

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay, B.C., on Monday, June 10, 2019 at 4:00 p.m.**

**Attending:**

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

**Staff:**

D. Allen, CAO  
J. Ward, Director of Legislative & Corporate Services/Deputy CAO  
W. Sorichta, Manager of Legislative & Corporate Administrative Services  
I. Buck, Director of Development Services  
T. Kushner, Director of Public Works Services/Assistant CAO  
D. Snider, Director of Recreation and Cultural Services  
M. Fitzgerald, Manager of Development Planning  
A. Guillo, Manager of Communications

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Frisch and seconded by Morin that the May 21<sup>st</sup>, 2019  
MINUTES Regular Council meeting minutes be adopted.

**Amending motion:**

Moved by Hillian and seconded by Frisch that the May 21<sup>st</sup>, 2019  
Council meeting minutes be amended to strike item *12.01 Zoning  
Amendment Bylaw No. 2961, 2019* from the minutes.

**Carried**

**The main motion was carried as amended**

**2.00 ADOPTION OF LATE ITEMS**

Council unanimously agreed to receive information related to the 5<sup>th</sup> Street Bridge Rehabilitation Project under section *11.00 New Business* of the June 10, 2019 Council agenda.

**3.00 DELEGATIONS**

Jennell Ellis, Breathe Clean Air Comox Valley, presented information to Council related to wood smoke emissions and the health impacts of wood smoke to Comox Valley residents. Clean Air Comox Valley is asking local area governments to set goals for community wide reductions in smoke emissions to improve air quality; and, provide incentives to switch to clean heat, educate residents on health and environmental impacts and implement bylaws to regulate the use of wood stoves and prevent outdoor burning.

**4.00 STAFF REPORTS/PRESENTATIONS**

**.01**  
COURTENAY  
RECREATIONAL  
ASSOCIATION -  
LETTER OF  
UNDERSTANDING  
EVERGREEN CLUB &  
BUILDING  
FRIENDSHIPS  
2240-20 CRA

Moved by Frisch and seconded by McCollum that based on the June 10<sup>th</sup>, 2019 staff report, “Courtenay Recreational Association Letter of Understanding Evergreen Club and Building Friendships”, that Council approve OPTION 1 and authorize the attached agreements between the City and the Courtenay Recreational Association; and

That the Mayor and the Director of Legislative and Corporate Services be authorized to execute the agreement on behalf of the City.

**Carried**

**.02**  
DEVELOPMENT  
VARIANCE PERMIT  
NO. 1828 (301  
PUNTLEDGE ROAD)  
3060-20-1828

Moved by Hillian and seconded by Frisch that based on the June 10<sup>th</sup>, 2019 staff report “Development Variance Permit No. 1828 - 301 Puntledge Road” Council approve OPTION 1 and issue Development Variance Permit No. 1828; and

That in accordance with Section 524 (7)(b) of the *Local Government Act* and the letter prepared by Eric Heel, P. Eng dated March 4<sup>th</sup>, 2019 and attached as Attachment No. 4, Council exempt the addition from meeting the flood construction levels required under Part 4 of Floodplain Management Bylaw No. 1743, 1994.

**Carried**

**.03**  
DEVELOPMENT  
PERMIT WITH  
VARIANCES  
NO. 1902  
(632, 656, 668 &  
680 - 5<sup>TH</sup> STREET)  
3060-20-1902

Moved by Hillian and seconded by McCollum that based on the June 10<sup>th</sup>, 2019 staff report “Development Permit with Variances No. 1902 - 632, 656, 668 & 680 5<sup>th</sup> Street”, Council approve OPTION 1 and proceed with issuing Development Permit with Variances No. 1902.

**Carried**

**The council meeting recessed at 4:55 p.m. for the Public Hearing regarding Bylaw No.’s 2922, 2927 & 2962.**

**The meeting reconvened at 5:10 p.m.**

**.04**  
HOUSING NEEDS  
REPORT -  
REGIONAL  
APPROACH  
6600-01-01

Moved by Cole-Hamilton and seconded by Frisch that based on the June 10<sup>th</sup>, 2019 staff report, “Housing Needs Reports – Regional Approach”, Council approve OPTION 1 and support the City’s participation in a Regional Housing Needs Report Program coordinated by the Comox Valley Regional District and authorize the Comox Valley Regional District to apply for, receive and manage the Housing Needs Report program grant funding on the City’s behalf.

**Carried**

**.05**  
BYLAW NO. 2970,  
2019, SINGLE USE  
PLASTIC REGULATION  
4320-20

Moved by Hillian and seconded by Theos that based on the June 10<sup>th</sup>, 2019 staff report “City of Courtenay Single Use Plastic Regulation Bylaw No. 2970, 2019”, Council proceed to final adoption of “City of Courtenay Single Use Plastic Regulation Bylaw No. 2970, 2019” at the June 17<sup>th</sup>, 2019 Council meeting; and

That Council direct staff to proceed with the public information process outlined in the report.

**Amending motion:**

Moved by Cole-Hamilton and seconded by Frisch that City of Courtenay Single Use Plastics Regulation Bylaw No. 2970, 2019, be amended at third reading to change the date penalties for committing an offence come into effect, identified in *Section 8) Effective Date* of the bylaw, to now read as follows:

*This Bylaw shall come into force and effect on July 1, 2019, except Section 5 which comes into force **March 31, 2020.***

**Carried**

**The main motion was carried as amended**

**New motion:**

Moved by Hillian and seconded by Frisch that Council set a date to review Courtenay Single Use Plastics Regulation Bylaw No. 2970, 2019, in one year’s time; and,

That staff provide a report with feedback on additional items that may be included in the bylaw upon implementation in June 2020.

**Carried**

**.06**  
BYLAW NO. 2955,  
ZONING  
AMENDMENT,  
CANNABIS  
STOREFRONT  
(#103-1025 CLIFFE  
AVENUE)  
3360-20-1902

Moved by McCollum and seconded by Frisch that based on the June 10<sup>th</sup>, 2019 staff report ‘Zoning Amendment Bylaw No. 2955 - #103 - 1025 Cliffe Avenue’ Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2955, 2019; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to the above referenced Bylaw on July 2<sup>nd</sup>, 2019 at 5:00 p.m. in City Hall Council Chambers.

**Carried**

**.07**  
BYLAW NO. 2969,  
ZONING  
AMENDMENT,  
SECONDARY SUITE  
(1573 HURFORD  
AVENUE)  
3360-20-1909

Moved by McCollum and seconded by Hillian that based on the June 10<sup>th</sup>, 2019 staff report, “Zoning Amendment Bylaw No. 2969 to allow for a secondary suite at 1573 Hurford Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2969, 2019; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2969, 2019 on July 2<sup>nd</sup>, 2019 at 5:00 p.m. in the City Hall Council Chambers.

**Carried**

**5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**

ST. GEORGE'S  
UNITED CHURCH  
OF CANADA  
LETTER OF  
APPRECIATION  
0220-01

Moved by Frisch and seconded by Hillian that the correspondence dated May 9<sup>th</sup>, 2019 from Nancy Milliken, St. George's United Church of Canada, thanking Council for meeting their request for funding to upgrade their kitchen and bathroom facilities, be received for information.

**Carried**

**.02**

CLIMATE CHANGE  
LETTER OF RESPONSE  
FROM BHP GROUP  
LIMITED  
0220-02 / 5280-12

Moved by Hillian and seconded by Frisch that the correspondence dated April 23<sup>rd</sup>, 2019 from Fiona Wild, Vice President, Sustainability and Climate Change, BHP, in response to Council's climate accountability letter of March 20<sup>th</sup>, 2019, be received for information.

**Carried**

**.03**

JOHN HOWARD  
SOCIETY OF NORTH  
ISLAND  
LETTER OF  
APPRECIATION  
0220-01 / 1850-01

Moved by Hillian and seconded by Cole-Hamilton that the correspondence dated May 23<sup>rd</sup>, 2019 from the John Howard Society of North Island, thanking Council for the \$7,500 grant-in-aid funding for their KidStart mentoring program, be received for information.

**Carried**

**6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**

BRIEFING NOTE:  
LEWIS PARK  
STAIRCASE -  
PROJECT  
COMPLETION  
UPDATE 2019  
6140-103

Moved by Frisch and seconded by McCollum that the June 4<sup>th</sup>, 2019 briefing note "Lewis Park Staircase - Project Completion Update 2019", be received for information.

**Carried**

**.02**

HERITAGE ADVISORY  
COMMISSION  
MINUTES  
0360-20

Moved by Frisch and seconded by Cole-Hamilton that the minutes of the April 24<sup>th</sup>, 2019 Heritage Advisory Commission meeting be adopted.

**Carried**

**7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

- COUNCILLOR  
COLE-HAMILTON
- Councillor Cole-Hamilton reviewed his attendance at the following events:
- Heritage Advisory Commission meeting
  - Comox Valley Economic Development Society Innovate 2030 - Employee Housing Summit
  - Comox Valley Economic Development Society AGM & Innovate 2030 Open House
  - 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show
  - City of Courtenay Student Bursary presentation at George's P. Vanier Secondary School
  - Meeting with BC Housing, Staff and Council
  - Comox Valley Coalition to End Homelessness meeting
- COUNCILLOR  
FRISCH
- Councillor Frisch reviewed his attendance at the following events:
- Comox Valley Economic Development Society Innovate 2030 - Employee Housing Summit
  - Comox Valley Economic Development Society AGM & Innovate 2030 Open House
  - CVRD Sewage Commission meeting
  - CVRD Board meeting
  - K'ómoks First Nation Council and CVRD Board meeting
  - Comox Lake Watershed Advisory Committee meeting
  - 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show
  - Meeting with MP Nathan Cullen re: Zero Waste Plastic Bill
  - Integrated Regional Transportation Select Committee meeting
  - 5th Street Complete Street Project Official Completion and Walking Tour event
- COUNCILLOR  
HILLIAN
- Councillor Hillian reviewed his attendance at the following events:
- Comox Valley Economic Development Society Innovate 2030 - Employee Housing Summit
  - Comox Valley Economic Development Society AGM & Innovate 2030 Open House
  - 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show
  - Millard Piercy Watershed Stewards watershed walk
  - Meeting with BC Housing, Staff and Council
  - Comox Valley Coalition to End Homelessness meeting
  - School District 71 "The Big History Project" event hosted at Native Sons Hall
  - The Junction, 988 - 8<sup>th</sup> Street Supportive Housing, Community Advisory committee meeting
  - 5th Street Complete Street Project Official Completion and Walking Tour event

**R11/2019 - June 10, 2019**

COUNCILLOR  
MCCOLLUM

Councillor McCollum reviewed her attendance at the following events:

- Comox Valley Economic Development Society AGM & Innovate 2030 Open House
- K'ómoks First Nation Council and CVRD Board meeting
- CVRD Board meeting
- 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show
- Comox Valley Economic Development Society Board Mix and Mingle - BC Seafood Festival event
- 5th Street Complete Street Project Official Completion and Walking Tour event

COUNCILLOR  
MORIN

Councillor Morin reviewed her attendance at the following events:

- Meeting with resident regarding concerns about neighbourhood noise, etc.
- Comox Valley Economic Development Society Innovate 2030 - Employee Housing Summit
- Comox Valley Economic Development Society AGM & Innovate 2030 Open House
- Project Watershed AGM
- CVRD Sewage Commission meeting
- 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show
- School District 71 “The Big History Project” event hosted at Native Sons Hall

MAYOR  
WELLS

Mayor Wells reviewed his attendance at the following events:

- Comox Valley Economic Development Society Innovate 2030 - Employee Housing Summit
- Comox Valley Economic Development Society AGM & Innovate 2030 Open House
- Comox Valley Leaders Lunch
- Royal Canadian Sea Cadet Corps Annual Ceremonial Review and Graduation
- Project Watershed AGM and presentation on protective fencing in estuary
- 2019 Federation of Canadian Municipalities (FCM) Annual Conference and Trade Show
  - Tour to Robert Cliché MRC
  - FCM - Climate caucus
  - Engaging youth in politics
- Meeting with BC Housing, Staff and Council
- Comox Valley Coalition to End Homelessness meeting
- School District 71 “The Big History Project” event hosted at Native Sons Hall
- Island Coastal Economic Trust (ICET) North Island meeting
- 2019 BC Historical Federation Conference hosted at Native Sons Hall
- 79th Annual Ceremonial Review - Princess Mary's Canadian Scottish Regiment

- 75th Annual Ceremonial Review - 368 Komox Royal Canadian Air Cadet Squadron
- 5th Street Complete Street Project Official Completion and Walking Tour event

**8.00 RESOLUTIONS OF COUNCIL**

COUNCILLOR  
MCCOLLUM,  
SMOKING BYLAW,  
PARKS AND PUBLIC  
SPACES

Moved by McCollum and seconded by Cole-Hamilton

Whereas, the smoking of tobacco, cannabis and vaping products impacts the public's enjoyment of parks and public spaces and may create a health hazard for some; and

Whereas, limiting the availability of public spaces to consume such products has been proven to decrease use; and

Whereas, the public use of cannabis is expected to become more prevalent with the legal sale of recreational cannabis in the City of Courtenay; and

Whereas, local droughts and fire seasons are becoming increasingly longer and more intense, and the City must ensure that the activities carried out in our parks do not increase the risk of fire;

Therefore be it resolved that Council direct staff to prepare a bylaw to prohibit the smoking of tobacco and cannabis, and the use of vaping devices, in the City of Courtenay's parks and properties.

**Carried**

**9.00 UNFINISHED BUSINESS**

**10.00 NOTICE OF MOTION**

**11.00 NEW BUSINESS**

**.01**  
5<sup>TH</sup> STREET BRIDGE  
REHABILITATION  
PROJECT  
5335-20 / 5400-02

David Allen, Chief Administrative Officer, provided a verbal update to Council related to the status of the 5<sup>th</sup> Street Bridge Rehabilitation Project. The 5<sup>th</sup> Street Bridge decision on how to proceed with the project is anticipated to be brought forward to Council at the June 24, 2019 Committee of the Whole meeting, pending confirmation of consultant availability.

A Frequently Asked Questions (FAQ) document is being prepared and will be available to the public by the end of this week. Additionally, an email address, specific to the bridge project, will be created and monitored by project staff to allow members of the public to provide suggestions, ask questions, or give feedback related to the project.

**12.00 BYLAWS**

**.01**  
BYLAW NO. 2955,  
2019, ZONING  
AMENDMENT TO  
ALLOW STOREFRONT  
CANNABIS RETAILER  
AS PERMITTED USE  
(#103-1025 CLIFFE  
AVENUE)

Moved by Hillian and seconded by Frisch that “Zoning  
Amendment Bylaw No. 2955, 2019” pass first and second readings.

**Carried**

**.02**  
BYLAW NO. 2969,  
2019, ZONING  
AMENDMENT TO  
ALLOW FOR A  
SECONDARY SUITE  
(1573 HURFORD  
AVENUE)

Moved by Theos and seconded by McCollum that “Zoning  
Amendment Bylaw No. 2969, 2019” pass first and second readings.

**Carried**

**13.00 ADJOURNMENT**

**.01**

Moved by Hillian and seconded by Frisch that the meeting now  
adjourn at 6:12 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Corporate Officer**

**Adopted this 17<sup>th</sup> day of June, 2019**

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**Mayor**