

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay, B.C., on Tuesday, May 21, 2019 at 4:00 p.m.**

**Attending:**

**Mayor:** Bob Wells  
**Councillors:** W. Cole-Hamilton  
D. Frisch  
D. Hillian  
W. McCollum  
W. Morin  
M. Theos via Teleconference

**Staff:**

D. Allen, CAO  
J. Ward, Director of Legislative & Corporate Services/Deputy CAO  
W. Sorichta, Manager of Legislative & Corporate Administrative Services  
I. Buck, Director of Development Services  
T. Kushner, Director of Public Works Services/Assistant CAO  
R. O’Grady, Director of Engineering Services  
D. Snider, Director of Recreation and Cultural Services  
M. Fitzgerald, Planning Supervisor  
A. Guillo, Manager of Communications

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Cole-Hamilton and seconded by Morin that the May  
MINUTES 6<sup>th</sup>, 2019 Regular Council meeting minutes be adopted.  
**Carried**

**2.00 ADOPTION OF LATE ITEMS**

**3.00 DELEGATIONS**

May Partridge of Comox Valley Unitarian Fellowship (CVUF) presented information to Council related to Canada's changing climate. The delegation asked Council to consider making a declaration of climate emergency and incorporate the impacts of climate change as part of Council’s planning, policies and actions. Ms. May suggested forming a standing committee to establish measures and protocols to address climate driven events such as storm, fire and flood emergencies with focused public reporting through the City’s website and social media.

**4.00 STAFF REPORTS/PRESENTATIONS**

**.01** Moved by Frisch and seconded by McCollum that based on the  
DEVELOPMENT May 21<sup>st</sup>, 2019 staff report “Development Variance Permit No. 1902 -  
VARIANCE PERMIT 4100 Fraser Road”, Council approve OPTION 1 and issue Development  
NO. 1902 (4100 Variance Permit No. 1902.  
FRASER ROAD) **Carried**  
3090-20-1902

**R10/2019 - May 21, 2019**

**.02**

BYLAW NO. 2961  
ZONING AMENDMENT  
(379 - 4<sup>TH</sup> STREET)  
3360-20-1821

Moved by McCollum and seconded by Frisch that based on the May 21<sup>st</sup>, 2019 staff report “Zoning Amendment Bylaw No. 2961 - 379 - 4<sup>th</sup> Street”, Council approve OPTION 1 and not proceed with Zoning Amendment Bylaw No. 2961, 2019.

**Carried**

**.03**

BYLAW NO. 2922  
OCP AMENDMENT &  
BYLAW NO. 2927  
ZONING AMENDMENT  
(2048 - 13<sup>TH</sup> STREET)  
3360-20-1803

Moved by Cole-Hamilton and seconded by Hillian that based on the May 21st, 2019 staff report entitled “OCP Amendment Bylaw No. 2922 and Zoning Amendment Bylaw No. 2927 – 2048 - 13<sup>th</sup> Street” Council approve OPTION 1 and complete the following steps:

1. That Council give First and Second readings of “OCP Amendment Bylaw No. 2922” to permit development of a two storey apartment building at 2048-13<sup>th</sup> Street.
2. That Council give First and Second Readings of “Zoning Amendment Bylaw NO. 2927”.
3. That Council direct staff to schedule a Public Hearing for “OCP Amendment Bylaw No. 2922” and “Zoning Amendment Bylaw No. 2927” on June 10, 2019 at 5:00pm in City Hall Council Chambers.
4. That Final Reading of proposed Zoning Amendment Bylaw No. 2927, be withheld until a Section 219 covenant is registered on the subject property mandating the following:
  - a. Stating the amenity contributions required;
  - b. Finalization of the stormwater management strategy and design to the satisfaction of the City and incorporating recommendations made in the January 12, 2018 Environmental Assessment by Current Environmental to redirect stormwater flows into the Piercy Creek headwaters; and,
  - c. Restricting development within the environmentally sensitive features and 30m buffer of those features as identified in the January 12, 2018 Environmental Assessment by Current Environmental.

**Carried**

**.04**

APPOINTMENT OF A  
MEMBER TO THE  
HERITAGE ADVISORY  
COMMISSION  
6800-01

Moved by Hillian and seconded by Frisch that based on the May 21<sup>st</sup>, 2019 staff report “Appointment of a New Member to the Heritage Advisory Commission”, Council appoint Mr. Glen Greenhill to the Heritage Advisory Commission.

**Carried**

**.05**  
BYLAW NO. 2962,  
ZONING  
AMENDMENT,  
SECONDARY SUITE  
(2100 ARDEN ROAD)  
3360-20-1907

Moved by Frisch and seconded by Morin that based on the May 21<sup>st</sup>, 2019 Staff report, “Zoning Amendment Bylaw No. 2962 to Allow for a Secondary Suite at 2100 Arden Road” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2962, 2019; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2962, 2019 on June 10<sup>th</sup>, 2019 at 5:00 p.m. in the City Hall Council Chambers.

**Carried**

**VARY AGENDA**

**.01**  
VARY AGENDA  
SECTION 8.00  
RESOLUTIONS OF  
COUNCIL

Moved by Hillian and seconded by McCollum that Council vary the May 21<sup>st</sup>, 2019 Regular Council agenda and move item 8.00 *Resolutions of Council* ahead on the agenda to be addressed before items 5.00, 6.00 and 7.00.

**Carried**

**8.00 RESOLUTIONS OF COUNCIL**

**.01**  
COUNCILLOR COLE-  
HAMILTON,  
CLIMATE CRISIS  
DECLARATION

Moved by Cole-Hamilton and seconded by McCollum that

Whereas the impacts of climate change in the form of extreme weather events such as wildfires, floods, droughts, extreme precipitation, coastal erosion and storms are occurring at an accelerated rate and with growing frequency, creating major financial, social and environmental costs which are largely being borne by local governments and the residents they serve;

Whereas municipal governments are responsible for building, upgrading, repairing and maintaining roughly two thirds of all government infrastructure in Canada, and receive only \$.08 of every tax dollar collected in Canada;

Whereas although all residents of our community will be impacted by climate change, some citizens may be more vulnerable to extreme climate events depending on the proximity of their homes to wildfire, erosion or flood zones; and

Whereas there is an urgent need for action but a lack of resources and coordination to support local governments in their ability to adapt to and mitigate the ongoing effects of climate change with respect to emergency preparedness measures and infrastructure upgrades, repairs and maintenance; and

Whereas many British Columbia municipalities and regional districts have formally recognized the climate crisis or have declared an emergency in order to emphasize the need for resources and support from senior levels of government;

Therefore, be it resolved:

- a) that the City of Courtenay formally recognize the climate crisis and request the provincial and federal governments to allocate resources to equip a local government response;
- b) that the City of Courtenay's response to the climate crisis be considered as part council's upcoming strategic planning session in the fall of 2019 with discussion to include: participation in regional climate action and emergency program initiatives as well as identifying and securing the necessary resources to implement climate action initiatives;
- c) that prior to council's 2019 strategic planning session, City staff work with staff of other regional local governments to identify tangible actions the City can take to address this crisis and refer these to Council for consideration and that if Council approves these actions, any City-related resource requirements be included for consideration in the 2020 budget and Five Year Financial Plan; and
- d) that climate change mitigation and adaptation be considered at all stages of development of the City's new Official Community Plan.

**Carried**

**The council meeting recessed at 6:44 p.m.**

**The meeting reconvened at 7:07 p.m.**

**.02**

COUNCILLOR FRISCH-  
BIKE TO WEEK WORK

Moved by Frisch and seconded by McCollum that

Whereas May 27<sup>th</sup> to June 2<sup>nd</sup>, 2019 is BC Bike to Work Week; and

Whereas the Comox Valley is one of the most active communities in BC,

Therefore be it resolved that City of Courtenay Council, staff, and the community rise to the challenge and compete for the most kilometres travelled by bike during "Bike to Work Week."

**Carried**

Mayor Wells recognized the City of Courtenay's commitment to Bike to Work Week by way of proclamation announcing May 27<sup>th</sup> to June 2<sup>nd</sup>, 2019 as "Bike to Work Week" in Courtenay

**.03**

MAYOR WELLS-  
NATIONAL TENT CITY  
STRATEGY

Moved by Hillian and seconded by Frisch that

Whereas Tent Cities are on the rise across the country; and

Whereas the root causes of Tent Cities tend to be lack of affordable housing as well as mental health and addictions issues which are outside the mandate and control of municipalities;

Therefore be it resolved the Federation of Canadian Municipalities (FCM) lobby the Federal government to create a National strategy that aims to eliminate the need for tent cities, and, in the meantime, to support communities with the management of tent cities.

**Carried**

**.04**

IN CAMERA MEETING

Moved by Frisch and seconded by McCollum that notice is hereby given that a Special In-Camera meeting closed to the public will be held May 21<sup>st</sup>, 2019 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

- 90(1) labour relations or other employee relations.

**Carried**

**.05**

RESOLUTION TO  
CANCEL MAY 27,  
2019 COMMITTEE OF  
THE WHOLE  
MEETING  
0580-01

Moved by Cole-Hamilton and seconded by McCollum that Council cancel the Committee of the Whole meeting scheduled for Monday, May 27<sup>th</sup>, 2019 to accommodate preparation and travel to the 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show.

**Carried**

## **5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**

VILLAGE OF  
CUMBERLAND

Moved by Frisch and seconded by Morin that the correspondence dated May 6<sup>th</sup>, 2019 from Mayor Leslie Baird, Village of Cumberland, requesting that the City of Courtenay consider a revenue sharing arrangement with other local governments for provincial casino gaming revenue related to Chances Courtenay Gaming Centre, be received for information; and

That Council write a letter of response to Mayor Baird, Village of Cumberland, thanking her for her letter and indicating that, at this time, Council will continue to utilize gaming revenues for the benefit of the Comox Valley as the City of Courtenay has done in the past.

**Carried**

**.02**  
TRESPASS AND  
HOMELESS  
ENCAMPMENTS  
ALONG PIERCY  
CREEK

Moved by Frisch and seconded by McCollum that the correspondence dated April 30<sup>th</sup>, 2019 from landowners Gail Neuls, Dean Neuls, Kathy Samson, Jan Slomp, Barry Willis and the Millard-Piercy Watershed Stream-keepers (MPWS) seeking the City of Courtenay's support to restrict access to adjoining properties along Piercy Creek through the provision of signage and fencing, be received for information.

**Carried**

**.03**  
DCBIA - EVENT  
STREET CLOSURE -  
MARKET DAY AND  
SUMMER STREET  
MARKET EVENTS  
REQUEST FOR ROAD  
CLOSURE SUPPORT

The correspondence dated April 29<sup>th</sup>, 2019 from the Downtown Courtenay Business Improvement Association, requesting the City of Courtenay's support for their Market Day and Summer Street Market events, was received for information.

Moved by Frisch and seconded by McCollum that Council direct staff to prepare a report outlining the cost and implications for the City to support the Downtown Courtenay Business Improvement Association with street closures for their Market Day and Summer Street Market events.

**Carried**

## **6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
5<sup>TH</sup> STREET BRIDGE  
REHABILITATION  
PROJECT  
5335-20; 5400-02

Moved by Hillian and seconded by Frisch that the May 21<sup>st</sup>, 2019 briefing note "5<sup>th</sup> Street Bridge Rehabilitation Project", be received for information.

**Carried**

Ehren Lee and Eric Sears, Urban Systems, presented information to Council related to the 5<sup>th</sup> Street Bridge Rehabilitation Project. The presentation provided an overview and history of the project, including project development, costs and project options; the presentation was received for information.

## **7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

COUNCILLOR  
COLE-HAMILTON

Councillor Cole-Hamilton reviewed his attendance at the following events:

- SAGE (Sustainable Action Group for the Environment) Recycling and Waste Diversion presentation
- CVRD Comox Valley Exhibition Grounds and Facilities tour
- Project Watershed Estuary Tour
- Cumberland Wetlands conference
- Heritage BC Annual conference
- Town Hall on Forests and Climate Change event
- Comox Valley Drug Strategy Committee meeting
- Downtown Courtenay Business Improvement Association AGM

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- Comox Valley Local Heroes Awards event
- Move2Electric EV Electric Car and Bike Show event volunteer

COUNCILLOR  
FRISCH

Councillor Frisch reviewed his attendance at the following events:

- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- K'ómoks First Nation agreement with Department of Nations for access to KFN land at goose spit
- Recycling Council of BC Conference on Circular Economy: Moving Beyond Waste
- Project Watershed Estuary Tour
- Move2Electric EV Electric Car and Bike Show event

COUNCILLOR  
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- Comox Valley Social Planning Society AGM
- CVRD Comox Valley Exhibition Grounds and Facilities tour
- 2019 McDonald's McHappy Day fundraising event for children's charities
- Comox Valley Chamber of Commerce Community Update event
- Project Watershed Estuary Tour
- Cumberland Wetlands Conference - Community Roundtable
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- Meeting with staff and Comox Valley Homelessness Coalition Re: proposed day centre
- Downtown Courtenay Business Improvement Association AGM
- May 16th - Community Justice Centre monthly meeting; Local Heroes event

COUNCILLOR  
MORIN

Councillor Morin reviewed her attendance at the following events:

- CVRD Comox Valley Exhibition Grounds and Facilities tour
- Cumberland Wetlands conference
- CVRD Sewage Commission meeting
- CVRD Water Committee meeting
- CVRD Committee of the Whole meeting
- Move2Electric EV Electric Car and Bike Show event

COUNCILLOR  
THEOS

Councillor Theos reviewed his attendance at the following events:

- Pacific Regional FireFit Championships event hosted by the Courtenay Fire Department

Councillor Theos expressed interest in having a Food truck festival in Courtenay

## **R10/2019 - May 21, 2019**

MAYOR  
WELLS

Mayor Wells reviewed his attendance at the following events:

- Celebration of Life for Dr. Lou Dryden, former president, North Island College
- Comox Valley Newcomers Alumnae Association meeting
- Courtenay Volunteer Fire Department Council orientation and facilities tour
- Provincial Government funding announcement \$1 million for the Kus-Kus-Sum project
- Courtenay Rotary event celebrating Comox Valley Autism Centre
- Comox Valley Chamber of Commerce AGM
- Comox Valley Recovery Centre AGM dinner
- Courtenay Recreation and Cultural Services facilities tour
- Meet and greet with the Royal Canadian Air Force Snowbirds and presented the snowbirds with a Proclamation “Canadian Armed Forces Snowbirds Week” May 1<sup>st</sup> to 7<sup>th</sup>
- Georges P. Vanier Secondary School Leaders meeting
- Development Industry Working Group meeting
- Downtown Courtenay Business Improvement Association AGM
- Comox Valley Local Heroes Awards event
- Comox Rotary Club presentation “successes, challenges and in-progress projects”
- L’Arche Comox Valley and I Belong Centre raffle fundraiser event
- Move2Electric EV Electric Car and Bike Show event
- Royal Canadian Legion breakfast
- Thunderball Basketball event
- Cumberland May Day (Victoria Day) parade and celebration and May Queen Lunch
- Meeting with George Heyman, Minister of Environment and Climate Change Strategy to discuss solid waste funding opportunities and leadership for provincial waste reductions (i.e. plastics and packaging)

### **9.00 UNFINISHED BUSINESS**

**.01**  
MEMORIAL  
PROGRAM  
6200-05

Moved by McCollum and seconded by Frisch that based on the March 25<sup>th</sup>, 2019 staff report “Memorial Program”, Council adopt OPTION 1 and direct staff to discontinue the existing memorial program.  
**Carried**

### **10.00 NOTICE OF MOTION**

### **11.00 NEW BUSINESS**



**12.00 BYLAWS**

**.01**  
BYLAW NO. 2961,  
2019, ZONING  
AMENDMENT - STORE  
FRONT CANNABIS  
RETAILER AS  
PERMITTED USE  
(379 - 4<sup>TH</sup> STREET)

Council did not proceed with Zoning Amendment Bylaw No. 2961, 2019 as recommended in OPTION 1 of the May 21, 2019 staff report “Zoning Amendment Bylaw No. 2961 - 379 - 4<sup>th</sup> Street”.

**.02**  
BYLAW NO. 2922,  
2019, OCP  
AMENDMENT  
CHANGE THE LAND  
USE DESIGNATION  
FROM URBAN TO  
MULTI RESIDENTIAL  
(2048 - 13<sup>TH</sup> STREET)

Moved by McCollum and seconded by Frisch that “Official Community Plan Amendment Bylaw No. 2922, 2019” pass first and second reading.

**Carried**

**.03**  
BYLAW NO. 2927,  
2019, ZONING  
AMENDMENT – MULTI  
RESIDENTIAL AS  
PERMITTED USE  
(2048 - 13<sup>TH</sup> STREET)

Moved by Frisch and seconded by McCollum that “Zoning Amendment Bylaw No. 2927, 2019” pass first and second reading.

**Carried**

**.04**  
BYLAW NO. 2962,  
2019 , ZONING  
AMENDMENT ,  
SECONDARY SUITE  
(2100 ARDEN ROAD)

Moved by Hillian and seconded by Cole-Hamilton that “Zoning Amendment Bylaw No. 2962, 2019” pass first and second reading.

**Carried**

**13.00 ADJOURNMENT**

**.01**

Moved by Hillian and seconded by Frisch that the meeting now adjourn at 7:52 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Corporate Officer**

**Adopted this 10<sup>th</sup> day of June, 2019**

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**Mayor**