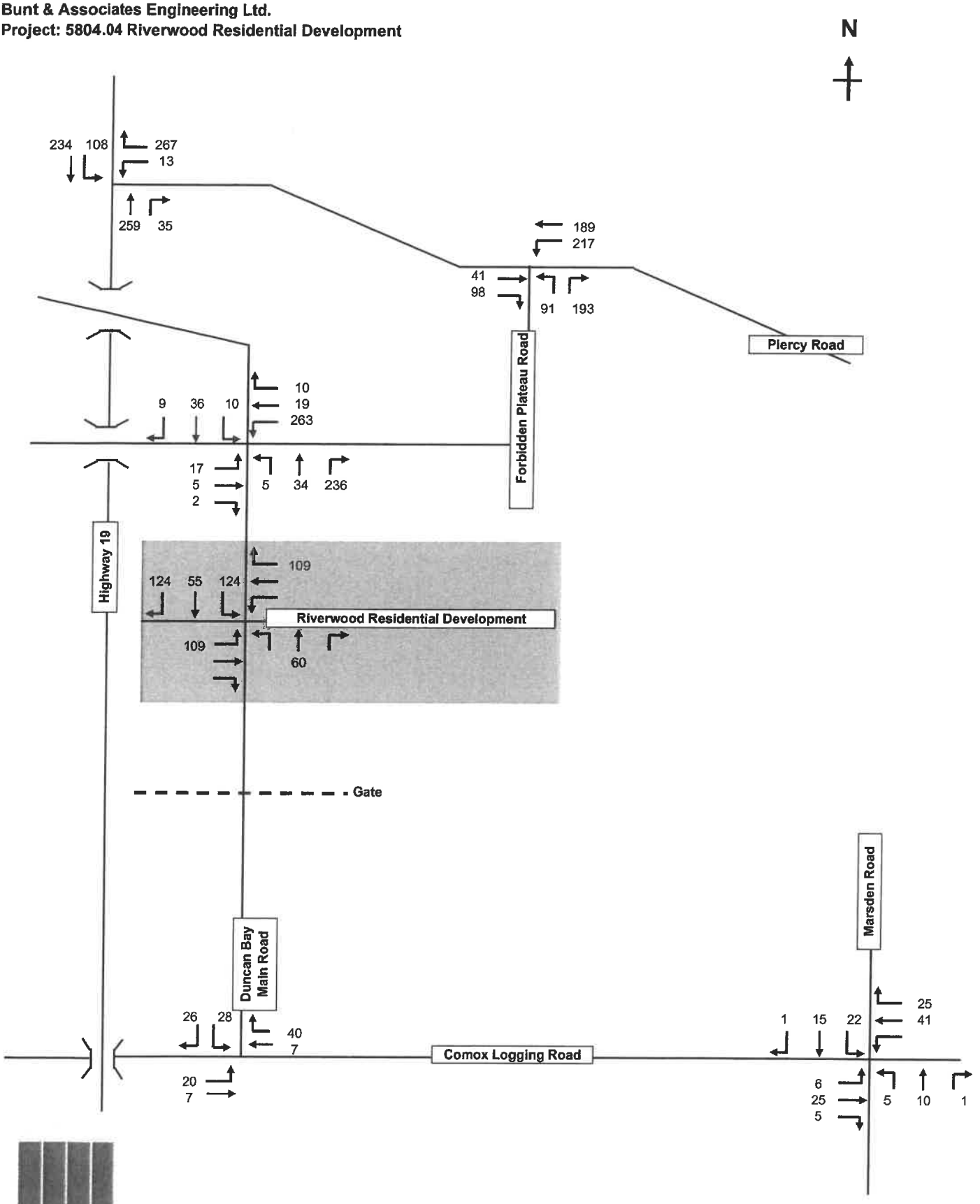
2012
Sat Peak
11:45am-12:45pm
Option F (AM Peak Period, Year 2012, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2012
Sat Peak
11:45am-12:45pm
Option H (AM Peak Period, Year 2012, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

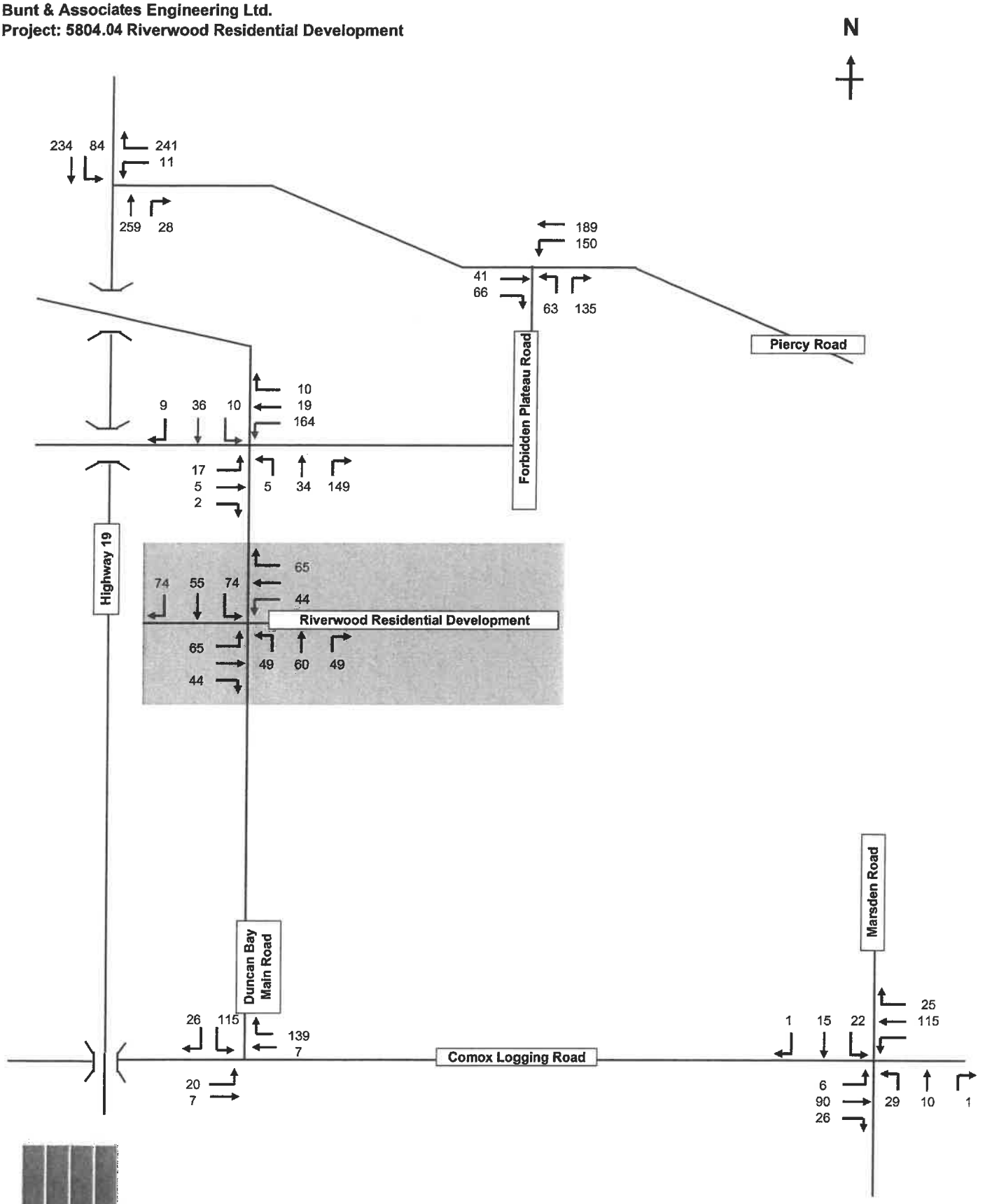
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2022
Sat Peak
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Option B (AM Peak Period, Year 2022, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

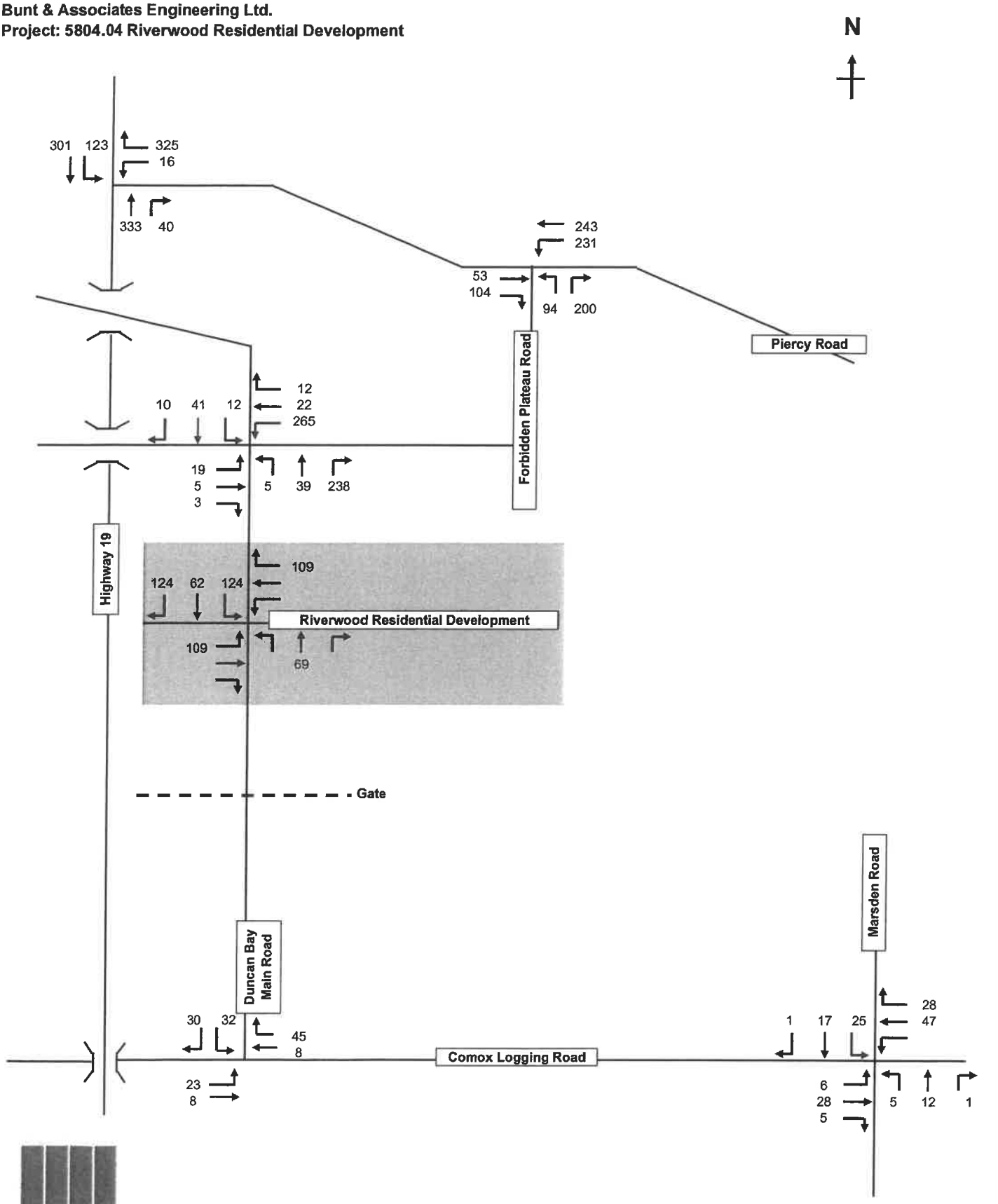
Bunt & Associates Engineering Ltd.
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2022
Sat Peak
11:45am-12:45pm
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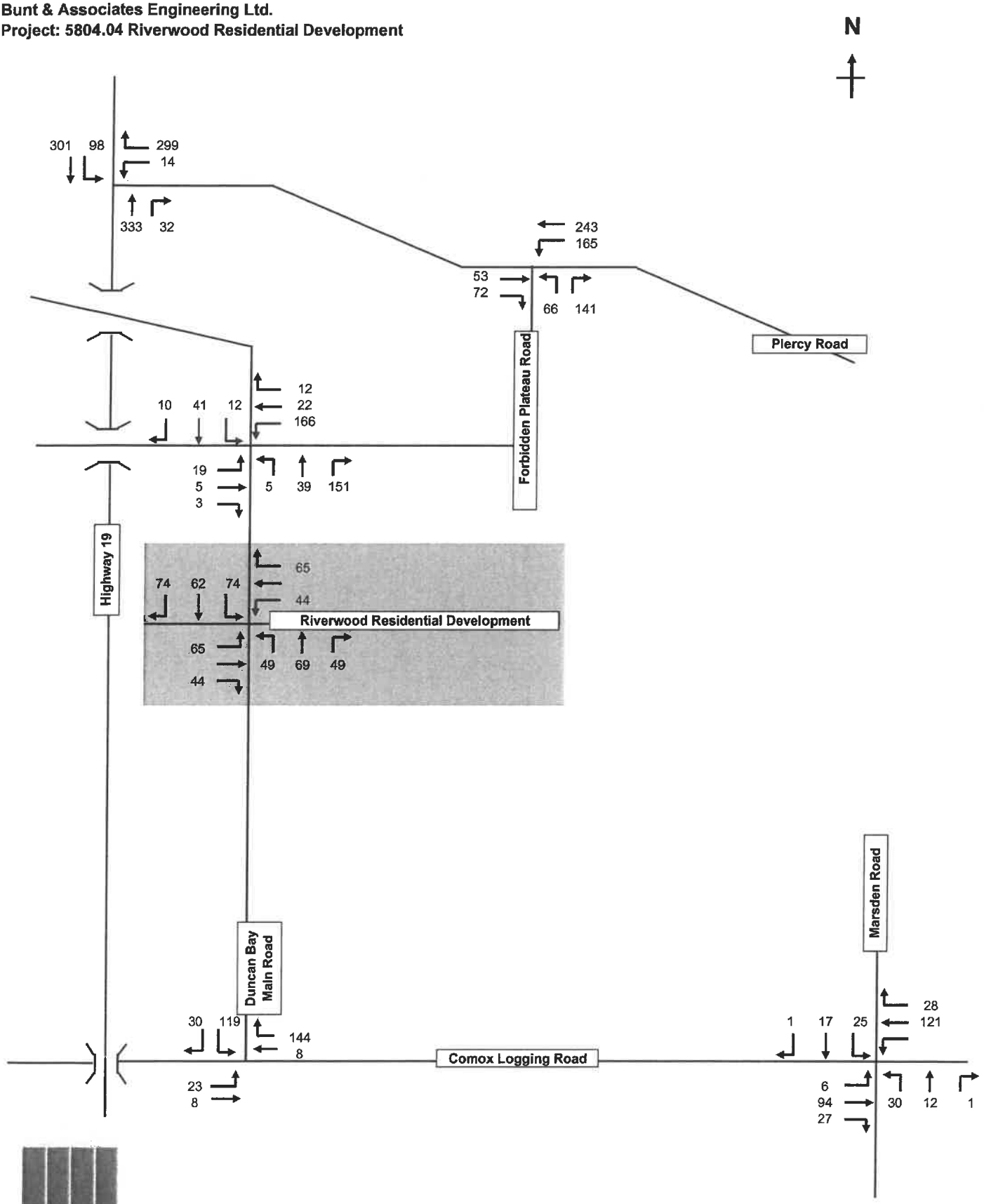


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2022
Sat Peak
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Option F (AM Peak Period, Year 2022, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

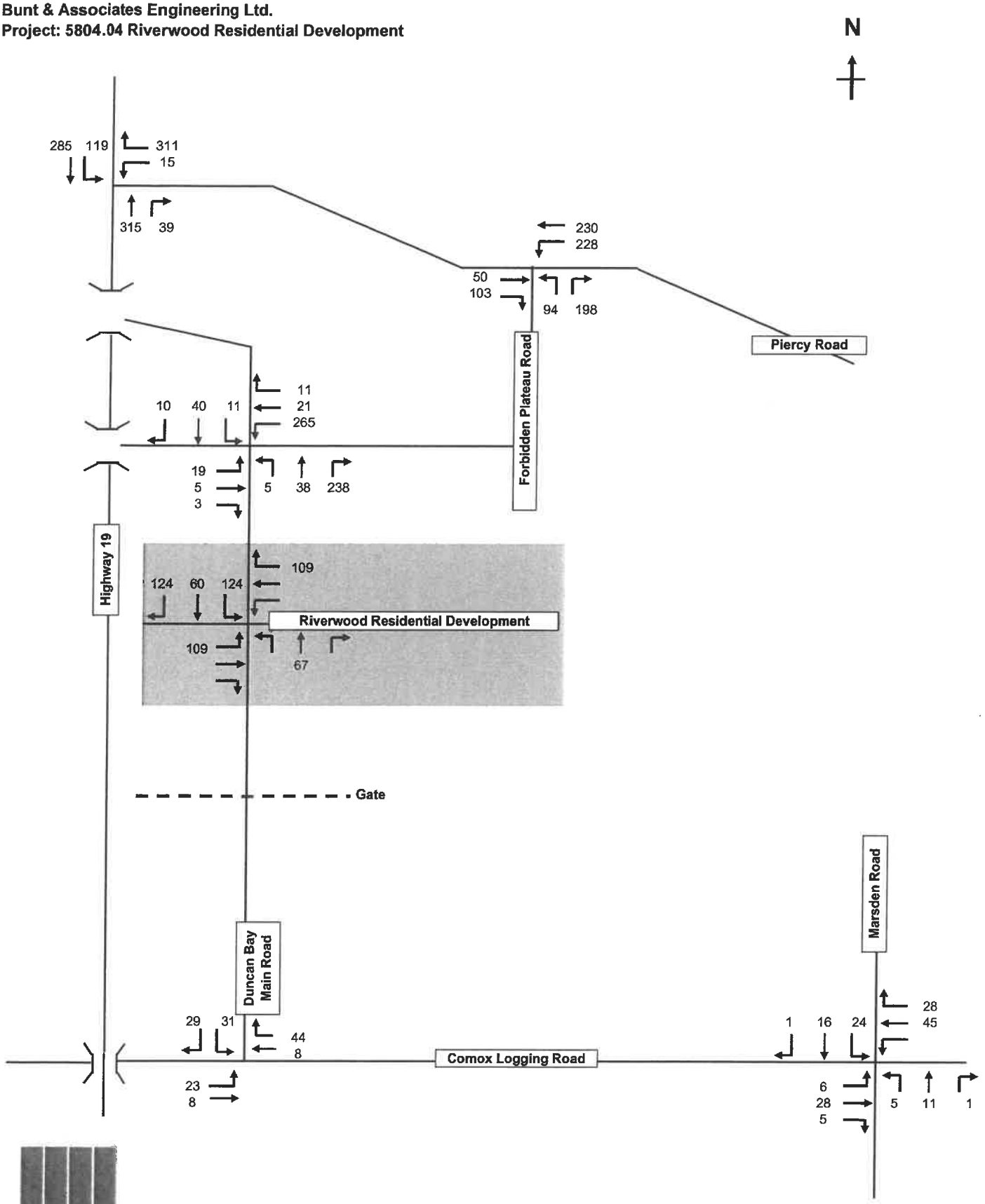
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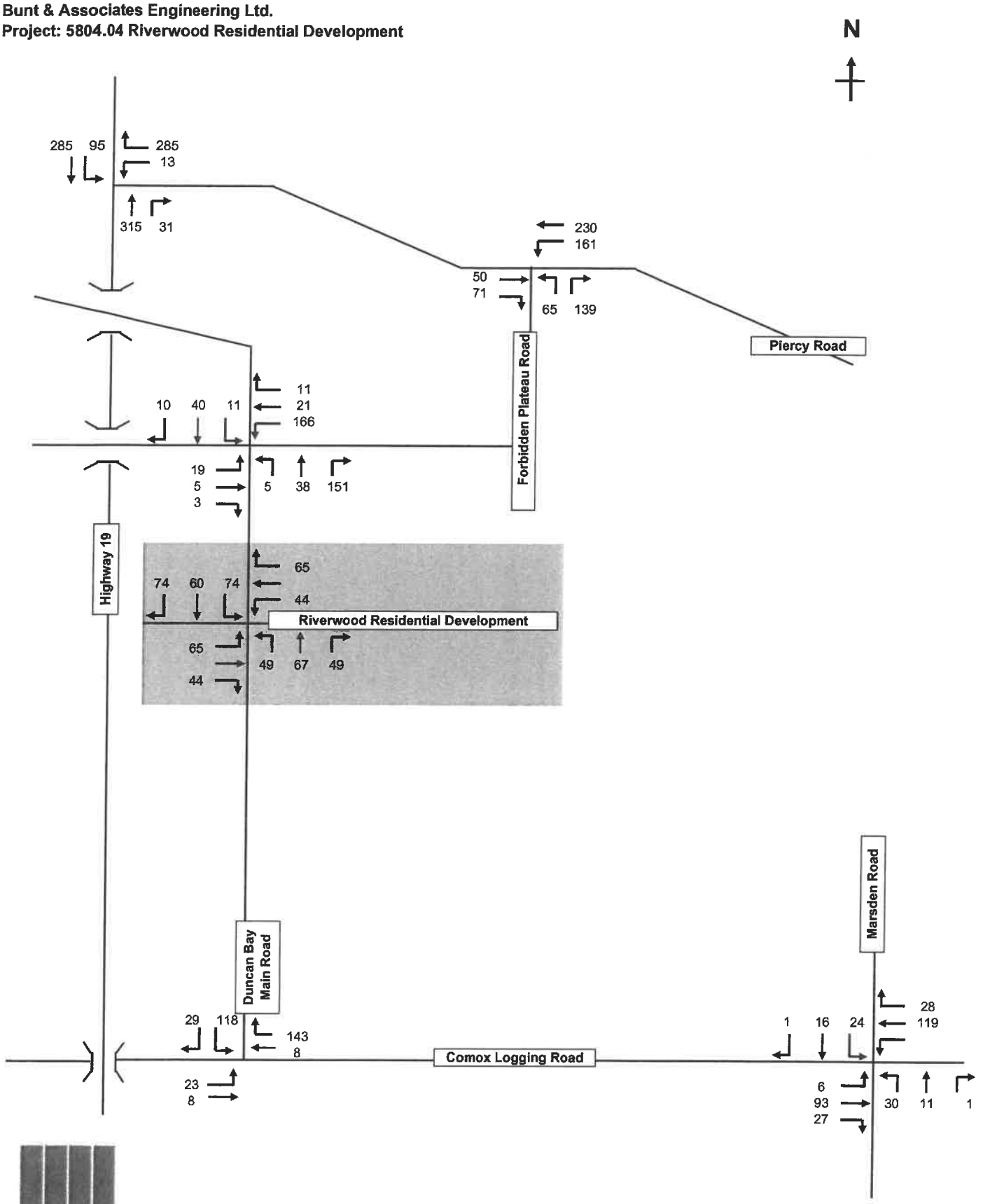
Bunt & Associates Engineering Ltd.
Project: 5804.04 Riverwood Residential Development



2032
Sat Peak
11:45am-12:45pm

Option B (SAT Peak Period, Year 2032, Growth rate 2% -1%, 100% north, Trip Gen with ITE rate)

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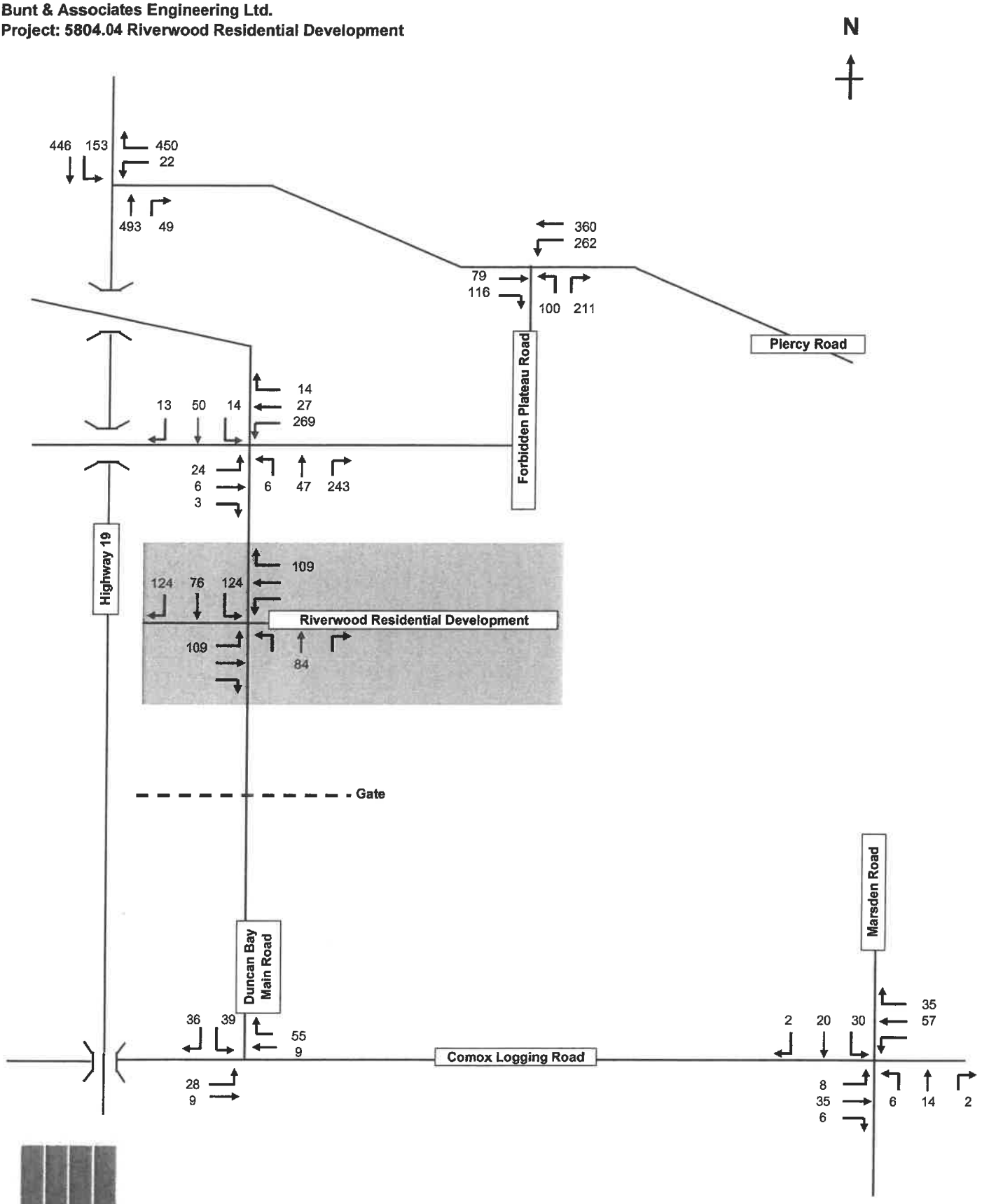


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2032
Sat Peak
11:45am-12:45pm

Option D (SAT Peak Period, Year 2032, Growth rate 2% -1%, 60% north, Trip Gen with ITE rate)

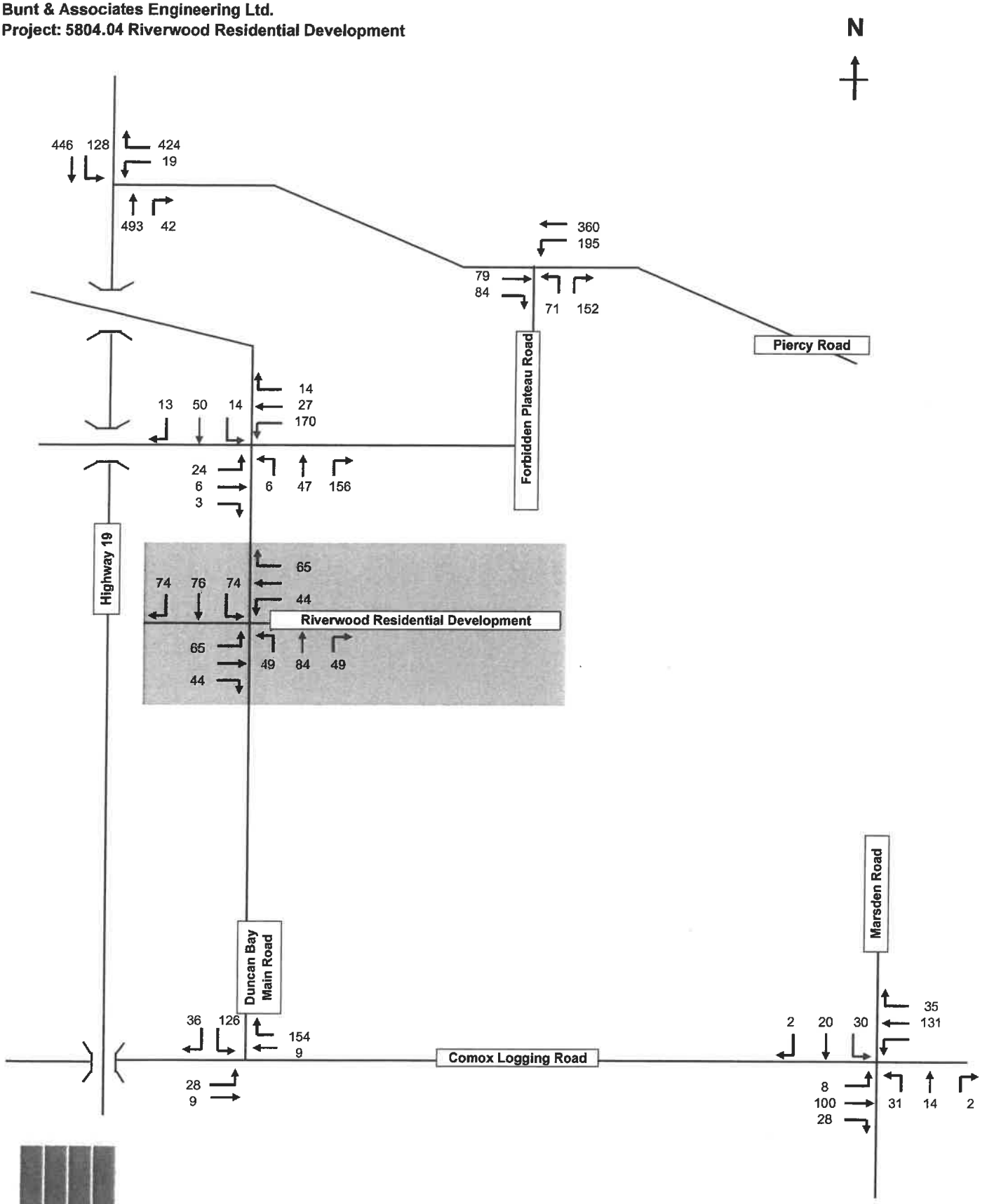
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2032
Sat Peak
11:45am-12:45pm

Option F (SAT Peak Period, Year 2032, Growth rate 4% -2%, 100% north, Trip Gen with ITE rate)

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2032
Sat Peak
11:45am-12:45pm

Option H (SAT Peak Period, Year 2032, Growth rate 4% -2%, 60% north, Trip Gen with ITE rate)

Appendix C – TAC Signal Warrant Analysis

2005 Canadian Matrix Traffic Signal Warrant Analysis

Main Street (name)	Piercy Road	Direction (EW or NS)	EW	Date:	Oct 05, 2009
Side Street (name)	Forbidden Plateau Road	Direction (EW or NS)	NS	City:	Comox Valley Regional District
Quadrant (if appl)					

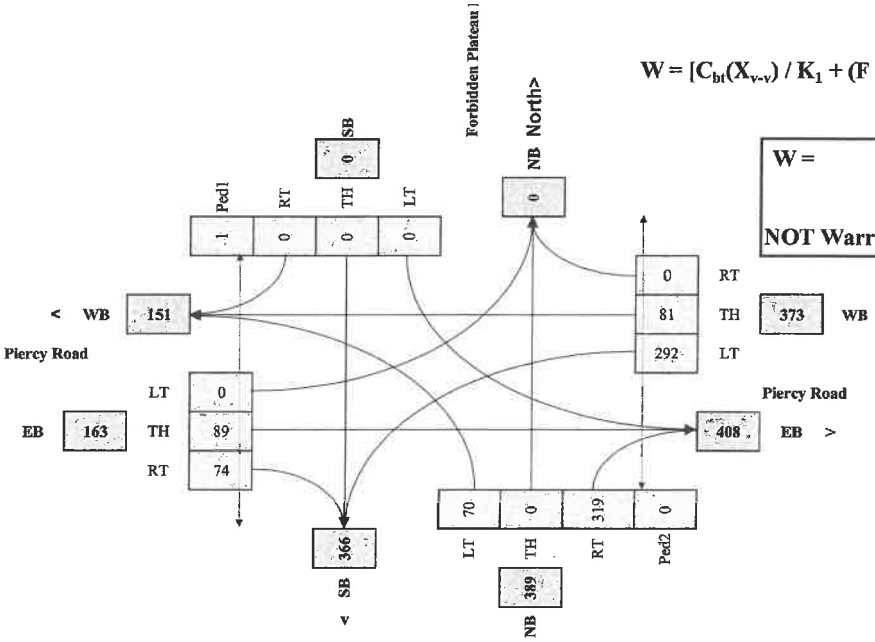
Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Piercy Road	WB	1	0	1	0	0		1	
Piercy Road	EB	0	0	1	0	0	1,444	1	
Forbidden Plateau Road	NB	1	0	0	0	1			
Forbidden Plateau Road	SB	0	0	0	0	0			

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	
Central Business District	(y/n)	n

Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)
Piercy Road	EW	70	7.0%	n	0.0
Forbidden Plateau Road	NS		4%	n	

Traffic Input	NB			SB			WB			EB			Ped1 NS	Ped2 NS	Ped3 EW	Ped4 EW
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT	0	E Side	N Side	S side
7:30 - 8:30	116	0	540	0	0	0	89	60	0	0	60	43	4	0	0	0
8:30 - 9:30	73	0	412	0	0	0	160	108	0	0	69	24	0	0	0	0
11:30 - 12:30	32	0	294	0	0	0	436	77	0	0	36	51	0	0	0	0
12:30 - 13:30	39	0	130	0	0	0	226	58	0	0	62	58	0	0	0	0
16:00 - 17:00	63	0	241	0	0	0	530	111	0	0	136	138	0	0	0	0
17:00 - 18:00	97	0	294	0	0	0	311	73	0	0	171	127	1	0	0	0
Total (6-hour peak)	420	0	1,911	0	0	0	1,752	487	0	0	534	441	5	0	0	0
Average (6-hour peak)	70	0	319	0	0	0	292	81	0	0	89	74	1	0	0	0

Average 6-hour Peak Turning Movements



$$W = [C_{bt}(X_{v\text{-}v}) / K_1 + (F\,(X_{v\text{-}p})\,L) / K_2] \times C_j$$

W =	64	64	0
		Veh	*Ped*

NOT Warranted

Ecology and Wildlife Summary

RiverWood Development



Prepared For

3L Developments Inc.
34-6245 Blueback Road
Nanaimo BC, V9V 1N7

Prepared By

Cindy Hannah, R.P.Bio.
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Submission Date

18 December 2009

Cindy Hannah, R.P.Bio.
FishFor Contracting Ltd

Wayne B. Wall, R.P.Bio.
FishFor Contracting Ltd

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Executive Summary

FishFor Contracting Ltd. was retained by 3L Developments Inc. to provide assistance in the ecology and wildlife component of their RiverWood development. This included locating, mapping and describing all waterways on the property for the development of the subdivision layout, as well as having input from a wildlife biologist to develop a conservation plan to meet the objectives of their Sustainability Matrix.

The project has been divided into sections based on sustainability issues of the RiverWood Sustainability Matrix. The sections include:

- Ecology – Conservation
- Ecology – Restoration
- Ecology – Natural Wetlands and Surface Water

The section on conservation will describe the conservation of local flora and fauna and how the development will protect imperiled species and ecological communities and ecologically sensitive areas.

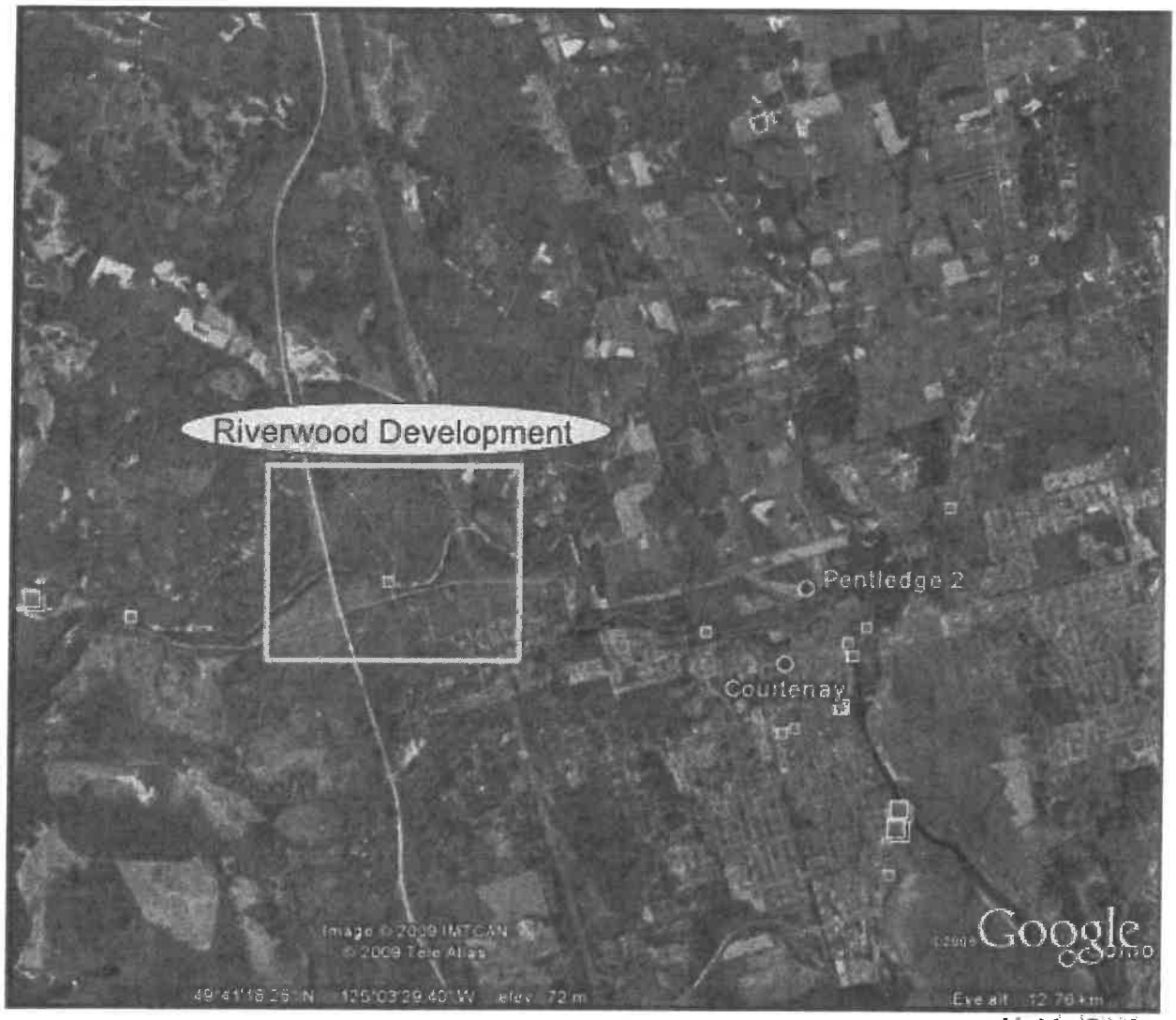
The section on Restoration will describe how the development will provide habitat and promote biodiversity.

The section on Natural Wetlands and Surface Water will describe the twenty two waterways that were located and identified in the assessment and what protection is needed to meet the requirements under the Riparian Areas Regulation (RAR). One of the identified waterways will have some impact from the development and the onsite with Fisheries and Oceans Canada has been described. The resulting map and photographs of the waterways have been included.

This report has been completed as part of the rezoning process. Some of the issues surrounding the ecology and wildlife portion of the development will require further assessments at an appropriate time of year.

Location

The RiverWood development is located on approximately 395 acres (160 hectares) within the Comox Regional District adjacent to the Puntledge and Browns Rivers. Duncan Bay Main bisects the property.



Not to Scale

Figure 1. Area map showing location of proposed RiverWood development

Methodology

Ecology – Conservation

No specific field inventories were conducted in the development area.

A query was conducted for animals and plants using BC Species and Ecosystems Explorer. The query was refined to Red and Blue listed species that occur within the Comox Valley Regional District. Species were evaluated on their global ranking. Species that were critically imperiled (G1) or imperiled (G2) were reviewed to determine the potential for occurrence within the development area. The possibility of occurrence was based on habitat requirements found in the literature and distribution. These were compared to general habitats found in the development area and a general possibility of occurrence was stated. If the habitat types did not occur in the development area (based on biogeoclimatic information or specific habitat types) the probability was Nil. If the range of the species occurred in the development area but specific habitat features were absent the possibility of occurrence was considered Unlikely. If the basic habitat information indicated that the species could occur, the possibility of occurrence was Potential. If habitat information on species was not available, no probability was assigned.

A plant community list was developed using BC Species and Ecosystems Explorer. The query was refined to Red and Blue listed species that occur within the Comox Valley Regional District. Species were evaluated on their global ranking. Plant communities that were critically imperiled (G1) or imperiled (G2) were reviewed to determine the potential for occurrence within the development area. The level of stratification was based on the biogeoclimatic sub-zone/variant in which the plant community occurs. If the plant community did not occur in the CWH xm1 it was determined that the possibility of occurrence was nil. If the plant community occurred in the CWH xm1 the site series were reviewed to determine the possibility of occurrence in the development area. The probabilities in this case were subjectively stated as Unlikely (low probability) and Potential (moderate to high probability)

Ecology – Restoration

The development area was assessed against the need for restoration outlined in the RiverWood Sustainability Matrix. The aim for the sustainability issue is to *Provide habitat and promote biodiversity.* The Proposed Measure in the Matrix was *to restore 10% of the development footprint to native habitat.*

Prior to commencing a field visit of the proposed development area, a review of existing inventory information was conducted. This review included locating specific features in the Comox Valley Regional District Habitat Atlas as well as reviewing the distribution of forest cover and relative age of the forest using Google Earth. A field review was conducted at an overview level to look at the relative values in the development footprint in relation to area designated as reserve.

Ecology – Natural Wetlands and Surface Water

Prior to commencing field work all safety precautions were taken based on our in-house Occupational Health and Safety Program. The assessments were carried out to the standards outlined in the Resource Inventory Standards Committee (RISC) guidelines and methodologies for quality assurance and control. The RISC is a provincial initiative to ensure that all data collection, storage, analysis interpretation and reporting relating to natural and cultural resources are undertaken using standardized compatible systems. Both government and industry recognize and utilize RISC standards in the implementation of projects relating to ecosystem assessments and mapping. In addition, the following reference material was utilized to determine and apply appropriate field sampling techniques:

Riparian Areas Regulation: Implementation Guidebook, January 2006, Ministry of Water Land and Air Protection (Ministry of Environment).

Riparian Areas Regulation: Assessment Methodology, January 2006, Ministry of Water Land and Air Protection (Ministry of Environment), Department of Fisheries and Oceans Canada.

Reconnaissance (1:20000) Fish and Fish Habitat Inventory Manual, March 1999, Resource Inventory Committee (RIC)

Fish Stream Identification Guidebook, August 1998, Forest Practices Code of BC

Using working level 1:10,000 scale maps from the Ministry of Environment Habitat Wizard showing TRIM streams, the field crews located and assessed all waterways on the property. The waterways were located using a Trimble GeoXT Mapping Grade GPS Receiver operating to RIC standards for an accuracy of 5m. Streams were mapped as line features and GPS points of significance were taken at various locations along each watercourse to note features such as barriers to fish passage, beaver dams etc.

Stream widths, gradients, substrates and morphology were noted. Habitat quality observations were made.

Although the RAR methodology and data analysis was not completed at this time, the required information was collected to determine the appropriate setback if the detailed assessment is done.

Field equipment that was used in this study included:

- Standard personal equipment for forestry related stream work (compasses, clinometers, hip chains, radios, field safety gear, etc...)
- Laser Rangefinders
- Trimble GeoXT Mapping Grade GPS Receiver and external antenna with data dictionaries
- Olympus 8.5 mega pixel digital cameras

Collected GPS data was corrected to the local base station provider to increase accuracy and precision. GPS data was manually corrected by an experienced GIS analyst using the field notes as reference. Communication between field crews and GIS analysts ensures the map data accurately represents observed field conditions.

Results and Observations

Ecology – Conservation

The aim of this sustainability issue is to address the conservation of local flora and fauna and protect imperiled species and ecological communities. Although this might seem like a difficult task in a development such as RiverWood, the fact that 50% of the development will stay in its present state makes the conservation of local flora and fauna more attainable. The 50% of the development that will be retained consists of most of the older forest on the property and areas associated with water bodies that were identified during the riparian area assessment.

With regards to imperiled species and ecological communities, an initial query of potential species and ecological communities was conducted using BC Species and Ecosystem Explorer. BC Species and Ecosystem Explorer is supported by NatureServe, an internationally accredited system for ranking species at risk.

Local Flora and Fauna

A course filter approach was used to evaluate the developments impact on local flora and fauna. When looking at the risk to these species the property is evaluated on forest age and generally ecological significance. Forests associate with riparian habitats and older forests generally sustain the highest levels of biological diversity. For example the Clayoquot Scientific Panel indicates that 72% of forest dwelling species use riparian habitats for all or a portion of their life cycle[1]. Reserves have been designed around all water bodies on the property and are described further in the natural wetland and surface water section of this report.

Older forests generally have a greater structural diversity with important attributes such as snags and course woody debris. A significant portion of the oldest forests on the property will be retained. At this time, these forests have limited structural diversity. These older forests are found along the two major water bodies on the property and should contribute significantly to biodiversity.

Reference was made to the Comox Valley Regional District Habitats Atlas to determine impacts of the development on documented sensitive habitats.[2] Habitats identified by the Habitat Atlas were associated with riparian areas and wetlands. The proposed reserve design associated with the development will augment the areas identified in the Habitat Atlas.

Imperiled Species – Animals and Plants

Imperiled Species is not a common phrase used in British Columbia or Canada when looking at species at risk. The term as defined by NatureServe, means Extirpated, Endangered or Threatened. A query was conducted using BC Species and Ecosystem Explorer of Red or Blue Listed species found in the Comox Valley Regional District. The list was further refined to include both Critically Imperiled (G1) and Imperiled (G2) species. These species are listed in Table 1.

[1] 1995, Clayoquot Sound Scientific Panel. Report 5, Sustainable Ecosystem Management in Clayoquot Sound: Planning and Practices, pg 27

[2] Comox Valley Regional District Habitat Atlas. http://www.imap.rdcs.bc.ca. Accessed, December 17, 2009.

Table 1 Comox Regional District – List of Imperilled Species - Plants and Animals

Scientific Name	English Name	COSEWIC Status	Global Ranking	Possibility of occurrence
Marmota vancouverensis	Vancouver Island Marmot	Endangered	G1	**Nil** Ranges of species does not overlap development area
Trematodon boasii		Not Ranked	G1	**Nil** Found in Mountain Hemlock Zone[3]
Copablepharon fuscum	Sand-verbena Moth	Endangered	G1G2	**Nil** Closely associated with yellow sand verbena (vascular plant). This plant is not found in development area
Deroceras hesperium	Evening Field Slug	Data Deficient	G2	**Unknown** Very little is known about this species. NatureServe Explorer indicates that it could be extirpated in BC[4]
Limanthes macounii	Macouns's meadow-foam	Threaten	G2	**Nil** This species is generally associated with Garry oak ecosystems[5]
Andreaea schofieldiana		Not Ranked	G2G3	**Nil** Occurs in montane to subalpine ecosystems[6]
Myotis keenii	Keen's Myotis	Data Deficient	G2G3	**Highly Unlikely** There are no karst features noted on the property. Limestone caves are used as hibernacula for this species.[7]
Pristiloma johnsoni	Broadwhorl Tightcoil	Not Ranked	G2G3	**Potential** These species could occur within the property area.

Source: BC Species and Ecosystem Explorer – Comox Valley Regional District Search, December 16, 2009

Each imperiled species found in the query were evaluated for possibility of occurrence in the area of the property. In cases like the Vancouver Island Marmot, the process of elimination was simple as the property does not overlap the range of the species. In other cases an evaluation of habitat features such as karst (limestone caves) was used to assign the possibility of occurrence.

A summary of the species, general distribution and habitat description of the species has been included. In the case of the evening field slug, very little information could be found. This is also reflected in the COSEWIC status in Table 1. Although much of the information on the species comes from multiple references only the source reference has been cited.

[3] Ryan M.W. Bryophytes of British Columbia: rare species and priorities for inventory. Res. Br., B.C. Min .For., and Wildl.Br., B.C. Min. Environ., Lands and Parks. Victoria, B.C. Work. Pap. 12/1996. Pg.13.

[4] NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: December 16, 2009).

[5] COSEWIC, 2004. Assessement and Update Status Report on the Macoun's Meadowfoam *Limnanthes macounii* in Canada. Executive Summary pg iv.

[6] Christy, J.A. & D.H. Wagner. 1996. Guide for the identification of rare, threatened or sensitive bryophytes in the range of the northern spotted owl, western Washington, western Oregon, and northwestern California. USDI Bureau of Land Management. 200 pp.

[7] B.C. Ministry of Environment. 2004. Identified Wildlife Management Strategy. Accounts and Measures for Managing Identified Wildlife: Keen's Long-eared Myotis, *Myotis keenii.* B. C. Ministry of Environment, Victoria, BC.

Vancouver Island Marmot

This marmot is endemic to Vancouver Island and has declined by more than 50% in the past ten years. Less than 30 mature animals remain in the wild, where they are confined to four mountains. Most colonies occur on south-west slopes between 1000 and 1400 m in elevation. Marmots require grasses and forbs for forage, suitable soils for digging burrows, and a microclimate that permits summer foraging, thermoregulation and successful hibernation. Habitat scarcity is the primary reason for marmot rarity, but recent declines are due to high losses of both adults and juveniles to predators and to unsuccessful hibernation. Other threats include the impacts of climate change on vegetation and reduced dispersal success through logged habitats. Intensive recovery efforts, including captive breeding are ongoing.[8]

Trematodon boasii

Basic Description: Mosses erect, tiny, 2-4 mm tall. Leaves 2-4 mm long, green or yellow-green, glossy, imbricate and flexuose but not much contorted when dry, consisting of a short, sheathing blade tapering to a long awl-shaped and flexuose apex. Setae yellow, 1-4 mm long, flexuose. Capsules usually numerous, reddish-brown, 0.5-1 mm long, 0.5 mm wide, with a yellowish neck of about the same length tapering to the seta. Peristome well developed. Lid of capsule has a distinct beak (Christy & Wagner 1996).

Habitat Comments: Forming loose mats on moist bare soil, often with organic content, along edges of trails, streams and ponds in the subalpine zone (Christy 1996).[9]

Sand-verbena Moth

Habitat Comments: Beaches, dunes, and sand spits with dense vigorous patches of sand verbena (*Abronia latifolia*), but not sandy meadows or nearly bare sand with sparse or non-flowering sand verbena plants only.

Food Comments: The larvae are monophagous on yellow sand verbena *Abronia latifolia.* Adults take nectar from its flowers.

Phenology Comments: Adults occur from mid or late May though June, about 45-55 days per year. Eggs hatch in about two weeks. Larvae overwinter in one or more late instars and pupate in late April or May.[10]

Evening Field Slug

Potentially extirpated in Washington State and British Columbia.[11] Limited information available on distribution or habitat requirements in British Columbia.

[8] Species at Risk &Local Government: A Primer for British Columbia. http//:www.speciesatrisk.bc.ca Accessed December 16, 2009.

[9] NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: December 17, 2009).

[10] NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: December 17, 2009).

[11] NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: December 17, 2009

Macoun's meadow-foam

Distribution: Macoun's meadow-foam is known only from southern Vancouver Island and several other islands close to Vancouver Island. It has not been found on the mainland of British Columbia nor in Washington State.

Habitat: Plants occur in seasonally wet depressions or along intermittent seeps in low elevation and usually close to the ocean. The majority of the sites are in open areas of Garry oak ecosystems.[12]

Keen's Myotis

Terrestrial Habitat(s): Bare rock/talus/scree, Cliff, Forest - Conifer, Woodland – Conifer

Special Habitat Factors: Standing snag/hollow tree

Habitat Comments: The distributional range suggests an association with coastal forest habitat (van Zyll de Jong 1985; Nagorsen and Brigham, unpubl. manuscript). Apparently this bat is associated with mature forests (Balcombe, 1988 COSEWIC report), but it is not restricted to old growth (COSEWIC 2003). Across the range it has been found roosting in southwest-facing rock crevices, among geothermally heated rocks, in tree cavities, in bark crevices, and in buildings (D. Burles, pers. comm.; Firman et al. 1993; Nagorsen and Brigham 1993; Parker and Cook 1996; Mather et al. 2000). Tree cavities and loose bark are important natural roost sites and may be limiting in some parts of the range (British Columbia Ministry of Water, Land and Air Protection 2004). In British Columbia, one maternity colony (on Hot Springs Island in the Queen Charlotte Islands) is situated within geothermally heated rocks associated with hot spring activity (British Columbia Ministry of Water, Land and Air Protection 2004). The only other known maternity colony in British Columbia was suspected to be in a tree located in a low elevation, southwest-facing cliff at Knoll Hill near Tahsis, Vancouver Island (COSEWIC 2003). Known maternity roosts and summer feeding areas in British Columbia are at elevations below 240 meters; known hibernation sites occur above 400 meters in caves over 100 meters long (British Columbia Ministry of Water, Land and Air Protection 2004). These bats have been observed foraging over hot spring pools and clearings above scrubby salal (*Gaultheria shallon*).[13]

Andreaea schofieldiana

Basic Description: Erect mosses, rarely over 1 cm tall, dark reddish-brown to blackish. Leaves lanceolate, 2-2.5 mm long, imbricate when dry, sometimes falcate at tip of shoot, broad enough at back to show a portion of the blade on each side of the well-defined costa. Leaf margins entire, or finely crenate toward tips because of projecting cells. Capsules opening by four vertical valves, the urn shrinking vertically when dry, to resemble a Japanese urn (Christy & Wagner 1996).

Habitat Comments: Forming mats on dry and exposed to moist, shaded igneous rocks, montane to subalpine. Associated species include Saxifraga, Sedum, Selaginella, Gymnomitrion, Cladonia and crustose lichens (Christy 1996).[14]

[12] COSEWIC, 2004. Assessement and Update Status Report on the Macoun's Meadowfoam *Limnanthes macounii* in Canada. Executive Summary pg iv.

[13] NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: December 17, 2009).

[14] NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: December 17, 2009).

Broadwhorl Tightcoil

This tiny (to 2.8 mm), flattened, translucent to waxy-white snail is found from the mid-coast of British Columbia (including Vancouver Island) south to Oregon. It is considered rare within this range and is typically found in the leaf litter of deciduous, mixed or coniferous forests below 1300 m elevation. The major threats are habitat loss and fragmentation to forest harvest, urbanization, and agricultural development.[15]

The only potentially Critically Imperiled or Imperiled species that could occur on the property is the Broadwhorl Tightcoil.

Imperiled Species – Ecological Communities (Plant Communities)

A query was conducted using BC Species and Ecosystem Explorer of Red or Blue Listed plant communities found in the Comox Valley Regional District. The list was further refined to include both Critically Imperiled (G1) and Imperiled (G2) plant communities. The Comox Valley Regional District covers a broad range of ecosystems. The possibility of occurrence of many of the plant communities is nil as the biogeoclimatic units in which they occur are not found within the area of the development. In other cases, the biogeoclimatic units may occur in the area of the property but the possibility of occurrence could be easily determined that based on known location. For example, Henderson's checker-mallow Tidal Marsh is associated with tidal marshes. The development is located well above sea level.

Table 2 Comox Regional District – List of Imperilled Species - Plant Communities

Scientific Name	English Name	Biogeoclimatic Units	Global Ranking	Possibility of occurrence
Festuca idahoensis ssp. roemeri - Koeleria macrantha	Roemer's fescue - junegrass	CDFmm/00 CWHxm1/00	G1	**Nil** Plant Community does not occur in development area
Sidalcea hendersonii Tidal Marsh	Henderson's checker-mallow Tidal Marsh	CWHxm1/00	G1	**Nil** Plant Community does not occur in development area
Carex macrocephala Herbaceous Vegetation	large-headed sedge Herbaceous Vegetation	CDFmm/00 CWHvh1/00 CWHwh1	G1G2	**Nil** Biogeoclimatic sub-zone/variant does not occur in development area
Picea sitchensis / Maianthemum dilatatum Very Wet Hypermaritime 1	Sitka spruce / false lily-of-the-valley Very Wet Hypermaritime 1	CWHvh1/08	G1G2	**Nil** Biogeoclimatic sub-zone/variant does not occur in development area
Picea sitchensis / Rubus spectabilis Dry	Sitka spruce / salmonberry Dry	CWHdm/08 CWHds1/08	G1G2	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Populus tremuloides / Malus fusca / Carex obnupta	trembling aspen / Pacific crab apple / slough sedge	CDFmm/00 CWHxm1	G1G3	**Nil** Plant Community does not occur in development area

[15] Species at Risk &Local Government: A Primer for British Columbia. http//:www.speciesatrisk.bc.ca Accessed December 16, 2009.

Scientific Name	English Name	Biogeoclimatic Units	Global Ranking	Possibility of occurrence
Thuja plicata - Picea sitchensis / Oplopanax horridus Very Wet Hypermaritime 1	western redcedar - Sitka spruce / devil's club Very Wet Hypermaritime 1	CWHvh1/07	G1G3	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Abies amabilis - Thuja plicata / Tiarella trifoliata Moist Maritime 1	amabilis fir - western redcedar / three-leaved foamflower Moist Maritime 1	CWHmm1/05	G2	**Nil** Biogeoclimatic sub-zone/variant does not occur in development area
Arbutus menziesii / Arctostaphylos columbiana	arbutus / hairy manzanita	CDFmm/00 CWHxm1/00	G2	**Nil** Plant Community does not occur in development area
Carex lasiocarpa - Rhynchospora alba	slender sedge - white beak-rush	CDFmm/Wf53 CWHmm1/Wf53 CWHmm2/Wf53 CWHxm1/Wf53 CWHxm2/Wf53	G2	**Nil** Plant Community does not occur in development area
Carex sitchensis / Sphagnum spp.	Sitka sedge / peat-mosses	CWHvh2/Wf51 CWHvm1/Wf51 CWHvm2/Wf51 CWHwh1/Wf51 CWHwm/Wf51 CWHws2/Wf51 ICHvc/Wf51 ICHwc/Wf51 MHmm1/Wf51	G2	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Deschampsia cespitosa - Sidalcea hendersonii	tufted hairgrass - Henderson's checker-mallow	CWHxm1/00	G2	**Nil** Plant Community does not occur in development area
Salix sitchensis - Salix lucida ssp. lasiandra / Lysichiton americanus	Sitka willow - Pacific willow / skunk cabbage	CDFmm/Ws51 CWH/Ws51 ICH/Ws51	G2	**Nil** Plant Community does not occur in development area
Pseudotsuga menziesii - Pinus contorta / Holodiscus discolor / Cladina spp.	Douglas-fir - lodgepole pine / oceanspray / reindeer lichens	CWHdm/02	G2G3	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Thuja plicata / Polystichum munitum Dry Maritime	western redcedar / sword fern Dry Maritime	CWHdm/05	G2G3	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Thuja plicata - Pseudotsuga menziesii / Acer circinatum	western redcedar - Douglas-fir / vine maple	CWHds1/05 CWHds2/05	G2G3	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Tsuga heterophylla - Abies amabilis / Hylocomium splendens	western hemlock - amabilis fir / step moss	CWHms1/01 CWHms2/01	G2G4	**Nil** Biogeoclimatic sub-zone variant does not occur in development area

Scientific Name	English Name	Biogeoclimatic Units	Global Ranking	Possibility of occurrence
Tsuga heterophylla - Pseudotsuga menziesii / Rhytidiadelphus triquetrus Dry Submaritime 1	western hemlock - Douglas-fir / electrified cat's-tail moss Dry Submaritime 1	CWHds1/01	G2G3	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Tsuga heterophylla - Thuja plicata / Blechnum spicant	western hemlock - western redcedar / deer fern	CWHdm/06 CWHxm1/06 CWHxm2/06	G2G3	**Potential** Plant community could exist within development area
Pseudotsuga menziesii - Pinus contorta / Holodiscus discolor / Cladina spp.	Douglas-fir - lodgepole pine / oceanspray / reindeer lichens	CWHdm/02	G2G4	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Pseudotsuga menziesii / Polystichum munitum	Douglas-fir / sword fern	CWHdm/04 CWHxm1/04 CWHxm2/04	G2G4	**Highly Unlikely** Limited possibility that plant community could exist in development area
Thuja plicata / Oplopanax horridus	western redcedar / devil's club	CWHds1/07 CWHds2/07	G2G4	**Nil** Biogeoclimatic sub-zone variant does not occur in development area
Tsuga heterophylla - Abies amabilis / Blechnum spicant Moist Maritime	western hemlock - amabilis fir / deer fern Moist Maritime	CWHmm1/06 CWHmm2/06	G2G4	**Nil** Biogeoclimatic sub-zone variant does not occur in development area

Source: BC Species and Ecosystem Explorer – Comox Valley Regional District Search, December 16, 2009

As indicated in Table 2, there are two plant communities that could be present within the development area. It is recommended that a qualified professional conduct and overview assessment to determine the occurrence, amount and distribution of these plant communities.

Ecology – Restoration

The aim of this sustainability issue is to provide habitat and biodiversity. The proposed measure is to restore 10% of the development footprint to pre-development habitat. The present design addresses this measure through retention of approximately 50% of the development in reserve. The reserve design utilizes riparian areas, wetlands and older forests. These areas presently exhibit the area of higher biodiversity on the property. Over time, the reserve network should increase in structural diversity and provide habitat for a wide range of species.

Ecology – Natural Wetlands and Surface Water

The aim of this sustainability issue is to identify and protect surface water bodies (watersheds, wetlands and riparian areas). Protection of waterways and their associated riparian areas is a requirement under the Riparian Areas Regulation (RAR). Rather than design the development, apply for rezoning and finally complete a RAR assessment at the time that a development permit was required, 3L Developments Inc. had a vision of using the water bodies as positive features on the property. Prior to the design of the RiverWood development, FishFor Contracting Ltd was retained to locate, map and note uses of the waterways on the property. The maps would be used by the architect to design the layout of RiverWood around these features, ensuring that the riparian areas are protected and determine appropriate areas of additional setbacks to be dedicated as park/open spaces.

On March 30, April 1, 3-8, 14 and June 30, 2009 waterways were located and traversed to be mapped accurately for the development of the property. The property was walked along slopes that would drain to the known water bodies (Puntledge, Browns and Forbidden Plateau Creek) to locate watercourses. Waterways were identified and preliminary assessments on habitat quality were noted. Required setbacks under the Riparian Areas Regulation (RAR) have been listed although the detailed assessments and the completion of a RAR Assessment Report to meet the criteria needed under the RAR have not been completed to date.

Conclusions are based upon an inspection of the waterways mentioned in this report and on the conditions observed March 30, April 1, 3-8, 14 and June 30, 2009. Conclusions and recommendations in this report have been made in a manner consistent with the level of care and skill normally applied by environmental professionals practicing under similar conditions to those encountered at the time of the assessment. Geological and/or morphological changes can occur in waterways. Any change in conditions from those observed on the above date has the potential to invalidate the conclusions in this report. This report has been prepared for use and distribution by 3L Developments Inc.

Although a detailed assessment under the RAR has not been completed at this stage of the development, the waterways on the property were located and mapped. Fish use and habitat quality were noted. Amphibian use was also noted. Stream widths and gradient were measured to determine the appropriate setback that would be required under the RAR.

The results are shown in Table 3. The resulting map showing the location of the identified waterways is included in Appendix 1. Representative photos were taken of each waterway and are included in Appendix 2.

Table 3 RiverWood Property Natural Wetlands and Surface Water Identification

Waterway ID	Width	Setback Required under RAR detailed assessment	Comments	Photo #
Puntledge River	+15m	30m	The Puntledge River has steep sideslopes that will need assessing by a qualified professional to determine if the setback is sufficient in providing slope stability.	
Browns River	+10m	30m	The Browns River has steep sideslopes that will need assessing by a qualified professional to determine if the setback is sufficient in providing slope stability.	
1	n/a	n/a	This small drainage dissipates and does not connect to fish bearing water.	1
2	±1m	10m	This small stream flows directly into Waterway 3 (Forbidden Plateau Creek) a known fish bearing stream. The stream offers rearing and limited spawning habitat for resident fish.	2
3 Forbidden Plateau Creek	±4m	10-15m	This is a known fish bearing stream. It offers excellent spawning and rearing habitat for resident fish. The beaver ponds offer habitat for amphibians, Red Legged frog egg masses were noted.	3
4	n/a	15m, 30m due south	This wet site has evidence of old beaver activity. Fish access would be extremely limited due to poor habitat attributes (shallow, no pools).	4, 5
5	n/a	n/a	There is a small seepage that does not provide fish access or habitat.	
6	±1m	10m	This shallow (<5cm deep) drainage is 15m long. It provides marginal fish access and habitat (shallow, no pools). There is no spawning habitat.	6
7	±2m	10m	This shallow waterway offers limited fish access during high flows for ~20m. There is no spawning habitat.	7
9 stream	±1m	10m	The stream drops 4m into the Browns River. Above barrier sampling did not locate resident fish.	8
9 wetland	n/a	15m, 30m due south	This wetland has evidence of recent beaver activity. It offers quality amphibian habitat and numerous egg masses were noted. There is no fish access into the wetland.	9
10	<1m	n/a	Dissipates and does not connect to fish bearing water.	
11	±1m	n/a	This waterway dissipates upslope of the Puntledge River and does not connect to fish bearing water.	10, 11

Waterway ID	Width	Setback Required under RAR detailed assessment	Comments	Photo #
12	±1m	n/a	This short waterway dissipates upslope of the Puntledge River and does not connect.	12
13	±1.5m	10m on stream 15m, 30m due south on wetland	This stream connects directly to the Puntledge River. There is fish access for 42m to an increase in gradient to +40% including a +3m high vertical drop. The seasonal stream was dry in the lower reaches and intermittent upslope. There is no suitable resident fish habitat upslope (no spawning substrates). The wetland does provide limited amphibian habitat. The wetland is dominated by hummocks with low lying areas vegetated in sedges, grasses and fern.	13, 14
14	±1m	10m	This seasonal stream had minimal water at the time of the assessment. It connects directly to the Puntledge River and offers limited fish access to the base of the topographic bench. There is no suitable habitat (shallow, seasonally dry) for resident fish habitation upslope.	15
16	±1m	n/a	This small waterway does not connect directly to fish bearing water and therefore does not trigger the RAR. It has a muck bottom with sedges along the perimeter. The upper reaches have been modified into a drainage area for the surrounding property.	16
17	n/a	n/a	This waterway is a small isolated wet area. It does not connect to fish bearing water.	17
18	n/a	n/a	This waterway is a small isolated wet area. It does not connect directly to fish bearing water.	18, 19
19	n/a	n/a	This waterway is a small isolated wet area. It does not connect to fish bearing water.	
20	±1.5m	10m	This stream connects directly to the Puntledge River and offers both spawning and rearing habitat for fish. Coho fry were observed. The upper reaches are unconfined but there is sufficient depth of water for fish use.	20, 21
21	n/a	n/a	This waterway is a small isolated wet area. It does not connect to fish bearing water.	22, 23
22	±1m	n/a	This small waterway sources from Highway 19 ditchline. It does not connect to fish bearing water.	24

Wetland 13

This wetland (at the headwaters of Stream 13) that was identified during the initial assessment was determined to pose a problem with the proposed development layout. As the RAR process does not allow for encroachment into waterways or their riparian areas, consultation with Fisheries and Oceans Canada was initiated.

On June 22, 2009 an onsite meeting was held between Kabel Atwall of 3L Developments Inc, Cindy Hannah of FishFor Contracting Ltd and Doug Swift of Fisheries and Oceans Canada to discuss the marginal wetland. The proposed development requires filling in portions of the marginal wetland to accommodate the layout. As a result of the onsite a subsequent assessment was recommended to locate and map the area of the wetland that exhibits the best wetland characteristics to ensure that this portion of the wetland is protected during the development. The marginal areas of the wetland are dominated by hummocks vegetated in terrestrial plants, including both coniferous and deciduous species. Low lying areas are dominated by sedges, grasses and ferns. The ground is wet, but a surface water connection throughout the wetland is difficult to determine.

The wetland was re-assessed on June 30 (and a visual assessment was done in December 2009 to ensure that the area located in June is correct) to locate and map areas of the wetland that exhibit defined wetland characteristics (vegetation type and direct connectivity to the outlet stream). The development will not encroach on this area of the wetland. As the development is in the preliminary stages, specific details of both the amount of wetland that will be lost and how the loss will be compensated has not been determined. An agreement in theory has been accepted by Mr. Swift and his comments will be utilized to develop the plan that will be used when completing the "Request for Review under the Habitat Provisions of the Fisheries Act Form" when the development reaches that phase. This plan will ensure that there is "no net loss" of fish habitat. Although the wetland itself is non-fish bearing, it does provide a water source to fish bearing water and thus under the *Fisheries Act* could be considered fish habitat.

Discussion

3L Developments Inc. RiverWood Development within the Comox Valley Regional District is being designed to be a Sustainable Development. In their Sustainability Guidelines and Matrix, the objectives are divided into three main areas of sustainability; environmental, social and economic. FishFor Contracting Ltd was retained to provide assistance with the Ecology and Wildlife section of the Environmental Sustainability area.

Within the RiverWood Sustainability Matrix several Issues are described within theEcology and Wildlife Section. Three of these issues are described in this report. They include:

- Ecology – Conservation
- Ecology – Restoration
- Ecology – Natural Wetlands and Surface Water

Ecology – Conservation

The aim of this sustainability issue is to:

"Conserve local flora and fauna and protect imperiled species and ecological communities"

The fact that 50% of the development will stay in its present state makes the conservation of local flora and fauna more attainable. The 50% of the development that will be retained consists of most of the older forest on the property and areas associated with water bodies that were identified during the riparian area assessment. Riparian areas are critical to both aquatic species as well as other forest dwelling creatures. By having these areas set aside as park will meet the aim of conserving local flora and fauna.

The only potentially Critically Imperiled or Imperiled species that could occur on the property is the Broadwhorl Tightcoil, a very small slug that lives in the leaf litter of forests below 1300m elevation. It is recommended to discuss the potential for the slug to occur on the property with a biologist familiar with this invertebrate prior to any field assessments being conducted.

There are two plant communities that could be present within the development area. There is some potential to have the western hemlock - western redcedar / deer fern plant community occurring on the property. There is a less likelihood of having the douglas-fir / sword fern plant community occurring on the property. It is recommended that a qualified professional conduct and overview assessment to determine the occurrence, amount and distribution of these plant communities. Assessment for occurrence of plants is generally conducted in late spring/early summer for accurate identification.

Ecology – Restoration

The aim of this sustainability issue is to:

"Provide habitat and promote biodiversity"

The proposed measure is to restore 10% of the development footprint to pre-development habitat. The present design addresses this measure through retention of approximately 50% of the development in reserve. The reserve design utilizes riparian areas, wetlands and older forests. These areas presently exhibit the area of higher biodiversity on the property. Over time, the reserve network should increase in structural diversity and provide habitat for a wide range of species.

Ecology – Natural Wetlands and Surface Water

The aim of this sustainability issue is to:

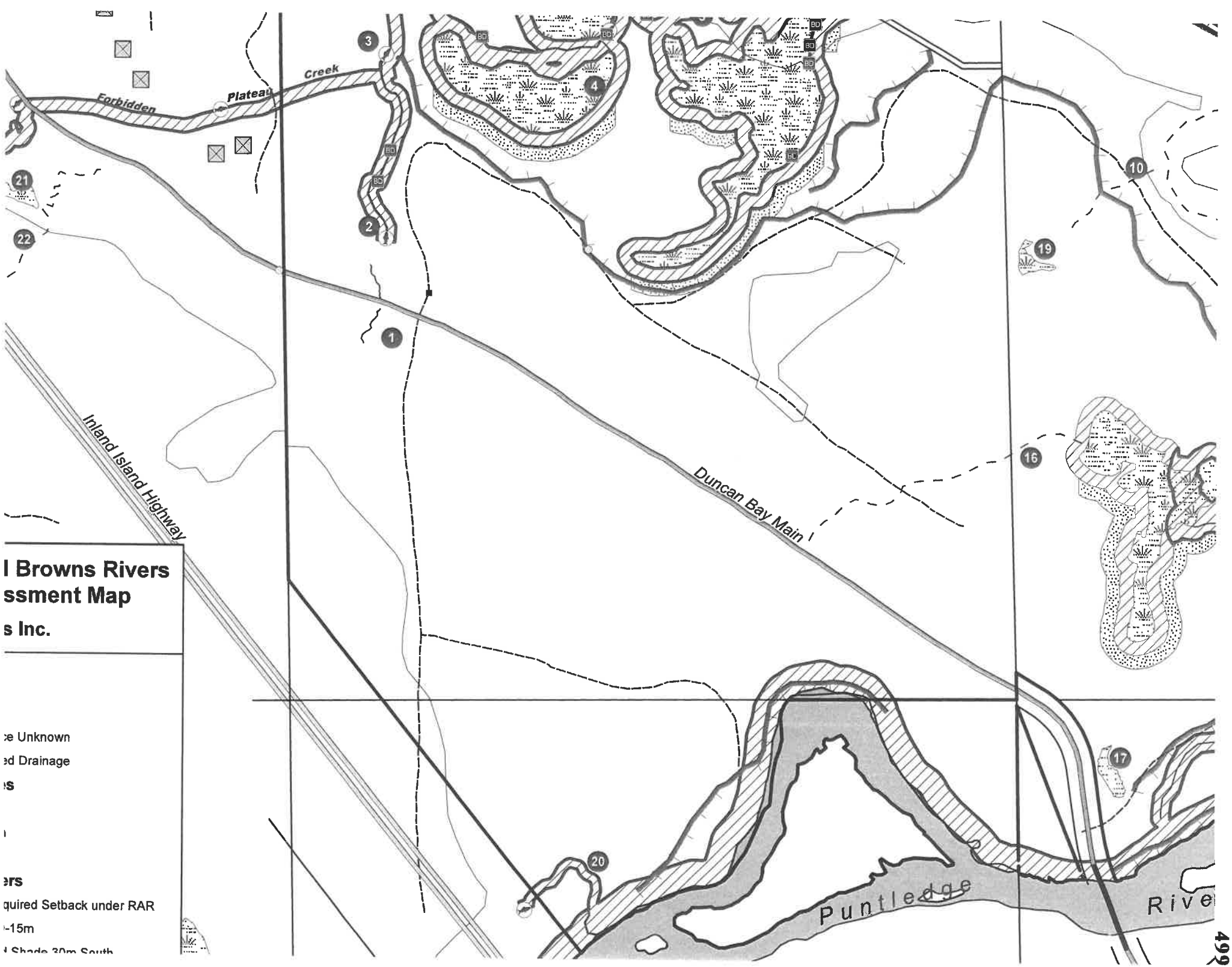
"Identify and protect surface water bodies (watersheds, wetlands and riparian areas)"

This was achieved by locating and mapping all watercourses on the property prior to designing the layout of the development. This ensured that the development could be designed in such a way to both protect the aquatic features on the property and highlight these habitats as park areas that the residents in the community can enjoy. The development is within a development permit area of the Comox Valley Regional District, thus requiring the property to have a Riparian Areas Regulation Assessment done on the property during the subdivision. As the project is at the re-zoning stage, a complete RAR assessment has not been completed, but sufficient data was collected to determine the required setbacks that a detailed assessment would determine, to ensure that the design of the development accounted for the required riparian areas to maintain the form and function of each of the waterways on the property.

One waterway was determined to pose a problem for the design, and consultation with Fisheries and Oceans Canada commenced immediately to ensure that the vision of the project could be completed without negatively impacting the waterway. Recommendations from Fisheries and Oceans Canada will be utilized when designing the final layout of that phase of the project.

Appendices

Map of located waterways and associated setbacks
Photo documentation of the located waterways



l Browns Rivers
ssment Map
s Inc.

ce Unknown
ed Drainage
s

ers
quired Setback under RAR
-15m
Shade 30m South

Photo Documentation



Photo 1, Waterway 1:
This drainage dissipates and does not connect to fish bearing water. It does not require a setback under the RAR.



Photo 2, Waterway 2:
This small stream offers potential rearing and spawning habitat for fish.

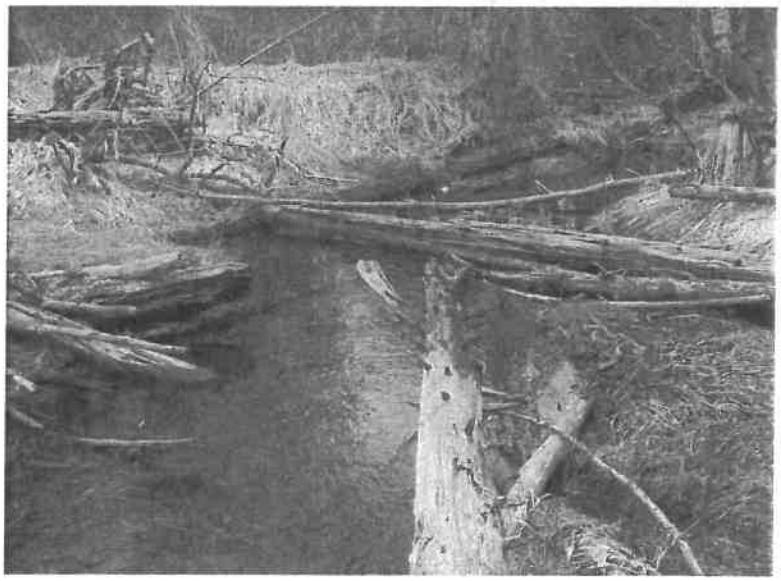


Photo 3, Waterway 3:
Forbidden Plateau Creek is known to be fish bearing. It offers both spawning and rearing habitat for fish.



Photo 4, Waterway 4:
This wet area offers very limited fish access and limited rearing habitat.



Photo 5, Waterway 4:
There is evidence of old beaver activity.



Photo 6, Waterway 6:
This seepage is 15m long. It offers marginal fish access and limited rearing habitat.



Photo 7, Waterway 7:
This waterway offers limited fish access and limited rearing habitat for ~20m during high water levels.



Photo 8, Waterway 9:
The stream drops 4m into the Browns River. No resident fish were sampled upstream.



Photo 9, Waterway 9:
There is ongoing beaver activity upstream. The wetland offers excellent habitat for amphibians.

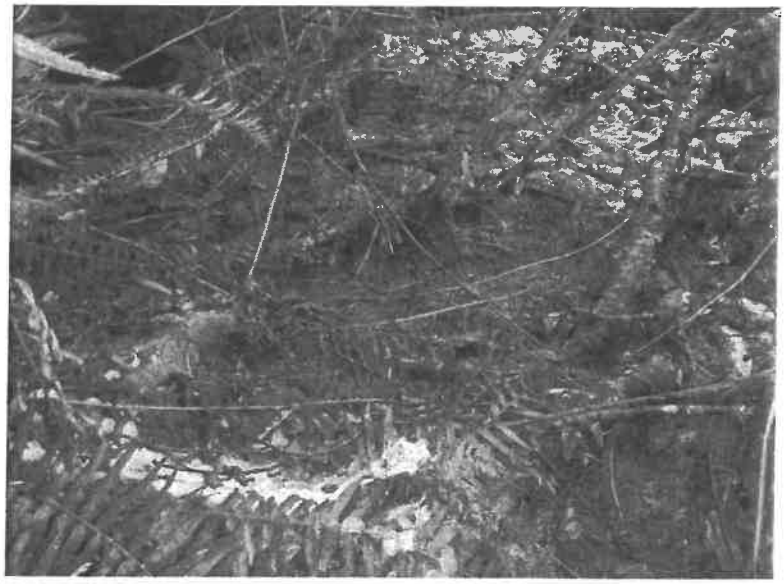


Photo 10, Waterway 11:
The waterway dissipates upslope of the Puntledge River and does not connect to fish bearing water.



Photo 11, Waterway 11:
Typical morphology upslope of the trail, predominantly muck/fines substrate with skunk cabbage growing throughout.



Photo 12, Waterway 12:
The waterway dissipates upslope of the Puntledge River. There is no connection to fish bearing water.



Photo 13, Waterway 13:
This +3m high vertical drop with the +40% gradient slope is a barrier to upstream fish access. There is no resident fish habitat upstream.



Photo 14, Waterway 13:
The wetland does not provide suitable habitat for resident fish habitation, but does offer habitat for amphibians. The water is generally shallow.



Photo 15, Waterway 14:
Upslope of the barrier to fish, the waterway does not offer suitable habitat for resident fish habitation.



Photo 16, Waterway 16:
This waterway does not connect directly to fish bearing water. It is shallow with a muck substrate and sedges growing along the perimeter.



Photo 17, Waterway 17:
This is a small isolated wet area. It does not connect to fish bearing water.



Photo 18, Waterway 18:
There is no connection to fish bearing water.



Photo 19, Waterway 18:
There is a small isolated wet area upslope of the trail.



Photo 20, Waterway 20:
This stream offers both spawning and rearing habitat for fish. Coho fry were observed.



Photo 21, Waterway 20:
The upper reaches are unconfined, but there is sufficient depth of water for fish access.



Photo 22, Waterway 21:
This waterway does not connect to fish bearing water.



Photo 23, Waterway 21:
The waterway is an isolated wet area.



Photo 24, Waterway 22:
This waterway that sources from the Highway 19 ditchline does not connect to fish bearing water.

Comox Valley
REGIONAL DISTRICT

RGS Technical Advisory Committee Minutes

Minutes of the Regional Growth Strategy Technical Advisory meeting held on September 25, 2018 at the Comox Valley Regional District (CVRD) office located at 550B Comox Road, Courtenay BC, commencing at 3:00 pm.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Ken Rogers, Manager of Development, Village of Cumberland (by telephone)
Ian Buck, Director of Development Services, City of Courtenay
Alana Mullaly, Senior Manager of Planning and Protective Services, CVRD

Regrets: Marvin Kamenz, Municipal Planner, Town of Comox

Recording: Alana Mullaly

TOPIC

The committee met to review the supplementary application material provided by 3L Developments Inc. and to consider the Technical Advisory Committee's (TAC) September 20, 2018 recommendation to the Steering Committee relative to the supplementary material. The TAC also discussed, as requested by the Steering Committee, land supply/housing unit data and population projections.

RECOMMENDATION

I. Buck/K. Rogers: THAT having reviewed the application material provided by 3L Developments Inc. relative to the goals and policies of the Regional Growth Strategy, the land supply/housing unit data and population projections, the Technical Advisory Committee's September 19, 2018 recommendation to the Steering Committee that it recommend that the Comox Valley Regional District Board deny the application to amend the Regional Growth Strategy to create a new settlement node, remains.

CARRIED

ADJOURNMENT

Time: 4:00 pm

Recorded By:

A. Mullaly

A. Mullaly, MCIP, RPP
Senior Manager of Planning and
Protective Services
Comox Valley Regional District

This is Exhibit "LL" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff Report

DATE: September 26, 2018

FILE: 6410-20/CV RGS Amendments
RGS 1C 17

TO: Steering Committee
Regional Growth Strategy

FROM: Technical Advisory Committee
Regional Growth Strategy

RE: **Population and Land Supply Information**
3L Developments Inc., Regional Growth Strategy Standard Amendment

Purpose
This report is intended to provide the Regional Growth Strategy (RGS) Steering Committee with additional detail regarding population estimates and residential unit supply relative to the application by 3L Developments Inc. to amend the RGS in order to create a new Settlement Node.

Recommendation from the Regional Growth Strategy Technical Advisory Committee:
This report is provided for information.

Executive Summary

- The Technical Advisory Committee (TAC) reconvened on September 25, 2018 to review the direction from the Steering Committee to provide more information on population projections, and housing/land supply.
- TAC has compiled a series of charts, included in the body of this report, providing high level population projections and housing/land supply based on development applications that have been recently approved either through phased (or master) development agreement, subdivision, or building permit.
- TAC's numbers do not include an assessment of all development capacity within the Comox Valley Regional District (CVRD) (i.e. zoned and/or serviced lands).
- The TAC also reviewed two studies, provided by 3L Developments Inc. on September 13, 2018, and confirms that TAC's September 19, 2018 recommendation to the Steering Committee that the amendment application to create a new Settlement Node, be denied, remains.

Prepared by:	Concurrence:	Concurrence:
A. Mullaly	*I. Buck*	
Alana Mullaly, MCIP RPP Senior Manager of Planning and Protective Services CVRD	Ian Buck, MCIP RPP Director of Development Services City of Courtenay	Marvin Kamenz, MCIP RPP Municipal Planner Town of Comox

Concurrence:

K. Rogers

Ken Rogers, MCIP RPP
Manager of
Development Services
Village of Cumberland

Stakeholder Distribution (Upon Agenda Publication)

None	

Background/Current Situation

The TAC (with the exception of the member from the Town of Comox) met on September 25, 2018 to discuss the direction from the RGS Steering Committee to provide further information on population projections and related housing supply. The TAC also reviewed two studies, provided by the applicant on September 19, 2018, specifically:

1. Riverwood Residential Transportation Assessment – Final Report, prepared by Bunt and Associates Engineering Ltd. and dated October 30, 2009.
2. Ecology and Wildlife Summary, Riverwood Development, prepared by FishFor Contracting Ltd. and dated December 18, 2009.

Policy Analysis

The purpose of an RGS, per the *Local Government Act* (RSBC, 2015, c. 1) (LGA) is:

> *"to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources"* (LGA, Section 428 (1)).

Options

This report is provided for information to the RGS Steering Committee to assist the Committee in making its recommendation to the CVRD Board.

Financial Factors

Financial factors related to the preparation of this report pertain to staff time.

Legal Factors

The TAC offers this report to the RGS Steering Committee in accordance with the Board's approved consultation plan (i.e. preparation for the October 2, 2018 Board meeting regarding possible first reading of an amendment bylaw).

Regional Growth Strategy Implications

In respect to RGS Goal Statement No. 1: *"Ensure a diversity of housing options to meet evolving regional demographics and needs."*

Note that the province is in the process of introducing legislation to amend the *Local Government Act* in order to require all local governments to prepare "housing needs reports" at least once every five years. The legislation will require local governments to collect data on current and projected population; household income; significant economic sectors and currently available/anticipated housing units as well as type of units. The reports are intended to identify the number and type of housing units required over a five year period.

Once in place, the legislation will require a local government that is considering amending a Regional Growth Strategy or Official Community Plan to consider its housing needs report(s) as part of its decision-making process. CVRD staff intend, through the 2019 budget process to request that consulting funds be added to the RGS service in order to undertake an assessment that could be used by all four jurisdictions. The regular collection of this data is useful in monitoring RGS implementation.

In the meantime, however, TAC has compiled the following information in order to show current and projected population estimates, housing unit supply and demand (as reflected by real estate sales). TAC is confident that these numbers can be relied upon for the present purposes (i.e. high level assessment of whether or not a new core settlement area is needed relative to population growth and new supply in existing core settlement areas).

Population Chart:

2017 Sub-Provincial Population Estimates							
Jurisdiction	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**
Comox	13,785	13,579	13,645	13,797	14,452	14,573	14,425
Courtenay	24,596	24,602	24,524	24,716	25,149	25,951	26,185
Cumberland	3,436	3,463	3,488	3,503	3,506	3,548	3,699
Electoral Areas	22,600	22,505	22,477	22,432	20,681	21,316	21,857
CVRD Total	**64,417**	**64,149**	**64,134**	**64,448**	**63,788**	**65,388**	**66,166**

Source: BC Stats
Estimates represent the annual mid-point population. Municipal boundaries per July 1. Above released January 2018.

Based on the 2016 census data for the Comox Valley, the following demographic trends are highlighted:

- Of the 40,275 citizens that are within the 15 – 64 year old age bracket, 29 per cent are over 50 (11,875).
- 51 per cent of the Comox Valley's population is aged 50 and over.

Based on the 2016 census data for the Comox Valley, the following housing unit types and household composition trends are highlighted:

- Of the 29,570 private households in the Comox Valley, 68 per cent are living in single detached dwellings (does not include mobile homes).
- The average household size in the Comox Valley is 2.2 persons.

Based on the 2016 census data for the Comox Valley, the following income trends are highlighted:

- In 2015 $, the median after-tax income of households is $56,286.
- In 2015 $, the median after-tax income of two or more person households is $69, 675.
- In 2015$, the average after-tax income of households is $65,641.

Based on the above trends, single detached dwellings remain the largest housing unit type, although slightly less than the 80% identified in the RGS (based on 2006 data). It is reasonable to infer that as the "baby boomers" continue through the population pyramid as our largest demographic, alternative housing types will be required to meet demand (e.g. infill, multi-family).

In assessing relative supply, the TAC provides the following data. The numbers below are intended to provide a high level "snapshot" of potential housing unit supply. These numbers reflect active

development applications (or units committed to by local government in the form of phased development or master development agreements).

Jurisdiction	Units in Development Agreements		Units in Subdivision	Building Permits Issued in 2017/2018 for New Units
	SFD**	MF		
Electoral Areas*	3,039	60	43	206
Courtenay	128	70	340	480
Comox	464	268	162	77
Cumberland	989	2,831	103	137
Total	4,620	3,285	648	900

*Settlement nodes of Union Bay and Saratoga only

**Numbers in Electoral Areas and Cumberland include provision for secondary suites in some of the SFD.

The above numbers do not include latent supply (i.e. existing zoned lands that have not been developed to their full density). The TAC acknowledges that not all of the above units will necessarily be brought to market within the short-term (i.e. next five years). However, the salient point is that the RGS has created a policy framework that has enabled growth in the Core Settlement Areas. It is this projected supply that should largely inform decisions about creating a new core settlement area at this time. Private market conditions will largely determine how supply is released. 3L Developments Inc. has not provided any rationale as to how or why their market decisions would be any different than any other developer. In fact, at the September 6, 2018 open house, 3L Developments Inc. stated that 15 - 20 units would be brought to market in year one of an approved project. It is not clear how this will have any impact on "stabiliz(ing) land and house prices" as stated in 3L Developments Inc.'s September 13, 2018 letter.

Insofar as real estate listings can indicate available supply, 3L Developments Inc. cites Vancouver Island Real Estate Board (VIREB) statistics and claims that a comparison between 2014 and the first half of 2018 listings and sales demonstrates that RGS policy has constrained supply thereby increasing sales prices. This simplistic assessment is challenging on several levels. At the very least however, VIREB has supplied staff with their statistics from 2014 and the first half of 2018. It is not apparent how 3L Developments Inc. determined their numbers using VIREB data. By August 2018, 66 residential lots (single detached) had been listed for sale with a VIREB licensed agent (statistics do not account for any private listings). This is up 3 per cent over the whole of 2017. Note again, that based on population, the RGS identifies that in order to provide adequate supply to meet demand, 432 new dwelling units (all types) are required per year: with 900 building permits issued in the Comox Valley for new dwelling units in 2017 and 2018 (to date), we are on track.

Ultimately, the single detached housing price increases that the Comox Valley saw between 2014 and 2018 are entirely on par with the increases seen in adjacent communities including Campbell River, Parksville/Qualicum and Nanaimo. Is not at all apparent, as 3L Development Inc. suggests, that the increase is directly and entirely related to the RGS policy framework. TAC's assessment of 3L Developments Inc.'s data is not intended to diminish the very real affordability challenges that Comox Valley residents face. Rather, it is important not to speak anecdotally about affordability. It better serves the community to undertake a detailed, Comox Valley-specific look at the factors that influence affordability and determine how policy can support rather than detract from affordable housing options. TAC suggests that the housing reports referenced above are an appropriate mechanism through which to undertake that detailed data collection and analysis.

Lastly, in respect to the location of land supply, in their letter of September 13, 2018, 3L Developments Inc. states that the spatial pattern contemplated by the RGS (i.e. nodes versus strip corridors) has created a housing affordability problem. With the exception of Sage Hills, the core settlement areas were established around existing communities with additional development capacity (relative to greenfield land and serviced infill opportunities). Settlement expansion areas were identified on the fringes of municipalities to reserve land for future land supply needs once incorporated into a municipality. When looking at the "geometry" of the municipalities and the settlement expansion areas, TAC suggests that in fact the geometry of the RGS does establish a clear picture of how land supply can be increased in a phased and orderly manner that reflects existing settlement patterns and achieve asset management goals.

Goal Statement No. 5: *"Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources".*

In respect to planned investment in the core settlement areas, the TAC notes the following examples of significant regional infrastructure projects (water and sewer):

- Comox Valley Water Treatment project
- Greenwood and Hudson Trunk Regional Sewer Line projects
- HMCS Quadra Forcemain Replacement project
- Sewage Treatment Plant upgrades

3L Developments Inc. is proposing a new settlement node that will be serviced by a private utilities (water and wastewater). No further information has been provided. 3L Developments Inc. states, in their September 13, 2018 letter to staff, that: *"There are also many opportunities to integrate or transfer ownership of the private utility to the public system, if desired".* TAC suggests that based on the extent of regional infrastructure commitments that have been made to service existing Core Settlement Areas, the Board should approach, with caution, any suggestion that the future integration or transfer of currently non-existent private utilities is at all feasible (let alone desirable). The RGS is premised on enabling growth in the core settlement areas that is serviced publicly in part to avoid any future need to integrate or transfer private utilities that have either failed or become unmanageable for the private operator (or the citizens that must pay for the utility). As noted in TAC's September 19, 2018 report, the CVRD has had multiple experiences with conversion of private utilities and all have carried with them challenges.

Underlining the above, TAC suggests that key to the Board's consideration of the proposed RGS amendment is the recognition that if growth is directed away from the existing Core Settlement Areas (i.e. to a new 1,100 unit residential development) there will be an impact on existing and planned infrastructure projects (i.e. regional district service is paid for only by the population that receives the service).

Intergovernmental factors
The TAC and Steering Committee are regional, representing, at a staff level, each of the member municipalities and electoral areas. The standard amendment process includes a formal referral for acceptance to all member municipalities and adjacent regional districts of any amending bylaw that the board intends to adopt.

Citizen/Public Relations
This report will be available to the public. Public consultation will be undertaken in accordance with the board's consultation plan.

This is Exhibit "MM" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley
REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on September 27, 2018 in the Comox Valley Regional District boardroom, 550B Comox Road, Courtenay BC, commencing at 8:32 am.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
Sundance Topham, Chief Administrative Officer, Village of Cumberland
John Ward, Acting Chief Administrative Officer, City of Courtenay
Richard Kanigan, Administrator, Town of Comox
Alana Mullaly, Senior Manager of Planning and Protective Services, Comox Valley Regional District

Recording: Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

The committee met to review the Regional Growth Strategy Technical Advisory Committee's finalized residential land and housing supply statistics as requested at the September 20, 2018 Regional Growth Strategy Steering Committee meeting.

RECOMMENDATION

R. Kanigan/S. Topham: THAT having reviewed the application by 3L Developments Inc. to create a new Settlement Node (Riverwood), the Regional Growth Strategy Steering Committee recommends to the Comox Valley Regional District Board that the application by 3L Developments Inc. to amend the Regional Growth Strategy in order to create a new settlement node be denied.

CARRIED

ADJOURNMENT

Time: 9:24 am

Recorded By:

S. Stephens

Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

This is Exhibit "NN" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff Report

DATE: September 28, 2018

FILE: 6410-20/CV RGS Amendments
RGS 1C 17

TO: Chair and Directors
Regional District Board

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

FROM: Regional Growth Strategy
Steering Committee

RE: **Regional Growth Strategy Steering Committee 3L Developments Inc. Amendment Proposal**

Purpose

The purpose of this report is to provide the Comox Valley Regional District (CVRD) Board with the Regional Growth Strategy (RGS) Steering Committee's recommendations on 3L Developments Inc.'s RGS amendment application to create a new Settlement Node.

Recommendation from the RGS Steering Committee:

THAT the application by 3L Developments Inc. to amend the Regional Growth Strategy in order to create a new settlement node be denied.

Executive Summary

- The RGS Steering Committee met on September 20, 2018 and September 27, 2018 to review reports from the Technical Advisory Committee (TAC) (Appendix A) that assessed the relative need for, and impacts of, a new Settlement Node as proposed by 3L Developments Inc.
- At their September 27, 2018 meeting, the Steering Committee endorsed TAC's recommendation to deny the application to create a new Settlement Node (Appendix B).
- The Steering Committee recommends that the board deny 3L Development Inc.'s application.
- The foundational principle underlining the recommendation is that a new Settlement Node is not needed at this time relative to housing unit supply, population projections and demographic trends in the Comox Valley.
- The board is under no obligation to continue processing 3L Development Inc.'s application relative to the *Local Government Act* (RSBC, 2015, c. 1) (LGA), BC Court of Appeal decision, or the Board's Consultation Plan: all process requirements have been met.

Prepared by:	Concurrence:	Concurrence:
A. Mullaly	*R. Dyson*	*R. Kanigan*
Alana Mullaly, M.Pl., MCIP, RPP Senior Manager of Planning and Protective Services CVRD	Russell Dyson Chief Administrative Officer CVRD	Richard Kanigan Chief Administrative Officer Town of Comox

Concurrence:	Concurrence:
S. Topham	*J. Ward*
Sundance Topham Chief Administrative Officer Village of Cumberland	John Ward for David Allen Chief Administrative Officer City of Courtenay

Stakeholder Distribution (Upon Agenda Publication)

3L Developments Inc.	✔
Village of Cumberland	✔
Town of Comox	✔
City of Courtenay	✔

Background/Current Situation

The Steering Committee provides this report per the Board's Consultation Plan. At this point in the standard amendment process, the board is asked to make a decision on whether or not to continue the standard amendment review of 3L Development Inc.'s application. The Steering Committee recommends that the application be denied (and that no further review ensue).

Policy Analysis

The purpose of an RGS, per the *Local Government Act* (RSBC, 2015, c. 1) (LGA) is:

> "*to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources*" (LGA, s.428).

Options

The board has the following options:

1. Accept the Steering Committee's recommendation and deny the application by 3L Developments Inc. to create a new Settlement Node.
2. Grant first reading to an amending bylaw that would establish a new Settlement Node.
3. Refer the matter back to the Steering Committee and TAC with direction on next steps.

The Steering Committee recommends option 1. If the board seeks to advance this application to bylaw readings and further public consultation, Appendix C contains a possible text and map amendment.

Financial Factors

Costs incurred to date (e.g. staff time, public open house, advertising) have been borne by the RGS service. As the application by 3L Developments Inc. was made prior to the adoption of the RGS Fees and Charges Bylaw, no application fees are applicable.

If the board does not agree with the Steering Committee's recommendation, the costs of continued processing (e.g. staff time and implementation of the Board's Consultation Plan) will be borne by the RGS service.

Legal Factors

This report has been prepared in accordance with the LGA. The decision to advance an application for RGS amendment rests entirely within the board's purview. There are no legal obligations to

continue processing the subject application. All requirements of the BC Appeal Court have been met.

Regional Growth Strategy Implications

The RGS implications are described in detail in the attached TAC reports (Appendix A). Briefly, however, the Steering Committee notes that a standard amendment to an RGS is regionally significant with regional impacts. In this case, an amendment to create a new Settlement Node would have impacts on:

- Regional infrastructure commitments;
- Planned development in existing core settlement areas; and
- Regional growth management framework.

The RGS is intended to direct the majority of new residential growth to existing Core Settlement Areas. The RGS is the enabling framework to set the conditions for the market to respond and provide housing supply. This is happening and is evidenced in the dwelling unit supply numbers contained in TAC's September 26, 2018 report (Appendix A). A policy decision to direct growth away from existing Core Settlement Areas will have a direct correlation on the financial feasibility of existing and planned infrastructure as well as approved development projects and private investments in the existing Core Settlement Areas. Further, this will impact the Settlement Expansion Areas (i.e. the urban fringe areas that either have further development capacity once incorporated and publicly serviced or will require public servicing for existing development in future) in respect to the financial feasibility of public servicing requirements of existing residential development.

Intergovernmental Factors

The Steering Committee comprises the Chief Administrative Officers of each RGS service participant (i.e. CVRD, Comox, Cumberland, and Courtenay). A planning representative for each jurisdiction comprises the TAC. As a standard amendment, there is a referral process to "affected local governments", being each member municipality, adjacent regional districts and the provincial Ministry of Municipal Affairs and Housing.

Citizen/Public Relations

This report has been prepared in accordance with the Board's Consultation Plan. A public open house was held on September 6, 2018. Approximately, 240 citizens attended and received presentations from CVRD staff and a 3L Developments Inc. representative. The main focus of the open house was a question and answer period. A summary of the topics raised at the open house is appended to this report (Appendix D). All written comments received to date on the application are attached in Appendix E. If the board opts to grant first reading to an amending bylaw, the review process will continue. Provision is made within the consultation plan for a second open house and public hearing (November). If the application progresses, CVRD staff will continue to accept written feedback and will present to a future board meeting. The CVRD has created a webpage on the CVRD website, specific to this application: there, citizens can access all application material, staff reports and communications material.

Attachments: Appendix A – "TAC reports dated September 19, 2018 and September 26, 2018"
Appendix B – "September 27, 2018 Steering Committee Meeting Minutes"
Appendix C - "Possible Text and Map RGS Amendment"
Appendix D – "September 6, 2018 Public Open House Summary"
Appendix E – "Public Comments Received"

Comox Valley REGIONAL DISTRICT

Staff Report

DATE: September 19, 2018

FILE: 6410-20/Amendments RGS 1C 17

TO: Steering Committee
Regional Growth Strategy

FROM: Technical Advisory Committee
Regional Growth Strategy

RE: **Regional Growth Strategy Standard Amendment Recommendation 3L Developments Inc.**

Purpose
To provide the Regional Growth Strategy (RGS) Steering Committee with a recommendation from the RGS Technical Advisory Committee (TAC) regarding 3L Developments Inc.'s application to create a new Settlement Node in Electoral Area C – Puntledge-Black Creek.

Recommendation from the Technical Advisory Committee:
THAT having reviewed the application by 3L Developments Inc. to create a new Settlement Node ("Riverwood") the Technical Advisory Committee recommends that the Steering Committee recommend to the Comox Valley Regional District Board that the application be denied.

Executive Summary

- The TAC convened on September 12, 2018 to review the application by 3L Developments Inc. to create a new Core Settlement Area, specifically a Settlement Node, in order to develop their proposed "Riverwood" community, comprising 1,100 new residential lots.
- The TAC considered the application in the context of the RGS' goals and policies.
- The TAC considered the impact of the proposed new Settlement Node on the growth management framework of the RGS, specifically impacts on the existing Core Settlement Areas.
- The TAC considered the impact of the proposed new Settlement Node on the adjacent rural areas.
- The TAC notes that the application material supplied by the applicant does not adequately consider the regional significance of the proposal.
- The TAC recommends that the Steering Committee recommend to the Comox Valley Regional District (CVRD) Board that the application by 3L Developments Inc. should be refused.

Prepared by:	Concurrence:	Concurrence:
A. Mullaly	***I. Buck***	***M. Kamenz***
Alana Mullaly, MCIP RPP Senior Manager of Planning and Protective Services CVRD	Ian Buck, MCIP RPP Director of Development Services City of Courtenay	Marvin Kamenz, MCIP RPP Municipal Planner Town of Comox

Concurrence:

K. Rogers

Ken Rogers, MCIP RPP
Manager of
Development Services
Village of Cumberland

Stakeholder Distribution (Upon Agenda Publication)

RGS TAC	✔
RGS Steering Committee	✔

Background/Current Situation

The TAC met on September 12, 2018 to review and discuss the application by 3L Developments Inc. (3L) to create a new Settlement Node in the context of the RGS goals and policies. The TAC considered the related impacts of designating a new Core Settlement Area on the growth management framework of the RGS, as well as the adjacent rural settlement, resource, and agricultural areas. The TAC provides this report to the Steering Committee to assist it in preparing a recommendation to the CVRD Board on 3L's RGS amendment application.

Policy Analysis

The purpose of an RGS, per the *Local Government Act* (RSBC, 2015, c. 1) (LGA) is:

> "*to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources*" (LGA, s.428).

Options

The Steering Committee can accept the TAC's recommendation and instruct CVRD staff to prepare a report to the board. Alternatively, if the Steering Committee wishes to recommend first reading of an amending bylaw to enable advancement of 3L Developments Inc.'s proposal, it can direct CVRD staff to prepare a report and amendment bylaw accordingly.

Financial Factors

Financial factors related to the recommendation contained in this report pertain to staff time. As Bylaw No. 274, being the "Comox Valley Regional District Regional Growth Strategy Fees and Charges Bylaw, 2014" was not in effect at the time of 3L Developments Inc.'s application, no fees can be levied. All application review costs to date, and any costs going forward related to this application will be incurred to the RGS service (i.e. regional service apportioned to each electoral area and each municipality).

Legal Factors
On August 14, 2018, the CVRD Board adopted a consultation plan (Appendix A). In accordance with that plan, the next decision point for the board is October 2, 2018. At that time the board will consider whether to advance the application to first reading of a bylaw. Note that there are no outstanding requirements of the Supreme Court order: the board has fully complied with the direction to accept 3L's application and consider whether or not to initiate an amendment and determine the type of amendment (i.e. minor versus standard). There is no obligation to undertake any further process steps under the order or LGA. The board has full discretion to decide whether to introduce an amendment for first reading, deny the application or provide alternative direction to staff.

Regional Growth Strategy Implications
The RGS establishes eight goal areas with related objectives and supporting policies, all of which are relevant to the application to create a new Settlement Node.

RGS Goals/Policy Areas:

1. *Housing: Ensure a diversity of housing options to meet evolving demographics and needs*

The TAC has assessed 3L's application and considered population projections, demographic trends, affordability and housing supply relative to achieving the above goal statement.

Population numbers:
The RGS states that population increase in the CVRD (i.e. municipalities and electoral areas) is projected to rise 31 per cent from 2011 to 2031, mostly due to in-migration (versus natural occurrence). Between 2011 and 2016 (census years), Cumberland saw the greatest percentage increase of 10.4 per cent which equalled approximately 355 new citizens. Courtenay saw a percentage increase of 6.2 per cent or the addition of 1500 citizens and Comox saw a percentage increase of 2.9 per cent or 300 new citizens. In the three electoral areas, combined, over the same period, a percentage increase of 3.3 per cent (or 762 citizens) was captured. Population projections for the electoral areas were calculated in 2014 as part of the preparation of the rural Official Community Plan (OCP) (Bylaw No. 337 being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014"). Projected population in the electoral areas, combined, is 0 per cent. This suggests that there is a very limited need for increased housing in the electoral areas (i.e. lands outside of the existing settlement nodes of Union Bay, Saratoga and Mt. Washington). This is wholly consistent with the RGS and its key growth management principle that 90 per cent of new growth in the CVRD should be directed to existing Core Settlement Areas.

Demographic trends:
Median age is increasing rapidly as existing population ages and new seniors move to the CVRD. The demographics show that the population of the CVRD is older than the rest of the province, particularly in the rural areas. The "baby boomers" continue to represent the largest and fastest growing demographic in the CVRD, essentially creating an inverted population pyramid.

If demographic trends continue, the majority of in-migration will be citizens over the age of 65: this is key in respect to the type of housing units that will be required to serve the population. To date, limited housing choice has been identified as a challenge in the CVRD insofar as single-family housing represents the majority of housing options. The movement to enable infill development in the form of multi-family units, smaller units, and accessory units (e.g. secondary suites, carriage houses) is a prudent policy and regulatory choice. We are already seeing the impact of an aging population on our housing market and the related demand for housing options that are proximate to

the amenities that core settlement area infill locations can provide (e.g. biking infrastructure, walkability to neighbourhood scale retail and services, transit routes).

Residential land and housing supply:
To meet the projected demand for housing in the next 20 years, the RGS forecasts that a 22 per cent increase in supply is needed. 22 per cent equates to 432 new dwelling units per year. Available and projected supply exceeds this requirement. (Note that this does not equate to 432 new single detached dwelling units per year: demographic trends illustrate that the form of those units is almost, if not more, important that the number). TAC offers the following numbers as indicators of supply:

Jurisdiction	Units in Zoning and/or Development Agreement	Units in Subdivision	Building Permits Issued in 2017/2018 for New Units
Electoral Areas	3099	43	206
Courtenay		340	480
Comox	732	162	77
Cumberland	4227	103	137
Total	8058 (plus Courtenay's number)	648	900

As was the case when the RGS was adopted, it remains true that current development proposals demonstrate the capacity to supply housing for the next twenty years. This is important: directing growth away from existing Core Settlement Areas in order to enable the establishment of a new Settlement Node will have a direct correlation on the financial feasibility of existing and planned infrastructure (which also affects the already identified "reserve areas", being the settlement expansion areas).

Affordability:
It is misleading to consider housing purchase price and abundant supply as the sole arbiters of housing affordability. The argument that urban fringe housing is more affordable than housing in existing communities seriously overlooks the affordability of secondary suites and other infill housing options for citizens. Housing at the urban fringe (and certainly in the rural area) tends to have higher utility and transport costs for residents: important factors in the overall assessment of affordability. Although for decades Canada Mortgage and Housing has defined housing affordability as housing that does not cost more than 30 per cent of a household's gross monthly income, increasingly transport costs are also being considered as a key component of housing affordability. The argument is that mortgage or rent payments are only one factor in assessing the true affordability of housing. Transport costs represent a significant component of a household's ability to own/rent a home in a given location.

The applicant has argued that their proposed Greenfield development is automatically more affordable than development in existing Core Settlement Areas. This is because the conversion of raw, rural land is cheaper in respect to initial capital costs for a developer when compared to serviced land in Core Settlement Areas. TAC suggests that this is a narrow assessment of true affordability for citizens. Housing unaffordability results from a combination of population and economic growth plus constraints on urban infill (e.g. zoning regulations that deter infill) and policies that enable sprawl into rural and fringe areas (e.g. higher servicing and transport costs).

Insofar as the above serve as indicators in measuring progression towards ensuring a diversity of housing options, the TAC finds that establishment of a new Core Settlement Area is not warranted at this time. Current population projections, demographic trends, affordability and supply

considerations do not support the development of up to 1,100 units in the rural settlement area adjacent to the City of Courtenay.

Goal 2: *Ecosystems, Natural Areas and Parks: Protect, steward and enhance the natural environment and ecological connections and systems*
The subject properties contain riparian areas, wooded corridors and critical watersheds (confluence of the Browns and Puntledge Rivers) that provide habitat corridors and important eco-services. The creation of a new Settlement Node in this location will impact these features, systems and services and the wildlife and people that depend on them. The TAC wishes to counter the assertion by 3L that Greenfield development is intrinsically more supportive of protecting the natural environment and the ecological systems found therein than either development of existing Core Settlement Areas or rural industrial use of the lands. In fact, compact, infill development can have significantly greater environmental benefits than Greenfield development insofar as infill development takes pressure off rural and fringe areas for urban and rural sprawl thereby helping to protect the ecological functions of those rural lands.

If the Steering Committee is inclined to recommend that the board advance this application to bylaw readings, the TAC recommends that the applicant be required to provide an environmental impact assessment such that the site layout can be undertaken in accordance with the RGS' principle of precaution, being:

> *"Where the environmental outcomes of a specific development proposal will significantly impact sensitive ecosystems err on the side of caution and require documentation as to impact, mitigation and restoration or limit the action to avoid significant impact."*

In respect to natural areas and parks, the applicant has stated that in exchange for an amendment to the RGS to create a new Settlement Node, it will donate 50 per cent of its land for park purposes. If the Steering Committee is inclined to recommend that the board advance the application to bylaw readings, the TAC recommends that the Board obtain a legal agreement from the owner that identifies the specific lands (i.e. BCLS site plan), and the terms of the applicant's dedication (e.g. timing, method of protecting the lands). This should be done prior to bylaw adoption.

As the Steering Committee knows, there are opportunities to acquire land for park and/or conservation purposes through land development applications other than an RGS amendment. Specifically, if the applicant seeks subdivision or development permit under the current Rural Twenty zoning (or seeks to amend the zoning under the RGS rural settlement area framework), opportunities for acquisition and/or "return to Crown" will arise.

Goal 3: *Local Economic Development: Achieve a sustainable, resilient and dynamic local economy that supports businesses and the region's entrepreneurial spirit.*
The TAC considered the impacts on rural economic development opportunities that arise from the conversion of rural working lands to residential lands with urban/suburban densities.

No part of the subject properties remain within Private Managed Forest class (those that were, were removed in 2012 and 2017). Merchantable timber has largely been removed from the properties. Staff understands that remaining stands are located within riparian areas and their related steep slopes. These are rural working lands: the present RGS and OCP designations reflect their past rural resource use as does the Rural Twenty zoning of the lands (zone permits silviculture, agriculture, wood processing, sawmills, resource extraction, crushing and screening). The RGS notes that although historic economic drivers in the rural resource sector have declined, long-term opportunities for value-added rural industry remain. For example, local food processing, specialty forest products and value-added resource manufacturing.

Speculation on rural land drives rural land prices up and moves us away from being able to support resource-based employment opportunities in the rural areas (a key principle of the RGS). Speculation on rural land becomes one more contributing factor in the barriers to bringing rural land into agricultural production, resource extraction and value-added resource manufacturing. The application does not address the impact of removing a large, intact rural parcel from the rural land base.

Goal 4: *Transportation: Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.*
The proposal to create a new Settlement Node in a rural area that is outside of the Comox Valley transit service area, as well as not being linked by public road or other public right-of-way to existing commuter corridors detracts from this goal. The application states that 3L will provide 9km of public trails. Details have not been provided, however, and therefore TAC cannot assess whether a 9km section(s) of trail would connect the proposed Settlement Node to existing Core Settlement Areas on the south side of the Puntledge River (connectivity is an RGS principle) or to existing or planned active transportation routes.

Goal 5: *Infrastructure: Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.*
3L proposes a new community to be served by a private utility operator. In their application, 3L states that *"there will be no infrastructure costs to the Regional District as (the) project will be totally self-sufficient in terms of water and sewer"*. 3L has stated that they have not yet made applications to the provincial ministries responsible for authorizing private utility establishment and operation. TAC cannot therefore comment on whether there will be a role for the CVRD. TAC does note, however, that in recent years the CVRD has taken over multiple services that were originally constructed as private utilities (e.g. Parnell Water, King Coho Sewer, Watutco Water (in progress), Jackson Drive Sewer, Greaves Crescent Water). The costs related to service area establishment and the ongoing costs of maintenance and improvements are borne by service area participants (not the general tax base as asserted by 3L, as is the case in municipalities).

In respect to water service, the RGS directs the majority (90 per cent) of growth to the core settlement areas where publicly owned water servicing systems already exist. Further the plan encourages smaller lot development and higher density development in Core Settlement Areas in order to make efficient use of water servicing infrastructure. Similarly, the plan directs growth to Core Settlement Areas where sewer servicing exists. 3L does not identify whether the proposed Settlement Node will receive solid waste collection, or like it proposes for water and sewer, whether a private contractor will collect and dispose of the proposed community's waste. TAC also notes that approximately 115 hectares of the land under application is located outside or the Courtenay Fire Protection District. The applicant has not addressed fire protection.

In the absence of details about the proposed utilities, TAC considered the impact of creating a new area that will require utilities (be they private or public) on the financial viability of existing and planned infrastructure in the existing Core Settlement Areas. A policy decision to direct growth away from existing Core Settlement Areas and their town centres in order to establish a new, Greenfield community, will set conditions to undermine private and public investments in existing Core Settlement Areas. Public infrastructure programs depend on population density to provide services in line with an acceptable cost to the public. The infrastructure policies of the RGS promote stable infrastructure spending that will maximize public investment. Policies that promote compact development that support existing services (and offset the costs to existing citizens) and focus

investment, provide greater economic certainty to citizens, developers, and the local governments that serve them both.

Goal 6: Food Systems: Support and enhance the agricultural and aquaculture sectors and increase local food security.
The TAC suggests that converting rural land to suburban/urban residential land removes opportunities to bring rural land into agricultural production or related value-added food industry opportunities. Further, introducing up to 1,100 new residential dwellings in the rural area risks creation of urban/agriculture interface conflict with existing agricultural land that is already contributing to achieving goal 6.
The RGS identifies agricultural sector's reliance on groundwater relative to the impact of residential demand for groundwater as a potential source of interface conflict. The plan states that *"all local governments will ensure appropriate buffers and transition zones between working landscapes and residential areas to minimize negative impact from residential development on farm and resource land:"* (Policy 6A-1). Presently, the Puntledge river corridor provides a natural topographical buffer between the settlement expansion area lands to the south (i.e. reserve growth areas) and the majority of the subject properties in the rural settlement area. Removing land from the rural land base does not contribute to the necessary conditions that support regional food security operations. 3L's proposed Settlement Node does not contribute to achieving the RGS' food systems goal.

Goal 7: Public Health and Safety: Support a high quality of life through the protection and enhancement of community health, safety and well-being.
The RGS identifies several contributing factors that influence health outcomes (i.e. access to clear air and water, affordable housing, recreation opportunities, education, access to healthy food). RGS policies pertaining to these factors are intended to support community health and well-being. The primary health and safety focus of the RGS relative to quality of life is the strong linkage between active transportation strategies and long-term health outcomes of the populace. Household transport costs are directly tied to the proximity of employment, services, schools and other institutions that household's access. Directing growth to areas that are proximal to employment, services, schools and other social institutions, will have a positive impact on the creation of active transportation options as well as establishing shorter driving distances. It is widely held that non-drivers (recall the CVRD's demographics) have more independent mobility in urban areas. Further, physically, economically, and socially disadvantaged citizens have more independence, more economic opportunities and better health outcomes in compact, connected neighbourhoods than in automobile-dependent fringe areas.

Goal 8: Climate Change: Minimize regional greenhouse gas emissions and plan for adaptation.
Compact development can reduce the amount that people drive and increase transportation options thereby establishing the conditions to proactively reduce vehicular greenhouse gas emissions. While 3L's application focuses on the LEED standard that future builders will strive to achieve if the project receives all approvals to enable future construction, the policy consideration should be whether the creation of a new Core Settlement area will help us to achieve our climate change goals. TAC suggests that policy that favours Greenfield development in a rural area over compact development options in existing Core Settlement Areas does not.

Impact on managing growth and the role of a five year review:
The applicant has made a number of assertions that refute the RGS and the principles that support it, specifically stating that:

1. Prioritizing servicing of existing communities has resulted in "not creating sufficient land to meet market demands for new growth",
2. "Policies that limit private utilities increase housing prices", and

3. "The majority of the land highlighted for growth areas within existing Settlement Nodes is not actually available for development" (Appendix B).

Ultimately, the applicant has assessed economic development, housing supply, growth projections, and market housing demand through a generic, urban-centred, lens that has not properly considered the Comox Valley including actual development patterns, plans, investment or regulatory frameworks within the Core Settlement Areas. The analysis provided by the applicant (Appendix B) fails to assess a rural perspective and the impact of suburban speculation on the cost of rural land for rural uses. Further, the analysis does not adequately address the economic impact of rural land speculation on the financial viability of existing Core Settlement Areas. Instead, the analysis is singularly focussed on advancing the interests of Greenfield development.

If, as the applicant states in their application, densities in the existing Core Settlement Areas should be considered for transferring elsewhere, the TAC suggests that this assessment should be done within the context of an RGS five year review. Having, in August 2017, resolved that a five review was not warranted, the TAC suggests that at the next opportunity for a five year review (e.g. 2022), the board may consider whether the Core Settlement Area boundaries need to be revisited. This timing could align with the 5 year financial plan and each jurisdiction's related Development Cost Charge program (i.e. assess the implementation and absorption rates of developments, and their related public infrastructure, currently underway and in the 'queue').

Intergovernmental Factors

The RGS states that the success of the RGS depends on ongoing cooperation and collaborative planning efforts between the local governments, provincial and federal agencies and the public. The plan calls for maintaining a collaborative, agreement-seeking, regional strategic planning program directed towards achievement of the long-term objectives of the Regional Growth Strategy.

The TAC and Steering Committee are regional, representing, at a staff level, each of the member municipalities and electoral areas. The standard amendment process includes a formal referral for acceptance to all member municipalities and adjacent regional districts of any amending bylaw that the board intends to adopt. Per the board's consultation plan, this formal referral will be undertaken following second reading of an amending bylaw (if the application progresses to bylaw readings). RGS amendment bylaws require approval of the Minister of Municipal Affairs and Housing.

The RGS recognizes that as K'ómoks First Nation's (KFN) treaty negotiations are ongoing, an implementation agreement could serve as a useful tool to help identify land interests of the KFN. The RGS provides for servicing agreements and partnership opportunities between KFN and the CVRD in advance of treaty settlement.

Citizen/Public Relations

This report will be available to the public. There is significant public interest in this application and the TAC anticipates that interest to continue. An open house, held on September 6th, 2018 drew approximately 240 people. Staff proposes to attach all written feedback received to date on the application to the Steering Committee's report to the board (October 2nd board). The board's consultation plan (Appendix A) sets out the mechanisms and timing of public consultation. If the board advances the application to first reading of an amending bylaw, a second public open house will be held on November 13, 2018 and subsequent public hearing on November 29, 2018. Members of the public have been directed to the CVRD website and CVRD planning staff for information about the application and the amendment process.

Attachments: Appendix A – "Consultation plan"
Appendix B – "Mark Holland's September 13, 2018 letter"

Comox Valley REGIONAL DISTRICT

APPROVED
Consultation Plan

Subject:	Regional Growth Strategy Standard Amendment Consultation Plan – 3L Developments	**File:**	18-000068

Purpose
To outline methods/strategies regarding consultation for a Regional Growth Strategy Standard Amendment – 3L Developments Inc.

Target audience(s):

- **Comox Valley Regional District Board**
- **Residents of the region**
- **Stakeholders:**
  - Village of Cumberland
  - Town of Comox
  - City of Courtenay
  - K'omoks First Nation
  - We Wai Kai Nation/Laich-Kwil-Tach Treaty Society
  - Wei Wai Kum First Nation/Kwiakah First Nation
  - Homalco Indian Band
  - 3L Developments Inc.
  - Regional District of Nanaimo
  - Strathcona Regional District
  - Qa-thet Regional District (formerly Powell River Regional District)
  - Alberni-Clayoquot Regional District
  - School District No. 71 (Comox Valley)
  - Comox Valley Regional District (Comox Strathcona Waste Management)
  - Comox Strathcona Regional Hospital
  - Ministry of Municipal Affairs and Housing
  - Ministry of Indigenous Relations and Reconciliation
  - Crown Indigenous Relations and Northern Affairs

Project background:

- 3L Developments Inc. requested that the board initiate an amendment to the Regional Growth Strategy (RGS) in order to consider its "Riverwood" proposal as a new settlement node and requested that the application be considered as a minor amendment (versus standard amendment).
- Decision was made by the Comox Valley Regional District (CVRD) board on July 24th to proceed with a standard amendment process.

Spokesperson: Alana Mullaly, Acting General Manager of Planning and Development Services

Key speaking points:

- The CVRD board has initiated a standard amendment process for 3L Developments Inc.'s application to create a new settlement node.
- As part of this process the public is encouraged to have their say at the public hearing and to attend the open house to learn more about the process and application.

- For details regarding the process and to learn more about 3L Developments Inc.'s application please visit www.comoxvalleyrd.ca/rgs.

Guiding principles:

- Communications included in all project team meetings and in key project-related discussions.
- Project to have budget sufficient to cover communications strategies.
- All materials and communication will follow the CVRD style guide.

Budget: $4,900 excluding GST

Communication Objectives: 3-5 objectives

1. To educate stakeholders regarding the RGS, the amendment process and 3L Development Inc.'s application.
2. To gather feedback from the public regarding the 3L Development Inc. application.
3. To ensure the amendment process is transparent to all stakeholders.

Communication/Engagement Strategies:

	Component	Description	Responsibility	IAP2 Spectrum	Budget	Due Date
1.	Update CVRD website	Update the CVRD website and ensure information current throughout entire process.	Content: Alana/Jennifer Updating: Communications Approvals: Alana	Inform	Staff time	Ongoing
2.	Notice of Initiation to affected local governments	Letter to affected local governments	Planning	Consult	Staff time	July 25, 2018
3.	Board-adopted consultation plan	Statutory consultation plan to provide opportunities for early and ongoing consultation	Content: Planning Approval: Board	Consult	Staff time	Board August 14, 2018
4.	Notice of initiation and application information to stakeholders, including First Nations and Ministry of Indigenous Relations and Reconciliation	Website updates and information package to stakeholders, including K'omoks First Nation and Ministry of Indigenous Relations and Reconciliation; Letter to other First Nations		Consult	Staff time	August 15, 2018

5.	Technical Advisory Committee and Steering Committee joint meeting with 3L Developments Inc.	Opportunity for 3L Developments Inc. to present proposal to TAC and SC and discuss process	Alana	Inform	Staff time	August 15, 2018
6.	Infographic development	Develop infographic of process	Infographic: Colleen Lucas Design		Info-graphic: $600	August 31, 2018
7.	Open House (CVRD hosted with 3L presentation)	Information meeting on RGS, amendment process, and 3L Development Inc.'s application	All TAC and SC to attend	Inform	Venue booking: $350 Staff time	September 6, 2018
8.	Technical Advisory Committee meeting	Review options and provide recommendation to steering committee	Content: Technical advisory committee		Staff time	Week of September 10, 2018
9.	Steering Committee meeting	Review options and provide recommendation to CVRD board	Content: Planning Approval: Steering committee		Staff time	Week of September 17, 2018
10.	CVRD board – First reading	First reading of amendment at CVRD board	Planning	Consult	Staff time	Board October 2, 2018
11.	Proposed bylaw to be sent to stakeholders identified in LGA s. 434	Send bylaw to stakeholders for comment	Planning	Consult	Staff time	October 9, 2018
12.	Meet with stakeholder upon request	To discuss bylaw and obtain feedback	Planning	Consult	Staff time	Ongoing
13.	Public open house	Public open house in the CVRD Boardroom. (CVRD staff can work with the TAC members if municipality wishes to host their own open	Event Planning: Planning Display Boards: -Content: Planning -Design: Communications Advertising:	Consult	Total: $2,800 Ads: $2,400 (print ads and Face-book	October/ November 2018

		house in own jurisdiction).	-Design: Communications -Book: Communications Pamphlet: -Content: Planning -Design: Communications		boosted posts). Display Board: $58/ Board ($300--400)	
14.	RGS orientation to new board on 3L process and application	Orientation to new board prior to 3L public hearing to provide information on process and 3L application	Planning	Inform	Staff time	November 27th
15.	Public hearing advertisements	Two ads in support of a public hearing in the Comox Valley Record	Content: Planning Design/Distribute: Beverly	Inform	Legal ad costs	November 15 & 22, 2018
16.	Public hearing	Public hearing for citizens to provide feedback. Display boards from open house present along with mechanisms for feedback (e.g. comment forms)	Planning	Consult	Staff time	November 29, 2018
17.	Technical Advisory Committee meeting	Incorporate feedback from open house and public hearing into recommendations for steering committee	TAC/CVRD planning staff	Consult	Staff time	Week of December 4, 2018 (following public hearing)
18.	Steering Committee meeting	Prepare recommendations to board on bylaw and next steps	SC/CVRD planning staff	Consult	Staff time	Week of December 10th
19.	Engagement roll up report	Roll up feedback provided by public and provide to board	Full Report: Planning	Inform	Staff time	December 18 Board

		to assist with decision making				
20.	CVRD board – Second reading	Second reading of amendment at CVRD board	Planning	Consult	Staff time	December 18 Board
21.	Refer to affected local government and minister for acceptance	Following second reading provide materials to affected local governments and minister for acceptance	Planning	Consult	Staff time	January 2019
22.	CVRD board – Third reading (upon acceptance by all affected local governments)	Third reading of amendment at CVRD board- accepted by all local governments	Planning	Consult	Staff time	April 2019
23.	CVRD board – Final adoption	Final adoption of amendment at CVRD board – if accepted by all local governments	Planning	Consult	Staff time	April 2019

Approval History

Board Approved:	August 14, 2018
Amended:	

Holland
Planning Innovations Inc

Sept 13, 2018.

6410-20 / CV RGS Amendment
RGS 1C 17

A. Mullaly

Alana Mullaly RPP

Senior Manager of Planning and Protective Services

Planning and Development Services Branch

Comox Valley Regional District

600 Comox Road

Courtenay, BC, V9N 3P6

Re: Follow up information from Public Open House on September 6, 2018

Alana:

This document outlines some information to address some of the high priority issues that were raised in the public open house on Sept 6, 2018 regarding the Riverwood RGS amendment application.

The choice: preservation or resource extraction

Many residents addressed the park and environmental preservation issues in the discussion in the open house on September 6, 2018. What was not very clear in the presentation by staff was that the rural areas are intended for rural and resource uses -and this means typically clearing, resource extraction and similar uses. There appears to be a misunderstanding in the community that there is an option to not have it developed but have it stay the way it is.

The land owner states that it is his intention to finish logging the site and to pursue gravel extraction as well, wherever feasible if the proposed project is not approved. Gravel extraction requires additional approvals but it is his intent to try to realize value out of the lands. This resource extraction is the intent of the rural designation in the RGS and as such, is in line with policy intent.

Even if resource extraction is not pursued by the current land owner and instead he sells large estate lots in accordance with the RGS, it is highly likely that the land may then face resource by others or it may be fenced and made inaccessible to the public. While the RGS implicitly envisions a bucolic rural residential image, the reality is that governments have little control over clearing on private rural land and that is to be expected in this situation.

In staff's communications to the Board, we request that staff make this information clear – that the only way to preserve the land in a park-like, conservation manner with public protection and access, is to support this proposal – which gives 50% of the land to the public in exchange for the proposed development rights to the other 50% of the land.

www.hollandplan.com (250) 713-9789 1081 Portage Rd, Victoria, BC, V8Z 1L1

The choice is not between development or no development, it is between a clear cut or a park. The RGS has policies that support both of these options, but the outcomes are significantly different.

The private utility

There is a policy in the RGS to typically not support private utilities and the District has begun absorbing some existing water and sanitary utilities in local improvement areas into the public utility system. The benefit of this approach is that the responsibilities for health and safety in servicing is totally within the purview of the local government. In addition, this policy provides further controls within the local government to control new development.

There are other private utilities in the region, including Saratoga Beach, Mt Washington and others, and other developers such as Kensington are looking at them too. Many of these have plans for the District to take over them when other properties plan to connect.

The challenge with this policy is that many existing areas need those services and as such, the District prioritizes the upgrades of existing areas with their infrastructure investment. This results in the servicing not creating sufficient land to meet market demands for new growth, which means that the prices of region's housing will continue to rise because land is much more expensive and difficult to assemble in existing areas for several reasons:

- Most land owners do not want to sell;
- It is very difficult to assemble sufficient land to develop a critical mass to make projects viable; and
- The surrounding neighbours oppose much additional density in their neighbourhoods.

Therefore, inadvertently, policies that limit private utilities increase housing prices in a growing region like the CVRD. The prices for land and homes are now increasingly causing social and economic problems in the CVRD because of the rising cost of land for new homes.

By allowing private utilities with the intent to have them incorporated into the public utility system in the future and/or when the public utility system reaches out to connect with them, the CVRD can, at no cost to itself at this time, allow new development to occur in a way where users, not the general taxpayer, pay for the utility, and the local government's policy of upgrading infrastructure in existing areas remains on track.

A further challenge with utilities is in their management, maintenance and long-term reliability. There are often problems with some private systems in local improvement districts, as they can have directors who are not experts and subscribers who do not want to raise utility costs to pay for necessary upgrades and replacements. In this regard, there is a significant difference between Corix as an owner/operator of a utility and a local improvement district, with a local board of citizens managing the system. Corix is a large utility company owned by the BC Government Employees Pension Fund and are thereby seen as a strong reliable company and investment for the future.

While there are challenges with all infrastructure systems, there is significant evidence in the benefits of these systems in their ability to support neighbourhood services. There are also many opportunities to integrate or transfer ownership of the private utility in the future to the public system, if desired. Corix

has extensive experience in transferring ownership to public utilities, typically for the capital cost of the infrastructure.

Water supply and First Nations

The landowner undertook analysis that indicates that the amount of water that would be drawn from the river is a tiny fraction of 1% of the lowest flow volumes and as such, independent of the fact that the low flow levels are controlled by Hydro, it would not impact the river. The water license has not yet been applied for but that would be part of the subsequent approvals phases, especially for subdivision and servicing.

3L is also committing to efforts to reduce water consumption in the Riverwood community.

3L developments have had many discussions with the K'omoks First Nation (KFN) and have an agreement regarding water supply. KFN have rights to a significant amount of water from the Comox Lake / river system but have no ability to get water treated and to their lands adjacent Riverwood. In their agreement, KFN will provide the water for both Riverwood and their lands, and Riverwood will provide the infrastructure for treatment and conveyance through their water utility. Without this system, KFN faces formidable challenges in getting water to their lands to support economic development.

General environmental impacts

All development has impact on the natural ecosystems within which it occurs. All existing and growing areas in the Comox Valley used to be natural but the previous ecosystems were removed to allow for development. The RGS envisions significant ongoing impact to the environment in all its current and future growth areas.

The Riverwood area likewise will experience significant environmental changes in its future, in any option. As a rural / resource development area, its current forests are likely to be removed with associated impacts and efforts to extract gravel may be pursued. Under the proposed development plan, the Riverwood neighbourhood would preserve 50% of the land in perpetuity including the river corridors and other sensitive areas. As such, regarding the physical environment on the lands, the Riverwood proposal has the best environmental performance of its current probable options.

The size and location of the park proposed for the neighbourhood was established through and environmental study conducted by Biologists with FishFor Contracting (now Strategic Natural Resource Consultants in Campbell River). The methodology for evaluating the most sensitive land to be preserved in the proposed park area included:

- Areas to be conserved based on levels of sensitivity including habitats that support possible species in peril or at risk as well as the imperative to protect surface waterways, riparian areas and wetlands; and
- Areas to be restored.

The sensitive habitat areas and the riparian areas were combined into a logical land protection pattern, resulting the design of the neighbourhood and the park area.

Additional environmental studies will be undertaken if the project moves forward, in support of rezoning and development permit approvals.

Regarding climate emissions from transportation, the Riverwood neighbourhood is significantly closer to the employment, educational and shopping centres of Courtenay and Cumberland than many areas currently in the RGS, including Kensington and Sage Hills. As such, emissions from transportation would be lower per capita for settlement in Riverwood than in many other areas.

Regarding emissions from buildings, the landowner of Riverwood has committed to promoting green building standards in development on the site. Securing these commitments would occur at later stages in the approvals process for the site, but it is an important value in the project.

Transportation

A transportation study for the project was completed by Bunt & Associates. It evaluated the existing and proposed traffic patterns with various scenarios. The focus of the study was on the initial plan for the site, that had slightly fewer units that currently envisioned, and in all of its scenarios, there were limited to no major offsite road improvements required.

As the current proposal has added new land and envisions a slightly higher density, this initial traffic study reflects the reality of the first phases of the project, and additional traffic studies and possibly road enhancements may be required in the late stages of the project.

Overall regional growth patterns and amendments

The final issue to address is the issue of the RGS pattern and amendments to it. The majority of work on the RGS was undertaken nearly a decade ago, with its final approval a few years later. At that time, there was a lot of confidence that the large projects of Kensington and Sage Hills would be commencing development imminently. Both are located far south of the main settlement areas of Comox, Courtenay and Cumberland, and nearly a decade later, neither has started construction, in large part due to the infrastructure issues associated with the area.

Many areas, much closer to the main urban centres in the region were left out of the RGS, including Riverwood.

In addition, there are significant areas within the RGS that are highlighted for more development that have not seen development, despite a significant rise in prices and demand. The lesson from these patterns is that an RGS does not determine what develops or when. Individual land owners make those decisions and the financial logic of any given piece of land is complex and frequently parcels within growth areas are not feasible to develop.

The supply of land determines the price of land in response to various levels of demand. The cost of construction is the same in most communities in Canada regardless and therefore the difference in the cost of housing between Courtenay and Vancouver lies in the cost of land. The supply of developable land and density is entirely under the purview of the local government.

It the responsibility of planners to manage the land supply so as to not create a scarcity of land that drives up land prices and thereby creates a land affordability problem – and many social and economic problems that then emerge from that issue.

Recent VIREB statistic show that the RGS and its associated OCP and other policy implementation, have launched a critical problem with land and housing prices in the region. During the years of implementing this RGS, land values have gone up a startling amount.

- in 2014:
  - The average home price was approximately $350,000.
  - The inventory (available supply) of land and homes for sale was extensive, including:
    - Lots -128
    - Acreages – 80
    - Single family – 482
    - The average sale time for inventory was 7.9 months.
- In 2018:
  - The average home price was approximately $520,000 – an increase of 35-40%.
  - The inventory of land and homes for sale had shrunk significantly (causing the price increase) to:
    - Lots- 25
    - Acreages – 29
    - Single family – 216
    - The average sale time for inventory in 2018 has often been as short as 3 months.

There is significant capital and builders available in the region and the growth rate has not increased significantly during that time. What has happened is that the RGS and its supporting OCPs, infrastructure plans and other policies have shrunk the available and developable land supply and are in the process of creating a major housing affordability problem that will have significant negative impacts on the local community, society and economy long term. This same pattern has occurred in many jurisdictions with the same approach to growth management.

This pattern should be of significant concern to the District and the community. The forces underpinning this problematic housing issue are not going to recede since the cornerstone problem is availability of affordable land for a broad range of home builders to acquire. Unless that core issue is changed, the problem will persist and become worse.

However, the problem is not solved by opening up any or all land for development in the region, but rather by changing the geometry of the regional growth concept.

The current spatial growth control model is based on a pattern of general ovoid-shaped town centres with rural areas in between – and this model is the cause of the problem. Within any of these ovoid areas, the actual affordable and available land or density for development is a very small fraction of what planners believe is available in the plan. Most land owners are not ready to sell because they live or work on their properties, and as such, the majority of the land highlighted for growth areas within existing settlement nodes is not actually available for development.

In many cases, even if the land is for sale, it is not for sale at a price that supports redevelopment because the cost of the land per unit that might be approved is too high for a project to be feasible. This is the case with most "gentle infill" projects – putting duplexes and triplexes, laneway houses and similar small sale infill housing in single family areas. If the cost of a single-family home site is $500,000, even if a

triplex is approved, that is over $160,000 in land costs per triplex unit, making the resulting unit likely too expensive in most cases.

In some cases, one owner will own significant areas of land in a community but only bring on development very slowly as suits their personal interests. In a region like the Comox Valley, a few land owners (individuals, families, corporations) can own a significant amount of the greenfield land that is available in the growth strategy (such as Trilogy, Kensington, Sage Hills, Crown Isle, others) and thereby a few individuals have inordinate control over the region's actual growth process because an RGS or OCP gives them that power.

Where infill development is supported in a plan, the reality of infill development must be considered. It takes a long time to get new infill homes approved and they typically come in only a few at a time and then it can only be so dense, because the opposition to development in these areas is significant because residents want little change, traffic or tall buildings in their view sheds. In addition, while there is a scarcity of land, the growth rate is slow and steady, so no bank will lend a developer the money to build a very tall or large building because it will take too long to get presales or sell the building out.

Therefore, the question arises around how to bring on a lot of land but to do so in a way that meets regional, sustainability and community goals. The answer lies in the spatial pattern of growth that is selected.

A better geometry for growth management is not ovoid settlement centres, but rather multiple corridors that connect all existing areas and reach out into the surrounding areas in a way that promotes efficient linear infrastructure and transit. This approach leads to a "corridor urbanism" model.

Along these corridors are a wide range of densities and land uses around a continuing or necklace of mixed use neighbourhood centres. This opens up a significant amount of land across a region to keep land prices low and thereby housing prices more affordable, but it also achieves the sustainable goals of compact "linear" development with efficient infrastructure and transit orientation. The "compact" nature then is based on the integrity of the corridor, rather than the distance to a hypothetical town centre, because the core centre is opened up to stretch along the corridor. The corridor growth pattern has people living and working approximately 500m on either side of a main street network. As such, a linear, sustainable sequence of neighbourhoods opens up over time. The natural areas on either side of these corridors can be protected, keeping a much more integrated and complete ecosystem in the region than the current model does.

In this context, the Riverwood neighbourhood proposal fits much better in a sustainable regional growth network than some areas already in the RGS, as Riverwood extends existing developed areas in a corridor fashion to better connect Courtenay and Cumberland along existing road networks, while protecting a significant amount of the natural space along the way.

In this context, while as a proposal it asks to amend the current RGS, the results of approving Riverwood will be to better achieve the goals of the RGS and the Comox Valley Sustainability and at the same time, contribute to trying to stabilize land and house prices.

Finally, the RGS has a formal amendment process that thereby declares implicitly that amendments are to be entertained and taken seriously. Plans, including the RGS, are the product of the time at which they were drafted and are subject to the significant limits to knowledge, ideas and understandings of future

realities that existed at that time. They also are not drafted with any analysis of the actual financial feasibility of development in any of the areas in which they propose development, or due diligence on many other issues. They also do not compel or bind any land owner to develop in the way envisioned in the plan.

As such all plans need to be revisited on a regular basis. It is critically important that plans not become, in the minds of the community or local government, a "bible" or sacred text that cannot be changed. Rather they should be a reference point from that point in time to refer to when considering changes at any future point in time. To discourage amendments on principle causes significant problems in reality over time.

Conclusion

This document has provided additional information, highlighted aspects of existing information in the RGS amendment application and provided perspectivs and supporting documents with the intent of addressing the issues raised in the public open house on September 6, 2018. It is submitted to assist staff and the Directors in assessing the issues associated with this application.

I will be pleased to discuss any aspect of this application or supplementary information with you at any time.

Respectfully,



Mark Holland RPP

President - Holland Planning Innovations Inc.

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Comox Valley REGIONAL DISTRICT

Staff Report

DATE: September 26, 2018

FILE: 6410-20/CV RGS Amendments
RGS 1C 17

TO: Steering Committee
Regional Growth Strategy

FROM: Technical Advisory Committee
Regional Growth Strategy

RE: **Population and Land Supply Information**
3L Developments Inc., Regional Growth Strategy Standard Amendment

Purpose
This report is intended to provide the Regional Growth Strategy (RGS) Steering Committee with additional detail regarding population estimates and residential unit supply relative to the application by 3L Developments Inc. to amend the RGS in order to create a new Settlement Node.

Recommendation from the Regional Growth Strategy Technical Advisory Committee:
This report is provided for information.

Executive Summary

- The Technical Advisory Committee (TAC) reconvened on September 25, 2018 to review the direction from the Steering Committee to provide more information on population projections, and housing/land supply.
- TAC has compiled a series of charts, included in the body of this report, providing high level population projections and housing/land supply based on development applications that have been recently approved either through phased (or master) development agreement, subdivision, or building permit.
- TAC's numbers do not include an assessment of all development capacity within the Comox Valley Regional District (CVRD) (i.e. zoned and/or serviced lands).
- The TAC also reviewed two studies, provided by 3L Developments Inc. on September 13, 2018, and confirms that TAC's September 19, 2018 recommendation to the Steering Committee that the amendment application to create a new Settlement Node, be denied, remains.

Prepared by:	Concurrence:	Concurrence:
A. Mullaly	***I. Buck***	
Alana Mullaly, MCIP RPP Senior Manager of Planning and Protective Services CVRD	Ian Buck, MCIP RPP Director of Development Services City of Courtenay	Marvin Kamenz, MCIP RPP Municipal Planner Town of Comox

Concurrence:

K. Rogers

Ken Rogers, MCIP RPP
Manager of
Development Services
Village of Cumberland

Stakeholder Distribution (Upon Agenda Publication)

None	

Background/Current Situation

The TAC (with the exception of the member from the Town of Comox) met on September 25, 2018 to discuss the direction from the RGS Steering Committee to provide further information on population projections and related housing supply. The TAC also reviewed two studies, provided by the applicant on September 19, 2018, specifically:

1. Riverwood Residential Transportation Assessment – Final Report, prepared by Bunt and Associates Engineering Ltd. and dated October 30, 2009.
2. Ecology and Wildlife Summary, Riverwood Development, prepared by FishFor Contracting Ltd. and dated December 18, 2009.

Policy Analysis

The purpose of an RGS, per the *Local Government Act* (RSBC, 2015, c. 1) (LGA) is:

> *"to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources"* (LGA, Section 428 (1)).

Options

This report is provided for information to the RGS Steering Committee to assist the Committee in making its recommendation to the CVRD Board.

Financial Factors

Financial factors related to the preparation of this report pertain to staff time.

Legal Factors

The TAC offers this report to the RGS Steering Committee in accordance with the Board's approved consultation plan (i.e. preparation for the October 2, 2018 Board meeting regarding possible first reading of an amendment bylaw).

Regional Growth Strategy Implications

In respect to RGS Goal Statement No. 1: *"Ensure a diversity of housing options to meet evolving regional demographics and needs."*

Note that the province is in the process of introducing legislation to amend the *Local Government Act* in order to require all local governments to prepare "housing needs reports" at least once every five years. The legislation will require local governments to collect data on current and projected population; household income; significant economic sectors and currently available/anticipated housing units as well as type of units. The reports are intended to identify the number and type of housing units required over a five year period.

Once in place, the legislation will require a local government that is considering amending a Regional Growth Strategy or Official Community Plan to consider its housing needs report(s) as part of its decision-making process. CVRD staff intend, through the 2019 budget process to request that consulting funds be added to the RGS service in order to undertake an assessment that could be used by all four jurisdictions. The regular collection of this data is useful in monitoring RGS implementation.

In the meantime, however, TAC has compiled the following information in order to show current and projected population estimates, housing unit supply and demand (as reflected by real estate sales). TAC is confident that these numbers can be relied upon for the present purposes (i.e. high level assessment of whether or not a new core settlement area is needed relative to population growth and new supply in existing core settlement areas).

Population Chart:

2017 Sub-Provincial Population Estimates							
Jurisdiction	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**
Comox	13,785	13,579	13,645	13,797	14,452	14,573	14,425
Courtenay	24,596	24,602	24,524	24,716	25,149	25,951	26,185
Cumberland	3,436	3,463	3,488	3,503	3,506	3,548	3,699
Electoral Areas	22,600	22,505	22,477	22,432	20,681	21,316	21,857
CVRD Total	**64,417**	**64,149**	**64,134**	**64,448**	**63,788**	**65,388**	**66,166**

Source: BC Stats

Estimates represent the annual mid-point population. Municipal boundaries per July 1. Above released January 2018.

Based on the 2016 census data for the Comox Valley, the following demographic trends are highlighted:

- Of the 40,275 citizens that are within the 15 – 64 year old age bracket, 29 per cent are over 50 (11,875).
- 51 per cent of the Comox Valley's population is aged 50 and over.

Based on the 2016 census data for the Comox Valley, the following housing unit types and household composition trends are highlighted:

- Of the 29,570 private households in the Comox Valley, 68 per cent are living in single detached dwellings (does not include mobile homes).
- The average household size in the Comox Valley is 2.2 persons.

Based on the 2016 census data for the Comox Valley, the following income trends are highlighted:

- In 2015 $, the median after-tax income of households is $56,286.
- In 2015 $, the median after-tax income of two or more person households is $69, 675.
- In 2015$, the average after-tax income of households is $65,641.

Based on the above trends, single detached dwellings remain the largest housing unit type, although slightly less than the 80% identified in the RGS (based on 2006 data). It is reasonable to infer that as the "baby boomers" continue through the population pyramid as our largest demographic, alternative housing types will be required to meet demand (e.g. infill, multi-family).

In assessing relative supply, the TAC provides the following data. The numbers below are intended to provide a high level "snapshot" of potential housing unit supply. These numbers reflect active

development applications (or units committed to by local government in the form of phased development or master development agreements).

Jurisdiction	Units in Development Agreements		Units in Subdivision	Building Permits Issued in 2017/2018 for New Units
	SFD**	MF		
Electoral Areas*	3,039	60	43	206
Courtenay	128	70	340	480
Comox	464	268	162	77
Cumberland	989	2,831	103	137
Total	4,620	3,285	648	900

*Settlement nodes of Union Bay and Saratoga only

**Numbers in Electoral Areas and Cumberland include provision for secondary suites in some of the SFD.

The above numbers do not include latent supply (i.e. existing zoned lands that have not been developed to their full density). The TAC acknowledges that not all of the above units will necessarily be brought to market within the short-term (i.e. next five years). However, the salient point is that the RGS has created a policy framework that has enabled growth in the Core Settlement Areas. It is this projected supply that should largely inform decisions about creating a new core settlement area at this time. Private market conditions will largely determine how supply is released. 3L Developments Inc. has not provided any rationale as to how or why their market decisions would be any different than any other developer. In fact, at the September 6, 2018 open house, 3L Developments Inc. stated that 15 - 20 units would be brought to market in year one of an approved project. It is not clear how this will have any impact on "stabiliz(ing) land and house prices" as stated in 3L Developments Inc.'s September 13, 2018 letter.

Insofar as real estate listings can indicate available supply, 3L Developments Inc. cites Vancouver Island Real Estate Board (VIREB) statistics and claims that a comparison between 2014 and the first half of 2018 listings and sales demonstrates that RGS policy has constrained supply thereby increasing sales prices. This simplistic assessment is challenging on several levels. At the very least however, VIREB has supplied staff with their statistics from 2014 and the first half of 2018. It is not apparent how 3L Developments Inc. determined their numbers using VIREB data. By August 2018, 66 residential lots (single detached) had been listed for sale with a VIREB licensed agent (statistics do not account for any private listings). This is up 3 per cent over the whole of 2017. Note again, that based on population, the RGS identifies that in order to provide adequate supply to meet demand, 432 new dwelling units (all types) are required per year: with 900 building permits issued in the Comox Valley for new dwelling units in 2017 and 2018 (to date), we are on track.

Ultimately, the single detached housing price increases that the Comox Valley saw between 2014 and 2018 are entirely on par with the increases seen in adjacent communities including Campbell River, Parksville/Qualicum and Nanaimo. Is not at all apparent, as 3L Development Inc. suggests, that the increase is directly and entirely related to the RGS policy framework. TAC's assessment of 3L Developments Inc.'s data is not intended to diminish the very real affordability challenges that Comox Valley residents face. Rather, it is important not to speak anecdotally about affordability. It better serves the community to undertake a detailed, Comox Valley-specific look at the factors that influence affordability and determine how policy can support rather than detract from affordable housing options. TAC suggests that the housing reports referenced above are an appropriate mechanism through which to undertake that detailed data collection and analysis.

Lastly, in respect to the location of land supply, in their letter of September 13, 2018, 3L Developments Inc. states that the spatial pattern contemplated by the RGS (i.e. nodes versus strip corridors) has created a housing affordability problem. With the exception of Sage Hills, the core settlement areas were established around existing communities with additional development capacity (relative to greenfield land and serviced infill opportunities). Settlement expansion areas were identified on the fringes of municipalities to reserve land for future land supply needs once incorporated into a municipality. When looking at the "geometry" of the municipalities and the settlement expansion areas, TAC suggests that in fact the geometry of the RGS does establish a clear picture of how land supply can be increased in a phased and orderly manner that reflects existing settlement patterns and achieve asset management goals.

Goal Statement No. 5: *"Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources".*

In respect to planned investment in the core settlement areas, the TAC notes the following examples of significant regional infrastructure projects (water and sewer):

- Comox Valley Water Treatment project
- Greenwood and Hudson Trunk Regional Sewer Line projects
- HMCS Quadra Forcemain Replacement project
- Sewage Treatment Plant upgrades

3L Developments Inc. is proposing a new settlement node that will be serviced by a private utilities (water and wastewater). No further information has been provided. 3L Developments Inc. states, in their September 13, 2018 letter to staff, that: *"There are also many opportunities to integrate or transfer ownership of the private utility to the public system, if desired".* TAC suggests that based on the extent of regional infrastructure commitments that have been made to service existing Core Settlement Areas, the Board should approach, with caution, any suggestion that the future integration or transfer of currently non-existent private utilities is at all feasible (let alone desirable). The RGS is premised on enabling growth in the core settlement areas that is serviced publicly in part to avoid any future need to integrate or transfer private utilities that have either failed or become unmanageable for the private operator (or the citizens that must pay for the utility). As noted in TAC's September 19, 2018 report, the CVRD has had multiple experiences with conversion of private utilities and all have carried with them challenges.

Underlining the above, TAC suggests that key to the Board's consideration of the proposed RGS amendment is the recognition that if growth is directed away from the existing Core Settlement Areas (i.e. to a new 1,100 unit residential development) there will be an impact on existing and planned infrastructure projects (i.e. regional district service is paid for only by the population that receives the service).

Intergovernmental factors
The TAC and Steering Committee are regional, representing, at a staff level, each of the member municipalities and electoral areas. The standard amendment process includes a formal referral for acceptance to all member municipalities and adjacent regional districts of any amending bylaw that the board intends to adopt.

Citizen/Public Relations
This report will be available to the public. Public consultation will be undertaken in accordance with the board's consultation plan.

Comox Valley REGIONAL DISTRICT

RGS Steering Committee Minutes

Minutes of the Regional Growth Strategy Steering Committee meeting held on September 27, 2018 in the Comox Valley Regional District boardroom, 550B Comox Road, Courtenay BC, commencing at 8:32 am.

File: 6410-20 / CV RGS Amendments
RGS 1C 17

Present: Russell Dyson, Chief Administrative Officer, Comox Valley Regional District (chair)
Sundance Topham, Chief Administrative Officer, Village of Cumberland
John Ward, Acting Chief Administrative Officer, City of Courtenay
Richard Kanigan, Administrator, Town of Comox
Alana Mullaly, Senior Manager of Planning and Protective Services, Comox Valley Regional District

Recording: Sylvia Stephens, Branch Assistant, Comox Valley Regional District

TOPIC

The committee met to review the Regional Growth Strategy Technical Advisory Committee's finalized residential land and housing supply statistics as requested at the September 20, 2018 Regional Growth Strategy Steering Committee meeting.

RECOMMENDATION

R. Kanigan/S. Topham: THAT having reviewed the application by 3L Developments Inc. to create a new Settlement Node (Riverwood), the Regional Growth Strategy Steering Committee recommends to the Comox Valley Regional District Board that the application by 3L Developments Inc. to amend the Regional Growth Strategy in order to create a new settlement node be denied.

CARRIED

ADJOURNMENT

Time: 9:24 am

Recorded By:

S. Stephens

Sylvia Stephens
Branch Assistant Planning and
Development Services Branch

Certified Correct:

R. Dyson

Russell Dyson
Chief Administrative Officer

Bylaw No. 557
Comox Valley Regional District

STATUS

Title:	Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 2
Applicant:	3L Developments Inc.
File No.:	RGS 1C 17
Purpose:	To amend the Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010
Participants:	Baynes Sound – Vancouver Island portion (Electoral Area A); Lazo North (Electoral Area B); Puntledge – Black Creek (Electoral Area C); City of Courtenay; Town of Comox; Village of Cumberland

Comox Valley Regional District Board:	Date: Decision:
Read a first time	Date:
Public hearing	Date:
Read a second time	Date:
Accepted by resolution	Date:
Read a third time	Date:
Adopted	Date:

Comox Valley Regional District

Bylaw No. 557

A Bylaw to amend the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010".

WHEREAS pursuant to the provisions of Section 433 of the *Local Government Act* (RSBC, 2015, c. 1), the preparation of the Regional Growth Strategy amendment was initiated by resolution of the board;

WHEREAS pursuant to the provision of Section 434 (2) of the *Local Government Act* (RSBC, 2015, c. 1), the board adopted a consultation plan that provides opportunities for early and ongoing consultation;

WHEREAS pursuant to the provision of Section 434(4) of the *Local Government Act* (RSBC, 2015, c. 1), the board held a public hearing on the proposed Regional Growth Strategy amendment;

AND WHEREAS pursuant to the provision of Section 436(1) of the *Local Government Act* (RSBC, 2015, c. 1), the Regional Growth Strategy amendment was accepted by affected local governments;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled, enacts the following amendments to the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010.

Section One Text Amendment

1) Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010," is hereby amended as set out in Schedule A attached to and forming part of this Bylaw.

Section Two Title

1) This Bylaw may be cited as the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 2"

Read a first time this	**day of**	**201X.**
Read a second time this	**day of**	**201X.**
Public hearing held this	**day of**	**201X.**
Read a third time this	**day of**	**201X.**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 557, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 2", as read a third time by the board of the Comox Valley Regional District on the XX day of XX 201X.

_____

Corporate Legislative Officer

Approved by the Minister of Municipal Affairs and Housing, this **day of** **201X.**

Adopted this **day of** **201X.**

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 557, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 2", as adopted by the board of the Comox Valley Regional District on the XX day of XX 201X.

Corporate Legislative Officer

Schedule A

Section One **Text Amendment**

1. Part 4.5.1, "Core Settlement Areas, MG Policy 1.1 – Definition of Core Settlement Areas" be amended by inserting the following text at the end of the third paragraph (*Settlement Nodes)*:

   "As an exception, Riverwood, is a new greenfield community in Electoral Area C – Puntledge-Black Creek. Riverwood is the only settlement node with no existing development within its boundaries although it is immediately adjacent to developed *rural areas* and *settlement expansion area* lands. Riverwood does not have any existing transportation or servicing infrastructure and has been created to facilitate a development proposal. "

2. Part 4.5.1(1.(b)) "Settlement Nodes" be amended by deleting the following:
   "*Settlement Nodes* have been identified to accommodate compact forms of development but are not contiguous with Municipal Areas. *Settlement Nodes* consist of defined areas around Union Bay, Saratoga and Mt. Washington. These *Settlement Nodes* are established through local planning policy documents around existing communities with significant planned capacity to accommodate new growth. Each *Settlement Node* is unique and will develop based on its particular characteristics and Local Area Plan. New *Settlement Nodes* can only be created through amendment to the RGS."

   And inserting:

   "With the exception of Riverwood, *Settlement Nodes* were identified through the development of the RGS to accommodate compact forms of development but are not contiguous with *Municipal Areas.* The *Settlement Nodes* of Union Bay, Saratoga and Mt. Washington are defined areas, established through local area plans around existing communities with significant planned capacity to accommodate new growth. Riverwood is a greenfield community with no existing development or servicing that was identified through a site specific amendment to the RGS. *New Settlement Nodes* can only be created through amendment to the RGS."

3. Part 4.5.1(1.(b)) "Settlement Nodes" be amended by adding the following text after the "Mt. Washington" paragraph:

   "RIVERWOOD
   Located in Puntledge-Black Creek – Electoral Area C – Riverwood is a proposed greenfield, primarily residential, development, with private utility services. 3L Developments Inc., the developer, has stated that it will provide 265 acres of land along the Puntledge and Browns Rivers as public park land. The dedication of this public land should occur prior to any related enabling changes to the Rural Comox Valley Official Community Plan."

4. Glossary be amended by deleting the following definition of "Settlement Nodes":
   "*Settlement Nodes* reflect the planned settlement areas in Union Bay, Saratoga Beach and Mt. Washington, as establish (sic) through existing Local Area Plans. They are areas where there is planned growth to accommodate urban forms of development, but they are not contiguous with *Municipal Areas*"

   And inserting the following definition in its place:

"With the exception of "Riverwood", *Settlement Nodes* reflect the planned settlement areas in Union Bay, Saratoga Beach and Mt. Washington, as established through existing Local Area Plans. They are areas where there is planned growth to accommodate urban forms of development, but they are not contiguous with *Municipal Area.* Riverwood is a greenfield residential community with no planned public servicing, yet is adjacent to *Settlement Expansion Area* lands on the fringe of the City of Courtenay."

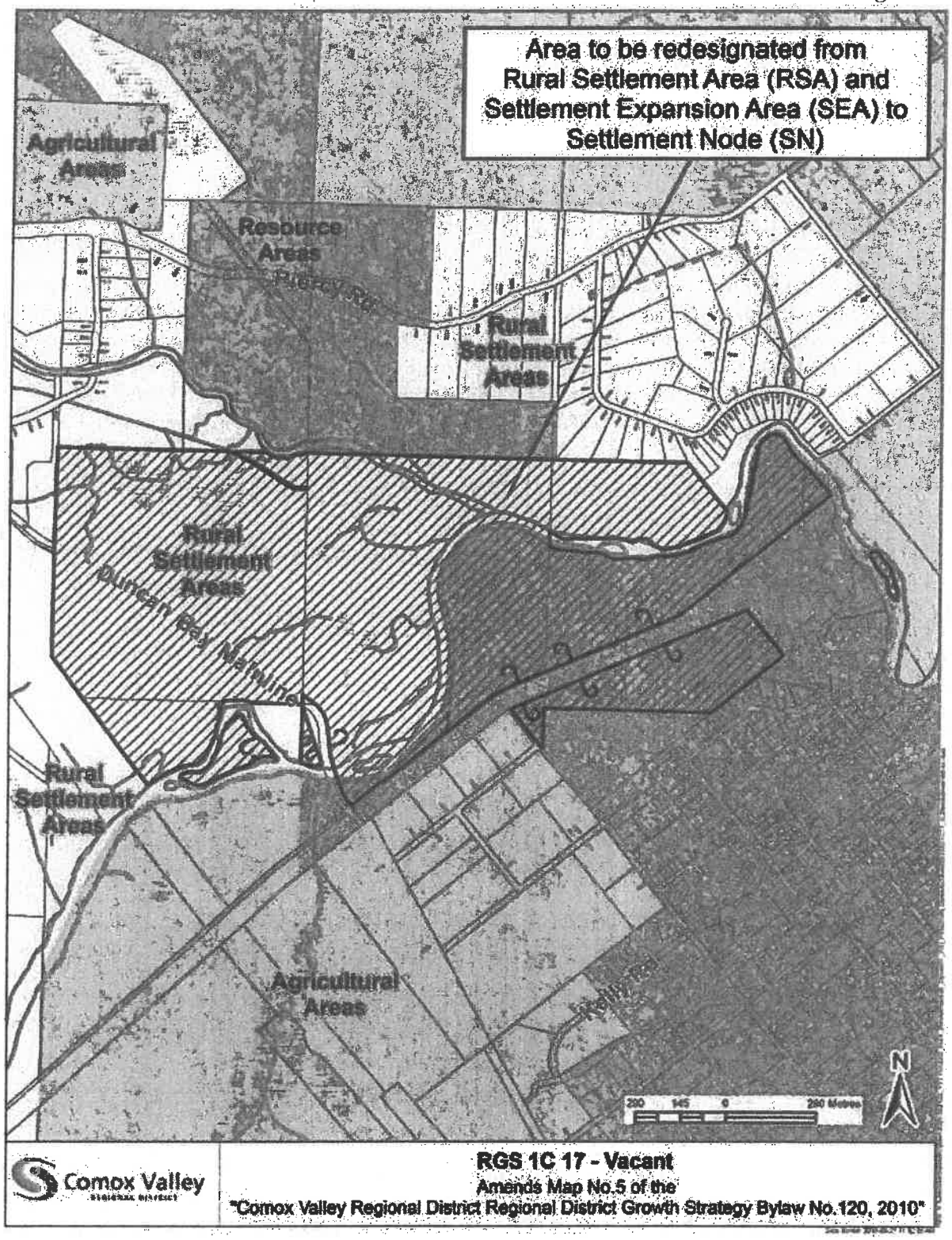
Section Two **Map Amendment**

The land use designation on Map 5 of Bylaw No. 120 being the "Growth Management Map, Schedule A of Bylaw 120, being the "Comox Valley Regional Growth Strategy, 2010" is amended for land described as:

That part of the North West ¼ of Section 10, Township 9, Comox District, Plan 552G, lying west of Puntledge River except that part in Plan VIP70188 and EPP24391; The South West ¼ of Section 15, Township 9, Comox District, Plan 552G, except that part shown coloured red on Plan 79RW and except that part in Plan VIP70188; That part of the North ½ of Section 14, Township 9, Comox District, Plan 552G lying to the south of the north bank of the Puntledge River; That part of the South East ¼ of Section 14, Township 9, Comox District, Plan 552G lying to the west of the east bank of the Puntledge River except those parts in Plans 8304 and 9343; The South West ¼ of Section 14, Township 9, Comox District, Plan 552G except that part in Plan 9343 and except that part shown coloured red on Plan 829RW; Lot A, Sections 10 and 15, Township 9, Comox District, Plan EPP23059

From 'Rural Settlement Area' (RSA) and 'Settlement Expansion Area' (SEA) to 'Settlement Node' (SN), as shown on attached Appendix 1.

Schedule A Page 4 of 4



Appendix "1"

Part of Schedule A of **Bylaw No. 557 being the "Comox Valley Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 2."**

Amends Map 5 of **Bylaw No. 120 being the "Growth Management Map" Schedule A to Bylaw 120, being the "Comox Valley Regional Growth Strategy, 2010."**

Comox Valley REGIONAL DISTRICT

RGS / 3L Developments Open House Summary

Issued September 12, 2018

Summary from Comox Valley Regional District and 3L Developments Inc. Open House (held September 6, 2018)

An open house was held on September 6, 2018 at the Florence Filberg Centre in Courtenay, BC to consider an application to amend the Comox Valley Regional Growth Strategy (RGS). The application, known as Riverwood, is made by 3L Developments Inc. to establish a new settlement node in a portion of Electoral Area C. The open house began at 7 pm, ended at 9:20 pm and included presentations by CVRD staff and 3L Developments Inc. representatives followed by a question and answer session. Approximately 240 people attended the open house and approximately 35 people spoke about the project. This summary describes the topics presented during the open house.

- Affordable housing
- Economic opportunities
- Environmental impact
- First Nation interests
- Parkland
- Public utilities
- Regional Growth Strategy principles
- Road access

Following this open house, staff from the CVRD, City of Courtenay, Town of Comox and Village of Cumberland will review the application and information provided at the open house and make a recommendation to the CVRD Board of Directors at its October 2, 2018 meeting. Written submissions from the Open House will also be provided to the Board of Directors and posted on the CVRD website.

Contact:
Alana Mullaly, Acting General Manager of Planning and Development Services
250-334-6000

6410-20 / CV RGS Amendments
RGS 1C 17

From: Alana Mullaly
Sent: September 28, 2018 8:38 AM
To: Bonnie Kozlowski
Cc: Teresa Warnes
Subject: FW: Oct 2nd First reading of 3L Proposal

For the 3L comments, please.
Thank you,
Alana

Sent with BlackBerry Work
(www.blackberry.com)

From: noteworthy@shaw.ca <noteworthy@shaw.ca>
Date: Thursday, Sep 27, 2018, 8:02 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>, rodnichol@shaw.ca <rodnichol@shaw.ca>, eeriksson@courtenay.ca <eeriksson@courtenay.ca>, ljangula@courtenay.ca <ljangula@courtenay.ca>, mtheos@courtenay.ca <mtheos@courtenay.ca>, bwells@courtenay.ca <bwells@courtenay.ca>, kgrant@comox.ca <kgrant@comox.ca>, bprice@comox.ca <bprice@comox.ca>, gwynsproule@gmail.com <gwynsproule@gmail.com>, CurtisScoville@shaw.ca <CurtisScoville@shaw.ca>
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>, noteworthy@shaw.ca <noteworthy@shaw.ca>
Subject: Oct 2nd First reading of 3L Proposal

Dear CVRD Directors,

Rather than repeat things that have already been said or written, We will try to keep our letter short and to focus on the sole purpose of the upcoming meeting and reading.

I respect each and every one of you for all the time you spend in your capacity as a board member looking after the residents of the Comox Valley and our collective best interests.

We have lived here for 10 years and have been here for most of the 3L saga. We visited the CVRD in 2009, when we first heard about the possibility of a developer wanting to put in a subdivision by Stotan Falls. Having spoken to several CVRD staff members over those years, we do have a background in how complicated this became. And here we are, all these years later, trying to sort this out.

To us, the matter is simple (although we know it has become anything but). We were part of the public input into the birth of the RGS (Regional Growth Strategy)– a long process of cooperative consultation and study with Courtenay, Comox and Cumberland. And then it was complete. Certainly it was impossible to create a plan that would be perfect to all concerned, but it was firmly? adopted with its long range plans for how to best handle the Comox Valley's inevitable growth.

And then the developer resurfaced with his detailed proposal to build an enormous subdivision on RU20 land, to be called, Riverwood, and here we all are.

So back to the simple part. That land IS RU20 and was designated as such for good reason. It is not one of the RGS's official growth nodes. Period. If this development goes through, all faith will be lost in our elected

leaders and it will cast doubt on the integrity of the CVRD and the RGS. All to accommodate the wishes of one developer?? We think every valley resident will be able to draw upon personal experience of 'making an exception' and regretting that decision. "You let him have it. Why can't I have that? I have even better reasons~!"

It's wrong to say 'yes' to them.

And yes, there are many, many reasons why we feel a development in that location would be folly, but that's not what this process is all about. Someone asked me last week whether I would be 'okay' with this plan if it was in another location in the valley. I said, Absolutely. IF and only if it was in one of the official settlement nodes. If it wasn't, then, No~! We realize that there were unforeseen legal issues that arose during this process but it is our understanding that we are now at the stage where this can be vetoed as it was originally.

We resent the enormous amount of time and money this proposal, with all its drama, has cost the CVRD and all the taxpayers. There are many other issues in the Comox Valley that need that time, focus and tax dollars.

We are trusting you to make the best decisions for all of us. Again, our deep appreciation for your time and dedication to all the work you do.

Sincerely,

Vivian and Steve Ruskin

2380 Jaqueline Dr.
Courtenay, BC
250-871-0554
noteworthy@shaw.ca
Area C

From: Alana Mullaly
Sent: September 28, 2018 8:37 AM
To: Bonnie Kozlowski
Cc: Sylvia Stephens
Subject: FW: Oct 2nd First reading of 3L Proposal

Bonnie,
Another comment for the 3L appendix.
Thank you,
Alana

Sent with BlackBerry Work
(www.blackberry.com)

From: noteworthy@shaw.ca <noteworthy@shaw.ca>
Date: Friday, Sep 28, 2018, 12:23 AM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>, rodnichol@shaw.ca <rodnichol@shaw.ca>, eeriksson@courtenay.ca <eeriksson@courtenay.ca>, ljangula@courtenay.ca <ljangula@courtenay.ca>, mtheos@courtenay.ca <mtheos@courtenay.ca>, bwells@courtenay.ca <bwells@courtenay.ca>, kgrant@comox.ca <kgrant@comox.ca>, bprice@comox.ca <bprice@comox.ca>, gwynsproule@gmail.com <gwynsproule@gmail.com>, CurtisScoville@shaw.ca <CurtisScoville@shaw.ca>
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>, noteworthy@shaw.ca <noteworthy@shaw.ca>
Subject: Re: Oct 2nd First reading of 3L Proposal

Dear CVRD Directors – a post script to my below letter to you.

A small typo is not usually important enough to lose sleep over, but in this instance, it might well do just that. When I wrote the letter to you, I put a question mark beside a word I felt I could find a stronger choice for, and I missed doing that and removing the question mark in the final edit. Please see below. I most certainly was not implying that the Region Growth plan was **not firmly** adopted~!

My apologies for an extra email.

Sincerely,
Vivian Ruskin

From: noteworthy@shaw.ca
Sent: Thursday, September 27, 2018 8:02 PM
To: bjolliffe@comoxvalleyrd.ca ; rodnichol@shaw.ca ; eeriksson@courtenay.ca ; ljangula@courtenay.ca ; mtheos@courtenay.ca ; bwells@courtenay.ca ; kgrant@comox.ca ; bprice@comox.ca ; gwynsproule@gmail.com ; CurtisScoville@shaw.ca
Cc: Alana Mullaly ; noteworthy@shaw.ca
Subject: Oct 2nd First reading of 3L Proposal

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So back to the simple part. That land is RU20 and was designated as such for good reason. It is not one of the RGS's official growth nodes. Period. If this development goes through, all faith will be lost in our elected leaders and it will cast doubt on the integrity of the CVRD and the RGS. All to accommodate the wishes of one developer?? We think every valley resident will be able to draw upon personal experience of 'making an exception' and regretting that decision. "You let him have it. Why can't I have that? I have even better reasons~!"

It's wrong to say 'yes' to them.

And yes, there are many, many reasons why we feel a development in that location would be folly, but that's not what this process is all about. Someone asked me last week whether I would be 'okay' with this plan if it was in another location in the valley. I said, Absolutely. IF and only if it was in one of the official settlement nodes. If it wasn't, then, No~! We realize that there were unforeseen legal issues that arose during this process but it is our understanding that we are now at the stage where this can be vetoed as it was originally.

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Sincerely,

Vivian and Steve Ruskin

2380 Jaqueline Dr.
Courtenay, BC
250-871-0554
noteworthy@shaw.ca
Area C

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: 3L Developments Inc/Riverwood - Proposed Amendment

From: Connie Kemila
Sent: Thursday, September 27, 2018 10:26 AM
Subject: 3L Developments Inc/Riverwood - Proposed Amendment

Dear Director:

As a property owner bordering the proposed 3L- Riverwood development, please take note of my objection to the proposed amendment.

I would prefer this property be repurchased by the CVRD and protected from any development.

Thank you and kind regards,

Connie Kemila

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: CVRD Directors: Petition to Stop the Amendment to the RGS
Attachments: Current petition_signatures_Sept 14th 2018.pdf; PETITION - Comments Sept 24 2018.pdf

From: Puntledge Triangle
Sent: September 24, 2018 2:40 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>; rodnichol@shaw.ca; eeriksson@courtenay.ca; ljangula@courtenay.ca; mtheos@courtenay.ca; bwells@courtenay.ca; kgrant@comox.ca; bprice@comox.ca; gwynsproule <gwynsproule@gmail.com>; CurtisScoville@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: CVRD Directors: Petition to Stop the Amendment to the RGS

Attention: CVRD Directors
cc: Alana Mullaly

Here is the petition that was posted to Facebook on August 31st. The petition states: *"I, the undersigned, do not agree that 3L Developments should be allowed to amend the Regional Growth Strategy to allow for a new settlement node of 750-1100 homes near Stotan Falls."*

As of today's date (Sept. 24th) we have collected **1683 signatures**. Last week's tally of 1529 signatures determined the following. Of particular interest are signatures from those residing in the CVRD - **467 signatures**. We also received **38 signatures** from adjacent regions. The remaining signatures were from other regions on Vancouver Island and some of the outer islands, Vancouver, the Lower Mainland and all across BC.

Attached find two PDFs with signatures and comments received.

It seems that this is not strictly a regional issue as we received signatures from people all across Canada (especially Alberta) and from the U.S. and other Nations. Some people (515) only indicated their country, not their province or city. Of course it is impossible to determine from this survey but it makes me wonder if those from outside of our region are family, friends or tourists.

We found this comment of particular interest, "Been flying over to good old Comox Valley, from Denmark since 1985, the first place I always wanted to go was Stotan Falls, it was also the first thing I took my girlfriend to see when we were over in 2015…It would NOT be the same if it was running through a residential area! Free Natural Stotan FOREVER."

We think it is safe to say that **over 500 people** in our area have taken the time to object to the proposed amendment to the RGS. They do not want a new Settlement Node established in the Comox Valley. Say no to the amendment at the First Reading. Save everyone a lot of time and money and stop urban sprawl.

Yours Truly,

Diana Schroeder
Vivian Ruskin
Dan Vie

Petition text:

Save the Puntledge Triangle! started this petition to **CVRD Board of Directors:**

The following petition will be presented by a delegate at the CVRD open house regarding an RGS amendment on Sept 6th, and if necessary, at a public hearing on Nov. 29th.

I, the undersigned, do not agree that 3L Developments should be allowed to amend the Regional Growth Strategy to allow for a new settlement node of 750-1100 homes near Stotan Falls.

* * * * If the CVRD Board of Directors refuse to amend the RGS, this project will be stopped. Please Sign and SHARE.

Background:

3L Developments owns 525 acres of land around the Stotan Falls area. They are proposing to build a new community called RiverWood of up to 1100 homes in an area without water, sewage or road infrastructure, and zoned RU-20, which allows for two homes per fifty acres. 3L wants the CVRD (Comox Valley Regional District) to amend our Regional Growth Strategy so this land can be re-zoned as a new Settlement Node.

The CVRD approved a Public Consultation process to assess this, and the next opportunity for public input is a CVRD Open House at Filberg on Thursday, September 6th. The consultation process will seek input from all our adjoining Regional Districts, as well as First Nations.

3L also claims if they can build their project, they will give the Comox Valley a 'free' 260 acre park in exchange. Their promo ignores the facts about how much is already secured as public land by riparian restrictions and steep slope legislation, plus the likely impacts to wildlife corridors, salmon watershed areas, and of course, the beauty of Stotan Falls which has to be preserved for future generations. Stotan Falls won't be turned into a park by building 1100 homes on top of it.

This development must not go forward as proposed. Please sign this petition and share widely on social media. Share your concerns with the CVRD Directors, write letters to the press, speak out at the Public Hearing (date TBA) and get informed by joining the "Save The Puntledge Triangle" group on Facebook. Thank you for your support.

https://www.change.org/p/cvrd-directors-stop-3l-s-stotan-falls-development-refuse-to-amend-the-rgs

change.org

Save the Puntledge Triangle!

Recipient: CVRD Board of Directors

Letter: Greetings,

Save Stotan Falls! Stop 3L Developments' Riverwood Project
- Refuse to Amend the Regional Growth Strategy

Comments

Name	Location	Date	Comment
Puntledge Triangle	Canada	2018-08-25	The Comox Valley is growing fast and we need to avoid urban sprawl.
vivienne webster	Comox, Canada	2018-08-31	I am sick and tired of all our natural beauty spots being segregated by upscale housing or the threat of industrialization. The people need more involvement. Stop the secret meetings
Peter Gill	COURTENAY, Canada	2018-08-31	Please sign this petition to protect Stoten Falls from 3L Developments. They want to drop 1100 homes on two rivers and put up a parking lot. Don't believe the hype, they are not 'generously donating' a free park. It's a scam so that Developer 3L can make a profit off the housing crisis and destroy 2 salmon-bearing rivers at the same time. Anything to make a profit, including sacrificing the rivers from which we get our drinking water. You can not own water or rivers. Stoten for the WILD and FREE!!!!
Kathleen Woodley	Courtenay, Canada	2018-09-01	The RGS was put in place to contain urban sprawl and protect our few remaining wild places. No amendment should be given for this proposal.
Bryan Allen	Courtenay, Canada	2018-09-01	This massive proposal that violates the RGS cannt be allowed, just because 3L wants to make a bunch of case... They say they will recycle waste water .. Want to bet it will end up back in the Puntledge where our kids and neighbours go tubing ?? You can count on it! RD Directors-- just vote NO to 3L.
gra gor	Vancouver Island, Canada	2018-09-01	Stop the Amendment. There will be plenty of work for builders and trucking / excavating companies in subdivisions and housing developments in the urban core and eventually in the Municipal Expansion Areas. These 50 acre parcels (20 ha) could support many small scale rural enterprises which will be lost if the area were to be rezoned to urban core density.Also there are 2 major wildlife corridors through this area due to the stock fence along the Inland Island Highway. Cougars and Bears would be funneled near this development with its dogs and cats and children at risk of attack as the carnivores head down river towards all the deer in the dairy farm fields and the salmon in the Puntledge River. The only outcome from such an situation is dead cougars and bears.Just say no to 3L's proposal by killing this amendment to the Regional Growth Strategy.
Brian &Elaine Mackee	Powell River, Canada	2018-09-01	Building on rivers is not acceptable!!!
clayton bagwell	Loja, Ecuador	2018-09-01	Preserve the beauty of the Comox Valley. This is one of earth's jewels. Don't let real estate magnates steal it!
Susan Wheeler	Courtenay, Canada	2018-09-01	I would like to see the CVRD follow the RGS around not building this huge development.

Name	Location	Date	Comment
Michael Hinz-Berg	Holbæk, Denmark	2018-09-01	Been flying over to good old Comox Valley, from Denmark since 1985, the first thing place i always wanted to go was Stotan Falls, it was also the first "Thing" i took my girlfriend to see, when we were over in 2015...It would NOT be the same if it was "Running through" a residential area !...Free Natural Stotan FOREVEEER.
Wendy Lindsay	Comox, BC, Canada	2018-09-01	Part of the reason we moved to this Valley 30 years ago was the ability of everyone to enjoy Stotan Falls. We jokingly commented that if the Falls had be located where we used to live, there'd be t-shirt vendors, hot dog stand, water slide, hotels surrounding it, acres of parking lot and a $25 entry fee. Well - sounds like that's where this is going. I'd hate to see the wild beauty of this area changed. Do NOT allow a development near Stotan Falls.
Gloria Simpson	Cumberland, Canada	2018-09-01	What is the use of local government making development plans and adopting them, only to bow to the wishes of developers who want to ignore the policies that have been produced with expertise, consultation, and expense. Don't allow uncontrolled growth in rural areas; especially, don't ruin this jewel of nature, Stotan Falls!
Kris Toijonen	Chetwynd, Canada	2018-09-02	This is one of the few jewels left in the natural crown of the Comox Valley, it needs to remain unspoiled.
Kathy Pearse	Canada	2018-09-02	No need to start a subdivision in the Regional District going against the community plan. When they purchased the property they knew the rules. Keep to the plan
Lisa Christensen	courtenay, British Columbia, Canada	2018-09-02	I have many concerns over this potential development. There are other areas for developing and i do not think this is a suitable location for a new growth node.It is too sensitive of an area and i have many reservations about whether promises will be fulfilled. I have been continuously shocked by what seemed to be outright threats of litigation and a childish demand for red carpet instead of red tape. This developer does not seem to have our best interests in mind. He should follow protocol and leave his threats out of democratic voting process.Please set an example for future developers on protocol and the sanctity of our RGS.
Mark Sim	Courtenay, Canada	2018-09-02	I live in Courtenay and enjoy our outdoors, I've seen what happens when you let developers take places that are enjoyed by the public and turn them into gated communities for the rich. We don't need any development in that area. Think of the sewage alone and what it would mean to our water table.
Donna Dodds	Courtenay, Canada	2018-09-02	The Valley does not need 1,100 homes placed on the Puntledge/Browns Rivers at Stotan Falls being attempted by 3L Developments, outside the Regional Growth Strategy plan designed to exactly protect our Regional District from such huge developments without infrastructure, sewage and water! Down the Road if it should be in place...the taxpayer will end up picking up the tab when things start to fail..the Rivers will become polluted..the salmon will suffer as will anyone swimming in the Rivers. Scouts Canada's beautiful wilderness campsite Gilwell Park with close to 2,000 people (3L's idea of greatness!) living next door will no longer remain the valuable teaching of wilderness skills/respect

Name	Location	Date	Comment
			for Nature/leadership skills taught to Scouts, Girl Guides of Canada and other groups such as Outward Bound. As a retired Guider I have used Gilwell Park with my Guiding and Pathfinder Units from Komux District..seen its benefits, and fear it will not survive such a subdivision being so close by..a 'small town' so to spea
Fran Kwiecien	Courtenay, Canada	2018-09-02	Their thinking is flawed. We can't just move the "increased density" areas. There are already transit, sewer and water in place in the areas designated for development.
Laila Yuile	Comox, Canada	2018-09-02	I think it is foolhardy to amend the growth strategy for this development or any that sits totally isolated outside planned growth areas.The impact of such a large community on local area schools & other related community infrastructure is not being contemplated by the developer or the cvrd. Its critical to plan growth in development with all this in mind. A new school takes years to be approved & built. Same for attracting and keeping family doctors etc. Bedroom communities are not beneficial to a well planned growth strategy
Vanda Monkman	Surrey, Canada	2018-09-02	The Quiet Island Life and its naturalness is why I want to live there next year. I need an escape from the overdevelopment of the lower mainland!!
Jean-Luc Larochelle	Courtenay, Canada	2018-09-02	Because of the importance of preserving our natural beauties on this island
Liz Petersen	Nanaimo, Canada	2018-09-02	Elizabeth Petersen
Saskia Delaronde	Courtenay, Canada	2018-09-02	I am signing because first of all this land was given to the railroad by the government and should have been returned when they were done with it. They should never have been able to sell it. Second of all it is a super natural British Columbia site and should never be allowed to be haphazardly developed and in the process endanger salmon and other species. The waterways and rivers belong to us all not the logging companies.
John Holder	Port Alberni, Canada	2018-09-02	Because it is a beautiful area. Development will ruin it
Fiona de Balasi Brown	Courtenay, BC, Canada	2018-09-02	The Stotan Falls area is one of my absolute favourite parts of where I live. The water is a necessity to all who live here, including humans, animals, and plants. Massive human development next to the falls represents a huge amount of traffic and unavoidable pollution of the area, and sets up a terrible precedent for sprawl in the Comox Valley. We don't need a 'park', we need wild space. And we don't need this kind of housing development, which absolutely does not address affordability needs, we need actual designated affordable housing integrated in our communities.
Charlene Gollan	Campbell River, Canada	2018-09-02	I am against developing the land around stotan falls
Nicholas Thomas	Courtenay, Canada	2018-09-02	I want to save the falls

Name	Location	Date	Comment
Megan Ardyche	Comox, Canada	2018-09-02	We don't need more urban sprawl in this beautiful, natural area. It should remain untouched.
karen chrysler	comox, Canada	2018-09-02	Stotan falls is a natural gem and should be preserved.
Heidi Good	Fredericton, Canada	2018-09-02	I am far away, but even I can see this area is a treasured blessing to the area and needs to be kept pristine. Housing can be moved to almost anywhere, natural beauty cannot be moved.
Peter Gill	COURTENAY, Canada	2018-09-02	3L does not care or respect the Comox Valley or its people. 3L just wants to make millions off our river, falls and water supply. The 3L park is a lie. It is our river and 3L you have not right to hold it hostage.
Diana Schroeder	Courtenay, Canada	2018-09-02	I look at this as a business proposal for our valley - one that will have long lasting impact on our community. I have researched 3L development, 3L Logging, 3L Ranching, Dave Dutcyvich and Kabal Atwall and realize that these are not people I would want to do business with. Trust is important to me.
Kia Ull	Vancouver Island, Canada	2018-09-02	I believe that our Regional Growth Strategy (RGS) is a very good plan to take us ahead a minimum of 20 years and to direct growth in the Comox Valley in ways that will protect both the Municipalities and the Rural Areas. It was designed and mandated through much public and expert consultation. I agree with the sentiment 'who are we saving Stotan Falls from?" I am most concerned that the high values for wildlife living in and moving from the Puntledge Triangle area into the rural land remains connected as it is now. Imagine one thousand, one hundred households putting their garbage out on Sunday night for a Monday morning pick-up in an area where bears travel through to get to the salmon? I don't want developers to pave paradise and put up a Park... they keep trying to ransom the undeveloped (and undevelopable) river area. This developer and his consultant have a history of buying land that is rural and getting it included into municipal areas, our zoning does not allow for that here because of the nat
Angela Gerhart	Victoria, Canada	2018-09-02	It's time to do things differently!!!
Mike Emery	Courtenay, Canada	2018-09-02	This is a greedy development company manupulating and deceiving the public to facilitate a giant subdivision in the regional district the donation of the "park" is a smoke screen for what they actually plan to do Save stotan falls . STOP 3L!!
Michael Nutland	Cumberland, Canada	2018-09-03	No point in having a Regional Growth Strategy if any company that feels like it can get a revision. Stand firm CVRD. The people spoke during the development of the RGS.
Elizabeth karunaratne	Courtenay, Canada	2018-09-03	I fear that people will think that if they have sufficient money they can change the laws to suit their own selfish desire to make more money at the cost of the environment and the enjoyment of all people

Name	Location	Date	Comment
AJ Lawrie	Black Creek, Canada	2018-09-03	I am signing because I dont believe a park can make up for the loss of all the pristine wilderness. I am signing because I am sick of the Rwgional district directors only caring about tax dollars
Susan Savoie	Comox, Canada	2018-09-03	I am apposed to the damage and monitarial that has been out on our water. We as in humans are suppose to use this earth in harmony. We have dominated the earth beyond repair. I thought the people of the card jusrisdiction had better plans for our home. Let's nit let the thinks of the big city developers only put money first
Candice Wiens	Whitecourt, Canada	2018-09-03	I remember going here as a child.my eyes were filled with excitement as we sat in a hole filled with water and played as a family. I will be sad to see this jewel of a place be over run with residential properties., i am most sad that i never got the chance to take my kids here to enjoy this place and now i never can. I know signing a petition isnt enough to make the builders stop in their actions sadly it comes down to simply who has the most money. In my opinion maybe we need to do more to fill the vacant properties already built...anyway im feeling sad about this whole thing. Signed Candice Wiens
Maye Davis	Courtenay, Canada	2018-09-03	The regional district just needs to vote NO! Once a huge development is put into and around the Puntledge River, the water and the entire ecosystem will be forever damaged and degraded. We need a Stanley Park for the Comox Valley!
Livia Hosegrove	Courtenay, Canada	2018-09-03	The forests, wildlife and ecosystems need to be protected. We must be the voice for the land around us. I would much rather preserve this world's beauty then see it become segmented sectors of housing and infrastructure.
Allan Lloyd	Victoria, Canada	2018-09-03	This beautiful treasure needs to be preserved and protected for all.
Sandra Dewald	Calgary, Canada	2018-09-03	I've enjoyed these falls!
Amber Brown	Cumberland, Canada	2018-09-03	The last thing the river and valley needs!!
Susan Holvenstot	Courtenay, BC, Canada	2018-09-03	The Regional Growth Strategy (RGS) was the result of MANY many hours of public consultation, and compromise, which identified places to allow growth and places NOT to allow growth in the Comox Valley. We are sorry Mr 3L Developments, your property is in an area with NO public services (water, sewage, roads, etc) and is therefore not a good place to put 1000+'homes. Offering us a FREE parks isn't enough. IF we had a system for Transfer of development rights, then you could buy development rights from another landowner in a suitable location, Unfortunately, until we out that system in place, the only answer is NO, not here.
Elizabeth Murphy	Gold River, Canada	2018-09-03	I grew up swimming there. And I want to be able to take my kids there. What about the wildlife? Also salmon watershed areas? A BIG NO
Diana Schroeder	Courtenay, Canada	2018-09-03	Don't feel sad. You have taken action and that is what we all have to do. We can stop this development and we will if enough people

Name	Location	Date	Comment
			stand up and speak out. It really is up to all of us to protect the environment. We will and we can.
Diana Schroeder	Courtenay, Canada	2018-09-03	In this case there are only 3 CVRD reps who seem to be pushing for this project. Watch the vote closely. There is an election coming up. Stop the amendment to our RGS that has been proposed by 3L.
Heather Pierrard	Victoria, Canada	2018-09-03	I love how quiet it is.
James Mulhall	Comox, Canada	2018-09-03	We need to keep tbe greed heads out!!! Such a beauty spot. Leave it alone!!
Allison Higinbotham	Vancouver, Canada	2018-09-03	I grew up spending my summers here and it would be a shame to lose the natural surrounds. With salmon supplies dwindling we should be preserving ALL their spawning waters!!
Katherine Provost	100 Mile House, Canada	2018-09-03	It should be left alone
Stephanie Vink	Sooke, Canada	2018-09-03	That is an important forest ecosystem and a major part of why Courtenay is the beautiful jewel that it is.
Patricia Childs	Courtenay, Canada	2018-09-03	I am vehemently opposed to their proposal which is WAY outside the regional growth strategy.
Dawn Stevens	Comox, Canada	2018-09-03	This is one of our most beautiful natural playgrounds that is used by thousands of families every year.
Ron Nielson	Errington, B.C., British Columbia, Canada	2018-09-03	we need to protect watersheds
J Patrick Cox	Vancouver, Canada	2018-09-03	This space needs to be preserved in its present state
Paulette Egeli	Courtenay, Canada	2018-09-03	Rivers next to developments without sewer or water services don't fair well. Also, will the river be fenced off? Because the children of this proposed "settlement" face slips and falls. Next thing you know, the river will be barracaded with riprap (stone walls to the water's edge). Stotan Falls is a natural treasure. Let's leave it for everyone and not just the home owners... Paulette Egeli
judith mcbride	royston B.C., British Columbia, Canada	2018-09-03	stotan falls needs tobe a park for all peoples of cv
emanuel meyer	Courtenay, Canada	2018-09-03	the development is not according to plandeveloper has very bad rep.the area was taxed as tree farm I believe.
Joy Deines	Comox, Canada	2018-09-03	It isn't the area which was deemed priority to develop by regional district growth strategy.
Jennifer Cummings	Courtenay, Canada	2018-09-03	This recreational area needs to remain accessible to the public.
Judy Grieve	Courtenay, Canada	2018-09-04	I don't believe it should be developed

Name	Location	Date	Comment
andrea franks	Courtenay, Canada	2018-09-04	I love the natural beauty. our little valley community has grown so much, we need our private places kept sacred
Caila Holbrook	Courtenay, Canada	2018-09-04	The RGS was a long and rigorous process that was vetted and passed by local government. It lays out the settlement plan we agreed to a plan that will help keep our community thriving instead of sprawling!
Sharon Gawryluk	Victoria, Canada	2018-09-04	It's important to me
Thomas Warden	Nanaimo, Canada	2018-09-04	Residential development encroaching on our treasured island jewels. Quick sign and share. Short deadline on this action.
Anne Laviolette	Courtenay, Canada	2018-09-04	Stop trying to destroy something beautiful!
Brenda Harris	Courtenay, Canada	2018-09-04	We need to save this beautiful natural wonder.
Lee Bjarnason	Cumberland BC, Canada	2018-09-04	This area needs to be kept in its natural state for all to share, respect and enjoy
Mark Einarson	Courtenay, Canada	2018-09-04	Keep the rivers clear of houses and more people. They are already getting overrun
Debbie Ramage	Courtenay, Canada	2018-09-04	I want the riverwood proposal STOPPED
Sherry Goodwyn	Victoria, Canada	2018-09-04	The falls are part of protected land.Making money is not an excuse to allow this.
Serena Patterson	Courtenay,BC, British Columbia, Canada	2018-09-04	I resent the campaign of deception and restricted access that 3L has been waging in the Comox Valley, pressuring the community to reverse its growth plan to suit private interests and obscene profit.
N A	Surrey, Canada	2018-09-04	It is not right
christa hestnes	Coldstream, Canada	2018-09-04	Storable falls needs to be left the way it is so it can be enjoyed by all in its natural glory
Gail Rodgers	North Vancouver, Canada	2018-09-04	It is the right thing to do..
john Bruhmuller	Bowser, Canada	2018-09-04	This is no more than a money grab by developers and investors. We can't let this happen. These people are no better than Trump. We the people, can stop them !!!
Troy Saunders	Nanaimo, Canada	2018-09-04	To protect Island Jewels such as Stotan Falls.It's a shame these beautiful areas are becoming unacceptable over time.
Roberta McPhee	Prince George, British Columbia, Canada	2018-09-05	This has been a place for families to go and enjoy and not cost a lot of money. Soon there will be no recreational places to go for the families that can afford to go to pools and stuff that cost money. There should always be public access to all rivers, lakes and oceans.
Sandra Gilbert	Courtenay, B.C, Canada	2018-09-05	Stotan Falls should be a park for everyone.. It should not belong to one person.. or a company.

Name	Location	Date	Comment
Trudi Turner	Princeton, BC, Canada	2018-09-05	This area is my home town. It should be a park reserve, not a development!!
Sandra Davidson	Campbell River, Canada	2018-09-05	It is one of the most Beautiful river sights in the valley. I grew up swimming there and future generations should have the same opportunity. One company should not be able to change how things are done. we need to protect our rivers and the forest around them.
Geri Price	Courtenay, British Columbia, Canada	2018-09-05	I've lived here and raised my kids here and their kids. I don't want our rivers destroyed by developers.
Jim Palmer	Courtenay, Canada	2018-09-05	Please respect the Regional Growth Strategy. No new settlement nodes. We're supposed to be densifying existing settled areas, not sprawling into undeveloped rural land.
Elva Parsons Mathieu	Chilliwack, Canada	2018-09-05	Myself and many family/friends grew up enjoying these prestine falls. DO NOT DEVELOP!!!
joyce huska	victoria, Canada	2018-09-05	I grew up in the Comox Valley, we were all so fortunate to have such a great spot to enjoy in the summer, and that should be protected for more families to come.
Shawn Dunn	Courtenay, Canada	2018-09-05	Is Riverwood a good name to help us feel better about the distraction of this natural resource? Maybe name the streets after the wildlife and trees that used to be there. Like Cedar street, Aspen Way, Fir Rd, how about Deer path Crescent, Salmon St. Why would we even be debating on the destruction of this resource?
PAT KRAUSHAR	CAMPBELL RIVER, Canada	2018-09-05	They have to start drawing the line on how much invasive projects they allow to destroy these areas.
lesley curran	Courtenay, Canada	2018-09-05	should be left as it for the all the community to enjoy its beauty
Coral Nicholls	Nanaimo, Canada	2018-09-06	I believe Canada needs to keep the natural beauty of some places here!
Charlotte Ostrowski	Courtenay, Canada	2018-09-06	We, the people, have worked long and hard on the Regional Growth Strategy. Please listen to our wishes and keep all urban growth in the down-town cores.
Marie McGillis	Sainte-catherine, Canada	2018-09-06	Marie Mcgillis
Abra Fulton	no, Canada	2018-09-06	Some things HAVE to be sacred!!!!
jeff hoy	courtenay bc, Canada	2018-09-06	I feel the regional growth strategy needs to be followed in all jurisdictions to reduce urban sprawl and our reliance on fossil fuels.
anne fulton	Crofton, British Columbia, Canada	2018-09-06	This is a beautiful area. Should be preserved for future generations
Joanne Simpson	errington, Armed Forces Americas (except Canada), US	2018-09-06	We should all be able to share these beautiful falls

Name	Location	Date	Comment
Barbara Berger	Comox, British Columbia, Canada	2018-09-06	I don't believe that putting large, extravagant homes into the wilderness is a sustainable way to move forward in the Comox Valley.
Pat Fleming	Courtenay, Canada	2018-09-06	Plenty of other area available for homes. And we Need apartments downtown
jordan fielder	Comox, Canada	2018-09-06	Love this place
Austin Goodrick	Delta, Canada	2018-09-07	I want to preserve the natural beauty of the como valley instead of allowing it to turn into another concrete jungle
Shelley Kean	Courtenay, Canada	2018-09-07	I'm signing because this beautiful pristine area needs to be saved. Also, 3L has been misleading the public as to its intentions and this has to stop!
N A	Courtenay, Canada	2018-09-07	Our house borders 3L's property. We don't want a huge development. We have a well. What will happen to our water supply? We have beautiful clear crisp water. We want to keep it that way.
John Hyde	Black Creek, Canada	2018-09-07	We have limited resources such as water in the Valley. The regional district has carefully studied our resources and put together a plan which was approved. There was adequate consulting with the public and there is no reason why the plan should not be adhered to. Our taxes have already been spent wisely on this issue. It is up to the directors to confirm the regional plan once again, and confirm the facts. We can't support communities without resources.
William Goodrick	Edmonton, Canada	2018-09-07	When I think back to my childhood my wind wonders back to these glorious falls. This incredible landscape should be preserved for future generations.
elaine Smith	Courtenay, Canada	2018-09-07	I'm completely against this project and the manipulation the developer has used.
Michelle Sandiford	Courtenay, Canada	2018-09-07	I'm signing this petition because I'm pretty certain Ruth Masters would not approve of this development
Brian Dodge	Victoria, British Columbia, Canada	2018-09-07	I care for the wilderness
Davis Davis	Courtenay, Canada	2018-09-07	want that area left intact
Frank Belleau	Garden River, Canada	2018-09-07	We need these spaces for the spirit and beauty that they bring.
Frank Totino	Calgary, Canada	2018-09-07	There are not enough resources to support the development.
DARCY ADDISON	COMOX, Canada	2018-09-07	Keep it beautiful!
Murray Coulter	Courtenay, Canada	2018-09-07	I would only be in favor of 3L Developments developing the land in exchange for a 260 acre park donation. If the home density in that area never exceeds less than one home for every 5 to 10 acres.

Name	Location	Date	Comment
P Faunt	Comox, Canada	2018-09-07	I want to preserve as much of our untouched land as possible.
Elizabeth Phillips	Courtenay BC, Canada	2018-09-07	Stotan Falls needs to be preserved. That's way too large a development.
Kathryn Clouston	Courtenay, Canada	2018-09-07	We need to stop the urban sprawl that is ruining the entire reason that we came to the Valley to live. Our sensitive ecosystems are disappearing at an alarming rate. And for those concerned about taxes, it is much cheaper to have compact communities with short infrastructure than sprawling urban areas with miles of pipes and roads to pay for.
International United Native Nation's 510	Campbell River, Canada	2018-09-07	I am signing to preserve our land and water.
Jen Gilecki	Courtenay, Canada	2018-09-07	Keep it wild!
Heather Kennedy-MacNeill	Courtenay, Canada	2018-09-07	I'm signing because this rural area is in my neighbourhood and I can't believe that developers have tried to blackmail elected officials with their plan to only allow public access to the much loved Stotan Falls if they are allowed to bypass the Regional Growth Strategy and put in suburbia. Shame....
Kathleen Hansen	Courtenay, Canada	2018-09-07	Rivers belong to everyone
Mark de Bruijn	Courtenay, Canada	2018-09-07	Approval of this application would just validate the paradigm of continued and never-ending growth. At some point, the CV has to face the fact that we cannot forever keep chipping away at our natural world just to accommodate more and more people. This is a challenge facing not just us in the CV, but the entire planet -- we are devouring it!Let us accept the challenge, and work towards modeling another way of going forward. This will take all of us to be engaged, and all our minds and creativity, because it has never been done before anywhere, and it is thinking totally out of the box!
Shirley Drummond	Calgary, Canada	2018-09-07	This is a beautiful area, & should not be spoiled by development of any kind. The reason many people visit the area is exactly because of the NATURAL beauty, peace & quiet, & the possibility of viewing wildlife (this is their home, after all). We can't allow development companies to destroy these places.
Carol Thatcher	Vancouver, Canada	2018-09-07	Staten Falls is a close-to-home symptom of a global malady -- the unwillingness of humanity to admit that planet earth is finite. Before it really is too late, I must ...just say "NO" to more development!
Jay Van Oostdam	Comox, Canada	2018-09-07	We need a compact city not urban sprawl.
Terry Choquette	Courtenay, Canada	2018-09-07	It is our responsibility to protect what is left of our naturally beautiful spaces. This requested amendment represents the beginning of the end of this incredible area we love. Please, no amendments to the RGS. We need to respect the work, time and effort that went into its creation. We created the plan, now let's stick to it. In 20 years, when it's shelf life has expired, let's redact a new one based on even better principles of sustainability and protection of our wild spaces and agricultural lands.

Name	Location	Date	Comment
Erin Newton	Black Creek, Canada	2018-09-07	I care about preserving our green spaces for all residents to enjoy. I care about our sensitive ecosystems and preserving them
Terry Choquette	Courtenay, Canada	2018-09-07	It is our responsibility to protect the natural beauty that surrounds us. This requested amendment to the RGS represents the beginning of the end for the Comox Valley as we know it. We cannot in the name of profit continue to decimate our natural habitats in favor of urban sprawl. It took years to get the RGS to where it is, let's respect the work, time and dedication that went into it. When it's shelf life is done in 14 years or so, let's put an even better one in place with greater protections for our natural areas and agricultural lands. Please, do your job. there are no grounds for this amendment. Follow the plan.
Milo Warren	Vancouver, Canada	2018-09-07	Keep our beauty, promote tourism, can't we all just get along?!
Nicole Phillips	Courtenay, Canada	2018-09-08	This is for everyone to enjoy! Not ment to be full of homes
Bob Turcott	Grande prairie, Cape Verde	2018-09-08	I live in the valley also,and this is insane...
jennifer devine	Courtenay, BC, Canada	2018-09-08	Stotan Falls is a little paradise of natural beauty that has been enjoyed by generations of local residents. Our existing infrastructure cannot support this development and the residents don't want it. Council needs to listen to the taxpayers.
Maria Sanchez	Comox, Canada	2018-09-08	I dont believe that this is in the best interest of our enviroment - Fish stalks namely and any other species of wild life this would effect!!
Norman Dugas	Winnipeg, Canada	2018-09-08	This project is absurd on so many levels. Unbridled development and so-called economic growth at all costs need to be re-evaluated in a big way.
Daniel Theal	Burnaby, British Columbia, Canada	2018-09-08	This is a sensitive area that needs to be protected from residential encroachment which woul threaten a very precious area.
cheryl taylor	Comox, Canada	2018-09-08	This pristine place deserves to be maintained for the families and friends for years to come!!!
Fredrick Craig	Victoria, Canada	2018-09-08	No need for development of this kind
zelda palladino	Campbell River, Canada	2018-09-09	This is a priceless recreational area and needs to be saved. So many families have had wonderful times here over many years.
Zaak Shirlaw	Courtenay, Canada	2018-09-09	We don't need urban sprawl. Specially not in one of most beautiful areas. We should be extending Courtenay to meet Cumberland and Royston first. Then amalgamate the for towns into one city.
dave Von eigler	Courtenay, Canada	2018-09-09	Keep our natural resource. NATURE!
Leiana Crawford	Courtenay, Canada	2018-09-10	Preserve nature
Jeanie Boyes	Canada	2018-09-10	I don't want to see this environment change

Name	Location	Date	Comment
Laura Leach	Vancouver, Canada	2018-09-10	I'm signing because I have family in Comox region and am intending to retire here soon because I love the natural environment that has been preserved for future generations and must continue to be preserved.
Dallas Stevenson	Royston, Canada	2018-09-10	This sensitive habitat that includes our major river-ways needs to be protected from major development. We have plenty of slated development areas in our regional plan that could use infill prior to looking at extending the boundaries.
Roger Christie	Gabriola, Canada	2018-09-10	Keep the beauty and save the environment for wildlife and salmon. Do not develop 1100 homes on this pristine land.
Diane Cherwonka	Edmonton, Canada	2018-09-10	Our enironment is more important than development especially near sensitive areas.
Rachel Erdos	Vancouver, Canada	2018-09-10	I went to Stotan many times throughout my childhood, and it is such a special memory to me. Please don't take the chance away from other families to make similar memories at Stotan.
Pam Berthelet	Courtenay, Canada	2018-09-11	We need to stand up and stop this.
Jean Boylan	Black Creek, Canada	2018-09-11	I care. This is just not acceptable. Stotan Falls must be protected. Build somewhere else!
Erin Poettcker	Cumberland, Canada	2018-09-12	I don't believe this development is in the best interest of our community or the natural beauty of the wilderness that we want to continue enjoying.
Ken Cooper	West Kelowna, Canada	2018-09-12	Wildlife corridors and public access to natural environments are priceless. Density of development should respect these aspects.
Steven Morgan	Cumberland, Canada	2018-09-13	Please respect the regional growth strategy!
Jeffrey Saunders	Jackson Heights, New York, US	2018-09-15	Why does every rural place have to become a suburban district with old trees cut down for blacktop roads? In time they become dotted with backyard pools, a local shopping ctr with parking, ... People like me who live in big cities look forward to getting away to places like this. I may like my city, but so many of us wish generations past had been smart enough to save places like this, instead of developing everything. - JAS
Kerry Griffiths	Comox BC, Canada	2018-09-15	Uphold the RGS! Vote no to 3L's development at the Puntledge Triangle!
Pat Fyfe	Courtenay, Canada	2018-09-15	I think regional growth plans are made with months of thought and consideration for the good of the area as a whole. So I believe the Regional Board should stick to the plan.
Annelies Haussler	Burnaby, British Columbia, Canada	2018-09-19	How many homes? This would utterly destroy what is already a fragile vein in our precious ecosystem!
lisa woolman	courtenay, British Columbia, Canada	2018-09-20	The community needs to protect its ability to grow with its own vision rather than be rolled over for profit. Big homogenized

Name	Location	Date	Comment
			developments with commercial centers are not community building endeavors . Citizens have already determined through the RGS how they want to see the community grow.
Nancy WILSON	Port Hardy, British Columbia, Canada	2018-09-21	I'm signing on behalf of nature 礪��黎閭������歷��verses 5acre parcels of land w/o sewer or hydro, look elsewhere lamare LLL ##########♀#律♀#輪♀#♂#魯♀#

Name	City	Province	Postal Code	Country	Signed On
Puntledge Triangle				Canada	08/24/18
Judith Goldschmidt	Courtenay		V9N 2G9	Canada	08/31/18
Roberta Meilleur	Courtenay		V9N 8R9	Canada	08/31/18
Monica Hofer	Courtenay		V9N 1X1	Canada	08/31/18
John Wesley	Courtenay		V9N	Canada	08/31/18
Karina McLaughlin	Courtenay		V9N	Canada	08/31/18
vivienne webster	Comox		V9M 2J1	Canada	08/31/18
Suparna Gibbs	Courtenay		V9N	Canada	08/31/18
Diana Schroeder	Courtenay		V9N	Canada	08/31/18
S Ruskin	Courtenay		V9N	Canada	08/31/18
Peter Gill	COURTENAY		v9n1K8	Canada	08/31/18
Clare Wilkening	Roberts Creek		V0N 2W2	Canada	08/31/18
C Sutherland	Courtenay		V9N 6Z8	Canada	08/31/18
Lois Grierson	West Vancouver			Canada	08/31/18
Kathleen Woodley	Courtenay			Canada	09/01/18
Cassandra Hutchinson	Vancouver		V5l2t3	Canada	09/01/18
Marci Wilson	Mission		V2V 7R8	Canada	09/01/18
Bryan Allen	Courtenay			Canada	09/01/18
Reg Johanson	Vancouver		V5N	Canada	09/01/18
Marita Tulloch	North Vancouver			Canada	09/01/18
Alex Mah	Nanaimo		V9R	Canada	09/01/18
Bobby Boyd	Courtenay		V9N	Canada	09/01/18
Terry Choquette	Courtenay			Canada	09/01/18
Wayne Thomson	Boise	Idaho	83704	US	09/01/18
Rod Heitzmann	Courtenay			Canada	09/01/18
gra gor	Vancouver Island		V0R 1Z0	Canada	09/01/18
Nina Haave	Courtenay		V9N1Z8	Canada	09/01/18
John Milne	Merville, B.C.		V0R 2M0	Canada	09/01/18
Debbie Bowman	Cumberland		V0R 1S0	Canada	09/01/18
Alison Spry	Courtenay		Sp78pf	Canada	09/01/18
stephanie Taylor	Courtenay		V9N	Canada	09/01/18
Brian &Elaine Mackee	Powell River		V8A OE9	Canada	09/01/18
Lynda Olsen	Courtenay			Canada	09/01/18
Patricia Sloan	Comox		V9M 2N1	Canada	09/01/18
wendy poole	comox, bc		v9m 3v3	Canada	09/01/18
Vanessa Buck	Campbell River		V9W	Canada	09/01/18
Michael Vincent	Courtenay		V9N9T9	Canada	09/01/18
danielle bilodeau	Union Bay		V0R 3B0	Canada	09/01/18
clayton bagwell	Loja		1101	Ecuador	09/01/18
Susan Wheeler	Courtenay		V9N 9R3	Canada	09/01/18
Christine Servant	Courtenay		V9N	Canada	09/01/18
Michael Hinz-Berg	Holbæk			Denmark	09/01/18
Tyler Voigt	courtenay		v9n2e9	Canada	09/01/18
Gloria Simpson	Cumberland		V0R 1SO	Canada	09/01/18
Wendy Lindsay	Comox, BC		V9M 3T9	Canada	09/01/18
I Horutko	Courtenay		V9N	Canada	09/01/18
Chantelle Gorman	Nanaimo		V9s 2v6	Canada	09/01/18
Chris Oxford	Comox		C9m2e2	Canada	09/01/18

Heather Manning	Courtenay	V9N	Canada	09/01/18
Kris Toijonen	Chetwynd		Canada	09/02/18
Kathy Pearse			Canada	09/02/18
JENNIFER Majore			Canada	09/02/18
Denise Desrochers			Canada	09/02/18
Wendy Rosborough			Canada	09/02/18
Aria King			US	09/02/18
Dawn Rogowski	Courtenay	V9N 6X9	Canada	09/02/18
Marie Racine	Courtenay		Canada	09/02/18
Meg Blackwell			Canada	09/02/18
Lisa Christensen	courtenay		Canada	09/02/18
Lenore Black			Canada	09/02/18
Karen Heiss			Canada	09/02/18
S Byron			Canada	09/02/18
Helen Boyd	Comox		Canada	09/02/18
maureen may	Courtenay		Canada	09/02/18
JOHANNA NAVARRO			US	09/02/18
Daniela Brinzoiu			Canada	09/02/18
ADITL 20			Canada	09/02/18
Sherry Benoit			Canada	09/02/18
Nancy Patterson	Courtenay	V9N9j6	Canada	09/02/18
Sonia Marchand			Canada	09/02/18
Arri Tyler			US	09/02/18
Inge Muus	Cumberland	V0r1s0	Canada	09/02/18
Dian Anderson	Courtenay	V9N	Canada	09/02/18
nicole Fitzgerald	courtenay	V9N 3K9	Canada	09/02/18
Person Mc person			Canada	09/02/18
Marguerite Naylor			Canada	09/02/18
Crissi Krall			US	09/02/18
aidan Pite			Canada	09/02/18
Teresa Monroe			US	09/02/18
Max Snyder			US	09/02/18
Wendy Morin	Courtenay	V9N8R9	Canada	09/02/18
Leon Rushton	Courtenay	V9j1g8	Canada	09/02/18
Mark Sim	Courtenay	V9N6K1	Canada	09/02/18
Donna Dodds	Courtenay	V9J IH8	Canada	09/02/18
Alena Griffiths	Courtenay	V9N	Canada	09/02/18
Vidawattie Singh			Canada	09/02/18
Zac Crain			US	09/02/18
Ted Christensen	Courtenay	V9N	Canada	09/02/18
Ero Axe			Canada	09/02/18
David Wilson			US	09/02/18
sherish MacDonald			Canada	09/02/18
Mr. Stealyobitch			US	09/02/18
Chris Bergauer-Free			Canada	09/02/18
Leonie de Young			Canada	09/02/18
saskia bremmers			Canada	09/02/18
Sylvie Boulet	Courtenay	V9N	Canada	09/02/18
Val McGee			Canada	09/02/18

Arzeena Hamir	Courtenay	V9N	Canada	09/02/18
Bryan Kemila	Vancouver	V7H	Canada	09/02/18
Laura Kloppenberg	Royston	V0R2V0	Canada	09/02/18
Alaina Simon			Canada	09/02/18
Steve Mayer			Canada	09/02/18
Vince Iozzo			Canada	09/02/18
Julie Matthews	Comox		Canada	09/02/18
Curtis Grieve	Salmon Arm	V1E	Canada	09/02/18
Fran Kwiecien	Courtenay	V9N 3S9	Canada	09/02/18
Alyssa Colombo			US	09/02/18
GoofySamuelisstupid	GoofySamuelisstupid		Canada	09/02/18
Jo Smith	Courtenay	V9J 1T5	Canada	09/02/18
Laila Yuile	Comox	V9m 1j4	Canada	09/02/18
Marcy Siple Oakley	Vancouver		Canada	09/02/18
Nadine C.			Canada	09/02/18
Elizabeth Robertson	Courtenay	V9N 7G2	Canada	09/02/18
Gail Klymchuk			Canada	09/02/18
dorothy christie	Courtenay	V9N	Canada	09/02/18
Alison Mesheau	Comox	V9M	Canada	09/02/18
Janet Mcfadyen	Royston	V0R 2V0	Canada	09/02/18
Laura Legault	Cumberland	V0R1S0	Canada	09/02/18
Ben Gerdun	Courtenay	V9j1s1	Canada	09/02/18
Vanda Monkman	Surrey	V4B 2W1	Canada	09/02/18
Diane Foubert			Canada	09/02/18
Tracy Miller	Comox Valley	V0R1S0	Canada	09/02/18
Sean Akehurst			Canada	09/02/18
Laura Tailleur			Canada	09/02/18
Beverly Bobbitt	Kamloops	V2B 7T4	Canada	09/02/18
nattanya birkhaven	Comox	v9m 1r7	Canada	09/02/18
Dorothy Martell	Calgary	T2M4G7	Canada	09/02/18
Debbie Marshall	Comox	V9MOA3	Canada	09/02/18
Nancy Thumma	Ocean City	Marylanc 21842	US	09/02/18
joan alexander	Courtenay		Canada	09/02/18
Sue Moen	Comox	V9M	Canada	09/02/18
Christine Guy	Abbotsford		Canada	09/02/18
Kirsti Waterston	Calgary	T3G	Canada	09/02/18
Brenda MacIntyre	Courtenay	V9J 1W6	Canada	09/02/18
Kim Nanuan	Courtenay	V9N	Canada	09/02/18
Diane Staggs			US	09/02/18
Luke Keenum			US	09/02/18
Jean-Luc Larochelle	Courtenay	V9N	Canada	09/02/18
Liz Petersen	Nanaimo	V9T	Canada	09/02/18
Aaron Veitch			Canada	09/02/18
Saskia Delaronde	Courtenay	V9N 2E7	Canada	09/02/18
Rupinder Mehrok			Canada	09/02/18
mMichael and Paige Hynes			Canada	09/02/18
John Holder	Port Alberni		Canada	09/02/18
Mark Chadwick	Calgary	T2H	Canada	09/02/18
Fiona de Balasi Brown	Courtenay, BC		Canada	09/02/18

Warren Goossen	Campbell River	V9W1s9	Canada	09/02/18
robin cahill	Campbell River	v9w 1p6	Canada	09/02/18
leanne goodwin	Victoria	V9A 2S1	Canada	09/02/18
John Johnstone			Canada	09/02/18
Charlene Gollan	Campbell River	V9H 1C3	Canada	09/02/18
Tania Vandenberg			Canada	09/02/18
Sandy Sedgwick	Kelowna	V1P1s2	Canada	09/02/18
Shaydon Orthner	Fort Saint John	V1J	Canada	09/02/18
Sandy Pemberton			Canada	09/02/18
Jonathan Welsh	Comox	V9M	Canada	09/02/18
Frank Chavez			US	09/02/18
Bridget DuKet			US	09/02/18
Becky Kaulback	Courtenay	V9a 3r2	Canada	09/02/18
Colleen Basham	Altamonte Spr Florida	32715	US	09/02/18
Trond Halle	Cumberland	V0r	Canada	09/02/18
Mary Quick			US	09/02/18
cheryl newton	Comox	V9M 3P1	Canada	09/02/18
Nicholas Thomas	Courtenay	V9j 1w4	Canada	09/02/18
Margaret Harris	Courtenay	V9N 9A7	Canada	09/02/18
Lisa Beaulieu	Courtenay	v9n 9j6	Canada	09/02/18
Jacques Brun			Canada	09/02/18
Megan Ardyche	Comox	V9M 4J3	Canada	09/02/18
Esther Sustersich	Victoria	V9B 6C5	Canada	09/02/18
blaine curtis			Canada	09/02/18
Lindsay Anderson	Campbell River	V9W 6K9	Canada	09/02/18
Ayla-Taj Desjardins	Victoria	V9A	Canada	09/02/18
Heather Bould	Courtenay	V9N	Canada	09/02/18
Louise Thomas	Port Alberni	V9Y	Canada	09/02/18
Mike Klassen	Courtenay	V9N	Canada	09/02/18
Darrielle Thompson			US	09/02/18
Vivian Ruskin	Courtenay, BC	V9N 9M7	Canada	09/02/18
Judy Loukras	Courtenay	V9j 1w3	Canada	09/02/18
Stephanie Hubbard			US	09/02/18
karen chrysler	comox	v9m2j2	Canada	09/02/18
Heidi Good	Fredericton		Canada	09/02/18
Jill Laviolette	Port Hardy	V0n 2P0	Canada	09/02/18
Shaun Perry			US	09/02/18
Mason Meener			US	09/02/18
Step Carruthers	Vancouver	V5L 4L4	Canada	09/02/18
Steven Brown	Cumberland	V0R1S0	Canada	09/02/18
John Campbell	Courtenay	V9N	Canada	09/02/18
David Courvoisier			Canada	09/02/18
Erica Farrell	Grande Prairie	T8V 5K7	Canada	09/02/18
Georgia Koutsogianis			Canada	09/02/18
Daniel Hoidas	Comox	V9M	Canada	09/02/18
Michelle Root	Courtenay	V9J 1S6	Canada	09/02/18
elli zamanian			Canada	09/02/18
dar lessard	Denman Island		Canada	09/02/18
Kia Ull	Vancouver Island	vorizo	Canada	09/02/18

Margaret Alferes				Canada	09/02/18
Edward Lewis				US	09/02/18
Talat Khan				Canada	09/02/18
Marion Eals				Canada	09/02/18
Lise Smith	Campbell River			Canada	09/02/18
Alice Grange	Cumberland		V0R 1S0	Canada	09/02/18
Angela Gerhart	Victoria		V8V	Canada	09/02/18
Shelley Tetz	Edmonton		T6H 3G2	Canada	09/02/18
Robin Konstabaris	Cumberland, british col		V0R1S0	Canada	09/02/18
Aisling Coward	Chilliwack		V2R 3V9	Canada	09/02/18
Tameer Barnslee	Courtenay		V9N	Canada	09/02/18
Trisha Pond				Canada	09/02/18
Jill Stevenson				US	09/02/18
Maria Diorio				Canada	09/02/18
Lynne Brown	Sidney		V8L	Canada	09/02/18
j.k. Niner	Ellensburg	Washing	98926	US	09/02/18
Rose Meulenbroeks	Black Creek		V9J IE9	Canada	09/02/18
Pierre Wust				Canada	09/02/18
Mike Emery	Courtenay			Canada	09/02/18
Shaelee Morris	Courtenay		V9N 9V7	Canada	09/02/18
Amanda Wakeling	Courtenay		V9N	Canada	09/02/18
Monica Gaudiano				Canada	09/02/18
Kelsey Alpaugh	courtenay BC		V9N 9M5	Canada	09/02/18
Brendan Lashta	Red Deer		T4P0E3	Canada	09/02/18
Kama Corbett	Courtenay		V9N2t0	Canada	09/02/18
Jennifer King				Canada	09/02/18
Susana Musso Duarte				Canada	09/02/18
Dieter Nikolai	Courtenay		V9N	Canada	09/02/18
Patricia Gagnon	Courtenay		V9J 1R7	Canada	09/02/18
Louise Schnurch	Victoria		V8X1P3	Canada	09/02/18
Andrea Conte				US	09/02/18
Lorraine Huntley	Courtenay		V9N	Canada	09/02/18
Helen Washington				Canada	09/03/18
Dawn Anderson	Cumberland			Canada	09/03/18
Timothy Mitchell	Courtenay		V9j 1r7	Canada	09/03/18
Michael Nutland	Cumberland		V0R 1S0	Canada	09/03/18
Kelley Giorgianni	Brentwood Bay		V8M	Canada	09/03/18
sonia V.				Canada	09/03/18
Severine Nichols	Courtenay			Canada	09/03/18
Cheryl Blacklock	Comox		V9m 2x3	Canada	09/03/18
Kevin Nguyen				Canada	09/03/18
william heidrick	Courtenay			Canada	09/03/18
Tim Hughes	Westbank		V4T	Canada	09/03/18
Jani Martinius	Courtenay		V9N	Canada	09/03/18
Cody finlay	Black Creek		v9j1e5	Canada	09/03/18
Doug Warren	Comox		V9M 3S1	Canada	09/03/18
robert moon	Courtenay		V9N	Canada	09/03/18
Scenery Slater	West Vancouver		V7V 3S7	Canada	09/03/18
Elizabeth karunaratne	Courtenay		V9N8Y1	Canada	09/03/18

Katelynn Harry	North Vancouver	V7M	Canada	09/03/18
Megan Achgill			US	09/03/18
Valerie Hildebrand			Canada	09/03/18
sonia pronek			Canada	09/03/18
Caitlin Flanagan			US	09/03/18
Kevin Zackrisson			Canada	09/03/18
Julian Albert			US	09/03/18
Todd Cook	Merville	V9J1N5	Canada	09/03/18
Jo-Anne Blanchard	Nanaimo	V9S 5E5	Canada	09/03/18
Sydney Lowe	Calgary	T2K 5S5	Canada	09/03/18
Sherry Lizotte			Canada	09/03/18
J Vez			Canada	09/03/18
Jeff Derakhshan			Canada	09/03/18
Alisha Pelton	Vancouver	V6Z	Canada	09/03/18
Jane Fester	Black Creek	V9J 1C3	Canada	09/03/18
AJ Lawrie	Black Creek	V9J 1H5	Canada	09/03/18
Brian McAskill	Courtenay	V9N	Canada	09/03/18
Larissa Abreu			Canada	09/03/18
sarah hoffman	Courtenay	V9N	Canada	09/03/18
Coleen Kennelly	Courtenay	V9N	Canada	09/03/18
Susan Savoie	Comox	V9m 4e4	Canada	09/03/18
Johnathon Rider			US	09/03/18
Nicole ellis			US	09/03/18
Lauren Handley			Canada	09/03/18
Jeri and Dolf Harmsen			Canada	09/03/18
Alysha Jackson	Courtenay	V9N	Canada	09/03/18
Norah Donegan	Courtenay		Canada	09/03/18
Derek Yarmey			Canada	09/03/18
Daryle Engelmyer	comox		Canada	09/03/18
Odelle Agustin			Canada	09/03/18
Sean Murphy	Ottawa		Canada	09/03/18
Candice Wiens	Whitecourt	T7S	Canada	09/03/18
Ashminee Gangaram			Canada	09/03/18
Caroline Bouchard	Courtenay	V9J 1Y4	Canada	09/03/18
Jay Polson	Comox	V9M 3H8	Canada	09/03/18
Cassandra Von Niesser	Comox	V9M 3P5	Canada	09/03/18
Jocelynn Haydon	Courtenay		Canada	09/03/18
Maye Davis	Courtenay		Canada	09/03/18
Karina Thygesen	Courtenay	V9N	Canada	09/03/18
Akasha Inglis	Comox		Canada	09/03/18
Braedon Rasmussen	Nanaimo	V9T	Canada	09/03/18
Livia Hosegrove	Courtenay		Canada	09/03/18
Allan Lloyd	Victoria	V8Z2K2	Canada	09/03/18
Sandra Dewald	Calgary		Canada	09/03/18
Lucas Rye	Comox	V9M	Canada	09/03/18
Lydia Brunel	Trois-Rivieres	G8T 4B9	Canada	09/03/18
Wendy Kotilla	Courtenay	V9N 9P7	Canada	09/03/18
Susan Holvenstot	Courtenay, BC		Canada	09/03/18
Gabriela Abbas			Canada	09/03/18

Achilles lukusa			Canada	09/03/18
Isabella Fleming			Canada	09/03/18
Amber Brown	Cumberland	V0R1S0	Canada	09/03/18
Laura Lamb	Vanvouver	V5T 1M5	Canada	09/03/18
Jessica Pollard	Merville	V0R 2M0	Canada	09/03/18
Heather Wilkinson	Courtenay	V9n 1t1	Canada	09/03/18
Katarina Meglic	Vancouver	V6H	Canada	09/03/18
_ Aveyonn _			Canada	09/03/18
Gillian Wardle	Courtenay	V9N	Canada	09/03/18
heather mcintyre	Castlegar	v1n4r3	Canada	09/03/18
Rosanna Chamberlin	Victoria	V8s 4e9	Canada	09/03/18
Georgia Greetham	Courtenay	V9N	Canada	09/03/18
Tammy Lyon			Canada	09/03/18
MEL McLachlan	Cmox	V9m 3x3	Canada	09/03/18
Chadd Auletta			US	09/03/18
Manjinder Guraya			Canada	09/03/18
Chelsey Fedato	Vancouver	V9N	Canada	09/03/18
Génesis M			US	09/03/18
Elizabeth Murphy	Gold River	V0P1G0	Canada	09/03/18
Iris Tipton	Courtenay	V9N 5J5	Canada	09/03/18
Mike Denunzio			Canada	09/03/18
John Seman			US	09/03/18
Heather Pierrard	Victoria	V8T	Canada	09/03/18
Deborah D'Amico			Canada	09/03/18
Jozef Magolon			Canada	09/03/18
Elizabeth Herrera			US	09/03/18
James Mulhall	Comox	v9m3z8	Canada	09/03/18
Allison Higinbotham	Vancouver		Canada	09/03/18
Lo szegeny			Canada	09/03/18
Katherine Provost	100 Mile House	V0K 2E3	Canada	09/03/18
Byron Vazquez	Edmonton	T5X	Canada	09/03/18
Stephanie Vink	Sooke	V9z1l3	Canada	09/03/18
Diane Robertson			Canada	09/03/18
Jenn Knox			Canada	09/03/18
mike burkinshaw	kelowna		Canada	09/03/18
John Lee			US	09/03/18
Emma Lossing	Campbell River		Canada	09/03/18
ken blucke			Canada	09/03/18
Diane Edgar	Courtenay	V9N 4A8	Canada	09/03/18
Nathaniel Keith			Canada	09/03/18
Denise Bostwick	New Westminster	v3m 5x1	Canada	09/03/18
Dena Swartz			US	09/03/18
Sherry Patterson	Courtenay	V9n 9n2	Canada	09/03/18
jess taylor			Canada	09/03/18
Carey Webb			Canada	09/03/18
Andrew Robertson	Cambridge, ON, Canad	N1R 1B7	Canada	09/03/18
Valerie nathan			Canada	09/03/18
Elizabeth Morrison			US	09/03/18
Alanna Webster	Comox	V9M 3T9	Canada	09/03/18

m d			Canada	09/03/18
Dianna Talbot	Comox	V9M 4G3	Canada	09/03/18
Brenda Boldt	Courtenay	V9N 9N4	Canada	09/03/18
Judy Nelson			US	09/03/18
Chantal Gagnon			Canada	09/03/18
Christine Arduini	Parksville	V9P	Canada	09/03/18
James Phillips	Courtenay	V9N	Canada	09/03/18
Paula Brennan	St. John's	A1A5B6	Canada	09/03/18
David Barg			Canada	09/03/18
Dustin Wallace			US	09/03/18
Ben Webb			Canada	09/03/18
Shaun Kwasnitza	Courtenay	V9N1W2	Canada	09/03/18
Jenn Weber	Courtenay	V9N 3a3	Canada	09/03/18
Byron Colbers	Campbell River	V9W 7y9	Canada	09/03/18
azar rezaee			US	09/03/18
Marc Sylvestre	Comox	V9M 1L4	Canada	09/03/18
Edward Homer	Courtenay	V9J 1N8	Canada	09/03/18
Marcine McBride	West Babylon New Yorl	11704	US	09/03/18
Patricia Childs	Courtenay	V9N9K7	Canada	09/03/18
Amanda Lariviere	Comox	V9M 1W7	Canada	09/03/18
Roz Isaac			Canada	09/03/18
Rainbow Aura Haydon	Heriot Bay	V0P 1H0	Canada	09/03/18
Tom Harper	Courtenay	V9N	Canada	09/03/18
Robert McLennan	Comox	V9M	Canada	09/03/18
Jesse Hampton	Merville	V0r2m0	Canada	09/03/18
len mitan			Canada	09/03/18
Rose Smith	Courtenay	V9N	Canada	09/03/18
Dawn Stevens	Comox	V9M-3G5	Canada	09/03/18
Steve Rasmus	Courtenay	V9N 9m8	Canada	09/03/18
Amanda Frye			US	09/03/18
Sandra Wessel			US	09/03/18
Jessica Meza			US	09/03/18
Ginette Massey	Courtenay, BC		Canada	09/03/18
john schwarz	Courtenay	v9n 9v6	Canada	09/03/18
mike mcdonald	coldstream	v1b 3z7	Canada	09/03/18
Muff-Anne Haley			Canada	09/03/18
Kaley Bill			Canada	09/03/18
Ed Nicholles	Maple Ridge	v2x6s8	Canada	09/03/18
Pat Murray	Courtenay	V9J 1X9	Canada	09/03/18
M Tory	Greenford	UB6	UK	09/03/18
Ron Nielson	Errington, B.C.	V0R1V0	Canada	09/03/18
J Patrick Cox	Vancouver	V6J5J1	Canada	09/03/18
Natasha Ljubic			Canada	09/03/18
° ° ° °			Canada	09/03/18
Jim Chisholm	Campbell River		Canada	09/03/18
Louise Stevenson	Courtenay	V9N	Canada	09/03/18
chuck lary			US	09/03/18
Paula Colvin			Canada	09/03/18
Laura Anderson			Canada	09/03/18

Paulette Egeli	Courtenay	V9N 6X8	Canada	09/03/18
Linda Safford	Cumberland BC	V0R 1S0	Canada	09/03/18
Sarah Corbier			Canada	09/03/18
kelly munro			Canada	09/03/18
Sign It			US	09/03/18
John Parsons	Gambo		Canada	09/03/18
Pam Morrison	Courtenay	V9N 9v4	Canada	09/03/18
Cory Kasper			Canada	09/03/18
judith mcbride	royston B.C.	vor 2vo	Canada	09/03/18
Nancy Garner			Canada	09/03/18
Jackmatica .			Canada	09/03/18
Mike Oliver			Canada	09/03/18
Tiana Quintero			Canada	09/03/18
Aaliyah Hernandez			US	09/03/18
Michelle Schulder			Canada	09/03/18
emanuel meyer	Courtenay	V9n9p5	Canada	09/03/18
Amanda Privett			Canada	09/03/18
Deborah Storey	Courtenay	V9N 3B3	Canada	09/03/18
Cherie Dalgleish	Courtenay		Canada	09/03/18
Joy Deines	Comox	V9M	Canada	09/03/18
cheryl mattson	cumberland	v0r 1s0	Canada	09/03/18
Mark Gabriel	Comox	V9M	Canada	09/03/18
Christian Becerra			US	09/03/18
Patricia Korhonen			Canada	09/03/18
Shannon Webster	Gilbert Arizona	85297	US	09/03/18
Alanah Nasadyk	Victoria	v9c4c1	Canada	09/03/18
blaine dunaway	cumberland, BC		Canada	09/03/18
Lori Scott			Canada	09/03/18
Jennifer Cummings	Courtenay		Canada	09/03/18
Vicki McRar	Port McNeill	V0N2R0	Canada	09/03/18
Justin Moyou			Canada	09/03/18
Merle Zoretic			US	09/03/18
Nicholas Goodridge	Fort mcmurray	T9h1p5	Canada	09/03/18
Jacqueline Morin	Cumberland b.c.	V0r1s0	Canada	09/03/18
Nicole Millar	Kamloops	V2C 6s1	Canada	09/03/18
Lotten Lagerquist	Courtenay	V9N	Canada	09/03/18
Margaret Keresztesi	Comox		Canada	09/03/18
doreen erikson	Courtenay	V9J 1L6	Canada	09/03/18
Jessica Cook			US	09/03/18
Candice Klettke	Courtenay	V9N 9a1	Canada	09/03/18
Daniel Ure			Canada	09/03/18
michael wyton			Canada	09/03/18
luna dawood			Canada	09/03/18
David Bi			Canada	09/03/18
Pat Scott	Merville	VoR 2M0	Canada	09/04/18
doug oliver	Courtenay	V9N9C9	Canada	09/04/18
Regan Livingstone	Courtenay	V9N 8J6	Canada	09/04/18
Dave Waugh	Vancouver		Canada	09/04/18
Gayle Smith	Comox	V9M 2B9	Canada	09/04/18

Lynne Taylor	Cumberland	VOR1SO	Canada	09/04/18
wade friel	Nanaimo District		Canada	09/04/18
Anna Hamilton	Comox	V9M3V3	Canada	09/04/18
Danielle Weiman	Ganges	V8K	Canada	09/04/18
JAMIE FEDICHIN	Courtenay	V9N8W9	Canada	09/04/18
Judy Grieve	Courtenay	V9N 6N8	Canada	09/04/18
sandi martens-carpent	victoria	v8t 1p2	Canada	09/04/18
Kimberly Perry			US	09/04/18
andrea franks	Courtenay	V9s3n0	Canada	09/04/18
Michelle Clark			Canada	09/04/18
Rhonda Bristow	Chilliwack	V2R	Canada	09/04/18
Grant Chaulk			Canada	09/04/18
Lorna White	Courtenay BC	V9N 9M9	Canada	09/04/18
annette florence			Canada	09/04/18
Jeff Strom			Canada	09/04/18
jeff holley			US	09/04/18
Rachel Stevack			Canada	09/04/18
Isabel Reinelt			Canada	09/04/18
Anne Davis	Courtenay		Canada	09/04/18
Michelle Ross	Courtenay	V9N 9R4	Canada	09/04/18
Devon Aube	Edmonton	T6L	Canada	09/04/18
Shaun Pasch	Courtenay	V9N	Canada	09/04/18
Haidee Rae	Comox	V9M 1L4	Canada	09/04/18
Steve Inglis	Courtenay	V9N 9T1	Canada	09/04/18
Ramona Johnson	Courtenay	v9n 3p7	Canada	09/04/18
Jen Wilson			Canada	09/04/18
Edward Lafleur	Courtenay, BC	V9N 7P1	Canada	09/04/18
Caila Holbrook	Courtenay	V9n9n7	Canada	09/04/18
Winny Parks	Laurel Marylanc	20723	US	09/04/18
Sharon Gawryluk	Victoria	V8V1T3	Canada	09/04/18
Caesar Darbouli			Canada	09/04/18
Carl Johansen	Courtenay		Canada	09/04/18
Robert Warden	Nanaimo B.C.	V9R3M4	Canada	09/04/18
Mike Witt	Courtenay	V9n3v2	Canada	09/04/18
joy couttenier	Port Alberni	N6h4A9	Canada	09/04/18
Thomas Warden	Nanaimo	V9R4H1	Canada	09/04/18
Guanchen Wang			Canada	09/04/18
Cherie LeBlanc			Canada	09/04/18
Amanda Carter	Black Creek	V9J 1E6	Canada	09/04/18
Bob Henderson	Courtenay	V9N	Canada	09/04/18
Anne Laviolette	Courtenay		Canada	09/04/18
Samantha Knudson	Victoria	V8t4a2	Canada	09/04/18
Brenda Harris	Courtenay	V9N2G9	Canada	09/04/18
Mark Brodhagen	Cumberland	V0R 1S0	Canada	09/04/18
Ron Inglis	Delta	V4C	Canada	09/04/18
Lee Bjarnason	Cumberland BC	V0R 1S0	Canada	09/04/18
Mark Einarson	Courtenay	v9n8y9	Canada	09/04/18
Kiyoshi Kosky	Courtenay	V9N	Canada	09/04/18
Stephanie Guevara			US	09/04/18

Lindsey Moore			Canada	09/04/18
Debbie Ramage	Courtenay	V9N	Canada	09/04/18
Anna Leevers	Courtenay	V9N	Canada	09/04/18
Sherry Goodwyn	Victoria	V8T 2B9	Canada	09/04/18
Heidi Cowger			US	09/04/18
Cori McGivern	Courtenay	V9N	Canada	09/04/18
Dave Tovell			Canada	09/04/18
Debra Clinton			Canada	09/04/18
Colleen Brooks	Surrey	v4a 1t3	Canada	09/04/18
Serena Patterson	Courtenay,BC	V9N 6N8	Canada	09/04/18
Maryum Batool			Canada	09/04/18
karo hill			Canada	09/04/18
Heidi Pridy	Victoria	V8V3R8	Canada	09/04/18
Maryam Taghi	Courtenay		Canada	09/04/18
Bridget Bonkoski			US	09/04/18
Cassandra Warner	Victoria	V8Z	Canada	09/04/18
Todd Breen			Canada	09/04/18
Emily Verret	Courtenay	V9N	Canada	09/04/18
mike inglis	langford bc	v9b 2y7	Canada	09/04/18
Curtis Chapman	Campbell River		Canada	09/04/18
Josh Lilley			Canada	09/04/18
Thomas G Pater	Courtenay		Canada	09/04/18
Will Drury	Courtenay		Canada	09/04/18
Gina Murray	Courtenay	V9N	Canada	09/04/18
Rhianna Featherstone	Langley	V1M3P1	Canada	09/04/18
Shana Reeder	Courtenay BC	V9N 3M1	Canada	09/04/18
Mikayla Stevenson			Canada	09/04/18
Alison Gillis	Regina		Canada	09/04/18
Jackie Thinel	Slocan Park	V0G2E0	Canada	09/04/18
Cassius Clay			US	09/04/18
C Berg			Canada	09/04/18
uilani gasper			US	09/04/18
Portia X			Canada	09/04/18
Doyle Prier			Canada	09/04/18
Brittany Smith	Merville		Canada	09/04/18
Johann Burkhardt			Canada	09/04/18
Mallorie Roop			Canada	09/04/18
Leah Murray	Richmond		Canada	09/04/18
Julie Isvik	Surrey	V3Z	Canada	09/04/18
Paige Ngo			US	09/04/18
Ron Cwang			Canada	09/04/18
Crystal Cole			US	09/04/18
Bernard Zirkl	Courtenay	V9N	Canada	09/04/18
Debbie Mastronardi			Canada	09/04/18
Miguel Laroche	Courtenay	V9N	Canada	09/04/18
Gail Horochuk	Comox	V9M-2M1	Canada	09/04/18
Yelena Pavcic			Canada	09/04/18
Kaley Hough	Penticton	V2A	Canada	09/04/18
Marion Cobb Cobb	Denman Island		Canada	09/04/18

Una Folkson Singh			Canada	09/04/18
Brigitta Schmidt			Canada	09/04/18
Herman Mya			US	09/04/18
Rick Adams	Victoria	V8T	Canada	09/04/18
Dawn Thoem	Comox	v9m-4b8	Canada	09/04/18
Kyle Herba	Courtenay	V9N	Canada	09/04/18
Wayne Mclellan			Canada	09/04/18
Anthea Wyman			Canada	09/04/18
Dana Sova			Canada	09/04/18
Pauline Bradley			Canada	09/04/18
Victoria Pitchford			Canada	09/04/18
Derp Mcderpy			Canada	09/04/18
Julia Sandke			US	09/04/18
Heidi Eichler			US	09/04/18
Monika Springer			Canada	09/04/18
christa hestnes	Coldstream	V1B 2L3	Canada	09/04/18
Denise Andre			Canada	09/04/18
Judith Willis	Courtenay		Canada	09/04/18
jeff lee	Courtenay		Canada	09/04/18
Charlotte Ross	Courtenay	V9N	Canada	09/04/18
hector guevara			Canada	09/04/18
Gay Frocklage	Iskut	V0J 1K0	Canada	09/04/18
laurie calder	bancrfot	k0l1c0	Canada	09/04/18
Susan Pritchard			Canada	09/04/18
Krzysztof Mruk			Canada	09/04/18
Deanna Miller	Victoria	V8X	Canada	09/04/18
Dave Bowman	Edmonton	T5Y 1V1	Canada	09/04/18
Patricia Bolduc			Canada	09/04/18
Renee Boileau			Canada	09/04/18
Elyse Fortuna			Canada	09/04/18
Allison Barnes			Canada	09/04/18
Jade Aspin	Courtenay	V9N	Canada	09/04/18
Dorthi Winner	Comox	V9M 3Z7	Canada	09/04/18
Austy Quinn			US	09/04/18
Max Tindley	Vancouver	V6G4W5	Canada	09/04/18
Bev Jones	Edmonton		Canada	09/04/18
Lisa Hotchkiss	Courtenay	V9N	Canada	09/04/18
Jaden Patel			Canada	09/04/18
Brian Charlton	Courtenay	V9N 1B9	Canada	09/04/18
David Hardie	Courtenay, B.C.	V9N 9T3	Canada	09/04/18
Alicia Marcus			US	09/04/18
Bianca Mendoza			US	09/04/18
Donna Murphy			Canada	09/04/18
Layla Bartole			Canada	09/04/18
Debby Wamboldt	Courtenay	v9n 8z5	Canada	09/04/18
Damien Hernandez			US	09/04/18
Eva Wilson-Fontaine	Winnipeg	Massach r3l0b1	US	09/04/18
Lyle Ahenakew	Vancouver	V6N	Canada	09/04/18
Jane LeBreton	Victoria	V9A 5P1	Canada	09/04/18

kyla zanon	Surrey	v3r1w6	Canada	09/04/18
Darilyn Turnbull	Courtenay	V9N	Canada	09/04/18
Jim Barnes	Courtenay	V9N	Canada	09/04/18
Gail Rodgers	North Vancouver	V7L1P5	Canada	09/04/18
john Bruhmuller	Bowser	V0R1G0	Canada	09/04/18
Deborah Staples	New Westminster	V3M	Canada	09/04/18
Laura Kurdydyk			Canada	09/04/18
Dana Thomson			Canada	09/04/18
Ray Morris			Canada	09/04/18
Frank Escalante			US	09/04/18
katie mellon			US	09/04/18
Anneka Spice			Canada	09/04/18
Jonathan Filgate	Burnaby	V5b1w3	Canada	09/04/18
Sherry Budinski	Comox, B.C.		Canada	09/04/18
Sean Hayes	Courtenay	v9n 8m3	Canada	09/04/18
Nicole Goulding			Canada	09/04/18
gary niu			Canada	09/04/18
Kimberly Hayes			Canada	09/04/18
william webster	Courtenay	V9N3T9	Canada	09/04/18
Janine Naswell	Gold River		Canada	09/04/18
Troy Saunders	Nanaimo	V9R	Canada	09/04/18
Kate Shelton	Victoria	V8Z	Canada	09/04/18
James C			Canada	09/05/18
Rk K			Canada	09/05/18
Roger Richardson	Osoyoos	V0H1V5	Canada	09/05/18
Nancy Dodsworth	Lancaster Park	T0A2H0	Canada	09/05/18
Teresa lollie	Duncan		Canada	09/05/18
Dor Hawes	Royston		Canada	09/05/18
Louise Ellis	Courtenay	V9N	Canada	09/05/18
Sharon Selby	Comox	V9M	Canada	09/05/18
Julia Hawes	Courtenay	V9N 2G6	Canada	09/05/18
SID OWSLEY	GREENBELT Marylanc	20770	US	09/05/18
jaime roberts	Abbotsford	v2s3b2	Canada	09/05/18
Samantha James	Campbell River	v9w3p1	Canada	09/05/18
Cindy Bradley	Nanaimo	V9X 1V2	Canada	09/05/18
Roberta McPhee	Prince George	V2K 5L4	Canada	09/05/18
jane Lewis			Canada	09/05/18
Mariane Salvail	Comox		Canada	09/05/18
sherry ohlsson	Courtenay		Canada	09/05/18
Jenna-Lee Perkins	Langley	V2Y0C2	Canada	09/05/18
Sandra Gilbert	Courtenay, B.C	V9N 7T4	Canada	09/05/18
Molly Cheatem	Riverside Illinois	60546	US	09/05/18
Lynda Oliver			Canada	09/05/18
James Grieve	Union Bay, BC	V0r 3B0	Canada	09/05/18
Sarah Bondy			Canada	09/05/18
Nia Louis			US	09/05/18
Michael Johnston	Courtenay	V9N	Canada	09/05/18
Jordan Moreau	Courtenay	V3N4H1	Canada	09/05/18
Trudi Turner	Princeton, BC		Canada	09/05/18

Sandra Davidson	Campbell River	v9w 5x7	Canada	09/05/18
alisha davidson	Comox bc	v9h 1t3	Canada	09/05/18
Deborah Leong	Calgary		Canada	09/05/18
Geri Price	Courtenay	V9N3B8	Canada	09/05/18
Garth Burnell	Courtenay	V9N	Canada	09/05/18
Daryl Overton-Schott			Canada	09/05/18
Pascale Moisan			Canada	09/05/18
Angie Szokol	Courtenay		Canada	09/05/18
Frank Law	Surrey	V3Z	Canada	09/05/18
Anna Schunda			Canada	09/05/18
Teresa Lowe	Comox	V9M	Canada	09/05/18
rochelle holmes	Courtenay	v9n 3b4	Canada	09/05/18
Kristina Watson	Courtenay	V9N	Canada	09/05/18
sandy schick	Regina	s4n ij5	Canada	09/05/18
Treena Laughlin-Swanson			Canada	09/05/18
Amy Perpeluk	Nanaimo	V9R	Canada	09/05/18
Leonardo Casas			Canada	09/05/18
Dion Eden	Penticton	V2A	Canada	09/05/18
Marsha Kai	Edgerton	Wisconsin	US	09/05/18
tracey rossetti			Canada	09/05/18
Jim Palmer	Courtenay	V9N3Y7	Canada	09/05/18
Elva Parsons Mathieu	Chilliwack		Canada	09/05/18
Cheryl McWilliams	Chilliwack		Canada	09/05/18
Kathy Seymour Seymo	Courtenay		Canada	09/05/18
Donica Sparkes	Grande Prairie	T8w0k2	Canada	09/05/18
Walter Sumoski			Canada	09/05/18
joyce huska	victoria	von 2m2	Canada	09/05/18
Alsoon Brine	Hornby Island		Canada	09/05/18
Kevin Park	Comox	V9M1Z1	Canada	09/05/18
Christine Van den Meer	Fanny Bay	V0R 1W0	Canada	09/05/18
Sylvia Webb			US	09/05/18
Michael Kelly	Comox	v9m3v7	Canada	09/05/18
kelly olson	courtenay	v9n 9r6	Canada	09/05/18
Linda Jenkins			US	09/05/18
Jennifer Dobbelaere	Comox		Canada	09/05/18
Amrit Sandhu			US	09/05/18
Tina Power	Vancouver	V5S	Canada	09/05/18
Vicki Egilsson	Port Coquitlam	V3B 1G3	Canada	09/05/18
Steve Pacheco			Canada	09/05/18
Karen Deckel			US	09/05/18
Marie MacDonald			Canada	09/05/18
Tom Childs			Canada	09/05/18
Wendy Fuchs			Canada	09/05/18
Bev Lethbridge			Canada	09/05/18
Derrick Kearney			Canada	09/05/18
Miguel Sanchez	Cidra		US	09/05/18
catherine d. campbell			Canada	09/05/18
Levon Minasyan			Canada	09/05/18
Pamela Roberson			US	09/05/18

Susann Jedro				Canada	09/05/18
Stacey Lynn	Courtenay		V9N	Canada	09/05/18
Claire Diederichs	Cumberland		V0R1S0	Canada	09/05/18
Ysmelda Corcino				US	09/05/18
Susan Simson	Courtenay			Canada	09/05/18
Michele Maxted	Langley		V2Z 2E2	Canada	09/05/18
anthony limmer	Comox		v9m 1m5	Canada	09/05/18
Chris Hilliar	Courtenay		V9n9m9	Canada	09/05/18
Christy Spear				US	09/05/18
George Lynch	BEDFORD	Virginia	24523	US	09/05/18
Jeff Conrad				US	09/05/18
Rachel Caverly	Victoria			Canada	09/05/18
Peter McCourt				US	09/05/18
Sharon Pomponio	Comox		V9M 3Z8	Canada	09/05/18
Deb Tackaberry	Victoria B.C.		V8R5P6	Canada	09/05/18
Brittany Redden	Campbell River		V9H 0B6	Canada	09/05/18
Sheila McDonnell	Courtenay		V9N8Y6	Canada	09/05/18
Sugar Bouche				Canada	09/05/18
Kirk Moseley	Edmonton			Canada	09/05/18
Tobi Ogunlana				Canada	09/05/18
justin jagdeo				Canada	09/05/18
Julie Griffis				US	09/05/18
Curtis Quigley				US	09/05/18
Stephanie Clayton				US	09/05/18
Frances Nokes	Comox		V9M	Canada	09/05/18
Paola Fernandez				Canada	09/05/18
Lyn Brownlee				Canada	09/05/18
Nicholas Redway	Comox		V9M 1G2	UK	09/05/18
Anne Restell	Port McNeill		V0N 2R0	Canada	09/05/18
Jodie Kilmartin	Calgary		T3A 5H2	Canada	09/05/18
Jordan Miers	Campbell River		V9W 1A3	Canada	09/05/18
Lisa Mazzola	Tampa	Florida		US	09/05/18
Diane and Gerry O'Toole				Canada	09/05/18
Cheryl Robbins	Courtenay		V9N 0C1	Canada	09/05/18
katie isaac	Port McNeill		von2r0	Canada	09/05/18
Kimberly Hart	Ottawa		K2H 6J5	Canada	09/05/18
Linda Bly				US	09/05/18
William J Gawne Jr				US	09/05/18
Jasna Ramsden	Nelson			New Zeala	09/05/18
FERN SONIER	Comox		V9M 4G3	Canada	09/05/18
K T	Chetwynd		V0C1J0	Canada	09/05/18
Shawn Dunn	Courtenay		V9N 9M5	Canada	09/05/18
PAT KRAUSHAR	CAMPBELL RIVER		V9H 1B6	Canada	09/05/18
lesley curran	Courtenay			Canada	09/05/18
Rick Tonita	Surrey			Canada	09/05/18
Sue Smith	Courtenay		V9N 9S9	Canada	09/05/18
Angela Laage	Courtenay		V9N	Canada	09/05/18
Danny Usher	Courtenay			Canada	09/05/18
sylvia sb				Canada	09/05/18

Cee C			Canada	09/05/18
Deborah Solarski			Canada	09/05/18
Sue Mitchell			Canada	09/05/18
Bruce Wallace			Canada	09/05/18
Jennifer Tracy-Trimino			US	09/05/18
Sue Beaulieu			Canada	09/05/18
Jordan Mackay	Port McNeill	v0n2r0	Canada	09/05/18
CORINA SIFUENTES			US	09/05/18
Traci Farden			Canada	09/05/18
Ceci Cohen			US	09/05/18
Rosemary Robertson			US	09/05/18
Jennifer Wickert			Canada	09/05/18
Sylvio Prosser			Canada	09/05/18
philippe lebel			Canada	09/05/18
Ana Diaz			US	09/05/18
Laine Lepoidvin			Canada	09/05/18
Maureen Austria	Vancouver	V5P	Canada	09/05/18
Ava Unwalla			Canada	09/05/18
Bobbi Williams			US	09/05/18
Manuela Werthwein			Canada	09/05/18
Abbas Qureshi			Canada	09/05/18
Kristy King	Victoria	V9B 4W1	Canada	09/06/18
Deeanna Santos	Vancouver	V5T	Canada	09/06/18
Norman Morrison	Courtenay	V9N	Canada	09/06/18
Nicole Oombash			Canada	09/06/18
Jessie Blaize			Canada	09/06/18
Cheryl Cann	Prince Albert	S6V	Canada	09/06/18
zachary Boivin			Canada	09/06/18
nancy morrison	Courtenay	V9N 8R9	Canada	09/06/18
Bob Janzen	Calgary	T2T	Canada	09/06/18
Ken Donaghy	Okotoks	T1S	Canada	09/06/18
shane rush	Nanaimo	v9t1t1	Canada	09/06/18
Coral Nicholls	Nanaimo	V9s4l7	Canada	09/06/18
Damo Gold			US	09/06/18
Shivani Kumar			Canada	09/06/18
Tabya Miller			Canada	09/06/18
Courtney Mattson	Nanaimo	V9R	Canada	09/06/18
steve randall	comox	V9m3x9	Canada	09/06/18
James Swayda	Drumheller	T0J0Y0	Canada	09/06/18
Janis Schleppe	Royston	V0R 2V0	Canada	09/06/18
Barbara Mellin	Comox	V9M 4B5	Canada	09/06/18
Teva McGillis	Courtenay	V9N	Canada	09/06/18
Mike Pickford	campbell river	v9w3w1	Canada	09/06/18
Soili Gowans	Courtenay	V9N 8Y2	Canada	09/06/18
Evelyn Pollock	Dawson City	Y0B1G0	Canada	09/06/18
Dereck Guignard	Courtenay	V9N	Canada	09/06/18
Lisa Super	Courtenay	V9N	Canada	09/06/18
Walt Johnson	Surrey	V3r0w2	Canada	09/06/18
Melanie Baker	Courtenay	V9N 9M5	Canada	09/06/18

B estes	Calgary		Canada	09/06/18
heather crites	comox	v9m4c6	Canada	09/06/18
Garry Greene	Courtenay	V9N	Canada	09/06/18
Ashawna Woodcock			Canada	09/06/18
george shepherd			Canada	09/06/18
Angela Sutcliffe			Canada	09/06/18
Colleen Leary	Union Bay	V0R3B0	Canada	09/06/18
Joel Symons			US	09/06/18
Charlotte Ostrowski	Courtenay	V9N 3E9	Canada	09/06/18
Liz Naish	Comox, BC	V9M 3N2	Canada	09/06/18
chanchal cabrera	Courtenay	V9N	Canada	09/06/18
Nina Wood	Campbell River	V9W	Canada	09/06/18
brad zimmerman			Canada	09/06/18
Diane Mcgillis	Comox, bc	V9m3m8	Canada	09/06/18
Clara Collar			US	09/06/18
Fern Wallace			Canada	09/06/18
Claudette Lawson			Canada	09/06/18
Tarik Hooks			US	09/06/18
Devon Fooks			Canada	09/06/18
Marie McGillis	Sainte-catherine		Canada	09/06/18
Stephanie Smith			Canada	09/06/18
Reynol Castrejon			US	09/06/18
Kim Tonnellier	Vernon	V1T	Canada	09/06/18
Julie Lessard	Brighton	K0K1H0	Canada	09/06/18
Patricia Lefors			US	09/06/18
Abra Fulton	no		Canada	09/06/18
Tim McKay			Canada	09/06/18
Denise Gardner	Kelowna	V1Z	Canada	09/06/18
zachary rideout			Canada	09/06/18
Rhaye Hall	Victoria	v9b 3a1	Canada	09/06/18
kelly fells	Victoria	V8Z 3H4	Canada	09/06/18
Wendy Low			Canada	09/06/18
jeff hoy	courtenay bc	v9m 3w1	Canada	09/06/18
anne fulton	Crofton	V0R1R0	Canada	09/06/18
Christine Campbell			Canada	09/06/18
Laurie winstone	Comox		Canada	09/06/18
Sharon Cordray			US	09/06/18
Phil Perrin	Nanaimo	V9R	Canada	09/06/18
paola catapano			Canada	09/06/18
Jada Belleau	garden river	p6a7a1	Canada	09/06/18
Christine Stuart	Courtenay	V9N 9"V1	Canada	09/06/18
Jayson Fuerstenberg	Courtenay	V9N 1h4	Canada	09/06/18
Yvonne Acosta-Arbona			US	09/06/18
Gina Miller	Comox	V9m3c6	Canada	09/06/18
Curtis Lang			Canada	09/06/18
Jenny Robinson	Sault Sainte Marie		Canada	09/06/18
Norma Spackman	Chemainus	V0R 1K2	Canada	09/06/18
Joanne Simpson	errington	Armed Forces Ameri	US	09/06/18
Lauren Campbell			Canada	09/06/18

Kathy Harris	Prince George		V2N	Canada	09/06/18
Barbara Berger	Comox		V9M2B8	Canada	09/06/18
Bob Sieben	Ladysmith		V9G0A7	Canada	09/06/18
Tamara Walder				Switzerlan	09/06/18
Roy St jean	GRANDE PRAIRIE		T8V4V3	Canada	09/06/18
Nik Szymanis	Courtenay		V9N 1N6	Canada	09/06/18
Noemi Medrano galvan				US	09/06/18
Raeann Ramey				US	09/06/18
Darlene Gagliardi				Canada	09/06/18
Dennis Horsthuis	Courtenay		V9j1t1	Canada	09/06/18
Jesse Austin				US	09/06/18
Danielle Holland				Canada	09/06/18
Vincent Carr				US	09/06/18
Jenna Waldner				Canada	09/06/18
James Godsey				US	09/06/18
Silvia Smith				Canada	09/06/18
Robert Addy	Courtenay		V9N	Canada	09/06/18
Shelby Starnes				US	09/06/18
Adam Kaluba				US	09/06/18
Mary Fielder	Seattle	Washing	98103	US	09/06/18
Sheila Gardiner				Canada	09/06/18
Nora Cumming	Victoria		V8W	Canada	09/06/18
jim mccullough	Duncan		V9L	Canada	09/06/18
Nattalia Chilcott				Canada	09/06/18
Candace Linzmeyer	Borden, On		L0M1C0	Canada	09/06/18
Sophie Joy				Canada	09/06/18
Trevor Jackson	Comox		V9M	Canada	09/06/18
Carmen Hahn				US	09/06/18
Graeme Tait	Nanaimo		V9T 4L7	Canada	09/06/18
Shana Mortimer-Gibson				Canada	09/06/18
Shona Powell				Canada	09/06/18
David Cutts				Canada	09/06/18
Gemma Roberts	Leeds	England	LS26	UK	09/06/18
Pat Fleming	Courtenay		V9N	Canada	09/06/18
Elaine Gower				Canada	09/06/18
Mattie Baker	Courtenay		V9N 9M5	Canada	09/06/18
Mohit Bassan				Canada	09/06/18
Will Cole-Hamilton	Courtenay		V9N1H8	Canada	09/06/18
Kalila Woodard				US	09/06/18
Sue Tompkins	Courtenay		V9N	Canada	09/06/18
Dan McIntyre	Courtenay		V9m2z1	Canada	09/06/18
KAY DYER				Canada	09/06/18
Kyle Taylor	Victoria		V8W	Canada	09/06/18
Jessica Cruickshank	Courtenay		V9N 8Y6	Canada	09/06/18
jordan fielder	Comox			Canada	09/06/18
chloé sogon				Canada	09/06/18
Ian MacDonald				Canada	09/06/18
Roberta Van Fleet				Canada	09/06/18
Lisa Holm	Port Alberni		V9Y	Canada	09/06/18

Reema Manzoor			Canada	09/06/18
Grant Allen			Canada	09/06/18
Patricia Coutts			Canada	09/06/18
M A			Canada	09/06/18
Jesse Little	Pender harbour	Von2h1	Canada	09/06/18
Wayne Thomas	Courtenay	V9N 2G9	Canada	09/06/18
Austin Goodrick	Delta	V4c6x5	Canada	09/07/18
Joshua Praine	Comox	V9M	Canada	09/07/18
Cassie Loughrin			Canada	09/07/18
Gaby Treble			US	09/07/18
Shelley Kean	Courtenay	V9N	Canada	09/07/18
Leah Baron	Cumberland	V0R1S0	Canada	09/07/18
Jeremy Graham	Langford	V9B	Canada	09/07/18
Jason Sam	Ucluelet	V0R3A0	Canada	09/07/18
Pamela Middleton	Nanaimo	V9T	Canada	09/07/18
Michelle King			Canada	09/07/18
Nishith Shah			US	09/07/18
Catherine Davidson	Airdrie	T4B 0T9	Canada	09/07/18
Lisa Scheib	Coquitlam	V3E	Canada	09/07/18
Coral Russell Dobbs	Comox	V9M	Canada	09/07/18
Derek Anthony			Canada	09/07/18
Sandy Thomas	Port Alberni	V9Y	Canada	09/07/18
doug cox	cumberland	v0r1s0	Canada	09/07/18
Mark Franklin	Victoria	V8N	Canada	09/07/18
Kiara Papp	Courtenay		Canada	09/07/18
Laurie Proctor	Courtenay	V9N	Canada	09/07/18
Robin Reisberg	Richmond	Californi 94801	US	09/07/18
John Hyde	Black Creek		Canada	09/07/18
William Goodrick	Edmonton	t6k 2v6	Canada	09/07/18
Elaine Prodor	Black Creek, BC		Canada	09/07/18
elaine Smith	Courtenay	V9N1W5	Canada	09/07/18
Janet Bouey	Courtenay	V9N	Canada	09/07/18
Victoria Pilon	Peace River Alberta	T8S 1P9	Canada	09/07/18
Linda Norton	Courtenay	V9N	Canada	09/07/18
Michelle Sandiford	Courtenay	V9N 1A1	Canada	09/07/18
Jennifer Bailey	Courtenay	V9N	Canada	09/07/18
Anne Cumming	Courtenay	V9N 2L1	Canada	09/07/18
Rebecca Reid	Dunedin		New Zeala	09/07/18
Monique Lloyd	Courtenay		Canada	09/07/18
Brian Dodge	Victoria	V9A 2N1	Canada	09/07/18
Davis Davis	Courtenay	V9N	Canada	09/07/18
Christine Green	Comox	v9m 3x4	Canada	09/07/18
sharon pacheco			Canada	09/07/18
Sharon Giles	Nanaimo	V9T 3R9	Canada	09/07/18
Caroline Cosco			Canada	09/07/18
Jasmeet Singh			Canada	09/07/18
Judy Lewis	Halifax	B3M 2M6	Canada	09/07/18
Lisa Garnet			Canada	09/07/18
Frank Belleau	Garden River	P6A 7B1	Canada	09/07/18

Jamie Branch	Comox	V9M 2E1	Canada	09/07/18
Angela Peterson	Lazo	V0R 2K0	Canada	09/07/18
Frank Totino	Calgary	t2k1m4	Canada	09/07/18
Chris Manuel	Courtenay, BC		Canada	09/07/18
shane shahram			Canada	09/07/18
Dorothy Halonen			Canada	09/07/18
Sherry Wilson	Victoria	V9A	Canada	09/07/18
DARCY ADDISON	COMOX	V9N 7K7	Canada	09/07/18
Sidney Mayorga			Canada	09/07/18
Margaret Reid			Canada	09/07/18
Jackie Sutcliffe	Courtenay B.C.	V9N 6R1	Canada	09/07/18
Dorothy Foo			Canada	09/07/18
Lara Landzberg			Canada	09/07/18
Sarah Annand			Canada	09/07/18
Murray Coulter	Courtenay	V9N9M4	Canada	09/07/18
Jane McWhirter	Sackville	E4A	Canada	09/07/18
tracy Parsons	Surrey	V3S 0L2	Canada	09/07/18
Deborah Sundberg	Black Creek	V9J 1J5	Canada	09/07/18
P Faunt	Comox		Canada	09/07/18
Elizabeth Phillips	Courtenay BC	V9J1L5	Canada	09/07/18
Daisy Lee			US	09/07/18
DENISE Dobson	Maple Ridge,BC	V2w1m2	Canada	09/07/18
Marina Bunn			US	09/07/18
Matt Mackenzie	Courtenay	V9n3e9	Canada	09/07/18
Tracey Stokes	Campbell River	V9W 6G9	Canada	09/07/18
Dave Halls	Victoria		Canada	09/07/18
Suzanne Gignac			Canada	09/07/18
Naomi Petersen	Courtenay	V9N 3B1	Canada	09/07/18
corine salvail	Lund	V0N 2G0	Canada	09/07/18
Kelly Lees	Courtenay	V9N	Canada	09/07/18
Jane Thomson	Courtenay	V9N8W5	Canada	09/07/18
Joseph Lando			Canada	09/07/18
Kathryn Clouston	Courtenay		Canada	09/07/18
Stephen Berg			Canada	09/07/18
John Bryan	Edmonton	T5H	Canada	09/07/18
United Native Nation's	Campbell River	V9W2V6	Canada	09/07/18
Skyla Jay	Courtenay	v9n 2b8	Canada	09/07/18
Jen Gilecki	Courtenay	V9N	Canada	09/07/18
Susan Pethick	Duncan	V9L 6C9	Canada	09/07/18
Penny Dance	Onoway		Canada	09/07/18
devin wilkes			US	09/07/18
Heather Kennedy-Macl	Courtenay		Canada	09/07/18
Bridget Rivers-Moore	Vancouver	V5N 4G1	Canada	09/07/18
Susan Leibik	Vancouver	V6K	Canada	09/07/18
Kathleen Hansen	Courtenay	V9N 2J3	Canada	09/07/18
Kenny Leung			US	09/07/18
Maria G Caro			US	09/07/18
Brock Humphreys	Comox	V3m1x0	Canada	09/07/18
Mark de Bruijn	Courtenay		Canada	09/07/18

Coral Ouellette	North Vancouver	V7H 1V7	Canada	09/07/18
Barbara Staton	Black Creek	V9J 1J6	Canada	09/07/18
Alex Olah			Canada	09/07/18
Shirley Drummond	Calgary	T2V 4C6	Canada	09/07/18
Jean Murray	Royston	V0r2v0	Canada	09/07/18
LORRAINE HIEBERT	Courtenay	V9M3P7	Canada	09/07/18
Karla Barry	Saskatoon	S7J	Canada	09/07/18
Brian Woodman	Victoria	V9C	Canada	09/07/18
Carol Thatcher	Vancouver	V6H 1K5	Canada	09/07/18
Rhonda Teramura	Campbell River	V9W 5L1	Canada	09/07/18
Kathleen Busby	Vancouver		Canada	09/07/18
Jay Van Oostdam	Comox	V9M 2L4	Canada	09/07/18
veronica callander	penticton	v2a 6j7	Canada	09/07/18
kiyomi sohn			Canada	09/07/18
Jackie Swartz			Canada	09/07/18
sanaa 19961	toronto		Canada	09/07/18
Mirelys Borrero			US	09/07/18
Margaret Halinowski	Ottawa	K1J	Canada	09/07/18
Richard Arseneault	Courtenay	V9j	Canada	09/07/18
Erin Newton	Black Creek	V9J1B2	Canada	09/07/18
Elizabeth Somets			US	09/07/18
walt brown			Canada	09/07/18
Milo Warren	Vancouver	V5R	Canada	09/07/18
michelle Salvail	Sherbrooke	J1H	Canada	09/07/18
Ashly Wiggins	COMOX	V9JIG5	Canada	09/07/18
Lesley Gregorash	Burnaby		Canada	09/07/18
Michelle Ohlsson	Campbell River	V9W	Canada	09/07/18
Sarah Staton	Victoria	V8T1K8	Canada	09/08/18
Iris Dzioduck			Canada	09/08/18
Peter de Gelder			Canada	09/08/18
Christine Freitag			US	09/08/18
Barbara Hutson	Comox		Canada	09/08/18
Canon Ehle	Campbell River	V9W	Canada	09/08/18
Nicole Phillips	Courtenay	VPN 4A4	Canada	09/08/18
Bob Turcott	Grande prairie		Cape Verd	09/08/18
Mandy Johnson	Courtenay	T5Y	Canada	09/08/18
Tammy Jensen	Courtenay B. C		Canada	09/08/18
BAILEY WILSON	Merville	V0R 2M0	Canada	09/08/18
Tiffany Pollard			US	09/08/18
Shannon Tsapralis			Canada	09/08/18
Andrea Mellis			Canada	09/08/18
jennifer devine	Courtenay, BC	V9N 6A2	Canada	09/08/18
Mada-Lynn Hucul	Courtenay	V9n 2c2	Canada	09/08/18
Janet Fairbanks	Courtenay	V9J 1N4	Canada	09/08/18
Carrie Beddington	Surrey	Vrn5y8	Canada	09/08/18
Natasha Dow	Courtenay	V9N 3j2	Canada	09/08/18
Charmaine Goodburn	Courtenay	V9N 2l6	Canada	09/08/18
Christa Martel	Mission	V2V 5Y4	Canada	09/08/18
Ann Roach	Courtenay	V9N	Canada	09/08/18

Mary-Ann O'Brien	COURTENAY	V9N 3S1	Canada	09/08/18
Hue Minh Thich			Canada	09/08/18
Moonkeeper Dokis			Canada	09/08/18
Maria Sanchez	Comox	V9m4g4	Canada	09/08/18
Blane Hall			US	09/08/18
Caitlin Graham			Canada	09/08/18
Zoe Steed	Fanny Bay	V0R 1W0	Canada	09/08/18
Tania Rebalkin	Mission	V2V7H2	Canada	09/08/18
julie bates			Canada	09/08/18
Matt Westcott			Canada	09/08/18
amy daley	Beresford		Canada	09/08/18
Gaye McLennan			Canada	09/08/18
Dave Gregory	Victoria	V8T	Canada	09/08/18
May Partridge	Nanaimo	V9X 1M8	Canada	09/08/18
Thu Robertson	Campbell River	V9H 1C4	Canada	09/08/18
Adam Laforest	Ladysmith	V9G 1N2	Canada	09/08/18
Norman Dugas	Winnipeg		Canada	09/08/18
gloria tart			US	09/08/18
Valerie Koh			US	09/08/18
Ryan Reid	Toronto	M5A 4R9	Canada	09/08/18
Daniel Theal	Burnaby	V5A4B7	Canada	09/08/18
James Worthman			Canada	09/08/18
Wendy Thomas	Cochrane	T4C	Canada	09/08/18
Emma Leevers	Surrey		Canada	09/08/18
Bonnie Marriott	Courtenay	V9N	Canada	09/08/18
Michelle LeGrand	Qualicum Beach	V9k 2m8	Canada	09/08/18
Annthea Whittaker	Victoria		Canada	09/08/18
Lyndsay Olson			Canada	09/08/18
Neil Holm	Courtenay, BC	V9N	Canada	09/08/18
Tracey Fry			Canada	09/08/18
Steffi Mercado			US	09/08/18
Cory Stasiuk	Chipman	T0B0W0	Canada	09/08/18
Rebecca Brotemarkle			US	09/08/18
Suzie Baron			Canada	09/08/18
Nicholas Villeneuve			Canada	09/08/18
W. Mark Poehner			US	09/08/18
Donna Hamilton	Victoria		Canada	09/08/18
Jorge Parra	Ottawa	K2P	Canada	09/08/18
Daniel Zsiga			Canada	09/08/18
Michelle McCue-Carreras			US	09/08/18
Nathalie Richard			Canada	09/08/18
Jaan Rannu			Canada	09/08/18
cheryl taylor	Comox	v9m2h8	Canada	09/08/18
Adam Whitt			US	09/08/18
Tara Johnson	Bellevue	Washing 98008	US	09/08/18
Sharlene Harrison-Hinds			Canada	09/08/18
Fredrick Craig	Victoria	V9C 3Z3	Canada	09/08/18
Candi Ternent	Comox	V9M	Canada	09/08/18
Kelly Johnson			Canada	09/08/18

Matthew Hunter			Canada	09/08/18
David Nilson	Courtenay	V9N1V1	Canada	09/08/18
Justin Lafortune	Victoria	V8V	Canada	09/08/18
Evan Thomas			US	09/08/18
finn case			Canada	09/08/18
Deepika Otiv			Canada	09/08/18
Kayt Chambers	Courtenay	V9N6C2	Canada	09/08/18
Donna Gill			US	09/09/18
Bruno S			Canada	09/09/18
Lorie Zaplotinsky			Canada	09/09/18
Judy Dick	Campbell River		Canada	09/09/18
Paul Henderson	Courtenay	V9N 2Z4	Canada	09/09/18
Marie Pucell	Royston, BC	V0R 2V0	Canada	09/09/18
Michael Mesford	Fanny Bay	V0R1W0	Canada	09/09/18
Murray Mckechnie	Surrey	V3Z	Canada	09/09/18
zelda palladino	Campbell River	V9H 1A2	Canada	09/09/18
Brenda Dendaas	Black Creek	V9J 1J2	Canada	09/09/18
Susan Campbell	Fanny Bay	V0R 1W0	Canada	09/09/18
Sandra Happy	Abbotsford	V2S 5N4	Canada	09/09/18
Patricia Leeson	Cumberland	V0R 1S0	Canada	09/09/18
Zuhair Ammar			Canada	09/09/18
Courtney C			Canada	09/09/18
Veronica Felisilda			Canada	09/09/18
Daniel King			Canada	09/09/18
Margaret Steele			Canada	09/09/18
Tiffani simon			US	09/09/18
dawntanya woodson			US	09/09/18
Susan MacVittie	Courtenay	V9n 2b8	Canada	09/09/18
Ash Mellen			Canada	09/09/18
Bill Forbes			Canada	09/09/18
Timmy Lee			US	09/09/18
William Harkness			Canada	09/09/18
Rudolf Stohr			Canada	09/09/18
James Lithgow	Black Creek	V9J 1B7	Canada	09/09/18
Janice Darnel	Langley	V2Y0C2	Canada	09/09/18
Jaron Piercy	Vancouver	V6K	Canada	09/09/18
Eric Chinoy			US	09/09/18
Randy Mior			Canada	09/09/18
Zaak Shirlaw	Courtenay	V9J 1N5	Canada	09/09/18
Roberta Bobby	Black Creek	V9J 1B5	Canada	09/09/18
Kiley Henderson			US	09/09/18
Renate Sander			Canada	09/09/18
Danelle Feist	Duncan		Canada	09/09/18
Patrick Gandziarski			US	09/09/18
Jennifer Hall	Campbell River	V9H 1E6	Canada	09/09/18
Dan Hartwell	Campbell River	V9W	Canada	09/09/18
Janis Martinovsky			Canada	09/09/18
kyra mcmahon	Black Creek	v9j1e2	Canada	09/09/18
Monte Turner			Canada	09/09/18

Sue Tuttle	Issaquah	Washing	98029	US	09/09/18
Kathy Swain				Canada	09/09/18
Emily Weinberg				US	09/09/18
Allana Merrills				Canada	09/09/18
Sylvie Lanthier				Canada	09/09/18
Megan Griffiths	Courtenay		V9n 1g9	Canada	09/09/18
John Troina				Canada	09/09/18
Dylan Dunbar				Canada	09/09/18
Adilene Lahoz				US	09/09/18
Rubi Hernandez				US	09/09/18
Jennifer McCutcheon	Victoria		V9C 3A4	Canada	09/09/18
linda black				Canada	09/09/18
Alison Lawrence	Courtenay		V9N	Canada	09/09/18
philip allen				US	09/09/18
sarah mead				US	09/09/18
Julie Wiebe				Canada	09/09/18
Adam Stagner				US	09/09/18
SHIRLEY HENRY				US	09/09/18
Heidi Bender				Canada	09/09/18
Gayle McKenzie				Canada	09/09/18
Daniela Casanova Rubio				Canada	09/09/18
Silvestre Garcia				US	09/09/18
Steven Brulotte	Cochrane		T4C	Canada	09/09/18
Alexa Harris	Courtenay		V9N	Canada	09/09/18
Ron Carey	Black Creek		V9J 1J8	Canada	09/09/18
Jojuan Jarrells				US	09/09/18
Wendy Jones				Canada	09/09/18
Wyatt Smith				Canada	09/09/18
Ren Schmidt				Canada	09/09/18
Miranda Robinson	Courtenay		V9N	Canada	09/09/18
Joan Lemmers	Lions Bay			Canada	09/09/18
Aconn Ery				Canada	09/09/18
Maria Panagiotopoulos				Canada	09/09/18
dave Von eigler	Courtenay		v9n8x8	Canada	09/09/18
Liam Fraser				Canada	09/09/18
Anika Jankowiak				Canada	09/09/18
Jacquie Hess				Canada	09/09/18
Ian Bizier	Port Coquitlam		V3B	Canada	09/09/18
Marilyn Godfrey	Cumberland		VOR 1S0	Canada	09/09/18
Judith Kirk	Denman Island		V0R 1T0	Canada	09/09/18
Mary Koonce				US	09/09/18
Melany Goudreau				Canada	09/09/18
Lisa Jackson				Canada	09/10/18
KRISTINA ALLEN	Alpharetta	Georgia	30022	US	09/10/18
Kristie Robillard	Courtenay		V9N3N6	Canada	09/10/18
Sheila Simon	Courtenay		V9N	Canada	09/10/18
Raven Reid				Canada	09/10/18
Dan Martyn	Victoria		V9B	Canada	09/10/18
Austin Waller				US	09/10/18

Chris anctil			Canada	09/10/18
Lynn Larkin			Canada	09/10/18
Connie Krewenchuk			Canada	09/10/18
Mary Stevenson			US	09/10/18
Janine Branchi	Courtenay	V9N1L4	Canada	09/10/18
Leiana Crawford	Courtenay	V9j 1m9	Canada	09/10/18
Michelle Eserjose			Canada	09/10/18
Sandra Geldart	Surrey	V3Z	Canada	09/10/18
Jen Li	Victoria	V8V	Canada	09/10/18
Rosemarie Dufresne	Victoria	V8X 1V7	Canada	09/10/18
Jeanie Boyes			Canada	09/10/18
Larry Gauvin	Courtenay	V9N	Canada	09/10/18
Gurulal Toor			US	09/10/18
Tom Anold			Canada	09/10/18
Pat McArthur	Nanaimo	V9R	Canada	09/10/18
Morgen Parkin	Courtenay	V9J 1S3	Canada	09/10/18
Esther Guimond	Courtenay	V9N	Canada	09/10/18
Jenice Minamide			Canada	09/10/18
Jobe Groot			Canada	09/10/18
Dave Nelson	Nanaimo		Canada	09/10/18
Kyra Piercy	Campbell River	V9W	Canada	09/10/18
Catherine Mann			Canada	09/10/18
Samuel Phipps			US	09/10/18
Laura Leach	Vancouver	V5X 3Z5	Canada	09/10/18
Cecilie Ulrich			Canada	09/10/18
Vallie Lenzen-Debad			US	09/10/18
Sophia Uruena			Canada	09/10/18
Olivia Camron			US	09/10/18
Annette Matchem	Mount Pearl	A1N 4V5	Canada	09/10/18
Annie Tellier			Canada	09/10/18
Kylie Sherwood	Port Macquarie	2444	Australia	09/10/18
Rick Averillo	Port Macquarie	2444	Australia	09/10/18
Salvatore Ricottone			Canada	09/10/18
Bev Maybury			Canada	09/10/18
Eryn Jagosky			Canada	09/10/18
Sandra Wilhelm			Canada	09/10/18
Greg Young			Canada	09/10/18
Deborah Martin			US	09/10/18
Cathy Bowles			Canada	09/10/18
Judy Bowen			Canada	09/10/18
Samantha LÉcuyer			Canada	09/10/18
Elaine Cote			Canada	09/10/18
Jeremy Goldberg			US	09/10/18
Brenda Robinson			Canada	09/10/18
Gail Bouchard			Canada	09/10/18
Kayla Clark	Belleville	K0K1G0	Canada	09/10/18
Perry O'Keefe			Canada	09/10/18
Karyn Gargiulo			US	09/10/18
Kara Sundberg	Campbell River	V9W	Canada	09/10/18

Heather & Jim Alton	Courtenay			Canada	09/10/18
grazyna Swolkien				Canada	09/10/18
Christine O'Malley	Perth		K7H	Canada	09/10/18
Lori Miller	Courtenay			Canada	09/10/18
Tom Oexeman				US	09/10/18
Bob Borst	Evansville	Indiana		US	09/10/18
Brenda Pickvance				Canada	09/10/18
Dallas Stevenson	Royston		V0R 2V0	Canada	09/10/18
Shabbir Syed				US	09/10/18
Earl Hall				US	09/10/18
Lisbet Avila				US	09/10/18
Bev Pickering	Campbell River		V9W	Canada	09/10/18
Yvonne Laviolette	Courtenay		V9N	Canada	09/10/18
Michelle Moreau				Canada	09/10/18
Trixy Wollaston				Canada	09/10/18
Marina Rinaldini				Canada	09/10/18
Kira Kotilla	Courtenay		V9N 1V3	Canada	09/10/18
Travis Beacham				US	09/10/18
Roger Christie	Gabriola		V0R1X1	Canada	09/10/18
Stephanie Wooley				US	09/10/18
Shaniah Crossen				US	09/10/18
Diane Cherwonka	Edmonton			Canada	09/10/18
Barbara Lane	Black Creek			Canada	09/10/18
Marnie Shaw				Canada	09/10/18
Todd Freeman				US	09/10/18
Sandi Hansen				Canada	09/10/18
Tal Maman	Tel Aviv			Israel	09/10/18
Avery Frantz				US	09/10/18
Carly Morrice				Canada	09/10/18
Daylen Young				US	09/10/18
Sebastian Mcmullen				US	09/10/18
Sianglian Hmung				US	09/10/18
Jesus Garcia Jr				US	09/10/18
Artie Espinoza				Canada	09/10/18
Rachel Erdos	Vancouver		V6H2T3	Canada	09/10/18
Liz Oscroft				Canada	09/10/18
Jordan Wright				US	09/10/18
Gage Clymer				US	09/10/18
Don Purchase	Port Perry		L9L	Canada	09/10/18
Daniel Miller				Canada	09/10/18
Arturo Lozano				US	09/10/18
Sharon Scheidl	Comox		V9M	Canada	09/10/18
Holly Fisher	Courtenay		V9n7t1	Canada	09/10/18
Fabien Dimitrov				Canada	09/10/18
mohamed chowdury				Canada	09/10/18
Hello There				US	09/10/18
Victoria Williston				Canada	09/10/18
Melanie Ledding				Canada	09/10/18
Chantal Gilbert				Canada	09/10/18

Noah Lafontaine			Canada	09/10/18
Julie Wiebe			Canada	09/10/18
Byron Tracey			Canada	09/10/18
Danielle Moroz			Canada	09/10/18
Owen Murray			US	09/10/18
Grace Crenshaw			US	09/10/18
Ron Lee			Canada	09/10/18
Fernando Rivera			US	09/10/18
Rebecca Vella			Canada	09/10/18
MEGHAN O'BRIEN			Canada	09/10/18
Neil Yadev			Canada	09/10/18
Andrea Sevilla			Canada	09/10/18
Drew Kavanaugh			Canada	09/10/18
Gunter Hinz			Canada	09/10/18
Kirk Hallman			Canada	09/10/18
ted botwright	courtenay	v9n9p1	Canada	09/10/18
canadian EH			Canada	09/11/18
jayden cyprien			Canada	09/11/18
Imant Malins			Canada	09/11/18
Sharon Garvey			Canada	09/11/18
Jo Wheeler			Canada	09/11/18
Cydney Asante			US	09/11/18
Talia Silva			Canada	09/11/18
Colleen Carr			Canada	09/11/18
iman nazir			Canada	09/11/18
Peter Donkers	Courtenay	V9J1W3	Canada	09/11/18
Aisha Ahmed			Canada	09/11/18
Logan Ke			Canada	09/11/18
Nicolas Haitas			Canada	09/11/18
Jorryn Odstrcil			US	09/11/18
Tanyss Robertson	Winnipeg	R3x 1j7	Canada	09/11/18
Patricia Johnson	Surrey	V3Z	Canada	09/11/18
Jade Hamilton			Canada	09/11/18
Jacob Bsdfafk			US	09/11/18
Caroline Fine			Canada	09/11/18
Bill Wiebe			Canada	09/11/18
Ethan Lara			US	09/11/18
Laura Forgie	Regina	S4R 8J1	Canada	09/11/18
Barbara Dobree	Comox	V9M	Canada	09/11/18
Anushka Tintor			Canada	09/11/18
John Foot			Canada	09/11/18
Warren Counts jr			US	09/11/18
Logan Ribeiro			Canada	09/11/18
Eloissa Castaneda			Canada	09/11/18
Blaise Tanoh			US	09/11/18
Cindy Bellis			US	09/11/18
Gailina Fab			Canada	09/11/18
Pam Berthelet	Courtenay		Canada	09/11/18
Tara Law			Canada	09/11/18

Tiffany Tracey				Canada	09/11/18
simon miller				Canada	09/11/18
Jean Boylan	Black Creek		V9J 1E8	Canada	09/11/18
Pierce Whitfield				US	09/11/18
Julie Duhamel				Canada	09/11/18
Carolyn Beam				US	09/11/18
marina bennett				Canada	09/11/18
Joel Holm	Calgary		T2R	Canada	09/11/18
Chris Griffin	Edmonton			Canada	09/11/18
Esteban Fernandez				US	09/11/18
Martin Sacdalan				Canada	09/11/18
MIke M.	New York	New York		US	09/11/18
Jared Waterman				Canada	09/11/18
Stephanie Beauregard				US	09/11/18
Connor Salisbury				Canada	09/11/18
Herzl Jayme				US	09/11/18
Cheikh Aidara				US	09/11/18
Ayden Denny				US	09/11/18
Christian Feliciano				US	09/11/18
Optimus Anakin				Canada	09/11/18
Killian Doherty				US	09/11/18
Zsolt Ebergenyi				Canada	09/11/18
Travis Knapp				US	09/11/18
Jordan Mutabazi				Canada	09/11/18
ee R				Canada	09/11/18
christine mulligan				Canada	09/11/18
Blake Wells				US	09/11/18
Ali Al-Hadi				Canada	09/11/18
Megan Van De spiegle				Canada	09/11/18
Abdullah omar				US	09/11/18
Carson Garcia				US	09/11/18
Michael Trevor				US	09/11/18
Sarah Sharpe				Canada	09/11/18
Jason Cameron				Canada	09/11/18
Katie Mosher-Nicholls				Canada	09/11/18
Meagan Mcmillan	Courtenay			Canada	09/11/18
Ben Barrett				US	09/12/18
Jake Vandenberg				Canada	09/12/18
Allan Fitze				Canada	09/12/18
Wendy Krahn	Kelowna			Canada	09/12/18
Austin Sullivan				Canada	09/12/18
Lucia DiLeo				US	09/12/18
Bijan Korhani				Canada	09/12/18
Douglas Lynes				US	09/12/18
Alaa Almshantaf				Canada	09/12/18
Gale Haller	Nanaimo			Canada	09/12/18
Jenny Byrnes				Canada	09/12/18
Ramona Holt				US	09/12/18
Lionel Moss				Canada	09/12/18

Demetra Clayton				US	09/12/18
Danie Peri				US	09/12/18
Jacqueline Jones-Ford				US	09/12/18
Gaurang Patel				US	09/12/18
Leanne Ventola				Canada	09/12/18
Julie Miller				Canada	09/12/18
Erin Poettcker	Cumberland		V0R 1S0	Canada	09/12/18
Ken Cooper	West Kelowna		V4T 1E5	Canada	09/12/18
Christine Greer				US	09/12/18
TARA LORDI				US	09/12/18
Linden Bradley				Canada	09/12/18
RFael Tejada				US	09/12/18
Loralee Lerossignol				Canada	09/12/18
Lori Joplin				US	09/12/18
emily Godfrey	Middletown	Delaware	19709	US	09/12/18
Deloise Fitton	Courtenay BC		v9n6a2	Canada	09/12/18
Deborah Karen Gonzalez				US	09/12/18
Samantha Y				Canada	09/12/18
Patrica Willan				Canada	09/12/18
Pat Mcpherson				Canada	09/12/18
Tammy ORourke	Virginia Beach	Virginia	23464	US	09/12/18
Annie Broderick				US	09/12/18
Alison Lukianiuk				Canada	09/12/18
Joel Stein				US	09/12/18
Riley Campbell				Canada	09/12/18
Mattan Landkof				US	09/12/18
Kathleen Madden				Canada	09/12/18
Meredith Howe				US	09/12/18
Leona Li				Canada	09/12/18
kerry breakwell	Comox			Canada	09/12/18
GABRIELLE CASTONGUAY				Canada	09/12/18
Hillary Azucena				Canada	09/12/18
Mario Rocha				Canada	09/12/18
Rickee Coll				Canada	09/12/18
ken lang				Canada	09/12/18
Nicole Hall				US	09/12/18
True Wolf				US	09/12/18
Beth McCormick				US	09/12/18
William MacKeen				Canada	09/12/18
William Duerden				Canada	09/12/18
Mabel Reina				US	09/12/18
Cassandra Leonard				Canada	09/12/18
Carolina Brossard				Canada	09/12/18
Megan Watts	Courtenay		V9N	Canada	09/12/18
Kelly Middaugh				Canada	09/12/18
Alyssia Jang				Canada	09/12/18
Devin Dummar				US	09/12/18
Roman Hryndzio				Canada	09/12/18
Lisa Krachey				US	09/12/18

Ed Gould			Canada	09/12/18
Mike Van Dine			Canada	09/12/18
Paula Zulkoskey			Canada	09/12/18
Emma Heitzmann	Courtenay	V9N 1Z8	Canada	09/12/18
Hannah Kelley			US	09/12/18
Oliver Baker			Canada	09/12/18
Katherine Sgro			Canada	09/12/18
Shem Smith	Courtenay	V9N8Y6	Canada	09/12/18
Debbie Martens			Canada	09/13/18
Josh Kirk			Canada	09/13/18
Robyn Johnson	Sarnia	N7S	Canada	09/13/18
Abdoulaye Ahmad Sow			US	09/13/18
Andrew Proulx			Canada	09/13/18
Josh Pursiainen			Canada	09/13/18
Juvenal Gomez			US	09/13/18
Caleb McLean			Canada	09/13/18
Ashley Hidalgo			US	09/13/18
Emily Sigmund			Canada	09/13/18
Jordan Tseng			Canada	09/13/18
Kristen Kuefler			Canada	09/13/18
Bella Ibrahim			US	09/13/18
Amanda McNorton			US	09/13/18
Ina Sandler			Canada	09/13/18
Louise Devonshire	Courtenay	V9N	Canada	09/13/18
Nicole Devonshire	Courtenay	V9J	Canada	09/13/18
Lois Harris	cimberland bc	V0R 1S0	Canada	09/13/18
Calvin Betts			Canada	09/13/18
Karyn Pappel			Canada	09/13/18
misha Luijendijk			Canada	09/13/18
Chasee Boyd			Canada	09/13/18
Rosie Rivas			US	09/13/18
Steven Morgan	Cumberland	V0R1S0	Canada	09/13/18
Josephine Peyton	Cumberland, BC	V0R1S0	Canada	09/13/18
Carla Hazell			Canada	09/13/18
Lisa Golden			Canada	09/13/18
Ivonne Chavez			US	09/13/18
Patricia walstra			Canada	09/13/18
Jerry Carter			US	09/13/18
Shannon Gillis			Canada	09/13/18
Noah Mills			Canada	09/13/18
Frederick Smith			US	09/13/18
Prinston Rolle			US	09/13/18
Daylen Bright			US	09/13/18
katie m			Canada	09/13/18
Shelley Hillebrand	Courtice	L1E 1Z6	Canada	09/13/18
diana bella			Canada	09/13/18
Melissa Peters			US	09/13/18
Alex Tomlinson			Canada	09/13/18
Barb Hrycak			Canada	09/13/18

Dylan Smith				US	09/13/18
Susan Horner	Hornby Island			Canada	09/13/18
Anne Howell				US	09/13/18
Megan Dick				Canada	09/13/18
Marianne Que				Canada	09/13/18
Mary Richey	Armstrong		V0E 1B4	Canada	09/13/18
Alexander Gossett				US	09/13/18
joseph borkovic				Canada	09/13/18
Margaux Ouimet				Canada	09/13/18
Audrey Cameron				Canada	09/13/18
Hilary Syme				Canada	09/13/18
Kurt Stushnoff				Canada	09/13/18
Vanessa Savard				Canada	09/13/18
Elizabeth Watts	Courtenay		V9N	Canada	09/13/18
RICHARD SHARPE	Toronto			Canada	09/13/18
Deo Chomp				Canada	09/13/18
Joe Mora				US	09/13/18
Angel M				Canada	09/13/18
Darcy Jarmain				Canada	09/13/18
G Petersen				Canada	09/13/18
Connie Pirri				Canada	09/13/18
Eddy Linares				US	09/13/18
Paul Endres				Canada	09/13/18
Jai Sharma				Canada	09/13/18
darryl milne	victoria		v9a 2s2	Canada	09/13/18
adrian symonds	Courtenay		V9N	Canada	09/13/18
kurt purdie	taylorsville	Utah	84123	US	09/13/18
Terry-LYNNE Sears				Canada	09/13/18
Linda Black				Canada	09/13/18
Marie-Noëlle Gieling				Canada	09/13/18
Leeanne Noullett				Canada	09/13/18
Oliver Hammond				Canada	09/13/18
AAAAAAAHHHHHH AAAAAAAAAAAHHHHHH				US	09/13/18
Shelley Kobewks				Canada	09/13/18
Darlene Blanchard				Canada	09/14/18
Meachy Medley				US	09/14/18
Jim Martinovich				US	09/14/18
Jasmine Bell				US	09/14/18
Erica Exum				US	09/14/18
Diana Rayson				Canada	09/14/18
Briony Lynch				US	09/14/18
Rosa Dews				US	09/14/18
Debbie Nolan				Canada	09/14/18
Adrian Fiat				Canada	09/14/18
julia schick				Canada	09/14/18
Desaree Mueller				Canada	09/14/18
Chase Mayor				Canada	09/14/18
frederick thomas				Canada	09/14/18
Stacey McArthur				Canada	09/14/18

Sonia Narayan	Surrey	V3S	Canada	09/14/18
Jamie Cobham			Canada	09/14/18
Pavel Petukhov			US	09/14/18
Evan Abbott			Canada	09/14/18
Alex Franco			Canada	09/14/18
Arthur Longino			US	09/14/18
Sarah Grimes			Canada	09/14/18
Peter Cerelli			Canada	09/14/18
salome jamaspishvili			US	09/14/18
Susan Duncan			Canada	09/14/18

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: Form submission from: Comox Valley Regional District - Planning & Development Services

From: Comox Valley Regional District [**mailto:no-reply@cvrdwebsite.ca**]
Sent: September 20, 2018 2:24 PM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Form submission from: Comox Valley Regional District - Planning & Development Services

Submitted on Thursday, September 20, 2018 - 14:24

Submitted by anonymous user: 96.54.209.125

Submitted values are:

Name bill heidrick
Email
Message
To allow 3L's massive development in this inappropriate location, contrary to the RGS, would make a mockery of public processes that embody countless hour of residents' time and energy. To ignore the wishes and desires of so many who gave selflessly of themselves to create a sustainable vision for our valley would border on the criminal in my view.
Creating private profits from the destruction of our natural assets for something that has the potential to become a burden for the taxpayer in the future flies in the face of common sense.
NO to the amendment, and NO to 3L, on the destruction of the Puntledge Triangle!
The Crown will eventually have the rivers, the falls and their attendant riparian zones in any event!
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2837/submission/1459

6410-20 / CV RGS Amendments
RGS 1C 17

From: Alana Mullaly
Sent: Monday, September 17, 2018 8:29 PM
To:
Cc: Sylvia Stephens
Subject: RE: [Possible SPAM] NO TO 3L DEVELOPMENT PROPOSAL AND NO TO RGS CHANGES

Great, thank you Mr. Yacub.
Regards,
Alana

Sent with BlackBerry Work
(www.blackberry.com)

From:
Date: Monday, Sep 17, 2018, 7:49 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: Re: [Possible SPAM] NO TO 3L DEVELOPMENT PROPOSAL AND NO TO RGS CHANGES

yes, as is, everything has been said a million times.

On Mon, Sep 17, 2018 at 4:01 PM Alana Mullaly <amullaly@comoxvalleyrd.ca> wrote:

> Hi Mr. Yacub,
>
> Please note that there is no text in your message below.
>
> Is something missing or would you just like the e-mail with subject line added to the public record?
>
> Thank you,
>
> Alana
>
> Alana Mullaly
>
> Senior Manager of Planning and Protective Services
>
> Planning and Development Services Branch
>
> Comox Valley Regional District
>
> 250.334.6051

From:
Sent: September 14, 2018 2:37 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: [Possible SPAM] NO TO 3L DEVELOPMENT PROPOSAL AND NO TO RGS CHANGES
Importance: Low

Comox Valley Page 67 of 299
RECEIVED
File: 6410 20 CVRGS Amend
RGS 1C 17
SEP 17 2018
To: A Mullaly
cc:

September 17, 2018

To Comox Valley Regional District
Attention: Alana Mallaly, acting Manager of Planning

As a resident of the Comox Valley since 1962 I am well aware of the natural beauty of this area and it's attractiveness to prospective homeowners. In short, we have everything – even being linked to the rest of the world by improved communication links, airlines, and ferries.

Increased population movement into our area does pose the question of where to develop properties. This area was denuded of its magnificent forest 80 – 100 years ago. The second growth has re-consumed the land and is only now being logged again. Opening the land has altered drainage patterns, and moisture absorption rates while issuing deleterious materials into our waterways. Siltation into our rivers and streams renders the spawning gravels and stream structure inaccessible to our spawning anadromous and native fish species to say nothing of the negative affects on the hyporheic zone fauna. I can't visualize how the development of the 3L properties bordering two of our most bautiful Comox Valley watershed rivers cannot possible bring about further destruction to an already greatly destroyed fish habitat.

If the properties in question are to be developed has thought been given to access to hospital, schools, etc. (Yes, we have anew bridge over the Tsolum)? Is the only access to the properties from the logging road and/or Piercy Road? What of the water source? The Browns River, once Courtenay's source, is not a viable option (right now it is almost dry). Water removed from the primordial river area (the major water removal being via the penstock to the powerhouse) is not a reasonable option. Perhaps a connection to the new deep water Comox Lake installation is in mind?

Pollution in the form of water runoff from roads, insecticides, cleansing agents, etc. impact our natural environment. Wouldn't the development, 3L, have to ban fossil fuel and wood burning appliances to guarantee healthy quality standards. A thousand homes burning wood is quite a thought. Would tapping into the natural gas line going to Victoria be their solution?

I understand that the 3L development co-owns a considerable tract of land, including a logging road through which access has been prohibited. Was this logging conduit not developed by the taxpayers of B.C. in concert with Comox Logging and other logging companies? What of ownership of the riverbed , as I understand it – Riparion rights? Such a situation is common in Europe but I didn't think it existed in B.C. At the time of

the last election I tried to get an answer to this question from one of the political parties but received no satisfaction. This question of riparian rights is deserving of a thorough discussion.

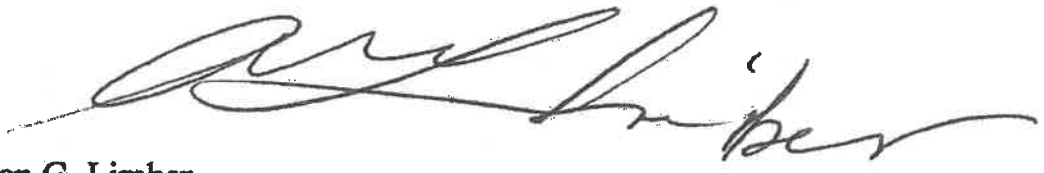
The Puntledge River area is rich in fossils. Would a significant population increase not impact and exacerbate the removal of these artifacts even greater than now exists?

In closing, these issues are serious considerations in any granting of permits, permissions, etc. to the development of a property such as exists in a fragile natural environment.

I have lived on Greaves Crescent for over 30 years and some time ago my neighbour and I were successful in obtaining access to municipal water for our area. This success was due to the fact that studies reveal that a coloform content in the hundreds parts per million necessitated the purveyor of water (B.C. Government) to supply water of suitable quality. I just wonder what the river water quality would be if the population density of the area in question becomes a reality.

Because these are watershed issues and necessarily impact on fish, the Department of Fisheries must be an important contributor to any discussions.

In conclusion, I am strongly against any development of the forest lands on the Puntledge/Browns Rivers watersheds. I look forward to continued discussions of these issues.



Allen G. Limber,
4879 Greaves Crescent
Courtenay, B.C.
V9J 1R5

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley REGIONAL DISTRICT

The personal information contained on this form is collected under the authority of section 26(e) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purposes of planning and evaluating a program or activity of the Comox Valley Regional District. The information provided will become a matter of public record and may be published online. Inquiries about the collection, use and disclosure of this information can be made at the Planning and Development Services Branch at 600 Comox Road, Courtenay, BC 250-334-6000 or by email at planningdevelopment@comoxvalleyrd.ca

Comox Valley Regional

RECEIVED

SEP 17 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Beverly Clarke

Street Address: Comox

Tel/Email:

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

1) First of all I am upset that the government has allowed forest companies (many of them foreign owned) to sell off timber license land to developers.

2) I also disagree with the idea that 3L "owns" the rights to the river beds because this was formerly land where the train had the right of way – no train no special rights

Comment Sheet **Page 2**

3) The first proposal of 5 acre lots for development makes more sense because of its rural setting. Condos? Single family lots? Out in the middle of a wilderness recreation site? You can't be serious.

4) Lastly I find it devious and unethical that the developer is using the treasured Stetson Falls area to 'blackmail' the community so he can get his way.

I urge the Regional District board to make the logical decision to reject the 31 "Riverwood" Application.

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Date: Sunday, Sep 16, 2018, 7:13 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

We do not support the application by 3L Developments to amend the Regional Growth Strategy Plan to allow re-zoning for a new settlement node.

The RGS was developed to protect our rural areas and prevent urban sprawl. We strongly urge the Regional board to keep the RGS intact. By allowing 3L to amend the RGS we are creating precedence for any developer with their own vision of a micro community to come in and create unplanned development chaos.

Maintain the RGS. It was created with and for the major stakeholders, us the residents of the Comox Valley.

The area proposed by 3L for re-zoning borders the Puntledge River. This is a valuable area to wildlife including Black bears that frequent this land corridor to access the Puntledge River. Several land slides have occurred into the river and portions of the bank remain unstable, when part of this land was previously logged by Hancock Forest Management. Any further development will endanger our salmon dependent on a healthy river.

Maintain the current zoning RU20 of this land to protect the wildlife, the Puntledge River, our rural community, our water wells and our privacy.

Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:18 PM
To: eeriksson@courtenay.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:25 PM
To: edwingrieve@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:19 PM
To: ljangula@courtenay.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:21 PM
To: kgrant@comox.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS
Amendments RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:18 PM
To: rodnichol@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:22 PM
To: bprice@comox.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:23 PM
To: CurtisScoville@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:23 PM
To: gwynsproule@gmail.com
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:20 PM
To: mtheos@courtenay.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Louise & David Devonshire
Sent: September 16, 2018 7:21 PM
To: bwells@courtenay.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS / 3L

September 17, 2018

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Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: Form submission from: Feedback

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Sunday, September 16, 2018 7:28 PM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Feedback

Submitted on Sunday, September 16, 2018 - 19:27

Submitted by anonymous user: 184.66.101.199

Submitted values are:

Provide your feedback in the space below:
September 17, 2018

We do not support the application by 3L Developments to amend the Regional Growth Strategy Plan to allow re-zoning for a new settlement node.

The RGS was developed to protect our rural areas and prevent urban sprawl. We strongly urge the Regional board to keep the RGS intact. By allowing 3L to amend the RGS we are creating precedence for any developer with their own vision of a micro community to come in and create unplanned development chaos.

Maintain the RGS. It was created with and for the major stakeholders, us the residents of the Comox Valley.

The area proposed by 3L for re-zoning borders the Puntledge River. This is a valuable area to wildlife including Black bears that frequent this land corridor to access the Puntledge River. Several land slides have occurred into the river and portions of the bank remain unstable, when part of this land was previously logged by Hancock Forest Management. Any further development will endanger our salmon dependent on a healthy river.

Maintain the current zoning RU20 of this land to protect the wildlife, the Puntledge River,

our rural community, our water wells and our privacy.

Louise and David Devonshire
Full Name Louise A Devonshire

The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/314/submission/1441

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: RGS / 3L

From: Edwin Grieve [mailto:edwingrieve@shaw.ca]
Sent: September 16, 2018 7:26 PM
To: Louise & David Devonshire
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>; curtisscoville@shaw.ca
Subject: Re: RGS / 3L

Louise and David
I have forwarded your email to my alternate Director Curtis Scoville who, in the abundance of caution over any perception of bias, has taking over this file.
Edwin Grieve

Sent from my iPad

On Sep 16, 2018, at 7:24 PM, Louise & David Devonshire wrote:

September 17, 2018

We do not support the application by 3L Developments to amend the Regional Growth Strategy Plan to allow re-zoning for a new settlement node.

The RGS was developed to protect our rural areas and prevent urban sprawl. We strongly urge the Regional board to keep the RGS intact. By allowing 3L to amend the RGS we are creating precedence for any developer with their own vision of a micro community to come in and create unplanned development chaos.

Maintain the RGS. It was created with and for the major stakeholders, us the residents of the Comox Valley.

The area proposed by 3L for re-zoning borders the Puntledge River. This is a valuable area to wildlife including Black bears that frequent this land corridor to access the Puntledge River. Several land slides have occurred into the river and portions of the bank remain unstable, when part of this land was previously logged by Hancock Forest Management. Any further development will endanger our salmon dependent on a healthy river.

Maintain the current zoning RU20 of this land to protect the wildlife, the Puntledge River, our rural community, our water wells and our privacy.

Louise and David Devonshire

6410-20 / CV RGS Amendments
RGS 1C 17

A. Mullaly

From: Comox Valley Regional District <no-reply@cvrdwebsite.ca>
Sent: Saturday, September 15, 2018 5:33 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Form submission from: Comox Valley Regional District - Planning & Development Services

Submitted on Saturday, September 15, 2018 - 05:33

Submitted by anonymous user: 24.108.74.224

Submitted values are:

Name Sandra Davidson

Message
I am contacting you about the 3L development project. As a member of a pioneer family (Findley/ Childs), I feel it would be a shame to change the RGS to accomodate one company. The area that they want to develop is a crucial area in our community. With river's on both side's we need to protect our water supply. Many companies go in and do what they want, and then say sorry afterwards. we can't take that chance. In 2011 you came up with the RGS to protect our community for future genereations, and our water supply is and should always be our 1st concern. 3L has tried to bully us from the start, to let them do what they want. They knew what the zoning was in the area when they bought the property, maybe they should have checked before they purchased. Please don't let them bully into changing the RGS
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2837/submission/1436

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: 3L Development at Stotan Falls

From: Judy Goldschmidt
Sent: September 14, 2018 3:59 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>; rodnichol@shaw.ca; eeriksson@courtenay.ca; jiangula@courtenay.ca; mtheos@courtenay.ca; bwells@courtenay.ca; kgrant@comox.ca; bprice@comox.ca; gwynsproule@gmail.com; CurtisScoville@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: 3L Development at Stotan Falls

Dear Regional District Council Members and Staff,

As a resident of the Comox Valley since 2005, I wish to express my strong opposition to approve an amendment to the CVRD Regional Growth Strategy for create a new subdivision on rural lands not designated as a growth node.

Much thinking and participation went into the creation of this document, and I have legitimate concerns about the Pandora's box that will be opened if this development is approved and goes ahead.

I have heard many reasons to support this position, including:
* threat to wildlife corridor for bears, dear, etc.
* doesn't solve the current housing shortage with higher end residences
* threat to drinking water quality and quantity
* inappropriateness of building in such a rural location
* deceitful. bullying tactics being used by 3L Developments
* bad history of both 3L and the private company they intend to use for utilities

I know you have heard all this. I am one of the majority of local residents who are against this/ We need strategic development and strong leadership, not bullies willing to pay shills (and politicians!) to sugar coat and misrepresent their intentions.

Please end this on October 2 and vote against the amendment!!

Sincerely,
Judy Goldschmidt
Courtenay, BC V9N 3C7

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: Stand behind your Regional Growth Strategy and against 3 L Developments Proposal

From: Catheryn Fyfe
Date: Friday, Sep 14, 2018, 9:13 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>, rodnichol@shaw.ca <rodnichol@shaw.ca>, eeriksson@courtenay.ca <eeriksson@courtenay.ca>, ljangula@courtenay.ca <ljangula@courtenay.ca>, mtheos@courtenay.ca <mtheos@courtenay.ca>, bwells@courtenay.ca <bwells@courtenay.ca>, kgrant@comox.ca <kgrant@comox.ca>, bprice@comox.ca <bprice@comox.ca>, gwynsproule@gmail.com <gwynsproule@gmail.com>, curtisScoville@shaw.ca <curtisScoville@shaw.ca>, Alana Mullaly <amullaly@comoxvalleyrd.ca>, edwingrieve@shaw.ca <edwingrieve@shaw.ca>
Subject: Stand behind your Regional Growth Strategy and against 3 L Developments Proposal

Good day;

I would like to urge the Directors to act strongly in favour of the Regional Growth Strategy and deny the development being proposed by 3 L. This particular developer, in my mind, has acted in a most unsavoury manner and needs to be sent a clear and unified message that he cannot strong arm a local government and manipulate the people of the Comox Valley.

Here we have a private owner who has the power to keep thousands of people from recreating at Stotan Falls and the surrounding area; an area many of us have enjoyed for decades. The fact that someone can own a river bed is ridiculous. I don't understand why the local government cannot do something to overturn this. Erecting a private toll booth to access Stotan Falls says a lot about this man.

I was born in the Comox Valley and lived there for 25 years. My heart sinks every time I come home to find another beautiful swimming spot (and river access) that we enjoyed as a family blocked off...access denied. I am angry about this.

Someone has failed to preserve river accesses and green spaces and some of the new developments have been poorly conceived. The Airpark and trails are a great example of something to be celebrated, as are the Hydro trails. But many swimspots that were so obviously needing to be protected as parkland have been lost for generations due to lack of foresight and poor planning. Trails that were used for many years have been blocked off by private land owners, access denied. This cannot keep happening; it keeps the majority from recreational and economic opportunities, and erodes the natural beauty that is the crown jewel of Comox Valley. People love this place because of the forests, the bike trails, the wild spaces.

The flood plains on the 'town' side of the Condensory River bridge are a prime example of what should have been a park. I can envision a green space, picnic benches, and safe bike and car parking areas. Here, so close to the downtown core, we lost the opportunity to create a good sized park. This would have increased revenues for local business by facilitating visitors for eagle watching, kayak launching, tubing, and fishing. Instead people must park along a busy road, crossing perilously to get to the river and squeeze onto a crowded bank. Meantime, you have townhouses perched on the edge of an eroding bank; homes for maybe a dozen people on land that hundreds, perhaps thousands, could have enjoyed.

Please do what you can to ensure the public has the right to recreate on lands we have accessed for many years.

I ask you to stand up and represent the interests of the people; preserve what is beautiful about the Comox Valley. Please stand together against this proposal, uphold the community's values, stand behind your Regional Growth Strategy.

Sincerely,

Catheryn Fyfe

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: 3L Developments RiverWood Project

From: Dee Fitton
Sent: September 14, 2018 3:07 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: Fwd: 3L Developments RiverWood Project

-------- Forwarded message --------
From: **Dee Fitton**
Date: Fri, Sep 14, 2018 at 2:53 PM
Subject: 3L Developments RiverWood Project
To: <eeriksson@courtenay.ca>

Sir;
My husband and I oppose any amendment to the Regional Growth Strategy.
Given the work, time and money it took to develop a plan for growth, it makes no sense to allow this development.
John H. Fitton
Deloise Fitton
2951 Muir Rd.
Courtenay

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: 3L Developments RiverWood Project

From: Dee Fitton [mailto:jakndee@gmail.com]
Sent: September 14, 2018 3:07 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: Fwd: 3L Developments RiverWood Project

---------- Forwarded message ---------
From: **Dee Fitton** <jakndee@gmail.com>
Date: Fri, Sep 14, 2018 at 2:56 PM
Subject: 3L Developments RiverWood Project
To: <ljangula@courtenay.ca>

My husband and I object to any amendment to the Regional Growth Strategy to allow 3L's proposed project at Stotan Falls. Please vote "No" on the Oct. 2 vote.

John H. Fitton and Deloise Fitton
2951 Muir Rd. Courtenay

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: 3L Stotan Falls and RiverWood Project

From: Dee Fitton [mailto:jakndee@gmail.com]
Sent: September 14, 2018 3:07 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: Fwd: 3L Stotan Falls and RiverWood Project

---------- Forwarded message ---------
From: **Dee Fitton** <jakndee@gmail.com>
Date: Fri, Sep 14, 2018 at 3:03 PM
Subject: 3L Stotan Falls and RiverWood Project
To: <mtheos@courtenay.ca>

My husband and I oppose any amendment to the Regional Growth Strategy which would allow 3L's development of Stotan Falls and RiverWood Project.
It is our understanding that a great deal of time, thought and money went into the development of the RGS. It makes no sense to amend that plan simply because a developer wishes it. That's why you have a plan in the first place.
We have 4 votes in our household and in the upcoming civic election, those votes will go to candidates who support RGS.
Deloise Fitton
John Fitton

Comox Valley Regional District
RECEIVED
File:
SEP 13 2018

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley REGIONAL DISTRICT

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Date:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Lesley Krainer
Street Address: 3060 Hellicar Rd Court. (area C)
Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

I'm NOT in favour of the 3L rezoning proposal. for the following reasons:

(1) This is urban spawl and it will lead to more urban sprawl - I don't think that's why people live here.

(2) They say they will provide 100's of trade jobs but there is a shortage of trade workers - they are over loaded already

(3) The RGS should be respected!

(4) David Dutcyvich has a record decades long of sleazy land dealings, he has gotten around the max allowable land to be owned by out of province owners in Sask. He has a long, long trail of land related court cases including the Bankrupcy and Insolvency Act, The Sask Court of Appeal, the Supreme Court of Canada (2015) He

Comox Valley Regional District
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Comment Sheet

determined they tries to circumvent all laws and regulations which are in the way of him getting what he wants. He fights against RGS in many communities.

(5) Even with the Sept. 6 CVRD meeting he put big ads in the Record "Save the Park" come to this meeting - never mentioned the true reason for the meeting. Also on the 3L web page you couldn't view the Riverwood proposal without signing up for "Save the Park." What nerve!

(6) The 3L proposal is the biggest pile of "GreenWashing" I've ever read - it's ridiculous - they use every buzz word in the book.

(7) This developer says he will provide a range of housing options but I doubt many locals will be able to afford it.

(8) Did you know that 3L has 385 acres of this property for sale for $33,000,000 (or £21,810 Euros) marketed as luxury housing (check out Engel & Volkers - Victoria - Bon Hollier - agent)

(8) 3L's has been hostile to our community. They ~~the~~ unfortunately have bought a valued community resource and are holding it hostage until they get their way. It is a huge tantalizing bribe. We all want it back, it is part of who we are but we cannot take it. This bully needs to move on. He could care less about the sprawl or mess he leaves behind in a community. It's just one more land deal to him.

(9) It should be logging + recreational area. Not housing.

6410-20 / CV RGS Amendments
RGS 1C 17

From: Alana Mullaly
Sent: Monday, September 17, 2018 9:02 PM
To: Curtis Scoville
Cc: Sylvia Stephens
Subject: RE: Sept. 6 Open House at Florence Filberg Centre

Hi Curtis,
Hope you are well.
Correspondence can be sent to me at this address.
Thank you,
Alana

Sent with BlackBerry Work
(www.blackberry.com)

From: Curtis Scoville <curtisscoville@shaw.ca>
Date: Wednesday, Sep 12, 2018, 7:15 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: FW: Sept. 6 Open House at Florence Filberg Centre

Hi Alana,

Donna Dodds asked us to FWD the message below to staff.

Is there a dedicated email address to which we can redirect these FWD requests

Curtis Scoville, Wealth Coach
Life Insurance Advisor
Scoville & Associates Inc.
2181 Miracle Beach Drive
Black Creek BC V9J 1K3

From: D Dodds
Sent: September-11-18 8:26 AM
To: bjolliffe; rodnichol; eeriksson; ljangula; mtheos; bwells; kgrant; bprice; gwynsproule; CurtisScoville
Cc: d dodds
Subject: Re: Sept. 6 Open House at Florence Filberg Centre.

To: Comox Valley Regional Directors and the Planning Committee -

Thank you for the well-run recent Open House at the Florence Filberg Centre. It was nice to see it was so well attended and people had the opportunity to speak to the issue. I was one who spoke and handed in my e-mail copy of the article I wrote to the Editor of the local paper the Comox Valley Record.

From: "d dodds"
To: "bjolliffe" <bjolliffe@comoxvalleyrd.ca>, "rodnichol" <rodnichol@shaw.ca>, "eeriksson" <eeriksson@courtenay.ca>,

"ljangula" <ljangula@courtenay.ca>, "mtheos" <mtheos@courtenay.ca>, "bwells" <bwells@courtenay.ca>, "kgrant" <kgrant@comox.ca>, "bprice" <bprice@comox.ca>, "gwynsproule" <gwynsproule@gmail.com>, "CurtisScoville" <CurtisScoville@shaw.ca>
Cc: "d dodds"
Sent: Sunday, August 12, 2018 12:46:16 PM
Subject: Re: Your Decision on 3L Public Consultation, Aug. 14th Board Meeting

Please see to it that the Planning Staff be given a copy of my letter below. Thank you.

Donna M. Dodds

From: "d dodds"
To: "bjolliffe" <bjolliffe@comoxvalleyrd.ca>, "rodnichol" <rodnichol@shaw.ca>, "eeriksson" <eeriksson@courtenay.ca>, "ljangula" <ljangula@courtenay.ca>, "mtheos" <mtheos@courtenay.ca>, "bwells" <bwells@courtenay.ca>, "kgrant" <kgrant@comox.ca>, "bprice" <bprice@comox.ca>, "gwynsproule" <gwynsproule@gmail.com>, "CurtisScoville" <CurtisScoville@shaw.ca>
Cc: "d dodds"
Sent: Sunday, August 12, 2018 12:42:16 PM
Subject: RE: Your Decision on 3L Public Consultation, Aug. 14th Board Meeting

To: CVRD Directors
RE: Your Decision on 3L Public Consultation, Aug. 14th Board Meeting

I am a concerned Comox Valley resident - have raised my family of four children in the Valley..after choosing the Comox Valley as a good place to bring up family and teach them the values of the outdoors, a good education, and to respect Nature..with access to easy skiing (cross country as a family), hiking, camping, fishing, and swimming. All four children grew up with access to the best public schools..starting in Tsolum School north of Courtenay as we lived in the Huband Road area. Then, they attended Courtenay Junior and finally at Vanier High School. Now, I have seven grandchildren ..four of which are still living with their parents in the Comox Valley. I, myself was a Guider for ten years in Girl Guides of Canada..and my daughter was a member in Brownies and Guides, until she joined 4-H and the became a 4-H leader..she is still a leader with her daughter today. Our sons benefited from Scouts Canada..and were Beavers, Cubs, and Scouts..with their Father as leader - they also benefited from Cadets. We chose the Valley as a good work opportunity for ourselves and our children if they so chose. Two of them still work and live in the Valley with their families. We moved to the Valley in the early 70's ..it was a vibrant and beautiful area on Vancouver Island..with the airbase nearby to provide stability we felt financially to the area.

It is most urgent that the situation with 3L as a major development of 1,000 homes being attempted to procede in our beautiful Valley be given all due consideration by the Regional District for due process to be followed diligently per the RGS plan, and under the Standard Amendment voted in on the Capital Regional Board meeting on July 24. I attended along with my friend and also my daughter. My daughter, Lisa Benard Christensen spoke as one of the delegates to the matter..and gave an excellent speech on the Minor vs. Standard amendment.
(People at the meeting afterwards thanked her for speaking up)..on it should definitely be considered as a Standard amendment and the reasons why, not as a 'minor' amendment. I thank you, those that chose true leadership as Regional District Directors..who voted Standard Amendment in! . You are representing (as should each and every Director) the will of your people who voted you in. I say..to those who might yet listen..and did not follow this due process..you were voted in..but you can be voted out! I do not need to mention any names..you know who you are as does the minutes of the meeting.!

The community of the Comox Valley Regional District clearly defined the settlement growth nodes to limit urban sprawl. In fact, the Province initiated the development of the Regional Growth Strategy and the principles are easily understood. Whether or not you personally agree, you are bound to read and understand this legal document and to represent the residents of the Comox Valley.

With an election on the horizon, this is an opportunity for you to show the voters that you represent their wishes, not the profits of developers, builders and real estate people. I was disappointed the delegates from some of these groups chose to not speak to the issue: minor versus standard..but sidelined the meeting with what a wonderful thing it would be for the Comox Valley to welcome 3L to our little area. I was so glad the Directors voted in favor of allowing the Standard amendment to take place..and now we (you as our representatives at the Regional District) must follow due process, and to allow the public an option to speak to the matter..via an Open House, preferably by Option 1, Appendix "A"!!

Also, Sept. 6 meeting is such a short time..to allow for due process. Many people will be returning from holidays/getting their family ready for school. I am not happy re that date and would like it changed to a later date..how would such a change to the Regional District meeting date affect the Directors and Staff. I definitely know more of the public would be able to attend - even a one week or so delay of said meeting. Please give this some serious thought!

Please do not take this matter lightly. Many people are becoming more and more aware of the ramifications of such a development being allowed to completely change the Valley. The subdivision per the RGS should only be allowed in designated areas (Saratoga, etc.) first. Think of the long-term effects on our beautiful Valley..re the effect of 3L on our Valley..if not for the residents of today, then our children and our children's children. Schools/Hospital and medical care, transportation infrastructure, sewage will also be effected, when you have 1,000 homes suddenly thrust upon us. The developer does not even live here..he will be here today and gone tomorrow!! The local govts. - either Regional District or the City of Courtenay..and residents of the Comox Valley will suffer and forced to fix the ongoing problems of affect on that area..the Rivers do not need pollution from the so-called sewage treatment! The Wilderness Scouts Canada's Gilwell Park camp nearby where so many youth of the Valley have benefited from learning leadership skills/camping skills, the values of the Outdoors and Nature (the leaders of tomorrow, may I remind you once again!) with hiking and camping and access to other nearby areas by camping there..(Mt. Washington being one). It is a beautiful wilderness camp on the nearby Browns River by the bridge..across the Browns River...yet fairly close to Courtenay where Scouts of Scouts Canada and Girl Guides of Canada - Brownies, Guides and Pathfinder members and their leaders have enjoyed and learned much. The Schools and other youth groups have used Scouts Canada's Gilwell Park..perhaps even some of you Directors and Planning Staff members have benefited as you grew up or even your children/grandchildren. Fishing/Wildlife, too will be deeply affected. Do not even think of Stotan Falls as a necessity..with parking..really? The Valley has such bounty re beautiful Nature sites..and 3L must designate some land re this development anyways.it is NOT a gift by a long shot! Yes, people do love Stotan Falls..but not with 3,000 people sitting on (in) it!!

I hope First Nations are given public process for voicing any concerns they may have..and other (Wildlife/Fisheries groups) we definitely need an Open House to have educated and concerned Comox Valley residents have their opinions heard! Naturalists should also have input..perhaps they could address this area for all our sakes.

With an election on the horizon, this is an opportunity for you to show the voters that you represent their wishes, not the profits of developers, builders and real estate people. Please vote for **Option 1, Appendix "A"** to give the people a chance to have their questions addressed at an Open House. I know that there are cost differences and time differences between option 1 and 2 but regardless, it will be worth every penny to treat the people of the Comox Valley with respect and to take the advice of the staff at the CVRD.

Thank you.

Respectfully Yours,

signed;
Donna M. Dodds

6410-20 / CV RGS Amendments
RGS 1C 17

From: Sylvia Stephens
Sent: Monday, September 10, 2018 11:51 AM
To:
Subject: FW: Response required: Form submission from: Comox Valley Regional District

Thank you for your email.

Your comments have been received regarding the 3L Developments Ltd application to amend the Comox Valley Regional District Regional Growth Strategy.

Your comments will be added to all comments received, and will form part of the public record for this application.

If you have any questions please feel free to contact Alana Mullaly, Senior Manager of Planning and Protective Services.

Sincerely,

Sylvia Step

Sylvia Stephens
Branch Assistant
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6043

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Monday, July 30, 2018 8:03 PM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Comox Valley Regional District

Submitted on Monday, July 30, 2018 - 20:03

Submitted by anonymous user: 184.66.108.168

Submitted values are:

Name Sean Bryan.

Message
I am a concerned citizen among many others who are worried about development around the Stotam Falls River area. It is an unprecedented piece of natural beauty and should be preserved for generations to come! Any housing projects that could threaten that should be out of the question. Runoff from a neighborhood that size would spoil the river and damage precious salmon habitat. Allowing such a project to go through would be an embarrassment to the stewardship of this community
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2835/submission/1026

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley
REGIONAL DISTRICT

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RECEIVED
SEP 07 2018
Comox Valley Regional District

Date: Sept 7th 2018 **File:**

To: **Comox Valley Regional District** To:

From: ***(Optional)***
Name (Please print): STEVE WILLIAMS cc:

Street Address: 3430 SANDPIPER DR.

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Urban sprawl is created when isolated housing eventually gets connected to the urban center. Urban sprawl is directly connected to poor PUBLIC HEALTH (ref. URBAN SPRAWL & PUBLIC HEALTH - Howard Frumkin)

This proposal is clearly an investor developer trying to BULLY the CVRD into an investment that has no benefit to the community building concepts of the RGS.

This isolated community ~~is~~ needs to be stopped.

An example is the "RIDGE" on Buckstone Rd

which the developer convinced Courtenay to annex via a strip of land up Fraser Rd. leading to sewer services being extended down to SANDPIPER DR. & a pump station installed at the end of SANDPIPER near of beautiful LOOKOUT on the COMOX ESTUARY. 5 years later the 14 houses on MILLARD & SANDPIPER still are on SEPTIC systems !!.

The residents on the RIDGE have to DRIVE for every service they require adding to traffic congestion. There are no walking connections to those isolated developments.

Politicians & STAFF need to reject this proposal or there will be a line-up for more of the same.

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley REGIONAL DISTRICT

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RECEIVED

SEP – 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***

Name (Please print): Angie Farquharson

Street Address: Island Hwy, Merville

Tel/Email:

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Thanks to all for hosting this opportunity to voice opinions & concerns. What is being done to engage younger citizens? Lots of older citizens here speaking on behalf of kids & grandkids, but not too many in the way of under 45's. Can we look ~~at~~ at models like Cumberland Forest Society in terms of engagement of younger folks? What is different there?

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

Comox Valley
REGIONAL DISTRICT

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date: SEPT 6/18

File:

To: **Comox Valley Regional District**

To:

cc:

From: ***(Optional)***

Name (Please print): _____

Street Address: _____

Tel/Email: _____

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

THERE IS SUCH A HOUSING SHORTAGE IN THE VALLEY. THIS IS A NO BRAINER

600 Comox Road, Courtenay, BC V9N 3P6
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Toll free: 1-800-331-6007
www.comoxvalleyrd.ca

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Date:

Comox Valley Regional District
RECEIVED
File:
SEP - 6 2018
To:
cc:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Mike Enely

Street Address: 4313 Cameo

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

this development is to High in density I didnt Buy Property where I did to live next to a giant 1100 + Home development Follow The RGS as outlined thank you

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Doug Williams To:
Street Address: 612 Jubilee Crt cc:
Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

As we have a finite water source will all new housing in this development have cisterns to supplement their water usage?

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date: Sept 6, 2018 **File:**

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Isabelle + David Pacholak
Street Address: 1609 Webdon Road **cc:**
Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

See attached.

My name is Isabelle Pacholuk. My husband and I bought our land and built our home in 1980. I am also the President of the Arden Area Residents Association.

Background of Comox Valley Regional Growth Strategy (www.comoxvalleyrd.ca/RGS)

The Comox Valley Regional Growth Strategy presents a vision statement for sustainable development in the Comox Valley. It's a "made in the Comox Valley" plan for sustainable growth management that recognizes our unique nature, people and resources.

The CVRD adopted its regional growth strategy in 2011 following three years of research, consultation and development. Section 428 of the *Local Government Act* states that "the purpose of a regional growth strategy is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources." The RGS seeks to ensure that growth is managed in order to protect the lifestyle advantages that the area offers.

Our Arden Area Residents Association was involved for the entire three years! We attended all public open houses (viewing and information gathering, submitted written comments), public hearings where we shared our input, concerns, support in person verbally). In 2010 we collected signatures and submitted a nine page document including the cover page, specific to the proposed RGS.

At the end of the process we had a document that didn't have everything we wanted, however it was a clear and fair document that met the majority of what we as a rural community could work with. Any growth would be only the sustainable, and we would always have input into any major changes that might threaten that. Thus this opportunity for our input into this major request by 3L to change the RGS.

3L Development, is proposing a large development (Riverwood project) in an area within the RGS that is not designated as a settlement node. In order for them to proceed there needs to be an amendment to OUR RGS to create a new settlement node.

Our concern is that once we start opening the door to amendments such as what would be required for this project, it will continue to swing further open, which could eventually directly impact on our very own neighbourhood.

Let me repeat....

The Comox Valley Regional Growth Strategy presents a vision statement for sustainable development in the Comox Valley that recognizes our unique nature, people and resources.

This proposed amendment and this development totally rips open OUR RGS!

Thank you for giving us the opportunity to once again give our input.

Residents: Isabelle Pacholuk (& David Pacholuk)
1609 Webdon Road, Area C
Arden Area Residents Association President: Isabelle Pacholuk
September 6, 2018

600 Comox Road, Courtenay, BC V9N 3P6
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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date: Sept. 6, 2018 **File:**

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): DONNA M. DODDS **To:**

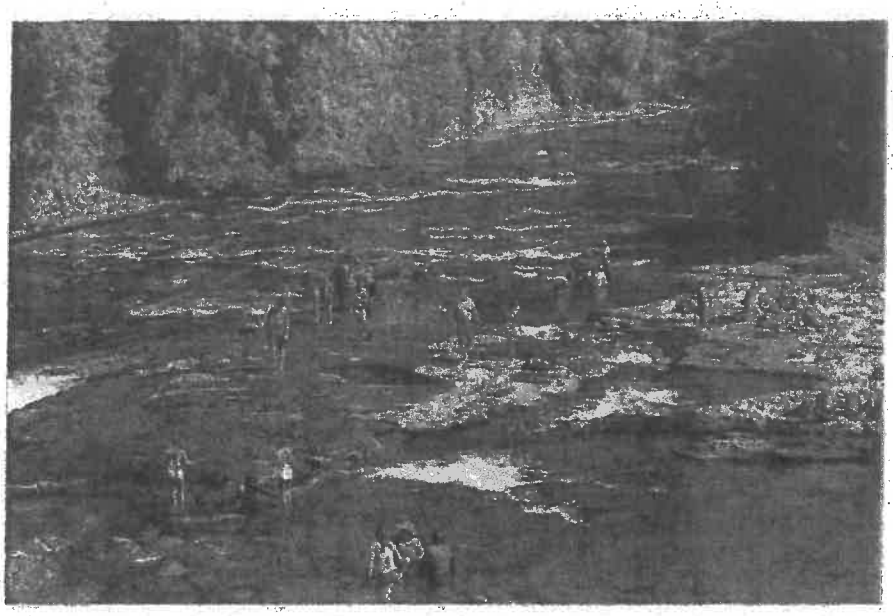
Street Address: 2388 PLOVART RD. **cc:** BLACK CREEK B.C.

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Say "No" to 3L Dev.
Follow the RGS plan!
and see my letters attached please
to the Editor
of Comox Valley Record
and Comox Valley News
on line
Also Ed was published in
TODAY'S C.V. Record. Again
SAY NO TO 3L. Thank You Respectfully
Donna M. Dodds



LETTER- Allowing residential development on Stotan Falls shoreline would be a precedent-setting travesty

Aug. 31, 2018 11:30 a.m. / LETTERS / OPINION

Dear editor,

On Sept. 6, 2018, at 7 p.m. at the Florence Filberg Centre, in Courtenay, there will be an 'Open House' – where the Regional District and 3L will present an information session with a Question and Answer

session following – about this huge development by 3L being attempted on the Browns and Puntledge River.

The Comox Valley Regional Growth Strategy plan was put in place to have subdivisions in our Valley on a much different and smaller scale... re. having our Valley properly developed in areas that can be serviced properly. Can just see the dollars down the road to the taxpayers on this one should 3L be allowed to proceed. To allow this development to take place is sheer folly and a travesty. Once one major development changes the RGS with an amendment, how many others will do the very same thing? Hold your municipal and regional district directors responsible; ask them where they stand. There is an election coming up this fall.

The effects of this development on water (to be drawn from the Puntledge River) wildlife corridors, salmon and fish, not to mention effect on First Nations property adjoining the property, and effect on Scouts Canada's Gilwell Park wilderness campsite on the Browns River – next door, for Scouts and Girl Guides of Canada as well as Outward Bound. I doubt very much Gilwell Park would remain a wilderness campsite with cabins, kitchen areas and tenting areas secluded amongst the trees, with 2,000 or so people living next door, and possibly tramping on through the

fossils, fauna and wildlife within its boundaries! I am a retired Guider of Komux District..and have taken many youth to this camp, and am deeply concerned!

For more info..join "Save the Puntledge Triangle" on Facebook.

Donna M. Dodds

Donna M. Dodds
Black Creek, B.C.

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Comox Valley Regional District
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SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): _____

Street Address: _____

Tel/Email: _____

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

What happened to "NO" Development along Island Hwy,

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RECEIVED
SEP - 6 2018

Date: Sept 6

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Manny Meyer

Street Address: 3816 Fraser Rd Courtenay

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Is the land proposed for development 3-L from a logging company. Is this land in tree farm now? Who paid the taxes to upgrade it? Remember what Mr. Coleman (Rich) did when forest minister. His brother Steve Coleman from Western Forests got to sell Tree Farm to developer and B.C. lost (some say almost a billion in taxes) is the similar situation? The auditor general was fired when he complained.

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RECEIVED
SEP – 6 2018

Date: Sept 6/18

File:

To: **Comox Valley Regional District**

To:

From: ***(Optional)***
Name (Please print): Bruce Gibbons

cc:

Street Address: Merville

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

- I am concerned about 3L's content on that they will be self-sufficient for water & sanitation. What will be their water source? Will it be sustainable? or will they become dependant on Courtenay water at some point?
- If the development is not successful who will have to pick up the cost of servicing homes that have been built, after the developer are gone/bankrupt?
- Can existing infrastructure support this sudden growth?
- Who will be responsible for development & maintenance of the new donated parkland?

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SEP - 6 2018

File:

Date:

To: **Comox Valley Regional District**

To:

cc:

From: ***(Optional)***
Name (Please print): John Milne

Street Address: 321 Torrence Rd. - Comox

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

I am opposed to this application. Many of us worked hard on the RGS and it has served us well. This application would undermine the RGS and change the Comox Valley negatively. I believe the applicant could make money by subdividing the rural settlement areas into 10-15 acre pieces, as allowed developing the Settlement Expansion Area when it's moved into Courtenay and the undevelopable areas along the river and other sensitive areas be preserved as parkland.

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Comox Valley Regional District
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SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

To:

From: ***(Optional)***
Name (Please print): TOM PATER

cc:

Street Address: 207 2ND ST, COURTENAY

Tel/Email: _

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

IT SEEMS ENTIRELY PREMATURE TO CONSIDER MAJOR LAND USE AMENDMENTS TO THE RGS, A RELATIVELY NEW PLAN FOR RATIONAL DEVELOPMENT IN THE VALLEY. SUFFICIENT LAND FOR NEW DEVELOPMENT EXISTS WITHIN THE CORE AREAS, LIKELY FOR DECADES. I DO NOT SUPPORT THE RD'S PROPOSING FIRST READING OF AN AMENDMENT TO THE RGS TO ACCOMODATE THE 3L PROPOSAL.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

To:

From: ***(Optional)***

Name (Please print): [redacted] — M

Street Address: Courtenay -

cc:

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

The RGS was developed after considerable thought & discussion.

That one private developer could "rip open" the document is not right. After this one, how many more will there be? ..

Board, keep your standards up.

How long will it be before the public is presented with requests for assistance/bail out for services?

Board: Note the need for good environmental protection (and park areas) – these should not be used by developers for their development. ← be good enough so they can not ..

Roads are not suitable for the increase in traffic.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018
To:

Date: File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Margaret HARRIS

Street Address: 3399 Crown Isle Drive, Courtenay BC

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

(1) The RGS was developed with community input ~~+++~~ with a 20 year vision for development. If the RD allows the amendment for 3L it opens the door for other developers to demand the same.

(2) The future of our community does not need more single house development at a distance from the existing communities requiring a large increase in single use car traffic.

(3) Yes, young families have difficulty affording housing but they are not the people who will buy expensive single family homes outside of town. We need housing for young families which do not require 1-2 cars/family for activities of daily living.

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RECEIVED
SEP – 6 2018
To:

Date: File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Joanie Alexander

Street Address: 2050 B Cliffette Rd.

Tel/Email: [redacted]

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

'Park land' - you cannot give this back to the community if you don't really own it. This land cannot be developed 'as is' it is river & riparian area. So it is not a gift!

'1000 homes' is too big to be a [redacted] huge change for this community! resources, lifestyles environment & infrastructure

Precedence of allowing change to the ALR for this development & others.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): MANNY MEYER

Street Address:

Tel/Email:

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

– I would like you to look at Mr. D's development of what he did at ~~the~~ corner of Fraser Rd. and logging road –

And what mess he left around lakes next to his logging near Ft. Hardy.

I think you will be horrified.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): ROBERTA MEILLEUR

To:

Street Address: #5-2440 ROSEWALL CRESCENT

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

A large mistake was made with the original role of this unceded First Nations territory land. River land/River bed should never have been zoned for private sale. 3L's proposal - if allowed to go through - would be a serious doubling of a serious mistake - one that would be impossible to correct.

Please hold firm to the original goals of the RGS. Deny 3L's request for amendment.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Sheila Forbes

Street Address: 3395 Jaqueline Drive

Tel/Email:

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

1) Roads through development - will it be widened (especially the bridge over Stotan falls.
2) Sirens from BC Hydro. Will there be an alternate warning system that will not effect 1100 new homes.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): DAVID BOYDS To:

Street Address: 499 Dovebourne Pl. Courtenay

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

VERY MUCH OPPOSED TO CHANGING THE ZONING ON THE 3L PROPERTY.
- WE HAVE TRUMP'S 'ART OF THE DEAL'? THIS WAS HIS MODUS OPERANDI IN NYC - FIND A CHEAP PIECE OF LAND AND LOBBY ON CIVIC OFFICIALS TO GET IT RE-ZONED - DON'T LET IT HAPPEN HERE!!

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Nancy Garner

Street Address: 3425 Jacqueline Dr

Tel/Email:

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

I back onto this property. Have lived there for 25 years. I do not want to see the natural beauty destroyed by 1100 homes. That is not doing the right it is the death of it and the wild life and the fish. It will have a huge impact on fish & wild life. Should be left natural. How will septic & water be supplied? Road access to the property. It is now land locked.

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Comox Valley REGIONAL DISTRICT

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

To: **Comox Valley Regional District**

File:

To:

cc:

From: ***(Optional)***
Name (Please print): _____

Street Address: 2460 Anderton Road North.

Tel/Email: _____

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

1. Private Water Sewage System: No. Pay for Public System that is to be built.
2. Water Source need to be build before the area further, and contractually agreed. The proponent is assuring that needed supplies will be offset by sewage treatment volumes returned to the River. In the event of a sewage treatment failure, what is the impact on flow?

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

To: **Comox Valley Regional District**

File:

From: ***(Optional)***
Name (Please print): Brent Gordon

To:

Street Address:

cc:

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Process That Allows 3 min
For Coments & Then Re Proponents
Speak Person To Bloviate into
Extremely long Responses

Ending in 1st Time Speaks to the
Podium to let Dave & Couple
Followed by Second Time Speakers
IS NOT A Fair Process

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

To: **Comox Valley Regional District**

File:

From: ***(Optional)***
Name (Please print): Sid Johnson

Street Address: 4498 MARSDEN RD.

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Traffic, Development will affect, Bear Population Salmon Runs basicley wildlife in general.
Where's the water coming from.

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Comox Valley Regional District
RECEIVED
SEP – 6 2018

Date:

File:

To: **Comox Valley Regional District**

To:

From: ***(Optional)***
Name (Please print): Bruce Carron

cc:

Street Address: Rachel Rd

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

I do not consent to the Riverwood development & the changes it would require in the RGS.

~~This area must be protected~~

Use of this land must be with consent of the Komox First Nation & area C & residents.

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RECEIVED
SEP - 6 2018

Date: File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): MURRAY PRESLEY

Street Address:

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

WE NEED THE PARK, APPROVE WHAT IS ASKED FOR. STANLEY PARK COULD HAVE BEEN LOST – THANK GOD SOMEONE HAD THE FORESIGHT!

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Brad Haugan
Street Address: 2135 Cummings Road
Tel/Email:

To:

cc:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

I want to express my complete support for this project.

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Comox Valley Region:

RECEIVED

Date: File:

SEP - 6 2018

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Erin Nowak

To:

cc:

Street Address:

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

I support the denial of this proposed amendment to RGS strategy to create a new settlement note in the Valley

• this proposed amendment would set a precident for future amendments. Future amendments would weaken the community's vision for future growth in the Valley.

Flaws with development proposal

3L

• biological information is outdated > 10 yrs doesn't include assessment for provincially / federally species @ risk - needs to be updated

• no one owns the river ....

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): J. McLAREN

Street Address: 499 POWERHOUSE RD

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

WHAT PARK? AREN'T YOU OFFERING the D.F.O SET BACKS?
FOREST RESERVE NOT SUBDIVION
WILDLIFE CORRIDOR

Sept 6/2018

I am a Healthcare professional in this region and I am very concerned about changing the RGS via amendments to assist 3L to make a pile of money on the backs of Taxpayers.

- What about infrastructure costs of ongoing roads, sidewalks, water, sewage when they conviniently dissolve into bankruptcy.

- What about schools for this area?
- What about Transit?
- What about water use? What about when the sewage needs upgrading?
- What about Treaty rights?

I can't believe that we would trust 3L to our beautiful area, to allow this type of development. Mark Holland has a very "clean" appearance for a very costly deal.

My vote is No amendment,

Comox Valley Regional District
RECEIVED
File:
SEP - 6 2018
To:
cc:

Sarah Sutmoller
Courtenay.

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Comox Valley Regional District
RECEIVED
SEP - 6 2018

Date:

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Greg Turnbull **To:**

Street Address: 4369 Forbidden Plateau RD

Tel/Email: ____

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

Water:

Would water be drawn only from the Puntledge RV? OR DOES 3L Plan on drawing H2O from the local well aquifer?

Traffic:

What plans are in effect to upgrade Forbidden Plateau RD, Piercy RD, Headquarters RD, and Condensory RD?

OVER

Comment Sheet **Page 2**

Policing:

Who will pay for upgrades to traffic enforcement, crime prevention etc?

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Comox Valley Regional District
RECEIVED
SEP – 6 2018

Date:

To: **Comox Valley Regional District**

File:

From: ***(Optional)***
Name (Please print): Terry Choquette

To:

Street Address: 2160 Stadacona Drive

cc:

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

The Res represents a long consultative process that represents the "Plan" for 20 years for the CVRD. Plan the Work – Work the Plan. Do not set A precedence of Profit based flexibility.

You (CVRD) are entrusted with carrying out the Res that we have all agreed on. Do it.

There is no Room for the dangers of Coast on an Island. The Risks far outweigh any "Benefits" to the tax payer.

There is NO Benefit to the tax payer and great Risk.

Comment Sheet **Page 2**

Drainage of the Water from the Penteledge is patently unacceptable

along the KFN Developments + Riverwood will destroy

the Comox Valley.

Why are we even considering this

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Comox Valley Regional District
RECEIVED
SEP – 6 2018

Date: Sept. 6 2018

File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): LISA CHRISTENSEN

To:

Street Address: 361 Wood Ave, Courtenay

cc:

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

1) What guarantees are there that the promises of 3L will be fulfilled? If the amendment goes through and the development begins, what if the property changes hands? Who is bound to fulfill the promises & plans? If other developments are struggling with infrastructure what guarantees are there 3L is different?

2) How much $ in taxes will 3L save by the "donation of parkland" and what will it cost the RD + taxpayers? Who is responsible for the cost of making the park? Maintaining it? What will these costs be?

3) Both Arden & Highland EL are over capacity. Is there to be infrastructure to support the education needs of the potential 1000 families?

4) How much can a developer do before Zoning? What processes (roads, tree cutting, etc.) need permits? What permits does 3L hold? Have assessments been done regarding engineering of new roads? Will anyone be checking construction & safety upon completion?

more →

Comment Sheet **Page 2**

5) Why are we even considering developing this new area when we have other more suitable areas designated, unfilled, and less impactful of wildlife, watershed, and rural life? Also this development would essentially cut the rural settlement areas in half. This goes deeply against the RBS purposes and sets a very dangerous precidence for developers getting their crowbar into it.

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RECEIVED
SEP - 6 2018
To:

Date: File:

To: **Comox Valley Regional District**

From: ***(Optional)***
Name (Please print): Pamela Munroe

Street Address: 2202 Lambert Drive Courtenay

Tel/Email:

Re: **CVRD Open House – 3L "Riverwood" Application**

My comments/concerns are:

- This proposal never should have got to this stage.
- Number of homes in too large
- size of homes will be too large
- Infrastructure - even if privately built - will have repercussions for the entire Comox Valley
- If infrastructure is privatized what recourse will the regional district have when things go wrong
- We cannot change the errors that were made in the past - such as granting rights to the riverbend to the owner - however we do have the power to stop this type of development from happening in the regional district

Comment Sheet **Page 2**

- I would be willing to pay an increase in my property taxes to fund the purchase of this property by the CVRD and have 3L go away

- 3L Developments has not always been a thoughtful developer.

- There is no park and there probably never will be unless the property is owned by the regional district.

- Please do the right (ethical and moral) thing and stop this proposal from going any further

- I participated in the many meetings that created the Regional Growth Strategy and we need to keep to the principles and values of this document

NO Development at, on, or near STOTAN FALLS!!

6410-20 / CV RGS Amendments
RGS 1C 17

From: Sylvia Stephens
Sent: Wednesday, September 05, 2018 7:11 AM
To:
Subject: RGS Amendment - 3L Developments open house

Thank you for your email.

Your comments will become part of the public record for the above noted file.

Sincerely,

Sylvia Stephens

Sylvia Stephens
Branch Assistant
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6043

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Tuesday, September 04, 2018 11:50 PM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Form submission from: Comox Valley Regional District - Planning & Development Services

Submitted on Tuesday, September 4, 2018 - 23:50

Submitted by anonymous user: 154.5.187.158

Submitted values are:

Name Jen Wrye
Email
Message
Hi there...Can't make the open house re: amending the RGS for 3L projects, so wanted to write to say I DO NOT support this rezoning application. Please keep Stotan Falls area wooded and wild. Thanks.
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2837/submission/1344

6410-20 / CV RGS Amendments
RGS 1C 17

From: Sylvia Stephens
Sent: Thursday, August 30, 2018 4:27 PM
To:
Subject: FW: Form submission from: Feedback

Thank you for your email.

Your comments will become part of the public comment submission for the 3L Developments Ltd. Regional Growth Strategy amendment application.

Sincerely,

Sylvia Stephens

Sylvia Stephens
Branch Assistant
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6043

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Monday, August 27, 2018 11:53 AM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Feedback

Submitted on Monday, August 27, 2018 - 11:53

Submitted by anonymous user: 205.250.150.23

Submitted values are:

Provide your feedback in the space below:
Hi, I would love to be at the 3L development presentation, but unfortunately will be out of town that day.
I fully support whatever is required to ALLOW 3L to proceed with their project. We need more housing, especially on the West side. To block their project is counter productive.

Full Name Maurice Levert

The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/314/submission/1239

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: FW: Form submission from: Feedback

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Sunday, September 16, 2018 7:28 PM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Feedback

Submitted on Sunday, September 16, 2018 - 19:27

Submitted by anonymous user: 184.66.101.199

Submitted values are:

Provide your feedback in the space below:
September 17, 2018

We do not support the application by 3L Developments to amend the Regional Growth Strategy Plan to allow re-zoning for a new settlement node.

The RGS was developed to protect our rural areas and prevent urban sprawl. We strongly urge the Regional board to keep the RGS intact. By allowing 3L to amend the RGS we are creating precedence for any developer with their own vision of a micro community to come in and create unplanned development chaos.

Maintain the RGS. It was created with and for the major stakeholders, us the residents of the Comox Valley.

The area proposed by 3L for re-zoning borders the Puntledge River. This is a valuable area to wildlife including Black bears that frequent this land corridor to access the Puntledge River. Several land slides have occurred into the river and portions of the bank remain unstable, when part of this land was previously logged by Hancock Forest Management. Any further development will endanger our salmon dependent on a healthy river.

Maintain the current zoning RU20 of this land to protect the wildlife, the Puntledge River,

our rural community, our water wells and our privacy.

Louise and David Devonshire
Full Name Louise A Devonshire

The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/314/submission/1441

6410-20 / CV RGS Amendments
RGS 1C 17

Subject: To the Board - from future residents

From:
Sent: Monday, August 06, 2018 9:28 AM
To: eeriksson@courtenay.ca; bwells@courtenay.ca; curtisscoville@shaw.ca; rodnichol@shaw.ca; bjolliffe <bjolliffe@comoxvalleyrd.ca>; mtheos@courtenay.ca; ljangula@courtenay.ca; kgrant@comox.ca; councillor.sproule@cumberland.ca; bprice@comox.ca; Russell Dyson <rdyson@comoxvalleyrd.ca>
Subject: To the Board - from future residents

Open Letter to the Board of the Comox Valley Regional District

As future residents of the Comox Valley, we are pleased that your board and 3L Developments have finally made progress towards creation of the long-awaited Riverwood Community and establishment of a major public park.

We support this project, as there is a desperate demand for new housing and an ecology-sensitive, sustainable community that will support local livelihoods by adding new jobs and spending. My partner and myself are looking at moving to the Comox Valley, from Victoria, in the next few years and have been actively looking for property to call home. We are actively looking for a community where we're not living in each-other's back doors, that has green space & utilizes green technology. It's not easy to come by.

Despite of over a decade of work to bring this to your community, it's our understanding that the greater public has largely been left in the dark. We need immediate action on this exciting, forward-thinking project and transparency as well as informed involvement when key decisions on this project are reached.

As future residents of the Comox Valley we have trouble understanding why there have been so many delays.

- Why have we not seen more progress with your cherished parkland and housing community?
- Why do we not see or hear about progress on this balanced and sustainable community project from our civil and community leaders? I was shocked to see how long this has been taking to go through the processes to proceed – considering there has been such a boom on sprawling businesses in your communities (I can't believe the amount of cement now on the waterfront with malls & stores! Yes, they have a purpose – but where was the foresight of incorporating green space into those properties?).

In my, opinion 3L has consistently proven to be a responsible developer with a 30-year successful history of creating sustainable communities on Vancouver Island.

Their commitment to this community began 11 years ago and they are still here determined to create a new sustainable Courtenay neighbourhood. Overall plans will also create a new park, bike path, washrooms and parking at no cost to the taxpayer. In short I believe strongly this development will be a major sustainable,

environmental win for Courtenay and the whole Comox Valley. Since eco-tourism is so important to the Comox Valley's economy - and preserving our greenspace as a society - it's up to all of us to preserve the Comox Valley by using green development technology and contractors who promote greenspace.

Please bring Riverwood to our community.

The time is now!

Thank you,

Tammy Chamberlain
951 Scotia St
Victoria BC V8X 2R7

3L DEVELOPMENTS INC
Caroline Nestor
Public Relations Manager
Cell: 250-897-5949
Email: info@3ldevelopments.com
Website: 3Ldevelopments.ca
Address: 340 Berry Road Fanny Bay, BC V0R 1W0

Comox Valley Regional District
RECEIVED
File: 6410-20/RGS 1C17
AUG 03 2018
To: R. Dyson, J. Martens
A. Mullaly
cc:

August 03, 2018

Dear Mr. Dyson,

Please find enclosed our list of support signatures and letters for our proposed 260 acre Park and residential neighbourhood of Riverwood.

The Comox Valley is in desperate need of housing and the area surrounding Stotan Falls is already a heavily used recreation area for citizens in the valley.

At our cost we will be providing a Class 4 state of the art waste water treatment plant. The recycled water from this plant will be distributed back to the homes in Riverwood for use in toilets, laundry, vehicle washing, irrigation and similar uses. This is preserving our precious water resource.

We will also be providing washrooms and change rooms for the hundreds of people that use the river and trails on a daily bases and our cost a drinking water treatment plant for the neighbourhood.

I welcome the opportunity to take you on a tour of the land at your convenience. Stotan Falls Park is a gem in the Comox Valley and should be preserved for future generations to enjoy.

Regards,

Caroline Nestor

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
APR 18	Greg Bender	G Bender	3390 Sandpiper	Progress
APR 24/18	Monica Godfrey		7425 Littlewood	I guess it will happen
Apr 26/18	Francis Felty	Francis Felty	7031 Richmond Sooke	I support
April 24/18	RANDY JACOBSON		1905 Arden Rd	Let it happen
	DAVE Metcalfe	Metcalfe	6826 Metro Rd	Build it !!
Apr 30/18	Tony Martyn	Martyn	758 5th St.	
MAY 02	Peter Detmar		1531 Tull	
May 2/18	Alysha Diamond		90A Taylor way	Build this.
MAY 03/18	Jody Honeyball		4247 Forbidden Plateau Rd	Build it! I am tired of paying
MAY 04/18	Jennie Cordell	Cordell	1166 Cumberland Rd	
May 4/18	Steve Weiman		4283 Plateau	Bring it on
May 4/18	Donald Dalgl		820 Peterson Road	Build it Believe it
May 4/18	Rose Proese			Build it

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Page 142 of 251

Date	Name	Signature	Address	Comments
May 4 18	Brandon Froese			
MAY 6 18	Bjorn Reed Freeman		747 Tudor Court Delta BC	well stewarded plan wine nicely.
MAY 10/18	Galvin Nairn		4965 Greaves Cres	Yes
May 10	J Allan		44 Anderton.	
MAY 13	DLM MECHANICAL		115 A TIMBERLANE Rd	
MAY 13/18	Anissa Reed		White Rock BC	
May 13/18	Ray [illegible]		Campbell R	
May 13/18	Chris Lucas		Campbell R	
May 13/18	Dan Williams		CR	
may 13/18	Amy Lindal		Lazo	
MAY 20/18	GRAHAM ATTWELL		North Van	Build it right + Sustainable
May 25/2018	Darren Reid		Nanaimo	Great Idea !!!

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
APR/18	Greg Bender	G Bender	3390 Sandpiper	Progress
APR 21/18	Monica Cooke		7425 Littlewood	I guess, it will happen
Apr 26/18	Frances Petty	Frances Petty	7031 Richmond Soake	I support
Apr 26/18	Randy Jacobson		1405 Arden Rd.	Let it happen
✓	DAVE Metcalfe		6826 Metro Rd	Build it !!
Apr 30/18	Tanya Martyn		758 5th St.	
MAY 02	Cedar Dettman		1531 Tull	
May 2/18	Alysha Diamond		90A Taylor way	Build this.
MAY 03/18	Judy Honeyball		4247 Forbidden Plateau Rd	Build it!! I am tired of paying
MAY 04/18	Jenne Cordell		1166 Cumberland Rd	
May 4/18	Steve Weiman		4283 Plateau	BRING it ON
May 4/18	Donald Dalgl		620 Peterson Road	BUILD it BELIEVE it
may 4/18	Rose Froese			Build it

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
Aug 13/17	Rob Trainor		4146 Arnett Rd	
Aug 13/17	Tanya Huber	Tanya Huber	773 Revilo Place	
Aug 13/17	Zeke Huber	Zeke Huber	773 Revilo Place	

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We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
AUG 13/17	PETE FAZIOLI	Pete Fazioli	1188 WAVERLY RD.	GO FOR IT

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We, the undersigned support 24[illegible] acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
July 23/17	Tony Parsons		8036 LAKESIDE NANAIMO	
July 23/17	Jason Samaroke		778 Maple Blvd CR	
Aug 09-17	Jen McDonald-Bosse	Jen McDonald-Bosse	3469 Fraser Rd	Affordable Housing !
Sept 9, 17	Stephanie Bishop		538 Langford St, Victoria	Free Parking / Maintain ecosystem
SEPT 4, 17	MATT BITTNER		24784 Ave SE, Calgary AB	make it Free No toll, no day passes.

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We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the d of its property.

10/3/17
KA took copies to Board

Date	Name	Signature	Address	nts
July aug/17	Gayle Natel	G.K. Natel	135/051 VARSITY LAKES AUSTRALIA	THIS IS A WIN For ALL
	Mike Manning	M. Manning	56 Edwards Rd RR New Zealand	(V/Good.
	Lee Jantint		11 Sunshine Grove Rye Victoria/australia	WIN/WIN S TUC
	Graeme Burke		392 Boneo Rd Boneo Victoria/ australia	- / . . .
	Patrick Kitto	P. Kitto	Courtenay	Awesome!
	Daisy Bergeron		Comox	Great
	Louise Stewart		2314-37A ave, Edmonton, AB	Honor your vote, 50% is awesome
	Jason Mohler		4070 Fraser RD	
	John Mohler		4070 Fraser Rd.	JUST Do it !
	Jessica Storti	Jessica Storti	Courtenay	
	Dean Lindquist		Courtenay	This is the best way to protect the park and
	Judith Lindquist		Courtenay	
	Gerrit Van Hemmen	Gerrit Van	Courtenay	Thank you! Please do donate the land.

We, the undersigned support 24[illegible] acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
June 11	[illegible]	[illegible]	Saratoga	thanks for the hot dog
	Lei [illegible]	[illegible]		
June 11	ANDREW LARSON	[illegible]	BLACK CREEK	GOOD IDEA
June 11	[illegible]	[illegible]	Black Creek	GOOD !
JUNE 11	[illegible]	[illegible]	RUYSTON	ENVIROMENT FIRS
June 11	Josh Whitney	[illegible]	Courtenay	I Like the idea

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

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Date	Name	Signature	Address	Comments
2017/06/14	Norma Litt	Norma Litt	960 Sandra Rd Courtenay	GEEZ WHAT A GREAT GUY AL IS.
	Leona Henderson		6570 Mt Prevost Rd.	We need this to be a Park!
	Marian Coles	Marian Coles	49 Courtenay 791 Beachwood Dr	
	Willow Lajmodiere		#30 2061 15th St Courtenay BC	
	Aaron Milan		2117 Muncroft Dr. Comox	
	Patrick K. Ho		Courtenay	
	Sonny!		Courtenay	
	Ken Schmidt	K.A. Schmidt	Courtenay	should never have gone this far
	Gladys Schmidt	G. Schmidt	Courtenay	Support this 100%
	[illegible]	[illegible]	Courtenay.	
	John A Williams	[illegible]	Courtenay	Support 100%
	M.D. Chevrier		Plateau Rd	KEEP PUSHING AHEAD
	GLEN HANSEN LEAH HANSEN		BLACK CREEK BC	"

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
7/5/17	ROB CONLEY		FORBIDDEN PLATEAU RD COURTENAY	
	LORI JOHNSTON		Courtenay BC	
	DIANE JOHNSTON		Courtenay BC	
	Shirley Conley		Courtenay BC.	
	ROBIN PARKER		Courtenay, BC.	
	Cathy Arthur	CATHY ORTHNER	VISITOR Courtenay BC.	
	Rob Murday		Courtenay BC	
	Jason Kuehl		Forbidden Plateau	
	Laura Kirk		Courtenay BC	
	Selena Marshall	S Marshall	2545 Carstairs Dr. Courtenay, BC.	
05/19/17	Linda Ann Farruggia	L Farruggia	301-1661 Burnaby St, Vancouver, BC	
	DAN BYWATER		VANCOUVER, BC	CONTACT FOR COMMUNITY/SUSTAINABLE
May 29/17	Don Hughes		Courtenay BC	REALTOR.

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
APRIL 27/17	DAN HONEYBALL		4747 Forbidden Plateau Rd	Lets get her done SUPPORT
APRIL 28/17			NORTH COURTENAY	
April 28/17	IAN IGERR		4255 Forbidden Plateau	Get er done
	Joe Kemp		4319 Munster Rd	↑
	Eric Rawing		3491 Cumberland Rd.	LOOK GREAT
MAY 4/17	PAUL BRECHIN		1714 McPHEE AVE	I DON'T GET THE CRV?
MAY 4/17	Phil Kozeletski		North Island Electric	"WOW" Nice Ladies
May 4/17	Simone Bernicot		Port Hardy	great Idea
MAY 4/17	James Mushin		Comox	
MAY 05/17	Frank Schnurr		COURTENAY	PERFECT
May 7/17	Brenda Watchorn		3419 Sovereign Ave Courtenay	
MAY 7/17	John Robinson		2500 Brookswood Pl Comox	Great
MAY 7/17	NEIL ANDERSON		COURTENAY	

We, the undersigned support 24[illegible] acres of parkland being donated by 3L Developments in return for the development of its property.

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Date	Name	Signature	Address	Comments
2017/4/26	Rick Lebert		303 Arden Rd	
2017/05/06	James Rempel		1248 9th St	
2017/05/07	Emma Armstrong	Em Armstrong	1050B 26th ST.	
2017/05/13	Peter Sullivan		6107 Twice Rd. CR.	
2017/06/11	John Sorensen		1570 Mystic Beach	
2017/06/11	Bruce Hannesson		1-1370 Guthrie Rd. Comox	
2017/06/11	Malcolm Holt	Malcolm Holt	47-2001 Blue Jay Pl. Courtenay.	
2017/06/11	Jackie Holt		47-2001 Blue Jay Pl Courtenay.	go for it and keep it affordable
	Shawn Murray		1135 Marlin ave	
	Jacob Murray		1135 Marlin ave	Save Park
2017/07/01	Elliott Pollard		902-22 St Apt 15 Courtenay	Make it A park Please !!
	Jasmine Fiscaglia	Jasmine Fiscaglia	3857 Royston Rd Royston B.C	FREE UP the park.

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
Ap20	T. Gallo		Courtenay	
Apr 20	J. Jackson		Courtenay BC	
MR20/17	CAROLINE NESTOR		3680 Eagleview Drive Courtenay BC	
APR 20/17	M STARANCHUK		1714 McPHEE AVE	DO IT !!
Apr 20/17	M. LESOPOY		125 Contender Cres	open it up for 3L
Apr 20/17	B. JAMIESON		4314 Courtenay BC	open it up FOR 3L
Apr 20/17	D. Williams		2724 Queneverd	
Apr 24/17	J. Lott		7075 Austin Blvd	Open it up!!
Apr 24/17	Billy Davis		COMOX	Open it up
Apr 25/17	Debbie McKenna Debbie McKenna	Debbie McKenna	Courtenay	more Parkland
APRIL 25/17	BILL SHIELDS		ROYSTON	
Apr 25/17	Sheri Serafini		3972 forbidden Plat Rd	Courtenay let it happen
'25/17	Ron Queen		4322 Island Hwy	

707

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date	Name	Signature	Address	Comments
04/11/17	Joseph Grivant		2156 Comox logging RD	Comute RD every day
04/11/17	Jamie Prain		2150 Comox Logging RD	need road for donkey & use
	Zach Osborne		121 powerhouse	
11.Apr.17	U. Frank Hardy	U. Frank Hardy	3511 Blueback RD V9J 1C2 Courtenay	
	Wayne Harris	WAYNE HARRIS	West COAST Tree Service	
April 19	Micky Mowatt	Micky Mowatt	Quadra Island	
April 19/17	Rick Weippert	Rick Weippert	1575 Turner Drive.	
April 19/17	Elaine Weippert	Elaine Weippert	1575 Turner Drive	
Apr 19/17			340 Webb Rd	
Apr 19/17	Darren Thompson		3346 Brooksdale	Government ave. keeping my need this road
Apr. 19/17	Irina M'Nich		4648 Marsden Rd	
Apr. 19/17	Jo Yu.		301 Ayton Rd.	
APR 20/17	Chris Lofkowitz		4554 Marsden Rd	

We, the undersigned support 240 acres of parkland being donated by 3L Developments in return for the development of its property.

Date APRIL 4	Name	Signature	Address	Comments
APR 05	Tom Pavicevic		4540 Marsden	
Apr 05	S. Holloway	S. Holloway	105 Petersen Rd.	
April 05	Jennifer Yeomans		2453 England Road	
Apr 5	Leslie Johnston	Leslie Johnston	102-175 centennial dr	
Apr 6	Ken Waterfield	K W Waterfield	5470 Grouse Rd	
Apr 6	Darlene Waterfield	D. Waterfield	57070 Grouse Rd	
April 6	Dave Smith		1041 Wooden Road	
Apr 6	A Richards	A Richards	3837 Piercy RD	
Apr 6	Stephen Hunter		2240 Stewart ave	
April 8	Gaeton Hardy		631 Webb rd.	
Apr 08/17	Bonnie Hardy	Bonnie Hardy	631 Webb rd.	
Apr 09/17	Ryan Yeomans		2453 England rd	Log it. Burn it. PAVE IT.
APR 11			5110 LAKELAND RD	

Home hardware building centre

Central Builders' Supply Limited
610 Anderton Avenue, Courtenay, British Columbia V9N 2H3
T 250 334 4416 F 250 334 3776

The Committee of the Whole: July 13,2018

We at Central Builders' Supply Ltd. would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

The Owners and Management of Central Builders' Supply Ltd. Group of Companies

ROYAL LEPAGE In The Comox Valley

Royal LePage In The Comox Valley
#121, 750 Comox Road, Courtenay, BC V9N 3P6
Bus: (250)334-3124 Fax: (250) 334-1901
Email: Royallepagecv@shaw.ca Website: www.royallepagecomoxvalley.com

July-9-18

3L Developments Inc.
340 Berray Road
Fanny Bay, BC V0R 1W0

Attention: Caroline Nestor

Re: Riverwood Comox Valley

Dear Caroline,

I am unable to make the meeting Tuesday at the Regional District office, you have my permission to read this letter and give a copy to the Regional District.

It is our opinion at Royal LePage In the Comox Valley that your development, Riverwood is timed perfectly to bolster the dwindling supply of buildable lots. The Comox Valley has only twenty-five single family lots on the market not including Crown Isle which I am told has maybe twelve others that are not spoken for. There are only twenty-nine acreages available within the Valley. The price of lots and homes has sky rocketed over the past three years because of the lack of supply. Riverwood and its unique rural location would have a lot of appeal and would help moderate prices.

This is the 25th anniversary of Crown Isle's first development, we sold them the property and helped sell the development in it's first three phases. Crown Isle has become a huge success building wise as well as income wise to the community. Businesses and government have benefited from such a great development. Surely the Comox Valley Regional District should not ignore Riverwood's potential. We are strongly in support of Riverwood and do not see any detriments to allowing its development. It is private enterprise at its best and would do nothing but benefit the whole Comox Valley.

Yours Truly,

Gregg Hart
Managing Broker/Owner
Royal LePage in the Comox Valley

To whom it may Concern:

We at Endorth Hall would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

Jo-Anne Harrison <office@3ldevelopments.com>

Fwd: Here you go

2 messages

Debbie Smith <info@3ldevelopments.com> Wed, Mar 7, 2018 at 8:20 AM
To: office@3ldevelopments.com

Please add to the list

Regards

Caroline Nestor
Public Relations Manager
3 L Developments Inc.
250 897 5949

Begin forwarded message:

> **From:** "Barry Sawatzky"
> **Date:** March 6, 2018 at 12:50:48 PST
> **To:** "Public Relations" <info@3ldevelopments.com>
> **Subject: Here you go**
>
> Thanks
>
> Barry

Virus-free. www.avast.com

Scan2019.pdf
316K

Jo-Anne Harrison <office@3ldevelopments.com> Wed, Mar 7, 2018 at 1:26 PM
To: Office <info@3ldevelopments.com>, James MacIntyre <cfo@3ldevelopments.com>

Letter received - will put in the file.
Thanks,
Jo-Anne

On Wed, Mar 7, 2018 at 8:20 AM, Debbie Smith <info@3ldevelopments.com> wrote:

> Please add to the list
>
> Regards
>
> Caroline Nestor
> Public Relations Manager
> 3 L Developments Inc.
> 250 897 5949
>
> Begin forwarded message:

From: "Barry Sawatzky"
Date: March 6, 2018 at 12:50:48 PST
To: "Public Relations" <info@3ldevelopments.com>
Subject: Here you go

Thanks

Barry

Virus-free. www.avast.com

--
Jo-Anne Harrison
Office Manager

RECEIVED
DEC 18 2017

Courtenay and District Museum & Paleontology Centre

Mr. David Dutcyvich
President
3L Development Inc.
340 Berray Road
Fanny Bay, British Columbia
V0R1W0
December 13, 2017

Dear Mr. Dutcyvich:
We're coming to the end of a busy year and I wanted to thank you for meeting with us this summer and taking the time to explain your company's ownership and development history of properties on the Puntledge and Browns Rivers.

Thank you also, to you and Ms. Caroline Nestor and other staff in accommodating our staff team and the visitors we brought to the area. This allowed us access knowing we were there with your consent and discussion and we appreciate it.

Wishing you and your family all the best for the holiday season.

Deborah Griffiths
Executive Director

1754 Ryan Road East, Comox, B.C.
P.O Box 340, Lazo, B.C. V0R 2K0
Tel: 250-339-6100 Fax: 250-339-6149

December 15, 2017

To whom it may Concern:

We at J.R. Edgett Excavating Ltd. would like to state our support for the creation of a 260-acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

The proposed park is a heavily used recreation area. Creation of this park will hopefully engage more local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

Water will continue to be a very important commodity in the Comox Valley and it is positive to see that 3L Developments is taking a leading role with regard to both environment concerns and a state-of-the-art wastewater treatment plan. We understand that the Riverwood community will meet or exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the Riverwood community plan does a good job of addressing this.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Sincerely,

Bruce Henderson
Operations Manager / Owner
J.R. Edgett Excavating Ltd.
Comox B.C.

Jo-Anne Harrison <office@3ldevelopments.com>

Fwd: 260 acres of donated park land and the community of Riverwood

1 message

Office <info@3ldevelopments.com> Fri, Dec 15, 2017 at 4:04 PM
To: Jo-Anne Harrison <office@3ldevelopments.com>

Please see attached support letter.

Regards,
Caroline Nestor
Public Relations Manager
3L Developments Inc.
250-897-5949

---------- Forwarded message ----------
From:
Date: Fri, Dec 15, 2017 at 1:12 PM
Subject: RE: 260 acres of donated park land and the community of Riverwood
To: info@3ldevelopments.com
Cc: "J.R.Edgett - Bruce Henderson"

Hello Caroline,

Please see our letter of support attached.

Thank you,

Raymond Henderson

Estimator – J.R. Edgett Excavating

250.339.6100 – office

250 703 6024 – cell

www.jredgettexcavating.ca

From: Office [mailto:info@3ldevelopments.com]
Sent: November-08-17 10:48 AM
To:
Subject: 260 acres of donated park land and the community of Riverwood

Hello Bruce,

Thank you for taking the time to speak with me yesterday about 3L Developments Riverwood Project.

We are looking forward to your support in the creation of this 260 acre Park and the residential community of Riverwood. The park will be the gem of the valley and something that future generations will be proud of. The residential community of Riverwood will be a leader in new environmental protection and practices.

This community will be its own ecological oasis that other communities will be looking to duplicate. A short summary of just two of the features of this community are as follows:

1) The state of the art Class 4 Wastewater treatment plant. Reclaimed water from this plant will be distributed back through the community for irrigation, laundry and similar uses.

2) There will be preserved in its natural state 50 % of the land for Public Park Land.

3L Developments is committed to meeting and exceeding all environmental standards that would be put in place by the Ministry. Recently completed 3L Developments projects have amounted to over one quarter of million dollars spent to restore our natural rivers and habitats. We with the support of our local community would like to donate this area as pristine parkland that will benefit us all in the future both environmentally and socially and economically.

We look forward to J.R. Edgett Excavating's support of this project. Attatched is a draft support letter for your review and editing as well as various other reports as requested. Please note that the numbers in the Economic Analysis report are from 2013 and would be projected to be considerably higher today.

Regards,

Caroline Nestor

Public Relations Manager

3L Developments Inc.

250-897-5949

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Riverwood support letter 2017.pdf
335K

MARVINAS BAY
L O D G E

November 15, 2017

To whom it may concern:

We at Marvinas Bay Lodge would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

Kent R Mangles

To Whom It May Concern:

I would like to state my support for the creation of a 260 acre public park on the Browns and Puntledge Rivers and the residential community of Riverwood.

I understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the proposed community addresses this issue.

The proposed park is a heavily used recreation area used by the citizens of Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. I do understand that water is going to be very important commodity moving forward and it is positive the 3L Developments is taking a leading role with regard to the environment.

I also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning I support those changes for this project.

The creation of the riverfront public park, the construction of a subdivision with its own water and sewer treatment plant appears to me to be a gift for the Comox Valley. Local governments want more parks and need more building lots to ensure housing affordability. At present property development is being held up because of the lack of infrastructure required to support it. Riverwood is the answer the question is why local government is not pushing it forward.



J. Murray Presley
Courtenay, B.C.

Nov 27/2017

To whom it may Concern:

We, At Cedar Grove Lions Club would like to state our support for the donation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and this community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

Rick Kerr

Jo-Anne Harrison <office@3ldevelopments.com>

Fwd: 260 acre Park donation and the Community of Riverwood

2 messages

Debbie Smith <info@3ldevelopments.com>
To: office@3ldevelopments.com

Fri, Nov 17, 2017 at 3:38 PM

Caroline Nestor
Public Relations Manager
3 L Developments Inc.
250 897 5949

Begin forwarded message:

From: Rob Byrnes
Date: November 14, 2017 at 11:52:56 PST
To: Office <info@3ldevelopments.com>
Subject: RE: 260 acre Park donation and the Community of Riverwood

Hi Caroline

I have forwarded this info to our central office. Here is the response:

"thank you for the information but we deem ourselves as a non partisan entity that will support the decisions of the community at large."

Again, thank you for this information and best of luck to you

Rob Byrnes

Store Manager

Quality Foods #15

#1002-2751 Cliffe Ave

Courtenay, BC V9N2L8

250.331.9328

From: Office [info@3ldevelopments.com]
Sent: Monday, November 13, 2017 11:43 AM
To: Rob Byrnes

Subject: 260 acre Park donation and the Community of Riverwood

Dear Rob,

Thank you for taking my call today.
I would like to introduce Quality Foods to 3L Developments' Riverwood project and extend an invitation to a meeting with you at your convenience.

We are looking your support in the creation of this 260 acre Park and the residential community of Riverwood. The park will be the gem of the valley and something that future generations will be proud of. The residential community of Riverwood will be a leader in new environmental protection and practices.

This community will be its own ecological oasis that other communities will be looking to duplicate. A short summary of just two of the features of this community are as follows:

1) The state of the art Class 4 Wastewater treatment plant. Reclaimed water from this plant will be distributed back through the community for irrigation, laundry and similar uses.
2) There will be preserved in its natural state 50 % of the land for Public Park Land.

3L Developments is committed to meeting and exceeding all environmental standards that would be put in place by the Ministry. Recently completed 3L Developments projects have amounted to over one quarter of million dollars spent to restore our natural rivers and habitats. We with the support of our local community would like to donate this area as pristine parkland that will benefit us all in the future both environmentally and socially and economically.

We look forward to your support of this project. Attatched is a draft support letter for your review and editing as well as the economic analysis and a map. Please note that the numbers in the Economic Analysis report are from 2013 and would be projected to be considerably higher today.

Regards,
Caroline Nestor
Public Relations Manager
3L Developments Inc.
250-897-5949

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Jo-Anne Harrison <office@3ldevelopments.com> Fri, Nov 17, 2017 at 3:39 PM
To: Debbie Smith <info@3ldevelopments.com>

Thank you, will add to the file.
Jo-Anne
[Quoted text hidden]
--
Jo-Anne Harrison
Office Manager

Phone: 250-335-1013

P O Box 3057 Courtenay BC V9N 5N3
etrdrills.com

November 16 / 2017

Dear 3L Developments Inc.

We have reviewed your development proposal and want to commend you on your progressive ideas and thoroughness of your research.

We are fully in favour of a community that proposes recycling water and the dedication of 50% of the land as Public Park Land.

The access to our beautiful rivers and the 260 acres of park along the banks is phenomenal. This would truly be an asset to our Valley and the community as a whole.

We support any RGS, OCP and rezoning that may be required for this project to proceed.

Sincerely Yours

Eric Raume
President
ETR Drills and the Peak Group of Companies

Cumberland
READY MIX LTD.

BOX 1210
CUMBERLAND, B.C. V0R 1S0

Telephone (250)336-8515
www.cumberlandreadymix.ca

Fax (250)336-8517

November 15, 2017

To whom it may concern:

Cumberland Ready Mix supports the construction of the residential community of Riverwood along with the creation of the 260 acre public park that includes portions of the Browns and Puntledge Rivers, including Stotan Falls.

The reason for support by Cumberland Ready Mix are:

1. The park and subdivision are adjacent to existing single family developments.
2. The project will have its own wastewater treatment plant.
3. Water from the treatment plant will be recycled.
4. The community will be self-sufficient with potable water.
5. The beds of the Puntledge River and Browns River, including the fossil beds within the park and the subdivision will return to government ownership. My recommendation is that, should the project proceed, all steam and river beds within 3L Holdings Comox Valley lands be returned to government ownership.

Because the proposed project will not be a burden to existing infrastructure, Cumberland Ready Mix supports any RGS, OCP, and rezoning amendments that may be required.

Sincerely yours,

Keith Tatton,
President and General Manager
Cumberland Ready Mix Ltd.

NOV 15/2017

To whom it may Concern:

We Crown Isle ..... would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and this community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

To whom it may Concern:

We at Kinetic Construction Ltd, #210 – 2960 Moray Ave, Courtenay BC would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

Al Wilson

Courtenay Branch Manager, Kinetic Construction Ltd

Jo-Anne Harrison <office@3ldevelopments.com>

Fwd: Possible Support

1 message

C N
To:

Thu, Nov 16, 2017 at 10:52 AM
"office@3ldevelopments.com" <office@3ldevelopments.com>

Caroline Nestor
Public Relations Manager
3 L Developments Inc.
250 897 5949

Begin forwarded message:

From: "ABC Printing & Signs" <abc@abcprinting.ca>
Date: November 16, 2017 at 09:03:58 PST
To: C N
Subject: **Possible Support**
Reply-To: abc@abcprinting.ca

Hi Caroline,
Thanks for your patience. We had our partner meeting Tuesday evening and talked about whether to send a letter of support for the Riverwood project.

As a company we provide services to a wide range of clients, many of whom are in competition with each other. That may be strictly in the area of business, but often crosses over into the political arena as well. Our client base is really rather small. The majority of our business comes from other businesses and from the larger community organizations, local governments, etc. As such we have chosen to maintain a neutral public stance on things of a political nature. We applaud free enterprise and so in that sense we certainly wish your company success.

Thank you for your invitation.
Sincerely,
Bryan

ABC PRINTING & SIGNS

250-338-6364
abcprinting.ca

ROYAL LEPAGE

Royal LePage In the Comox Valley
#121 - 750 Comox Road, Courtenay, BC V9N 3P6
Bus: (250) 334-3124 Fax: (250) 334-1801
Email: royallepagecv@shaw.ca Website: www.royallepagecomoxvalley.com

November-14-17

Via Email: info@3ldevelopments.com

3L Developments Inc.
340 Berray Road,
Fanny Bay, BC
V0R 1W0

Attention: Caroline Nestor

Dear 3L Developments Inc

RE: Development Proposal

We have reviewed your development proposal and would like to congratulate you on the work you have put in. It is impressive the thoroughness of your research.

We are fully in favour of a community that combines it's own waste water treatment plant with recycled water for irrigation, toilets, etc. In addition, you will not put any burden on our existing water supply.

The access to our beautiful river system and a 260 acre park along with it is phenomenal. This would truly be a boon to our Valley and the community as a whole!

Yours Sincerely,

Gregg Hart,
Managing Broker/Owner
Royal LePage In The Comox Valley

GH/ad

Jo-Anne Harrison <office@3ldevelopments.com>

Fwd: Message from "RNP0026732F0009"

1 message

Debbie Smith <info@3ldevelopments.com> Tue, Nov 14, 2017 at 5:05 PM
To: office@3ldevelopments.com

Caroline Nestor
Public Relations Manager
3 L Developments Inc.
250 897 5949

Begin forwarded message:

From:
Date: November 14, 2017 at 13:34:05 PST
To: info@3ldevelopments.com
Subject: Message from "RNP0026732F0009"

This E-mail was sent from "RNP0026732F0009" (Aficio MP C5501A).

Scan Date: 11.14.2017 13:34:04 (-0800)
Queries to:

20171114133404940.pdf
36K

Central Builders' Supply Limited
610 Anderton Avenue, Courtenay, British Columbia V9N 2H3
T 250 334 4416 F 250 334 3776

To whom it may Concern:

We at Central Builders' Supply Ltd. would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

The Owners and Management of Central Builders' Supply Ltd. Group of Companies

November 14/ 2017

To whom it may Concern:

We at the Whistlestop Pub would like to state our support for the creation of a 260 acre public park surrounding the Browns and Puntledge Rivers and the residential community of Riverwood.

We understand that the Riverwood community will meet and in most cases exceed environmental standards that are currently in place. Preserving and recycling water will be paramount for the environment moving forward and the community addresses this.

The proposed park is a heavily used recreation area by the citizens of the Comox Valley. The spawning beds surrounding Bull Island have played a very significant role in helping sustain our wild pacific salmon. Creation of this park will engage local residents into taking on river stewardship which is very important in protecting our salmon and rivers.

The Riverwood community will have its own wastewater treatment plant and recycled water from this plant will be re distributed back though the community for irrigation, toilets and similar uses. We do understand that water is going to be very important commodity moving forward and it is positive to see that 3L Developments is taking a leading role with regard to the environment.

We also understand this community will be self-sufficient with its own potable water system and therefore no burden will be placed on existing infrastructure. Should there be any required amendments to the Regional Growth Strategy, OCP or rezoning we support those changes for this project.

Regards,

Barry Vandusen

Owner Whistlestop Pub and Cold beer and Wine Store

UNITED STEELWORKERS
UNITY AND STRENGTH FOR WORKERS
LOCAL 1-1937

UNITED STEELWORKERS, LOCAL 1-1937

Affiliated with AFL-CIO-CLC

Administration Office
202 - 1509 Cliffe Avenue Courtenay BC V9N 2K6
Tel 250-334-3328 Fax 250-334-2662
Email admin@usw1-1937.ca

SERVING MEMBERS THROUGHOUT COASTAL BRITISH COLUMBIA

July 2, 2013

VIA EMAIL: administration@comoxvalleyrd.ca

JUL 17 2013

COMOX VALLEY REGIONAL DISTRICT
600 Comox Road
Courtenay, BC
V9N 3P6

Dear Chairman and Board Of Directors:

RE: 3L DEVELOPMENTS INC. PROPERTIES

Please accept this letter as support for the development of the Riverwood Project as per the Riverwood Vision.

We have reviewed 3L Development's proposal and from the documents provided it seems very clear to us that this development will provide a significant benefit to the Regional District and the Citizens of the Comox Valley.

The Comox Valley is one of the nicest places to live in the world and yet we have a very high unemployment problem with most people making very low wages without any fringe benefit coverages. This project creates opportunities for Local young people to work and perhaps an opportunity for an apprenticeship in a trade.

Many people or perhaps just the loudest group seem to be concerned about change but the reality is we need change, we need to create steady long term jobs for the kids coming out of high school and while this project will certainly not employ every kid that's graduating it could certainly help a lot of them.

Today, if you go to the Local Airport you will see literally hundreds of workers leaving their homes to fly to Alberta to find work. That is not good for the Island or the Valley but people have to work and they are going to go wherever they have to, to provide for their families, why not create the opportunities here in the Valley.

At some point, we need say Yes to projects that create jobs in the Valley.

Yours Sincerely,
United Steelworkers, Local 1-1937

Darrel Wong,
President

DW/jw/pb
usw local 1-1937
(saved F:\Darrel Wong\2013 07 02 CVRD Re- 3L Developments)

Area Office: Duncan
351 Brae Road
Duncan, B.C. V9L 3T9
Tel 250-746-8131
Fax 250-746-1012
Email dunadmin@usw1-1937.ca

Area Office: Burnaby
301 - 8988 Fraserton Court
Burnaby, B.C. V5J 5H8
Tel: 604-874-0274
Fax: 604-874-8187
Email: burnadmin@usw1-1937.ca

Area Office: Port McNeill
Box 214
Port McNeill, BC V0N 2R0
Tel 250-956-4312
Fax 250-956-4988
Email pmcadmin@usw1-1937.ca

July 4, 2013

Chairman and Board of Directors,
Comox Valley Regional District,
600 Comox Avenue,
Courtenay B.C. V9N 3P6

Delivered by hand, July 5, 2013.

Dear Sirs and Mesdames:

Re: Regional Growth Strategy Amendment- 3L Developments.

I have been watching with interest, the on-going dialogue between the Comox Valley Regional District and 3 L Developments regarding the 3 L Properties adjacent to the Puntledge and Browns River in the local newspapers. The writer does not write letters to the Editor as the message is usually not reported correctly and I will not be using the media to promote my message and comments in this letter to your board.

My name is Neil Woodrow, a licensed Realtor in the Comox Valley. I have lived here all my life and still enjoy my profession. This letter is based on real estate, the need for homesites in rural areas, the quality of life in rural areas, the pent-up demand for lot sizes from ¼ acre to ½, ¾ , 1 acre sites and up to 5 acre sites.

I understand that a request has been made by 3 L Developments for a Regional Growth Strategy Amendment. I want to state that I am in favor of the application for numerous reasons. I believe strongly, that the new Regional Growth Strategy, limiting any new subdivisions in rural areas to a minimum size of 10 acres is far too restrictive. In discussions with numerous Realtors in our Valley, this restrictive lot size of no smaller than 10 acres limits the opportunity for people who are moving here, who want a rural living atmosphere. In all my conversations with my peers, not one realtor was contacted for input into rural lot sizes. It appears(and please correct me if I am wrong) that the planners moved forward without representation from our local Real Estate companies and have not had the input on what buyers are looking for. The restriction hinders proper development...or actually, no development and also hinders those property owners who for years have held on to the family properties and now can't subdivide into smaller parcels. (pending zoning in whatever particular area.)

Further to this, I encourage the directors of the Comox Valley Regional District, the planners and staff, to take a look at some of the great rural areas that have homes on smaller lots....look at the Huband Road area....one of the most popular rural areas, look at Mystery Beach, Garvin Road, SandPines, Williams Beach, Kentwood Road, Kilmarnock in Royston and other areas in Royston.....people want to live in these areas, they don't want to be restricted and have to move into the urban areas, and newcomers to the Valley should be able to choose this type of life style if they wish.

Page two...

I encourage the Directors and Planners of the Regional District and the principals of any development to take a positive look into what is being offered by 3 L Development Co.,to take a step back , park the attitudes and personalities that are flowing through the media and take a common sense look at the request for a Regional Growth Strategy Amendment.

While they/you are doing this, also take a look at the restrictions on how to amend...they are very restrictive and certainly not easy to overcome. Firstly, a change of attitude, secondly, shelve the personalities, (this comment from reading local newspapers and the bantering back and forth) thirdly, look at what is being offered by 3L, look at the 185 acres of beautiful parkland and waterways access for our children and our children's children that they are donating as part of their plan, Look at the " No cost" to the Regional District, with 3 L paying the full cost of servicing, water, sewer, roadways, hydro, gas, telephone and finally, the opportunity to have smaller rural lots for present and future home owners who want rural living.

I encourage and support not only 3L in their quest, but also other land owners who have the land, the funds and the zoning to have the opportunity to be able to offer smaller sized parcels in the rural areas, with the blessing of our Regional District, who I hope will be objective, positive, supporting (with proper zoning , health and water requirements) so that our beautiful Comox Valley can offer carefree rural living to those who wish to obtain it.

Respectfully submitted,
R. Neil Woodrow

Courtenay, B.C.

J. MURRAY PRESLEY
951 Fitzgerald Avenue
Courtenay, B. C.
V9N 2R6

July 5, 2013

Comox Valley Regional District
600 Comox Avenue
Courtenay, B. C.
V9N 3P6

Attention: Directors of the Board

Dear Sirs:

RE: Regional Growth Strategy

As most of you are aware, I sat on the Comox Valley Regional District board at the time the Regional Growth Strategy was enacted and would not support it then. I did also oppose it at the City of Courtenay. My opposition was not to the Regional Growth Strategy in principle but in the very restrictive manner it was to operate under. My concern was that it did not allow for events that might occur that you as a board could not have contemplated. For example I used the scenario where Disney Land decided to develop a 1,000 acre site at Wolf Lake with numerous jobs being offered during construction and later operation. This would require a major amendment and it would have only taken one municipality or regional director to oppose it and it could not go ahead.

You presently have 3L Developments Ltd., proposing a subdivision which is a win win for the Valley. Their subdivision is completely self funding as far as water, roads and sewer costs but the real gain is that the Valley got ownership of 185 acres of pristine river front parkland without paying a dollar. Area C benefits from increased property tax revenue and the Valley benefits from knowing Stotan Falls and the remaining riverfront is theirs in perpetuity.

Please reconsider the restrictive Regional Growth Strategy operation and this riverfront development.

Yours truly,

J. MURRAY PRESLEY

JMP/dr

Page 1 of 4
Appendix E Page 483 of 251

Breaking News | Search for Sloan stalls

Events

POST AN EVENT

Denman Island Home and Garden Tour
JUNE 15 AT DENMAN ISLAND

Mudd, Sweat & Tears Vancouver Island
AUGUST 17 AT MOUNT WASHINGTON ALPINE RESORT

UPCOMING

MAY 31 Keeping it Living with Project Watershed

Auditions for Children's Choir

End of Bike to Work Week BBQ

SpringFest at Bowser Elementary

Perogie Night from the Comox Valley Ukrainian Society

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News

Comox Logging Road re-opened by 3L Developments



Like Sign Up to see what your friends like.

Friday, May 31, 2013 - 11:35 AM
By Jonathan Szekeres
Comox Valley

The gates that blocked off Comox Logging Road have been removed, as a sign of good faith from the owner of the land.

3L Developments have ended the stalemate over the site at Stotan Falls by submitting a formal request for the regional district to alter it's growth strategy.

Kable Atwell from 3L says, that would allow their housing project to go ahead.

"Right now everyone's standing around looking at each other wondering what's going to happen, and we thought this would be a good way to break the ice and get things moving," says Atwell. The Regional District wanted to see an application before they could react, so we submitted it in hopes of something positive coming out as a result of this."

However, he adds if this application is rejected, they'll likely block off more of their property for liability reasons.

3L are looking to develop around 600 homes where Puntledge and Brown rivers meet.

They've pledged to donate almost 200 acres of land back to the regional district if the application is approved, which would include the Stotan Falls swimming area.

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Appendix E Page 184 of 251

May 31 2013
2,031 - signed this petition

Sign the petition
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3. Browse
with 2,031 supporters
469 NEEDED
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Petitioning The Comox Valley Regional District

This petition will be delivered to:

The Comox Valley Regional District
3L Development Inc.

The Comox Valley Regional District and 3L Development Inc.: Need to come to an agreement to keep Stotan Falls open to the public!

1. 1. 

   2. Petition by

      Kyle Bourquin Charlotte Conley

      Comox, Canada

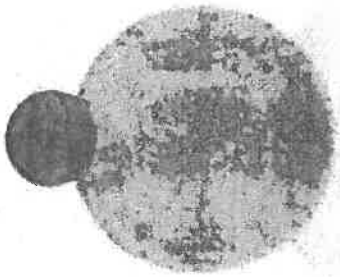
2.

Multiply your impact

Turn your signature into dozens more by sharing this petition and recruiting people you

know to sign.

YOU
YOUR
FRIENDS
170
avg.
THEIR
FRIENDS
10,000
approx.



Stotan Falls are an important recreational location and an integral part of summer culture in the Comox Valley. It is a popular tourist destination that has been used by the public for over a hundred years. Recently the owners of the land, 3L Developments Inc. have closed access to the area and the surrounding trails as a way to pressure to CVRD to rezone the land for Urban development. The CVRD and 3L Developments need to come to a consensus to keep Stotan Falls and the Puntledge Triangle trails open to the public whether it be by means of land purchase, park creation or conditional rezoning.

To:
The Comox Valley Regional District
3L Development Inc.
Stotan Falls are an important recreational location and an integral part of summer culture in the Comox Valley. It is a popular tourist destination that has been used by the public for over a hundred years. The CVRD and 3L Developments need to come to a consensus to keep Stotan Falls and the Puntledge Triangle trails open to the public whether it be by means of land purchase, park creation or...
Stotan Falls are an important recreational location and an integral part of summer culture in the Comox Valley. It is a popular tourist destination that has been used by the public for over a hundred years. The CVRD and 3L Developments need to come to a consensus to keep Stotan Falls and the Puntledge Triangle trails open to the public whether it be by means of land purchase, park creation or conditional rezoning.

Sincerely,
[Your name]

Read More Less

Supporters

Reasons for signing

- Most Popular
- Latest

- Emily Webber COMOX VALLEY, CANADA
  - about 1 month ago
  - Liked 3

This area has been part of the valleys life for generations! Completely ridiculous this is happening, as an active user of the area, be it riding my horse through the beautiful trails, walks along the pipeline, swimming and enjoying a river that people come from all over the world, I hope this makes that much of a difference from a neighbour of the Stotan Falls area (15 minute walk from my where my family has lived for over 50 years)

REPORT THIS COMMENT:

Report Cancel

- JARRETT LINDAL MERVILLE, CANADA
  - about 1 month ago
  - Liked 3

Childhood memories. I want to be able to bring my kids there one day just like my dad did.

REPORT THIS COMMENT:

Report Cancel

- Gladys Webber NANAIMO, CANADA
  - about 1 month ago
  - Liked 2

The ability, as a young person growing up in the Comox Valley, was the scenery and the recreational choices. Stokum Falls, the Spit, Comox Lake ect. As we try to eliminate all of these sites slowly but surely aren't we really diminishing the beauty of the Comox Valley and losing a piece of our identity as a group that calls our home town the Comox Valley. Let us all start thinking more about what we would be losing and less about money just once.

REPORT THIS COMMENT:

Report Cancel

- William McCallum COMOX, CANADA
  - about 1 month ago
  - Liked 2

What we don't need is some random company trying to muscle themselves into a position where they can just throw money at, and take what they know very well is something that everyone in the

Courtenay, Comox, and Cumberland areas have enjoyed for years. You can't just fence something like this off and tell everyone to go away because you say it belongs to you now. It's a part of this place, and it's a part of everyone who knows just how special it is, so just leave Stotan falls alone.

REPORT THIS COMMENT:

Report Cancel

- Gwen Monnet COMOX, CANADA
  - about 1 month ago
  - Liked 1

Born in the Comox Valley this land is part of my cultural heritage. Denying access to Stotan Falls is like erasing the glacier from our view. It is an integral part of who we are as Islanders.

REPORT THIS COMMENT:

Report Cancel

More Reasons

- Natasha Russell-Dufresne COMOX, CANADA
  - 2 days ago
  - Liked 0

It is such a beautiful place and its a place, we as a family, have made memories and hope to continue to do so. My kids love stotan falls!!!

REPORT THIS COMMENT:

Report Cancel

- Tammy Anderson VICTORIA, CANADA
  - 3 days ago
  - Liked 0

We've been going to the falls since I was a little girl and I've been taking my kids there their entire lives. It's the best part of our summer each year. Please don't take that away from everyone!

REPORT THIS COMMENT:

Report Cancel

- diane jackson VANCOUVER B.C, CANADA
  - 3 days ago
  - Liked 0

stotan falls draws me back to comox as a tourist year after year i will be very sad to have the right to enjoy this beautiful part of my province that i so much like to enjoy

REPORT THIS COMMENT:

Report Cancel

- Mari Culme COURTENAY, CANADA
  - 4 days ago
  - Liked 0

Enough development already!

REPORT THIS COMMENT:

Report Cancel

- melissa white COURTENAY, CANADA
  - 5 days ago
  - Liked 0

I am new to comox valley, and being a dog owner and river lover, i feel the need to keep places like this that make our summers worth the hot heat open to public, so we can pass these traditions on to our children for years to come, most places i went to as a child are now no longer there or were developed, we need to help keep them open!!!

REPORT THIS COMMENT:

Report Cancel

More Reasons

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3893 Alley Road
Fanny Bay, BC V0R 1W0
Phone: (250) 335-1013
Fax: (250) 335-1020

3L DEVELOPMENTS INC

FAXED 24 Jul 13

Fax

To: David **From:** Candy

Fax: **Pages:** 2 (including cover page)

Phone: **Date:** 24 July 2013

Re: Letter - Huntley **cc:**

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

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Comments:

Letter received today - 1

JUL 24 2013

Mr. David Dutcyvich,
340 Berray Rd.,
Fanny Bay, BC

Dear Mr Dutcyvich,

I oppose your 3L development plan for the Stotan Falls area and believe that the RGS should not be amended to suit your plan. You purchased the property as an investment and now you should have to play by the rules and comply with the RGS. There was much time and energy invested by many people to develop this strategy, and it was approved.

The Record reports that you would have 740 single family lots and 15 senior patio homes. There is no mention of whether the single family lots would actually be affordable —there are enough senior patio homes in the valley and there are a great number of houses for sale.

I am writing to members of the Regional District to express my opposition to your 3L development.

B Thornton

Betty Thornton,
42 Rod and Gun Rd.,
Courtenay, BC

July 20/2013

COMOX VALLEY ECHO

Published October 8, 2013
LETTERS

Stotan Falls: Think of the bigger picture

I read with dismay the letter describing the proposed amendment to the Regional Growth Strategy being comparable to a "Trojan Horse".

The writer correctly points out that Stotan Falls and the remaining 185 acres of riverfront has been around for thousands of years and it will continue to be around longer than any of our life times.

What the writer and some other politicians fail to grasp is that for about the last 100 years this property has been privately owned by forestry companies that allowed us full access.

The present owner is prepared to give the Comox Valley a gift of this beautiful riverfront park, valued in the millions of dollars. If we do not seize this opportunity to accept this property now we may lose access to the property for public use forever. I'm sure that a frustrated developer could and would receive a high price for riverfront acreage lots and those same buyers would not then be willing for the public to roam all over their now privately owned riverfront lots.

The writer quite rightly points out that the developer needs an amendment to the RGS to develop the remaining non-riverfront property, allowing him to donate the 185 acres. I would contend that this is one of those exceptional situations why an amending formula was incorporated into the RGS in the first place.

Please consider why making a small amendment to th RGS now is not worth the donation of 185 acres of spectacular riverfront being converted from private to public use in perpetuity.

Let's hope that some of the politicians can get over their concerns about amending the growth strategies and look at the bigger picture of quality of life. Imagine if Vancouver politicians hadn't seized the opportunity to acquire 1,000 acre Stanley Park when that opportunity became available in 1886. I don't think that anyone would question the enormous impact that Stanley Park has made to the quality of life in Vancouver.

J. Murray Presley

Courtenay

COMOX VALLEY ECHO

Published November 22, 2013
LOCAL NEWS

Low-density homes plan for Stotan Falls

But no parkland or public access proposed By Philip Round
Echo Staff

New plans for the land between the Puntledge and Browns Rivers alongside Stotan Falls were revealed by 3L Developments this week.

The company is suggesting an alternative and way less intensive residential development than the 700 homes it originally proposed - a plan that included a substantial donation of property as parkland, including Stotan Falls and riverbank land.

That proposal remains a 'live' application, but as its residential density runs completely counter to the Comox Valley Regional Growth Strategy it cannot move forward for formal consideration until the regional district agrees rules for amending the strategy.

The new, alternative plan envisions the entire property being subdivided in to just 36 residential lots, each of at least ten acres.

But no parkland designation or public access to the river - the bed of which is in 3L's ownership - is being proposed. Under the Local Government Act, an applicant is not obliged to offer parkland in subdivisions with lots of the size suggested.

The greatly reduced residential density does fit the requirements of the Regional Growth Strategy, so no amendment to that would be needed. That clears a major planning hurdle faced by 3L up to now.

But approval would not be automatic, as the property would still need rezoning, requiring a full public process - including a public hearing - and conditions could be imposed if permission is to be granted.

Rezoning would be necessary, says regional district general manger of property services Kevin Lorette, because the current designation of the land is 'Rural 20' - meaning the minimum lot size is 20 hectares, or almost 50 acres.

For 3L, Kabel Atwall told the Echo they believed they had no choice but to press forward with some sort of plan for the property.

He had been present at a regional district meeting on Tuesday and it was clear directors and staff were still going round in circles trying to work out the rules for amending the growth strategy and there was

COMOX VALLEY ECHO

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Comox Valley 7.3°C Environment Canada

MONDAY NOVEMBER 25, 2013

Beefs and Bouquets, Friday, Oct. 4, 2013

Comments Like 0 Tweet 0

OCTOBER 4, 2013

ATTENTION! CALLING LUCAS BYRNE! Have been trying to reach you for three weeks. Please contact Betty immediately, if you can. Two friends have work waiting for you.

BIG DOGGIE BEEF to the person and her brindle coloured pit bull type dog - I caught you about to let your dog run loose in the Courtenay Cemetery Sunday morning at 8 a.m.---you knew you were in the wrong and slowly walked away hoping that I would leave! It's irresponsible dog owners like YOU who ruin it for all. Go somewhere else to run your dog on the loose!!

A BIG BOUQUET to invasive plant killers. The hog weed is more than just an invasive plant, it is very noxious, if you touch it you will get a painful rash and if you get any liquid in your eyes you could go blind. Do not try to get rid of this plant on your own, let the experts deal with it.

RE: FIELD SAWMILL - The site is classified as industrial land and has been for years. Roger McKinnon should know better than to propose redevelopment of this site and I for one hope to see this proposal fall flat on its face. When the mill closed it cost the local economy plenty. MLA Don McRae and city council members would do well to remember that! Colliers International Real Estate can't sell industrial land for industrial purposes? Who cares??

ANOTHER BOUQUET to the CVRD for holding out on the 3L Development's pressure tactics for Stotan Falls. Too bad that 3L did not get the picture and Murray Presley as well, or Darryl Wong who has much bigger issues than the comfortable, retired councillor. Forestry workers continue to die on the job. A legacy that Forestry companies need to change.

A HUGE BOUQUET to Comox Valley Water Regional District residents who filled the CVRD Boardroom on Monday night to debate water rates! It's not about meters - but the rates will see many CVRD customers paying 2-3 times the cost of their neighbors in Comox and Courtenay. Stay tuned, more to come, on the cost of water. It will soon be flowing downhill to Courtenay and Comox customers. It is a new revenue source for local governments and those who value gardens/lawns will pay the price. We live in a "Rain Forest" and BC Hydro releases more water for kayakers than we all use on the Comox Valley water System. If you sit back on this issue you will pay much, much, more for the water service in the Comox Valley. A Cash Cow for local government.

THE CVRD unadvertised meeting on Monday evening had dismal attendance, considering that the 500 CVRD metered residential gardeners will be paying for the new $175,000 infrastructure, undefined, slush fund. They will also be subsidizing large estate lots who will use up to 826 bathtubs full of water per week, to keep an acre of grass green. CVRD gardeners will pay 2-3 times as much as Comox and Courtenay gardeners who pay an annual rate and use as much as they want. Courtenay and Comox use over 90% of Comox Lake treated water. They are not metered. Why would they want to be? Those sixty, interested CVRD citizens attending the meeting, echoed the same points again, and again about fairness. There was no listening by CVRD - the recommended rates will go forward to the vote by the area directors, before year-end. Is this a Done Deal from the get go?

A HUGE BEAUTIFUL BOUQUET of dogwood blossoms to Bobby & family! Last Saturday evening, I had clipped our lil dog Buddey to his leash in our backyard as it was a pleasant evening & we were going to be just a few hours at our daughter's. Coming home just before 9



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QUESTION OF THE WEEK

In light of the boom in Campbell River are you happy with the level of economic development in the Comox Valley?

Yes. There have been a lot of interesting developments recently here.

No. More needs to be done to encourage growth in the region.

I like things the way they are thank you very much.

6410-20 / CV RGS Amendments
RGS 1C 17

From: Alana Mullaly
Sent: Tuesday, July 31, 2018 4:03 PM
To:
Subject: FW: Response required: Form submission from: Comox Valley Regional District

Thank you Sean for your feedback.
Please note that on July 24, the CVRD Board voted to initiate a standard amendment to the Regional Growth Strategy in order to consider a proposal for a new "Settlement Node" by 3L Developments Inc.
The next step in the amendment process is for the Board to adopt a consultation plan that will provide opportunities for stakeholder consultation. Staff is planning to take options for consultation to the Board on August 14th. The Board will decide at that time whether they will direct staff to host any open house/information meetings as well as whether they will host a public hearing on the proposal.
Please stay tuned to this decision. In the meantime, if you have any questions about the Regional Growth Strategy, the amendment process or 3L Development Inc's proposal, please contact me.

Kind regards,
Alana

Alana Mullaly
Manager of Planning Services, Planning and Development Services Branch
Comox Valley Regional District
250.334.6051

From: Comox Valley Regional District [**mailto:no-reply@cvrdwebsite.ca**]
Sent: Monday, July 30, 2018 8:03 PM
To: administration <**administration@comoxvalleyrd.ca**>
Subject: Form submission from: Comox Valley Regional District

Submitted on Monday, July 30, 2018 - 20:03

Submitted by anonymous user: 184.66.108.168

Submitted values are:

Name Sean Bryan
Email
Message

I am a concerned citizen among many others who are worried about development around the Stotam Falls River area. It is an unprecedented piece of natural beauty and should be preserved for generations to come! Any housing projects that could threaten that should be out of the question. Runoff from a neighborhood that size would spoil the river and damage precious salmon habitat. Allowing such a project to go through would be an embarrassment to the stewardship of this community
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2835/submission/1026

6410-20/RGS/Amendment RGS 1C 17

From: Teresa Warnes
Sent: Thursday, July 26, 2018 10:28 AM
To:
Subject: RE: Form submission from: Feedback

This confirms receipt of your correspondence which has been made available to the Comox Valley Regional District Board of Directors.

Regards,
Teresa Warnes
Executive Assistant

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Thursday, July 26, 2018 9:30 AM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Feedback

Submitted on Thursday, July 26, 2018 - 09:30 Submitted by anonymous user: 24.244.23.252 Submitted values are:
Provide your feedback in the space below:
Lisa (Caroline) Christensen
Resident of Courtenay

To the Members of the CVRD Board,
I want to start this letter off by saying I believe good leadership is shown by people who can think for themselves, ponder a situation deeply and not be scared to change their mind and actions if they feel they made an incorrect decision.
Some examples of poor leadership would be someone who continously rambles off topic, a person willing to ignore a hard won bylaw because the wording didn't suit their purpose, and a person who might throw their fellow politicians under the proverbial bus after not getting their way.
I was very disappointed in the behaviour shown by Mayor Jangula. Not only did he ramble on about voting for or against the development rather than the actual issue at hand, "Can this pass scrutiny as a minor amendment given the wording of the bylaw?" (no.) But to make matters worse, he then was quoted by a reporter as saying "Three of the people today switched their vote from a week ago on exactly the same thing.. I find that quite amazing, how a week ago they were fine, with going with minor, and now all of a sudden because some people came (the speakers) because of, I think the psychological pressure of all the opposed people, they changed their minds. That's hardly good, strong leadership, in my opinion." (from the report by James Wood, July 24th 2018, My Comox Valley Now.com).
Well, Mr Jangula, I believe that is exactly what strong leadership entails. They examined the issue at hand, realized they had been mistaken, and corrected their vote based off information they more thoroughly understood at the time. Minor amendments are meant to streamline the process on uncontentious, simple matters. The two thirds clause protects us from those who would seek to abuse the system and use the minor stream to ram a major amendment through without due process.
This proposal could not ever have been seen to fit the wording of a minor amendment. This was the only question at hand and yet, the board for a while seemed quite intent on ignoring the wording of the bylaws for the sake of expediency.
There was a great deal of confusion over what the actual vote was about. This was not a question of "should the development go ahead". The developer even suggesting that they would only go through with their ambitious development under a minor stream is a HUGE red flag. We have a process for a reason. If they have their bases

covered they have nothing to fear from a standard stream but a slightly longer timeline. You can not ignore the wording and definitions of bylaws just because it would suit you better at the time. (also, you will notice they were quick to rescind their statement, carrying on with plans and the potential park regardless of the standard amendment path. In fact they now claim that they have never been out to streamline the system ""Our company has had a three-decade long successful history of creating sustainable communities that we want to create in the Comox Valley. Our commitment to this project began 11 years ago and over that period we have always followed the processes and never tried to expedite our project." quote from the July 25th report by Justin Goulet, My Comox Valley Now.com)

If the board members disagree with a bylaw, then procedure would be to register the complaint and move to investigate and change it asap. But during a current vote you are bound by those bylaws. You cannot pick and choose only the laws that suit you and blatantly ignore the wording of those that do not.

This is an enormous change in a regionally significant area. Standard amendment material. Case closed.
I am very proud of the board members who were able to put personal preference aside and honour laws and regulations, as well as hear the concerns of their people and carefully weigh out their decisions (and statements) It was very fair of the board to allow for the late delegations given the importance of the vote. I deeply appreciate the time I was given to voice my concerns. This could be a long process, but I rather hope that it will continue to be a fair one.
To Mr Theos, Mr Grant, and Mr Jangula, please think deeply about what I have said regarding the voting process.
To the entire board, my deepest thanks for your services and for the opportunity to contribute to the day.

Lisa Christensen
Full Name Lisa Christensen

The results of this submission may be viewed at:
https://www.comoxvalleyrd.ca/node/314/submission/1016

From: Jake Martens
Sent: Tuesday, July 24, 2018 11:45 AM
To: Teresa Warnes
Cc: Christianne Wile
Subject: RE: Correspondence for Directors
Attachments: amendment-vote (1).docx

Teresa,

Can you please post to the directors correspondence site.

Thanks!

Jake

From: Christianne Wile
Sent: Tuesday, July 24, 2018 11:23 AM
To: Jake Martens <jmartens@comoxvalleyrd.ca>
Subject: Correspondence for Directors

Hi Jake,

This one came through FB this morning. We have responded that it will be provided to Directors.

Christianne Wile
Manager of Operational Communications
Corporate Services Branch
Comox Valley Regional District
600 Comox Road, Courtenay, BC, V9N 3P6
Tel: 1-250-334-6066
Toll free: 1-800-331-6007 Fax: 250-334-4358

Response to the CVRD vote on the 3L's Proposed RGS Amendment:

I have been following the ongoing discussion about the possibility of further urbanization in the Puntledge Triangle with increasing concern. Along with several other generations I have had the good fortune to enjoy the pristine beauty of this unspoiled area over forty years and I had always hoped that it would remain this way for countless future generations to enjoy. Emotional aspects aside, the development of this area could have a severe impact on our local environment because of resulting changes in the surrounding watershed. Pollution from materials used in construction, fertilizers and pesticides, sewage leaks and run-off of fuels from the changed road surfaces are likely. Removal of soil changes water absorption which can be a potential for flooding issues. Further erosion of the banks of the river will cause an excess of turbidity which harms aquatic life, increases water treatments costs and makes water less useful for recreation. Sedimentation clogs drainage ditches, stream channels, waters intakes and destroys aquatic habitats. All of this can severely impact our water drinking supplies and plant and animal diversity in this area. The Puntledge River supports a summer and fall run of salmon which is of significant importance to our fish stocks. Studies have already shown significant changes from construction that has occurred downstream and closer to our town area and Fisheries and Oceans Canada considers the summer run of chinook salmon a population of high conservation concern. One wonders how further construction in this area fits into the action plan of the Fish and Wildlife Compensation Program which is a partnership between B.C. Hydro, the Province of B.C. Government, the Fisheries Department and First Nations and if these groups are being represented as a part of these far-reaching decisions? I strongly advise that further studies need to be done involving these groups before any further action will be taken. With all the possibilities of how this development could affect the Courtenay area, surely this is not the legacy you would wish to leave this area?

With respect

Deborah Storey

6410-20 / CV RGS Amendments
RGS 1C 17

From: Teresa Warnes
Sent: Tuesday, July 24, 2018 8:39 AM
To:
Cc: Sylvia Stephens
Subject: RE: Form submission from: Comox Valley Regional District

This confirms receipt of your correspondence which has been made available to the Comox Valley Regional District Board of Directors.

Regards,
Teresa Warnes
Executive Assistant
Comox Valley Regional District
Phone: 250-334-6008

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Monday, July 23, 2018 4:33 PM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Comox Valley Regional District

Submitted on Monday, July 23, 2018 - 16:32

Submitted by anonymous user: 108.172.114.30

Submitted values are:

Name Daniel Scherr
Email
Message
It has come to my attention that a neighbouring property owner, 3L Developments, is applying to have a minor amendment made to the regional growth strategy in order to create a new subdivision of 700+ lots.
Given that the whole point to the Regional Growth Strategy is to determine areas of growth, I do not see how adding an entire settlement node can be considered minor.
If there is a desire for more building lots, particularly standard city-size lots, it would be more appropriate for the interested municipalities to utilize the Settlement Expansion Areas bordering said communities. Under the RGS that is the purpose for the Settlement

Expansion Areas, and land owners within those areas are handcuffed with respect to subdividing.

While I appreciate the economic benefits of such a proposal, and understand why many parties would be interested in pushing such a proposal forward, it doesn't change the fact that the scale of the proposal is not minor with respect to the Comox Valley as a whole. It should be treated as a standard amendment if anything and I hope that those capable of voting on the matter will do so accordingly. Thank-You for taking the time to read this on such short notice.

Regards,

Daniel Scherr
Owner at 4590 Marsden Road
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2835/submission/1005

6410-20 / CV RGS Amendments
RGS 1C 17

From: Comox Valley Regional District <no-reply@cvrdwebsite.ca>
Sent: Monday, July 23, 2018 8:50 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Form submission from: Comox Valley Regional District - Planning & Development Services

Submitted on Monday, July 23, 2018 - 08:50

Submitted by anonymous user: 184.66.114.51

Submitted values are:

Name Wendy Morin
Email
Message
Hello, please accept this letter as a submission for the July 24th board meeting regarding the 3L DEVELOPMENTS INC. APPLICATION TO AMEND REGIONAL GROWTH STRATEGY:

Comox Valley Regional District
Board of Directors
600 Comox Road
Courtenay, BC
V9N 3P6

Re: 3L DEVELOPMENTS INC. APPLICATION TO AMEND REGIONAL GROWTH STRATEGY

The Regional Growth Strategy is an extensive document. It is a detailed document representing a comprehensive process involving all municipalities, the provincial government, and various land use committees. Its creation also involved numerous local citizens, the business community, and youth voices as well through local high schools. It also takes into account the ongoing K'ómoks First Nation treaty negotiations and its creation involved liaison with all local First Nations.

The question before you is to consider whether 3L's proposal to change the RGS would be a minor amendment or a standard amendment. I have read the RGS in its entirety and it seems unfathomable how the 3L proposal could fit the criteria of a minor amendment, particularly with regard to regional significance, scale, impacts, or precedence. The RGS does not allow for density on the North side of the Puntledge River. To include development in this area would be a major change to the RGS. In fact, one could argue allowing development in this area to be in contravention of a core tenet of the RGS.

In particular, significant changes to the RGS policy areas of Housing; Ecosystems, Natural Areas & Parks; Transportation; Infrastructure; and Public Health & Safety would be necessary to allow for development in this area.

Regarding the policy area of Housing, the RGS states, "development must be directed in a manner that creates a sustainable long-term development pattern that uses both land and infrastructure in the most efficient manner." There is no infrastructure currently in this area, and the proposed creation of an infrastructure impacts the entire Comox Valley, and potentially beyond. Another key supporting policy of the RGS is that settlement nodes "are to be developed with centres that are walkable and limited to local services." Yet another policy states "Increase housing opportunities in existing residential areas in Core Settlement Areas by encouraging multi-family conversions, secondary suites, and small lot Infill." Your own steering committee report says that existing core settlement areas and new settlement nodes are not even close to capacity for development. So what is the rationale to set up a new settlement node in this area, and significantly change the RGS?

Regarding the policy area of Ecosystems, Natural Areas & Parks, conservation and ecosystem protection are prominent components. The Stotan Falls area is not a Stanley Park. It is not an appropriate location for an urban park with commercial services as proposed. It is a wilderness area with a heavy wildlife presence, including cougars, bears and wolves. Where do these predators go if 750+ homes go there? What happens to eagle nesting areas and to other displaced wildlife? I have lived in the Powerhouse/Arden Road area for much of my 55 years. Thankfully my childhood neighbours Ruth Masters and the Tarling family donated their land to remain undeveloped so some of this wildlife could have habitat. The RGS also identifies this area as a critical watershed and that it is vitally important for watersheds to be protected. Water consumption is another major component of the RGS. According to the RGS, the Comox Valley has a poor record compared to the rest of the province regarding water conservation. Aside from the impact of development itself, there would be sustained impact over time with thousands of people living in this area. A sewage treatment plant would be required, with the outflow going in to the watershed. Treated or not, the RGS does not allow for sewage entering the currently pristine and highly sensitive watershed. Sewage management has been an ongoing challenge for years in the Comox Valley. Is it prudent to introduce another system in such a sensitive ecosystem and watershed?

Regarding the policy areas of Transportation; Infrastructure; and Public Health & Safety, again the RGS currently does not allow for this development proposal. There is currently

no public transportation plan in this area, and no proposed roads and thoroughfares to allow for thousands more cars in this area. Any proposed infrastructure would be the equivalent of a completely new community – not in the RGS. The proposed infrastructure creation would be subject to adherence to policies of several planning bodies and committees, and in coordination with Regional Water Supply Strategy, the Regional Sewer Strategy, the Sustainability Strategy, and the Regional Conservation Framework Concept Map No. 4. Under Public Health & Safety, the area of fire protection would be yet another impact on the RGS. It is noted in the RGS that development bordering forest land increases risk for wildfires and creates additional stress on existing fire protection services.

I haven't touched on the RGS policy area of Climate Change, but suffice to say that is another area that would be impacted by a change to the RGS, particularly in the area of Global Greenhouse Gas emissions created by deforestation.

Section 4.4 of the RGS pertains to Growth Management Principles. Again, the proposal before you is incongruent with many of these principles. In particular, number 8 states, "Limit the number of existing and planned Settlement Nodes outside of the Municipal Areas and ensure that such nodes are developed in a compact and transit-supportive manner. " As the steering committee concludes in its report and recommendations, the RGS designation of the lands in question from "Rural Settlement Area" and "Settlement Expansion Area" to "Settlement Node" does not meet the criteria for a minor amendment. In recent meetings I have heard some RD directors say they are choosing the minor amendment process to save time and/or to prevent consultation with other regional areas, as they don't feel other areas should have a say in this decision. The decision that is before you is to determine whether this proposal meets the criteria of a minor amendment, which it clearly does not – as outlined in the steering committee's report and in the numerous examples given here. Expediency is not part of the criteria and should not take precedence in consideration of this important decision.

Respectfully, I implore you to scrutinize the RGS and criteria for amendments and to honour the time, energy, consultation, and solid expertise it took to create it. Please follow your own steering committee and staff's recommendation to treat this proposed amendment as standard, if considered at all. Your decision will impact many beyond this land, and a vigorous, thorough consultation process is vital.

Sincerely,

Wendy Morin
Courtenay, B.C.

The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2837/submission/1001

6410-20 / CV RGS Amendments
RGS 1C 17

From: Sylvia Stephens
Sent: Tuesday, July 24, 2018 8:54 AM
To:
Subject: FW: Form submission from: Comox Valley Regional District - Planning & Development Services

This confirms receipt of your correspondence which has been made available to the Comox Valley Regional District Board of Directors.

Sincerely,

Sylvia Stephens

Sylvia Stephens
Branch Assistant
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6043

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Monday, July 23, 2018 1:39 PM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Form submission from: Comox Valley Regional District - Planning & Development Services

Submitted on Monday, July 23, 2018 - 13:38

Submitted by anonymous user: 23.16.104.110

Submitted values are:

Name Peatr Lorian
Email
Message
Dear elected representative,

I am writing as a concerned citizen of the Comox Valley.

I was shocked to learn that the Regional District was thinking about changing the Regional Growth Strategy to allow for the 3L Development at Stotan Falls to proceed through a minor amendment process. As you are probably aware the Comox Valley will continue to grow over the next decade. It is important that any growth is planned in detail, with proper and full consultation from all impacted stakeholders. Given the magnitude of the development in question, this amendment should proceed through the standard and normal process, instead of being changed to a so-called "minor" amendment. My understanding is that our Regional district is the only one that allows for this minor amendment process. Please inform me if there are other Regional Districts which allow for a shorter process on such large decisions.

From outside your chambers at city and regional halls this process appears extremely suspicious. Why would the board change its vote? Why does it seem like some members of the board are interested in changing the regional strategy at any cost? The more that people have learned about what has happened and what could happen as a result your decisions, the more we begin to distrust the process and the people responsible for managing growth in the Comox Valley, who should be making sure that said growth happens sustainably (at a financial, environmental, and social level). Your board is responsible to plan strategically and with a view of the long-term. This change in the standard process is short-sighted and not thoroughly planned.

I worry that the housing affordability crisis that is happening in the lower mainland and Victoria will come here to the Comox Valley. Reckless development will destroy the beautiful place we call home, and the environment which has drawn us to come here and or/stay here. Poor management of the new infrastructure that is required for such rapid growth will devastating and long-lasting impacts on our community.

Obviously, this is a desirable place to live and it is necessary to facilitate increased housing, especially considering that we already have a housing shortage (particularly affordable rental housing). This project, however, does not address these needs. Instead of supporting the people of the Comox Valley to stay here and have the wonderful quality of life that we all deserve, this project will only cater to folks who have ample money to buy homes, and many of whom are coming from away without a connection yet to this community. This will continue to increase the market value of property, further pushing out low-income families and young people.

Why does the board not want to follow the Regional Growth Strategy that is already in place? My understanding is that the growth nodes in the Comox Valley, Union Bay, Mount Washington and Saratoga Beach have not reached capacity for growth. It would be wiser to make sure growth happens near or close to existing infrastructure, with a slow, well-planned and community-minded densification strategy. This should happen in those areas which have already been marked as having the capacity for greater growth. Our schools, hospitals, roads, water and sewer systems will not be able to sustain reckless and unplanned development such as that proposed between the Puntledge and Browns rivers by 3L Development.

You must not rush to change a process and strategy which was created with the whole regions growth in mind. If it's time to create a new regional growth strategy, take the time to do that instead of ignoring the plan that is already established. Understand that issues of affordable, sustainable housing matter to the people of the Comox Valley. We will not ignore irresponsible choices made by elected officials.

Thank you

Concerned citizens

Peatr Lorian and Fiona Lorian
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2837/submission/1004

Subject: FW: Form submission from: Feedback

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Monday, July 23, 2018 9:42 AM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Feedback

Submitted on Monday, July 23, 2018 - 09:42

Submitted by anonymous user: 24.244.23.188

Submitted values are:

Provide your feedback in the space below:
Good Morning, honourable board members.

My name is Lisa Christensen and I would like to offer my insights and concerns into the issue of the upcoming vote on the 'minor' amendement to the RGS regarding 3L development.

First allow me to clarify that I am not against development in general, but rather I am against developers being allowed to skirt due process in the 'spirit of expediency'. That a developer can use bullying tactics to try and get his way with our board at the expense of that due process.

It is the board's duty to decide whether an amendment is relevant to pass, and whether that amendment should be considered as a major or a minor track item. At the first Committee of the Whole vote, it was very troubling for me to hear Mr Kabal try and push talk of lawyers and legal involvement over something he had allegedly been promised by

only one or two members of the COW. He was corrected by the chair as far as, according to regulations, only a vote by the entire committee can lead to the passing or failing of an amendment.

One member cannot make and keep promises that bind the entire board, who are honour bound to vote to the best of their ability, on behalf of the people they were elected to represent. The matter has twice been shown contentious enough to falter in the minor amendment track, given the two instances where the COW failed to pass the amendment on the minor track and the results were only altered by pleas of the 3L representatives to change the rules of the game from provincial to local, and then out of an abundance of caution, to save the two thirds majority clause for the council in its entirety.

A minor amendment should be, by definition, minor. Something that all of the board could feasibly agree apon. Something all the of the board could feel confident the people who elected them would agree apon. Something that needed very little further consult or vetting.

There is no way that this amendement could possibly considered as minor, by the very definition of matter given in RGS.

Amendments to the RGS.

Regarding minor amendments:

3.a) where a land use or development proposal is inconsistent with the RGS, and, in the opinion of the CRVD board:

is NOT to be of regional significance in terms of scale, impacts, or precedence

contributes to achieving the goals and objectives set out in Part 3; and

contributes to achieving the general principles contained in the growth management strategy

Further, MG policy 1B-4 could offer some clarification as it states "Should minor adjustments to existing settlement node boundaries be identified through a local area planning process, such boundary adjustments shall be permitted subject to a minor amendment to the RGS" Whereas MG policy 1B3 on new settlement nodes, immediately preceding, states that "designation of any new settlement node will recquire an amendment to the regional growth strategy.

It does not specifically disallow a minor amendment in that case but it definitely does not recommend one as it does in dealing with a 'minor change' to an existing node. New settlement nodes are by definition far from minor. They tend to be (particularly so in this case) regionally significant in terms of scale and impact, inconsistent with the land use already zoned for, and fail to achieve the general principles contained in the growth management strategy.

The steering committee is comprised of specialists and paid to research the issue. The committee report advised against the amendment being considered minor. Before developing further afield the policies of the RGS state to first "increase housing opportunities in existing residential areas in Core Settlement Areas by encouraging multi family conversions, secondary suites and small lot infill. The steering committee report found that existing core settlement areas and existing nodes area not even close to capacity for development.

Many of you are very focused on the potential of the donated parkland. We should not be so focused on the park that we forget the bigger picture. More important than the recreational area is the protection of the wildlife corridor and the watershed. A change from rural 2 homes per 20h (40 homes) up to a density of up to 1000 homes in the same area (the number on paper was 740 but Mr Kabal was quoted at 1000 during questioning at the first meeting I attended.) could in no way be construed as a minor change to the RGS. This would involve changes to multiple policy areas such as housing, ecosystems, natural areas and parks, transportation, infrastructure, and public health and safety.

The park itself, while an intriguing idea to the public at first glance, would be better served left in its current form. Our valley has few enough natural places left. To encourage further exploitation of this delicate watershed and wildlife corridor is to invite conflict down the

line. The RGS was created to protect the integrity of our natural areas. It identifies this area as a critical watershed and we have spent so much money repairing damage other developments have done we would do well to examine the impacts of this one in depth before allowing drastic changes to be made.

There is already a lot of traffic to the river. Adding 740+ (again, remember that Kabal was quoted at 1000 homes during questioning at the COW meeting) homes complete with families and guests will add a lot of toxic run off from vehicles, lawn products, and sunscreen (a recent article in the July 5th Vancouver Sun "Is sunscreen killing BC's Cowichan River?" goes into the details of how detrimental this can be, "In the US researchers discovered that 1200 swimmers would go through 76.8 kilograms of sunscreen a day and that the mist from aerosolized sunscreen carries for 450 metres.) Without further info we can only guess as to the impacts of sewage treatment – where will the resulting products go?

The changing of a rural zone to one of high density urban nature would definitely affect the long term health of our climate. I recently attended a public info and planning session on our Urban Forest Strategy, hosted by Diamond Head Consulting on behalf of the City of Courtenay. According to the city's website "Communities around the province are adopting urban forest strategies to address environmental protection, stormwater management, climate change, habitat protection, and liveability."

I was personally unaware that trees and green spaces actually hold a monetary value in regards to their ability to sequester carbon and this is but one thing the city is interested in with their investigation into the health of our urban forest. For example, a 50 year old oak forest could sequester 30,000 pounds of carbon dioxide per square acre, emitting 22000 pounds of oxygen in a year. This does a great deal, passively, to mitigate the pollution of our busy city.

The City of Courtenay has hired Diamond Head Consulting to conduct a survey and collect data on the state of our urban forest and how it contributes to issues such as flood mitigation and air quality. "An Urban Forest Strategy is a planning tool that identifies opportunities and challenges for trees and forest stands on public and private land. The City's strategy is expected to set a canopy cover target for the community as a whole, and for specific areas and land uses. The canopy cover target will inform which areas should be a priority for tree protection, and in which areas replanting would be beneficial."

When the city is just beginning this very important study it would be folly to rush into a development in one of our most vital watersheds and wildlife corridors. Better to prevent damage than to have to spend the money to fix the effects down the line.

The settlement can not be seen as a minor amendment no matter how you look at it, and there should be no such thing as masquerading a major amendment as a minor for 'the sake of expediency', such a folly would be a dangerous precedent as well as uncover some major unseen flaws if the process was not as fullsome as it needs to be. The blame would lie on the directors if the minor process overlooked any major issues.

If the amendment is corrected to be viewed as a major one, as it clearly is, then all sides of the story will be more completely exposed. More thorough investigations will be done.

Any delays to the development are not the fault of the board. They are part of the due process needed to make such major changes to the RGS. Changes that should not be taken lightly or rushed because a developer is concerned about his timing. The upcoming election has been stated as a reason to rush this along. This concerns me deeply. It should not matter who is elected to our board, they will use their competence to govern wisely based off the information given. Expediency is no excuse for ignoring the very definition of what 'minor' means and rushing through drastic alterations to our hard won RGS.

This amendment to the RGS will indeed affect all of the surrounding areas, Cumberland, Courtenay, Comox, Royston. There likely should be involvement with the people of the First Nations, as well as plenty of public input and environmental study. The changes to infrastructure are immense and deserve a fullsome investigation and time to completely pursue the potential fallout and what will be done to mitigate it.

Thank you for considering my input.

Lisa (Caroline) Christensen

Full Name Lisa Christensen
Email Address
Phone Number
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/314/submission/1002

Diane Bostock Area C. (location) Location! Location

I oppose proposed minor amendment.

Comox Valley Regional District
RECEIVED
File: 4410-20/CVRS/RGS/RGS1
JUL 23 2018
To: WEO
Cc: A.HULLACH; J.MARTENS

I live - by a wetland

I don't - have cats, dogs, fences.

so

I do have - wildlife travelling through - network of minimumly fragmented green space over here

they come - under highway at the Rivers Puntledge & Browns.

they arrive - in proposed ↓ RiverWood (proposed)

Imagine 1000 homes.....

There will be conflict

From the RGS:

"Critical Watersheds:

The Browns, Tsable and Oyster Rivers and Comox Lake are Critical Watersheds in the Comox Valley

In addition to providing drinking water sources these watersheds provide Linkages for wildlife from the East Coast of Vancouver Isl to the West Coast via Strathcona Park."

(1a)

- 10 years since Gerry mandering GTA RD.
- gov mandate to put into law RGS.
  = principles to direct growth → 20 yrs...
- municipalities charged the "ID" areas
  - they wanted.

and
Market led prosperity could service

Urban Containment

the Key principle RGS.

ensures Best for Municipalities

tax & population

- ☆ brilliant transit
- ☆ vibrant business
- ☆ delightful civic ammenities
- ☆ flourishing arts & culture.

MORE

(2)

Happy flip side to Urban Containment

Urban Containment

Rural Character & functionality maintained

another Key RGS principle is:

Fostering Strong Local Economy in Rural Settlement Areas

agreeing in keeping with form character & scale w RSAs

intense discussion

thoughtful long consideration

MEAS

only one removed! why?

Wildlife

very high values

and across River

Very expensive to service!

Puntledge River is a Natural Boundary!

only one removed yet

Now `River Wood' (proposal)

trying to get in through consideration as a Minor?!

Ammendment

(4)

Riverwood vs Province

Says 'self sufficient'

Says 'contiguous w city'

frowns on self sufficiency

historically ⇐ fail or $ to connect

says Growth nodes should not be contiguous.

Regional Warming

Snowpack less

glaciers melting

if 'Riverwood' can't get River rights to H2O or aquifer is inadequate too big to fail

They will need Comox Lake H2O

Courtenay will not service H2O without annexation!

Play this out

(5)

Appendix E Page 222 of 251

Bam! We end up with

unplanned for

placed

Unnecessary MEA

Somewhat useful

RGS!

says by law

RSAs → 10% growth

Municipalities

MEAs → 90%

Growth Nodes

existing

Appendix E Page 223 of 251

COMPARE

Proposed Riverwood vs Existing Growth Nodes

- doesn't exist.
- do exist

economy

- main jobs from building ~~over~~ (when building is done)
- IF No Riverwood? building jobs ~~could~~ will still exist (in Municipalities, MEAs & Growth Nodes) as infill projects

economy

- have existing local economy of place.
- local jobs are ongoing & sustainable

- No H2O / no sewer → H2O & septic exist

- new development in forest → co-existing for very a long time
- Wildlife will be disrupted → Wildlife have co-existed w/ People for a very long time
- predators will eat pets stalk kids coyotes & bears will die

Riverwood Proposal Steals!

infill from Municipalities

Settlement from Existing Growth Nodes

land based economic development from Rural Settlement Areas.

and gives? --- meh! More houses in the middle of a forest possibly lacking "compact form" and "diverse housing options".

8.

Stotan Falls



- 3L bargaining chip.
- We have an alternative

bylaw 337 rural OCP p. 35 →

(4) Apply the following framework to proposed rezoning applications in rural settlement areas:

a 20 ha lots basic permitted lot size
b 15 ha " " up to 10 % required for public dedication of greenspace or environmental protection
c 10 ha " " ↓ 15 %
d 8 ha " " ↓ 20 %
e 6 ha " " ↓ 25 %
f 4 ha " " ↓ 30 %

99 combinations calculated based on average lot size w/in proposed subdivision.

maintains our RGS zoning and RSA economic functional & wildlife corridors

Why didn't 3L do this? 00

What they're proposing can be done this way!

Subject: Form submission from: Comox Valley Regional District

From: Comox Valley Regional District [mailto:no-reply@cvrdwebsite.ca]
Sent: Tuesday, July 10, 2018 10:49 AM
To: administration <administration@comoxvalleyrd.ca>
Subject: Form submission from: Comox Valley Regional District

Submitted on Tuesday, July 10, 2018 - 10:48

Submitted by anonymous user: 24.244.23.201

Submitted values are:

Name Lisa Christensen
Email
Message
My name is Lisa Christensen, and I am a City of Courtenay resident, have lived in the Comox Valley for 40 years, and am a regular voter in the municipal elections. My husband and I live in the puntledge area with our daughter who attends Ecole Puntledge Park school.

I would like to offer some feedback about the upcoming presentation of 3L to the Committee of the Whole, regarding a wish to have their proposal classified as a Minor Amendment to the Regional Growth Strategy (RGS), contrary to the Staff recommendation that their proposal is a Standard (Major) Amendment.

A change from "2 houses per 20 hectares" over 400 acres (40 houses), to 740 houses in the same area is NOT a minor amendment. Section 5.2 of the Regional Growth Strategy Bylaw # 120, 2010 clearly states that this kind of development in rural areas is well above and beyond all the principals that would constitute a Minor Amendment: (Pages 108 - 110).

This area is a very sensitive ecological area. In a time when the City of Courtenay is conducting surveys as to the wishes of the residents and the ecological and financial impacts of our urban forests it is not the right time to be rushing through such sensitive

decisions. This development will affect many species of flora and fauna in a very delicate wildlife corridor, and a watershed that is extremely important to our city and surrounding area.

The Regional Growth Strategy is a comprehensive process involving public citizens (voters), the Provincial Government, the surrounding Regional Districts, the CV Regional District, local Municipalities and 7 First Nations.

Growth must be planned for in a responsible and respectful way for all involved parties.

Please do not classify 3L's proposal as a minor amendment. It clearly is not. The RGS was created for a reason and is not the be altered without deep thought for repercussions in the future. We have not even completed the (likely very costly) studies on the impact of urban forest the city has begun. The costs associated with restoring the delicate habitats we have already impacted in ways that cause issues with flooding and water supply should be considered before we brazenly destroy another of our rapidly fading local treasures.

The developer purchased their land knowing what it was and was not zoned for. If they have to wait for due process in order to make changes to that allowable usage than so be it. Do not rush into a decision that should not be taken lightly.

Sincerely,
Lisa Christensen
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2835/submission/931

Subject: Form submission from: Feedback

From: Comox Valley Regional District [**mailto:no-reply@cvrdwebsite.ca**]
Sent: Tuesday, July 10, 2018 10:18 AM
To: administration <**administration@comoxvalleyrd.ca**>
Subject: Form submission from: Feedback

Submitted on Tuesday, July 10, 2018 - 10:18

Submitted by anonymous user: 173.180.10.216

Submitted values are:

Provide your feedback in the space below:
Please do NOT allow development near Stotan Falls. Say no to the Puntledge Triangle .
We can not afford to have that many more homes in an area that should be preserved.
Also who allowed all that land to be sold?
Full Name Lori Ball
Email Address
Phone Number
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/314/submission/929

6410-20 / Amendments
RGS 1C 17

Directors Web
A. Mullaly

Subject: Form submission from: Feedback

From: Comox Valley Regional District [**mailto:no-reply@cvrdwebsite.ca**]
Sent: Monday, July 09, 2018 8:26 PM
To: administration <**administration@comoxvalleyrd.ca**>
Subject: Form submission from: Feedback

Submitted on Monday, July 9, 2018 - 20:26

Submitted by anonymous user: 96.54.222.126

Submitted values are:

Provide your feedback in the space below:
I would like to state my opposition to the 3L development higher density proposal. It is against the regional strategy and is the wrong development for the area. I moved to this valley for it's nature and wildlife. This development will directly impact wildlife and traffic in the area. I appeal to all members of the regional district to do the right thing and vote against this proposal as presented. The future of our valley lies in your hands. Please show us that our district is forward thinking and moving ahead with innovative innitiatives, and not not old school "log it, burn it, pave it" mentality.
Full Name Mary Mitchell
Email Address
Phone Number
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/314/submission/926

Comox Valley Regional District
Appendix F Page 230 of 251
RECEIVED
File: 3320-20/STOTAN FALLS
MAR 01 2018
DIRECTORS SITE
cc: SHARRED MACDONALD ROSS

PETITION:

We, the undersigned, call upon the Directors of the Comox-Strathcona Regional District to deny the application of 3L Developments for their proposed rezoning of the land straddling the Puntledge River adjacent to Stotan Falls- the 'Riverwood' proposal.

We cite three primary objections to this rezoning;
1/ This is forest land and should remain so. Our community needs a resource base underpinning its economy and sustainable forestry has been and should continue to be an important contributor to our economic well being.
2/ This land is adjacent to a very important watercourse that supports large populations of a number of species of salmonids. Fisheries are another sustainable source of jobs and of food and are vital to our community. We should not be densely developing anywhere near fish bearing streams and rivers. In addition, a wide variety of other wildlife depend upon the Puntledge River corridor and it should remain intact.
3/ Finally, it is inimical to democracy and to credible and responsible planning processes to let a developer end run the will of the citizenry and the work of elected officials and planning professionals by up-zoning properties such as the one in question purely for profit. We must not reward behavior that runs against well established and community supported planning processes and make it clear to all that development will take place within the context of the Official Community Plan, or not at all.
Respectfully,

Name	Address	Signature
Corinne McNamee	2504 Willowbrook Courtenay B.C	Corinne McNamee
Natalie Walker	2687 Castairs Dr. Courtenay BC	
Jeremy Walker	as above	
Mike McNamee	2504 willowbrook Courtenay B.C.	
Myles Armstead	4956 Greaves Crescent	
Peter Bazovsky	1952 Dogwood Drive	

NAME	ADDRESS	SIGNATURE
Michelle Zimmerman.	702 B 26 Street	M Zimmerman
Dana Mazer	5088 Spence Rd	
Katya Luczanko	950 CHARTRY PLACE comox, BC.	Katya Luczanko
Sara Thomas	107 129 Backroad Courtenay BC	Sara Thomas
GARY AYLWARD	400 STEWART ST COMOX B.C.	Gary Aylward
Jill Peacocke	400 Stewart St Comox BC	J Peacocke.
David Hardie	1/162 Gartley Pt. Rd Courtenay	D Hardie
JOHN RAVIN	195-8 TRAFALGAR AVE COMOX BC	
Trevor McIvor	722 WALLACE CRES Comox BC	TMc
Brittany Haunsworth	2443 DAKOTA PL COMOX BC	B Haunsworth
Crystal Rose	Box 134 Cumberland V0R1S0	C Rose
Leanne Boyd	#143 2800 Mansfield Dr Courtenay BC V9N 3S3	L Boyd
Stephanie Rice	1429 Anderton -2 Comox BC V9M 3Z6	S Rice
Lisa Beaulieu	2529 Copperfield Rd Courtenay BC V9N 9S6	L Beaulieu
Elisabeth Partin	4B - 951 Fitch St Courtenay BC V9N 1K8	E Partin

Comox Valley Regional District
RECEIVED
File: 3220.20/STOTAN FAL
APR 19 2018
to DIRECTORS SITE
cc: WARREN; ANNE; ROSS; RD (SON)

PETITION:

We, the undersigned, call upon the Directors of the Comox-Strathcona Regional District to deny the application of 3L Developments for their proposed rezoning of the land straddling the Puntledge River adjacent to Stotan Falls- the 'Riverwood' proposal.

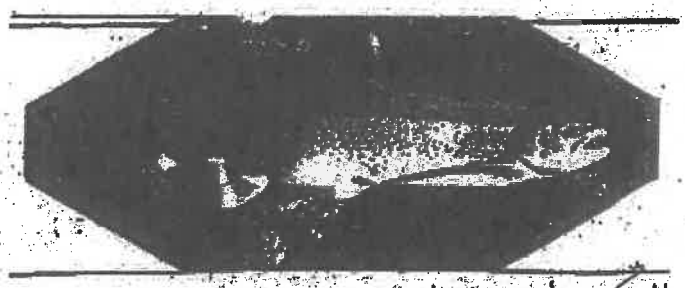
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Respectfully,

Name	Address	Signature
DAVE B. LORIMER	2715 POWERHOUSE RD. COURTENAY	D B. Lorimer.
L Norris	2701 Powerhouse Rd	
Conrad Masse	43 Powerhouse Rd. Courtenay	
Melanie Madill	43 Powerhouse Courtenay	Melanie Madill
CINDY MONAHAN	45 Powerhouse	C Monahan
DOUG KILLAM	45 Powerhouse	

NAME	ADDRESS	SIGNATURE
Rosmarie Kilian	45 Powerhouse	Rosmarie Kilian
LEE DUROCHER	49 POWERHOUSE	Lee Durocher
SANDRA DUROCHER	49 Powerhouse Rd.	Sandy Durocher
Laura Penner	215-303 Arden Rd.	L. Penner
RON PENNER	215-303 Arden Rd	
TODD PETERS	291 5TH ST.	
D. Ellington	292 5th St	
ROY KELLER	4102 DOVE CR. RD.	
G. CAMPBELL	6050 — ST JOHNS PT. HORNBY IS.	
Allison Campbell	6050 St. John's Pt. Rd Hornby Island.	Allison Campbell
Jean McQuarry	6779 Headquarters Rd Courtenay	
VERNON DEAN	231 CARRONVAN DR	
Lindsay Kirkwood	3814 Laurel Dr, Royston	
Beau Day	139 Woods Courtenay B.C.	
Graham Hillier	3694 Lake Trail Rd Courtenay B.C.	

STEELHEAD SOCIETY Page 284 of 287

STEELHEAD SOCIETY of British Columbia Comox Valley Chapter



3320-20/3L Solar Falls
6410-20/RGS 1017
A MacDonald
H Mullaly
J Martens

To Whom it May Concern

The Comox Valley chapter of the Steelhead Society of BC understands that 3L Developments wishes to proceed with its Riverwood development plan on the banks of the Puntledge River.
They assure us that their plan would include preserving and recycling water, a treatment plant for wastewater, satisfactory access to and from their community, and, most importantly to us, the donation of a 260 acre public park, including Bull Island and the bottom of the Puntledge River.
Our chapter sees the 260 acre park as hugely desirable and we strongly support the beginning , in the very near future, of a dialog between 3L and the Regional District to examine all the alternatives to see if this development can be made feasible and desirable for the entire Comox Valley community.

Yours truly, Larry Peterson, co-chair, Comox Valley chapter, SSBC

Comox Valley Regional District
RECEIVED
File
JAN 10 2018
To:
cc:

2017-10-28

PETITION:

Comox Valley Regional Dist
RECEIVED
File: 3360-20/STOTAN FALLS
JAN 05 2018
TO: DIRECTORS SITE
cc: RDYSON JWARREN AMACDONALD

We, the undersigned, call upon the Directors of the Comox-Strathcona Regional District to deny the application of 3L Developments for their proposed rezoning of the land straddling the Puntledge River adjacent to Stotan Falls- the 'Riverwood' proposal.

We cite three primary objections to this rezoning;
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2/ This land is adjacent to a very important watercourse that supports large populations of a number of species of salmonids. Fisheries are another sustainable source of jobs and of food and are vital to our community. We should not be densely developing anywhere near fish bearing streams and rivers. In addition, a wide variety of other wildlife depend upon the Puntledge River corridor and it should remain intact.
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Respectfully,

Name	Address	Signature
Chloe Leapday	Courtenay BC 350 Powerhouse Rd	
Coen Leapkey-Johnson	Courtenay B.C- 350 Powerhouse Rd	
Michelle Duperreault	587 Powerhouse Rd Courtenay BC	
Dave Ralph	176 Cage Rd Courtenay BC	
LAFE OLKOVICK	609 POWERHOUSE RD COURTENAY BC	L. Olkovick
DONNA OLKOVICK	609 POWERHOUSE RD COURTENAY BC	D OLKOVICK

NAME	ADDRESS	SIGNATURE
Erin Grant	Beckton	
IAN MADEAU	MERVILLE	
Ray Nadeau	14644 Headquarters Rd.	Kathleen Nadeau
Kris Welk	Merville	K. Welk
Jacob Wedman	" "	
David Hardie	Royston	
Byron Hardie	Royston	Byron Hardie
Dylan Hardie	3310 Fraser Road Courtenay	
Katrina Brown	8th Courtenay	
Tracy Pederson	Courtenay 385 Powerhouse Rd	
Iain Massie	385 Powerhouse rd Courtenay	
JORDAN MARSHALL	201 Powerhouse Rd. COURTENAY	
Michele Henry.	201 Powerhouse Rd Courtenay.	
John Bazell	POWERHOUSE RD. COURTENAY B.C.	
Laurie Fairfield	550 Powerhouse Rd Courtenay BC	

Melissa
499 Powerhouse Rd.
Courtenay BC
V9N 8N1

Comox Valley Regional District
600 Comox Rd.
Courtenay BC
V9N 3P6

1801031923
3709 078

CANADA

Comox Valley Regional Distr
RECEIVED
File: 3220-20 STRA
PLANS
JAN 02 2018
DIRECTORS SITE
RD 1600
UNPROC

PETITION:

We, the undersigned, call upon the Directors of the Comox-Strathcona Regional District to deny the application of 3L Developments for their proposed rezoning of the land straddling the Puntledge River adjacent to Stotan Falls- the 'Riverwood' proposal.

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Respectfully,

Name	Address	Signature
TIARE BOYES	499 POWER HOUSE RD COURTENAY BC V9N 4L1	Tiare Boyes
BEV ROGERS	3862 LAKE TRAIL RD COURTENAY BC V9N 9M9	Bev Rogers
LORNA CRAIG	6515 DOVER RD NANAIMO BC V9V 1A7	Lorna Craig
Rebecca Cameron	1680 Weldon Rd Courtenay BC V9N 9K5	Rebecca Cameron
LAWRENCE BERG	8989 OAKES RD BLACK CREEK BC.	
JANE RICHTER	1470 Burgess Rd Courtenay BC	

NAME	ADDRESS	SIGNATURE	EMAIL
LESLIE TAYLOR	856 Sandpiper Drive Comox BC		
B.A. JENKINS.	Box 20012 Cx. B C		
Bill Fitzgerald	2014 Rambod Courtenay BC		
Iain Mossil	385 Powerhouse Road		
Tim JOHNSON	350 PowerHouse ROAD		
Kirsten Odegaard	299 Powerhouse RD		
ERNEST BALL	321-303 ARDEN RD COURTENAY		
MARGARET BALL	321-303 Arden Rd		
Josh Neufeld	(250) 792-9427 3869 HOWARD ROYSTON		
Marie Neufeld	250-334-6885 3869 HOWARD ROYSTON		
Maureen Glowacky	250-338-7103 430 arden Rd		
Agnes Ball	250-338-7679 430 Arden Rd.		
Mike WATTON	299 Powerhouse		
Bob CAMERON	1680 WEBDON RD		
Emma Brenkert	245 Avro Arrow Drive		
RIKKI DATT	205 1st St.		

Roger Mathews
499 Puntledge Rd
Courtenay BC
V9N 9L1

Comox Valley Regional District
600 Comox Rd
Courtenay BC
V9N 3P6

Comox Valley Regional District
RECEIVED
File: 3715 VTB
JAN 02 2018

CANADA

Comox Valley Regional District
RECEIVED
File: 3320-20/3L
DEC 22 2017
To: DIRECTORS SITE
cc: ROXSON; AMERONAC
JWARREN; AMULLACH

DEAR EDWIN G. & ANN MAC.

Thankyou SO MUCH FOR STANDING UP FOR OUR SALMON & RIVER. DUTCYVICH IS OUR OWN END GAME DONALD TRUMP DEVELOPER. THE LIES HIS ADVERTISING COMPANY PRINTS ARE TRUE TO HIS NATURE. RIVERWOOD SHOULD BE PARKLAND EVEN IF HE'S CLEARCUT. HANG IN THERE

SINCERELY Judy & DAVE

Comox Valley Regional District
RECEIVED
File:
DEC 22 2017
To:
cc:

PETITION:

We, the undersigned, call upon the Directors of the Comox-Strathcona Regional District to deny the application of 3L Developments for their proposed rezoning of the land straddling the Puntledge River adjacent to Stotan Falls- the 'RiverWood' proposal.

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Respectfully,

Name	Address	Signature	EMAIL
Brad Gee	103-2787 1st Street V9N9C6		
PETER WINGS	182 MOUNT HOLLAND DR COMOX		
Angus Grout	554 Beckstand Dr Comox		
SHIRLEY HARGREAVES	777 CROWN RIDGE DR COURTENAY		
Olivia Sargeant	10-255 Anderton Ave Courtenay B.C. V9N2G9		
KRISTA BARLOW	2291 McKenzie Ave Comox BC V9M 1H9		
Shona Hughes	4685 Alderwood plc Courtenay BC		
Chris Maceboeuf	6150 Ledingham Rd Courtenay B.C		

NAME	ADDRESS	SIGNATURE
Alex Lochmatter	3932 Comox Then Rd.	
Glayne Axtell	679 Murrelet Drive COMOX	Glayne Axtell
BARBARA MESSER	545 WASHINGTON CRES COURTENAY	B Messer
Flora	CUMBERLAND RD. COURTENAY, B.C.	
Davidson		
Ken Eriksson	2378 Hubland Rd. Courtenay V9J 1S4	
DALE ERIKSON	2378 Hubland Rd Courtenay	
Leslie Taylor	856 Sandpiper Drive Comox BC V9M 3V3	
LYNNE HALL	1517 CHILCOTIN COMOX	
JUNE MULLEN	#27, 2001 BLUE JAY PLACE, COURTENAY	
HILDA GILLER	935 Monarch Dr Courtenay B.C.	
WILMA SAYER	103-2787-1st St Courtenay	
Jenny Desers	#119-303 Arden RD	
Judy ATKINSON	19-255 Anderton Crt.	
Steve Watson	1979 WILSON RD COURTENAY. BC	

3220-20 / 3L Stotan Falls

From: Gerry Bolda
Sent: Thursday, December 14, 2017 10:22 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: 3L Developments

Please forward to the appropriate person/s:

Re- 3L developments bid to sub-divide and develop the Strotan falls area.

How about this for a compromise:

The total area 3L owns is 500 acres?

Offer to land swap the region for an equally valued area of land elsewhere in the valley. You may end up having to give 750 acres in exchange, but it's worth turning this part of the valley into a parkland for all generations.

Thanks,

Gerry J Bolda

File: 3220.20/Stotan Falls Riverwood
Comox Strathcona Regional District
RECEIVED
File:
DEC 05 2017
J. WARREN
J. MACRAE
A. MACDONALD
A. MOLLARD
cc

PETITION:

We, the undersigned, call upon the Directors of the Comox-Strathcona Regional District to deny the application of 3L Developments for their proposed rezoning of the land straddling the Puntledge River adjacent to Stotan Falls- the 'Riverwood' proposal.

We cite three primary objections to this rezoning:
1/ This is forest land and should remain so. Our community needs a resource base underpinning its economy and sustainable forestry has been and should continue to be an important contributor to our economic well being.
2/ This land is adjacent to a very important watercourse that supports large populations of a number of species of salmonids. Fisheries are another sustainable source of jobs and of food and are vital to our community. We should not be densely developing anywhere near fish bearing streams and rivers. In addition, a wide variety of other wildlife depend upon the Puntledge River corridor and it should remain intact.
3/ Finally, it is inimical to democracy and to credible and responsible planning processes to let a developer end run the will of the citizenry and the work of elected officials and planning professionals by up-zoning properties such as the one in question purely for profit. We must not reward behavior that runs against well established and community supported planning processes and make it clear to all that development will take place within the context of the Official Community Plan, or not at all.
Respectfully,

Name	Address	Signature	e.mail
S. PACE	3732 LAKE TRAIL Rd	S Pace	
J. McLaren	499 Powerhouse Rd Courtenay	J. McL	
B. Payne	51 Salisbury Rd	B Payne	
A Banting	1st St		
T. MacDonald	56 Salsbury Rd	T MacDonald	
S. Nadeau	7450 Howard Rd	Sarah Nadeau	
A. Parker	2710 Comox rd.	A Parker	
L. Bell	3358 Lonsdale	L Bell	

	NAME	ADDRESS	SIGNATURE	Email
	Jim Vlieg	4356 Canadian Crescent		
	Erica Grout	2475 Fitzell Rd Courtenay		
	Margaret J. Saunders Boyes	4646 Headquarters Rd Courtenay	M.J. Saunders 130428.	
	FITHORN	836 8th St		
	Aksana & John McDONALD	4662 Cruickshank Ave, Courtenay		
	Ashley Groseclose	COURTENAY		
	Darcy Walters	45 Jane Pl Comox V9M-3N4		
	Sharon Cunningham	#19 Cmx 717 Aspen		
	Leona Hamm	2229 Idiens Way Comox, BC		
	NANCY BALES	950 JUBILEE CRT		
	DORREEN ERIKSON	2375 Hubbard Rd		
	Catherine Goodwin	1773 Sussex DR Courtenay B.C.		
	ELAINE DAVIES	34-115 20th St		
	T. DAVIES	34-115-20 St.		
	John Carswell	149 Donahan Dr. Comox		
	Hyde Woolman	952 Sylvan Road Comox		
	Kathleen Reber	5271 Headquarters Rd Courtenay		

D Sample	1939 Maple Ave Comox	
Z Pellegrin	970 Fir 50 CR	
B Hagg	1150 Brickyard Rd	
D. KOSKI	1139 Yates Rd	D Koski
L. Hogarth	2159 Regent Rd	L. Hogarth.
M. Graves	4162 Bartley Pt. Rd Courtenay	M Graves
K. MacKinnon	1447 Ridgemount Dr.	K MacKinnon
B Cameron	1680 Webdon Rd.	B Cameron
Mirandenkentel	1535 13th Street	
Heidi Lochmatter	3032 Carnwith, Courtenay	
Tenzin King	797 12th St. Courtenay	Tenzin King
ELIZABETH HARVEY	722 Wallace Cres. Comox	
TRUDY THORNE	#86-717 Aspen Rd Comox	
Lynda Reid	234 Aiken Rd Comox	
SHARON LATHAM	1414 ANDERTON RD Comox	

3220-20 / 3L

From: Sylvia Stephens
Sent: Tuesday, October 10, 2017 4:35 PM
To:
Subject: RE: Feedback: Planning

Good afternoon Ingrid.

Thank you for your comments regarding the potential development near Duncan Bay Main.

We will add your comments to our correspondence for this file.

Sincerely,

Sylvia Stephens

Sylvia Stephens
Branch Assistant
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6043

From: no-reply@comoxvalleyrd.com [mailto:no-reply@comoxvalleyrd.com]
Sent: Friday, October 6, 2017 9:12 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Feedback: Planning

Topic:
Planning

Name:
Ingrid Watermann

Email:

Phone:

Address:
5261 Mystic Rise

Message:
Hello,

I am not sure which department to pass on feedback regarding the potential development along Duncan Bay

Main logging road.
After the Forbidden Plateau Association Meeting this was brought up.
Me and my husband Richard Mravik are not in favor of a high density development of a potential 700 homes , we moved into the regional district to live in a lower density area.

Thank you Ingrid

3220-20 / 3L Stotan Falls

From: The Mechanic
Sent: Thursday, April 6, 2017 9:04 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Re- 3L owner David Dutcyvich and the Comox Valley Regional District.

Dear CVRD,
I applaud you in sticking to your guns, do not let a massive development such as the proposed 3L subdivision ruin our valley forever.

So the owner has put up a toll gate, in hope that the public will apply pressure to you. My response is that there are many other places to enjoy, and I do not intend to visit this area under these conditions.

Hold the course and keep our valley (regional) natural please!

Thanks for your time,

Gerry J Bolda
Comox BC

3220-20 / 3L Stotan Falls

From: Landry, Jordan
Sent: Wednesday, April 5, 2017 8:32 PM
To: planningdevelopment@comoxvalleyrd.ca
Subject: stoten falls

I am saddened to hear that a land owner can and does actually own a river bed. Does that not concern the CVRD. 3L properties apparently owns Stoten falls. Is this true? And now he has decided to close the area to the public, which I guess is within his rights. What is the purpose of this? Please do not allow the area to be developed. It is a truly beautiful place and one of the defining natural features of the Comox valley. It should be available for everyone to enjoy just like Nymph falls is now.
Sincerely, Jordan Landry, Area C resident

3220-20 / 3L Stotan Falls

From: srtanaka
Sent: Friday, March 24, 2017 11:41 AM
To: info@3ldevelopments.com
Cc: planningdevelopment@comoxvalleyrd.ca
Subject: Riverwood Development, Courtenay

Hello,

I am a former resident of the Comox Regional District and I am absolutely disgusted by your company's past and recent restrictions along the Duncan Bay Mainline (between the Puntledge River and Forbidden Plateau Road) and your assumption that you can restrict recreational access to the Puntledge and Browns Rivers adjacent to your property. My work has taken me to communities across Western Canada and the Comox Valley is one of the only places where true "community" exists. You are clearly not a member of the community. Restricting access through Duncan Bay Mainline, along the rivers, and Stotan Falls, does nothing to encourage community support for your development.

The access to mountains, waterways, ocean, and forests are what make this Valley spectacular. Your recent decision to impose a toll upon anyone "on" the Puntledge and Browns Rivers has placed me into the growing number of citizens eager to do whatever is legally required to stop your process.

Regards,
Steven Tanaka, CD, P.Eng.

Comox Valley Regional District
RECEIVED
File: 5225-01
DEC 15 2014
To: WEB
cc: DOAKMAN, WARREN, A MACDONALD

Comox Valley Regional District

Courtenay City Council

December 14, 2014

Mayor, Councillors and Regional Representatives

I am writing regarding the recent flooding and the most recent Boil Water Advisory.

The consensus among the people I talked to is that the primary causes of these events is the excessive development and logging of the Puntledge watershed. This would suggest that, contrary to the self-interested studies of the logging industry, the Puntledge watershed requires time to recover from the effects of 'over development'.

The Regional District policy regarding development of the watershed would seem to be vindicated and no further housing developments such as the Slocan Falls proposal or the permanent occupation of the Maple Pool should be allowed. May I respectfully suggest that the District continue to discourage the Slocan Falls development?

A bylaw change to allow Maple Pool to accommodate year round occupants is supported by the 'common sense' crowd as an inexpensive solution to social housing. The problem is that the change in bylaws that would allow the permanent occupation of Maple Pool may also oblige the taxpayers of Courtenay to repair and renovate the campsite and the trailers and buildings on the campsite with each flood. It may well be that in the long term the city and the district may find that it is less expensive to build apartment accommodation to satisfy the societal obligations for the homeless.

May I respectfully suggest that the town pursue the plan to build social housing at the sites that the town has acquired for that purpose?

Thank you

Rick Field

304 A

178 Back Road

Courtenay, BC

V9N 3W6

6410-20/RGS amend

Subject: District directors and Stotan Falls

Importance: Low

From: ea foster
Sent: Friday, June 27, 2014 12:22 PM
To: PAIS
Subject: [Possible SPAM] District directors and Stotan Falls
Importance: Low

I couldn't find email addresses for the 3 district directors so I'm forwarding this email to your department, in hopes it will be forwarded to:

Bruce Jollif
Jim Gillis
Curtis Scholville
John Ambler

I'd like to thank you and the rest of the elected officials who said No to Mr,. Atwall and 3L.

Thank you to Jack Minard for suggesting the Regional District directors "just say NO" to the proposals from 3L and their plans for Stotan Falls. Thank you to the 7 members who voted NO. The voters/taxpayers of the region have made their decisions. The elected officials have followed the wishes of the voting taxpayers. Now might be a good time for 3L to listen to the people who live in the Valley. What we have been saying is, we have planned how we would like to see our Valley grow. We are not interested in your need to make a large profit. When you started this process, you knew how the taxpaying citizens felt. That has now been reinforced by our elected politicians.

Mr. Atwall, 3L, has demonstrated a flagrant disregard for our opinions and feelings regarding our environment. It would be best if he found some place else to do business. Do we really need people like Mr. Atwall and his attitude. He wants us, to set aside our decision, so he can personally make a large profit. I don't have any problem with people making a profit, but when their desire to make a profit collides with the wishes of the majority, who live here already, perhaps, the wishes of the majority ought to be given priority.

In my opinion, it is better to set the record straight with Mr. Atwall and all future developers. While the current plan is in effect, rather than saying, "well maybe, or lets have a peak, or we might change our minds, etc.", its best to say, our citizens have made a decision, please respect it.

As more provincial and Timber West land is sold off, in the coming years, people can expect to see more of these senarios. It is best to now send a clear message to all future developers. We the people living here, following much consultation have decided how we would like to see our area grow. Please respect our decisions. Stating you will be taking all of us to court, isn't impressive nor does it demonstrate any respect for the people living in this Valley. What I'm hearing Mr. Atwall and 3L saying is, I don't care what you want, its all about me making a large profit.

Mr. Atwall, you may own the land, but as in any situation, the citizens who live in the area have a right to decide how their neighbourhoods develop. Mr. Atwall please don't try to blackmail us by denying us access to the water and taking us to court. It may simply give you more unwanted attention.

Mr. Atwall, you want to make money and I understand that. However, we in the Valley have limited funds to deal with all this development. We have only so many schools and the school board isn't getting any more money from the government to hire more teachers. A new hospital is being built, but its going to be pretty much at capacity by the time it opens its doors. The various municipal entities voted to not hire additional RCMP officers. We can't afford it. As it now stands, if we have a dry summer, there will be water restrictions, because the delivery system for water is not adequate. Drilling wells on the proposed properties isn't a solution, it will simply deplete the underground water resources. If we add more homes, we will have only more problems. The Valley does not have any full time fire departments. They are all staffed by volunteers. We can't keep extending our populated areas, because there simply won't be sufficient fire fighters to cover all of the areas. Then there is the matter of ambulances. The provincial

government hasn't given this area any more staff or vehicles and we don't anticipate them doing so in the foreseeable future.

Mr. Atwall, in an attempt to become a good corporate citizen, you might consider shelving your project until such time the Regional Growth Strategy comes up for review or municipal and provincial services come on line which will accommodate more people in the Comox Valley.

E. A. Foster
P.O. Box 1409
Comox, B. C.

6410-20/rgs amendment

From: James Warren
Sent: Monday, June 23, 2014 10:14 AM
To: Teresa Warnes
Subject: FW: RGS amendment application
Attachments: RGS ammendment application CVRD board.pdf

Incoming correspondence for the directors' internal page and mirage please.

James Warren
Corporate Legislative Officer

Phone 250-334-6007
Cell 250-334-7312

From: david stapley [mailto:dsconsulting@shaw.ca]
Sent: Monday, June 23, 2014 8:48 AM
To: jambler@courtenay.ca; James Warren
Cc: 'Jim Gillis'; bjolliffe; banglin@courtenay.ca; mtheos@courtenay.ca; swinchester@courtenay.ca; 'Patti Fletcher'; tgrant@comox.ca; gwynsproule@gmail.com; Debra Oakman; Ann MacDonald; Alison Mewett; Alison Millham; 'Bill Halliday'; Bill Heidrick; David Netterville; Don Chamberlain; imoul@shaw.ca; 'Jack Minard'; Morry Creek; Linda Safford; Lynda Fyfe; 'Murray Little'; 'Pietr Rutgers'; Steve Williams; 'MARS'
Subject: RGS amendment application

Hello John Ambler and James Warren:
Please find attached letter from the Comox Valley Conservation Strategy Steering Committee regarding the RGS amendment application. Please include this as part of the agenda package for the COW meeting on June 24.
Thanks,
David Stapley
Program Manager
Comox Valley Conservation Strategy Community Partnership
250-897-1271

From: david stapley [mailto:dsconsulting@shaw.ca]
Sent: December-18-13 10:05 AM
To: 'edwingrieve@shaw.ca'
Cc: 'Jim Gillis'; 'bjolliffe'; 'jambler@courtenay.ca'; 'banglin@courtenay.ca'; 'mtheos@courtenay.ca'; 'swinchester@courtenay.ca'; 'Patti Fletcher'; 'tgrant@comox.ca'; 'gwynsproule@gmail.com'; 'Debra Oakman'; 'Ann MacDonald'; Alison Mewett; Alison Millham; 'Bill Halliday'; Bill Heidrick Personal Information Removed; Caila Holbrook; David Netterville; david stapley; Don Chamberlain Personal Information Removed; Personal Information Removed; 'Jack Minard'; kathryn clouston; Linda Safford Personal Information Removed; Lynda Fyfe Personal Information Removed; 'Murray Little'; 'Pietr Rutgers'; Steve Williams
Subject: RGS Implementation

To: Edwin Grieve, Chair, and directors of the Comox Valley Regional District Board

You will find a letter attached from the Comox Valley Conservation Strategy Steering Committee regarding Implementation of the RGS to the CVRD board.

Regards,
David Stapley
Project Manager
Comox Valley Conservation Strategy Community Partnership
www.cvconservationstrategy.org



COMOX VALLEY
CONSERVATION STRATEGY
COMMUNITY PARTNERSHIP

David Stapley
Program Manager
(250) 897-1271
Email: dsconsulting@shaw.ca

Mailing Address
P.O. Box 3462
Courtenay, BC V9N 5N5

Office:
2356a Rosewall Crescent
Courtenay, BC, V9N 8R9

Partner Organizations
Comox Valley Land Trust
C.V. Environmental Council
Comox Valley Nature (CVNS)
Millard-Piercy Watershed Stewards
Morrison Creek Streamkeepers
Mountainaire Avian Rescue Society
Project Watershed Society
Tsolum River Restoration Society

Supporter Organizations
Arden Area Residents Association
Black Creek Streamkeepers
Brooklyn Creek Watershed Society
Comox Town Residents Association
C.V. Water Watch Coalition
Cumberland Community Forest Society
Forbidden Plateau Road Association
Friends of Comox Lazo Forest Reserve
Friends of Strathcona Park
Macdonald Wood Park Society
Oyster River Management Committee
Perseverance Creek Streamkeepers
Plateau Road Resident's Association
Saratoga and Miracle Beach Residents Association

Funding Partners
Real Estate Foundation of B.C.
Community Gaming Grant
RBC Blue Water Fund
Comox Valley Regional District

June 20, 2014

Edwin Grieve, Chair,
Comox Valley Regional District Board

Re: RGS Implementation

Dear Edwin Grieve and CVRD directors:

Recent CVRD Board discussions regarding the acceptance of an amendment that suggests a land use outside the principles written into the RGS has again raised concerns among the steering committee of the Comox Valley Conservation Strategy Community Partnership and many of its member organizations.

We request that the CVRD Board assure the public that no potentially precedent setting applications to amend the RGS will be accepted. Any application that is fundamentally contrary to the intent and spirit of the RGS we ask be turned down.

Accepting an application to accommodate a low density sprawl development a long distance from the nearest town centre would be contrary to the intent and spirit of the RGS.

The RGS recognizes that that low density sprawl development results in a long list of negative economic, environmental and social impacts.

The RGS also identifies many economic, environmental and social benefits to be derived from directing growth into municipal areas, such as:

- lowered infrastructure maintenance and replacement costs resulting in more affordable taxes
- protection and restoration of natural and sensitive ecological areas
- decreased opportunity for adjacent and nearby sprawl-type developments
- decreased automobile dependence and reduced travel times.
- lower transportation costs, accidents and delays
- increased access to public transit, walking, and cycling and the associated individual fitness and health benefits and reduced medical care costs
- overall increases in quality of life with healthy water, land and air

The RGS provides guidance, policies and clear direction on when and where growth is to be accommodated. Some of these policies are listed on page two of this letter.

Citizens from all jurisdictions of the Comox Valley participated in the public process in the development of the RGS. Hundreds of thousands of tax dollars were spent on developing this document. During this process the overwhelming view from the public was to manage growth by directing it into municipal areas.

All local governments, including the CVRD board, unanimously endorsed the Nature Without Borders (NWB) Report in 2008. NWB outlines the need for regional conservation planning to protect sensitive ecological areas from continued loss and fragmentation resulting from a lack of growth management policies.

David Stapley,
On behalf of the Comox Valley Conservation Strategy steering committee,
Cc: Debra Oakman, Ann Macdonald, CVRD board

RGS Growth Management Policies and Guidelines

Page 8– While the existing settlement pattern is still relatively compact and the overall housing stock diverse, the more recent trend is towards a more dispersed settlement pattern made up of mostly low-density housing forms. Continuation of this trend would result in significant urban and rural sprawl, creating stress on the valley's natural areas and ecological functions, increasing reliance on automobile travel and impacting the character and livability of the region's rural and urban communities. Development must be directed in a manner that creates a sustainable long-term development pattern that uses both land and infrastructure in the most efficient manner.

Page 25 RGS Supporting policies

1A-1 Based on RGS growth management strategy locate housing close to existing services and direct 90 percent of new, residential development to *Core Settlement Areas*.

1A-2 The focus of higher density and intensive developments shall be within the *Municipal Areas*. Within the *Municipal Areas* densification and intensification of development is required including infill and redevelopment.

1A-3 Identify specific *Town Centres* in *Municipal Areas* through the OCP review process. These *Town Centres* are to be developed as walkable and complete communities, providing for a range of housing types focusing on medium and high density housing, employment and commercial uses. There will be a minimum of one *Town Centre* in the City of Courtenay, one *Town Centre* in the Town of Comox and one *Town Centre* in the Village of Cumberland.

1A-4 Within *Settlement Nodes* densification and intensification of development is required however it will be less intensive than in *Municipal Areas*. These nodes are to be developed with centres that are walkable and limited to local services with a range of housing types focusing on low density multi residential and medium density.

1A-5 Revise OCP land use policies that unnecessarily restrict infill and redevelopment in *Core Settlement Areas* and *Town Centres* to maximize housing potential in those locations. The mix of land uses in *Settlement Nodes* will be reviewed through the OCP process

1A-6 Increase housing opportunities in existing residential areas in *Core Settlement Areas* by encouraging multi-family conversions, secondary suites, and small lot infill.

1A-7 *Settlement Expansion Areas* are areas of potential growth subject to several conditions as set out in Part 4 of the RGS. Growth in *Settlement Expansion Areas* will occur in a phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development. Until such a public planning process has occurred and the conditions of Part 4 are met, any development in *Settlement Expansion Areas* will be subject to a minimum lot size of 4 hectares.

Page 42 Bylaw 120 Regional Growth Strategy

3A-4 Work with the CVEDS to attract investments and business development in *Town Centres*.

PROJECT WATERSHED

Comox Valley Project Watershed Society Box 3007, Courtenay, BC, V9N 5N3
Phone: (250) 703-2871 Fax: 703-2872 Email: projectwatershed@gmail.com
www.projectwatershed.ca

June 18, 2014
Comox Valley Regional District
600 Comox Rd,
Courtenay, BC
V9N 3P6

6410-20/RGS amendment
Web
A.MacDonald
J.Warren

Dear Chair Grieves and Board Members:

Re: Regional Growth Strategy and Stotan Falls Development

We wish to applaud and support your prior adherence to the Regional Growth Strategy by refusing to allow high density housing development in this sensitive area.

Urban style developments are entirely inappropriate and damaging when located in rural designated areas such as the confluence zone of the Brown's and Puntledge Rivers. There is a long way to go with infill development in the municipalities before turning to our surrounding natural areas for housing needs.

The land use designation of this area under the RGS was put in place through the valued input of valley residents for very good reasons and should not be changed without very strong argument. Private profit is not one of those arguments.

Future generations will thank you for maintaining the public trust.

Yours sincerely,

Paul Horgen, Chair
Project Watershed Society

T.William Heidrick
104-1830 Riverside Lane Courtenay BC V9N8C7

June 18, 2014
Comox Valley Regional District
600 Comox Rd,
Courtenay, BC
V9N 3P6

Dear Chair and Board Members:

Re: Regional Growth Strategy and Stotan Falls Development

I urge you to heed your staff recommendation and stand firm in denying revision of the RGS at your Special Committee of the Whole on June 24th.
Urban style development in rural, natural areas such as the confluence of the Browns and Puntledge Rivers is inappropriate and ill-suited on so many levels, regardless of how lucrative a venture it may be for some.
All those involved in the lengthy creation of the Regional Growth Strategy got it right. Period!

Yours sincerely,

Bill Heidrick

Courtenay and District
Fish and Game Protective Association
Box 3177
Courtenay, B C V9N 5N4

Comox Valley Regional District
RECEIVED
File: 6410-20/CURESAMG
JUN 12 2014
To: WEG
cc: DH PDCOMPCD JWARPE

June 4, 2014

Comox Valley Regional District
600 Comox Road
Courtenay, B.C. V9N 3P6

Attention: Mr. Edwin Grieves, Chair

Dear Edwin:

RE: 3L Ltd. Developments' Property on the Puntledge and Brown Rivers

The Courtenay & District Fish and Game Protection Association are concerned with the ecological welfare of the rivers and streams in the Comox Valley. Our Association is also concerned about future public access to the rivers and stream shoreline areas within the Comox Valley, having a special interest in the Puntledge system as it's one of the largest Salmonid producing rivers in the Comox Valley.

With the proposed 3L development at Stotan Falls on the Puntledge and Browns Rivers our Association sees an opportunity for the need to increase stream protection while still protecting public access to these areas. At the present time the 3L development proposal shows the loss of public access due to private ownership and any opportunity to enhance the stream system in that area would be in jeopardy. Our Association sees the loss of access not only impacting the residents of the Comox Valley but also the resident populations of Fish and Wildlife utilizing this area of the river system.

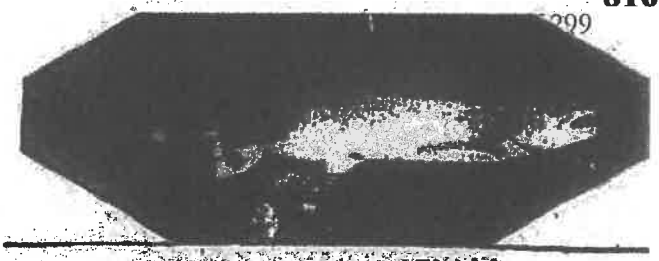
Our Association would like to request that the Regional District of the Comox Valley and 3L Ltd. enter into discussions to develop a strategy that would benefit and maintain the principles of the Regional Growth Plan while considering the opportunity to protect river and streams in this area for parkland wildlife green space and public recreation. This needs to be done before the loss of any opportunity is gone and we can never get it back.

I would like to thank you at this time for your interest in the Conservation and Protection of our Fish and Wildlife Resources.

Yours in Conservation,

Dale Frame
President
Courtenay & District Fish and Game Protective Association

STEELHEAD SOCIETY of British Columbia Comox Valley Chapter



Comox Valley Regional District
RECEIVED
File: 3360-20/RZ 3C 13
6410-20/CV RGS Amendme
APR 25 2014
To: A Mullaly
cc: K Brooks
D. Oakman
Dir. E Grieve

Edwin Grieve, chair
Comox Valley Regional District
600 Comox Road
Courtenay,B.C. V9N 3P6

April 24,2014

Dear sir:

The Steelhead Society of BC is concerned with the ecological welfare of rivers and streams and public access to river and stream shorelines. The Comox Valley chapter of the SSBC has special interest in the Puntledge River.
With the proposed 3L Ltd. development at Stotan Falls on the Puntledge our chapter sees an opportunity for increased stream integrity and public access that could benefit the community for all time. We ask the Comox Valley Regional District to enter into negotiations with 3L Ltd. to see if the regional district and 3L could work out a strategy which could maintain the principles of the Regional Growth Strategy while exploring the opportunity to protect potential river parkland and green space for the good of the present and future citizens of the Comox Valley.

Yours truly,
Larry Peterson
Chair, Comox Valley chapter SSBC

cc Debra Oakman, CAO

PS Please discuss this letter with the board, and please formulate and send a reply to
ph. 250 338 8675



David Stapley
Program Manager
(250) 897-1271
Email: dsconsulting@shaw.ca

Mailing Address
P.O. Box 3462
Courtenay, BC V9N 5N5

Office:
2356a Rosewall Crescent
Courtenay, BC, V9N 8R9

Partner Organizations

Brooklyn Creek Watershed Society
Comox Valley Land Trust
C.V. Environmental Council
Comox Valley Nature (CVNS)
Millard-Piercy Watershed Stewards
Morrison Creek Streamkeepers
Project Watershed Society
Tsolum River Restoration Society

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Forbidden Plateau Road Association
Friends of Comox Lazo Forest Reserve
Friends of Strathcona Park
Mountainaire Avian Rescue Society
Oyster River Management Committee
Perseverance Creek Streamkeepers
Plateau Road Resident's Association
Saratoga and Miracle Beach Residents Association

Funding Partners

Real Estate Foundation of B.C.
Community Gaming Grant
RBC Blue Water Fund
Comox Valley Regional District

December 13, 2013

Edwin Grieve, Chair,
Comox Valley Regional District Board

Re: RGS Implementation

Dear Edwin Grieve and CVRD directors:

At this time we seek the CVRD Board's assurance that no potentially precedent setting amendments, which are fundamentally contrary to the intent and spirit of the RGS, will be approved.

Recent CVRD Board discussions regarding amending the Regional Growth Strategy (RGS) have raised concerns among the steering committee of the Comox Valley Conservation Strategy Community Partnership and many of its supporting organizations. Amending the RGS to accommodate a low density sprawl development a long distance from the nearest town centre would be contrary to the fundamental intent and spirit of the RGS.

The RGS recognizes that that low density sprawl development results in a long list of negative economic, environmental and social impacts.

The RGS also identifies many economic, environmental and social benefits to be derived from directing growth into municipal areas, such as:

- lowered infrastructure maintenance and replacement costs resulting in more affordable taxes
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David Stapley,
On behalf of the Comox Valley Conservation Strategy steering committee,

Cc: Debra Oakman, Ann Macdonald, CVRD board

RGS Growth Management Policies and Guidelines

Page 8– While the existing settlement pattern is still relatively compact and the overall housing stock diverse, the more recent trend is towards a more dispersed settlement pattern made up of mostly low-density housing forms. Continuation of this trend would result in significant urban and rural sprawl, creating stress on the valley's natural areas and ecological functions, increasing reliance on automobile travel and impacting the character and livability of the region's rural and urban communities. Development must be directed in a manner that creates a sustainable long-term development pattern that uses both land and infrastructure in the most efficient manner.

Page 25 RGS **Supporting policies**

1A-1 Based on RGS growth management strategy locate housing close to existing services and direct 90 percent of new, residential development to *Core Settlement Areas*.

1A-2 The focus of higher density and intensive developments shall be within the existing *Municipal Areas*. Within the *Municipal Areas* densification and intensification of development is required including infill and redevelopment.

1A-3 Identify specific *Town Centres* in *Municipal Areas* through the OCP review process. These *Town Centres* are to be developed as walkable and complete communities, providing for a range of housing types focusing on medium and high density housing, employment and commercial uses. There will be a minimum of one *Town Centre* in the City of Courtenay, one *Town Centre* in the Town of Comox and one *Town Centre* in the Village of Cumberland.

1A-4 Within *Settlement Nodes* densification and intensification of development is required however it will be less intensive than in *Municipal Areas*. These nodes are to be developed with centres that are walkable and limited to local services with a range of housing types focusing on low density multi residential and medium density.

1A-5 Revise OCP land use policies that unnecessarily restrict infill and redevelopment in *Core Settlement Areas* and *Town Centres* to maximize housing potential in those locations. The mix of land uses in *Settlement Nodes* will be reviewed through the OCP process.

1A-6 Increase housing opportunities in existing residential areas in *Core Settlement Areas* by encouraging multi-family conversions, secondary suites, and small lot infill.

1A-7 *Settlement Expansion Areas* are areas of potential growth subject to several conditions as set out in Part 4 of the RGS. Growth in *Settlement Expansion Areas* will occur in a phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development. Until such a public planning process has occurred and the conditions of Part 4 are met, any development in *Settlement Expansion Areas* will be subject to a minimum lot size of 4 hectares.

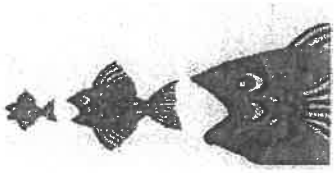
Page 42 Bylaw 120 Regional Growth Strategy

3A-4 Work with the CVEDS to [illegible] investment and business development in *Town Centres*.

COMOX VALLEY ENVIRONMENTAL COUNCIL

Representing over 2300 individuals in 20 environmentally concerned community organizations.

P.O. Box 3356, Courtenay BC, V9N 5N5



Dave Lacelle, Chair.

Fran Kwiecien, Secretary

Aug. 14, 2013

Editor, Comox Valley Echo

Dear Editor,

The Comox Valley Environmental Council is a 23 year old group of over 20 local green organizations which meets about five times a year with local politicians. Ideally CVEC tries acts as a liaison between governing agencies and the various green groups in order to facilitate environmental projects and activities. CVEC is a low key organization we leave the banners, yelling, tree hugging etc. to other groups...

However.

It is necessary at this time that CVEC speak up regarding the CVRD Regional Growth Strategy and proposals for real estate development at Stotan Falls. CVEC 100% supports the RD staff with their recommendation to not process an amendment to the Regional Growth Strategy Plan as requested by 3L Developments Incorporated for the Stotan Falls area. CVEC supports the RGS which was approved in 2011 after a long development process, and with plenty of opportunity for public (and other) input. As with most other planning and management tools, there is a provision for review five years after implementation. Now is not the time to 'pick and choose' where development is to occur, the RGS is very clear on where settlement growth areas are to be, and CVEC is pleased to support the CVRD staff in their firm stand on this.

Thank you,

Dave.Lacelle, BES, Chair CVEC

Subject: FW: Feedback: Feedback+Topic

From: no-reply@comoxvalleyrd.com [mailto:no-reply@comoxvalleyrd.com]
Sent: Friday, July 26, 2013 8:25 PM
To: propertyservices
Subject: Feedback: Feedback+Topic

Topic:
Planning

Name:
Ellen Bechard

Email:

Phone:

Address:
388 Nim NIm Avenue

Message:
We would like to support the Regional District in its opposition to the Stotan Falls development. Stotan Falls is the jewel of the valley. It would be tragic if urban sprawl took over the falls area and changed the rural feel of this area. What we would like happen is for the regional district or the province to declare the falls either a Regional or a Provincial Park.

Comox Valley Regional District
RECEIVED
File: 6410-20/ATHG51
JUL 23 2013
To: NEB
cc: KLORETTE

Mr. Edwin Grieve,
Chair of the Regional District,
600 Comox Rd,
Courtenay, BC

Dear Mr. Grieve,

I am writing to you regarding the 3L Development proposal for the Stotan Falls area. I oppose this plan and urge you and the members of the Board to not amend the RGS to suit the plan as presented by the developer and his company.

Thank you for speaking out against any changes to the RGS, which took much time and energy by many people to put in place.

BJ Thornton

Betty Thornton,
42 Rod and Gun Rd., Courtenay, BC

July 20/2013

Subject: Comments on the 3L development.

From: Sandy Hatton
Sent: Monday, July 22, 2013 10:42 AM
To: propertyservices
Subject: Comments on the 3L development.

I'm new resident to the valley and don't know the details of the RGS but amending it to allow the 3L development does not seem to be reasonable. I do not feel this development is a good idea. It is not, in my opinion, conducive to growth in the reign and may ultimately reduce the number of long term jobs rather than increase them.

What increases long term jobs and the districts economic stability are developments that attract people to the region for recreation or retirement or support an increase of goods and services. 3L is not likely to do any of these things. It does nothing to enhance the livability of the community and may actually degrade it. By attaching people to this development more empty lots and vacant home could be left in the city. Public access to the natural assets of the region will be degraded. The resulting loss of improvement to the city's livability along with the degradation of its natural assets would tend to decrease the number of people choosing the valley as a retirement location; recreation would not be enhanced, and no new goods and services would be produced.

I suspect that these are some of the reasons the RGS does not currently encompass such a development. In this situation at least if feel the RGS is doing its job and should not be amended.

Robert Hatton
1079 8th St, Unit B
urtenay, BC
v9N 8V2

6410-20 - RGS\CV RGS amendments

From: Jennifer Wallis
Sent: Monday, July 15, 2013 12:29 PM
To: Teresa Warnes
Cc: Leigh Carter
Subject: FW: a perspective on Stotan Falls development

From: Norm Reynolds
Sent: Monday, July 15, 2013 9:17 AM
To: PAIS
Subject: a perspective on Stotan Falls development

Greetings Regional District Comox Valley Directors, Sometimes a story is an effective way of seeing an issue in a more cohesive perspective than viewed by its parts alone. Sometimes a story allows one the grace to take what one wishes while understanding other perspectives as well. So here is a story about Stotan Falls development proposals. It is, complimentary of the integrity of RD directors in dealing with the issue and I want to thank all of the Directors for such a stunning display of integrity in public office.

Old Mac Rides Again

Though long gone in body, Niccolò Machiavelli's words and ideas were so cogently momentous that it often seems the master yet has a profound influence on the lives and actions of those who would accumulate vast sums of power and money—even in the 21st century.

So I wonder--if Machiavelli was alive today—what counsel might he give those wishing to develop the lands around Stotan Falls?

Well—if he were here—he might counsel would be developers something like:

*First thoughts: I know you're worried about something called an Official Community Plan. Ah, not to worry. You've got a pile of money—of course your interests come before the views of commoners. My advice coupled to a pile of money can move mountains—or, more to the point, and more easily done, dispose of nasty contrivances like democracy and absurd ideas like public consultation. So don't you worry about a few RD directors that talk about community input—dime a dozen. I've counseled developers all over BC (the world actually) and once your pile of money moves in, adeptly guided by my proven-over-the-centuries advice, those directors will melt like snowfall in June.

*Second thoughts: So some didn't melt—hard to understand; this integrity thing is very rare and, usually very short-lived, I assure you. But, ah, no problem. Plan B: listen carefully; block off Comox Logging Rd and fence the river and tell the community that has used the area for decades that "Liability Issues" made you close it, but if those mean old directors would just shred the OCP, you are sure the liability can be made to go away.

*Third thoughts: What? The blockade didn't work?!!! Ah, listen closely, reverse tactics, open the gates, take down the fence and tell everyone that you really are on their side. Nah, they won't ask where the liability issues went—if they do just shrug your shoulder like only a fool would ask about liability. The important thing is to act like you are such a good guy you'd take a vast amount of money for your troubles and just go away. Isn't this even better? No development costs, no fickle market to worry about—just take the money and run before anyone figures out what really happened.

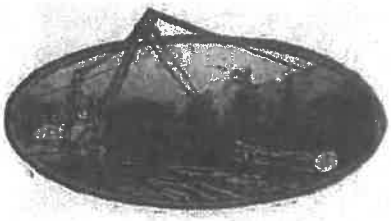
*Fourth thoughts: What they didn't fork over the money? You know if this gets any more complicated, I going to have to start charging for my precious advice. Let's see. Next. Hummm, Ah, my bag of tricks is almost inexhaustible. Yes, here is the clincher (oh, if only we'd had internet and facebook in the 15th century!): go on the internet and start what they call an online petition and put up lovely pictures of the falls and trails and ask people to sign a petition to "Save Stotan Falls" and make it seem like shredding the OCP is just an unfortunate, hardly mentionable, after thought to your

desire to "work with the community" to find a "solution" to "the problem." Call on the spirit of compromise and act like a good guy who just wants to "help" the community. Oh, and Facebook—why didn't I think of this earlier?—create a Facebook page with lots of pretty pictures and don't mention the road blockage or fencing or kicking sand in the face of public consultations—just pretty pictures of the Falls with a "warm, embracing *invitation*" to join with all those who "love" Stotan Falls by "liking" your facebook page. Then—this will do the trick or my name isn't Niccolò Machiavelli and I haven't successfully guided greedy schemes over the past five centuries—just take all those names from facebook and your petition to save the falls to those recalcitrant directors and—no wait, WAIT!—I'm being called to tend to some nasty resistance to BC pipelines. Got to run so this is my final thought: before you present that petition be sure to contact someone in the local press with a demonstrated predilection for telling the moneyed side of events and put them in contact with a valley real estate agent that has expressed an overwhelming love of your development money—someone you can trust to tell your story as if it were their own. Then—here's the essential trick—get the real estate agent to "endorse" your development in a newspaper story by your dedicated reporter. But—don't flub this—it's my last advice, my spirit is already drifting north—make sure the reporter presents the "endorsement" as though the real estate agent's view is the *only* view that actually matters. Those reports know how to do it—just be sure to lead a little. Oh, and make sure the real estate agent endorses your development because it "is good for the environment"do not mention profits. Never mind, the reality. Reality doesn't matter, just say the words. It doesn't matter if the real estate agent has never shown an interest in anything green other than paper with $20 printed on it. It's just the words. Don't nuance it or explain, just say it as though the words actually have meaning.

You can't lose on this one. Got to go! Let me know how it turns out! I'll try to stop by, but this flood in Calgary has me worried—this environment thing it just wasn't on in the 15th century and—quite honestly this global warming thing it becoming a bit heavy on my reputation. Don't forget this mantra thing really works-*Pave it, pave it pave it; you can't stop progress*. And here's to *our* mountain of money!

My gosh, what advice old Mac might give if he were here!

Happy Trails!
Norm



MIKE HAMILTON LOGGING LTD.
1085 Comox Road, Courtenay, BC V9N 3P7

SAFE CERTIFIED

July 2, 2013

Comox Valley Regional District
RECEIVED
File: 6410-20 1AHGNL
To: JUL 12 2013
cc: DOAKMAN

Chairman and board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay,B.C.
V9N 3P6

Re-3L Developments

Attention: Ms Deb Oakman

To whom it may concern;

On behalf of Mike Hamilton Log. Ltd I believe the 3L development project should be allowed to proceed as long as they meet all the criteria as laid out in their proposal.
It would seem to me that there will be many more of these rezoning applications coming in the future. I believe that the regional growth strategy, although a good idea in principle, is flawed.
Projects should be supported, or not, on their merits, not on some map that was designed by people who are not even close to knowing what our community is about.
I know that area well and think this development would be a great addition to the Comox Valley .

Regards
M. Hamilton
Mike Hamilton

UNITED STEELWORKERS
USW
UNITY AND STRENGTH FOR WORKERS
LOCAL 1-1937

UNITED STEELWORKERS, LOCAL 1-1937

Affiliated with AFL-CIO-CLC

Administration Office
202 – 1509 Cliffe Avenue, Courtenay, BC, V9N 2K6
Tel: 250-334-3329 Fax: 250-334-2662
Email: admin@usw1-1937.ca

SERVING MEMBERS THROUGHOUT COASTAL BRITISH COLUMBIA

Comox Valley Regional District
RECEIVED
File: 6410-20/AMENDMENT
JUL 09 2013
To: DOAKMAN
cc:

July 2, 2013

COMOX VALLEY REGIONAL DISTRICT
600 Comox Road
Courtenay, BC V9N 3P6

Attention: Ms. Deb Oakman, Chief Administrative Officer

RE: 3L DEVELOPMENTS INC. PROPERTIES

Dear Ms. Oakman:

Please accept this letter as support for the development of the Riverwood Project as per the Riverwood Vision.

We have reviewed 3L Development's proposal and from the documents provided it seems very clear to us that this development will provide a significant benefit to the Regional District and the Citizens of the Comox Valley.

The Comox Valley is one of the nicest places to live in the world and yet we have a very high unemployment problem with most people making very low wages without any fringe benefit coverages. This project creates opportunities for Local young people to work and perhaps an opportunity for an apprenticeship in a trade.

Many people or perhaps just the loudest group seem to be concerned about change but the reality is we need change, we need to create steady long term jobs for the kids coming out of high school and while this project will certainly not employ every kid that's graduating it could certainly help a lot of them.

Today, if you go to the Local Airport you will see literally hundreds of workers leaving their homes to fly to Alberta to find work. That is not good for the Island or the Valley but people have to work and they are going to go wherever they have to, to provide for their families, why not create the opportunities here in the Valley.

At some point, we need say Yes to projects that create jobs in the Valley.

Yours Sincerely,
United Steelworkers, Local 1-1937

Darrel Wong,
President

DW/jw
usw, local 1-1937
(saved: F/Darrel Wong/2013 07 02 CVRD Re- 3L Developments)

Area Office: Duncan
351 Brae Road
Duncan, B.C. V9L 3T9
Tel: 250-746-6131
Fax: 250-746-1012
Email: dunadmin@usw1-1937.ca

Area Office: Burnaby
301 – 8988 Fraserton Court
Burnaby, B.C. V5J 5H8
Tel: 604-874-0274
Fax: 604- 874-8187
Email: buradmin@usw1-1937.ca

Area Office: Port McNeill
Box 214
Port McNeill, BC V0N 2R0
Tel: 250-956-4312
Fax: 250-956-4988
Email: pmcadmin@usw1-1937.ca

From:
To: administration
Subject: 3L Development.
Date: Thursday, July 04, 2013 6:46:18 PM

Attn: Ms Deb Oakman, Chief Administrative Officer.

Salutations. I am Geoffrey McNamara, and I would like to speak on behalf of the Comox Valley Disc Golf club, to bring forward immense appreciation, and gratitude toward Mr. Kabel Atwall of 3L Developments, Nanaimo. In the past decade, the Comox Valley Disc Golf club has searched unsuccessfully, for a large piece of recreational land to develop a permanent, professional quality, community minded disc golf course. As we all know, land is at a premium in the Comox Valley. This is especially true when as much as 20 acres are in need for a community minded sport such as disc golf!

Mr.Atwall recognized our need, and accepted our requests for use of his land located on the Duncan Bay Main, to further develop this free and family oriented sport in the Comox Valley by allowing us access to his property to build our current temporary course, and including permanent course development in his plans. In doing so, we are now able to design and build a local Comox Valley course, allowing new and veterans players alike to enjoy some simple, free, environmentally friendly activity to help promote positive personal health, and host local fund raising events for local charities. Very exciting. Over all, this has lifted our club moral greatly.

We are especially excited now that a permanent course will be set in place as it will draw disc golf enthusiasts from all across Vancouver Island bringing with it tourism revenue, and much needed publicity for the sport of Disc Golf in the Comox Valley.

Thank you very much for your attention in this matter.

If you have any questions or concerns, please feel free to contact me at any time. I hope this finds you well.

Geoffrey McNamara
SMACK Photography

UNITED STEELWORKERS
USW
UNITY AND STRENGTH FOR WORKERS
LOCAL 1-1937

UNITED STEELWORKERS, LOCAL 1-1937

Appendix E Page 274 of 299

Affiliated with AFL-CIO-CLC

Administration Office
202 – 1509 Cliffe Avenue, Courtenay, BC, V9N 2K6
Tel: 250-334-3329 Fax: 250-334-2662
Email: admin@usw1-1937.ca

SERVING MEMBERS THROUGHOUT COASTAL BRITISH COLUMBIA

July 2, 2013

VIA EMAIL: administration@comoxvalleyrd.ca

COMOX VALLEY REGIONAL DISTRICT
600 Comox Road
Courtenay, BC
V9N 3P6

Dear Chairman and Board Of Directors:

RE: 3L DEVELOPMENTS INC. PROPERTIES

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United Steelworkers, Local 1-1937

Darrel Wong,
President

DW/jw/pb
usw, local 1-1937
(saved: F/Darrel Wong/2013 07 02 CVRD Re- 3L Developments)

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Fax: 604- 874-8187
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Area Office: Port McNeill
Box 214
Port McNeill, BC V0N 2R0
Tel: 250-956-4312
Fax: 250-956-4988
Email: pmcadmin@usw1-1937.ca

Comox Valley Regional District
RECEIVED
File:
JUL 05 2013
To:
cc:

July 4, 2013

Chairman and Board of Directors,
Comox Valley Regional District,
600 Comox Avenue,
Courtenay B.C. V9N 3P6

Delivered by hand, July 5, 2013.

Dear Sirs and Mesdames:

Re: Regional Growth Strategy Amendment- 3L Developments.

I have been watching with interest, the on-going dialogue between the Comox Valley Regional District and 3 L Developments regarding the 3 L Properties adjacent to the Puntledge and Browns River in the local newspapers. The writer does not write letters to the Editor as the message is usually not reported correctly and I will not be using the media to promote my message and comments in this letter to your board.

My name is Neil Woodrow, a licensed Realtor in the Comox Valley. I have lived here all my life and still enjoy my profession. This letter is based on real estate, the need for homesites in rural areas, the quality of life in rural areas, the pent-up demand for lot sizes from ¼ acre to ½, ¾ , 1 acre sites and up to 5 acre sites.

I understand that a request has been made by 3 L Developments for a Regional Growth Strategy Amendment. I want to state that I am in favor of the application for numerous reasons. I believe strongly, that the new Regional Growth Strategy, limiting any new subdivisions in rural areas to a minimum size of 10 acres is far too restrictive. In discussions with numerous Realtors in our Valley, this restrictive lot size of no smaller than 10 acres limits the opportunity for people who are moving here, who want a rural living atmosphere. In all my conversations with my peers, not one realtor was contacted for input into rural lot sizes. It appears(and please correct me if I am wrong) that the planners moved forward without representation from our local Real Estate companies and have not had the input on what buyers are looking for. The restriction hinders proper development…or actually, no development and also hinders those property owners who for years have held on to the family properties and now can't subdivide into smaller parcels. (pending zoning in whatever particular area.)

Further to this, I encourage the directors of the Comox Valley Regional District, the planners and staff, to take a look at some of the great rural areas that have homes on smaller lots…..look at the Huband Road area….one of the most popular rural areas, look at Mystery Beach, Garvin Road, SandPines, Williams Beach, Kentwood Road, Kilmarnock in Royston and other areas in Royston…..people want to live in these areas, they don't want to be restricted and have to move into the urban areas, and newcomers to the Valley should be able to choose this type of life style if they wish.

Page two…

I encourage the Directors and Planners of the Regional District and the principals of any development to take a positive look into what is being offered by 3 L Development Co.,to take a step back , park the attitudes and personalities that are flowing through the media and take a common sense look at the request for a Regional Growth Strategy Amendment.

While they/you are doing this, also take a look at the restrictions on how to amend…they are very restrictive and certainly not easy to overcome. Firstly, a change of attitude, secondly, shelve the personalities, (this comment from reading local newspapers and the bantering back and forth) thirdly, look at what is being offered by 3L, look at the 185 acres of beautiful parkland and waterways access for our children and our children's children that they are donating as part of their plan, Look at the " No cost" to the Regional District, with 3 L paying the full cost of servicing, water, sewer, roadways, hydro, gas, telephone and finally, the opportunity to have smaller rural lots for present and future home owners who want rural living.

I encourage and support not only 3L in their quest, but also other land owners who have the land, the funds and the zoning to have the opportunity to be able to offer smaller sized parcels in the rural areas, with the blessing of our Regional District, who I hope will be objective, positive, supporting (with proper zoning , health and water requirements) so that our beautiful Comox Valley can offer carefree rural living to those who wish to obtain it.

Respectfully submitted,
R. Neil Woodrow

Courtenay B.C.

J. MURRAY PRESLEY
951 Fitzgerald Avenue
Courtenay, B. C.
V9N 2R6

July 5, 2013

Comox Valley Regional District
600 Comox Avenue
Courtenay, B. C.
V9N 3P6

Attention: Directors of the Board

Dear Sirs:

RE: Regional Growth Strategy

As most of you are aware, I sat on the Comox Valley Regional District board at the time the Regional Growth Strategy was enacted and would not support it then. I did also oppose it at the City of Courtenay. My opposition was not to the Regional Growth Strategy in principle but in the very restrictive manner it was to operate under. My concern was that it did not allow for events that might occur that you as a board could not have contemplated. For example I used the scenario where Disney Land decided to develop a 1,000 acre site at Wolf Lake with numerous jobs being offered during construction and later operation. This would require a major amendment and it would have only taken one municipality or regional director to oppose it and it could not go ahead.

You presently have 3L Developments Ltd., proposing a subdivision which is a win win for the Valley. Their subdivision is completely self funding as far as water, roads and sewer costs but the real gain is that the Valley get ownership of 185 acres of pristine river front parkland without paying a dollar. Area C benefits from increased property tax revenue and the Valley benefits from knowing Stotan Falls and the remaining riverfront is theirs in perpetuity.

Please reconsider the restrictive Regional Growth Strategy operation and this riverfront development.

Yours truly,

J. MURRAY PRESLEY

JMP/dr

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

I understand that 3L Developments have applied for an RGS amendment for their lands in the Comox Valley located adjacent to the Puntledge and Browns Rivers and on that basis I felt compelled to write you. My understanding is that this application will not only facilitate the development of the lands, but will dedicate to the public a significant amount of recreational lands.

These recreational lands are currently utilized by the public for many uses including biking, hiking, walking and swimming. Approval of the RGS amendment and the subsequent OCP amendment and rezoning will ensure that these lands are kept in the public hands in perpetuity. The RGS amendment will also bring significant economic opportunities and jobs to the Comox Valley. The Comox Valley as a whole will benefit greatly from this proposal.

I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely,

BRUCE LEWIS
BC LAND SURVEYOR

Comox Valley Regional District
RECEIVED
File:
JUL 02 2013
To:
cc: 9:10.

Comox Valley Regional District
RECEIVED
File:
JUN 2 8 2013
To: 6410-20/amendment
Web, D. Oakman
cc: J. Warren, K. Lorette
M. Zbarsky

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Dear Sirs and Mesdames,

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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely,

Anna Jorgensen

Comox Valley Regional District
RECEIVED
File:
JUN 2 8 2013
To: 6410-20/amendment
Web, D. Oakman
J. Warren, K. Lorette
M. Zbarsky
cc:

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay, B.C. V9N 3P3

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

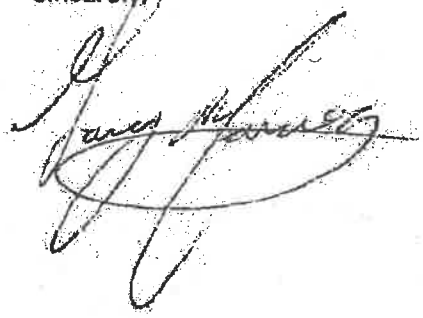
It has come to my attention that 3L Developments had made an application to amend the RGS to facilitate development on their lands adjacent to the Puntledge and Browns Rivers

I'm strongly in favor of this RGS amendment and to the subsequent OCP amendment and rezoning.

The proposal put forward by 3L Developments will place a significant amount of important recreational and cultural lands in the public hands and will provide the Comox Valley with much needed economic growth and job opportunities.

I urge you to give favorable and timely consideration to the application.

Sincerely,



Comox Valley Regional District
RECEIVED
File:
JUN 2 8 2013
To: 6410-20/amendment
Web, D. Oakman
cc: J. Warren, K. Lorette
M. Zbarsky

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Dear Sirs and Mesdames,

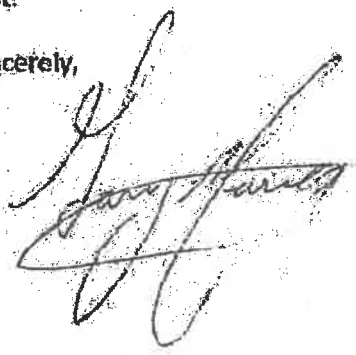
Re: Regional Growth Strategy Amendment – 3L Developments

I understand that 3L Developments have applied for an RGS amendment for their lands in the Comox Valley located adjacent to the Puntledge and Browns Rivers and on that basis I felt compelled to write you. My understanding is that this application will not only facilitate the development of the lands, but will dedicate to the public a significant amount of recreational lands.

These recreational lands are currently utilized by the public for many uses including biking, hiking, walking and swimming. Approval of the RGS amendment and the subsequent OCP amendment and rezoning will ensure that these lands are kept in the public hands in perpetuity. The RGS amendment will also bring significant economic opportunities and jobs to the Comox Valley. The Comox Valley as a whole will benefit greatly from this proposal.

I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely,



fax 334-4358

6410-20/CV RGS amend
Web, D. Oakman
J. Warren, K. Lorette
M. Zbarsky

June 27, 2013

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay, B.C. V9N 3P3

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

It has come to my attention that 3L Developments had made an application to amend the RGS to facilitate development on their lands adjacent to the Puntledge and Browns Rivers

I'm strongly in favor of this RGS amendment and to the subsequent OCP amendment and rezoning.

The proposal put forward by 3L Developments will place a significant amount of important recreational and cultural lands in the public hands and will provide the Comox Valley with much needed economic growth and job opportunities.

I urge you to give favorable and timely consideration to the application.

Sincerely,

PRESIDENT CHINOOK FOREST PRODUCTS

CHINOOK FOREST PRODUCTS LTD.
1929 FRASER ROAD
PO BOX 3164
COURTENAY BC V9N 5N3

6410-20/CV RGS amend
Comox Valley Regional District
RECEIVED
Weber, D. Oakman
Warden, K Lorette
M. Zbarsky
File:
JUN 27 2013
To:
cc:

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

I understand that 3L Developments have applied for an RGS amendment for their lands in the Comox Valley located adjacent to the Puntledge and Browns Rivers and on that basis I felt compelled to write you. My understanding is that this application will not only facilitate the development of the lands, but will dedicate to the public a significant amount of recreational lands.

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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely, (WAYNE LEAKEY)

WAYNEROY HOLDINGS LTD.

5410-20/CV RGS amend
Comox Valley Regional District
RECEIVED
Chairman
J. Warren, K. Lorette
M. Zbarsky
File:
JUN 27 2013
To:
cc:

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay, B.C. V9N 3P3

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

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The proposal put forward by 3L Developments will place a significant amount of important recreational and cultural lands in the public hands and will provide the Comox Valley with much needed economic growth and job opportunities.

I urge you to give favorable and timely consideration to the application.

Sincerely,

President Lazo Cont. Ltd.
Roy A. Leahy

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Comox Valley Regional District
RECEIVED
File: 6410-20/CHAIRD
JUN 26 2013
To: WEB
cc: DOAKMAN, WARREN, KLOKE, HABGOOD

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely,

Rod Layne
3719 Piercy Rd
Courtenay B.C.

Comox Valley Regional District
RECEIVED
JUN 2 6 2013

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

File:
To:
cc:

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely, Fred Blackburn

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay, B.C. V9N 3P3

Comox Valley Regional District
RECEIVED
File:
JUN 2 6 2013
To:
cc:

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

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I'm strongly in favor of this RGS amendment and to the subsequent OCP amendment and rezoning.

The proposal put forward by 3L Developments will place a significant amount of important recreational and cultural lands in the public hands and will provide the Comox Valley with much needed economic growth and job opportunities.

I urge you to give favorable and timely consideration to the application.

Sincerely,



Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Comox Valley Regional District
RECEIVED
File:
JUN 26 2013
To:
cc:

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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely, Rosa Wellman

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road
Courtenay, B.C. V9N 3P3

Comox Valley Regional District
RECEIVED
File:
JUN 2 6 2013
To:

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Re: Regional Growth Strategy Amendment – 3L Developments

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I'm strongly in favor of this RGS amendment and to the subsequent OCP amendment and rezoning.

The proposal put forward by 3L Developments will place a significant amount of important recreational and cultural lands in the public hands and will provide the Comox Valley with much needed economic growth and job opportunities.

I urge you to give favorable and timely consideration to the application.

Sincerely,

Bob Williams

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Comox Valley Regional District
RECEIVED
File: 6410-20/CVAMEND
JUN 25 2013
To: INS
cc: DOAKMAN/MACKAY/KLOPEIE/HEBRASKY

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely, Bill Shields

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Comox Valley Regional District
RECEIVED
File:
JUN 2 5 2013
To:
cc:

Dear Sirs and Mesdames,

Re: Regional Growth Strategy Amendment – 3L Developments

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Sincerely,

Chairman and Board of Directors
Comox Valley Regional District
600 Comox Road,
Courtenay, B.C. V9N 3P6

Comox Valley Regional District
RECEIVED
File:
JUN 2 5 2013
To:
cc:

Dear Sirs and Mesdames,

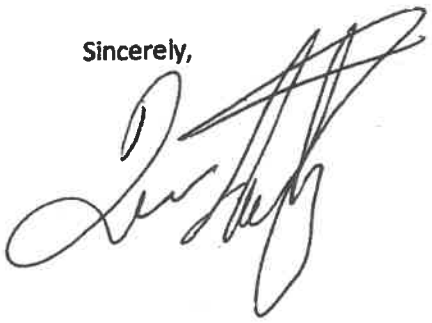
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I ask that this amendment be given favorable and timely consideration before this great opportunity is lost.

Sincerely,



RECEIVED
File: 6410-20/HARD
JUN 19 2013
To: WEB
cc: BROOKMAN · KOFFEL · MELLOY · JUDGES · CLERK

#317, 205 – 4th St.
Courtenay V9N 1A5
June 16/13

To the CVRD

Seeing the two articles on the May 31st Echo's front page regarding requested changes to the RGS, I was immediately taken back several decades to a reply by a child psychologist to a parent's query re a pestering child who would not take "NO" for an answer. He said that if you give in & say "yes" to the 5th request what you have taught the child is that perseverance pays off big time.

In both the "Hanging Gardens" & the 3L Developments cases the RGS was apparently already in effect. The RGS had taken many hours of work & co-operation to produce & was agreed to by all four local governments.

If the CVRD or any of the councils weakens & accepts one of the "carrots" offered — & certainly Staton Hills is a very large "carrot" — which, no doubt, 3L was aware of before buying the property, then all future developers will know that in the Comox Valley, "no" means what "carrots" are you offering? Thus if you give in to 3L on Staton Hills you might as well burn the RGS! A hard decision!!

Gravelle

PROJECT WATERSHED

Comox Valley Project Watershed Society Box 3007, Courtenay, BC, V9N 5N3
Phone: (250) 703-2871 Fax: 703-2872 Email: projectwatershed@gmail.com
www.projectwatershed.ca

June 13, 2013
Comox Valley Regional District
600 Comox Rd,
Courtenay, BC
V9N 3P6

6410-20/RGS amendments
Web
DOakman
KLorette
JWarren
LCarter

Dear Chair Grieves and Board Members:

Re: Stotan Falls Development

We wish to applaud and support your adherence to the Regional Growth Strategy by refusing to allow high density housing development in this sensitive area.

Urban style developments are entirely inappropriate and damaging when located in rural designated areas such as the confluence zone of the Brown's and Puntledge Rivers. There is a long way to go with infill development in the municipalities before turning to our surrounding natural areas for housing needs.

The land use designation of this area under the RGS was put in place through the valued input of valley residents for very good reasons and should not be changed without very strong argument. Private profit is not one of those arguments.

Future generations will thank you for maintaining the public trust.

Yours sincerely,

Paul Horgen, Chair
Project Watershed Society

6410-20/RGS AMENDMENTS
Web
J. Warren
D. Oakman
K. Lorette
L. Carter

mount Washington
ALPINE RESORT

Chairman and Board of Directors,
Comox Valley Regional District,
600 Comox Road,
Courtenay, BC.
V9N 3P6.

Dear Sirs and Mesdames,

On behalf of Mount Washington Alpine Resort, we would like to state our strong support for the Regional Growth Strategy Amendment application made by 3L Developments. Our support for the RGS amendment would also extend to any subsequent OCP amendment and rezoning applications.

It is our belief that the proposal put forward by 3L Developments not only puts significant and important lands into the hands of the public, thereby enhancing tourism and recreational opportunities throughout the Comox Valley, but it also provides a great economic opportunity for the Valley through the investment of significant capital and the creation of many jobs.

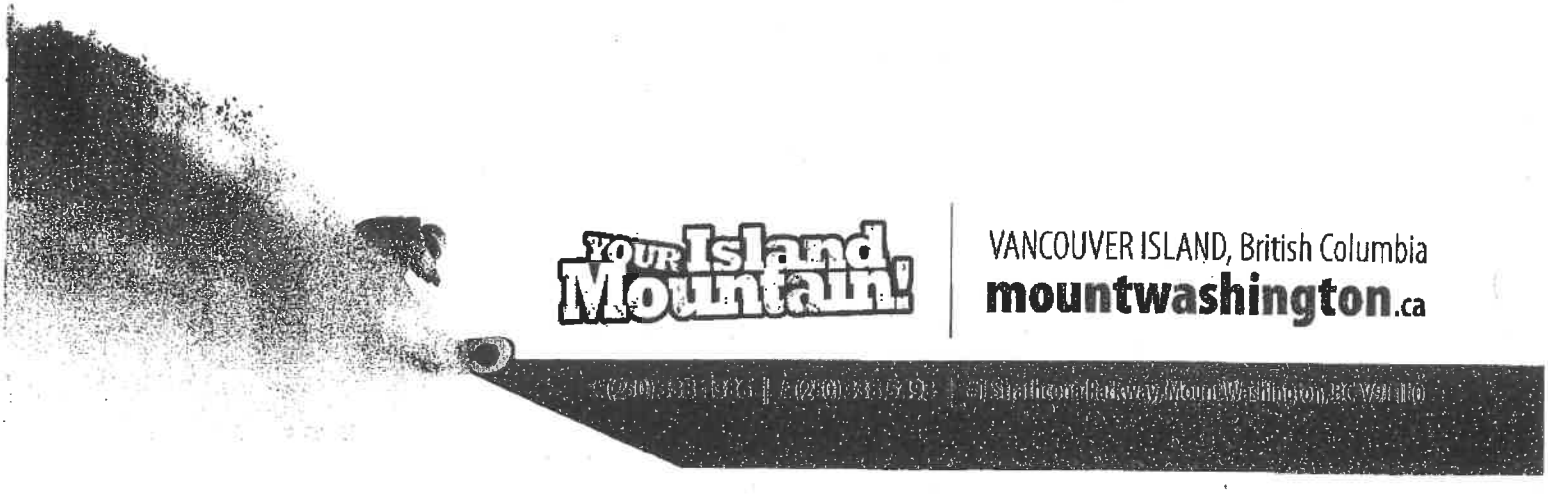
The Valley depends on tourism and housing markets as two of the principal drivers of our economy. The proposal by 3L Developments enhances these key economic drivers and does so in a very sustainable and environmentally manner. Great benefits could be derived from the proposal.

We urge you to approve the RGS Amendment and to do so in a timely manner.

Sincerely,

Peter Gibson. President

Cc. George Stuart, Chair Mount Washington Alpine Resort.



From:
To: administration
Subject: Chair and Directors of the Board
Date: Wednesday, June 12, 2013 11:22:16 AM

Dear Chair Grieves and Board Members:

Re: Stotan Falls Development

We are writing in support of your adherence to the Regional Growth Strategy by refusing to allow density housing development in this sensitive area.

Urban developments of the type proposed by 3L Developments do not belong in this rural area. There are plenty of opportunities for development within the boundaries of our municipalities.

The Regional Growth Strategy was developed after much public input and discussion. It was put in place for precisely this reason - that private profit should not trump public good.

Kathie Woodley and Bill Heidrick
Courtenay, BC

Small acts, when multiplied by millions of people, can change the world.
Howard Zinn

6410-01

From: Cathy and Barry
Sent: Wednesday, June 05, 2013 2:42 PM
To: administration
Cc: PAIS
Subject: RGS

Dear CVRD,

I wish to encourage you to continue to respect the wishes of the people and the processes that are in place for zoning and land development. The Regional Growth Strategy should be followed until there is a major public consultation that indicates changes are desired by the majority of the valley residents. I am very happy that the CVRD has not caved in to the bribery and blackmail style tactics of 3L Developments. Since when has it been acceptable for developers to say they will give land away, or even sell it to the CVRD, so they can develop a project that contravenes the RGS? That is ridiculous. The same thing applies to the "Hanging Gardens" development by the Little River ferry terminal. Developers should be aware of the zoning that exists on the land(s) that they own and they should propose developments that fall within the existing zoning. There is absolutely no point in having a RGS, or any zoning at all, if developers can simply propose anything they want, anywhere they want and expect to have their proposals approved. Zoning exists for a reason and it should be followed until people agree that the zoning is inappropriate, and then it should be changed through an open public process. We do not really need a lot of development at this time in the Comox Valley and we should certainly be selective about the developments that proceed.
Again, I am very happy to see that the CVRD has not accepted development proposals from these companies and encourage you to continue to follow the guidelines of the RGS and public desires.

Sincerely,

Barry Walker
117 Orchard Park Dr.
Comox, B.C.
V9M 2S9

From: Elizabeth Allsopp
Sent: Thursday, May 02, 2013 11:09 AM
To: Teresa Warnes
Subject: Stotan Falls Development/ Access

Importance: High

Dear Teresa,
Please forward my letter to the Board or appropriate committee.
Thank you so much.
Elizabeth Allsopp

May 2, 2013

Dear Comox Valley Regional District Board,

Although I do not live in your beautiful valley, I have family and friends who do. One of the highlights of my visit last year was the time we spent at Stotan Falls where families were swimming and exploring the rock formations. I had hoped to go there again this summer. Having read the history outlined on your website, I see that the land owner apparently has the legal right to prevent public access to this splendid natural waterfall.

Please continue to resist any further request from the owner to proceed with large scale develpoment. I also strongly urge you to explore all possible options with the goal of reinstating public access to Stotan Falls. Your efforts toward this end are very much appreciated.

Yours truly,

Elizabeth L. Allsopp
6539 B Bilberry Drive,
Orleans, ON K1C 4N4

6120-01

From: Debra Oakman
Sent: Thursday, April 11, 2013 9:45 AM
To: Teresa Warnes
Subject: FW: Admiration for CVRD stance re Stotan Falls

I believe we have a file started

Debra Oakman
Chief Administrative Officer
Comox Valley Regional District
Tel: 250-334-6055

-----Original Message-----
From: Jim Gillis [mailto:jimgillis@shaw.ca]
Sent: Saturday, April 06, 2013 8:18 AM
To: Edwin Grieve (E-mail); bjolliffe; Ambler, Jon; Starr Winchester; Manno Theos; Tom GRANT; Patti Fletcher; banglin@courtenay.ca
Cc: Debra Oakman; Kevin Lorette; Alana Mullaly
Subject: Fw: Admiration for CVRD stance re Stotan Falls

For you information.

jim,
----- Original Message -----
From: "Dr. E. Lisbeth (Betty) Donaldson"
To: "Jim Gillis" <jimgillis@shaw.ca>
Sent: Saturday, April 06, 2013 7:54 AM
Subject: Admiration for CVRD stance re Stotan Falls

> I've been reading about the developer-CVRD conflict. Just want you all
> to know that I am in admiration of the ethical and moral stance taken by
> CVRD Councillors. It seems a test case regarding urban sprawl. Your
> observation of environmental policies will win you the respect of all
> residents. It would be so much easier to compromise, to bend and to lose
> the momentum we have established toward making the Comox Valley
> sustainable.
> Thank you.
> Betty Donaldson
>

Subject: FW: 3L proposed development

From: Jessica H [mailto:jessicajoyhawkins@gmail.com]
Sent: October 1, 2018 12:01 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>; egrieve@comoxvalleyrd.ca; bwells@courtenay.ca; eeriksson@courtenay.ca; ljangula@courtenay.ca; rnichol@comoxvalleyrd.ca; cscoville@comoxvalleyrd.ca; councillor.sproule@cumberland.ca; kgrant@comox.ca; bprice@comox.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: 3L proposed development

Dear CVRD Committee of the Whole,

I currently operate a small farm, and my background is in fisheries and sustainable community development. I live in Merville, but I also consider the City of Courtenay my home-community -- It is where I grew up, where I went to school, and where I currently do most of my day-to-day activities. The region is vital to me, and how it develops greatly impacts me and my family.

I fully support infill and densification in the current core settlement areas as defined in the provincially mandated Regional Growth Strategy. The RGS was an involved and in-depth process that took two years to complete and many, many public and staff hours. Even though the RGS was created in 2010, it takes into account the projected population growth of the region, and it clearly articulates the need for regional hubs to mitigate against the negative impacts of urban and rural sprawl,

> "The population may increase by almost 50% over the next 20 years as approximately 25,000 more people and 10,000 more housing units are added to the valley. While the existing settlement pattern is still relatively compact and the overall housing stock diverse, the more recent trend is towards a more dispersed settlement pattern made up of mostly low-density housing forms. Continuation of this trend would result in significant urban and rural sprawl, creating stress on the valley"s natural areas and ecological functions, increasing reliance on automobile travel and impacting the character and livability of the region's rural and urban communities. Development must be directed in a manner that creates a sustainable long-term development pattern that uses both land and infrastructure in the most efficient manner." (RGS, 2010)

Complete communities, as described in Objective 1-A (policies 1A-1 through to 1A-7), are developed with densities sufficient to support frequent local and regional transit, and supports healthier transportation choices, and allows environmentally sensitive and working landscapes to be better protected. Infill and densification, as proposed in the current RGS, will enable our transit system to be more cost effective, more efficient for riders and will thereby reduce the number of vehicles on the roads. We need infill and densification within our walkable hubs thus supporting local businesses and allowing our transit system to be more cost-effective.

By sticking with the current RGS as planned, the region will:

- Encourage and support businesses downtown
- Reduce greenhouse gas emissions by supporting walkable communities
- Increase community cohesion, and support vulnerable seniors
- Decrease maintenance (repair and snow removal) costs of streets

The proposed Riverwood subdivision does not fit within the policies outlined by the current RGS, and in fact, it works against the expressed wishes of the community, as articulated in the Regional Growth Strategy (RGS). As such, I am concerned about the impacts that such a development would have on the surrounding resource lands and agricultural areas. As proposed, the Riverwood subdivision will:

- Add to traffic congestion in the region
- Decrease efficiency and affordability of our transit system
- Increase cost to tax payers
- Negatively impact sensitive wetlands, aquatic habitat and fish stocks
- Extract water from the river, which is needed by aquatic populations
- Put 1000s of people in harms way during a fire event
- Adversely impact the rural character of the region

In conclusion, I oppose the amendment of the RGS to allow for the Riverwood subdivision to be included as a settlement node. Instead, I support directing development to the already-serviced municipal centers enabling the rural areas to remain rural. Rural areas are vital to our region and should not be rezoned based on the needs of developers but based on the wishes of the community as defined in the RGS.

Best Regards,

Jessica Hawkins
6547 Poulton Road
Merville, BC

———

NOTES:

Current zoning — In the September 13th, 2018 letter addressed to Alana Mullaly, Mark Holland writes, "What was not very clear in the presentation by staff was that the rural areas are intended for rural and resource uses - and this means typically clearing, resource extraction and similar uses. There appears to be a misunderstanding in the community that there is an option not to have it developed but have it stay the way it is." Contrary to what Mr. Holland states, I am aware, and I fully support the current zoning as I believe rural areas need to stay rural. As a rural community, we fully understand that rural areas are not 'bucolic' — a lot of life and living and working takes place in rural areas and, for this reason, rural areas must be protected — Once an area is developed into a subdivision, it will not be changed back. Rural lands provide livelihoods for people, valuable corridors for birds, amphibians and other wildlife; and maximum pervious surfaces to allow precipitation to filter into the soil and recharge the water-table instead of paved surfaces which magnify flash flooding.

———

Increased traffic congestion — The proposed 'automobile-dependent' type of subdivision will increase the traffic on our already congested roads. The core settlement areas and designated town centers need transit-supportive land-use plans that encourage densification not automobile-dependent neighborhoods. The current core settlement areas (Saratoga Beach, Union Bay, Cumberland) are near community centers that can provide the goods and services people need, whereby encouraging other modes of transportation besides automobiles, such as walking or biking. The proposed subdivision will detract from compact growth options within Municipal Areas, therefore increasing traffic congestion.

———

Decrease efficiency and affordability of our transit system — It is also important to note that for a transit system to be cost-effective, a bus needs to service a community frequently, and ridership must be high. The proposed development will not be able to provide either. Therefore the proposed development will need to be automobile-oriented and will further contribute to our reliance on automobile travel, also adding to greenhouse gas emissions.

———

Increased cost to tax payers — The proposed development will maximize the public cost of housing by requiring high-cost infrastructure that will need to be maintained by the region. The proposed Riverwood subdivision is a continuation of car-centric development, which is responsible for the fiscal, environmental and social challenges our community is currently working to overcome. Previously, developers have encouraged development on the outskirts of our towns as they were able to purchase inexpensive land, therefore, motivated to promote the pushing of the municipal boundaries outward. This outward push has lead to expensive servicing (roads, sewer, water) and traffic congestion (widening of roads and more bridges). This 'donut' type of development has drawn energy and resources away from our downtowns. The current RGS was developed to mitigate the negative impacts of 'donut' development. The provincially mandated strategy was created to build robust and cohesive communities. Communities that are affordable and are more connected and supportive for all community members. Once again, for fiscal reasons, it is essential to direct development to regional nodes and existing core areas. The Halifax Regional Municipality clearly articulates the cost of suburban versus urban for servicing in the *Sprawl Costs the Public More Than Twice as Much as Compact Development* (https://usa.streetsblog.org/2015/03/05/sprawl-costs-the-public-more-than-twice-as-much-as-compact-development/), Please see chart below.

———

Not a 'Walkable' community: As noted in the Sustainability Matrix of 3L Developments' application, the proposed subdivision is classified as a 'walkable' community. Unfortunately, the proposed community does not fit into the Centre for Planning Excellence's definition of walkable:

> "Walkable communities that are desirable places to live, work, learn, worship and play are a key component of smart growth. Their desirability comes from two factors. First, goods (such as housing, offices, and retail) and services (such as transportation, schools, libraries) are located within an easy and safe walk. Second, walkable communities make pedestrian activity possible, thus expanding transportation options, and creating a streetscape for a range of users – pedestrians, bicyclists, transit riders, and drivers. To foster walkability, communities must mix land uses and build compactly, as well as ensure safe and inviting pedestrian corridors." (https://www.cpex.org/what-is-smart-growth/)

The proposed subdivision will have minimal, if any, goods or services to walk to; therefore, the community cannot be deemed walkable. Also, the proposed subdivision will draw development away from the core areas that are already in the planning stage.

———

Possible negative impacts on seniors — It has also been pointed out by the 3L Developments' planning team that the proposed subdivision will be good for seniors, to which I cannot entirely agree. As proposed, the neighbourhood characteristics will not foster a connected and cohesive community. Instead, and due to the disconnected nature of the subdivision (far from goods and services), the proposed development will exasperate the isolation of vulnerable seniors. Once again, infill and densification of core areas will encourage added community connections and proximity to community services. In this way, the plan as proposed will work against our regional priorities to create cohesive and connected communities for seniors.

———

Negative impacts on critically important wetlands and salmon habitat: The Puntlage River is classified as one of the most critical salmon production areas on the east coast of Vancouver Island (DFO). The riparian and aquatic resources along the Puntlage River and Browns River at the point of confluence and throughout the system are fundamental to the survival of Pacific salmon in an era of climate change, loss of glacier resources and fluctuating rainfall patterns. We as a community, and as a region, need to consider the broader implications of multiple point source watershed impacts. Flow, temperature, in-stream nutrient transfer and stream-side nutrient inputs determine stream and ecosystem resilience and health. Having this development remove water from the system while impeding the natural percolation of precipitation through the soil profile due to impermeable development has a two-fold impact of negatively affecting hydrology and in-stream habitat. The Puntlage River is listed as currently having severe habitat concerns of low flows and high temperatures as detailed on page 24 *Helping Pacific Salmon survive the impacts of climate change on fresh water habitats; Pursuing Proactive And Reactive Adaptation Strategies*. The proposed Riverside subdivision will have adverse effects on the critically important Puntlage and Browns Rivers systems.

———

***Chart: Increased cost to tax payers,**



Subject: FW: Form submission from: Comox Valley Regional District - Planning & Development Services

From: Comox Valley Regional District [**mailto:no-reply@cvrdwebsite.ca**]
Sent: Sunday, September 30, 2018 1:07 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Form submission from: Comox Valley Regional District - Planning & Development Services

Submitted on Sunday, September 30, 2018 - 01:06

Submitted by anonymous user: 50.92.246.35

Submitted values are:

Name Jennifer Devine
Email **jen.d@hotmail.com**
Message
I oppose the amendment to the Regional plan in regards to the 3L proposed development of Stotan Falls.
The results of this submission may be viewed at:

https://www.comoxvalleyrd.ca/node/2837/submission/1510

Subject: FW: CVRD Board of Directors meeting Oct 2 2018 re: 3L and first bylaw reading

Attachments: CVCP 3LAmendment letter to CVRD Oct 2 2018.pdf

From: Erin Nowak [mailto:erin@cvlandtrust.ca]
Sent: September 30, 2018 10:10 AM
To: Barbara Price - Town of Comox Councillor, Friends of Comox-Lazo Forest Reserve Society <bprice30@shaw.ca>; Bob Wells Courtenay Councillor <bwells@courtenay.ca>; bjolliffe <bjolliffe@comoxvalleyrd.ca>; Ken Grant Comox Councillor <kgrant@comox.ca>; Gwyn Sproule Cumberland Councillor <gwynsproule@gmail.com>; Erik Eriksson Courtenay Councillor <eeriksson@courtenay.ca>; Larry Jangula Courtenay Mayor <ljangula@courtenay.ca>; Manno Theos Courtenay Councillor <mtheos@courtenay.ca>; Rod Nichol CVRD Area B <rodnichol@shaw.ca>; Curtis Scoville - SAMBRA <curtisscoville@shaw.ca>
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>; Russell Dyson <rdyson@comoxvalleyrd.ca>; Shannon Smith <ssmith@comoxvalleyrd.ca>
Subject: CVRD Board of Directors meeting Oct 2 2018 re: 3L and first bylaw reading

To Comox Valley Regional District Board of Directors,

Re: Regional Growth Strategy Standard Amendment re: 3L and first bylaw reading Oct 2 2018

The Comox Valley Conservation Partnership (CVCP) was established in 2008 and represents the interests of twenty-four volunteer and non-profit organizations working to promote the environmental and economic values of conservation in our natural areas. **The CVCP is opposed to 3L Development Inc.'s proposal to amend the Regional Growth Strategy (RGS) such that it enables the creation of a new settlement node.** This amendment, if approved, has the potential to cause detrimental impacts to the integrity of the natural environment and the Valley's livability.

As outlined in the attached letter, at this point in the 3L Consultation Plan, the CVCP urges the Board to **vote in denial** of the first reading of an amendment bylaw at the CVRD Board of Directors meeting (Oct 2, 2018). Please feel free to call with any additional questions or comments.

Sincerely,

ERIN
NOWAK
Program Coordinator
Comox Valley Conservation Partnership
P: 250.203.5644
E: erin@cvlandtrust.ca
W: www.cvlandtrust.ca

Erin Nowak
Program Coordinator
(250) 203-5644
Email: erin@cvlandtrust.ca

Mailing Address
P.O. Box 3462
Courtenay, BC V9N 5N5

Office:
2356a Rosewall Crescent
Courtenay, BC, V9N 8R9

Partner Organizations
Comox Valley Land Trust
Project Watershed
Millard-Piercy Watershed Stewards
Morrison Creek Streamkeepers
Beaufort Watershed Stewards
Comox Valley Nature
Comox Valley Water Watch Coalition
Brooklyn Creek Watershed Society
Perseverance Creek Streamkeepers
Cumberland Community Forest Society
Mack Laing Heritage Society

Support Organizations
CV Sustainability Project
CV Council of Canadians
Friends of Comox Lazo Forest Society
Forbidden Plateau Road Residents Association
Black Creek Streamkeepers
Saratoga and Miracle Beach Residents Association
Arden Area Residents Association
Friends of Strathcona Park
Merville Area Resident's & Ratepayers Association
VI Whitewater Paddling Association
Mountainaire Avian Rescue Society
Macdonald Wood Park Society
Tsolum River Restoration Society

Funding Partners
Real Estate Foundation of B.C.
Community Gaming Grant
RBC Blue Water Fund
Comox Valley Regional District
City of Courtenay
Village of Cumberland

www.cvlandtrust.ca/cvcp/

Date: Sept 30th, 2018

Re: 3L Developments Inc and Amendment to the Comox Valley Regional Growth Strategy

Dear Comox Valley Regional District Chair and Directors.

The Comox Valley Conservation Partnership (CVCP) was established in 2008 and represents the interests of twenty-four volunteer and non-profit organizations working to promote the environmental and economic values of conservation in our natural areas. **The CVCP is opposed to 3L Development Inc.'s proposal to amend the Regional Growth Strategy (RGS) such that it enables the creation of a new settlement node.** This amendment, if approved, has the potential to cause detrimental impacts to the integrity of the natural environment and the Valley's livability.

Natural Environment

In the RGS, the CVRD board endorsed the need for a regional coordinated effort to protect and link the Valley's remaining sensitive ecosystems. In 2014, the CVCP and the CVRD jointly conducted an analysis to assess the status of the remaining sensitive ecosystems in the Comox Valley lowlands. Our analysis revealed that over the past 2 decades, sensitive ecosystems continue to be lost and degraded at an alarming rate. As of 2014, less than 5% of the previously extensive and connected network of sensitive ecosystems remain in an intact condition. Notwithstanding this fact, the Puntledge and Browns River corridors have been highlighted in local, regional and national conservation plans as high-priority areas for conservation. These include science-based conservation plans prepared by the Comox Valley Land Trust (2017), Ecofish Research Ltd on behalf of the Fish and Wildlife Compensation Program (2017), and the Nature Conservancy of Canada (2015).

The CVCP strongly believes that the proposed development will detrimentally impact sensitive ecosystems occurring on the subject parcels both directly and indirectly, as well as eliminate opportunities to improve the ecological integrity of these natural areas identified as having high-conservation value.

A coarse-scale desktop review of the proposed development recently undertaken by the CVCP suggests that significant portions of the subject parcels are not developable. This includes numerous Statutory Rights of Way registered on title, areas that would be protected under the Provincial Riparian Areas Regulation (RAR) as Streamside Protection and Enhancement Areas (SPEA), as well as areas of steep slopes (>30%). CVRD development permit regulations, parkland dedication requirements and Return to Crown notations on the riverbed itself add additional constraints to the developable area. Combined, these areas are roughly equivalent in both area and location to what the proponent is suggesting to "donate" as parkland. Therefore, given that these areas are not at risk of being developed **there is no meaningful uplift in the conservation of critical natural areas in the 3L development proposal.**

Livability

In 2010 the Regional Board adopted a long term vision for the Comox Valley's development; which included a lengthy and inclusive public process. The RGS includes eight policy areas, intended to **reduce urban sprawl, promote sustainability**, reduce water consumption and greenhouse gas emissions, divert solid waste and promote active transportation, affordable housing and a resilient economy.

- The 3L proposal is **contrary** to the fundamental spirit and intent of the RGS which is to concentrate 90% of the region's population in the Core Settlement Areas.

- Eight years into the implementation of the RGS, Core Settlement Areas still have **plenty of capacity** to accommodate additional population growth.

- The **scale** of the proposed development effectively creates a new Core Settlement Area which would slow down development in the other Core Settlement Areas and thus frustrate the delivery of compact transit-oriented communities envisioned by the RGS.

- 3L's proposition that the amendment should be looked at as "repositioning of densities allowed under the current RGS" (p1, May 2018 letter) from other development projects is premised on the **failure** of its competitors to deliver housing in the designated areas.

- In the developers own words "we are a positive catalyst for the larger development pattern in the area" (p3, 2010 3L submission). In other words, this developer acknowledges its project is a **precedent** for more urban sprawl contrary to the managed growth envisioned by the RGS.

The CVCP supports processing RGS amendments the right way that "involve" the public. The CVRD Board of Directors endorsed that sentiment by adopting a consultation plan, which defines the public participation goal of public involvement as *"to work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered".*

At this point in the 3L Consultation Plan, the CVCP urges the Board to **vote in denial** of the first reading of an amendment bylaw at the CVRD Board of Directors meeting (Oct 2, 2018).

Sincerely,



Erin Nowak
Program Coordinator
Comox Valley Conservation Partnership

cc Russell Dyson, Chief Administrative Officer, CVRD
Alana Mullaly, Manager of Planning Services, CVRD

Subject: FW: RGS

From: Patricia Childs [mailto:patricia_childs@hotmail.com]
Sent: September 29, 2018 5:23 PM
To: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: RGS

I do NOT agree that 3L Developments should be allowed to amend the Regional Growth Strategy to allow 750 to 1100 homes in the Stotan Falls area for personal financial gain. It is more important to preserve our watersheds and wildlife and preserve our rural areas and prevent urban sprawl. This is not going to add affordable housing or benefit anyone locally. Please defend the future growth of our valley and adhere to the rules of the Regional Growth Strategy.
Thank you
Patricia Childs

Subject: FW: Oct 2nd First reading of 3L Proposal

From: noteworthy@shaw.ca [mailto:noteworthy@shaw.ca]
Sent: September 28, 2018 12:23 AM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>; rodnichol@shaw.ca; eeriksson@courtenay.ca; ljangula@courtenay.ca; mtheos@courtenay.ca; bwells@courtenay.ca; kgrant@comox.ca; bprice@comox.ca; gwynsproule@gmail.com; CurtisScoville@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>; noteworthy@shaw.ca
Subject: Re: Oct 2nd First reading of 3L Proposal

Dear CVRD Directors – a post script to my below letter to you.

A small typo is not usually important enough to lose sleep over, but in this instance, it might well do just that. When I wrote the letter to you, I put a question mark beside a word I felt I could find a stronger choice for, and I missed doing that and removing the question mark in the final edit. Please see below. I most certainly was not implying that the Region Growth plan was **not firmly** adopted~!

My apologies for an extra email.

Sincerely,
Vivian Ruskin

From: noteworthy@shaw.ca
Sent: Thursday, September 27, 2018 8:02 PM
To: bjolliffe@comoxvalleyrd.ca ; rodnichol@shaw.ca ; eeriksson@courtenay.ca ; ljangula@courtenay.ca ; mtheos@courtenay.ca ; bwells@courtenay.ca ; kgrant@comox.ca ; bprice@comox.ca ; gwynsproule@gmail.com ; CurtisScoville@shaw.ca
Cc: Alana Mullaly ; noteworthy@shaw.ca
Subject: Oct 2nd First reading of 3L Proposal

Dear CVRD Directors,

Rather than repeat things that have already been said or written, We will try to keep our letter short and to focus on the sole purpose of the upcoming meeting and reading.

I respect each and every one of you for all the time you spend in your capacity as a board member looking after the residents of the Comox Valley and our collective best interests.

We have lived here for 10 years and have been here for most of the 3L saga. We visited the CVRD in 2009, when we first heard about the possibility of a developer wanting to put in a subdivision by Stotan Falls. Having spoken to several CVRD staff members over those years, we do have a background in how complicated this became. And here we are, all these years later, trying to sort this out.

To us, the matter is simple (although we know it has become anything but). We were part of the public input into the birth of the RGS (Regional Growth Strategy)– a long process of cooperative consultation and study with Courtenay, Comox and Cumberland. And then it was complete. Certainly it was impossible to create a plan that would be perfect to all concerned, but it was **firmly** adopted with its long range plans for how to best handle the Comox Valley's inevitable growth.

And then the developer resurfaced with his detailed proposal to build an enormous subdivision on RU20 land, to be called, Riverwood, and here we all are.

So back to the simple part. That land is RU20 and was designated as such for good reason. It is not one of the RGS's official growth nodes. Period. If this development goes through, all faith will be lost in our elected leaders and it will cast doubt on the integrity of the CVRD and the RGS. All to accommodate the wishes of one developer?? We think every valley resident will be able to draw upon personal experience of 'making an exception' and regretting that decision. "You let him have it. Why can't I have that? I have even better reasons~!"

It's wrong to say 'yes' to them.

And yes, there are many, many reasons why we feel a development in that location would be folly, but that's not what this process is all about. Someone asked me last week whether I would be 'okay' with this plan if it was in another location in the valley. I said, Absolutely. IF and only if it was in one of the official settlement nodes. If it wasn't, then, No~! We realize that there were unforeseen legal issues that arose during this process but it is our understanding that we are now at the stage where this can be vetoed as it was originally.

We resent the enormous amount of time and money this proposal, with all its drama, has cost the CVRD and all the taxpayers. There are many other issues in the Comox Valley that need that time, focus and tax dollars.

We are trusting you to make the best decisions for all of us. Again, our deep appreciation for your time and dedication to all the work you do.

Sincerely,

Vivian and Steve Ruskin

2380 Jaqueline Dr.
Courtenay, BC
250-871-0554
noteworthy@shaw.ca
Area C

Subject: FW: CVRD Directors RE: Tuesday's 3L vote

From: Dan Vie [mailto:danvie@shaw.ca]
Sent: October 1, 2018 12:24 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>; rodnichol@shaw.ca; eeriksson@courtenay.ca; ljangula@courtenay.ca; mtheos@courtenay.ca; bwells@courtenay.ca; kgrant@comox.ca; bprice@comox.ca; gwynsproule <gwynsproule@gmail.com>; CurtisScoville@shaw.ca
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: To: CVRD Directors RE: Tuesday's 3L vote

About Tuesday's 3L vote.

A brief note to encourage you, please look over the attachments in the CVRD report. The public statements are comprehensive (see the Appendices itemized on Tuesday's agenda). Our staff's reasoning for refusal is sound, they are satisfied our legal obligations have been met and we need not evaluate this further. The environmental risks are damning. Above all, the financial argument is the clincher - allowing this scale of growth here, in this sensitive location, will rob resources needed for existing infrastructure commitments.

This is for any of you currently on the fence. Please, say 'no' to 3L's amendment at First Reading and stop wasting further time, energy and community resources entertaining this any further. Preserve the RGS as it stands.

Thank you.

Dan Vie
Courtenay, B.C.

Subject: STOTAN FALLS

Importance: Low

From: Lisa Woolman <lisawoolman250@gmail.com>
Date: Monday, Oct 01, 2018, 11:58 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>, rodnichol@shaw.ca <rodnichol@shaw.ca>, eeriksson@courtenay.ca <eeriksson@courtenay.ca>, ljangula@courtenay.ca <ljangula@courtenay.ca>, mtheos@courtenay.ca <mtheos@courtenay.ca>, bwells@courtenay.ca <bwells@courtenay.ca>, kgrant@comox.ca <kgrant@comox.ca>, bprice@comox.ca <bprice@comox.ca>, gwynsproule@gmail.com <gwynsproule@gmail.com>, CurtisScoville@shaw.ca <CurtisScoville@shaw.ca>
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: [Possible SPAM] STOTAN FALLS

Dear elected representative,

I'm writing to state my opposition to the 3L push to develop outside of the RGS development nodes. Our RGS represents the vision our community has about the way it wants to grow into the future. To allow the RGS to be dismantled is an injustice on multiple fronts, but, most alarmingly, it is would be an attack on local democratic process. Already our society has become politically apathetic in levels that are dangerous to the functioning of democracy. The hard work and vision that goes into developing a document such as the RGS is put together, in good faith, by some of our most politically engaged community members. To, in effect, scrap the hard work and vision put into a document created in the spirit of our common future in order to accommodate the single minded vision of a private enterprise, would be a failure of every principle we claim to value. The means to any end, does, in fact matter. What good will a park be when citizens no longer care to turn out to municipal elections, or participate in democracy at all? Why should citizens bother to engage if their hard work and vision can be bulled over by a process that favours lawyers more than citizens? It is the job of our representatives to, most of all, uphold the values we claim as the foundation of our society. Even Socrates drank his poison in the end because he understood that for the state to continue he must submit to its laws rather than subvert the law for his own benefit. Otherwise, the cherished democratic state would succumb to the more self-serving side of human nature. So there are two choices, really, for those who have agreed to be our representatives. The first is to maintain a solid vision of the collective nature of democracy and uphold it for its own sake by honouring and holding up the RGS. The second choice is to take democracy for granted, whenever it suits, let down the gate for a perceived gain, such as proposed by 3L.

Much will change in the way we build, live, work and play over the next decades, and generations. . Adhering to the development nodes as set out in the RGS is the way to protect the public interest.

If we want well -being for our future generations, then, we better proceed as if they matter now. That is the point. That is the work. We proceed as though the future matters. We are going to need citizens in the future. To have citizens we need to foster community mindedness and democratic engagement through building relationships of trust in the political process. The park is a small piece of pie compared to what is at stake when the public becomes easily manipulated for self-serving gains.

Sincerely,

Lisa Woolman

Subject: FW: 3L concerns

-----Original Message-----
From: Susan Wheeler [mailto:wheelersusan2@gmail.com]
Sent: October 1, 2018 4:12 PM
To: rodnichol@shaw.ca
Cc: eeriksson@courtenay.ca; ljangula@courtenay.ca; mtheos@courtenay.ca; bwells@courtenay.ca; kgrant@comox.ca; bprice@comox.ca; gwynsproule@gmail.com; Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: 3L concerns

Directors,
I encourage you to follow the 2011 RGS and not allow developers to bend/break these rules. They are in it for profit, not for any lasting benefit to the Valley.

Sincerely,
Susan Wheeler
Area A

Subject: FW: CVRD Board Directors First Reading of 3L Proposal Oct 2

From: noteworthy@shaw.ca <noteworthy@shaw.ca>
Date: Monday, Oct 01, 2018, 8:35 PM
To: bjolliffe <bjolliffe@comoxvalleyrd.ca>, rodnichol@shaw.ca <rodnichol@shaw.ca>, eeriksson@courtenay.ca <eeriksson@courtenay.ca>, ljangula@courtenay.ca <ljangula@courtenay.ca>, mtheos@courtenay.ca <mtheos@courtenay.ca>, bwells@courtenay.ca <bwells@courtenay.ca>, kgrant@comox.ca <kgrant@comox.ca>, bprice@comox.ca <bprice@comox.ca>, gwynsproule@gmail.com <gwynsproule@gmail.com>, CurtisScoville@shaw.ca <CurtisScoville@shaw.ca>
Cc: Alana Mullaly <amullaly@comoxvalleyrd.ca>
Subject: CVRD Board Directors First Reading of 3L Proposal Oct 2

Dear CVRD Directors,

First I want to express my appreciation for dedication to your work as a board member representing the best interest of the residents within your constituency.

The issue before us is determining the future development in the Comox Valley. The main question is whether or not to move forward on 3L Developments RGS amendment application to create a new settlement node. I along with a considerable number of local residents oppose this Riverwood plan to create a new settlement node to hold upwards of 1100 residential units along with a privatized water & sewage utility, in an un-serviced car dependent remote location, lacking transportation infrastructure and fire protection at the confluence of two ecologically sensitive salmon spawning rivers situated in a wildlife corridor. There will be significant impacts of Riverwood's density being a "city in the country plan" built in a Rural location.

The RGS steering committee met on Sept 2th 2018 and again on Sept 27th to review detailed reports compiled from the Technical Action Committee that assessed the relative need for the impacts of a new settlement node as proposed by 3L Developments.

On Sept 27th the Steering Committee endorsed TAC's recommendation that the CVRD ***deny*** 3L Developments application! ***A new settlement node is not needed at this time***, relative to housing unit supply and population projection plus demographics in the Comox Valley.

The TAC found that the establishment of a new core settlement area is ***not warranted***. Current population projections, demographic trends, affordability and supply considerations do not support the development of up to 1,100 units in the rural settlement area adjacent to the city of Courtenay.

Up until now , considerable time plus all application review costs to date have been borne by the CVRD and ultimately the taxpayer for the forced consideration of the applicant's proposal at the expense of other CVRD business at hand.

Spokesman for 3L , Mark Holland has said, the land owner states that it is his intention to finish logging and pursue gravel extraction IF 3L's proposal is not approved and that it is highly likely that the lands may be fenced off and made inaccessible to the public! He seems to deliver an ultimatum by saying: *"The choice is not between development of not development, it is between a clear cut and a park!"* 3L's property has already been logged and roads have been built. Considerable lumber has already been removed from their properties.

Those lands are RU20 with many potential uses that would be of great value to the Comox Valley. Published soil analysis indicates numerous agricultural uses are possible.

3L has not yet applied for a water licence. 3L has no details on their proposed privatized sewage treatment facility as it isn't even at the conceptual level, with NO preliminary applications have been made to the Ministry

of the Environment. FLNRO, VIHA, DFO on water or sewage. CORIX was chosen to provide and run this privatized system. However, a CORIX built sewage facility in Dawson City Yukon Territory has continued to fail to meet its operating requirements since it was built about 9 years ago. requiring Government take over at public expense. The Yukon Government sued the builder of Dawson City's troubled sewage treatment plant. The territorial government seeks $39.5 miliioin ,claiming the plant built by CORIX Utilities is a failure. A lawsuit against CORIX to recover costs is still before the courts!

In recent years CVRD had absorbed a number of services that were originally designed as private utilities. The CVRD is well aware of the expense in maintaining and operating the complex nature of sewage treatment systems within its own boundaries.. Exorbitant capital costs would further be incurred if their proposed water/ sewage system required intervention to operate correctly which would be borne by governments and ultimately the tax payer. 3L never identified details of solid waste collection or if a private contractor would collect and dispose of the Riverwood waste. 3L never addressed Fire Protection services.

Our RGS took considerable time to design their comprehensive plan. Its honourable intention is to manage future growth wisely in the Comox Valley.

I urge you to consider the decision of the Steering Committee and the TAC to deny 3L Development's application. I urge you to uphold the integrity of the Regional Growth Strategy! I urge you to follow the Steering Committee and TAC , through their detailed analysis of the applicant's proposal they have recommended that the **CVRD DENY the Application** as it is not needed at this time. I hope you will follow their recommendation with your vote to stop this development and keep the RGS intact.

I urge you not to use further CVRD resources or grant any last minute time extension to 3L's application proposal modification! No matter how 3L modify their development plan, Riverwood will still **NOT** be in an RGS Settlement growth node~!

Sincerely

Steve Ruskin

Area C

This is Exhibit "OO" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Holland
Planning Innovations Inc

Rec'd 20180928
6410-20 / CV RGS Amendments
RGS 1C 17
CVRD Board
R. Dyson
A. Mullaly

September 27, 2018

Board of Directors

Comox Valley Regional District

600 Comox Road

Courtenay, BC

V9N 3P6

Re: Riverwood Regional Growth Strategy Amendment Application

Introduction

This document provides an overview of many important aspects and issues related to the Riverwood Regional Growth Strategy (RGS) amendment application, to ensure the Board has the necessary information to make an informed decision on this important opportunity.

This document covers some of the history of the project, a summary of the project vision, rationale for addressing refinements to the RGS, discussions on utilities, parks and transportation, as well as addressing a range of issues that have been raised in community discussions.

The choice

The discussion outlined in the following pages provides information, perspectives and rationale for considering the Riverwood RGS amendment proposal. The Board has several stages of decisions and choices ahead.

The first choice is whether to permit this application to proceed through the due review process. The Board's decision to pursue a standard amendment process and its desire to have a robust public consultation and policy process hopefully extends beyond a first reading in the process. We believe there is sufficient rationale and value to the public from this application to support a choice to permit the project to proceed through the full RGS amendment application process, to ensure both the Board and the community have sufficient time and information to make a fully informed decision.

The second dimension to the Board's choices ahead involves the substantive decision on this piece of land, based on both the merits of the application and the options for this land if the Riverwood application is not supported.

The choice before the Board is therefore not between leaving the lands "as is" or approving the Riverwood proposal. The choice is between the Riverwood proposal versus aggressive rural and resource uses and private ownership in perpetuity. The land owner has indicated that after waiting for many years

for this process to unfold, now offering 50% of their land to the community, and not pursuing more rural and resource uses during that time, if the application is not supported, they will be forced to recoup the significant financial impact these delays have caused by pursuing the rural and resource uses envisioned in the RGS for lands between town centres, including:

- Harvesting the remaining timber on the land;
- Pursuing gravel extraction where feasible, as there are granular reserves on the land and none of the land is suitable for agriculture; and
- Selling the land in large 50-acre parcels that will not require any park dedication, thereby making the entire area, including public access areas to the lands and Falls, private and with no opportunity for public access.

Many will feel that the rural and resource extraction outcomes would be unfortunate for this piece of land, especially if it compromises access to Stotan Falls and other areas, albeit private ownership and these rural and resource uses are supported by the current RGS.

For some, the choice before the Board is not about the land and its options, but rather about whether or not to amend an RGS, and thereby to challenge the untouchable status the RGS has had to date. For others, it may be about their negative feelings they hold for the land owner. We however encourage the Board to note that this application is not about the land owner and is in many ways less about the RGS than it is about this piece of land and its optimum future for both public and private interests, at this critical point in time.

No RGS or any plan can envision all of the key choices and implications that may lie ahead in a community regarding any piece of land. Therefore, plan amendments are entertained in order to allow the Board to make the best choices as opportunities arise over time.

Perspectives on RGS amendments

Amending the RGS is an important and serious task, because creating and approving it in the first place was a time-consuming process for the regional community. However, amendment applications are also appropriate as no plan envisions all future contingencies or opportunities.

Approving a plan and holding it unchanged for half a decade or more is akin to taking a picture of oneself and then requiring that we do not change anything about ourselves for many years. Not only is this impossible and undesirable, but a community is much more complex than a person and many things change over a half decade or more, that require plans to be amended to pursue the optimum public interest outcomes.

In the case of the CVRD's RGS, many development areas in the current RGS were in play and approved in the hey day of optimism that surrounded the pre-recession years, including significant optimism on major projects such as Kensington, Sage Hills and Trilogy. Today, none of those projects have started, and as such, the presumption that that much density would be in play to manage pressures on land and housing prices are not being realized. In fact, the costly realities of infrastructure have all three areas struggling to try to find a feasible way to start, even though the housing market has been as strong in the past few years as it ever has been.

When an RGS is conceived, unfortunately, no due diligence is done by staff or consultants on the actual feasibility of developing any area that is proposed to be within the RGS – infill or greenfield. As such, the market response to the steady growth pressures in the region are highly informative today on the actual feasibility of the growth areas included in the RGS. The areas that have entertained new development are likely the only ones that are actually feasible, and the areas that have not developed, have a low level of feasibility or are owned by those who do not want to change their land because simply having land in a plan does not mean it will develop.

The CVRD's RGS has now been tested in the reality of the market over the past half decade and many of the areas that have not developed under this RGS at this time may in fact be "false density" in that they are not actually feasible to develop – now or at any time in the future or until the cost of housing and land has risen to a much greater extent.

It is important that the Board recognize that the CVRD's planning staff and consultants undertook no analysis of this core factor of development feasibility when determining what areas were in or outside the RGS boundaries, and as such, the plan does not represent financially feasible development capacity. As such, the market has indicated that many of the growth capacity numbers in the RGS are hopeful conjecture in the absence of the hard reality of what is actually realizable.

This lack of financial assessment is not the fault of any individual, it is a flaw in the regional planning process in all regions, and thus, it is imperative to consider amendments on a regular basis, to ensure the plan can respond to current realities and continue to meet its public objectives.

The implications of the real density that is available in the RGS today addresses one of the critical factors facing the future sustainability of the CVRD because it directly impacts housing costs.

The cost of building construction is roughly the same in nearly every region of Canada (see Altus reports on construction costs) and the differential in housing costs is primarily in the differences in the cost of land on which the building sits. Since the RGS was commenced, and thereby significantly constrained the supply of land that is actually available and feasible for development in the region, the cost of land, and thereby the cost of housing, has risen dramatically in the CVRD.

According to the Vancouver Island Real Estate Board statistics:

- in 2014:
    - The average home price was approximately $350,000.
    - The average inventory (available supply) of land and homes for sale was extensive, including:
        - Lots -128
        - Acreages – 80
        - Single family – 482
        - The average sale time for inventory was 7.9 months.

- In 2018:
    - The average home price was approximately $520,000.
    - The inventory of land and homes for sale had shrunk significantly (causing the price increase) to:

- Lots- 25
- Acreages – 29
- Single family – 216
- The average sale time for inventory in 2018 has often been as short as 3 months.

The purpose of the RGS is to channel market-driven growth into key areas to meet various public objectives but it must be responsive to the market. The implication of overly constraining land supply is rapidly climbing prices, as home builders have to compete aggressively to get land on which to build. Rapidly rising land prices are not in the public interest and as such, when indicators suggest that the RGS constraints on the supply of land for homes is impacting housing prices to the extent they are, it is incumbent on the local government to review its plan and consider amendments seriously.

With respect to the position that there is adequate land and density "inside" existing municipal areas to absorb growth, the key question for the Board to consider is how much does the land cost per unit for these infill projects, because that cost determines both whether that infill is actually feasible, and if it is, what the implications will be on housing costs.

A typical new home today will cost somewhere in the range of $200-300/sqft for all its costs – including materials, labour, municipal fees, interest on loans and others, as well as the required profit margin to trigger bank financing – but not including land costs.

Therefore a 1,000 sqft townhouse will incur costs of $200-300,000 just to build the building. The cost of the land must then be added onto this number.

If an infill project envisions three townhouses to be fit into and existing single-family home site that costs the average CVRD home price today of roughly $500,000, then the cost of the land is over $165,000 per unit – yielding a minimum market price of $365,000-$465,000 for each of those townhouses. If the builder cannot sell a 1,000 sqft townhouse for that price, then none will get built.

If some can be built, then the next question is how big the market size for that specific housing type is. If only a small market exists for the type of housing that can actually be delivered in that financial context, then while some will be built, the number will be limited and little growth will actually be absorbed. In addition, any infill projects that require demolition of existing homes, decrease the affordable housing in the area at the same time. As such, while an RGS or OCP may envision significant infill density, putting it in a plan does not make it real or feasible. If the financial numbers do not work, it is "wishful density" and not real density.

Attainable housing thresholds today require land costs to be between $30-80,000 per unit – making the above example townhouse available in the market for around $300,000. In order to get the land per unit costs down to this level at current house prices, a typical single-family home as an infill site at $500,000 would require nearly ten new units to be put on it – or an increase of density in this infill scenario of roughly ten-fold. Since we cannot accommodate the parking for ten units on one lot, land assembly and the construction of much larger buildings is required. This reality then further complicates the infill reality.

If the OCP, RGS, zoning or community politics cannot support such significant increases in density, then little infill will actually be built and where infill occurs, it will be expensive.

In light of the above reality, a regional growth plan that envisions absorbing many hundreds of new units per year with infill strategies, year after year, will entail significant disruption to many existing neighbourhoods, especially the lower priced ones that offer affordable housing today. While this may meet the goal of focusing development within existing areas, it will have many other unintended consequences of neighbourhood disruption, loss of existing affordable housing stock, and change of neighbourhood character.

This reality pushes forward the necessity to consider new greenfield sites that can increase the supply of land to reduce the pressure on infill sites to reduce demand and therefore their price, and therefore stabilize land and housing prices overall.

The scale of land that needs to be available in the market to have a balanced market that is not unnecessarily driving land prices up or down beyond the rate of inflation, is significant, and also not generally considered in an RGS process.

A balanced real estate market generally is accepted to exist when there is a 15-20% sales to inventory ratio, meaning that for every home purchased in a unit of time, there are 5-6 other homes like it on the market.

The same ratio applies to land – which is required to build the homes. This means that the RGS and OCP needs to have 5-6 times the amount of land available in feasible sites that it envisions will be needed to accommodate the projected growth demand over the life of the RGS or OCP. If there is insufficient land capacity to maintain this balanced market, then prices will rise. And again, that density needs to be in areas where the proposed developable density is actually financially feasible to (re)develop.

It is important when considering whether its RGS has sufficient density, that the Board consider whether this balanced market factor was calculated into both the original RGS and more importantly, the most recent decision on an update to the RGS.

Riverwood offers an opportunity to bring new land into the market, close to existing town centres, and thereby help slow the rise in housing prices and meet the region's goals.

Project history

As a brief review, the history of this project with respect to the RGS includes the following:

- The majority of the Riverwood site was purchased by 3L Developments in 2006, prior to the start of the RGS. Additional land was purchased several years later to increase the total size to that in discussion today.
- 3L Developments approached Mr. Felip, then General Manager of Community Services in the CVRD to subdivide the Riverwood site into 5-acre parcels – in accordance with the zoning of the site a that time.
- Mr. Felip indicated that the District wanted higher density development and that the CVRD staff would recommend approval of a site plan with a density of 0.5 acre lots on half of the site, if 3L would give the other 50% to the community for a park.
- Based on this guidance, 3L changed its plans and commenced planning studies in the spring of 2007. 3L met regularly with CVRD staff during that work. At no time during this time was 3L

apprised of a change in policy or position of support for this process and direction. This process continued through 2010, into the period of time when the RGS planning work was well underway toward approvals.

- The rezoning preparation was completed for Riverwood, however, the full application was not submitted due to a request from Planning staff, pending the completion of the RGS.
- The early drafts of the RGS appropriately included the Riverwood lands in its settlement expansion areas, however, late in the RGS process, as the planning neared its final approvals, with no notice or consultation with the land owner, the Riverwood lands were removed at the request of the then Chairman of the Regional District Board, Edwin Grieve, as verified in the records of the subsequent litigation by the then Mayor of Courtenay.
- Following approval of the RGS, the Regional District downzoned the site, removing the potential for 5-acre parcels.
- 3L Developments then entered discussions with the Komoks First Nation for various options of working with them on the lands, but none were able to be realized due to opposition by the local governments and the impacts of that opposition on decisions by the Province.
- In 2013, 3L was informed of the options that they had of rezoning into very large lots, or of applying for an amendment to the RGS. 3L opted to apply for an RGS amendment, but as of 2014, there were no procedures in place to apply to amend the RGS. When procedures were finally approved, 3L applied and was turned down in a manner that did not meet the CVRD procedures.
- Following litigation, 3L won both the case and the appeal, and when further stalled, threatened further legal action.
- The Board then agreed to process 3L's application through a full amendment process, and the current process began.

The above timeline sets the context for the current relationship between the land owner and the government that is unfortunate and unnecessarily adversarial, and one that complicates a clear discussion on the policy options by introducing negative personal opinions and other emotions into what needs to be a neutral and thoughtful process.

For their part, 3L has now hired a team to assist in working the policy and consultation work to proceed in a respectful way forward through this amendment process.

Riverwood is a significant opportunity for the region

While the very existence of a project that proposes to change the RGS can incur the rancor of some, it is important that the local government neutrally and seriously consider the merits of the project to contribute to the RGS goals in the the Valley today, in light of the many large projects in the RGS that have not started yet as well as the rapidly rising house / land prices in the region.

Riverwood offers many benefits to the region including:

- The preservation of half of the Riverwood site as a public park, that protects both the Browns and Puntledge Rivers and ensures public access to Stotan Falls in perpetuity;

- The inclusion of approximately 1,000 new housing units, within a short distance of the Courtenay town centre – a distance that is a fraction of the distance between these existing areas and the Kensington and Sage Hills areas that were accepted within the RGS;
- Increasing the linkages between existing town centres and transportation infrastructure;
- A development plan that commits to many sustainability initiatives;
- Significant economic benefit in both the short and long term;
- A project that can strategically benefit the K'omoks First Nation; and
- Many other benefits.

In light of the critical challenges facing the other new development areas, and the benefits Riverwood can contribute to the region, this project has significant merit and deserves serious consideration.

Private utilities

There is a policy in the RGS to generally not support the addition of private utilities within the region. The District has also begun absorbing some existing water and sanitary utilities in local improvement areas into the public utility system. The benefit of this approach is that the responsibilities for health and safety in servicing is totally within the purview of the local government and this policy provides further controls within the local government to control new development.

There are other private utilities in the region, including Saratoga Beach, Mt Washington and others, and other developers such as Kensington are looking at them too. Many of these have plans for the District to take over them when other properties plan to connect.

However, it is important to revisit the issue of private utilities within the context of the Region's realities, both now and in the future.

The current policy against private utilities needs to be reconsidered, starting with differentiating between the experience with local improvement districts versus areas serviced by highly regulated and resourced corporate utilities.

Local improvement districts are frequently managed by Boards without experience or expertise in water or sewer infrastructure. They also often do not have the resources to maintain or upgrade and replace systems as they age or fail. This problem results in the public sector having to step in at times and take over these projects at cost to the community.

The private utility envisioned for Riverwood is an entirely different system and situation that these local improvement district systems.

The Riverwood option includes:

- A large and well-resourced corporate utility company (Corix) owned by the public sector pension fund;
- A design and approvals process that is more stringent than those the CVRD's own systems are subjected to, through the BC Utilities Commissions approvals process;
- Highly skilled and experienced managers; and

- Opportunities for any private systems to be easily incorporated into expansions of the public infrastructure systems in the future.

As such, the risks to the Region are minimal from the infrastructure system proposed.

Regarding the use of infrastructure expansion plans to control growth, there are several key points to consider:

- Notwithstanding the total density approved in the RGS, because of the policy that all new development must be serviced by the public water and sanitary system, the actual density available in the RGS is a fraction of what is in the plan because many areas are limited by the cost of extending these public systems, and therefore, the infrastructure policy is impacting a significant percentage of the total growth in the RGS.
- The politics of water and sanitary system expansions is such that they are often focused on getting more reliable and safe servicing to existing areas that need these systems rather than servicing new areas that can support new growth. As such, this policy actually circumvents the overall map of growth areas in the RGS and limits the growth potential solely to areas in line for infrastructure expansion.
- Some fear that by opening the door to private utilities that rampant sprawl will extend across the region. However, this view forgets that the other controls in the RGS exist to focus development in only approved areas and as such, sprawl will be avoided even if private utilities are allowed.

There are many benefits to high quality, effectively resourced and managed private utility systems including:

- They remove costs for new infrastructure to service new growth, directly linking the cost of servicing to those who use the services – only those who use the services pay for them.
- There is no impact on public budgets or current tax payers for these systems, allowing public funds to go to upgrading the services and safety for the existing taxpayers who need those upgrades.
- These utilities open up more land and thereby permit the market to function effectively, within the structure of regional growth management plan. This new land supports bringing sufficient housing into the market in response to demand to mitigate rapid price increases in land and housing, as discussed above.
- The utility systems can be integrated into public infrastructure at any time in the future.
- The systems are also more amenable than public systems to sustainability-driven innovations such as water treatment and re-use, energy harvesting and others, thereby potentially assisting the region in achieving its sustainability goals.

While there are challenges with all infrastructure systems, there is significant evidence in the benefits of these systems in their ability to support neighbourhood services. There are also many opportunities to integrate or transfer ownership of the private utility in the future to the public system. Corix has extensive experience in transferring ownership to public utilities.

Regarding the issue of precedent, if a private utility is entertained for Riverwood, it can be argued that it would be logical to entertain them for other areas within the RGS – including Kensington, Sage Hills, Trilogy and others. Since these areas are within the RGS but not currently serviced, allowing growth to occur in them with the use of private utilities, where they are feasible, would likely be supportable. More importantly, competition between all of these projects would stabilize or bring down housing costs and increase economic development – thereby achieving the goals within the RGS.

As such, the policy against private utilities in the RGS has many unintended consequences and in some ways, it unnecessarily circumvents the RGS capacity by reducing the realizable density currently approved in the RGS. The risks to the region are minimal for the inclusion of this type of utility and in fact, the long-term risks to the region of not allowing sufficient serviced land into the market at affordable rates has a far larger potential for negative impact.

Parks and environmental considerations

All development has impact on the natural ecosystems within which it occurs. All existing and growing areas in the Comox Valley used to be natural but the previous ecosystems were removed to allow for development. The RGS envisions significant ongoing impact to the environment in all its current and future growth areas.

The Riverwood area likewise will experience significant environmental changes in its future, in any option. As a rural / resource development area (the real option for land use in this application), its current remaining forests are likely to be removed with associated impacts and efforts to extract gravel may be pursued. Under the proposed development plan, the Riverwood neighbourhood would preserve 50% of the land in perpetuity including the river corridors and other sensitive areas. As such, regarding the physical environment on the lands, the Riverwood proposal has the best environmental performance of its current probable options.

The size and location of the park proposed for the neighbourhood was established through and environmental study conducted by Biologists with FishFor Contracting (now Strategic Natural Resource Consultants in Campbell River). The methodology for evaluating the most sensitive land to be preserved in the proposed park area included:

- Areas to be conserved based on levels of sensitivity including habitats that support possible species in peril or at risk as well as the imperative to protect surface waterways, riparian areas and wetlands; and
- Areas to be restored.

The sensitive habitat areas and the riparian areas were combined into a logical land protection pattern, resulting the design of the neighbourhood and the park area.

Additional environmental studies will be undertaken if the project moves forward, in support of rezoning and development permit approvals.

The proposed park area is over 250 acres and is proposed to include both 9km of public trails, as well as trail-head facilities including washrooms.

In addition, there are reports of important fossil beds within the proposed park areas, further increasing the public value to preserving these areas.

Regarding climate emissions from transportation, the Riverwood neighbourhood is significantly closer to the employment, educational and shopping centres of Courtenay and Cumberland than many other areas currently in the RGS, including Kensington and Sage Hills. As such, emissions from transportation would be lower per capita for settlement in Riverwood than in many other areas currently in the RGS.

Regarding emissions from buildings, the landowner of Riverwood has committed to promoting green building standards in development on the site. Securing these commitments would occur at later stages in the approvals process for the site, but it is an important goal for the project.

Transportation

The proposed new road network integrates smoothly and easily with existing roads and RGS transportation goals.

The Duncan Bay Main logging road will become a public road in the proposed Riverwood plan, supporting the region's cycling plan which identified it as a future important bike route to connect existing town centres.

The site would be connected to the existing access points to the Island Hwy as well.

A transportation study for the project was completed by Bunt & Associates. It evaluated the existing and proposed traffic patterns with various scenarios. The focus of the study was on the initial plan for the site, that had slightly fewer units that currently envisioned, and in all of its scenarios, there were limited to no major offsite road improvements required.

As the current proposal has added new land and envisions a slightly higher density, this initial traffic study reflects the reality of the first phases of the project, and additional traffic studies and possibly road enhancements may be required in the late stages of the project.

The current plan envisions significant pedestrian, cyclists and transit infrastructure to be included in the project, assisting the region in meetings its transportation, modal share and climate change emission reduction goals.

Opportunities for the K'omoks First Nation

3L Developments have had many discussions with the K'omoks First Nation (KFN) and have an agreement regarding water supply. KFN have rights to a significant amount of water from the Comox Lake and the associated river system but have no ability to get water treated and to their lands adjacent Riverwood for use. In their agreement, KFN will provide the water for both Riverwood and their lands, and Riverwood will provide the infrastructure for treatment and conveyance through their water utility. Without this system, KFN faces formidable challenges in getting water to their lands to support economic development.

Community support

There is significant community support for this project, due to its offer of 50% of the land as park, thereby protecting the rivers and public access to Stotan Falls in perpetuity.

Beyond those who support the project for its significant parkland contribution, other strong support is coming from:

- Many in the business community for its significant economic development potential;
- Home builders who have to work hard to find lots to build on;
- The real estate development and sales industry;
- People who want more housing choice;
- Those who support economic development in the region; and
- Many others.

Conclusion

We appreciate that the Board has agreed to entertain the Riverwood RGS amendment application in a neutral, respectful and responsible manner.

The politics of such an application in an election season are significant but we believe that the Board can see through the political noise around this application to see the serious choice it represents for the future of this area and the rivers, and to see the significant opportunity it represents to bring many benefits to the region, and help it achieve the core goals of the RGS and the Region's Sustainability Strategy.

Sincerely,



Mark Holland

Holland Planning Innovations

(250) 713-9789 mark@hollandplan.com

This is Exhibit "PP" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

6410-20 / CV RGS Amendments
RGS 1C 17
CVRD Board
R. Dyson
A. Mullaly

3L Developments Inc.

October 1, 2018

Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Attention: Russell Dyson, Chief Administrative Officer

VIA: Hand-delivery, copy via email to: rdyson@comoxvalleyrd.ca

Dear Sirs/Mesdames:

Re: Regional Growth Strategy Amendment Proposal
3L Developments Inc.

We write with respect to the October 2, 2018 Board meeting of the Comox Valley Regional District ("**CVRD**") and the above-noted application.

Pursuant to *Comox Valley Regional District Planning and Fees Bylaw No. 328, 2014*, we respectfully request an extension to the application at this time and that it be removed from the October 2, 2018 Board meeting agenda as we require additional time to prepare new information which will have a direct impact on the recommendations of the Steering Committee and the Technical Advisory Committee ("**TAC**").

On Friday, September 26, 2018 , we were contacted by the CVRD advising us for the first time that the Steering Committee Report dated September 28, 2018 and the TAC Reports dated September 18, 2018 and September 26, 2018 (collectively, the "**Reports**") were available for download on the CVRD website.

We have now had an opportunity to read the Reports. In the circumstances, we will require additional time to consider the results from the public hearings, engage in consultations with various stakeholders, and prepare a cogent reply to the recommendations contained in the Reports. Accordingly, we ask that the application be extended for a short period of time to ensure that the CVRD Board will have the benefit of all the available and relevant information before it prior to making a decision regarding the application.

340 Berray Rd. • Fanny Bay • BC • V0R 1W0
Ph: 250-335-1013 • Fx: 250-335-1020 • email: office@3ldevelopments.com

3L Developments Inc.

Please confirm your acknowledgement of this correspondence and your agreement to an extension of the application until further notice and the removal of the application from the October 2, 2018 Board meeting agenda.

Thank you,

David Dutcyvich
President and CEO

340 Berray Rd. • Fanny Bay • BC • V0R 1W0
Ph: 250-335-1013 • Fx: 250-335-1020 • email: office@3ldevelopments.com

This is Exhibit "QQ" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.



A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

Staff Report

DATE: October 1, 2018

FILE: 6410-20/RGS 1C 17

TO: Chair and Directors
Regional District Board

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: **3L Developments Inc. Request for Extension**

Purpose
To inform the Board about recently submitted correspondence from 3L Developments Inc. regarding its proposed Riverwood amendment to the Comox Valley Regional Growth Strategy.

Recommendation from the Chief Administrative Officer:
None. For information only.

Executive Summary
The Comox Valley Regional District received correspondence from 3L Developments Inc. dated October 1, 2018 (appendix A) regarding its Regional Growth Strategy amendment proposal. 3L Developments Inc. has requested an extension to the application as it requires "additional time to prepare new information which will have a direct impact on the recommendations of the Steering Committee and the Technical Advisory Committee". Of note, the request makes reference to the Comox Valley Regional District Planning and Fees Bylaw No. 328, 2014, which does not apply to the Comox Valley RGS.

The Board may consider
a) granting 3L Developments Inc.'s extension request or
b) proceeding with consideration of the contents, recommendation and options contained in the staff report dated September 28, 2018.

Should the Board consider the extension, the Board approved consultation plan would have to be placed on hold meaning that no open house or public hearing would occur in 2018. Further, staff estimate three months would be required in order for 3L's new information to be submitted and a revised consultation plan be presented to the Board. Staff estimates the revised consultation plan could be submitted to a January 2019 Board meeting.

Prepared by:

J. Warren

James Warren
General Manager of Corporate Services

Attachment: Appendix A - Correspondence dated October 1, 2018 from 3L Developments Inc. regarding a request to extend its application to amend the Comox Valley Regional Growth Strategy

APPENDIX A

File: 6410-20/CV RGS
Amendments RGS 1C 17
To: RDyson, AMullaly, SSmith, JWarren

3L Developments Inc.

October 1, 2018

Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Attention: Russell Dyson, Chief Administrative Officer

VIA: Hand-delivery, copy via email to: rdyson@comoxvalleyrd.ca

Dear Sirs/Mesdames:

Re: Regional Growth Strategy Amendment Proposal
3L Developments Inc.

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Pursuant to *Comox Valley Regional District Planning and Fees Bylaw No. 328, 2014*, we respectfully request an extension to the application at this time and that it be removed from the October 2, 2018 Board meeting agenda as we require additional time to prepare new information which will have a direct impact on the recommendations of the Steering Committee and the Technical Advisory Committee ("**TAC**").

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We have now had an opportunity to read the Reports. In the circumstances, we will require additional time to consider the results from the public hearings, engage in consultations with various stakeholders, and prepare a cogent reply to the recommendations contained in the Reports. Accordingly, we ask that the application be extended for a short period of time to ensure that the CVRD Board will have the benefit of all the available and relevant information before it prior to making a decision regarding the application.

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Ph: 250-335-1013 • Fx: 250-335-1020 • email: office@3ldevelopments.com

3L Developments Inc.

Please confirm your acknowledgement of this correspondence and your agreement to an extension of the application until further notice and the removal of the application from the October 2, 2018 Board meeting agenda.

Thank you,

David Dutcyvich
President and CEO

340 Berray Rd. • Fanny Bay • BC • V0R 1W0
Ph: 250-335-1013 • Fx: 250-335-1020 • email: office@3ldevelopments.com

This is Exhibit "RR" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Comox Valley REGIONAL DISTRICT

COMOX VALLEY REGIONAL DISTRICT BOARD

Tuesday, October 2, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, October 02, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, B.C. commencing at 4:00 pm.

MINUTES

Present:		
Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	K. Grant	Town of Comox
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area 'C')
Staff:	B. Dunlop	Corporate Financial Officer
	R. Dyson	Chief Administrative Officer
	S. Smith	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services

RECOGNITION OF TRADITIONAL TERRITORIES

The Chair acknowledged that the meeting was being held on the unceded traditional terrority of the K'ómoks First Nation.

ADDENDUM - UPON APPROVAL OF THE BOARD:

B. Wells/R. Nichol: THAT the agenda be varied to consider the addendum.

208 Carried

3L DEVELOPMENTS INC. - REGIONAL GROWTH STRATEGY AMENDMENT APPLICATION

B. Wells/K. Grant: THAT the following addendum items be received:

- Correspondence dated September 27, 2018 from Mark Holland, Holland Planning Innovations regarding the Riverwood application; and

- Report dated October 1, 2018 informing the Board about recently submitted correspondence from 3L Developments Inc. regarding its proposed Riverwood amendment to the Comox Valley Regional Growth Strategy.

208 and 212 Carried

LATE DELEGATION REQUESTS:

B. Wells/K. Grant: THAT the late delegation requests from Diana Schroeder, Vivian Ruskin, Lisa Christensen, and Diane Bostock be approved.

208 Carried

Note: the above resolution received at least 2/3 of the votes cast.

PETITIONS AND DELEGATIONS:

GLADYS SCHMIDT

K. Grant/M. Theos: THAT the presentation from Gladys Schmidt regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

ERNIE VON SCHILLING

K. Grant/B. Price: THAT the presentation from Ernie Von Schilling regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

KATHLEEN PITT

K. Grant/B. Wells: THAT the presentation from Kathleen Pitt regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

Director Sproule raised a point of order regarding certain comments made by the delegation. The chair asked the delegation to maintain a respectful tone and allowed the delegation to continue with the consent of the board.

R. Nichol/B. Wells: THAT Kathleen Pitt be requested to return as a delegation for further questions from the directors.

208 and 212 Defeated *NAY: B. Wells, B. Jolliffe, B. Price, G. Sproule, C. Scoville*

DIANA SCHROEDER

B. Wells/G. Sproule: THAT the presentation from Diana Schroeder regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

VIVIAN RUSKIN

G. Sproule/B. Wells: THAT the presentation from Vivian Ruskin regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

LISA CHRISTENSEN

K. Grant/B. Wells: THAT the presentation from Lisa Christensen regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

DIANE BOSTOCK

B. Wells/K. Grant: THAT the presentation from Diane Bostock regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy be received.

208 and 212 Carried

ADOPTION OF MINUTES:

B. Wells/K. Grant: THAT the Comox Valley Regional District Board (3L) minutes dated August 14, 2018 be adopted.

208 Carried

REPORTS:

REGIONAL GROWTH STRATEGY STEERING COMMITTEE 3L DEVELOPMENTS INC. AMENDMENT PROPOSAL

R. Nichol/B. Wells: THAT the report dated September 28, 2018 providing the Comox Valley Regional District (CVRD) Board with the Regional Growth Strategy (RGS) Steering Committee's recommendations on 3L Developments Inc.'s RGS amendment application to create a new Settlement Node, and including Appendix E as follows:

Appendix E, Part 1;

Appendix E, Part 2;

Appendix E, Part 3;

Appendix E, Part 4;

Appendix E, Part 5; and

Appendix E, Part 6, be received.

208 and 212 Carried

Mark Holland presented information to the board regarding 3L Developments Inc.'s application to amend the Comox Valley Regional District Regional Growth Strategy.

The board recessed at 5:27 pm and reconvened at 5:33 pm.

B. Price/G. Sproule: THAT the application by 3L Developments Inc. to amend the Regional Growth Strategy in order to create a new settlement node be denied.

Director Eriksson raised a point of order regarding the motion to deny the application. The chair advised that the motion was in order and allowed the debate to continue.

The board recessed at 6:12 pm and reconvened at 6:16 pm.

Vote on the motion as follows:

THAT the application by 3L Developments Inc. to amend the Regional Growth Strategy in order to create a new settlement node be denied.

208 and 212

Carried *NAY: E. Eriksson, K. Grant, M. Theos, L. Jangula*

TERMINATION:

B. Wells/G. Sproule: THAT the meeting terminate.

208

Carried

Time: 6:35 pm.

Confirmed this _____ day of _____ 20___:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services

This is Exhibit "SS" referred to in the Affidavit of James Andrew Warren sworn before me at Vancouver, in the Province of British Columbia, this 20th day of December, 2018.

A Commissioner for taking Affidavits within British Columbia

Received in hard copy at Oct 2/18 Board meeting (during discussion on ~~resolution~~ motion to den. application.)

897

Quality • Value • Stewardship

3L Developments Inc.

3L Developments Inc.
340 Berray Road
Fanny Bay, BC V0R 1W0

Comox Valley Regional District
RECEIVED
File: 6410-20/CVRGS Amend RGS 1017
OCT 02 2018

October 2, 2018

To: R. Dyson
cc: CVRD Board
A. Mullaly

Russell Dyson
Chief Administrative Officer
Comox Valley Regional District
600 Comox Rd.
Courtenay, BC V9N 3P6

Dear Mr. Dyson,

By this letter, 3L Developments Inc. wishes to advise that because the Regional District Board is not willing to consider our request for an extension to provide additional information prior to the First Reading of the RGS amendments bylaw, it wishes to withdraw its application.

In the report from staff dated September 28th, 2018, a number of issues were identified to which we asked for time in order to respond to. This request was denied, even though we had been lead to believe that the RGS amendment process was to be fair, transparent, and reasonable.

As such, we have no choice but to withdraw our application. This application is being withdrawn without prejudice to any rights or remedies available to us arising from today's Board Meeting.

Yours sincerely,

David C Dutcyvich

340 Berray Rd. • Fanny Bay • BC • V0R 1W0
Ph: 250-335-1013 • Fx: 250-335-1020 • email: office@3ldevelopments.com