

R11/2020 - May 11, 2020

Minutes of a Regular Council Meeting held at City Hall, Courtenay B.C., on Monday, May 11, 2020 at 1:00 p.m.

**Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. MO83 Local Government Meetings & Bylaw Process COVID-19; implemented changes to its open Council meetings.**

**In the interest of public health and safety, public in-person attendance at Council meetings is prohibited until further notice. Council meetings are presided over by the Mayor or Acting Mayor with electronic participation by Council and staff via live web streaming and start at 1:00 p.m. during this period.**

**Attending:**

**Mayor:** B. Wells via video/audio conference  
**Councillors:** W. Cole-Hamilton via video/audio conference  
D. Frisch via video/audio conference  
D. Hillian via video/audio conference  
M. McCollum via video/audio conference  
W. Morin via video/audio conference  
M. Theos via video/audio conference

**Staff:**

D. Allen, CAO via video/audio conference  
J. Ward, Director of Legislative and Corporate Services/Deputy CAO via video/audio conference  
W. Sorichta, Manager of Legislative & Corporate Administrative Services via video/audio conference  
T. Kushner, Deputy CAO via video/audio conference  
I. Buck, Director of Development Services via video/audio conference  
C. Davidson, Director of Engineering - Interim via video/audio conference  
J. Nelson, Director of Financial Services via video/audio conference  
D. Snider, Director of Recreation and Cultural Services via video/audio conference  
M. Fitzgerald, Manager of Development Planning via video/audio conference  
T. Setta, Manager of Community & Sustainability Planning via video/audio conference  
R. Wyka, Manager of Finance via video/audio conference  
E. Gavelin, Network Technician via video/audio conference

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Theos and seconded by Morin that the May 4<sup>th</sup>, 2020  
MINUTES Regular Council meeting minutes be adopted.  
0570-03 Carried

**2.00 ADOPTION OF LATE ITEMS**

**3.00 DELEGATIONS**

**4.00 STAFF REPORTS/PRESENTATIONS**

**.01**  
2019 AUDITED  
FINANCIAL  
STATEMENTS  
WITH  
PRESENTATION -  
CORY VANDERHORST,  
MNP  
1870-02 (2019)

Cory Vanderhorst, MNP, presented information to Council related to MNP’s independent audit of the City’s 2019 financial statements.

Moved by Morin and seconded by Theos that the City of Courtenay 2019 audited financial statement presentation facilitated by Cory Vanderhorst, MNP, be received for information.

**Carried**

Moved by Hillian and seconded by Cole-Hamilton that based on the May 11<sup>th</sup>, 2020 staff report “2019 Audited Financial Statements” Council approve OPTION 1 which approves the Audited Financial Statements for the year ended December 31, 2019.

**Carried**

**.02**  
OFFICIAL  
COMMUNITY PLAN  
(OCP) -  
CONSULTATION  
REQUIREMENTS  
6480-00

Moved by Frisch and seconded by Cole-Hamilton that based on the May 11<sup>th</sup>, 2020 staff report “Official Community Plan (OCP) - Consultation Requirements”, Council approve OPTION 1 as follows:

- 1) That Council give consideration to the requirements of Section 475 of the Local Government Act;
- 2) That Council direct staff to consult with:
  - a. Comox Valley Regional District;
  - b. Town of Comox
  - c. Village of Cumberland
  - d. K’ómoks First Nation
  - e. School District No. 71
  - f. Ministry of Transportation and Infrastructure
  - g. Ministry of Environment and Climate Change Strategy
  - h. Ministry of Forests, Lands, Natural Resource and Operations, and Rural Development
  - i. Department of Fisheries and Oceans; and,
  - j. Island Health;
- 3) That consultation with K’ómoks First Nation include no less than two meetings between K’ómoks Chief and Council and City Council in addition to referral of a draft copy of the OCP with sixty (60) days for written comment prior to bylaw adoption;
- 4) That Council direct City staff to engage in regular meetings with staff from K’ómoks First Nation throughout the development of the OCP;
- 5) That consultation with the Laich-Kwil-Tach Council of Chiefs, the Wei Wai Kum/Kwiakah First Nations and the Homalco Indian Band occur through a notice of the OCP review process and referral of a draft copy of the OCP with sixty (60) days for written comment prior to bylaw adoption; and
- 6) That consultation methods with the ministries, agencies and local governments identified follow the recommendations in this report.

**Carried**

**.03**

STRUCTURAL  
CHANGE TO LIQUOR  
LICENCE  
APPLICATION (ACE  
BREWING COMPANY  
LIMITED) - 150  
MANSFIELD DRIVE  
4320-20

Moved by Morin and seconded by Theos that based on the May 11<sup>th</sup>, 2020 staff report, “Structural Change to Liquor Licence Application (Ace Brewing Company Limited) - 150 Mansfield Drive”, Council approve OPTION 1 as follows:

- 1) The Council of the City of Courtenay recommends the LCRB approve the application for Ace Brewing Company Limited’s structural change to a liquor licence.
- 2) Council’s comments on the prescribed considerations are as follows:
  - a. If the amendment application is approved, it would not result in an increase of noise in the area;
  - b. If the application is approved, it would not negatively impact the community based on the submissions received from the public;
  - c. In order to gather the views of residents, the City of Courtenay posted a notice on the City’s website outlining the application. Additionally, the RCMP was contacted for comment and indicated having no concerns.

Moved by Morin and seconded by Frisch that the main motion approving OPTION 1 of the May 11<sup>th</sup>, 2020 staff report “Structural Change to Liquor Licence Application (Ace Brewing Company Limited) - 150 Mansfield Drive” be withdrawn.

**Carried**

**The main motion was withdrawn**

**New motion:**

Moved by Morin and seconded by Cole-Hamilton that based on the May 11<sup>th</sup>, 2020 staff report, “Structural Change to Liquor Licence Application (Ace Brewing Company Limited) - 150 Mansfield Drive”, Council approve OPTION 2 and defer approval of the application with a request for additional information or alternative conditions of approval as discussed at the May 11<sup>th</sup>, 2020 regular Council meeting.

**Carried**

**.04**

BUILDING  
AMENDMENT BYLAW  
NO. 3004, 2020  
SOLID FUEL BURNING  
APPLIANCES  
3900-00

Moved by Hillian and seconded by McCollum that based on the May 11<sup>th</sup>, 2020 staff report “Building Amendment Bylaw No. 3004, 2020 Solid Fuel Burning Appliances” Council approve OPTION 1 and proceed to first, second, and third readings and final adoption of Building Amendment Bylaw No. 3004, 2020 Solid Fuel Burning Appliances.

**Carried**

**5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
2020 CANADA DAY  
CELEBRATIONS  
CANCELLED DUE TO  
COVID-19  
8100-20 CANADA

Moved by Cole-Hamilton and seconded by Frisch that the May 5<sup>th</sup>, 2020 Briefing Note, “Canada Day Celebrations Cancelled Due to COVID-19”, be received for information.  
**Carried**

**.02**  
2020 HERITAGE BC  
AWARD FOR  
LAWRENCE BURNS  
6800-01

Moved by Cole-Hamilton and seconded by Frisch that the May 11<sup>th</sup>, 2020 Briefing Note, “2020 Heritage BC Award for Lawrence Burns”, be received for information.  
**Carried**

**.03**  
5<sup>TH</sup> STREET BRIDGE  
REHABILITATION  
UPDATE  
5335-20/5400-02

Moved by Cole-Hamilton and seconded by Frisch that the May 11<sup>th</sup>, 2020 Briefing Note, “5<sup>th</sup> Street Bridge Rehabilitation Update”, be received for information.  
**Carried**

**.04**  
PARKS &  
RECREATION  
ADVISORY  
COMMISSION  
MEETING MINUTES  
0360-20

Moved by Frisch and seconded by Cole-Hamilton that the Parks & Recreation Advisory Commission meeting minutes for February 6<sup>th</sup>, 2020, be received for information.  
**Carried**

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

**.01**  
REPORTS/UPDATES  
FROM COUNCIL  
MEMBERS  
0530-01

Council agreed to skip discussion related to Item 7 *Reports/Updates from Council Members Including Reports from Committees* at the May 11<sup>th</sup>, 2020 Council agenda in the interest of time; and agreed that each Council member may submit a written summary of their events to staff for inclusion in the meeting minutes.

COUNCILLOR  
HILLIAN

Councillor Hillian participated in the following events:

- CVRD Director briefings; COVID-19/Regional EOC information updates (2 Total)
- Comox Valley Elected Officials weekly teleconference briefing with Dr. Charmaine Enns, Medical Health Officer
- Comox Valley Accessibility Committee meeting
- Comox Valley Coalition to End Homelessness meeting
- Economic Recovery planning meeting
- CVRD Board meeting

## **R11/2020 - May 11, 2020**

- Economic Development planning meeting (3 Total)
- K'ómoks First Nation Treaty Main Table Working Group meeting
- Recovery Task Force planning meeting
- Discussion with local residents regarding the impact of two pending development applications

COUNCILLOR  
MORIN

Councillor Morin participated in the following events:

- Comox Valley Elected Officials weekly teleconference briefing with Dr. Charmaine Enns, Medical Health Officer (2 Total)
- CVRD Board meeting
- CVRD Elected Officials Forum regarding the Regional Emergency Operations Centre (EOC)
- CVRD Director briefings; COVID-19/Regional EOC information updates (3 Total)
- Comox Valley Food Policy Council meetings (2 total)
- Food Supply Disruption Committee meeting
- Comox Valley Drug Strategy Committee meeting
- Chamber of Commerce Tourism Recovery Webinar

### **8.00 RESOLUTIONS OF COUNCIL**

**.01**  
IN CAMERA  
MEETING

Moved by Theos and seconded by Frisch that notice is hereby given that a Special In-Camera meeting closed to the public will be held May 11<sup>th</sup>, 2020 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) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**Carried**

### **9.00 UNFINISHED BUSINESS**

### **10.00 NOTICE OF MOTION**

### **11.00 NEW BUSINESS**

**12.00 BYLAWS**

**.01**

BUILDING BYLAW  
AMENDMENT BYLAW  
NO. 3004, 2020  
(TO AMEND BUILDING  
BYLAW NO. 3001,  
2020 TO REGULATE  
SOLID FUEL BURNING  
APPLIANCES)

Moved by McCollum and seconded by Hillian that “Building Bylaw Amendment Bylaw No. 3004, 2020” pass first, second and third reading.

**Carried**

**.02**

BUILDING BYLAW  
AMENDMENT BYLAW  
NO. 3004, 2020  
(TO AMEND BUILDING  
BYLAW NO. 3001,  
2020 TO REGULATE  
SOLID FUEL BURNING  
APPLIANCES)

Moved by Frisch and seconded by Cole-Hamilton that “Building Bylaw Amendment Bylaw No. 3004, 2020” be finally adopted.

**Carried**

**13.00 ADJOURNMENT**

**.01**

Moved by Frisch and seconded by Cole-Hamilton that the meeting now adjourn at 2:47 p.m.

**Carried**

**CERTIFIED CORRECT**

---

**Corporate Officer**

**Adopted this 19<sup>th</sup> day of May, 2020**

---

**Mayor**