

R4/2021 - February 16, 2021

Minutes of a Regular Council Meeting

Meeting #: R4/2021
Date: February 16, 2021
Time: 4:00 pm
Location: City Hall, Courtenay, BC, via video/audio conference

Attending:

Mayor: B. Wells, via video/audio conference
Council: W. Cole-Hamilton, via video/audio conference
D. Frisch, via video/audio conference
D. Hillian, via video/audio conference
M. McCollum, via video/audio conference
W. Morin, via video/audio conference
M. Theos, via video/audio conference

Staff: T. Kushner, Interim CAO, via video/audio conference
W. Sorichta, Corporate Officer, via video/audio conference
I. Buck, Director of Development Services, via video/audio conference
J. Nelson, Director of Financial Services, via video/audio conference
K. O'Connell, Director of Corporate Support Services, via video/audio conference
M. Fitzgerald, Manager of Development Planning, via video/audio conference
R. Matthews, Executive Assistant/Deputy Corporate Officer, 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. M192 Local Government Meetings & Bylaw Process (COVID-19) Order No. 3 implemented changes to its open Council meetings.

In the interest of public health and safety, and in accordance with section 3(1) of Ministerial Order No. 3 M192, in-person attendance by members of the public at Council meetings will not be permitted 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.

1. ADOPTION OF MINUTES

1.1 Adopt February 1st, 2021 Regular Council meeting minutes (0570-03)

Moved By Morin

Seconded By Cole-Hamilton

THAT the February 1st, 2021 Regular Council meeting minutes be adopted.

Carried

1.2 Adopt February 4th, 2021 Special Council meeting minutes (0570-03)

Moved By Morin

Seconded By Cole-Hamilton

THAT the February 4th, 2021 Special Council meeting minutes be adopted as amended.

Carried

1.3 Adopt February 11th, 2021 Special Council meeting minutes (0570-03)

Moved By Morin

Seconded By Cole-Hamilton

THAT the February 11th, 2021 Special Council meeting minutes be adopted as amended.

Carried

2. INTRODUCTION OF LATE ITEMS

3. DELEGATIONS

4. STAFF REPORTS/PRESENTATIONS

4.1 CAO and Legislative Services

4.1.1 Association of Vancouver Island & Coastal Communities (AVICC) 2021 Proposed Resolution - Enhanced Communications to Address Homelessness Related Issues in BC Communities (0390-20/5020-01)

Moved By Hillian

Seconded By Cole-Hamilton

THAT based on the February 16th, 2021 staff report "Association of Vancouver Island and Coastal Communities Proposed Resolution - Enhanced Communications to Address Homelessness Related Issues in British Columbia Communities", Council approve OPTION 1 and direct staff to submit the proposed resolution for consideration at the 2021 Association of Vancouver Island and Coastal Communities Conference.

Carried

4.1.2 Licence of Occupation for the Shared Use of a Portion of 100-20th Street - Comox Valley Rowing Club AND Comox Valley Canoe Racing Club Lease Agreement (2380-20)

Moved By Cole-Hamilton

Seconded By Frisch

THAT based on the February 16th, 2021 staff report "Licence of Occupation for the shared use of a portion of 100-20th Street - Comox Valley Rowing Club and the Comox Valley Canoe Racing Club", Council approve OPTION 1 and authorize:

- a. a licence of occupation between the Comox Valley Canoe Racing Club and the City of Courtenay for the shared use of the property having a legal description of, portion of PID: 004-154-665, Lot 1, Section 68, Comox District, Plan 15512; and,
- b. a licence of occupation between the Comox Valley Rowing Club and the City of Courtenay for shared use of the property having a legal description of, portion of PID: 004-154-665, Lot 1, Section 68, Comox District, Plan 15512; and,

THAT staff provide public notice to satisfy the statutory advertising requirements for the disposition of City Lands as per Section 24, 26, and 94 of the *Community Charter*; and,

THAT the Mayor and Corporate Officer be authorized to execute all documentation relating to the lease.

Carried

4.2 Development Services

4.2.1 Updated Proposal - Development Permit with Variances No. 1908 - 2800 Arden Road (3060-20-1908)

Moved By Frisch

Seconded By McCollum

THAT based on the February 16th, 2021 staff report entitled "Updated Proposal - Development Permit with Variances No. 1908 - 2800 Arden Road" Council directs the applicant to re-engage the neighbourhood regarding the reduction in the number of units and provide a summary of neighbourhood comments prior to Council's consideration of the proposal.

Carried with Councillor Theos opposed

5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

5.1 COVID Relief Funding - Softball BC

Moved By McCollum

Seconded By Frisch

THAT the correspondence received January 8th, 2021 from Softball BC regarding a request to provide financial support for softball athletes representing British Columbia at the 2022 Canada Summer Games in Niagara, Ontario, be received for information.

Carried

New motion:

Moved By Hillian

Seconded By Cole-Hamilton

THAT in response to the correspondence received January 8th, 2021 from Softball BC requesting financial support for softball athletes representing British Columbia at the 2022 Canada Summer Games in Ontario;

THAT Council direct staff to write a letter advising Softball BC of the City's Grant-in-Aid program for organizations seeking financial support from the City; and, informing them that applications for 2021 are not being considered as a result of lost revenue due to the COVID-19 pandemic; subsequently their request for financial support be denied due to the cancellation of the 2021 Grant-in-Aid program.

Carried

5.2 Help Cities Lead - Climate Caucus

Moved By Frisch

Seconded By McCollum

THAT Council endorse the "Help Cities Lead" education and awareness campaign proposed by Climate Caucus in their correspondence dated January 20th, 2021; and,

THAT Council direct staff to send a letter of support to the Minister of Municipal Affairs; Minister of Environment and Climate Change Strategy; Minister of Finance; Minister of Energy Mines and Low Carbon Innovation; and, Attorney General and Minister Responsible for Housing, in response to Climate Caucus' "Help Cities Lead" education and awareness campaign to accelerate building decarbonization through collaboration between the Province of British Columbia and local governments.

Carried

4:43 p.m. - Councillor Cole-Hamilton recused himself from the video/audio conference meeting citing a possible conflict of interest as he is a Director for the Climate Caucus Board and sits on the Steering Committee of Help Cities Lead and PACE BC.

4:46 p.m. - Councillor Cole-Hamilton returned to the video/audio conference meeting to participate in the discussion after Council and City staff determined that his recusal did not meet the criteria noted in the statutory provisions under the City's *Council Conflict of Interest Policy*. Councillor Cole-Hamilton returned in time to vote.

5.3 Property Assessed Clean Energy (PACE) BC

Moved By Cole-Hamilton

Seconded By McCollum

THAT in response to Property Assessed Clean Energy (PACE) BC's request for municipal support for province-wide, third-party enabling legislation to the BC government, Council direct staff to send a letter of support including the following resolution to the provincial government:

WHEREAS the City of Courtenay has shown itself to be a climate leader by taking many steps including placing a climate lens in our Official Community Plan;

WHEREAS retrofitting buildings across B.C. is crucial to reducing green-house gas (GHG) emissions and meeting our provincial climate targets;

WHEREAS upfront costs of retrofitting homes and businesses for climate resilience are cost prohibitive to many of our property owners, and Property Tax Assisted Clean Energy (PACE) lowers barriers to implementing GHG reductions adding value to buildings and making them more desirable places to live or work;

WHEREAS PACE BC is working with interested municipalities across B.C. to assist in the establishment of a successful province-wide PACE program that meets the needs of residents and that local governments of all sizes can participate in with minimal start-up costs or staff time;

WHEREAS PACE and the resulting ecosystem of retrofitting programs would create well-paying green jobs during a just recovery from the COVID-19 pandemic and a just transition away from fossil fuel infrastructure-related jobs;

THEREFORE, BE IT RESOLVED THAT the City of Courtenay write a letter to the Ministry of Environment, the Minister of Energy, Mines and Low Carbon Innovation, the Minister of Municipal Affairs, Minister of Housing and PACE BC expressing support for B.C. legislation enabling PACE by third-party administration and confirming the City of Courtenay's interest in having a PACE program when it becomes available in B.C.

Carried

5.4 Letter from David Eby, Attorney General and Minister Responsible for Housing, Ministry of Attorney General RE: 2020 Comox Valley Homeless Count Data

Moved By McCollum

Seconded By Morin

THAT the letter dated January 26th, 2021 from David Eby, Attorney General and Minister Responsible for Housing, Ministry of Attorney, regarding the 2020 Comox Valley homeless count data, be received for information.

Carried

5.5 Erik Eriksson - 5th Street Bridge Rehabilitation Project Petition (5400-02)

Moved By Frisch

Seconded By McCollum

THAT the petition from Erik Eriksson requesting rehabilitation work for the City of Courtenay's 5th Street Bridge Rehabilitation Project be postponed to Summer 2022, be received for information.

Carried with Councillors Hillian, McCollum and Morin opposed.

New motion:

Moved By Morin

Seconded By Hillian

THAT in response to the petition submitted by Erik Eriksson requesting the rehabilitation work for the City of Courtenay's 5th Street Bridge Rehabilitation Project be postponed to Summer 2022, Council direct staff to coordinate with the Downtown Courtenay Business Improvement Association (DCBIA) Board on a communications plan to inform downtown business owners of the reasons for moving ahead with the 5th Street Bridge Rehabilitation Project in 2021.

Carried

5.6 Mothers Against Drunk Driving (MADD) Comox Valley Chapter - MADD Canada's Crashed Car Awareness Campaign

Moved By Frisch

Seconded By Hillian

THAT the correspondence received February 9th, 2021 from Leslie Wells, President, Mothers Against Drunk Driving (MADD) Comox Valley Chapter regarding MADD Canada's Crashed Car Awareness Campaign, be received for information.

Carried

New motion:

Moved By Hillian

Seconded By Frisch

THAT in response to the correspondence received February 9th, 2021 from Mothers Against Drunk Driving (MADD) Comox Valley Chapter, Council support MADD Canada's Crashed Car Awareness Campaign by displaying their wrapped crashed car in Spring 2021; and

THAT Council direct staff to work with MADD Comox Valley Chapter to investigate a safe and highly visible location for the display of the wrapped crashed car to raise awareness of the dangers of impaired driving.

Carried

5.7 2021 Comox Valley Water Committee Voting Structure (0360-20)

Moved By Cole-Hamilton

Seconded By Morin

THAT the letter dated February 2nd, 2021 from the Comox Valley Regional District (CVRD) advising no changes to the 2021 Comox Valley Water Committee voting structure, 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 Hillian

Councillor Hillian mentioned the significant snowfall received in the Comox Valley recently and commended City staff for their excellent work in keeping the roadways clear.

7.2 Councillor Morin

Councillor Morin participated in the following events:

- Comox Lake Watershed Advisory Group meeting
- Comox Valley Coalition to End Homelessness (CVCEH) meeting
- Comox Valley Drug Strategy Committee meeting
- CVRD Active Transportation Network Plan Virtual Open House
- Comox Valley Sewage Commission meeting (Financial Planning)
- Comox Valley Recreation Commission meeting (Financial Planning)
- CVRD Board meeting
- Comox Valley Food Policy Council meeting
- Lunch and Learn session with Staff and Council regarding the Official Community Plan (OCP)
- 7th Annual Women's Memorial March (Adapted to follow COVID-19 safety protocols)

7.3 Mayor Wells

Mayor Wells acknowledged the recent passing of a local Rotarian and volunteer, Bent Harder, who made significant contributions to the community during his time in the Comox Valley.

8. RESOLUTIONS OF COUNCIL

8.1 Councillor Theos - Resolution - Traffic Calming - Crown Isle Community Pilot Project (5400-20)

Moved By Frisch

Seconded By Theos

WHEREAS Local Governments on Vancouver Island, Municipalities throughout British Columbia and Canada have reduced speed limits on local roads to improve livability and increase safety, and,

WHEREAS the Crown Isle Community has expressed a strong desire to reduce the speed limit within its neighbourhood, and,

WHEREAS reducing the speed limit in the Crown Isle Community to 40 km/h will improve neighbourhood livability, increase road safety, support non-vehicular use such as cyclists and pedestrians, reduce neighbourhood noise levels, increase community interaction and reduce infrastructure costs;

THEREFORE BE IT RESOLVED THAT Council direct Staff to report on a strategy to implement a three year reduced speed limit Pilot Project in the Crown Isle Community.

Carried

8.2 Rise and Report - Kus-kus-sum Declaration of Bare Trust and Agency Agreement - Comox Valley Watershed Society, K'omoks First Nation and Corporation of the City of Courtenay (0400-20)

Moved By Hillian

Seconded By Cole-Hamilton

That per the February 11th, 2021 Closed (In Camera) Meeting - Council Rises and Reports as follows:

THAT based on the February 11th, 2021 confidential staff report "Kus-kus-sum Declaration of Bare Trust and Agency Agreement" Council approve OPTION 1 as follows:

THAT given that Council wishes to partner with the K'omoks First Nation to protect, preserve and enhance the natural treasure known as the Kus-kus-sum, and to acknowledge the preservation work of the Project Watershed Society, Council resolves:

1. to enter into the Declaration of Bare Trust and Agency Agreement dated for reference February 16, 2021 between Project Watershed Society, the K'omoks First Nation, and the Corporation of the City of Courtenay;
2. to acknowledge the terms and conditions of the purchase agreement dated for reference February 16, 2021 between Project Watershed Society and Interfor Corp. that is referred to in the trust agreement; and,

THAT pending a Council decision and final agreement among the Parties, that Council rise and report at a future open Council meeting and communicate the accepted agreement through a joint media release.

Carried

8.3 In Camera Meeting

Moved By McCollum

Seconded By Cole-Hamilton

That a Special In-Camera meeting closed to the public will be held February 16th, 2021 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) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Carried

9. UNFINISHED BUSINESS

9.1 2021 Association of Vancouver Island and Coastal Communities (AVICC) Virtual AGM & Convention - Call for Resolutions

Discussion regarding the "2021 Association of Vancouver Island and Coastal Communities (AVICC) Virtual AGM & Convention - Call for Resolutions" and a reminder for Council to submit their resolutions to the Corporate Officer prior to the February 26th, 2021 deadline.

10. NOTICE OF MOTION

11. NEW BUSINESS

12. BYLAWS

12.1 For Third Reading

12.1.1 Official Community Plan Amendment Bylaw No. 2996, 2020 - 2700 Mission Road

Moved By Frisch

Seconded By McCollum

THAT "Official Community Plan Amendment Bylaw No. 2996, 2020" pass third reading.

The main motion was not voted on following a new motion to postpone third reading of Bylaw Nos. 2996 and Bylaw No. 2997.

New motion:

Moved By Hillian

Seconded By Theos

THAT third reading of "Official Community Plan Amendment Bylaw No. 2996, 2020" AND third reading of "Zoning Amendment Bylaw No. 2997, 2020" be postponed to a future Council meeting; and,

THAT Council direct staff to consult with the Applicant on a smaller scale development, primarily relating to the proposed apartment building.

Carried

12.1.2 Zoning Amendment Bylaw No. 2997, 2020 - 2700 Mission Road

See Item 12.1.1 for new motion to postpone third reading of "Zoning Amendment Bylaw No. 2997, 2020".

13. ADJOURNMENT

Moved By McCollum

Seconded By Cole-Hamilton

That the meeting now adjourn at 7:21 p.m.

Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 1st day of March, 2021

Mayor