

## CITY OF CAMPBELL RIVER COUNCIL PROPERTY POLICY

Adopted: September 12, 2000

Council Resolution No. 00-762

*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, Mar 5-13, Dec 17-13, Sept 16-14, Nov 2-15, Jul 24-17*

### 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;

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- 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 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.

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### 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.

#### 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-

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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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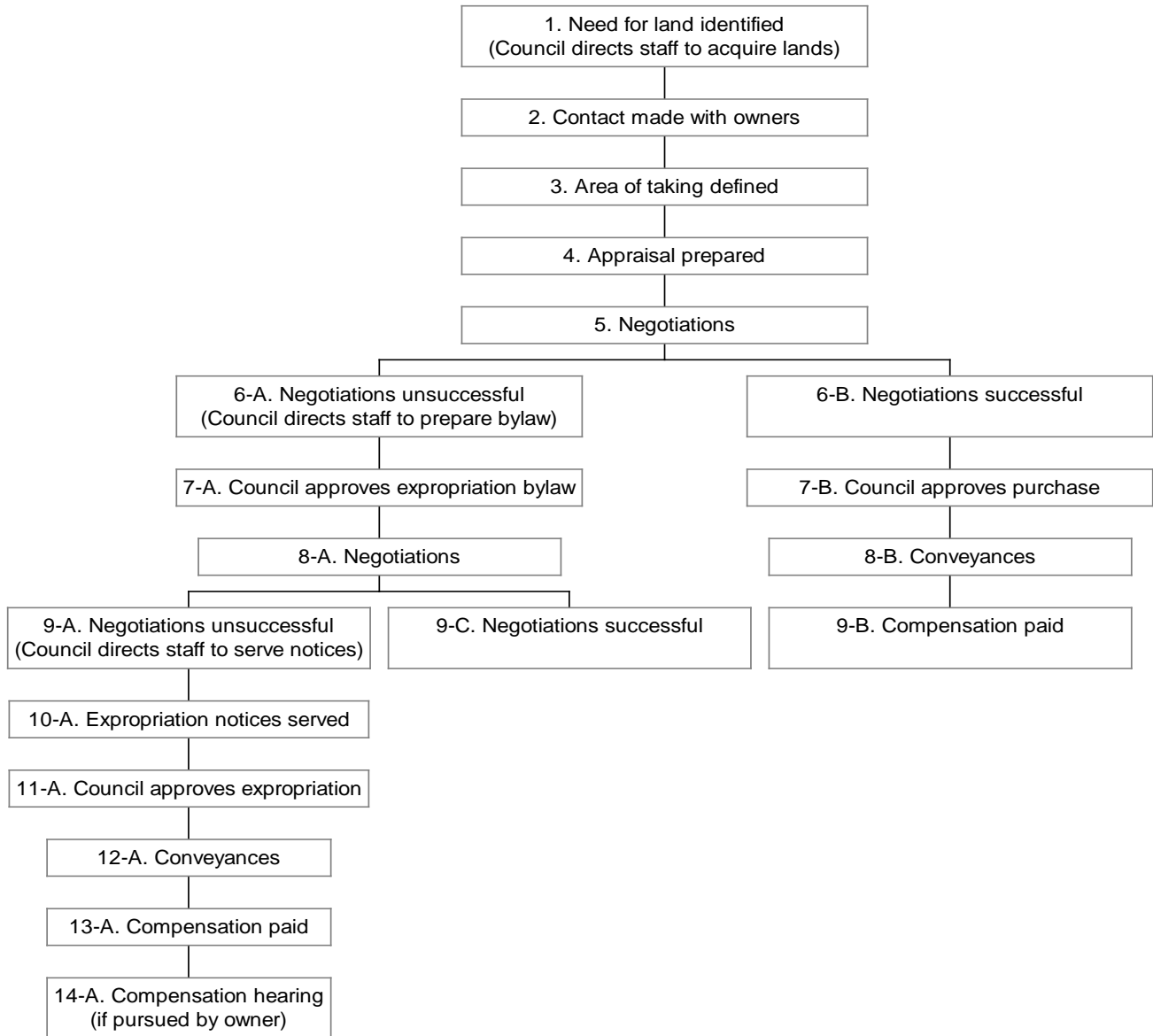
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**NEW OCT 9/01 RES. # IC03-0075**

## LAND ACQUISITION FLOW CHART ➡

Land Acquisition Flow Chart





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### 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.

### 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

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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 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;

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- 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.

***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.

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***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:

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- i. Collaborate with the development industry on offsite servicing infrastructure planning, financing and construction.
- 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 infrastructures are those parks, 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:

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- 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.

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.

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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
  - 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

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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,
- 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.

*May/03 Res. # 03-0473*

### 4.18.3 UTILITY SERVICE BEYOND CITY BOUNDARIES

#### 4.18.3.1 WATERMAINS AND SERVICE CONNECTIONS



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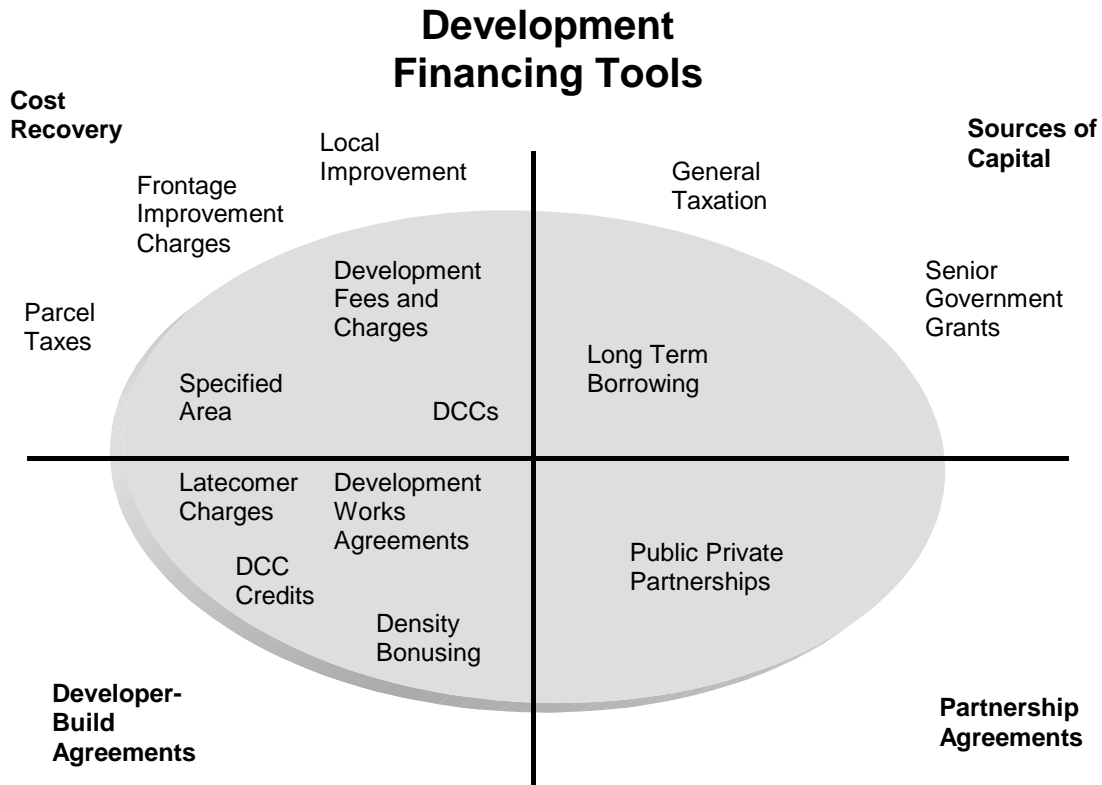
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There shall be no watermain extensions or service connections beyond the limit of the City. Properties outside the boundaries of the City will be considered for hookup of water services only upon inclusion within the boundaries of the City.

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”).

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



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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

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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.

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

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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
- 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

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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.

### 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,

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- 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.

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### 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:

- 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.

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### 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.

### 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.



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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.

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### 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 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

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### 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 favourable 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 Tyee Spit shall occur in accordance with the Tyee Spit Long Range Plan.

*July/02 Res. #02-0574, repealed by Sept/14 Res. #14-0399 and replaced by Dec/13 Res. #13-0505*

## 4.24 PUBLIC ART POLICY

### 4.24.1 WHAT IS PUBLIC ART?

Public art plays a significant role in creating an authentic sense of place and community revitalization. As public art accumulates in a neighbourhood, it becomes a distinctive asset that not only adds to the area's general attractiveness, it also becomes a powerful tool to attract new residents, businesses and visitors.

The term Public Art refers to works of art in any medium that have been created with the specific intention of being sited or staged in a public space that is accessible to all.

It can be integrated into an environment taking on a functional form (i.e. seating, tree grates, fences, lighting, architectural elements) or it can manifest as a distinctive element (sculpture, mural, mobile, projection) or as a time based performance (music, poetry readings, dance, video).

Public art enhances the experience of a space and helps define a community by sharing

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stories, animating local traditions, transforming the landscape and expressing community aspirations.

### 4.24.2 VISION

To cultivate a more vibrant community where the place is visually exciting and spaces are identifiable. To cultivate a place where art in all its forms (music, dance, theatre, performance, sculpture, painting) is incorporated into everyday life.

Public art contributes to a city's unique community identity by affirming a sense of place, strengthening connections between people and place, and celebrating the social, historical, cultural, and natural environment.

This Public Art Policy will enrich the city both physically and intellectually by ensuring that a diversity of art forms and voices are integrated into the design of public spaces. It will also ensure that art is valued as an integral part of society and future development.

This inclusive Public Art policy will enable community participation in the building and embellishing of public spaces and allow residents of all ages, stages and abilities to take pride in local cultural expressions.

The Public Art Policy will contribute to the overall economic, social and cultural development of the City.

### 4.24.3 GOALS

#### 4.24.3.1

The main goal of the Public Art Policy is to support Public Art in Campbell River and encourage respect within the community for the value of Public Art.

#### 4.24.3.2

Have Public Art viewed as a valuable contributor to the economic, social and cultural development of Campbell River. Encourage local tourism and create signature features for international guests.

#### 4.24.3.3

Incorporate Public Art into the design and execution of selected civic and private developments. Encourage partnerships between creative professionals, community groups, social development programs, artists, children and other cultural groups.

#### 4.24.3.4

Inclusion of Artists in the design process of municipally owned spaces, including parks, pathways, benches, streets, lighting, etc.

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### 4.24.3.5

Encourage partnerships between Artists and Private Developers during the initial planning stages of a building/site development. Create a fluid process for developers to apply and install a Public Art Work.

A coherent and creative Public Art Policy demonstrates that Campbell River has vision and is providing cultural leadership to its citizens, while guiding the character development of the City.

### 4.24.3.6

A Public Art policy that fosters the engagement of the community in public spaces through storytelling, music, sound, performance, dance, literature, spoken word, new media and fine art. The Policy should encourage inclusion of all cultures and sectors of the community.

### 4.24.3.7

Foster active community participation in public spaces. Creating opportunities for the cross pollination of ideas, people, places and culture. Bring joy and a sense of wonder into people's daily lives with Public Art Projects.

## 4.24.4 GUIDELINES

### 4.24.4.1 QUALITY OF ARTWORK

Ensure that Art Work selected for placement in public facilities, parks, streets and squares exhibit excellence in design, execution and encourage community engagement. Public Art Works are created with the intention to enhance public space and encourage creative new ways of thinking, seeing and relating to the environment.

### 4.24.4.2 OPEN AND TRANSPARENT PROCESSES

The Public Art Policy, Committee, Advisor and Program will rely on open and transparent processes to ensure fair and equitable selection processes.

### 4.24.4.3 COMMUNITY INPUT AND ENGAGEMENT

The Public Art Policy will create a variety of opportunities for public input and involvement through community based programs and selection committees. Encourage youth involvement and bridge diverse community groups through art practices.

### 4.24.4.4 SUSTAINABILITY AND RESPONSIBILITY

Create a successful and enduring public art presence through sustainable funding, responsible management, integrated planning, responsive maintenance and fostering of both public and private partnerships.

### 4.24.4.5 ACCESSIBILITY

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Provide art opportunities across all media and initiatives that are accessible, equitable and responsive to the diversity of the community. Publish a public art website for Campbell River.

#### 4.24.4.6 DIVERSITY OF OPPORTUNITIES FOR A DIVERSITY OF ARTISTS

Commit to aesthetic diversity by providing a wide range of public art opportunities for artists, including local, international, emerging and established. Be inclusive of practices that are innovative in technique, pro-active in social commentary and promotes citizen engagement.

#### 4.24.4.7 STEWARDSHIP

Create and manage a Public Art Collection on behalf of the citizens of Campbell River. Preserve the integrity and security of public art through a framework that follows appropriate standards and procedures. Include existing works of Public Art and build an Archive that is integrated into other sectors of the community.

#### 4.24.4.8 ARTISTS ON DESIGN TEAMS

The City will include an Artist on a pro bono basis on the design team for Capital Projects that are above ground and have a budget of at least \$100,000. Artists will collaborate with architects, engineers and designers to create integrated plans during the early stages of infrastructure design. As a member of the design team, the artist contributes to the overall design process, identifying opportunities for public art and heightening awareness of social values.

#### 4.24.4.9 COMMUNITY BASED

Foster collaborative art making practices by integrating professional artists into various community groups or processes. Encourage a collective method of art making, engaging artists and communities through collaborative, creative expression.

#### 4.24.4.10 SPECIAL PROJECTS

Embrace projects that encourage artists to explore the process of creating art through alternative approaches such as residencies, new media, interactive, video and sound based works.

### 4.24.5 FUNDING

#### 4.24.5.1 GOAL

To establish a sustainable fund that supports the City's commitment to a Public Art Program.

### 4.24.6 PERCENT FOR PUBLIC ART

A Public Art Policy provides a 'percent for public art' funding strategy for the acquisition

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administration and management of public art.

[The remainder of this section has been deleted by Resolution 13-0505 and a funding strategy will be brought forward at a later date.]

### 4.24.7 PUBLIC ART BUDGET ALLOCATIONS

#### 4.24.7.1

Selected capital projects involving the construction, rehabilitation, remodeling or improvements of any building, structure, park, public utility, street, sidewalk or parking facility.

#### 4.24.7.2

Municipal capital improvement projects which are developed privately and leased back to the City.

#### 4.24.7.3

Community sponsored public art projects proposed jointly by community non-profit organization(s) and artist(s). For example, an artist residency that produces a collaborative project involving community interaction.

### 4.24.8 SPENDING GUIDELINES:

#### 4.24.8.1

Maintenance Fund: 10% of the total Public Art budget is allocated to a maintenance fund. The balance is carried forward yearly and drawn on only when necessary.

#### 4.24.8.2

A minimum of 80% of the remaining Public Art budget must be used for the creation of Art Work and pay for the cost of design, fabrication and installation of the work.

#### 4.24.8.3

A maximum of 10% of the Public Art budget may be allocated to project administration, programming, collection management and expenses associated with the jury selection process.

### 4.24.9 ENCOURAGING PRIVATE ART INITIATIVES

#### 4.24.9.1

The Public Art Policy encourages the private sector to support the integration of Public Art



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Works into their projects. This may be achieved through the inclusion of Art Works in new and existing developments, donation to the Public Art Fund, sponsorship of art production, and partnerships with Artists and community groups.

### 4.24.9.2

The Municipality, in support of and to encourage private enterprise, will provide the jury process through the Public Art Committee to individual projects that contain a public art component at no cost to the developer.

### 4.24.9.3

Developers of large projects who want to incorporate Art Work into spaces accessible or visible to the public on a regular basis [e.g. courtyards and fountains] should discuss the possible inclusion of art with municipal staff and the Public Art Committee early in the planning process.

Developers will be given a copy of the Public Art Policy, including the criteria used for the selection of a Public Art Work. They will also have access to a database of local artists.

### 4.24.9.4

Major private proposals involving art installations should be referred to the Public Art Committee so that they may advise whether the art is appropriate to the location and is in the best interest of the community.

### 4.24.9.5

Art Work on or within private property is to be maintained in good repair. The care and maintenance of private Art Work is the responsibility of the owner.

## 4.24.10 PUBLIC ART COMMITTEE

### 4.24.10.1

The Public Art Committee, or PAC, advises Council on the effective implementation of a Public Art Policy. PAC is established by Council to advise on Public Art Planning and the allocation of Municipal funds for Public Art Projects.

PAC is responsible for the selection and placement of all Public Art Works projects that are driven by Public Development and the development of a Public Art Selection Process, Program and Collection.

### 4.24.10.2

A Public Art Committee is composed of 5-7 voting members who serve on a voluntary basis for two year terms. Previous members can be reappointed after a year of absence from the committee. Terms should be staggered.

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Members are encouraged to promote Public Art and be an advocacy group for Art and Artists. A diverse collection of individuals will be chosen for the committee in order to reflect the diversity of community interests.

### 4.24.10.3

The Committee meets 4 times a year and as needed when new Public Art Projects are in the proposal process. PAC administers the Public Art Program and follows basic conflict of interest guidelines.

### 4.24.10.4

A quorum of five members is required to vote and absence from more than two consecutive meetings may lead to dismissal.

### 4.24.10.5

The Committee reports to Council through a Counselor and is required to review the Public Art Policy yearly and create an annual report on the success of the Public Art Policy and Program and will make recommendations for improvements.

### 4.24.10.6

The Public Art Committee may choose to select a jury for the purpose of Public Art selection.

### 4.24.10.7

The Public Art Committee will work with City Staff to engage Artists for Capital Project Design Teams.

## 4.24.11 CITY ROLES

### 4.24.11.1

City Representatives and staff will assist the Public Art Committee with site selection, installation, insurance, design specifications, technical consultation and information concerning bylaws and Civic processes with support from the Operations and Parks, Recreation and Culture Departments.

### 4.24.11.2

The City will insure that Artist(s) are invited to sit on the City's design teams.

## 4.24.12 COMMITTEE ROLES

### 4.24.12.1

PAC is responsible for management, documentation and promotion of Campbell River's

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Public Art Collection.

### 4.24.12.2

PAC is responsible for the education of both Public and Private sectors in relation to the Public Art Program.

### 4.24.12.3

The Committee goes through the Public Art selection process following guidelines created by the Committee.

The goal of the selection process is to ensure that a fair and democratic choice is made and that the guidelines of Public Art Policy are followed.

### 4.24.12.4

PAC is responsible for selection and hiring if necessary of a Project Coordinator as required. The terms of the contract are the responsibility of PAC.

### 4.24.13 COMMITTEE COMPOSITION:

- 1 City Councillor
- 3 Artists (recognized as professional artists by their peers and active in the community)
- 1 City Planner or staff from the department related to the site of the Public Art Work, will participate in a non-voting capacity.
- 3 Members from other Community groups or Committees (Arts, Culture, Recreation, Business, First Nations, Education, Community Advocate. An emphasis must be placed on having Youth represented.)

Additional considerations for the committee:

Art Administrators, Consultants, Historians, Heritage Professionals, Writers, Poets, Dancers, Musicians, Landscape Architects, Curators, Business Professionals, School Teachers, People with Disabilities, Police/Fire professionals, Psychologist, Biologist, Computer Scientist, etc.

### 4.24.14 ADVISOR/CITY STAFF ROLES AND RESPONSIBILITIES

#### 4.24.14.1 WORK WITH PUBLIC ART COMMITTEE TO:

- Hire or appoint a Project Coordinator depending on the size of the project and set up art selection process
- Set up community public art programs and temporary exhibitions
- Develop a communications and public information strategy
- Conduct an annual review of the public art program
- Develop a 3-5 year master plan (aligned with capital budget) to outline criteria and mechanisms for determining potential projects and locations

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- Identify Artists to work collaboratively with design teams.

#### 4.24.14.2 WORK WITH INTERDEPARTMENTAL DISTRICT STAFF TO:

- Build awareness and support for a Public Art Program
- Ensure that public art funding is part of the budget preparations each year
- Secure program and funding approval from Council
- Recommend appointments to public art committee
- Identify and prioritize capital projects
- Review artist contracts

#### 4.24.15 PUBLIC ART PROJECT COORDINATOR ROLES AND RESPONSIBILITIES

##### 4.24.15.1

- Work with the PAC and the Advisor
- Develop orientation package for Committees
- Develop guidelines for site selection criteria
- Develop terms of reference for the Request For Proposals
- Research supplementary funding options to match municipal contributions
- May set up community public art programs and temporary exhibitions
- Once projects confirmed, coordinate with the City to develop budgets for installation and maintenance of artworks

#### 4.24.16 PROGRAMS

##### 4.24.16.1 CIVIC PUBLIC ART PROGRAM

The program will provide an impetus and flexible framework for incorporating public art, at the planning stages, into new or existing capital improvement projects. The program will require the full cooperation of municipal staff, engineers and design professionals in developing and implementing public art initiatives.

The Public Art Advisor and Committee, along with other City staff, will review and recommend policy guidelines, procedures and budgetary allocations for civic sector development, public/private partnerships and temporary public art projects.

Develops a stable fund to ensure that resources are available to create, preserve and inventory public art works.

The program will involve the community and the artist throughout the planning and development process. It will incorporate the ideas and work of various artists and artistic disciplines in the public realm. The program will advance capital project goals or other municipal objectives, such as economic development and tourism through Public Art Projects. It will strengthen community identity, spirit and collective cultural experiences.

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### 4.24.16.2 PUBLIC ART PROGRAM FOR THE COMMUNITY

The goal of a Community Public Art Program is to create artwork that is accessible to a large public, not simply by its placement in a public space, or its content, but through the engagement of community members in defining and shaping their environment.

Creates an Artist Residency Program that is designed to embed artists within a community and engage the public on issues of joint interest or concern. Provide opportunities for creative community engagement over a period of time and involves community members in a range of creative activities and problem solving projects.

In addition to traditional art, community programs will encourage Special Projects that are intended to support socially progressive, creative partnerships. It will provide project funding for groups that take creative risks in order to develop new models. Consideration will be given to projects that are beyond the usual programming activity and give priority to practices that are innovative, collaborative and inter-disciplinary in nature.

### 4.24.16.3 PUBLIC ART PROGRAM FOR THE PRIVATE SECTOR

Private Sector programs will encourage private sector investment that is built on awareness and respect for the diverse interests of neighbourhoods. It will create a more humane, livable and attractive community by linking arts with everyday life. It will increase the understanding of Public Art as an economic driver.

The Public Art Committee, Advisor and City Council will review and recommend policy guidelines, procedures and budgetary allocations for private sector development, public/private partnerships and temporary art projects. PAC will work with Private Development to create successful Public Art projects.

The main objective of a Private Sector Public Art Program is to provide a mechanism through which private developments can include public art. During the development process, developers will be encouraged to include a Public Art component and submit a Public Art Plan or contribute an equitable percentage of the total budget to the Public Art Fund.

### 4.24.16.4 CREATE A FLUID PROCESS FOR DEVELOPMENT

Develop an online archive of the Public Art Collection with a database of links and resources. Educate the Private Sector about the benefits of Public Art and the Public Art Policy in Campbell River. Provide an access point for Artists, Developers, Advisors, Designers and City Planners to meet and create partnerships around Public Art Projects. Allow a fluid process for developers to enter into the Public Art Program and connect with the City ('Business Friendly' Process). Encourage playfulness and interaction with the

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community, as well as excellence in design, planning and management for all Public Art.

### 4.24.17 MANAGEMENT OF A PUBLIC ART COLLECTION

#### 4.24.17.1 MAINTENANCE AND INSURANCE

- It is the City's responsibility to ensure that the ongoing presence and integrity of the commissioned art work is maintained in a manner to allow for continued public access, safety and enjoyment
- The costs of maintenance and insurance of public art will be incorporated into purchase/donation/gift agreements to ensure the long term maintenance of art work in public places.
- Maintenance Fund: 10% of the total allocated Public Art budget is put into an account and reserved as a maintenance fund. The balance is carried over yearly and drawn on only when necessary.

#### 4.24.17.2 INVENTORY

- An inventory of public art works owned by the City and significant private works placed at publicly accessible private sites will be created and maintained.
- Documentation procedures will conform to standard museum practice, citing: title of art work, date work was completed, provenance, purchase/commission price and insurance value upon acquisition, photographic and written description detailing materials, construction, dimensions, location, site conditions and context of the work, artist's statement of the work and biographical information, published material about the artwork.

#### 4.24.17.3 GIFTS, DONATIONS, BEQUESTS

PAC will consider acceptance of gifts, donations and bequests of artwork (in the form of existing works or offers to commission new work) according to the following criteria:

- ability to integrate into the City's existing Public Art Collection
- quality and condition of the work, based upon professional assessment and a detailed written proposal accompanied by drawings, model and/or photographs
- fairness of the process in the selection of Art and Artist
- suitability of the theme of the artwork to a public venue
- susceptibility of the work to degradation, wear or vandalism
- any potential of endangering public safety
- suitability of the work to technical installation requirements of public spaces and environmental conditions.
- financial implications of acceptance based on installation,
- maintenance, insurance, and restoration cost estimates

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- provision by the donor for ongoing maintenance and, where relevant, the cost of future relocation or removal
- Authenticity: legal title, copyright, moral right

Not all donations will be accepted

Temporary (i.e. time-limited) loans are subject to the same evaluation criteria, except PAC need not consider long-term implications such as maintenance, repair, relocation or de-accessioning.

“Official Gifts” given to Mayor or Council and donations of documentary records are not considered donations of artwork in this context and are subject to a separate policy and procedure as determined by Council.

#### 4.24.17.4 EVALUATION AND PLACEMENT

- PAC will review each and every donation proposal and submit its recommendations, including proposed site placement, to Council through the municipal staff Liaison.
- A sponsor’s offer of an already completed work of art: PAC will appoint a three-member panel of public art experts to appraise and evaluate the artwork according to established criteria as described in this policy document.
- A sponsor's offer to commission an artwork by means of a public competition: PAC will identify a site and terms of reference defining the art competition and selection process. A selection panel will be appointed, with at least one neighbourhood representative, to evaluate the artwork according to established criteria as described in this policy document.
- When a proposal is accepted, a formal agreement will be drawn up outlining the responsibilities of each party: municipality, sponsor, and artist.
- Donors will be required to transfer ownership and copyright to the City by means of a “Deed of Gift”. Any conditions must be noted including whether the donation is a permanent gift or time-limited loan.
- Regardless of the work acceptance by PAC, the donor will be responsible for, and shall be advised of, the following costs:
  - a) transportation and/or temporary storage of the artwork(s)
  - b) evaluation by certified public art experts or agency
  - c) photographs for the Advisory's review maintenance/conservation report
  - d) conservation treatment
  - e) professional installation
  - f) appropriate documentation
  - g) insurance & liability
  - h) future relocation or removal

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- If Council chooses to waive any or all of these expenditures, it must assign an appropriate budget to the municipal department responsible for the work to cover such items as it agrees to undertake.

### 4.24.17.5 DE-ACCESSIONING

- PAC will periodically review the City's public art inventory to determine whether specific pieces should be de-accessioned or removed from the collection. This determination would be based on one or more of the following reasons:
  - a) the ongoing good condition or security of the artwork cannot be reasonably guaranteed
  - b) the artwork requires excessive maintenance or repair
  - c) the artwork endangers public safety
  - d) the artwork is not, or is only rarely on display owing to the lack of a suitable venue
  - e) significant alterations in the use, character or design of the site have occurred which affect the integrity of the work and its relation to its environment
  - f) significant adverse public reaction has continued over an extended period of time
  - g) the quality or authenticity of the artwork is debatable and subsequently justified
  - h) PAC deems that the same artist should replace the artwork with a more appropriate work
  - i) removal is requested by the artist
  - j) the site is no longer accessible to the public or the physical setting is to be re-developed.
- Reassessment of a work's suitability as a continuing part of the municipal public art collection should take into account:
  - a) the quality of work itself as representative of its style or genre, and its relation to the public context
  - b) the artist's contract and other agreements which pertain to the removal or reassessment
  - c) opinions of more than one independent professional (e.g. conservators, architects, art historians)
  - d) all written correspondence, press notices, and other evidence of public reaction
- If reasonable measures to resolve the concern have failed, PAC will appoint an impartial mediating panel of art and design professionals and community members to consider, in order of priority, the following options:
  - a) Relocation of the art work to a new site that is consistent with the artist's original



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intention. The artist's assistance and consent will be required.

- b) Removal or disposition of the art work by means of selling, loaning, trading or gifting the work.

The following conditions apply if this option is exercised:

- i. the artist should be given first option to purchase the work
- ii. the work may be gifted or exchanged to a gallery, museum or other entity.

- c) Destruction of the art work in a manner that respects the best interest of the District and the public trust.

- Sale may be conducted through auction, gallery resale or by direct bidding. All sales proceeds will be reserved for future public art projects. Any pre-existing contractual agreements between the artist and PAC regarding resale shall be honoured.
- Panel recommendations to de-accession public art work requires approval by PAC and Council.

*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, Moved to Administrative Policy 2016*

### 4.26 PUBLIC HEARING POLICY – MOVED TO ADMINISTRATIVE POLICY

*Mar/13 Res. # 13-0117*

### 4.27 COMMUNITY GARDEN POLICY

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### 4.27.1 PURPOSE

The City of Campbell River recognizes community gardening as a valuable contributor to personal health and well being, positive social interaction, environmental awareness and a connection to nature. The Sustainable Official Community Plan identifies food self sufficiency and individual health as overarching sustainability priorities and community gardens help foster these goals. This policy will enable the City to support interested groups in the development of community gardens.

### 4.27.2 DEFINITIONS

In this Policy, unless the context otherwise requires:

<b>“City”</b>	means the City of Campbell River.
<b>“Community Garden”</b>	a plot of land open to the community at large for the production of food crops and horticultural products, on public lands.
<b>“Non-profit organization”</b>	a corporation or an association that conducts business for the benefit of the general public without shareholders and without a profit motive.
<b>“Community association”</b>	a non-governmental association of participating members of a community, such as a neighborhood, condominium, cooperative, or group of homeowners or property owners.
<b>“Interest groups”</b>	a group of persons having a common identifying interest that often provides a basis for action.

### 4.27.3 APPLICATION

This policy applies to community groups (non-profit/community associations) intending to establish a community garden in the City of Campbell River.

### 4.27.4 GENERAL CONDITIONS

A community garden on City property must be established under the following criteria:

- i. A location must be identified and agreed upon by the City and the non-profit/community association as suitable for a community garden.
- ii. A “License of Use Agreement” must be established between the City and the non-profit/community association for all gardens on City lands. The community garden must be developed and maintained following this agreement.

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- iii. The community garden must be developed at no cost to the City.

The City may undertake the following in support of community garden development:

- i. Increase awareness of community gardening opportunities and benefits.
- ii. Provide resource information for community garden development.
- iii. Establish guidelines for operation.

### 4.27.5 EXCEPTIONS

This policy applies only to non-profit organizations or community associations in Campbell River who seek assistance from the City in developing a community garden on City lands.

### 4.27.6 ENFORCEMENT

Failure of a proponent to comply with City bylaws and regulations may result in the "Licence of Use" Agreement being revoked.

*Nov/15 Res. # 15-0492 add section 4.28*

## 4.28 DISPOSAL OR RETENTION OF WOOD CARVINGS ON CITY OWNED PROPERTY POLICY

### 4.28.1 PURPOSE

The City of Campbell River (the "City") is committed to working with the Campbell River Shoreline Arts Society (the "Society") to ensure the continued success of the annual Transformations on the Shore chainsaw carving competition. This policy outlines the process that the City will follow in dealing with carvings that remain on City property following the completion of the Transformations on the Shore event.

### 4.28.2 SCOPE

This policy applies to all Transformations on the Shore carvings that are located on City owned property. This policy is intended to complement the Rules outlined on the Society's webpage.

### 4.28.3 RESPONSIBILITIES

The City of Campbell River has the responsibility to communicate this policy to:

- i. City staff and members of Council so that they are informed of the process that needs to be followed when approached by members of the public or the Society; and
- ii. The Society.
- iii. The Society has the responsibility to communicate this policy to:
- iv. All carvers registered to compete in the competition, and the creators of existing carvings.

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### 4.28.4 PROCESS FOR DISPOSAL OR RETENTION OF CARVINGS

The City's Public Art Committee will periodically review carvings located on City property to determine whether specific pieces are suitable for disposal or removal from City owned property. The City recognizes that the Society has an expert maintenance team which reviews carvings in the City to ensure that they are in good condition. The City will communicate with the Society team to confirm that a carving should be repaired, moved, or destroyed for one or more of the following reasons:

- i. The ongoing good condition or security of the carving cannot be reasonably guaranteed
- ii. The carving requires excessive maintenance or repair
- iii. The carving endangers public safety
- iv. Significant alterations in the use, character or design of the site have occurred which affect the integrity of the work and its relation to its environment
- v. Adverse public reaction has continued over an extended period of time
- vi. The quality or authenticity of the carving is debatable and subsequently justified
- vii. Removal is requested by the Society
- viii. The site is no longer accessible to the public or the physical setting is to be re-developed

Reassessment of a carving's suitability on City property should take into account:

- i. The quality of the carving itself as representative of its style or genre, and its relation to the public context
- ii. Any contract or agreement with the Society which pertains to the removal or reassessment
- iii. All written correspondence, press notices, and other evidence of public reaction

If reasonable measures to resolve the concern have failed, the City will consider the following options:

- i. Removal or disposition of the carving by returning it to a site designated by the Society.
- ii. Removal of the carving to a new site that is consistent with the artist's original intention. The Society's assistance and consent will be required.
- iii. Destruction of the carving in a manner that respects the best interest of the City and the Society.

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*Jul/17 Res. # 17-0286 Sec. 4.29 added*

### 4.29 CODE OF CONDUCT FOR CITY FACILITIES AND PROPERTY POLICY

The City of Campbell River wishes to provide residents with the opportunity to participate in recreational and community activities in a safe and positive atmosphere. Additionally, the City is committed to providing a safe and respectful workplace to its employees while also ensuring the security of City infrastructure.

Each visitor to a City facility is expected to behave or act in a manner that respects the right of others, so that everyone may use and enjoy these facilities, programs and services. This Code of Conduct Policy will apply to the following City owned properties managed by the City:

Campbell River Airport	2000 Jubilee Parkway
Centennial Pool	230 4th Avenue
City Hall	301 St Ann’s Road & 900 Alder Street
Community Centre	401 11th Avenue
Discovery Pier	655 Island Highway
Dogwood Operations Centre	385 S Dogwood Street
Fire Hall No.1	675 13th Avenue
Fire Hall No. 2	261 Larwood Road
Norm Wood Environmental Centre	4000 Island Highway
Robert Ostler Park	945 Island Highway
Sportsplex	1600 & 1800 Alder Street South
Other City Parks	Various locations

The City will be working with the following organizations that manage City-owned facilities to incorporate this Policy into their operations:

Campbell River & District Museum	470 Island Highway
Centennial Building	1235 Shoppers Row
Centennial Pool Concessions	230 4th Avenue
Discovery Pier Concessions	655 Island Highway
Enterprise Centre	900 Alder Street
Haig-Brown House	2250 Campbell River Road
Maritime Heritage Centre	621 Island Highway

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Police and Public Safety Building (RCMP)	275 S Dogwood Street
Spirit Square	1299 Shoppers Row
Sybil Andrews Cottage	2131 Island Highway South
Tidemark Theatre	1220 Shoppers Row
Vancouver Island Regional Library	1240 Shoppers Row

It is understood that organizations utilizing City facilities must take primary responsibility for the behaviour and actions of all persons associated with their program or event.

### 4.29.1 PURPOSE

- i. To provide safe City programs and services.
- ii. To decrease unsafe behaviours among residents, patrons, volunteers and staff.
- iii. To increase the level of understanding of the importance of creating positive and supportive environments in City-owned facilities.
- iv. To provide code of conduct guidelines for community organizations, residents, patrons, volunteers and staff.
- v. To protect City owned infrastructure and buildings.
- vi. To increase lifelong participation in activities offered by the City.

### 4.29.2 INAPPROPRIATE BEHAVIOUR

These behaviours can be intentional or unintentional and can be, but are not limited to: patron to patron, patron to volunteer, spectator to patron, patron to staff etc. Any inappropriate behaviour is a breach of the Code of Conduct.

Inappropriate behaviours are detailed and described in the City of Campbell River Public Nuisance Bylaw No. 3543, 2014 and include the following:

- i. Conduct or behaviour that may present a risk or hazard to City staff or City Facility users;
- ii. Conduct or behaviour in contravention of a City Bylaw regulation;
- iii. Conduct or behaviour in contravention of any Federal or Provincial criminal enactment; and
- iv. Inappropriate behaviours as listed in Schedule "D" of the Public Nuisance Bylaw

### 4.29.3 ENFORCEMENT OF THE POLICY

Individual(s) and/or organizations that breach the Code of Conduct will be subject to the enforcement procedures as detailed below. Serious or continued breach of the Code of Conduct will result in expulsion from the facility at which the breach occurs. In the case of a breach by an

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organization, staff may take steps to shut down the specific function or otherwise make the facilities unusable by that organization.

Depending on the severity of the breach, a further suspension from all City facilities for a period of time to be determined by the City Manager or designate, may be imposed in accordance with the Public Nuisance Bylaw and the procedures therein.

### 4.29.4 ENFORCEMENT PROCEDURES

#### 4.29.4.1 INITIAL ACTION

Staff who witness a breach of the Code of Conduct or to whom a breach is reported shall:

- i. if reported, obtain the following details:
  - Specific location of incident
  - Who is involved (descriptions)
  - Whether occurring at that time, or if not, when the incident occurred; and
  - contact details of person reporting incident.
- ii. determine appropriate action in accordance with the Incident Response Form. Note that where there is more than one option, the staff member may use their discretion to determine which to use depending on the circumstances.
- iii. for matters requiring RCMP attendance, phone the 24-hour emergency line (911).
- iv. for matters requiring City Bylaw Enforcement Officer attendance between 8:30am and 4:30pm Monday to Friday, phone the City Bylaw Enforcement office (250 286 5776). Calls outside those hours shall be directed to the RCMP.
- v. for matters requiring the attendance of the on-duty Downtown Security Officer (in the downtown core), phone (250 895 0380 during scheduled patrol hours).
- vi. for incidents which the staff member attends, approach the person and require them to cease the conduct or behaviour.
- vii. for incidents which the staff member attends and the person fails or refuses to cease the behaviour or conduct, call on the assistance of a Security Officer, Bylaw Enforcement Officer or RCMP (where available).
- viii. advise staff member's supervisor of incident as soon as is practicable.
- ix. log the incident details in the City Facility incident log as soon as practicable after the incident but in any case before the end of that working day.
- x. Include the following details in the log:
  - Date/time/location of incident
  - Conduct observed/reported

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- Action taken
- Details of person who breached code of conduct (if known)
- Details of person reporting incident (if known)

### 4.29.4.2 RESTRICTION OF ACCESS TO CITY FACILITIES

A City Facility Manager or Supervisor, Bylaw Enforcement Officer or RCMP Officer may impose a ban pursuant to the Public Nuisance Bylaw.

When determining to ban, consideration shall be given to the seriousness and/or frequency of the contravention.