

**Minutes of a Regular Council Meeting**

**Meeting #:** R25/2020  
**Date:** October 19, 2020  
**Time:** 4:00 pm  
**Location:** City Hall, Courtenay, BC, via video/audio conference  
**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:** T. Kushner, Interim CAO, via video/audio conference  
W. Sorichta, Corporate Officer, via video/audio conference  
I. Buck, Director of Development Services, via video/audio conference  
J. Nelson, Director of Financial Services, via video/audio conference  
K. O’Connell, Director of Corporate Support Services, via video/audio conference  
K. Shaw, Director of Public Works Services  
T. Sweeney, Manager of Building and Administrative Services, via video/audio conference  
M. Fitzgerald, Manager of Development Planning, via video/audio conference  
E. Gavelin, Network Technician, via video/audio conference  
R. Matthews, Executive Assistant/ Deputy Corporate Officer, via video/audio conference

**Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. M192 Local Government Meetings & Bylaw Process (COVID-19) Order No. 3 implemented changes to its open Council meetings.**

**In the interest of public health and safety, and in accordance with section 3(1) of Ministerial Order No. 3 M192, in-person attendance by members of the public at Council meetings will not be permitted 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.**

**1. ADOPTION OF MINUTES**

**1.1 Adopt October 5<sup>th</sup>, 2020 Regular Council meeting minutes**

**Moved By** Frisch

**Seconded By** McCollum

That the October 5<sup>th</sup>, 2020 Regular Council meeting minutes be adopted as amended.

**Carried**

Councillor Hillian requested that *Section 7 - Reports/Updates from Council Members Including Reports from Committees, Item 7.1* of the October 5<sup>th</sup>, 2020 regular Council meeting minutes be amended to read “Meeting with **Chair**, Comox Valley Economic Development **Board**.”

**2. INTRODUCTION OF LATE ITEMS**

**Moved By** Morin

**Seconded By** Frisch

That the request from the Comox Valley Art Gallery for the City of Courtenay's support in principle for their funding application to Service Canada to undertake an interior renovation of the second floor of the City owned facility, Centre for the Arts, 580 Duncan Avenue, be added to the October 19<sup>th</sup>, 2020 Regular Council agenda for consideration under section *11.0 New Business*.

**Carried**

**3. DELEGATIONS**

**3.1 Erik Eriksson - 5<sup>th</sup> Street Bridge Rehabilitation Project and Alternative Approval Process (AAP) - 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020**

Mr. Erik Eriksson presented information to Council regarding the proposed 5<sup>th</sup> Street Bridge Rehabilitation Project and current Alternative Approval Process (AAP) related to 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020.

Mr. Eriksson suggested that Council postpone the 5<sup>th</sup> Street Bridge project for a period of one year expressing concern that Downtown merchants have been having a tough time the last several months due to COVID-19; he said the one year delay would allow the City to work toward engaging other local governments in the Comox Valley to cost-share in the rehabilitation of the bridge and explore the cost-benefit of a new bridge.

Mr. Eriksson further suggested that qualifying Courtenay electors may not know how to express their opposition to the AAP under the current process and recommended that every qualifying Courtenay elector be sent an *Elector Response Form* by mail.

#### **4. STAFF REPORTS/PRESENTATIONS**

##### **4.1 CAO and Legislative Services**

###### **4.1.1 Licence to Occupy Extension - 685 Cliffe Avenue (Connect Warming Centre) (2380-20)**

**Moved By** Hillian

**Seconded By** Morin

That based on the October 19<sup>th</sup>, 2020 staff report “Licence to Occupy Extension - 685 Cliffe Avenue (Connect Warming Centre)”, Council approve OPTION 1 and the attached Licence to Occupy - Amendment #2 between the Comox Valley Transition Society and the City of Courtenay for the north side of the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District plan VIP3817; and

That staff provide public notice to satisfy the statutory advertising requirements for the provision of assistance and disposition of City lands per Section 24 of the *Community Charter*; and,

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the extended terms and renewal of the Licence to Occupy agreement.

**Carried**

**4.2 Development Services**

**4.2.1 Extension of Temporary Patio Program (3030-00-01)**

**Moved By Frisch**

**Seconded By McCollum**

That based on the October 19<sup>th</sup>, 2020 staff report “Extension of Temporary Patio Program” Council approve the extension of outdoor patios on both private and public land to October 31, 2021; and,

That Council approves only temporary, daily set up, structures on public land and that building permits are required for all structures greater than 10m<sup>2</sup> on private land.

**Carried**

**4.2.2 Zoning Amendment Bylaw No. 3009 to Create a New Small Lot R-1E Zone at 1550 Willemar Avenue (3360-20-2007)**

**Moved By Frisch**

**Seconded By McCollum**

That based on the October 19<sup>th</sup>, 2020 Staff report, “Zoning Amendment Bylaw No. 3009 to create a new small lot R-1E zone at 1550 Willemar Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3009, 2020; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3009, 2020 when regular Council meetings resume or an alternative Public Hearing format as authorized by the Province and approved by Council.

**Carried**

**4.2.3 Zoning Amendment Bylaw No. 3010 Proposed Storefront Cannabis Retailer #302-444 Lerwick Road (3360-20-2008)**

**Moved By McCollum**

**Seconded By Frisch**

That based on the October 19<sup>th</sup>, 2020 staff report “Zoning Amendment Bylaw No. 3010 Proposed Storefront Cannabis Retailer - #302-444 Lerwick Road” Council approve OPTION 2;

That Council give First and Second Reading of “Zoning Amendment Bylaw No. 3010” to rezone the subject property to permit a Cannabis Storefront Retailer; and,

That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw following the resumption of regular Council meetings or upon approval of an alternative process.

**Carried**

**4.2.4 Zoning Amendment Bylaw No. 3016 to Allow for a Secondary Suite at 540 - 17<sup>th</sup> Street (3360-20-2010)**

**Moved By Frisch**

**Seconded By Morin**

That based on the October 19<sup>th</sup>, 2020 staff report “Zoning Amendment Bylaw No. 3016 to Allow for a Secondary Suite at 540 - 17<sup>th</sup> Street” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3016, 2020;

That Council considers Zoning Amendment Bylaw No. 3016, 2020 consistent with the City’s Official Community Plan; and,

That Council waives the requirement to hold a public hearing with respect to Zoning Amendment Bylaw No. 3016, 2020 pursuant to Section 464 (2) of the *Local Government Act* and directs staff to give notice of the waiver of the public hearing pursuant to Section 467 of the *Local Government Act* in advance of considerations of Third Reading of the bylaw.

**Carried**

**4.3 Financial Services**

**4.3.1 2021 - 2025 Municipal Solid Waste, Recyclables, and Yard Waste Budgets (1705-20/1830-05)**

**Moved By McCollum**

**Seconded By Hillian**

That based on the October 19<sup>th</sup>, 2020 staff report “2021 - 2025 Municipal Solid Waste, Recyclables, and Yard Waste Budgets” Council approve OPTION 1 and increase 2021 user fees by 5.0%, and;

That Bylaw Number 3022, 2020 a bylaw to amend the “City of Courtenay Fees and Charges Bylaw No. 1673, 1992”, proceed to first, second and third reading in order to revise the proposed 2021 Municipal Solid Waste, Recyclables and Yard Waste user fees.

**Carried**

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

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

**6.1 Briefing Note - Solid Waste - 2021 Curbside Collection Schedule Changes (5360-02)**

**Moved By** Hillian

**Seconded By** McCollum

That the October 14<sup>th</sup>, 2020 Briefing Note, “Solid Waste - 2021 Curbside Collection Schedule Changes”, be received for information.

**Carried**

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

**7.1 Councillor Cole-Hamilton**

Councillor Cole-Hamilton participated in the following events for the period of September 14<sup>th</sup> to October 20<sup>th</sup>:

- Climate Caucus Board of Directors meeting (2 Total)
- Climate Caucus Coordinating Committee Team meetings (9 Total)
- Elder College, North Island College (NIC); moderated panel with youth activists Nalan Goosen, Annelies Henckel and Lister deVitre
- Climate Reality presentation to Sustainable Action Group for the Environment
- Comox Valley Drug Strategy Committee meetings (2 Total)
- Overdose Working Group Community Action Team meeting (2 Total)
- Help Cities Lead Steering Committee meeting (3 Total)
- PACE BC Steering Committee meetings (3 Total)
- PACE BC Program Design Committee meetings (2 Total)
- Lunch and Learn Official Community Plan Stakeholder Session and Public Survey Outcomes

- City of Courtenay Official Community Plan review; consultation and engagement session with K'omoks First Nation
- Liquid Waste Management Plan TAC/PAC meeting
- CVRD Economic Development Strategic Planning sessions
- CVRD Board meetings (3 Total)
- CVRD Committee of the Whole meeting
- Comox Valley Water Committee meeting
- Comox Valley Sewage Commission meeting
- Comox Valley Sports Centre Commission meeting
- Comox Strathcona Regional Hospital District Board meeting
- Virtual 2020 Union of British Columbia Municipalities (UBCM) Minister meetings:
  - Minister of Municipal Affairs and Housing; Ministry of Transportation and Infrastructure staff; Ministry of Finance staff, Minister of Finance and Ministry of Environment staff
- Virtual 2020 Union of British Columbia Municipalities (UBCM) Annual Convention, September 21<sup>st</sup> to 24<sup>th</sup>
- Comox Valley Elected Officials COVID-19 teleconference briefing with Dr. Charmaine Enns, Medical Health Officer (2 Total)

## **7.2 Councillor Hillian**

Councillor Hillian provided a verbal update regarding:

- The property purchase of the Kus-kus-sum land located at 1901 Comox Road is nearing realization; the City of Courtenay, Comox Valley Project Watershed Society and K'omoks First Nation have been working collaboratively on an updated Memorandum of Understanding (MOU) for the purchase, restoration and management of the site; the MOU is anticipated to come forward to Council at a future Council meeting
- Councillor Hillian mentioned his intent to bring a motion forward at a future Council meeting to help prevent the spread of COVID-19 by encouraging citizens to follow provincial health guidelines including the recommendation of wearing face masks when in indoor public spaces, especially if physical distancing is not possible

### **7.3 Councillor Morin**

Councillor Morin participated in the following events for the period of September 22<sup>nd</sup> to October 19<sup>th</sup>:

- Virtual 2020 Union of British Columbia Municipalities (UBCM) Annual Convention, September 21<sup>st</sup> to 24<sup>th</sup>; participated in sessions such as Transit Planning and Recovery, Reimagining Leadership women's panel; Systemic Racism; and UBCM resolutions
- Sid Williams Theatre Society 2020 Virtual AGM
- Comox Valley Food Policy Council meetings (3 Total)
- CVRD Board meeting
- Comox Valley Community Drug Strategy Committee meeting
- CVRD Committee of the Whole meeting
- 'Celebrating Project Perseverance' Watershed and Biodiversity Protection Event, representing the Comox Valley Water Committee as Vice-Chair
- CVRD Economic Development Strategic Planning Workshop (2 Sessions Total)
- Annual Comox Valley Person's Day lunch (Virtual)
- Lunch and Learn session with staff and Council regarding the City's Official Community Plan review
- City of Courtenay Official Community Plan review; consultation and engagement session with K'omoks First Nation

### **7.4 Mayor Wells**

Mayor Wells reviewed his attendance at the following event:

- Red Dress Awareness Honouring Missing and Murdered Indigenous Women and Girls hosted at Simms Millennium Park
- Comox Valley Regional District Economic Development Workshop

Mayor Wells mentioned the upcoming Royal Canadian Legion Annual Poppy Campaign starting October 30<sup>th</sup> and encouraged the public to support this annual fundraising campaign established to help Veterans

**8. RESOLUTIONS OF COUNCIL**

**8.1 In Camera Meeting**

**Moved By** Hillian

**Seconded By** Morin

That a Special In-Camera meeting closed to the public will be held October 19<sup>th</sup>, 2020 at the conclusion of the Regular Council meeting pursuant to the following sub-section(s) 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. UNFINISHED BUSINESS**

**10. NOTICE OF MOTION**

**10.1 Councillor Cole-Hamilton - Proposed Notice of Motion - United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) - Indigenous Peoples Reconciliation**

Councillor Cole Hamilton presented a notice of motion with a resolution anticipated to come forward at the October 26<sup>th</sup>, 2020 Committee of the Whole meeting.

**10.2 Councillor Cole-Hamilton - Proposed Notice of Motion - United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Official Community Plan (OCP)**

Councillor Cole Hamilton presented a notice of motion with a resolution anticipated to come forward at the October 26<sup>th</sup>, 2020 Committee of the Whole meeting.

**11. NEW BUSINESS**

**11.1 Comox Valley Economic Recovery Task Force (ERTF) Steering Committee - Letter and Summary of Recommendations**

**Moved By** Frisch

**Seconded By** Hillian

That the correspondence dated October 1<sup>st</sup>, 2020 from the Economic Recovery Task Force (ERTF) Steering Committee and Business Case Action Plan - ERTF Recommendations Summary Report, be received for information.

**Carried**

**Moved By** Frisch

**Seconded By** Hillian

That the correspondence dated October 1<sup>st</sup>, 2020 from the Economic Recovery Task Force (ERTF) Steering Committee; and Business Case Action Plan - ERTF Recommendations Summary Report, be received for information; and,

That in response to the correspondence received from the ERTF Steering Committee; that Council direct staff to provide a report exploring options and implications in response to the recommended actions summarized in the ERTF “Recommendations Summary Report”.

**Carried**

**11.2 Request - Comox Valley Art Gallery (CVAG) - Letter of Support - Service Canada Funding Application - City Owned Facility (580 Duncan Avenue)**

**Moved By** McCollum

**Seconded By** Morin

That in response to the correspondence dated October 16<sup>th</sup>, 2020 from the Comox Valley Art Gallery (CVAG) requesting the City of Courtenay's support for their funding application to Service Canada to undertake an interior renovation of the second floor of the City owned facility, Centre for the Arts, 580 Duncan Avenue;

That Council provide a letter of support in principle for CVAG's funding application to renovate the second floor of the City owned building occupied by CVAG to modify the space for their Youth Media Project.

**Carried**

**12. BYLAWS**

**12.1 For First and Second Reading**

**12.1.1 Zoning Amendment Bylaw No. 3009, 2020 (1550 Willemar Avenue)**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

That “Zoning Amendment Bylaw No. 3009, 2020” pass first and second reading.

**Carried**

**12.1.2 Zoning Amendment Bylaw No. 3016, 2020 (540 - 17<sup>th</sup> Street)**

**Moved By** Cole-Hamilton

**Seconded By** Morin

That “Zoning Amendment Bylaw No. 3016, 2020” pass first and second reading.

**Carried**

**6:13 p.m. Mayor Wells displayed a copy of Zoning Amendment Bylaw No. 3010, 2020 for public viewing during the video/audio conference meeting prior to Council’s consideration of first and second reading of the bylaw.**

**12.1.3 Zoning Amendment Bylaw No. 3010, 2020 (#302-444 Lerwick Road)**

**Moved By** McCollum

**Seconded By** Morin

That “Zoning Amendment Bylaw No. 3010, 2020” pass first and second reading.

**Carried**

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

**12.2.1 City of Courtenay Fees and Charges Amendment Bylaw No. 3022, 2020**

**Moved By** Morin

**Seconded By** Hillian

That “City of Courtenay Fees and Charges Amendment Bylaw No. 3022, 2020” for first, second and third reading.

**Carried**

**13. ADJOURNMENT**

**Moved By** Morin

**Seconded By** Cole-Hamilton

That the meeting now adjourn at 6:16 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Corporate Officer**

**Adopted this 2<sup>nd</sup> day of November, 2020**

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**Mayor**