

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay, B.C., on Monday, August 19, 2019 at 4:00 p.m.**

**Attending:**

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

**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**  
**R. O’Grady, Director of Engineering Services**  
**A. Berard, Manager of Financial Planning, Payroll & Business Performance**  
**M. Fitzgerald, Manager of Development Planning**  
**B. Guderjahn, Manager of Purchasing**  
**R. Matthews, Executive Assistant**  
**A. Guillo, Manager of Communications**

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Frisch and seconded by Cole-Hamilton that the July  
MINUTES 15<sup>th</sup>, 2019 Regular Council meeting minutes be adopted.  
**Carried**

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

John Bowman, President, North Island College (NIC) Comox Valley campus, presented information related to NIC’s 2020 - 2025 Strategic Plan; including priority initiatives, program expansions, campus additions and proposed student housing project for the provision of on-campus lodging. NIC is inviting the community to participate in the planning process and to share their ideas and provide input and suggestions.

The delegation is seeking a letter from the City, in support of their application for grant funding through the Provincial Housing Strategy, to design and build on-campus student housing apartments at their Comox Valley site.

Michael Gilbert, Michael's Off Main Restaurant, presented information to Council related to options for the 5<sup>th</sup> Street Bridge Rehabilitation Project and asked Council to delay the addition of the cantilevered multi-use pathway and reconsider OPTION 1 identified in the June 24<sup>th</sup>, 2019 staff report "5<sup>th</sup> Street Bridge Rehabilitation Project".

**The council meeting recessed at 4:52 p.m. for the Public Hearing regarding Bylaw No. 2958. The meeting reconvened at 5:17 p.m.**

**4.00 STAFF REPORTS/PRESENTATIONS**

**.01** Inspector Michael Kurvers, Comox Valley RCMP, provided a community policing update to Council.  
INSPECTOR MIKE

KURVERS, RCMP -  
COMMUNITY  
POLICING UPDATE  
7580-20

General discussion followed regarding community policing priorities, crime prevention strategies and areas of concern raised by Council, including:

- Piercy Avenue / Cumberland Road shooting incident
- Uniformed Gang Enforcement Team
- Machete attack 4<sup>th</sup> Street (ongoing investigation)

Inspector Kurvers reminded citizens that they may assist law enforcement with crime prevention and in ongoing investigations by reporting concerns about possible criminal activity or unusual activities to the local detachment office or through Comox Valley Crime Stoppers.

**.02** Moved by McCollum and seconded by Hillian that based on the August 19<sup>th</sup>, 2019 staff report "Coastal Communities Social Procurement Initiative Membership", Council approve OPTION 1:  
COASTAL

COMMUNITIES  
SOCIAL  
PROCUREMENT  
INITIATIVE  
MEMBERSHIP  
1200-00

That staff be directed to join the Coastal Communities Social Procurement Initiative and to confirm City membership and access information for Council and staff use.

**Carried**

**.03** Moved by Frisch and seconded by McCollum that based on the August 19<sup>th</sup>, 2019 staff report "Zoning Amendment Bylaw No. 2960 - #230-470 Puntledge Road" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2960, 2019; and  
ZONING AMENDMENT  
BYLAW 2960  
(#230 - 470  
PUNTLEDGE ROAD)  
3360-20-1906

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to the above-referenced Bylaw on September 3<sup>rd</sup>, 2019 at 5:00 p.m. in City Hall Council Chambers.

**Defeated**

**In Favour: Councillors Frisch, Hillian and McCollum**

**Opposed: Mayor Wells and Councillors Cole-Hamilton and Morin**

**.04**  
DEVELOPMENT  
PERMIT WITH  
VARIANCES  
NO. 1903 (3001  
VANIER DRIVE)  
3060-20-1903

Moved by Frisch and seconded by McCollum that based on the August 19<sup>th</sup>, 2019 staff report “Development Variance Permit No. 1903 - 3001 Vanier Drive” Council approve OPTION 1 to issue Development Variance Permit No. 1903.

**Carried**

**6:12 p.m. Councillor Hillian recused himself citing a possible conflict of interest as he sits on the Board of one of the organizations applying for the permissive tax exemptions in 2020.**

**.05**  
CONSIDERATION OF  
2020 PERMISSIVE  
PROPERTY TAX  
EXEMPTIONS  
1960-20 [2020]

Moved by McCollum and seconded by Frisch that based on the August 19<sup>th</sup>, 2019 staff report “2020 Permissive Property Tax Exemptions”, Council approve OPTION 1 as follows:

1. That Council consider the list of new applications for permissive tax exemption for 2020 as detailed on Schedule A attached;
2. That Council approve exemptions for new applications as recommended in Schedule A;
3. That Council direct staff to prepare the applicable bylaws for permissive tax exemption in 2020 based on the attached schedules A, B, C, D and E; and
4. That statutory notice of the proposed permissive exemption bylaws pursuant to Section 227 of the Community Charter be published for two consecutive weeks prior to final adoption of the bylaws.

**Carried**

**Councillor Hillian returned to Council Chambers at 6:21 p.m. and took his seat.**

## **5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
CLIMATE CHANGE  
LETTER OF RESPONSE  
FROM TOTAL S.A.  
0220-02 / 5280-12

Moved by Frisch and seconded by Cole-Hamilton that the correspondence dated July 12<sup>th</sup>, 2019 from Mary Begg-Saffar, Corporate Legal Affairs Division, Head of HSE & Social Responsibility, TOTAL S.A., in response to Council’s climate accountability letter of March 20, 2019, be received for information.

**Carried**

**.02**  
COMOX VALLEY  
REGIONAL DISTRICT -  
ACTIVE  
TRANSPORTATION  
MOU - MINISTRY OF  
TRANSPORTATION &  
INFRASTRUCTURE  
0470-20 / 5400-20

Moved by McCollum and seconded by Frisch that the correspondence dated August 7<sup>th</sup>, 2019 from Arzeena Hamir, Vice-Chair, Comox Valley Regional District Board of Directors, related to the Active Transportation Memorandum of Understanding with the Ministry of Transportation and Infrastructure for consistent planning and development of active transportation infrastructure projects, be received for information.

**Carried**

**.03**  
LUSH VALLEY FOOD  
ACTION SOCIETY-  
COUNCIL  
REPRESENTATION -  
COMOX VALLEY  
REGIONAL FOOD  
POLICY COUNCIL  
0360-20

The correspondence and Terms of Reference dated July 11<sup>th</sup>, 2019 from Maurita Prato, Executive Director LUSH Valley Food Action Society, requesting Council appoint a member to the Comox Valley Regional Food Policy Council, was received for information.

Moved by Hillian and seconded by Cole Hamilton that Councillor Wendy Morin be appointed as Council representative to the Comox Valley Regional Food Policy Council for a term of two years, for the period of September 2019 to August 2021.

**Carried**

**.04**  
MUNICIPAL  
INSURANCE  
ASSOCIATION OF BC  
VOTING DELEGATE  
AND ALTERNATES  
0250-20

Moved by Frisch and seconded by Hillian that Council appoint Mayor Wells Voting Delegate, Councillor Frisch Alternate #1, and Councillor McCollum as Alternate #2 to vote on the City's behalf at the Municipal Insurance Association of BC (MIABC) Annual AGM in September 2019; and,

That staff notify the MIABC of these appointments before the September 9<sup>th</sup>, 2019 submission deadline.

**Carried**

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

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

COUNCILLOR  
COLE-HAMILTON

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

- Millard-Piercy Watershed Tour led by Comox Valley Land Trust
- Comox Valley Overdose Working Group
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Climate Action Playbook Advisory Committee meeting
- BC Municipal Climate Leadership Council meeting
- Climate Caucus Summit 2019
- Climate Caucus teleconference meetings
- Volunteered at 2019 Pride in the Park event hosted by the Comox Valley Pride Society
- Meeting with Downtown Courtenay Business Improvement Association (DCBIA) President, Jenny Deters to discuss the 5<sup>th</sup> Street Bridge Rehabilitation Project

**R15/2019 - August 19, 2019**

COUNCILLOR  
FRISCH

Councillor Frisch reviewed his attendance at the following events:

- Leadership meeting with Thom Armstrong, President of Co-Op Housing BC
- CVRD Committee of the Whole meeting
- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- Comox Lake Watershed Protection Tour
- Meeting with and responding to constituent inquiries related to the Transportation Master Plan and the 5<sup>th</sup> Street Rehabilitation Project

COUNCILLOR  
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- Comox Valley Community Justice Centre meeting
- Pride Flag raising ceremony at Courtenay City Hall
- Meetings with wood stove industry representatives, the Comox Valley Cycling Coalition and 6<sup>th</sup> Street multi-use bridge advocates
- Working with staff on resident issues related to tree cutting and noise bylaw
- Meeting with Downtown Courtenay Business Improvement Association (DCBIA) President and Coalition to End Homelessness regarding the Day Centre proposal
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Meeting with resident related to rat problems in their neighbourhood
- Teleconference with BC Housing related to local service issues and Day Centre

COUNCILLOR  
MCCOLLUM

Councillor McCollum reviewed her attendance at the following events:

- Pride Flag raising ceremony at North Island College
- Comox Valley Chamber of Commerce Round Table discussion with MLA Jordan Sturdy, Critic for Transportation and Infrastructure
- Hawk Glen Park Playground Opening and Ribbon Cutting ceremony
- Millard-Piercy Watershed Tour led by Comox Valley Land Trust
- CVRD Water Committee meeting
- CVRD Sewage Commission meeting
- CVRD Committee of the Whole meeting
- Meeting with Downtown Courtenay Business Improvement Association (DCBIA) President, Jenny Deters
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Simms Summer Concert Series - Big Little Lions

**R15/2019 - August 19, 2019**

COUNCILLOR  
MORIN

Councillor Morin reviewed her attendance at the following event:

- CVRD Water Committee meetings
- CVRD Sewage Commission meetings
- CVRD Committee of the Whole meetings
- Comox Valley Sports Centre Commission meeting
- Meeting with constituent regarding the community opioid crisis
- Meeting with constituents regarding support for the proposed 6<sup>th</sup> Street pedestrian/cycling multi-use bridge
- Meeting with Councillor Cole-Hamilton regarding proposed development of a Drug Strategy initiative
- Meeting with constituents regarding the 5<sup>th</sup> Street Bridge Rehabilitation project
- Downtown Courtenay 49<sup>th</sup> Annual Market Day event
- Comox Flying Training Centre's Advanced Aviation Parade as Acting Mayor
- Child Care Action Plan Workshop
- Millard-Piercy Watershed Tour led by Comox Valley Land Trust
- CVRD Board meeting
- Met with constituent regarding the draft Transportation Master Plan, including a walking tour of a proposed pedestrian corridor
- Comox Valley Chamber of Commerce Business Working Group meeting regarding Stage 4 Water Restrictions
- Building BC Women's Transition Housing Announcement in partnership with BC Housing and the Comox Valley Transition Society
- Meeting with consultant regarding Comox Valley Economic Development Society (CVEDS) contract review
- Comox Bike Company 2019 YANA Ride and festivities at Marina Park
- Pride Flag raising ceremony at Courtenay City Hall

**Councillor Cole-Hamilton left Council Chambers at 6:43 p.m.**

**Councillor Cole-Hamilton returned to Council Chambers and took his seat at 6:45 p.m.**

MAYOR  
WELLS

Mayor Wells reviewed his attendance at the following events:

- 19 Wing Comox Change of Command Ceremony
- CYMC Musical Theatre production RENT
- Pride Flag raising ceremony at Courtenay City Hall
- Kus-kus-sum Bat Tour facilitated by Tim Ennis, BC Community Bat Program
- Hawk Glen Park Playground Opening and Ribbon Cutting ceremony
- July 27 - Aug 11 Haida Gwaii, Terrace, Barkerville, Prince George and Salmon Arm travel
- Vancouver Island Compassion Dogs Calendar fundraiser event
- Teleconference with BC Housing related to local service issues and Day Centre
- Glider Pilot Scholarship Wings and Advanced Aviation Parade
- Comox Bike Company 2019 YANA Ride

**8.00 RESOLUTIONS OF COUNCIL**

**.01**

COUNCILLOR HILLIAN  
RESOLUTION -  
MORRISON CREEK  
PROTECTION

Moved by Hillian and seconded by Frisch

Whereas development pressure in riparian areas has increased in the Comox Valley and in the City of Courtenay as natural buffers along streams shrink, putting at risk healthy stream functioning, fish and wildlife; and

Whereas Morrison Creek is home to a Federally listed endangered species (Morrison Creek Lamprey) and is a healthy and productive salmon stream, producing more fish than all other creeks within the City combined, in large part because its riparian zone of wetland and treed buffers remains largely intact; and

Whereas the health and productivity of Morrison Creek will be threatened through encroachment by new or infill development into the "green infrastructure" supporting this exceptionally productive stream; and

Whereas protection of the productivity and biodiversity of this vital salmon producing stream and mitigation of flood risk is consistent with the goals of the Official Community Plan and treating stream corridors as "Eco Assets"; and

Whereas the province's Riparian Areas Regulation Act allows reduced buffers to the generally recommended 30-metre standard where based on scientific research and professional observation;

Therefore, be it resolved that the City of Courtenay work towards establishment of a higher standard of protection for Morrison Creek by establishing a consistent 30-metre setback, as in the Arden Local Area Plan, and that staff report to Council on the means and implications of enacting such policy, including in relation to other riparian areas within the City.

**Carried**

**.02**

IN CAMERA  
MEETING

Moved by Frisch and seconded by Morin that notice is hereby given that a Special In-Camera meeting closed to the public will be held August 19<sup>th</sup>, 2019 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

- 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried**

**9.00 UNFINISHED BUSINESS**

**10.00 NOTICE OF MOTION**

**11.00 NEW BUSINESS**

**12.00 BYLAWS**

**.01**  
BYLAW NO. 2957,  
2019,  
ZONING AMENDMENT  
TO ALLOW  
STOREFRONT  
CANNABIS AS  
PERMITTED USE  
(#103 - 2270 CLIFFE  
AVENUE)

Moved by McCollum and seconded by Hillian that “Zoning Amendment Bylaw No. 2957, 2019” pass third reading.

**Carried**

**.02**  
BYLAW NO. 2922,  
2019, OCP  
AMENDMENT  
CHANGE THE LAND  
USE DESIGNATION  
FROM URBAN TO  
MULTI RESIDENTIAL  
(2048 - 13<sup>TH</sup> STREET)

Moved by Cole-Hamilton and seconded by Frisch that Official Community Plan Amendment Bylaw No. 2922, 2019” be finally adopted.

**Carried**

**.03**  
BYLAW NO. 2927,  
2019, ZONING  
AMENDMENT - MULTI  
RESIDENTIAL AS  
PERMITTED USE  
(2048 - 13<sup>TH</sup> STREET)

Moved by Frisch and seconded by McCollum that “Zoning Amendment Bylaw No. 2927, 2019” be finally adopted.

**Carried**

**.04**  
BYLAW NO. 2888,  
2019,  
ZONING AMENDMENT  
TO PERMIT A TWO  
LOT SUBDIVISION,  
(2310 - 20<sup>TH</sup> STREET)

Moved by McCollum and seconded by Frisch that “Zoning Amendment Bylaw No. 2888, 2019” be finally adopted.

**Carried**

**R15/2019 - August 19, 2019**

**.05**

BYLAW NO. 2957,  
2019,  
ZONING AMENDMENT  
TO ALLOW  
STOREFRONT  
CANNABIS AS  
PERMITTED USE  
(#103 - 2270 CLIFFE  
AVENUE)

Moved by Frisch and seconded by Hillian that “Zoning  
Amendment Bylaw No. 2957, 2019” be finally adopted.

**Carried**

**13.00 ADJOURNMENT**

**.01**

Moved by Hillian and seconded by Cole-Hamilton that the  
meeting now adjourn at 7:00 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Corporate Officer**

**Adopted this 3<sup>rd</sup> day of September, 2019**

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**Mayor**