

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, December 5, 2016 at 4:00 p.m.**

**Attending:**

**Mayor:** L. Jangula  
**Councillors:** E. Eriksson  
D. Frisch  
D. Hillian  
R. Lennox  
M. Theos  
B. Wells

**Staff:** D. Allen, CAO  
J. Ward, Director of Legislative Services/Deputy CAO  
I. Buck, Director of Development Services  
Lesley Hatch, Director of Engineering Services  
B. Parschauer, Director of Financial Services  
D. Snider, Director of Recreation and Cultural Services  
D. Love, Senior Advisor Strategic Initiatives

**1.00 ADOPTION OF THE MINUTES**

MINUTES Moved by Wells and seconded by Lennox that the minutes of the Regular Council meeting held November 21, 2016 and Committee of the Whole minutes of November 28, 2016 be adopted.  
**Carried**

**3.00 DELEGATIONS**

**1. Comox Valley Art Gallery**

John Powell and Sharon Karsten made a presentation to Council outlining the request from the Comox Valley Art Gallery for an increase in funding.

**2. Comox Valley Farmers Institute re: Agriplex Project**

Ben Vanderhorst and Murray Presley reviewed the plans for an Agriplex building on the Comox Valley Regional District exhibition grounds property, and requested a letter of support in principle for the project.

**The meeting recessed at 4:58 p.m. and reconvened at 5:13 p.m.**

Moved by Wells and seconded by Frisch that Council consider the Agriplex delegation request immediately.

**Defeated**

**In Favour - Councillors Theos, Wells and Mayor Jangula**  
**Opposed – Councillors Eriksson, Frisch, Hillian and Lennox**

The meeting recessed at 5:35 p.m. and reconvened at 5:40 p.m.

**4.00 COUNCIL APPOINTMENTS FOR 2017/2018**

Moved by Eriksson and seconded by Theos that Council make the following City of Courtenay appointments for the period December 5, 2016 to November 2018:

**Court of Revision (Frontage Taxes):** Councillor David Frisch, Councillor Rebecca Lennox, Councillor Erik Eriksson (*alternate: Councillor Bob Wells*)

**Heritage Advisory Commission:** Lawrence Burns, Julie Fortin, Judy Hagen, Roberts Smith, Linda Grant, Cliffe Piercy, Debra Griffiths, Ross Dingwall, Andrew Ireson

**Board of Variance:** Joe Schommer, John Wilson, Mike Meyer

**Comox Valley Economic Development Society:** Mayor Larry Jangula (*alternate: Bob Wells*)

**Comox Valley Community Justice Society:** Councillor Doug Hillian (*alternate: Councillor David Frisch*)

**Downtown Courtenay Business Improvement Association:**  
Councillor David Frisch

**Puntledge River Restoration Committee:** Roy Fussell

**Sid Williams Theatre Society:** Neil Havers, Heather McFetridge

**Drug Strategy Committee:** Councillor Doug Hillian

**Comox Valley Social Planning Society:** Councillor Doug Hillian

**Comox Valley Harbour Authority:** John Ward, Director of Legislative Services/Deputy CAO

**Integrated Transportation Advisory Committee:** Councillor David Frisch (*alternate: Councillor Rebecca Lennox*)

**Agricultural Land Review Committee:** Andrea Burch, John Grayson, George Hamilton, Gerry McClintock, Wendy Prothero;

V.I. REGIONAL  
LIBRARY BOARD

That Councillor Theos be appointed to the Vancouver Island Regional Library Board for a one year appointment January 1 to December 31, 2017 with Councillor Frisch as alternate;

SCHEDULE OF  
ACTING MAYORS

That Council adopt the following monthly schedule of Acting Mayors for the period December 5, 2016 to November 30, 2018 pursuant to *Council Procedure Bylaw No. 2730, 2013*:

June and December	Councillor Theos
May and November	Councillor Frisch
March and September	Councillor Hillian
April and October	Councillor Wells
February and August	Councillor Lennox
January and July	Councillor Eriksson; and

SIGNING AUTHORITY

That the following individuals be authorized as signing authorities for the City of Courtenay:

Larry Jangula – Mayor  
David Frisch – Councillor  
Rebecca Lennox – Councillor  
Emmanuel Theos – Councillor  
Bob Wells – Councillor  
Doug Hillian – Councillor  
Erik Eriksson – Councillor

David Allen – Chief Administrative Officer  
John Ward – Director of Legislative Services/Deputy CAO  
Brian Parschauer – Director of Finance  
Cathie Collins – Manager of Finance.

**Carried**

## **5.00 STAFF REPORTS/PRESENTATIONS**

**.01**  
SELECT COMMITTEE  
TREE BYLAW  
4530-01

Moved by Frisch and seconded by Theos that based on the December 5, 2016 report “Assignment of Terms of Reference (ToR) – “Council Select Committee on Tree Protection and Management Bylaw No. 2850”, Council approve Option 1 and hereby create the Council Select Committee on Tree Protection and Management Bylaw No. 2850;

That the attached Terms of Reference apply to the functioning of the Committee; and

That committee membership will be assigned by Resolution as per the Terms of Reference.

**Carried**

Moved by Wells and seconded by Theos that Councillor Eriksson and Councillor Hillian be appointed to the Council Select Committee on Tree Protection and Management Bylaw No. 2850 in addition to Mayor Jangula.

**Carried**

Moved by Frisch and seconded by Lennox that Councillor Hillian be appointed as Chairperson of the Council Select Committee on Tree Protection and Management Bylaw No. 2850 and that Councillor Eriksson be appointed as Deputy Chairperson.

**Carried with Councillor Eriksson opposed**

**.02**

DP NO. 1614  
3420 RHYS RD  
3060-20-1614

Moved by Frisch and seconded by Wells that based on the December 5, 2016 staff report, “Development Permit with Variances for 3420 Rhys Road”, Council approve Option 1 and issue Development Permit with Variances No. 1614.

**Carried**

**.03**

DVP NO. 1607  
489 OLD ISL. HWY.  
3090-20-1607

Moved by Wells and seconded by Lennox that based on the December 5, 2016 staff report “Development Variance Permit No. 1607 – 489 Old Island Highway”, Council support approving Option 1 and proceed with issuing Development Variance Permit No. 1607.

**Carried with Councillor Eriksson opposed**

**.04**

DVP NO. 1608  
1978 CLIFFE AVE  
3090-20-1608

Moved by Wells and seconded by Frisch that based on the December 5, 2016 staff report “Development Variance Permit No. 1608 – 1978 Cliffe Avenue” Council support approving Option 1 and proceed with issuing Development Variance Permit No. 1608.

**Carried**

**.05**

C.V. PREGNANCY  
CENTRE  
TAX EXEMPTION  
1970-04

Moved by Frisch and seconded by Lennox that based on the December 5, 2016 staff report “Comox Valley Pregnancy Care Centre – Permissive Tax Exemption”, Council approve Option 2 and the use of Gaming Funds to cover the remaining 60% of 2017 property taxes in the estimated amount of \$774 for the Comox Valley Pregnancy Care Centre; and Option 3 to review and clarify the Permissive Property Tax Exemption Policy prior to the 2018 permissive tax exemption preparation.

**Carried**

**.06**

USER RATES SUITES  
1705-20  
1830-05

Moved by Hillian and seconded by Theos that based on the December 5, 2016 staff report ‘User Fee Rates – Suites in Single Family Dwellings’, Council select Option 1 to maintain the status quo with respect to utility rates charged for any single family dwelling with a legal suite in it.

**Defeated**

**In Favour – Councillors Hillian, Theos and Mayor Jangula  
Opposed – Councillors Eriksson, Frisch, Lennox and Wells**

Moved by Frisch and seconded by Eriksson that staff provide a report to Council with the implications of reducing the water user fee for legal suites to the same level as multi-family.

**Defeated**

**In Favour – Councillors Eriksson, Frisch, and Lennox**

**Opposed – Councillors Hillian, Theos, Wells and Mayor Jangula**

**The meeting recessed at 6:49 p.m. and reconvened at 6:52 p.m.**

**.07**  
5<sup>TH</sup> ST PILOT PROJECT  
URBAN SYSTEMS  
8620-01

Dan Huang from Urban Systems made a presentation regarding the most recent phase and results of public consultation regarding the 5<sup>th</sup> Street Complete Streets Pilot Project.

Moved by Frisch and seconded by Wells that based on the December 5, 2016 staff report entitled “5<sup>th</sup> Street Complete Streets Pilot Project – Presentation by Urban Systems and Concept Options Selection,” Council approve Option 1 and direct staff to proceed to detailed design based on the Option 4 (raised) cross section, with parking provided between Fitzgerald and Harmston, and alternating parking and raingardens provided throughout the remainder of the corridor.

**Carried with Councillor Eriksson opposed**

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

**.01**  
HERITAGE MINUTES

Moved by Lennox and seconded by Wells that the Heritage Advisory Commission minutes for October 26, 2016 be received for information

**Carried**

**.02**  
FLOOD MITIGATION  
TALL WALL BARRIER

Moved by Wells and seconded by Lennox that Briefing Note – “Flood Mitigation – Tall Wall Barrier Project” be received for information.

**Carried**

## **8.00 REPORTS FROM COUNCIL MEMBERS REGARDING CITY RELATED ACTIVITIES INCLUDING REPORTS FROM COUNCIL AND EXTERNAL COMMITTEES**

COUNCILLOR  
LENNOX

Councillor Lennox reviewed her attendance at the Christmas carol singing along the estuary.

COUNCILLOR WELLS

Councillor Wells reviewed his attendance at the following events:

- Cumberland Museum Open House
- Comox Mall Development
- Elder College Panel

- CV Art Gallery event

COUNCILLOR ERIKSSON Councillor Eriksson reviewed his attendance at the Walk of Achievement event for Byron Green

COUNCILLOR FRISCH Councillor Frisch reviewed his attendance at the following events:

- Vancouver Island Mountain Sports event
- Discussion forum on alcohol use
- Integrated Regional Transportation Select Committee meeting

COUNCILLOR HILLIAN Councillor Hillian acknowledged the passing of Sandy T. Gray, former CAO of the City

COUNCILLOR THEOS Councillor Theos reviewed his attendance at the following events:

- Walk of Achievement event for Byron Green
- Braidwood housing funding announcement
- Vancouver Island Regional Library Board meeting
- CVRD meetings

MAYOR JANGULA Mayor Jangula reported on his attendance at the following:

- Braidwood housing funding announcement
- Walk of Achievement event for Byron Green
- Comox Mall development
- CV Recovery Centre Christmas party
- Funeral for Anna O'Donnell

## **12.00 NEW BUSINESS**

**.01** Moved by Hillian and seconded by Frisch that Council write to the complainant and advise that no other action will be taken.  
MAYOR JANGULA  
TEXTING DURING MEETINGS  
**Carried with Mayor Jangula opposed**

**.02** Moved by Lennox and seconded by Wells that the staff report from the Comox Valley Regional District regarding an Air Quality Update be received for information.  
MAYOR JANGULA  
CVRD AIR QUALITY UPDATE  
470-20  
**Carried**

**13.00 BYLAWS**

**.01**  
BYLAW NO. 2863  
COUNCIL  
REMUNERATION  
REPEAL

Moved by Frisch and seconded by Lennox that “Council Remuneration Amendment Repeal Bylaw No., 2863, 2016” pass first, second and third reading.

**Carried**

**Councillor Lennox declared a potential conflict of interest regarding Bylaw No. 2860 due to a family relationship to the applicant, and vacated Council Chambers at 7:58 p.m.**

**.02**  
BYLAW NO. 2860  
ZONING AMEND

Moved by Frisch and seconded by Wells that “Zoning Amendment Bylaw No. 2860, 2016” pass third reading.

**Carried**

**14.00 ADJOURNMENT**

**.01**

Moved by Hillian and seconded by Theos that the meeting now adjourn at 8:00 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Director of Legislative Services**

**Adopted this 19<sup>th</sup> day of December, 2016**

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**Mayor**