



Amended: July 24-01; Aug 24-01; Aug 28-01; Oct 09-01; Mar 12-02; Apr 23-02; June 11-02; July 9-02; Feb 17-03; May 15-03; Mar 7-05; May 30, 2005; Sept.22-05

4. PROPERTY – DEVELOPMENT, SALE & PURCHASE

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4.1 BOUNDARY EXTENSION REQUESTS TO THE CITY OF CAMPBELL RIVER.

The following information will be provided to the City of Campbell River prior to Council's consideration of a request that a City boundary be expanded, providing that any or all of the requirements may be waived when pertaining to a small piece of property:

- i) A description of the environmental impacts that boundary extension and development will have on adjacent land uses and natural resources.
- ii) A description of the socio-economic impacts that boundary extension and development will have on City of Campbell River residents.
- iii) A description of how the boundary extension and development will integrate with the policies and long-term goals established in the Official Community Plan, other relevant City bylaws, and Provincial policies.
- iv) A description of how the development site will be serviced with the appropriate infrastructure, including, sewer and water, roads, electrical service, fire protection, and other appropriate infrastructure.
- v) A description of the costs to the City of expanding the boundary, and the potential impact on revenue.

4.2 CULVERT SIZES

The City will not install any culverts under 12 inches in diameter, and where installed on a hill, the culverts must get progressively larger as they are installed downhill, subject to the Engineering Services Manager's recommendation.

4.3 DEVELOPMENT OF PRIVATE FACILITIES ON CITY LAND

4.3.1 Preliminary Review of Proposal

All requests for private development on City land shall first be referred to the Property Services Manager (the Manager) who will review the request in light of the following criteria:

- i) the applicant is an organization incorporated pursuant to the Societies Act and in good standing with the Registrar of Companies and that membership in the organization is open to the general public;
- ii) detailed plans for the development are included with the application;
- iii) the applicant has provided a written assurance that it will bear the entire cost of the development, and all operation and maintenance costs if the project is approved;
- iv) the applicant has provided a written assurance that should the project be approved that the applicant will enter into a written lease agreement acceptable to Council prior to any construction commencing with the lease to provide:
- v) that all lease-hold improvements will become the property of the City upon the expiration of the lease;
- vi) that there is no right to assign the lease or sub-let the premises or grant licences for use of the premises without the written permission of Council, which permission may be granted or withheld in the absolute and unfettered discretion of Council;
- vii) that no alcohol may be kept or consumed on the leased premises except by special permit issued by Council;
- viii) that during the construction of a project, the Manager, will have the right to inspect the work being carried out at any time and that all construction will be carried out

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- according to approved plans with any deviation from the plan requiring the prior approval of Council; and
- ix) that the applicant shall purchase insurance in the amount of \$2,000,000 with the City of Campbell River as an additional named insured, and to indemnify and save harmless the City from any liability arising from the construction of the project.

4.3.2 Referral Process

- i) If the application satisfies the conditions set out in Section 4.3.1, the Manager shall refer the detailed plans to the proper authorities for review and comment (ie Engineering and Planning Departments)
- ii) In the case of requests for the private development of leisure and recreational facilities the application will be referred to the Parks, Recreation and Cultural Commission for a recommendation to Council that is based on the following:
- the dues/fees structure of the applicant society;
 - that the premises shall be used solely for leisure or recreational purposes; and,
 - whether the proposed development is necessary and in the best interests of the City having regard to existing or proposed leisure or recreational facilities, the demand for the proposed development, the willingness or unwillingness of the applicant to permit the proposed development to be used by other persons for leisure or recreational purposes, and any other matter the Commission considers relevant.

4.3.3 Council Approval

- i) All applications must receive Council's approval prior to the start of any project.
- ii) Council shall consider the recommendations of staff, as well as whether the proposed project is necessary and in the best interests of the City in keeping with existing policies including the Official Community Plan, City Facilities Study, and the Parks Master Plan.
- iii) Approved projects must conform to an acceptable standard as approved by recognized agencies skilled in the areas of the project proposal (e.g. trail development - Outdoor Recreation Council; land use -Planning Services Department). More technical information for park development is available through the Area Recreation Consultant, Advisory Services, Recreation and Sport Branch, Province of B.C.
- iv) Upon approval the applicant will be required to enter into a written agreement with the City to include those items outlined in this Section.

4.4 LAND TITLE SECTION NOTICES

A notice under Section 57 of the Community Charter will be registered in the Land Titles Office against the title of any property that is not brought into conformity with City Bylaws and/or the National Building Code, and that if the infraction continues, the Bylaw or Code will be enforced using the appropriate legal methods.

4.5 LATECOMER FEES

4.5.1 Highways

Latecomer Fees will be levied with respect to highways on the basis of the total frontage of the properties that abut the property and have access to the highway.

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4.5.2 Sewerage, Water or Drainage Systems

Latecomer Fees will be levied with respect to sewerage, water or drainage systems, on the basis of the lands that will be served by the system.

4.6 LIQUOR LICENCE APPROVAL FOR D AND F CLASS

Deleted May/03 Res. # 03-0438

(Deleted)

4.7 CITY WATERFRONT LAND USE RESTRICTION

Commercial use of waterfront lands acquired for park purposes shall be prohibited, except for City-owned concessions.

New Feb/03 Res. # ic 0074

4.8 PURCHASE OR EXPROPRIATION OF PROPERTY BY THE CITY

4.8.1 Purchase Of Property By The City

An appraisal of property by a qualified real estate appraiser holding an AACI certification, including a site inspection by the Building Department, is required prior to purchase of any property by the City.

4.8.2 Expropriation Of Property By The City

When the City wishes to acquire private property and all reasonable attempts to reach a negotiated settlement have failed, the City may proceed with expropriation of the lands in accordance with the Local Government Act, Community Charter and the Expropriation Act, only after having notified the owners of the affected lands in writing of the City's intentions. Such notice shall be made at least 7 calendar days prior to the introduction of the necessary Expropriation Bylaw.

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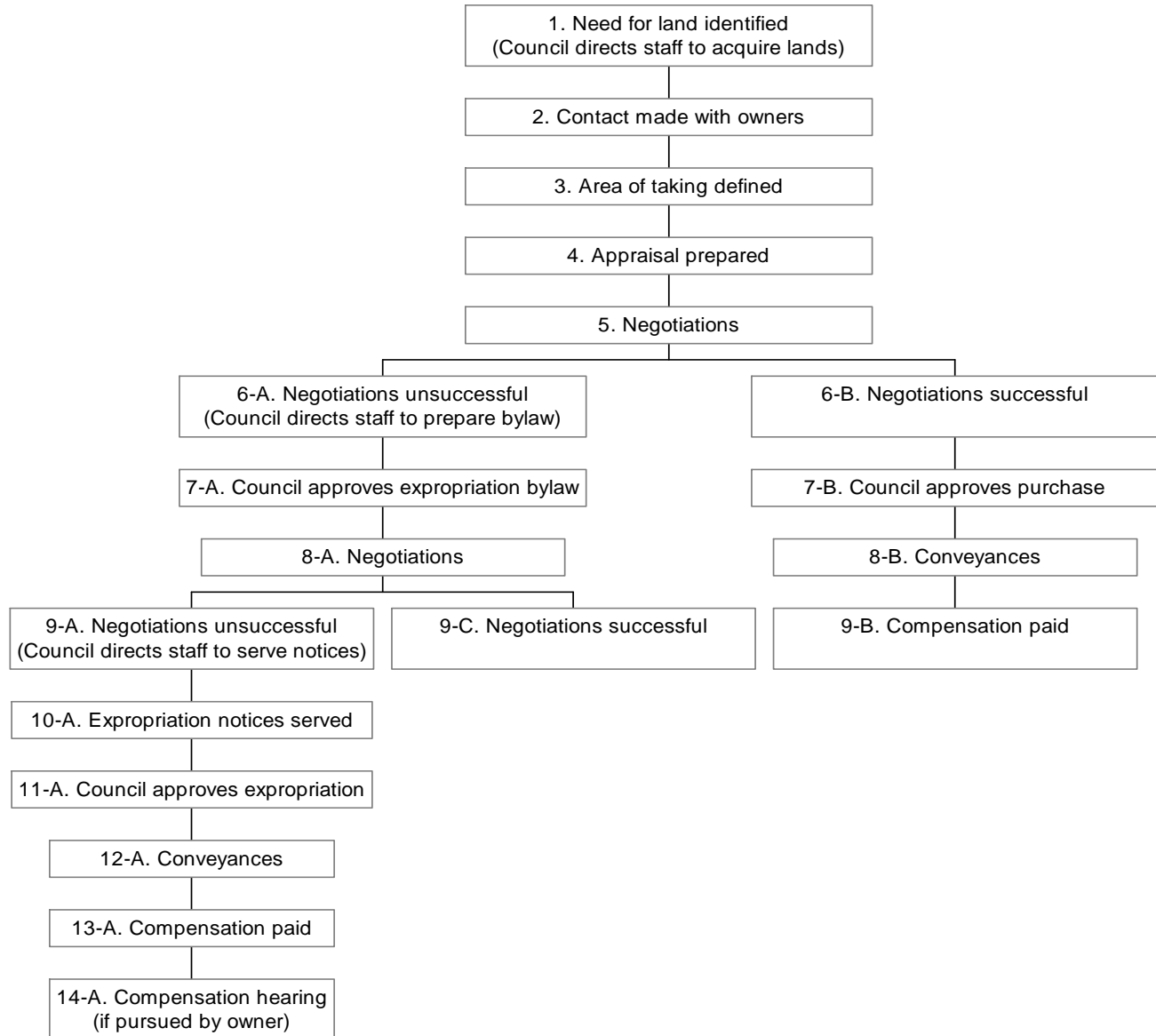
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New Oct 9/01 Res. # ic03-0075

LAND ACQUISITION FLOW CHART •

Land Acquisition Flow Chart



4.9 RELOCATING HOUSES

Building Permits may be issued to permit houses to be relocated within the City on provided that:

- i) The value of the once relocated and renovated equals 100% of the average value of the houses in the neighbourhood where the relocated house will be situated;
- ii) an engineer's report is submitted certifying the dwelling is structurally sound and conforms to the applicable building codes; and
- iii) the applicant provides cash, or an irrevocable letter of credit, in the amount of 125% of the value of the work to be performed to ensure that the building is completed within 6 months time.

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4.10 REZONINGS AFTER SUBDIVISION

Applications for rezoning will not be considered in subdivisions within one year of final approval in order to maintain the character of the subdivision as it was approved.

4.11 ROADS

4.11.1 Rights-of-Way - Good Neighbour Policy

Contractors working on City rights-of-way or on private land where new rights-of-way are being created, are required to provide written notice to the residents in the immediate area of the works, describing what is being constructed, when the works will occur, who to contact for more information and what precautions should be taken if necessary; and that the work site be posted for safety reasons.

4.11.2 Road Access - Arterial

Where possible, road access on arterial roads will be restricted in areas where new subdivisions are planned.

Amd Res. No. ic02-0168 Apr/02

To ensure safe unobstructed and efficient vehicular movement, a maximum of one access per lot to an arterial road will be considered for approval only if the City determines that alternate access to the property is not physically possible. In considering property access applications for properties adjacent to arterial roads the City may require that the applicant (at their own cost) utilize a qualified professional transportation engineer to fully determine to the satisfaction of the City, the transportation and safety impacts of the proposed access.

4.11.3 Road Closures - Referral Process

Prior to any lane or road closures all Department Managers must be consulted.

4.11.4 Signage

Signs will be posted for a period of one month on roads and rights-of-way that are to be closed except that road exchanges are exempted from the signage requirement.

4.12 SALE OF CITY PROPERTY

4.12.1 Listing

The City may give the local zone Chairman of the Vancouver Island Real Estate Board the listing information.

4.12.2 Commission

The salesperson who sells the property will get the commission which is negotiable. This rate will apply to vacant or improved land regardless of value.

4.12.3 Selling Price

The City will establish the selling price by an appraised value.

4.12.4 Residual Realignment Property

Offers to purchase residual property in connection with any road realignment or closure will be subject to a deposit equal to the full costs of closing, raising title and appraisal of the right

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of way. The deposit will be required following a decision by Council to proceed with the Road Closure. The purchaser will also be responsible for the conveyance costs.

4.13 SANITARY SEWERS

4.13.1 Free Service Connection

Only one free service connection shall be allowed for each lot that existed at the time that an easement is granted to the City by the property owner.

4.13.2 Sanitary Sewer Extension Beyond Boundaries

There shall be no sanitary sewer extension beyond the limits of the City. Properties outside the boundaries of the City will be considered for hookup of sanitary sewers only upon inclusion within the boundaries of the City.

4.14 STRATA CONVERSIONS

4.14.1 Criteria for Approval

- i) An application for apartment conversion, other than a duplex, will not be considered unless the vacancy rate for rental accommodation within the City is in excess of 3%;
- ii) Any applicant wishing to convert a rental residential project to condominiums shall meet all applicable condominium guidelines in force in the City at the time of the conversion application;
- iii) An independent Health Consultant must be retained by the applicant (at the applicant's expense) to determine that such premises are free of infestation and a certificate to this effect must be provided by such consultant;
- iv) A suitable plan of development will be requested of all applicants for conversions, detailing any provisions or improvements to the proposed project;
- v) The applicant must provide a certificate by a qualified engineer/architect (at the applicant's expense) that the building or buildings conform to the standards of the B.C. Building Code;
- vi) The review process for conversions will include an opportunity for input by existing tenants. Written notice to each tenant will be provided by the City except in those cases where it is deemed more appropriate to hold a meeting;
- vii) Inclusion of landscaping improvements within reason;
- viii) Upgrading of off-site parking areas/access to City standards including buildings constructed to a 1-stall/unit ratio would be required to upgrade as close as possible to the current parking standards without seriously impacting open space needs on-site;
- ix) The applicant must agree to pay the moving expenses of those tenants forced to vacate their apartments as a result of stratification to a maximum of \$1,500 per unit provided that appropriate documentation of all moving expenses be produced by the tenant; and
- x) In addition to the aforementioned guidelines, the applicant may be required to provide special services or facilities as directed by Council, depending on the circumstances encountered on the individual application.

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New July 24/01 Res. #01-516

4.15 NEIGHBOURHOOD PARKS

Council encourages the development of neighbourhood parks by way of a Specified Area charge subject to the following:

- i) Eighty percent (80%) of the capital costs will be borne by the owners of land within the specified area, which will be levied as a parcel tax.
- ii) Parks must meet the minimum standard set out in the Parks Development Policy (to be established by the Parks Planning Committee).
- iii) The Specified Area will not be required to pay the maintenance costs of the park.
- iv) Approval of a Neighbourhood Park Specified Area will be by way of an owner initiated petition.

New August 24, 2001 Res. No. 01-0326 & 01-0327 then Deleted Apr/03 Res.No. 03-0438

4.16 DEVELOPMENT APPROVAL NOTIFICATION – PUBLIC “NEIGHBOURHOOD” MEETING

(Deleted)

New Oct 9/01 Res. #01-0694

4.17 LAND USES ADJACENT TO CITY BOUNDARY

The following policy shall apply to referrals from the Regional City of Comox-Strathcona for land development outside the City’s boundary to the west and south:

- i) Campbell Lakes and Quinsam River watershed west of the City of Campbell River boundary:
For properties located within the Campbell Lakes and Quinsam River watershed west of the City of Campbell River boundary, managed forest will be supported and low impact recreation land uses will be considered with other land uses being discouraged.
- ii) Within two kilometers south of the City of Campbell River boundary:
For properties located within two kilometers south of the City of Campbell River boundary, residential land uses conforming with existing permitted densities and neighbourhood commercial development will be supported, however industrial land uses will be discouraged.

New March/02 Res. # 02-0234

4.18 SERVICING INFRASTRUCTURE POLICIES

Section 4.18 Policies will direct the City in planning, financing and constructing the roads, water, sanitary and storm systems necessary to accommodate growth. The Policies identify how the City is to play a leadership role in seeing that infrastructure needed to facilitate growth is in place when and where it is required.

4.18.1 Infrastructure Planning and Construction

4.18.1.1 Role of the City

In the execution of its development responsibilities related to offsite servicing infrastructure, the City will play a proactive leadership role. The City will:

- i) Collaborate with the development industry on offsite servicing infrastructure planning, financing and construction.

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- ii) Anticipate future growth demands for offsite park, road, water, sanitary sewers and storm sewer infrastructure through ongoing engineering and planning studies,
- iii) Seek Federal and Provincial government capital infrastructure grants and other forms of assistance, and
- iv) Finance the construction of growth related offsite infrastructure using the financing tools available under the Community Charter, including Development Cost Charges,
- v) Construct growth related offsite infrastructure in a timely fashion to facilitate a viable development industry and the orderly growth of the community.

“Offsite” servicing infrastructure are those park, road and other engineering utilities that lie beyond the boundaries of a development site. Without offsite road, sewer and water treatment capacity, for example, new development cannot proceed.

In recognition of the importance of development to achieving the community’s goals, the City has chosen a proactive leadership role with respect to ensuring offsite growth infrastructure is available to facilitate development. This means building services where and when they are needed for new development to occur and to assist with financing and capital project funding.

4.18.1.2 Role of the Development Industry

The City will seek the following assistance and cooperation from the development industry. The development industry will be asked to:

- i) Work cooperatively and collaboratively with the City in defining the development industry’s future infrastructure servicing priorities,
- ii) Work with the City to identify the best means to plan, finance and construct servicing infrastructure, and
- iii) Endeavour to coordinate, consolidate and transmit the overall needs of the development community to the City.

The development industry has provided considerable assistance in the development of the provisions of the current SSP. Their continued collaboration and input is important to keeping the SSP responsive, current and relevant.

4.18.1.3 Growth Planning and the Official Community Plan

- i) The City will base its growth infrastructure planning on the development anticipated in the Official Community Plan. In particular:
- ii) Servicing infrastructure will be planned for the “probable growth” that can be anticipated on the basis of OCP land use designations and historical land development densities within those designations.
- iii) Growth infrastructure will not be planned for lands outside the urban containment boundary, other than that required to service non-residential uses otherwise permitted by the OCP.

No additional land beyond that now identified in the OCP is required to accommodate residential growth for the foreseeable future. The “probable growth” anticipated under the existing OCP land use designations and the SSP is an increased population of approximately 30,000.

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Concentrating development within the Urban Containment Boundary reduces servicing infrastructure costs.

4.18.1.4 Infrastructure Planning

To play a proactive leadership role in infrastructure planning, the City will:

- i) Conduct engineering and planning studies to anticipate and plan servicing infrastructure required to service “probable growth”, and
- ii) Prior to the next review of the SSP, the City will prepare a parks master plan to identify future park infrastructure needs.

The present SSP has benefited from the recent completion of major engineering studies of future water and sewer needs. These projects total approximately \$52 million in infrastructure required to service “probable growth”. Additional studies will be undertaken for future storm water infrastructure that will be incorporated in the SSP at its next review

4.18.1.5 Five Year Financial Plan

The City will ensure that its Five-Year Financial Plan anticipates the City’s share of costs associated with growth infrastructure planning under the SSP.

The City pays a portion of the costs associated with servicing growth that must be anticipated in the City’s Five-Year Financial Plan. As well, the cost of capital works projects triggered by growth and providing services to existing developed areas must be anticipated in the Five-Year Financial Plan.

4.18.1.6 Economic Development Plan

As Rivercorp’s development strategies and Economic Development Plan take shape, the City will align its SSP.

Rivercorp is an economic development corporation established with the objective of creating an economic development strategy and plan for the community. The SSP is expected to play a role in achieving the goals of the EDP as they are identified.

4.18.2 Infrastructure Financing Tools

4.18.2.1 Development Cost Charge (DCC) Financing

The City will:

- i) Use DCCs as the principal means to fund and finance growth related infrastructure,
- ii) In setting DCC fee rates, consult with the development community and the community at large,
- iii) In general, calculate Development Cost Charges in ways consistent with the policies of the SSP and the Provincial Guide “Development Cost Charge Best Practices Guide”,
- iv) In particular, calculate DCCs in a process that ensures DCCs are;
 - consistent with the OCP,
 - assessed on the basis of beneficiary pays, and

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- fair and equitable,
- v) Base DCC estimates on the SSP Growth Assumptions (see 4.18.1.3 Growth Planning and the Official Community Plan) and Infrastructure Planning estimates (see 4.18.1.4 Infrastructure Planning),
- vi) Review the DCC fee structure in conjunction with the periodic review of the SSP.
- vii) With the adoption of the SSP, amend existing DCCs in accordance with the revised methodology and rate schedule attached as Appendix One: Development Cost Charge Calculations”

DCC fees are based on an estimate of the total costs of providing offsite services necessary to service anticipated growth. DCCs are collected from each development according to the DCC formula. In this way, the City can ensure it has the funds on hand to build infrastructure, apportion the costs associated with growth between development and tax revenue and distribute costs equitably between each development project.

The “Municipal Assist Factor”” determines the extent to which the City wishes to contribute general revenues toward the cost of providing offsite growth related services. The minimum permitted under legislation is 1%.

4.18.2.2 Works and Services/Frontage Improvement Charges

The City confirms its recognition of the community’s interest in upgrading older existing street works to the current City standard, especially in central areas of the community. The City also recognizes the need to encourage infill development, perhaps through alternative Frontage Improvement fees or other measures.

Accordingly, the City will open a dialogue with the development community through the Development Liaison Group [see 4.119.1.2 Development Liaison Group (DLG)] to explore how better to meet the City’s objectives of upgrading existing streets and encouraging infill development.

The existing Frontage Improvement Bylaw is comparable to “Works and Services” bylaws adopted by other communities under the same legislative provisions of the Local Government Act. The Frontage Improvement Bylaw sets fees to upgrade immediately fronting street works when development of greater than 3 residential units or \$50,000 worth of work is being completed on adjacent property.

Ways to upgrade existing streets AND encourage infill development poses a continuing challenge to the City and the development industry. More discussion is warranted to find new, mutually satisfactory, approaches to this issue.

4.18.2.3 Other Financing Tools

The City will consider other development financing tools available to it under existing legislation where their use would facilitate development in a cost effective manner. Other financing tools the City will consider under this policy include:

- i) Development Works Agreements,
- ii) Latecomer Agreements,
- iii) Local Improvements,

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- iv) Long Term borrowing for certain large capital projects,
- v) City General Taxation,
- vi) Private/Public Partnership Agreements,
- vii) Specified Areas, and
- viii) User Fees.

New May/03 Res. # 03-0473

4.18.3 UTILITY SERVICE BEYOND CITY BOUNDARIES

4.18.3.1 Watermains and Service Connections

There shall be no watermain extensions or service connections beyond the limit of the City. Properties outside the boundaries of the City will be considered for hookup of water services only upon inclusion within the boundaries of the City.

Some tools are more adaptable to financing costs associated with new growth than other tools. The City and the development community will benefit from keeping these tools in mind as different circumstances emerge. (Refer to Figure 1 for a comprehensive list of financial tools available to the City. For a full description of each tool refer to the Provincial guide “Development Finances Choices Guide”.)

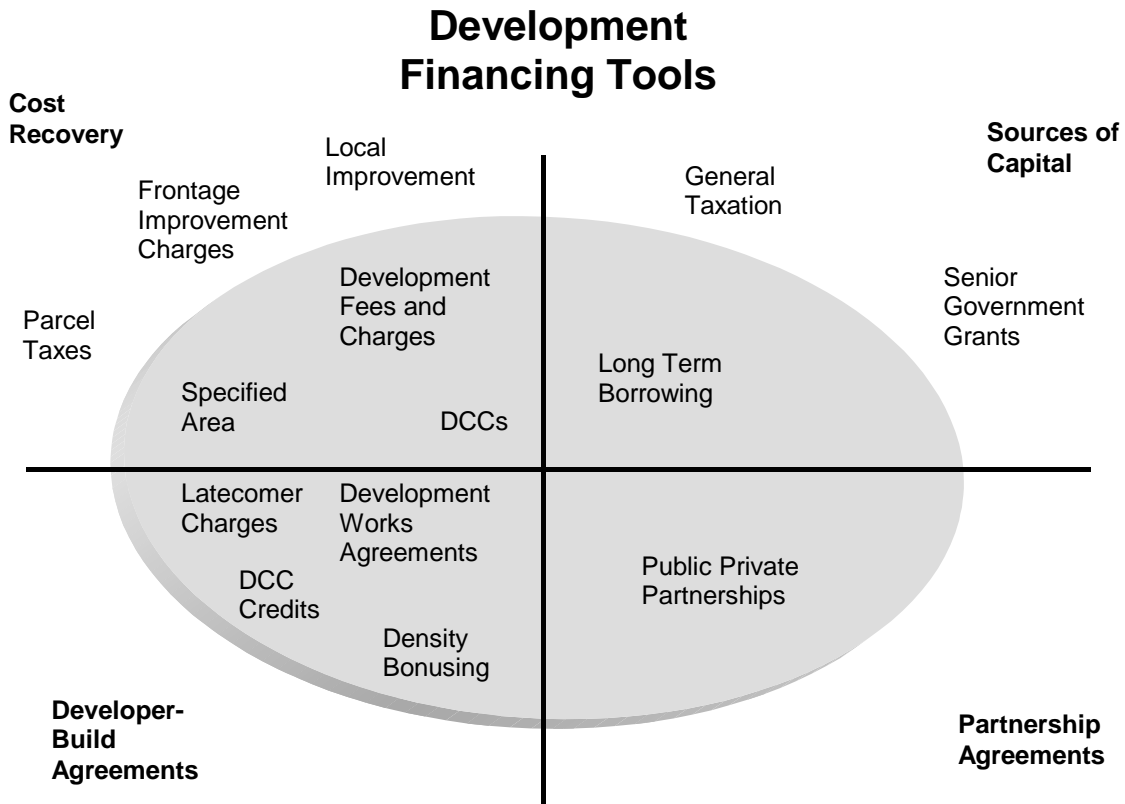
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Local Improvement agreements show some promise in some circumstances for use in conjunction with, or instead of, Frontage Improvement fees.

Figure 1: Categories of Financing Tools



(Source: Development finances Choices Guide)

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4.19 FACILITATING DEVELOPMENT POLICIES

Part III Policies provide direction on the City's role as development regulator and application service provider. The policies in this section were largely brought forward as proposals to address "Barriers to Development" challenges identified by the Working Group.

4.19.1 Leadership And Networking

4.19.1.1 Leadership measures to facilitate development

In recognition of the importance of growth to achieving the long-term objectives of the community, the City will place a priority on development and continue to play a proactive leadership role to facilitate growth and development. The City will:

- i) Establish and maintain a more collaborative working relationship with the development community,
- ii) Take new measures to remove or reduce regulatory, application processing and hard cost barriers to development, and
- iii) Work in collaboration with Rivercorp and its partners on a campaign to promote Campbell River as a place to work, live and play.

The City will play a more active leadership role in these three broad areas. The Policies that follow set out more specifically how the City will proceed in the first two areas.

4.19.1.2 Development Liaison Group (DLG)

The City will, by bylaw, establish and maintain a "Development Liaison Group" to provide advice and recommendations on all Strategic Servicing Plan policies and other matters related to development facilitation and regulation. The DLG will meet a minimum of five times per year.

The Development Liaison Group will serve as a forum for dialogue between staff, the development community, the community at large and Council on all matters relating to development. The Development Liaison Group will explore ways to best bring together the needs of the development community with the responsibilities City in development regulation.

4.19.1.3 DLG membership

Council will seek to appoint to the DLG those members of the community with a broad cross section of experience or perspectives in development, including, but not limited to:

- i) 3 representatives from the development community at large from such groups as professional home builders, land development ("subdividers"), project development ("developers"),
- ii) 1 civil engineer or land surveyor
- iii) 2 representatives from the community at large, and
- iv) 1 director of Rivercorp, and
- v) 3 City staff with engineering, planning and financial responsibilities relating to development

City Councillor(s) will participate on the committee on an ex-officio basis.

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The choice to appoint staff to the committee as active members, rather than as advisors or in support roles, arose from the efficacy of this structure for the Working Group when creating the Strategic Servicing Plan. Staff's participation at the table is seen as important to finding consensus solutions that bring together the community's needs with the City's responsibilities. As well, ex-officio participation by Councillor representative(s) provides Council's perspective and contributes to keeping Council up-to-date with activities and recommendations of the Group.

4.19.1.4 DLG mandate

The mandate of the "Development Liaison Group" is to discuss and provide recommendations on:

- i) Performance measures and progress in the implementation of SSP initiatives as defined in 4.20 SSP REVIEW AND MONITORING POLICIES (see policies 4.20.1 through 4.20.4)
- ii) Emerging issues and challenges in the development industry in Campbell River,
- iii) Proposed and existing policies, regulations and other City initiatives that impact development,
- iv) Innovative solutions to facilitate growth and development in Campbell River, and
- v) Innovative ways to pay all costs related to development.

The DLG will report to Council annually with an assessment of progress made in the implementation of SSP initiatives.

Ongoing dialogue is the key to effective collaboration between the City and the development community. The City will benefit from understanding the implications of proposed regulations and policies from the development community perspective. The development community will appreciate the challenges faced by the City in responding to diverse needs.

An annual assessment and report to Council of progress made in implementing the measures of the SSP will serve to keep the implementation process moving ahead.

4.19.1.5 DLG consensus decision-making

The Development Liaison Group will make recommendation by consensus. Where differing views cannot be resolved, the minority and majority views will be presented.

Consensus based approaches to decision making support creative problem solving and the evolution and maintenance of effective working relationships. Consensual processes uncover underlying assumptions and support the discovery of solutions and recommendations that best reflect the diverse needs of the community.

4.19.1.6 Increased role understanding

The City and the Development community will work together to find ways to become more familiar with each other's challenges and issues in regard to development, such as by encouraging and supporting:

- i) Staff to become more active in community with the development industry and business organizations, and

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- ii) For the development community to spend more time with staff inside City Hall.

The work context of the development industry and City staff are very different. Ways of increasing each other's understanding of the different work worldviews would contribute to better understanding and problem solving.

4.19.1.7 Staff and Council communication

With a view to more efficient application processing, the City Council and staff will review staff workloads and priorities, especially in the of area report writing. The following options for greater efficiency could be explored:

- i) Early in the process, bring applications with little chance of success to Council for a preliminary assessment of Council's interest in proceeding,
- ii) Shorten standard report formats, supplemented with more verbal briefings, and
- iii) Report both 'sides' of the issue in reports where significant depth to a question exists.

For those decisions resting with Council, staff must communicate its analysis and recommendations on development applications. Application analysis takes time and written reports are time consuming to produce and distribute. Occasionally, the information transmitted is not always the information required for decision-making. Significant staff resources sometimes go into the process and reporting on proposals with little chance of success.

4.19.2 Hard Costs

4.19.2.1 "Burdensome" bylaw review

The City, through the Development Liaison Group, will undertake a review of the following bylaws with the objective of lessening the cost implications of existing regulations while still achieving the desired outcome. Other bylaws may also be referred from time to time under this policy to the Working Group.

- i) Sprinkler regulations of the Building Bylaw,
- ii) Burning regulations of the Fire Services Bylaw , and
- iii) Frontage Improvement Bylaw.

Some existing bylaws have regulations with unintended or excessive cost implications. The Working Group will review these regulations looking for new ways to achieve the same or similar outcomes, but with lower costs.

4.19.2.2 Bylaw simplification initiative

The City will review the following bylaws with the objective of repealing outdated policies and regulations and simplifying future provisions. Other bylaws may also be referred from time to time under this policy to the Working Group.

- i) Official Community Plan,
- ii) Development Permit Regulations and Guidelines,
- iii) Building Bylaw, and
- iv) Subdivision Bylaw.

A simpler regulatory framework is easier and less costly for the City to administer and less costly for the development community to respond to.

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4.19.3 Application Processing

4.19.3.1 Fine tune existing development application process

The City will conduct an application process review with the objective of making application processing more efficient and certain. The review will assess, then implement where appropriate the following approaches:

- i) Formalize and 'checklist' all application process procedures,
- ii) Publish all application information and process requirements, including fees schedules,
- iii) Define application performance requirements and distinguish between mandatory and voluntary standards,
- iv) Establish major and minor application processes in order to submit less complex proposals to fewer reviews,
- v) Define application processing timelines and processing deadlines,
- vi) Consolidate application processes where opportunities to reduce duplication exist,
- vii) Consider a change in the Committee of the Whole, advisory committee meeting schedules, and/or Council meeting times to ensure that meetings occur soon after receiving applications,
- viii) Consider where professional certifications could replace staff review and inspections, and
- ix) Fast track applications on a fee-for-service basis.

In the short term, improvement in application processing efficiency is expected to result from an application processing review. Changes resulting from this review will likely be implemented within the context of existing staff structures and resources.

4.19.3.2 Staff decision-making and process exemptions

The City will explore ways to distribute decision-making authority more broadly to staff. Approaches to be considered include:

- i) Delegating more responsibility and decision making authority to staff, and allow multiple staff to make decisions,
- ii) Giving staff the authority to allow application processing exemptions,
- iii) Adopting guidelines similar to that of development permit guidelines to guide staff decision making and exemptions,
- iv) A Council appeal process for staff decisions,
- v) Explicitly accepting a greater degree of errors or 'missed opportunities' in exchange for expedited application processing, and
- vi) Developing a program to encourage staff for taking the initiative and for innovation even where such attempts at innovations fail.

Significant time and cost savings in processing applications will be realized through distributed staff decision-making authority. A Council based appeal process will be adopted prior to the delegation of application processing and approvals to staff.

4.19.3.3 Customer service orientation to application processing

The City will study the feasibility and costs of implementing a distinctly 'customer service' oriented development application process that would explore the following elements:

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- i) Creation of a one-stop service centre or 'front of house' area where all departments are represented and all questions and needs can be addressed,
- ii) Creation of multi-disciplinary 'teams' made up of staff from each of the key departments (e.g. planning, engineering, building, etc.), tasked with fast and efficient application processing of applications,
- iii) Personalized service to applicants, perhaps through the assignment of staff or teams to proposals as an internal customer representative,
- iv) Guaranteed response times on requests for assistance,
- v) Creation of staff incentives recognizing the achievement of explicit customer service targets, where the primacy of application processing is expected and rewarded,
- vi) Staff training in customer service methods,
- vii) Ways for staff to assist the applicant in application preparation,
- viii) Customer satisfaction evaluations,
- ix) Accelerated approval processes,
- x) Courtesy services such as photocopying, refreshments, etc., and
- xi) Create a customer friendly physical setting (e.g. replace front counter).

A customer service orientation of staff and the City's organizational structure is a significant opportunity for facilitating the processing and approval of development applications over the mid and long term. Potential changes under this policy would result in applicants and their applications receiving significantly more priority attention from staff and Council.

However, implementation of a customer service approach requires a substantial organizational commitment to change if it is to succeed. Depending on the degree of customer service orientation being sought, traditional departmental and reporting structures can be significantly altered, staff may be reoriented to different functions and priorities, and other functions would receive less attention unless new resources are added.

For these reasons, it is the policy of the City to first investigate the implications of a customer service orientation.

4.19.3.4 Application processing fees

The City will review development application fees with a view to matching fees to the value, in terms of staff time and overhead, of service provided by the City in processing applications.

The City will consider introducing:

- i) Staged fees
- ii) More rigorous preliminary application review prior to fees being due.
- iii) Fee-for-service to fast track large or urgent project applications

The objective of linking application fee levels more closely to the total costs of application processing is to ensure staff resources are maintained at an optimum level for processing applications. (i.e. staff levels match application load). Deferred or staged fees would support preliminary application assessments and reduced fees for applications that do not proceed through the whole process. Fast track fees would be an option for extra-ordinary circumstances.

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4.19.3.5 Consultation

The City will adopt the following measures to make consultation more efficient and certain:

- i) Define a public consultation policy that sets out specific City principles and practices in consultation.
- ii) Host single consultation events where multiple external interests can be heard (e.g. an 'agencies fair')
- iii) Concentrate external consultation at the policy level by establishing development-processing agreements with external agencies that establish performance standards and guidelines,
- iv) Concentrate public consultation at the policy level with inclusive OCP and neighbourhood planning approaches.
- v) Seek to consolidate consultation with interest groups holding similar interests.
- vi) Reassess the role of internal review groups and committees.
- vii) Develop cross-departmental application processing teams to replace Departmental level internal reviews.

External consultation involves other government agencies and the public, particularly special interest groups within the community. Internal consultation is between staff departments and Council committees and commissions.

Outlining consultation intentions in a consultation plan or standing policy will create greater clarity and certainty for participants of the consultation process.

More community involvement at higher planning levels (e.g. OCP and neighbourhood planning) can reduce the need for application-by-application review.

Development process agreements with external agencies define by guideline how agency objectives can be met in order to avoid outside agency review on an application-by-application basis.

4.19.3.6 Online application centre

The City, through its Information Services Department, will create an online application centre. Outside sources such as the Campbell River Community Network will be consulted as necessary.

Standard application information would be more readily available to applicants and the public and demands of staff time will be reduced.

4.20 STRATEGIC SERVICING PLAN (SSP) REVIEW AND MONITORING POLICIES

A successful planning document is frequently reviewed and reassessed. It is the review process that keeps a plan relevant, up-to-date and useful. The following provisions will guide the periodic review of the SSP.

4.20.1 Plan Review Period

A comprehensive review of the SSP will be conducted not less than once every three years. The three-year SSP plan review period is a trade-off between the need to keep the Plan up-to-date and providing a minimum level of certainty for the development community, especially around development fees and charges. This review period also coincides with local government elections, giving each Council an opportunity to review and revise the SSP.

4.20.2 Performance benchmarks

With the adoption of the SSP, indicators of infrastructure and development processing performance will be defined to act as benchmarks against which to measure progress at each subsequent SSP review.

Performance indicators for development processing could be as simple as time to process applications, staff time per application, Departmental costs per application and similar approaches. Other approaches could be qualitative such as customer satisfaction surveys administered after SSP adoption and again at SSP review.

4.20.3 Strategic Servicing Plan (SSP) comprehensive review content

The SSP comprehensive review will:

- i) Measure progress in developing infrastructure and development processing performance,
- ii) Consider changes in the OCP, the Five-Year Five Year Financial Plan and Rivercorp's Economic Development Plan that are to be reflected in the SSP,
- iii) Revise DCC fees in consideration of DCC projects completed and new projects identified, and
- iv) Re-assess the park infrastructure needs in light of development and parks planning

Linking the servicing implications of future OCP land use choices to servicing costs under the SSP and DCC structure is an important decision support resource of the SSP. The DCC review will likely be the single greatest task in the SSP review.

4.20.4 Plan Review Process

In the course of the SSP review, consultation will include:

- i) Collaboration with the development community through the Development Liaison Group, and
- ii) Receiving comments from the community at large.

The process to review the SSP is envisioned as being similar, but shorter, than the process under which the SSP was originally developed. If the Development Liaison Group is active on an ongoing basis between SSP reviews, the effort to undertake the comprehensive review may be minimized.

New Nov/01 Res. # i/c 01-0241

OCCUPIERS OF CITY PROPERTY/FACILITIES

Lease holders/organizations occupying City properties must develop written policy requiring criminal record checks for all staff and volunteers 18 year of age and older working with youth, seniors and

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people with special needs, and that a copy of their policy be forwarded to the City of Campbell River in care of the Legal Services Manager prior to occupancy.

New Mar/02 Res. #02-0227

COMMERCIAL USE OF SIDEWALKS

4.22.1 Purpose

To provide guidelines for the City when considering requests from businesses for the commercial use of public sidewalks.

4.22.2 Guiding Principle

The City recognizes that the character of a business area may be enhanced through the commercial use of sidewalks provided the use does not affect public safety and circulation.

4.22.3 Guidelines

4.22.3.1 Size and Location:

- i) Where possible the area used should be adjacent to the building housing the ground floor business making the application, if not, then adjacent to the curb along the business frontage or flankage.
- ii) The exact location of the area to be used and its size in square metres shall be clearly shown on a site plan to be submitted with the application. The plan shall show relationship to adjacent businesses, building accesses, fire connection ports, hydrants, street light standards, landscaped areas, street furniture, adjacent sidewalk leases, curb lines, pedestrian ramps, parking, loading zones, bus stops and any other feature within 5 metres of the area's perimeter.

4.22.3.2 Design Standards:

- i) The use and improvements must conform to standards adopted by the Business Improvement Association in which the area is located.
- ii) A minimum unobstructed sidewalk width of 1.5 metres must be retained for pedestrian passage.
- iii) Unobstructed access to the entrance of the building and to the fire connection port must be maintained.
- iv) Unobstructed access to sidewalk pedestrian ramps, hydrants, loading zones and bus stops must be maintained.
- v) Use areas are not permitted on service grates and where sight lines at intersections will be obstructed.

4.22.3.3 Approval Process

- i) The City of Campbell River will give favorable consideration to a commercial sidewalk use application upon receipt of support from the appropriate Business Improvement Association provided there have been no objections from within the City organization or other agencies having jurisdiction.

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4.22.3.4 Conditions of Approval:

- i) Sidewalk use approvals are valid for the current calendar year.
- ii) Improvements such as tables, chairs and portable fences must be removed at the end of each business day.
- iii) That the applicant purchase insurance in the amount of \$3,000,000 with the City of Campbell River as an additional named insured, and to indemnify and save harmless the City from and liability arising from the sidewalk use.
- iv) That the applicant is responsible for maintenance of the sidewalk area being utilized and the improvements added. Litter receptacles and ashtrays must be provided and emptied as needed. Landscaped areas are to be weeded as required.
- v) That non compliance with the conditions set out in the permit will result in one written warning and termination if not rectified within one week of official notification to rectify the situation.

New July/02 Res. #02-0506

4.23 DEVELOPMENT ON TYEE SPIT

The development of Tye Spit shall occur in accordance with the Tye Spit Long Range Plan.

New July/02 Res. #02-0574

4.24 DISPLAYING ART ON CITY PROPERTY

4.24.1 Purpose

To provide guidelines for City of Campbell River staff when considering the displaying of art in a City owned facility.

4.24.2 Definitions:

Art:

Any visual representation or expression of what might be considered beautiful or meaningful.

The City:

Shall mean the City of Campbell River and its Departments.

Temporary:

Shall mean less than one month and/or related to specific events.

Short-term:

Shall mean more than 1 month and less than 1 year.

Long-term:

Shall mean more than 1 year but not indefinite.

Permanent:

Shall mean purchased or donated art that becomes the property of the City of Campbell River. How, where and when the City decides to display permanent art will be defined in an agreement between the City and the artist, donator and/or former owner.

Local Art:

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Shall mean that the Artist resides in the B.C. electoral area 35, North Island.

Donation:

That which is given to the City of Campbell River without any exchange of money or expectations.

4.24.3 Guiding Principle:

The City recognizes that the displaying of art on City property can provide support for local artists, support for community groups and enhance the public areas within the City's buildings and public open spaces. The City also recognizes that art is a subjective matter and not everyone will agree on the esthetic beauty of each piece of art. The City wishes to encourage the display of local art within all of its public spaces. This policy does not address the displaying of art for private functions. Nor does this policy preclude the displaying of non-local art.

The City reserves the right to refuse or remove any art considered to be in violation of these guidelines at any time.

4.24.4 Guidelines:

Display of art on City properties does not constitute endorsement of the content by the City.

- i) In order for art to be considered for display within any facility or public open space, it must not be explicitly partisan, sexually exploitive or discriminatory.
- ii) The City must evaluate individually all art proposals based on the contents of the proposal.
- iii) The City reserves the right to reject any proposals.
- iv) Preference will be given to local art.
- v) Through negotiations the City will determine the best way to display art in or on its property. Consideration will be given to temporary, short-term, long-term or permanent displays of art.
- vi) All temporary, short-term and long-term agreements will indemnify the City for damage or loss of the art.
- vii) The City can consider in their agreements the display of a business card sized sign in or around the art that can display information and/or the price of the art. Agreements that allow the sale of art displayed on City property will detail the terms of the revenue sharing.
- viii) All permanent agreements will specify the City as the sole owner of the art and will state that the City will determine the value of maintenance, replacement or reconstruction etc of art that has been damaged, worn or stolen.
- ix) All preferences agreed to will be formalized in an Agreement between the parties.
- x) Art must not interfere with the operation of equipment, the provision of services or constitute a safety concern.
- xi) Art may not be placed in or on City Property without the prior written permission of the City of Campbell River.

New Jan/04 Res. #ic04-0047

4.25 DEVELOPMENT IN THE CAMPBELL AND QUINSAM RIVER FLOODPLAIN MAPPING AREAS

For the construction of buildings or additions and for the subdivision of land in the Campbell and Quinsam River Floodplain Mapping Areas, City building inspectors and approving officers follow legal advice wherein they should take the 1990 floodplain mapping into consideration when fulfilling their obligations. In this regard, the building inspectors should utilize the provisions of Section 695 of the Local Government Act where permits are sought within the affected area, to require construction in conformance with the recommended flood elevation requirements, or otherwise to require a report certified by a professional engineer with experience in geotechnical engineering that the land may be used for the use intended subject to conditions contained in the engineers report. Further, approving officers should utilize the amended provisions of the Land Title Act to require geotechnical reports and/or covenants for subdivisions within the affected area.

New Mar 7/05 Res. # 05-0246, Amended May 30-05 Res#05-0567

4.26 PUBLIC HEARING POLICY

4.26.1 Purpose

This policy supplements the provision of the *Local Government Act* in respect of the holding of Public Hearings. *The policy provides procedure for the holding of public hearings to hear presentations on land use issues.*

4.26.2 General Statement

Any person who believes their interest in property will be affected by a proposed bylaw has an opportunity to address Council at a public hearing in a timely and orderly fashion. Individuals are encouraged to submit written submissions to City Hall to the attention of the City Clerk, prior to the hearing, for inclusion as part of the record.

4.26.3 Speaker's List and Time Limits

A Speaker's List will be available to record names and addresses for anyone wishing to speak at the public hearing. Except for the owner/applicant, who will have first opportunity to address Council, speakers are called in order from the list, and after everyone on the list has had an opportunity to address the hearing, others may speak.

Note: The Mayor or Chair may dispense with the Speaker's List if twenty or less members of the public are in attendance at the start of the hearing.

- i) Presentations by an owner/applicant are limited to 15 minutes. The owner/applicant will be given the opportunity to clarify points raised, or respond to questions after members of the public have spoken.*
- ii) Members of the public expressing their views are limited to 5 minutes each. Additional information may be presented to Council after all other speakers are heard for the first time. Speakers are not to debate a point of view with another speaker, but will*

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seek clarification through the Chair. Speakers are requested to submit written copies of their presentation to become part of the Public Hearing record.

- iii) *The Chair will only entertain submissions that pertain to the land use bylaw under consideration.*
- iv) *Those in attendance at the Public Hearing will refrain from applause, or other expressions of emotion, whether in favour of, or opposition to, any particular application or argument. Inappropriate language, outbursts or criticisms aimed at individuals or groups are not allowed.*

4.26.4 Request for Further Information Prior to Close of Public Hearing

- i) Prior to the close of a public hearing, Council will consider whether additional information from staff in respect to issues raised at the public hearing is required.
- ii) If Council is of a view that information from staff is necessary, staff will be given an opportunity to provide the required information at that time.
- iii) Members of the public will be permitted to make submissions in respect of the information and the public hearing will then be closed.
- iv) If it is not possible for staff to provide the information at that time, staff will advise the Council that is the case and Council will direct that staff prepare a report providing the required information.
- v) The public hearing will then be recessed until an appropriate date and time to allow for the preparation and disclosure of the report.
- vi) The public hearing will be reconvened on the appropriate date to allow members of the public to make submissions in respect of the information.

4.26.5 After the Public Hearing is Closed

After all speakers have been heard, the Public Hearing is then closed by the Chair. No other submissions may be received by Council. Council may consider the bylaw at the next, or a specified meeting of Council, with or without a request for further information from staff.