

R17/2021 - September 27, 2021

Minutes of a Regular Council Meeting

Meeting #: R17/2021
Date: September 27, 2021
Time: 4:01 pm
Location: City Hall Council Chambers and via video/audio conference

Attending:

Mayor: B. Wells
Councillors: W. Cole-Hamilton
D. Frisch
D. Hillian
M. McCollum
W. Morin
M. Theos

Staff: G. Garbutt, CAO
I. Buck, Director of Development Services, via video/audio conference
C. Davidson, Director of Engineering Services, via video/audio conference
K. Macdonald, Fire Chief, 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
S. Saunders, Director of Recreation, Culture & Community Services, via video/audio conference
K. Shaw, Director of Public Works Services, via video/audio conference
N. Borecky, Manager of Information Systems, via video/audio conference
M. Fitzgerald, Manager of Development Planning, via video/audio conference
T. Sweeney, Manager of Building & Administrative Services, via video/audio conference
R. Matthews, Executive Assistant/Deputy Corporate Officer, via video/audio conference

In acknowledgment of the National Day of Truth and Reconciliation on September 30th, 2021, the Mayor made the following statement:

“This coming Thursday, September 30th, the City of Courtenay will observe the National Day for Truth and Reconciliation. The City of Courtenay will close on this day as our Council, employees, and community take time to reflect on the intergenerational trauma of residential schools, and how we can collectively work towards Reconciliation.”

R17/2021 - September 27, 2021

As we approach the National Day for Truth and Reconciliation, our Council is pausing to reflect on the meaning of this day, which will honour the lost children and survivors of residential schools, their families, loved ones, and communities.

The immeasurable pain caused by Canada's residential school program is far-reaching for Indigenous peoples. Each new discovery of an undocumented and unmarked grave of these lost children has reopened these wounds and further deepened the ongoing trauma caused by residential schools on children, families, and communities.

Our collective commitment to Reconciliation must begin by acknowledging the tremendous harms suffered by generations of Indigenous peoples over hundreds of years, and the impacts of colonialism and systemic racism that continue to this day.

Our Council is deeply committed to continued strengthening of our relationship with K'ómoks First Nation, on whose unceded territory we reside, as well as other Indigenous peoples living on these lands.

September 30th is also Orange Shirt Day. This annual event was spearheaded by residential school survivor Phyllis Webstad to recognize the harm caused by the residential school system. We encourage everyone to wear orange shirts on this day to honour all victims of residential schools - the survivors, and those children who lost their lives.

We also urge all members of our community to recognize this day by learning and reflecting on the immeasurable damage caused by residential schools, as well as racism and bias in all its forms. This may take the form of quiet reflection, education or participating in a community event. This work is necessary to help us move forward on a journey towards Reconciliation and healing - and a more inclusive and equitable society for all.

Thank you."

Following the Mayor's statement, a member of Council distributed handcrafted tokens gifted from Kindergarten students from Ecole Puntledge Park Elementary school; the tokens are intended to remind Council of the importance of reconciliation.

1. ADOPTION OF MINUTES

1.1 Adopt September 7th, 2021 Regular Council meeting minutes (0570-03)

Moved By McCollum

Seconded By Frisch

THAT the September 7th, 2021 Regular Council meeting minutes be adopted.

Carried

1.2 Adopt September 7th, 2021 Special Council meeting minutes (0570-03)

Moved By McCollum

Seconded By Frisch

THAT the September 7th, 2021 Special Council meeting minutes be adopted.

Carried

2. INTRODUCTION OF LATE ITEMS

3. DELEGATIONS

3.1 Comox Valley Art Gallery RE: Annual Operations

Glen Sanford, Executive Director, presented information regarding the Comox Valley Art Gallery's annual operations including programs and projects the gallery has undertaken.

3.2 Courtenay & District Museum RE: Annual Operations

Deborah Griffiths, Executive Director, presented information regarding the Courtenay and District Museum's 2021 Annual Report, including its operations, financial reporting, programs, projects and special events.

3.3 Comox Valley United Soccer Club RE: Need for Additional Facilities

Stefan Szkwarek, President, presented information regarding the club's need for additional facilities due to a current lack of all-weather facilities and more sports clubs competing for these facilities. The Comox Valley United Soccer Club asked Council to consider working together to develop a concept for an all-weather facility suitable for year-round play, funding for this initiative, and to conduct an analysis of the use of existing outdoor recreational space in the City of Courtenay.

Councillor Frisch left Council Chambers at 5:09 p.m.

Councillor returned to Council Chambers and took his seat at 5:11 p.m.

4. STAFF REPORTS/PRESENTATIONS

4.1 CAO and Legislative Services

4.1.1 2019-2021 City of Courtenay Strategic Plan Review and Update (0620-20)

Moved By Hillian

Seconded By Cole-Hamilton

THAT the September 27th, 2021 staff report “2019-2021 City of Courtenay Strategic Plan Review and Update” be received for information; and,

THAT the 2019-2022 Strategic Priorities Chart be amended as outlined in Schedule No. 3.

Carried

4.2 Development Services

4.2.1 Official Community Plan (OCP) Amendment Bylaw No. 3028 and Zoning Amendment Bylaw No. 3029 - 1679 McPhee Avenue (Wachiay Friendship Centre's Affordable Housing Project) (6480-20-2101 & 3360-20-2101)

Moved By Frisch

Seconded By Cole-Hamilton

THAT the September 27th, 2021 staff report "Official Community Plan (OCP) Amendment Bylaw No. 3028 and Zoning Amendment Bylaw No. 3029 - 1679 McPhee Avenue" be received for information.

Carried

Roger Kishi, Program Coordinator, Wachiay Friendship Centre; Lindsay Monk, Manager of Development, M'akola Development Services; Jamie Bégin, Project Coordinator, M'akola Development Services; and, Maris MacDonald, Principal, MacDonald Haggarty Architects Ltd. presented information regarding the rezoning application at 1679 McPhee Avenue (Wachiay Friendship Centre Affordable Housing Project).

Moved By Hillian

Seconded By Cole-Hamilton

THAT based on the September 27th, 2021 staff report, “OCP Amendment Bylaw No. 3028 and Zoning Amendment Bylaw No. 3029 - 1679 McPhee Avenue” Council approve OPTION 1 and complete the following steps:

R17/2021 - September 27, 2021

1. THAT Council give First and Second Reading of “OCP Amendment Bylaw No. 3028” to designate the subject property as “Multi Residential”;
2. THAT Council give First and Second Reading of “Zoning Amendment Bylaw No. 3029” to create a new CD-34 Zone and rezone the subject property to CD-34; and
3. THAT Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaws.

Carried

VARY AGENDA

Moved By Cole-Hamilton

Seconded By McCollum

THAT Council vary the order of the September 27th, 2021 Regular Council agenda to immediately consider for First and Second Reading:

- Item 12.1.1 Official Community Plan Amendment Bylaw No. 3028, 2021 - 1679 McPhee Avenue (*Under 12. Bylaws*); and,
- Item 12.1.2 Zoning Amendment No. 3029, 2021 - 1679 McPhee Avenue (*Under 12. Bylaws*).

Carried

12.1.1 Official Community Plan Amendment Bylaw No. 3028, 2021 (1679 McPhee Avenue); AND,

12.1.2 Zoning Amendment Bylaw No. 3029, 2021 (1679 McPhee Avenue)

Moved By McCollum

Seconded By Cole-Hamilton

THAT “Official Community Plan Amendment Bylaw No. 3028, 2021” AND “Zoning Amendment Bylaw No. 3029, 2021” pass first and second reading.

Carried

**4.2.2 Updated Proposal - Zoning Amendment Bylaw No. 3030 - 3040
Kilpatrick Avenue (3360-20-2102)**

Moved By Cole-Hamilton

Seconded By McCollum

THAT the September 27th, 2021 staff report “Updated Proposal - Zoning Amendment Bylaw No. 3030 - 3040 Kilpatrick Avenue” be received for information.

Carried

Moved By Frisch

Seconded By Cole-Hamilton

THAT based on the September 27th, 2021 staff report “Updated Proposal - Zoning Amendment Bylaw No. 3030 - 3040 Kilpatrick Avenue” and the September 7th, 2021 staff report “Zoning Amendment Bylaw No. 3030 - 3040 Kilpatrick Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3030, 2021; and

THAT Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw.

Carried

VARY AGENDA

Moved By Frisch

Seconded By McCollum

THAT Council vary the order of the September 27th, 2021 Regular Council agenda to immediately consider for First and Second Reading, Item 12.1.3 Zoning Amendment No. 3030, 2021 - 3040 Kilpatrick Avenue (*Under 12. Bylaws*).

Carried

12.1.3 Zoning Amendment Bylaw No. 3030, 2021 (3040 Kilpatrick Avenue)

Moved By McCollum

Seconded By Frisch

THAT “Zoning Amendment Bylaw No. 3030, 2021” pass first and second reading.

Carried

4.2.3 Zoning Amendment Bylaw No. 3040 to allow for a carriage house at 1236 Malahat Drive (3360-20-2106)

Moved By Frisch

Seconded By Cole-Hamilton

THAT based on the September 27th, 2021 staff report “Zoning Amendment Bylaw No. 3040 to allow for a carriage house at 1236 Malahat Drive” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3040, 2021; and,

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3040.

Carried

Councillor Cole-Hamilton left Council Chambers at 6:50 p.m.

Councillor Cole-Hamilton returned to Council Chambers and took his seat at 6:52 p.m.

Councillor McCollum left Council Chambers at 6:56 p.m.

Councillor McCollum returned to Council Chambers and took her seat at 6:57 p.m.

4.2.4 Encroachment Agreements for Endure Projects Inc. BC1227832, 397 5th Street (2240-30)

Moved By Hillian

Seconded By Frisch

THAT based on the September 27th staff report “Encroachment Agreements for Endure Projects Inc. BC1227832, 397 5th Street”, Council approve OPTION 1 and authorize:

- One subsurface encroachment agreement and a second aerial encroachment agreement with associated section 219 *Land Title Act* restrictive covenant registered against 397 5th Street, Lot A Section 61 Comox District Plan EPP102945, and;

THAT staff proceed with the statutory notice requirements in accordance with sections 24, 26(3) and 94 of the Community Charter and;

THAT the Mayor and an Officer of the City be authorized to execute all documentation relating to the agreements.

Carried

4.3 Financial Services

4.3.1 Municipal Regional District Tax (MRDT) Service Contract with Tourism Vancouver Island (TVI) and CVRD Memorandum of Understanding (MOU) (6900-01)

Moved By Frisch

Seconded By Morin

THAT based on the September 27th, 2021 staff report "Municipal and Regional District Tax (MRDT) Service Contract with Tourism Vancouver Island (TVI) and CVRD MOU" that Council endorse the agreement with Tourism Vancouver Island and Memorandum of Understanding (MOU) including the Comox Valley Regional District; and,

THAT the Mayor and the Deputy Corporate Officer be authorized to sign all required documentation.

Carried

The Council meeting recessed at 7:15 p.m.

The meeting reconvened at 7:44 p.m.

4.4 Public Works Services

4.4.1 Speed Limit Reduction Pilot Project - Crown Isle (5400-13)

Moved By Frisch

Seconded By Morin

THAT the September 27th, 2021 staff report "Speed Limit Reduction Pilot Project - Crown Isle" be received for information.

Carried

Moved By McCollum

Seconded By Frisch

THAT Council direct staff to install 40 km/h signs on Crown Isle Drive and Royal Vista Way, including ongoing maintenance and evaluation, for one year and report back to determine if the speed limit reduction is effective.

Carried

5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

5.1 Ambulance Paramedics of British Columbia - Emergency Paramedics and Dispatchers

Moved By Hillian

Seconded By McCollum

THAT in response to the correspondence received September 3rd, 2021, Council direct staff to write to the Honourable Adrian Dix, Minister of Health, on behalf of Ambulance Paramedics of British Columbia to advocate for enhanced paramedic services to the extent required to assure adequate staffing and employee support, thus ensuring effective service to our community.

Carried

6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

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

7.1 Councillor Cole-Hamilton

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

- Youth Climate March on Sept 24 organized by the Comox Valley Youth Climate Council

7.2 Councillor Morin

Councillor Morin participated in the following events since July 27th, 2021:

- Call with Nicole Luongo re: Substance Use Policy project
- CVRD Board meeting (3 total)
- Comox Valley Recreation Commission Electric Zamboni launch at the Comox Valley Sports Centre
- Comox Valley Food Policy Committee meeting
- Comox Valley Water Committee Agenda Review meeting (2 total)
- Comox Valley Sewage Commission meeting (2 total)
- Comox Valley Water Committee meeting (2 total)
- Comox Valley Recreation Commission meeting
- *International Overdose Awareness Day* event at the Comox Valley Art Gallery's outdoor plaza
- Meeting with Councillor Hillian and resident re: food security policy
- UBCM Provincial Minister meetings (3 total) as part of the virtual 2021 UBCM Convention

- Comox Strathcona Waste Management Board meeting
- CVRD Coastal Flood Adaptation Stakeholder and Partner Engagement session
- UBCM meeting with BC Hydro as Chair of the CVRD Water Committee
- 17th Street Bike Lane Design - Coffee and Learn with staff
- Community Listening event in Comox, hosted by Jonathan Kerr
- Kus-kus-sum fundraiser dinner
- Farm to Table dinner fundraiser for LUSH Food Action Society
- City of Courtenay Strategic Planning session with staff
- Virtual 2021 UBCM Convention
- Comox Valley Water Treatment Plant opening ceremony
- Youth Climate March last Friday hosted by Youth Climate Council

7.3 Mayor Wells

Mayor Wells reviewed his attendance at the following events:

- Habitat for Humanity Groundbreaking Ceremony - 1330 Lake Trail Road
- UBCM Provincial Minister meetings during the virtual 2021 UBCM Convention

8. RESOLUTIONS OF COUNCIL

8.1 In Camera Meeting

Moved By Cole-Hamilton

Seconded By Frisch

That a Special In-Camera meeting closed to the public will be held September 27th, 2021 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- 90 (1) (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- 90 (1) (c) labour relations or other employee relations.

Carried

9. UNFINISHED BUSINESS

10. NOTICE OF MOTION

11. NEW BUSINESS

11.1 Development Application Procedures Amendment Bylaw No. 3052, 2021

Moved By Frisch

Seconded By Morin

WHEREAS “Development Application Procedures Bylaw No. 2790, 2014” delegates various authorities to the Director of Development Services; and

WHEREAS Council desires to allow for the efficient oversight and approval of development applications in the absence of the Director of Development Services due to annual vacations, medical leave or other vacancy of the position;

NOW THEREFORE Council gives “Development Application Procedures Amendment Bylaw No. 3052, 2021” First, Second and Third Readings to amend “Development Application Procedures Bylaw No. 2790, 2014” to replace all references to the Director of Development Services with “Director responsible for overseeing development services or in their absence the Chief Administrative Officer”.

Carried

12. BYLAWS

12.1 For First and Second Reading

12.1.4 Zoning Amendment Bylaw No. 3040, 2021 (1236 Malahat Drive)

Moved By Frisch

Seconded By Morin

THAT "Zoning Amendment Bylaw No. 3040, 2021" pass first and second reading.

Carried

12.2 For First, Second and Third Reading

8:40 p.m. Councillors Hillian and Morin recused themselves citing a possible conflict of interest as Councillor Hillian is involved with one of the organizations applying for the permissive tax exemption in 2022; and, Councillor Morin is employed by two of the organizations applying for the permissive tax exemption in 2022.

12.2.1 Tax Exemption 2022 Bylaw No. 3047, 2021

Moved By Cole-Hamilton

Seconded By McCollum

THAT "Tax Exemption 2022 Bylaw No. 3047, 2021" pass first, second and third reading.

Carried

12.2.2 Tax Exemption Churches 2022 Bylaw No. 3048, 2021

Moved By McCollum

Seconded By Cole-Hamilton

THAT "Tax Exemption 2022 Bylaw No. 3047, 2021" pass first, second and third reading.

Carried

12.2.3 2022-2031 Tax Exemption Bylaw No. 3049, 2021

Moved By Cole-Hamilton

Seconded By Frisch

THAT "2022-2031 Tax Exemption Bylaw No. 3049, 2021" pass first, second and third reading.

Carried

13. ADJOURNMENT

Moved By McCollum

Seconded By Frisch

THAT the meeting now adjourn at 8:41 p.m.

Carried

CERTIFIED CORRECT

Deputy Corporate Officer

Adopted this 4th day of October, 2021

Mayor

