

**Minutes of a Regular Council Meeting**

**Meeting #:** R19/2020  
**Date:** July 20, 2020  
**Time:** 4:00 pm  
**Location:** City Hall, Courtenay, BC, via video/audio conference

**Attending:**

**Mayor::** B. Wells, via video/audio conference  
**Councillors:** D. Frisch, via video/audio conference  
M. McCollum, via video/audio conference  
M. Theos, via video/audio conference

**Staff:** D. Allen, CAO, via video/audio conference  
W. Sorchta, Corporate Officer, via video/audio conference  
T. Kushner, General Manager of Operations/Deputy CAO, via video/audio conference  
I. Buck, Director of Development Services, via video/audio conference  
C. Davidson, Director of Engineering Services, via video/audio conference  
J. Nelson, Director of Financial Services, via video/audio conference  
K. Shaw, Director of Public Works Services, via video/audio conference  
D. Snider, Director of Recreation & Cultural Services, via video/audio conference  
M. Fitzgerald, Manager of Development Planning, via video/audio conference  
N. Borecky, Manager of Information Systems, via video/audio conference  
E. Gavelin, Network Technician, via video/audio conference

**Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. MO192 Local Government Meetings & Bylaw Process COVID-19 implemented changes to its open Council meetings.**

**In the interest of public health and safety, in-person attendance by members of the public at Council meetings is prohibited until further notice. Council meetings are presided over by the Mayor or Acting Mayor with electronic participation by Council and staff via live web streaming and start at 4:00 p.m. during this period.**

**1. ADOPTION OF MINUTES**

**1.1 Adopt July 6<sup>th</sup>, 2020 Regular Council meeting minutes**

**Moved By** Theos

**Seconded By** Frisch

That the July 6<sup>th</sup>, 2020 Regular Council meeting minutes be adopted.

**Carried**

**1.2 Adopt July 13<sup>th</sup>, 2020 Special Council meeting minutes.**

**Moved By** Theos

**Seconded By** Frisch

That the July 13<sup>th</sup>, 2020 Special Council meeting minutes be adopted.

**Carried**

**2. INTRODUCTION OF LATE ITEMS**

**3. DELEGATIONS**

**3.1 Habitat for Humanity Vancouver Island North - Community Project Updates -1330 Lake Trail Road and 1375 Piercy Avenue**

Pat McKenna, Executive Director, Habitat for Humanity Vancouver Island North, Tom Dishlevoy, Architect and Designer, and Greg Merchant, Wedler Engineering, presented information to Council regarding Habitat's homeownership model to bring affordable homes to local families in partnership; with each family investing 500 volunteer hours in the construction of their new home.

Mr. McKenna provided an overview of the number of homes Habitat has built on the North Island since 2004 (34 homes servicing 37 families) and reviewed current and upcoming projects in the Comox Valley including 1330 Lake Trail Road (10 Homes) and a new development proposed at 1375 Piercy Avenue (12 homes).

The Habitat for Humanity Community Project presentation as presented by Pat McKenna, Executive Director, Habitat for Humanity Vancouver Island North, was received for information.

**4. STAFF REPORTS/PRESENTATIONS**

**4.1 Development Services**

**4.1.1 Official Community Plan (OCP) Amendment Bylaw No. 3014 and Zoning Amendment Bylaw No. 3005 - 1375 Piercy Avenue**

**Moved By Frisch**

**Seconded By McCollum**

That the July 20<sup>th</sup>, 2020 staff report "Official Community Plan (OCP) Amendment Bylaw No. 3014 and Zoning Amendment Bylaw No. 3005 - 1375 Piercy Avenue" be received for information.

**Carried**

**Moved By Frisch**

**Seconded By Theos**

That based on the July 20<sup>th</sup>, 2020 staff report "Official Community Plan (OCP) Amendment Bylaw No. 3014 and Zoning Amendment Bylaw No. 3005 - 1375 Piercy Avenue" Council approve OPTION 1 and complete the following steps:

1. That Council give First and Second Reading of "OCP Amendment Bylaw No. 3014" to designate the subject property as "Multi-Residential";
2. That Council give First and Second Reading of "Zoning Amendment Bylaw No. 3005" to create a new CD-29 Zone and rezone the subject property to CD-29;
3. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaws following the resumption of regular Council meetings or upon approval of an alternative process.

**Defeated**

**New motion:**

**Moved By Frisch**

**Seconded By Theos**

That based on the July 20<sup>th</sup>, 2020 staff report "Official Community Plan (OCP) Amendment Bylaw No. 3014 and Zoning Amendment Bylaw No. 3005 - 1375 Piercy Avenue" that Council postpone consideration of Official Community Plan (OCP) Amendment Bylaw No. 3014 and Zoning Amendment Bylaw No. 3005 with a request for more information.

**Carried**

**4.1.2 Development Variance Permit No. 2011 - 1375 Piercy Avenue**

**Moved By** McCollum

**Seconded By** Frisch

That the July 20<sup>th</sup>, 2020 staff report "Development Variance Permit No. 2011 - 1375 Piercy Avenue" be received for information.

**Carried**

**Moved By** Frisch

**Seconded By** McCollum

That based on the July 20<sup>th</sup>, 2020 staff report, "Development Variance Permit No. 2011 - 1375 Piercy Avenue", Council approve OPTION 2 and defeat the variance and provide Habitat for Humanity financial support through the Affordable Housing Reserve Fund, in an amount to be determined at a future meeting as specified by Council, to assist in offsetting the cost of providing the required works and services.

**Carried**

**4.1.3 Development Variance Permit No. 2002 - 3200 Majestic Drive**

**Moved By** Frisch

**Seconded By** McCollum

That based on the July 20<sup>th</sup>, 2020 staff report, "Development Variance Permit No. 2002 - 3200 Majestic Drive", Council approve OPTION 1 and issue Development Variance Permit No. 2002.

**Carried**

**4.1.4 11<sup>th</sup> Street Road End Land Exchange**

**Moved By** Theos

**Seconded By** McCollum

That based on the July 20<sup>th</sup>, 2020 staff report, "11<sup>th</sup> Street Road End Land Exchange" Council direct staff to advise Mr. Laver that the City is no longer interested in a formal agreement for a land exchange related to the 11<sup>th</sup> Street road end; and

That the 11<sup>th</sup> Street road end be included in the City's Land Acquisition and Disposition Strategy.

**Carried**

**The council meeting recessed at 6:00 p.m.**

**The meeting reconvened at 6:07 p.m.**

**4.2 Financial Services**

**4.2.1 COVID 19 - 2020 Financial Impact Update and Tax Sale Considerations**

**Moved By** McCollum

**Seconded By** Frisch

That based on the July 20<sup>th</sup>, 2020 staff report “COVID 19 - 2020 Financial Impact Update and Tax Sale Considerations”, Council approve delaying the 2020 Tax sale; and

That Council proceed to three readings and final adoption of the 2020 Annual Tax Sale Deferral Bylaw No. 3013, 2020.

**Carried**

**4.3 Public Works Services**

**4.3.1 Reallocation of Roadway Space for Physical Distancing in Downtown Courtenay**

**Moved By** Frisch

**Seconded By** Theos

That based on the July 20<sup>th</sup>, 2020 staff report “Reallocation of Roadway Space for Physical Distancing in Downtown Courtenay” Council approve OPTION 1 and endorse the temporary closure of 5<sup>th</sup> Street between Cliffe Avenue and England Avenue beginning on July 25<sup>th</sup>, 2020, and that Council further supports expanding the footprint of the closure and extending the closures on Saturdays to September 12<sup>th</sup>, 2020, if the initial pilot road closure is successful for Downtown Courtenay Business Improvement Association (DCBIA) and participating downtown businesses.

**Carried**

**5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**5.1 2020 Union of BC Municipalities (UBCM) Virtual Convention September 22 - 24, 2020**

**5.1.1 2020 UBCM Provincial Appointment Book**

**Moved By** McCollum

**Seconded By** Frisch

That the correspondence from the Union of BC Municipalities (UBCM) regarding the 2020 UBCM Virtual Convention provincial appointment book and meeting requests with provincial government staff, agencies and ministers, be received for information.

**Carried**

**6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**7. REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

**7.1 Councillor Theos**

Councillor Theos provided an update regarding the Vancouver Island Regional Library (VIRL) Courtenay Library re-opening with reduced hours of operation and facility renovation; Councillor Theos recommended the public visit the VIRL website <https://virl.bc.ca/> for information and updates.

**8. RESOLUTIONS OF COUNCIL**

**8.1 In Camera Meeting**

**Moved By** Frisch

**Seconded By** Theos

That a Special In-Camera meeting closed to the public will be held July 20<sup>th</sup>, 2020 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations;
- 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90 (1) (g) litigation or potential litigation affecting the municipality;

- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried**

**8.2 Rise and Report - Interim Chief Administrative Officer**

**Moved By** McCollum

**Seconded By** Theos

That per the July 13<sup>th</sup>, 2020 Closed (Restricted In Camera) Meeting, Council Rises and Reports as follows:

That Trevor Kushner, Deputy CAO, be appointed Interim Chief Administrative Officer (CAO) while the City completes a formal recruitment process for a permanent CAO;

That Mr. Kushner's appointment be effective July 21<sup>st</sup>, 2020; and,

That Council rise and report at a future open meeting as deemed appropriate by staff.

**Carried**

**9. UNFINISHED BUSINESS**

**9.1 Councillor Frisch Resolution - 17<sup>th</sup> Street Bike Lane Design**

**Moved By** Frisch

**Seconded By** McCollum

That Council direct staff to reallocate the \$30,000 approved in the 2020 General Capital Budget for the buffered bike lane painting on 17<sup>th</sup> Street, Fitzgerald Avenue to McPhee Avenue, to be used to fund design work for a protected bike lane for that section of 17<sup>th</sup> Street; and furthermore,

That staff also include in that work, the design for a protected bike lane on 17<sup>th</sup> Street, McPhee Avenue to Willemar Avenue.

**Carried**

**10. NOTICE OF MOTION**

**11. NEW BUSINESS**

**11.1 2020 UBCM Community Excellence Awards**

**11.1.1 2020 UBCM Program & Application Guide**

The 2020 Union of BC Municipalities (UBCM) Program & Application Guide was received for information.

**11.1.2 Courtenay 2020 UBCM Community Excellence Awards Application**

**Moved By** Frisch

**Seconded By** Theos

Whereas the annual Union of British Columbia Municipalities (UBCM) Community Excellence Awards recognizes and celebrates UBCM members that have implemented projects or programs that demonstrate excellence in meeting the purposes of local government in BC;

Whereas the awards are designed to profile promising practices and to encourage local governments to learn from the success of other members in order to implement changes in their own communities; and,

Whereas Council considers the City's ongoing Asset Management Program worthy of this form of recognition;

Therefore be it resolved that Council supports and encourages staff to submit the Asset Management Program for consideration of the 2020 UBCM Community Excellence Awards.

**Carried**

**11.2 Comox Valley Art Gallery Letter of Request - Re: proposal for additional facility space - Comox Valley Centre for the Arts (580 Duncan Avenue) in partnership with Comox Valley Arts**

**Moved By** Theos

**Seconded By** McCollum

That the correspondence dated July 10<sup>th</sup>, 2020 from the Comox Valley Arts Gallery, requesting Council consider their proposal for additional facility space at the Comox Valley Centre for the Arts (580 Duncan Avenue) in partnership with Comox Valley Arts be received for information.

**Carried**



**11.3 Comox Valley Arts Council - Letter of Request - Re: proposal for additional facility space - Comox Valley Centre for the Arts (580 Duncan Avenue) and licencing agreement consideration**

**Moved By** Frisch

**Seconded By** McCollum

That the correspondence dated July 8<sup>th</sup>, 2020 from the Comox Valley Arts Council requesting Council consider their proposal for additional facility space at the Comox Valley Centre for the Arts (580 Duncan Avenue) be received for information.

**Carried**

**Moved By** McCollum

**Seconded By** Frisch

That in response to the July 8<sup>th</sup>, 2020 letter from the Comox Valley Arts and the July 10<sup>th</sup>, 2020 letter from the Comox Valley Art gallery requesting Council consider their proposal for additional facility space at the Comox Valley Centre for the Arts (580 Duncan Avenue);

That Council direct staff to investigate options and implications to enter into an agreement with the Comox Valley Art Gallery and Comox Valley Arts (in partnership) for the provision of additional facility space at the Comox Valley Centre for the Arts.

**Carried**

**11.4 Comox Valley Affordable Housing Society - Request for Letter of Support**

**Moved By** McCollum

**Seconded By** Frisch

That the correspondence dated July 10<sup>th</sup>, 2020 from the Comox Valley Affordable Housing Society requesting a letter of support from Council be received for information; and,

That Council provide a letter to the Comox Valley Affordable Housing Society in support of their upcoming project to provide additional affordable seniors and low-income housing and expressing the need for more affordable housing in the in the Comox Valley.

**Carried**

**12. BYLAWS**

**12.1 For First and Second Reading**

**12.1.1 Official Community Plan Amendment Bylaw No. 3014, 2020 (1375 Piercy Avenue)**

**12.1.2 Zoning Amendment Bylaw No. 3005, 2020 (1375 Piercy Avenue)**

First and second readings of “Official Community Plan (OCP) Amendment Bylaw No. 3014, 2020” (1375 Piercy Avenue) and “Zoning Amendment Bylaw No. 3005, 2020” (1375 Piercy Avenue) were postponed pending a future report from staff to address specific items identified by Council during the July 20<sup>th</sup>, 2020 regular Council meeting discussion (reference resolutions 4.1.1 and 4.1.2 of the July 20<sup>th</sup>, 2020 Council agenda).

**12.2 For First, Second and Third Reading**

**12.2.1 2020 Annual Tax Sale Deferral Bylaw No. 3013, 2020**

**Moved By** Frisch  
**Seconded By** Theos

That "2020 Annual Tax Sale Deferral Bylaw No. 3013, 2020" pass first, second and third reading.

**Carried**

**12.3 For Third Reading**

**12.3.1 Zoning Amendment Bylaw No. 2993, 2020 (1028 Arrowsmith Avenue)**

**Moved By** McCollum  
**Seconded By** Frisch

That "Zoning Amendment Bylaw No. 2993, 2020" pass third reading.

**Carried**

**12.4 For Final Adoption**

**12.4.1 Zoning Amendment Bylaw No. 2999, 2020 (820 Urquhart Avenue)**

**Moved By** Theos  
**Seconded By** Frisch

That "Zoning Amendment Bylaw No. 2999, 2020" be finally adopted.

**Carried**

**12.4.2 2020 Annual Tax Sale Deferral Bylaw No. 3013, 2020**

**Moved By** Frisch  
**Seconded By** McCollum

That "2020 Annual Tax Sale Deferral Bylaw No. 3013, 2020" be finally adopted.

**Carried**

**12.4.3 Zoning Amendment Bylaw No. 2993, 2020 (1028 Arrowsmith Avenue)**

**Moved By** McCollum  
**Seconded By** Frisch

That "Zoning Amendment Bylaw No. 2993, 2020" be finally adopted.

**Carried**

**13. ADJOURNMENT**

**Moved By** Frisch  
**Seconded By** McCollum

That the meeting now adjourn at 7:23 p.m.

**Carried**

**CERTIFIED CORRECT**

\_\_\_\_\_  
**Corporate Officer**

**Adopted this 4<sup>th</sup> day of August, 2020**

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**Mayor**