

**R24/2021 - December 6, 2021**

**Minutes of a Regular Council Meeting**

**Meeting #:** R24/2021  
**Date:** December 6, 2021  
**Time:** 4:00 pm  
**Location:** CVRD Civic Room, 770 Harmston Ave, Courtenay and via video/audio conference

**Attending:**

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

**Staff:** K. O'Connell, Director of Corporate Support Services/Acting CAO  
J. Nelson, Director of Financial Services, via video/audio conference  
S. Saunders, Director of Recreation, Culture & Communities Services via video/audio conference  
K. Shaw, Director of Public Works Services  
A. Berard, Manager of Financial Planning, Payroll & Business Performance  
T. Setta, Manager of Community and Sustainability Planning, via video/audio conference  
R. Matthews, Deputy Corporate Officer  
N. Borecky, Manager of Information Systems, via video/audio conference  
E. Hayden, Executive Assistant

The Mayor respectfully acknowledged the lands on which the meeting was conducted is the Unceded traditional territory of the K'ómoks First Nation.

On behalf of Council, the Mayor wished the City's Director of Financial Services, Jennifer Nelson, all the best and thanked her for her service during her over 18 years with the City as she embarks on a new opportunity with the Comox Valley Regional District.

**Vary Agenda:**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council vary the order of the December 6<sup>th</sup>, 2021 Regular Council Agenda so that the following items are considered before Item 4.1.1 *Earl Naswell Community Christmas Dinner Request to use Florence Filberg Centre* (Under Item 4. Staff Reports/Presentations and Item 4.1 Recreation, Culture and Community Services):

- Item 4.3.1 *Release of Covenant Restricting Secondary Suite - 2948 Cascara Crescent* (Under Item 4. Staff Reports/Presentations and Item 4.3 Development Services)
- Item 4.3.2 *Updated Proposal Development Permit with Variances No. 2107 - 1600 Riverside Lane* (Under Item 4.3 Development Services)
- Item 12.2.1 *Zoning Amendment Bylaw No. 3021, 2021 (2099 Hawk Drive)* (Under 12. Bylaws and 12.2 For Third Reading)
- Item 12.2.2 *Zoning Amendment Bylaw No. 3043, 2021 (1544 Dingwall Road)* (Under 12. Bylaws and 12.2 For Third Reading)
- Item 12.3.1 *Zoning Amendment Bylaw No. 3021, 2021 (2099 Hawk Drive)* (Under 12. Bylaws and 12.3 For Final Adoption); and,
- Item 12.3.2 *Zoning Amendment Bylaw No. 3043, 2021 (1544 Dingwall Road)* (Under 12. Bylaws and 12.3 For Final Adoption)

**Carried**

**1. ADOPTION OF MINUTES**

**1.1 Adopt November 29<sup>th</sup>, 2021 Regular Council meeting minutes (0570-03)**

**Moved By** Hillian

**Seconded By** Morin

THAT the November 29<sup>th</sup>, 2021 Regular Council meeting minutes be adopted.

**Carried**

**1.2 Adopt December 3<sup>rd</sup>, 2021 Special Council meeting minutes (0570-03)**

**Moved By** Hillian

**Seconded By** Morin

THAT the December 3<sup>rd</sup>, 2021 Special Council meeting minutes be adopted.

**Carried**

2. INTRODUCTION OF LATE ITEMS

3. DELEGATIONS

3.1 Comox Valley Project Watershed Society RE: Kus-kus-sum Restoration

Caitlin Pierzchalski, Executive Director; Jennifer Sutherst, Estuary Coordinator/ Staff Biologist; and, Tim Ennis, Project Manager, Comox Valley Project Watershed Society, provided an update on the Kus-kus-sum Restoration project, including:

- Land acquisition
- Restoration/ecological goals
- Restoration plan (three phases):
  - Hard surface removal (Phase 1 - 2021)
  - Earth works and planting (Phase 2 - 2022)
  - Planting and re-connecting to river (Phase 3 - 2023); and,
- Funding status and budget

4.3 Development Services

4.3.1 Release of Covenant Restricting Secondary Suite - 2948 Cascara Crescent (3010-01)

**Moved By** Frisch

**Seconded By** McCollum

THAT based on the December 6, 2021 staff report “Release of covenant restricting secondary suite - 2948 Cascara Crescent”, Council approve Option 1 and direct staff to release covenant CA2451158 from Lot 7, District Lot 236, Comox District, Plan EPP17584 (2948 Cascara Crescent).

**Carried**

4.3.2 Updated Proposal Development Permit with Variances No. 2107 - 1600 Riverside Lane (3060-20-2107)

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT the December 6<sup>th</sup>, 2021 staff report “Development Permit with Variances No. 2107 - 1600 Riverside Lane” be received for information.

**Carried**

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

THAT based on the December 6<sup>th</sup>, 2021 staff report “Development Permit with Variances No. 2107 - 1600 Riverside Lane”, Council approve OPTION 2 and DEFER consideration of Development Permit with Variances No. 2107 pending receipt of further information.

**Carried with Mayor Wells, Councillor Hillian, and Councillor Theos opposed**

**12.2 For Third Reading**

**12.2.1 Zoning Amendment Bylaw No. 3021, 2021 (2099 Hawk Drive)**

**Moved By Frisch**  
**Seconded By Cole-Hamilton**

THAT "Zoning Amendment Bylaw No. 3021, 2021" pass third reading.  
**Carried**

**12.2.2 Zoning Amendment Bylaw No. 3043, 2021 (1544 Dingwall Road)**

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

THAT "Zoning Amendment Bylaw No. 3043, 2021" pass third reading.  
**Carried**

**12.3 For Final Adoption**

**12.3.1 Zoning Amendment Bylaw No. 3021, 2021 (2099 Hawk Drive)**

**Moved By Frisch**  
**Seconded By Cole-Hamilton**

THAT "Zoning Amendment Bylaw No. 3021, 2021" be finally adopted.  
**Carried**

**12.3.2 Zoning Amendment Bylaw No. 3043, 2021 (1544 Dingwall Road)**

**Moved By** Hillian  
**Seconded By** Morin

THAT "Zoning Amendment Bylaw No. 3043, 2021" be finally adopted.  
**Carried**

**4. STAFF REPORTS/PRESENTATIONS**

**4.1 Recreation, Culture and Community Services**

**4.1.1 Earl Naswell Community Christmas Dinner Request to use Florence Filberg Centre (7900-02 Florence Filberg Centre)**

**Moved By** Frisch  
**Seconded By** Cole-Hamilton

THAT based on the December 6<sup>th</sup>, 2021 staff report, "Earl Naswell Community Christmas Dinner Request to use Florence Filberg Centre," Council approve OPTION 1 and direct staff to not enforce the rental fee rate as outlined in the Recreation Facility Rental and User Fee Bylaw No. 1673, 1992 for the 2021 Earl Naswell Community Christmas Dinner; and,

THAT staff advise the organizers of the Earl Naswell Community Christmas Dinner to apply for a Grant in Aid for future year events instead of requesting a waiving of the facility rental fees.

**Carried**

*Councillor McCollum left the CVRD Civic Room at 5:25 p.m.*

*Councillor McCollum returned to the CVRD Civic Room and took her seat at 5:27 p.m.*

**4.2 CAO and Legislative Services**

**4.2.1 2022 Council Meeting Calendar (0570-01)**

**Moved By** Frisch  
**Seconded By** Hillian

THAT based on the December 6<sup>th</sup>, 2021 staff report "2022 Council Meeting Calendar" Council approve Option 1 and set the 2022 Council meeting calendar as outlined in Appendix A of the report; and,

THAT the meetings identified in the 2022 Council Meeting Calendar be held at 4:00 p.m. in the Civic Room at the Comox Valley Regional District administrative building located at 770 Harmston Avenue, Courtenay, BC, unless otherwise posted.

**Carried**

#### **4.4 Engineering Services**

##### **4.4.1 Air Quality and Wood Smoke in the Comox Valley (5335-20)**

**Moved By** McCollum

**Seconded By** Frisch

THAT the December 6<sup>th</sup>, 2021 staff report “Air Quality and Wood Smoke in the Comox Valley” be received for information.

**Without objection, Council received the report for information.**

*Councillor Frisch left the CVRD Civic Room at 6:19 p.m.*

*Councillor Frisch returned to the CVRD Civic Room and took his seat at 6:21 p.m.*

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT based on the December 6<sup>th</sup>, 2021 staff report “Air Quality and Wood Smoke in the Comox Valley” Council approve OPTION 1, and direct staff to:

1. Represent the City of Courtenay at Regional Airshed Committee meetings; and
2. Support the development of a Regional Airshed Protection Strategy.
3. Send correspondence to the regional district encouraging them to adopt regulatory bylaws for the Electoral Areas to limit activities that contribute to poor air quality in the region. This includes: bylaws limiting the installation of new woodstoves, restrictions on backyard burning and non-agricultural or forestry related land clearing burning.

**(Amended)**

Arising from discussion, the following amendment was introduced:

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT based on the December 6, 2021 staff report “Air Quality and Wood Smoke in the Comox Valley” Council approve OPTION 1, and direct staff to:

1. Continue to represent the City of Courtenay at Regional Airshed Committee meetings; and
2. Continue to support the development and upcoming implementation of a Regional Airshed Protection Strategy.
3. Send correspondence to the regional district encouraging them to adopt regulatory bylaws for the Electoral Areas to limit activities that contribute to poor air quality in the region. This includes: bylaws limiting the installation of new woodstoves, restrictions on backyard burning and non-agricultural or forestry related land clearing burning.

**Carried**

Upon approval of the amendment, Council then considered the motion as amended:

THAT based on the December 6, 2021 staff report “Air Quality and Wood Smoke in the Comox Valley” Council approve OPTION 1, and direct staff to:

1. Continue to represent the City of Courtenay at Regional Airshed Committee meetings; and
2. Continue to support the development and upcoming implementation of a Regional Airshed Protection Strategy.
3. Send correspondence to the regional district encouraging them to adopt regulatory bylaws for the Electoral Areas to limit activities that contribute to poor air quality in the region. This includes: bylaws limiting the installation of new woodstoves, restrictions on backyard burning and non-agricultural or forestry related land clearing burning.

**Carried**

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

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

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

### 7.1 Councillor Hillian

Councillor Hillian participated in the following events in November:

- Comox Valley Social Planning Society *Brown Bag Lunch* networking meeting
- K'ómoks First Nation (KFN) Main Treaty Table meeting
- Comox Valley Coalition to End Homelessness (CVCEH) monthly meeting
- Official Community Plan (OCP) Study Session (3 total)
- Kus-kus-sum partners meeting
- Comox Valley Recreation Commission meeting
- CVRD Committee of the Whole meeting
- Comox Valley Regional Hospital District Board Agenda Review meeting
- 2021 Remembrance Day ceremony
- Meeting with citizen re: neighbourhood development issue
- Interview with Comox Valley Art Gallery's Youth Media Project re: Downtown Courtenay 'Urbaloo' washroom project
- Comox Strathcona Regional Hospital District Board meeting
- Comox Valley Community Justice Centre Board meeting (2 total)
- Semi-Annual Regional Hospital District Chairs meeting
- CVRD Inaugural Board meeting
- Air Quality and Wood Smoke - Lunch and Learn with staff
- Meeting re: CVRD poverty reduction strategy
- Community to Community Forum hosted in partnership with KFN and CVRD
- *Community Substance Use Strategy Co-Launch with 'Walk with Me' (WWM)* event (WWM is a Comox Valley Art Gallery community action research project focused on addressing the human dimensions of the toxic drug poisoning crisis)
- Comox Valley Community Justice Centre Committee meeting
- CVRD Elected Officials Forum re: mobility in the Comox Valley

Councillor Hillian mentioned his participation in today's 32<sup>nd</sup> commemoration of the 'Montreal Massacre' held at the Comox Valley Art Gallery as part of the *National Day of Remembrance and Action on Violence Against Women in Canada*.

Councillor Hillian also mentioned that he will be facilitating a meeting in the coming week with the Comox Valley Accessibility Committee and Vancouver Island Regional Library (VIRL) Board regarding the Courtenay library renovation to ensure that accessibility is factored into the design and build.

## 7.2 Councillor Morin

Councillor Morin participated in the following events:

- Official Community Plan (OCP) Study Session (3 total)
- Canadian Drug Policy Coalition *Broken Drug Policies* meeting (2 total)
- Comox Valley Community Arts Roundtable re: performing arts
- Comox Strathcona Regional Hospital District Board meeting
- Lake Trail Community Garden & Outdoor Hub presentation
- Lake Trail Community Education Society AGM
- *Moonlight & Magic* event in Downtown Courtenay
- *Community Substance Use Strategy Co-Launch with 'Walk with Me' (WWM)* event (WWM is a Comox Valley Art Gallery community action research project focused on addressing the human dimensions of the toxic drug poisoning crisis) (2 sessions total)
- CVRD Inaugural Board meeting
- Meeting with CVRD Vice-Chair, Arzeena Hamir, and Cumberland Forest Society Executive Director, Meaghan Cursons, re: watershed issues
- CVRD meeting re: poverty reduction plan game-changers follow-up
- Air Quality and Wood Smoke - Lunch and Learn with staff
- Community to Community Forum hosted in partnership with KFN and CVRD
- Green Infrastructure webinar hosted by the Stewardship Centre for BC
- Comox Valley Food Policy Council meeting
- CVRD Elected Officials Forum re: mobility in the Comox Valley
- 'Clearing the Smoke' webinar hosted by the BC Lung Foundation
- Comox Valley Food Policy Council Municipal subcommittee meeting
- Comox-Strathcona Waste Management Board meeting
- Parks & Recreation Master Implementation Plan - Lunch and Learn with staff
- *National Day of Remembrance and Action on Violence Against Women in Canada* vigil at Comox Valley Art Gallery

## 7.3 Mayor Wells

Mayor Wells reviewed his attendance at the following events:

- CVRD Elected Officials Forum re: mobility in the Comox Valley
- *2022 Coldest Night of the Year* event planning launch (event will be held February 26<sup>th</sup>, 2022)
- Annual Downtown Courtenay Christmas parade
- Menorah Lighting event at City Hall hosted by Rabbi Bentzi

**8. RESOLUTIONS OF COUNCIL**

**8.1 In Camera Meeting**

**Moved By** Frisch

**Seconded By** Morin

THAT a Special In-Camera meeting closed to the public will be held December 6, 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) (d) the security of the property of the municipality.

**Carried**

**9. UNFINISHED BUSINESS**

**10. NOTICE OF MOTION**

**11. NEW BUSINESS**

**12. BYLAWS**

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

**12.1.1 City of Courtenay Fees and Charges Amendment Bylaw No. 3055, 2021 (2022 Water User Fees)**

**Moved By** Morin

**Seconded By** Hillian

THAT "City of Courtenay Fees and Charges Amendment Bylaw No. 3055, 2021" pass first, second and third reading.

**Carried**

**12.1.2 City of Courtenay Fees and Charges Amendment Bylaw No. 3056, 2021 (2022 Sanitary Sewer User Fees)**

**Moved By** Cole-Hamilton

**Seconded By** McCollum

THAT "City of Courtenay Fees and Charges Amendment Bylaw No. 3056, 2021" pass first, second and third reading.

**Carried**

**12.1.3 City of Courtenay Fees and Charges Amendment Bylaw No. 3057, 2021 (2022 Solid Waste Collection User Fees)**

**Moved By** Hillian

**Seconded By** McCollum

THAT "City of Courtenay Fees and Charges Amendment Bylaw No. 3057, 2021" pass first, second and third reading.

**Carried**

**13. ADJOURNMENT**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT the meeting now adjourn at 6:58 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Deputy Corporate Officer**

**Adopted this 17<sup>th</sup> day of January, 2022**

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**Mayor**