



The Corporation of the City of Courtenay

Council Minutes

Meeting #: R7/2024
Date: April 24, 2024
Time: 4:00 pm
Location: CVRD Civic Room, 770 Harmston Ave, Courtenay

Council Present: M. McCollum (Acting Mayor)
D. Frisch
D. Hillian (left the meeting at 7:09 p.m. and did not return)
E. Jolicoeur
W. Morin (electronic)

Regrets: B. Wells (Mayor)
W. Cole-Hamilton

Staff Present: G. Garbutt, City Manager (CAO)
A. Langenmaier, Director of Financial Services
K. Macdonald, Fire Chief
K. O'Connell, Director of Corporate Services
S. Saunders, Director of Recreation, Culture & Community Services
K. Shaw, Director of Public Works Services
M. Wade, Director of Development Services
J. Chan, Manager of Business Administration
N. Gothard, Environmental Planner
J. Bays, Community Development Coordinator
L. Bourgeois, Deputy Corporate Officer

1. CALL TO ORDER

Acting Mayor McCollum called the meeting to order at 4:00 pm and respectfully acknowledged that the meeting was conducted on the Unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

2. INTRODUCTION OF LATE ITEMS

Without any late items or objections, Council proceeded with the agenda as presented.

3. ADOPTION OF MINUTES

3.1 Regular Council Minutes - April 10, 2024

Moved By Hillian

Seconded By Frisch

THAT Council adopt the April 10, 2024 Regular Council minutes.

CARRIED

4. DELEGATIONS

4.1 Enhancing Business Bylaws for Visually Impaired Access

Ms. Julia Tait appeared before Council and requested amendments to City Bylaws to decrease barriers to painting stairs and entry ways to businesses increasing their visibility to the visually impaired. Additionally, the delegation requested the City paint the staircases of City-owned buildings and set maintenance standards to ensure their ongoing visibility.

***Councillor Jolicoeur joined the meeting at 4:06 pm. via electronic means.**

4.2 3120 Dove Creek Place

Ronda Posegate (tenant) and Tristan Koehler (property owner) of 3120 Dove Creek Place, appeared before Council and spoke to a variety of concerning activities taking place at the dead end of Dove Creek Place including illegal activities, fireworks, street racing, public toileting, illegal dumping, animal harassment, and partying. The delegation requested Council consider moving two or three of the barriers to block the entrance to the cul-de-sac.

5. STAFF REPORTS

5.1 Development Services

5.1.1 Sidewalk Patio Policy DS-01

Moved By Hillian

Seconded By Frisch

THAT Council adopt Sidewalk Patio Policy DS-01 to establish a permanent patio program; and

THAT Council direct staff to prepare the required Bylaw amendments to the "City of Courtenay Fees and Charges Bylaw No. 1673, 1992".

CARRIED

5.1.2 Short Term Rental Regulation Bill 35

Moved By Frisch

Seconded By Hillian

THAT Council direct staff to prepare the amending bylaws to "Business Licensing Bylaw 2523, 2008", "Zoning Bylaw No. 2500, 2007" and "Municipal Ticketing Information Bylaw No. 2435, 2006" to address *Bill 35 Short-Term Rental Accommodation Act*.

CARRIED

5.2 Operational Services

5.2.1 BCAA's Evolve - Proposed Electric Bike Share Program

Presentation by: David Holzer, Business Development Manager at Evolve E-Bike Share

Moved By Frisch

Seconded By Hillian

THAT Council authorize staff to enter into a tri-part Memorandum of Agreement with the Comox Valley Regional District and the Town of Comox for the provision of an e-Bike Share Program; and,

THAT Council delegate authority to the Director of Operations to determine the form and content of a Contract and/or Licence and Service Agreement between the City of Courtenay and BCAA Evolve to facilitate the provision of the e-bike share program in the City of Courtenay; and,

THAT Council approve BCAA Evolve's request to waive all costs and fees for the e-bike share program and authorize staff to provide in-kind funding up to a maximum amount of five thousand dollars for the provisions associated with the deployment of the prescribed e-bike share program; and,

THAT Council delegate authority to the Director of Operations to authorize any required agreements or other legal documents necessary to provide BCAA Evolve access and permission to use public land for the purposes of providing an e-bike ride share program.

DEFEATED

Opposed: Acting Mayor McCollum, Councillors Jolicoeur and Morin

Moved By Frisch

Seconded By Hillian

THAT Council authorize staff to enter into a tri-part Memorandum of Agreement with the Comox Valley Regional District and the Town of Comox for the provision of an e-Bike Share Program; and

THAT Council delegate authority to the Director of Operations to determine the form and content of a Contract and/or Licence and Service Agreement between the City of Courtenay and BCAA Evolve to facilitate the provision of the e-bike share program in the City of Courtenay; and

THAT staff be directed to advise BCAA Evolve Bike Share that the request to waive all costs and fees for the e-bike share program is denied, and a full-cost recovery model will be applied; and

THAT Council delegate authority to the Director of Operations to authorize any required agreements or other legal documents necessary to provide BCAA Evolve access and permission to use public land for the purposes of providing an e-bike ride share program.

CARRIED

Without objection, Acting Mayor McCollum called a recess at 6:20 pm. The Council meeting resumed at 6:40 pm.

5.3 Recreation, Culture and Community Services

5.3.1 Lush Valley Food Action Society Licence of Occupation and Management and Operating Grant Fee for Service Agreement

Maurita Prato, Executive Director and Carley VanOsch, Urban Agriculture Manager of LUSH Valley Food Action Society were in attendance to answer questions.

Moved By Frisch

Seconded By Hillian

THAT Council authorize staff to execute the five-year "Licence of Occupation" extension between the City of Courtenay and Lush Valley Food Action Society for the continued use of the property located at 721 Grant Avenue, PID: 030-871-191, LOT 1, PLAN EPP84993, SECTION 61, COMOX LAND DISTRICT, subsequent to the publishing of notice; and

THAT Council authorize staff to execute the five-year "Community Garden Management and Operating Grant Fee For Service Agreement" between the City of Courtenay and Lush Valley Food Action Society for the management and operation of a community garden; and

THAT upon execution of the "Licence of Occupation" and the "Community Garden Management and Operating Grant Fee For Service Agreement" with Lush Valley Food Action Society, Council approve a grant up to \$5,500 from Gaming funds, to cover infrastructure improvements to the community garden area, subject to grant submission requirements as determined by staff.

CARRIED

6. EXTERNAL REPORTS AND CORRESPONDENCE

6.1 Letter from the Honourable Ravi Kahlon - Minister of Housing

Moved By Hillian

Seconded By Jolicoeur

THAT Council receive the correspondence from the Honourable Ravi Kahlon, Minister of Housing for information.

CARRIED

6.2 Letter from K'ómoks First Nation

Moved By Frisch

Seconded By Hillian

THAT Council approve a \$25,000 grant to the K'ómoks First Nation in support of the 2024 National Indigenous Peoples Day Celebration to be paid from the City's Gaming Funds; and

THAT \$25,000 be allocated from the City's Gaming Funds annually to provide long-term support to the K'ómoks First Nation for National Indigenous Peoples Day Celebrations; and

FURTHER THAT the City provide an ongoing in-kind contribution to K'ómoks First Nation for National Indigenous Peoples Day Celebrations in the form of transportation and parking management plans, signage, staff time, and traffic control for the event.

CARRIED

7. INTERNAL REPORTS AND CORRESPONDENCE

7.1 Speed Display Devices - 2024 Deployment Schedule

Moved By Frisch

Seconded By Hillian

THAT Council receive "Briefing Note - Speed Display Devices - 2024 Deployment Schedule".

CARRIED

7.2 40km Speed Reduction Program - 2024 Implementation Plan

Moved By Hillian

Seconded By Frisch

THAT Council receive the "Briefing Note - 40km Speed Reduction Program - 2024 Implementation Plan".

CARRIED

Councillor Hillian left the meeting at 7:09 pm and did not return.

8. COUNCIL RESOLUTIONS

8.1 Need for Federal Financial Support for Municipalities (Councillor Cole-Hamilton)

Moved By Frisch

Seconded By Jolicoeur

WHEREAS, Canada is experiencing record population growth, having welcomed 1.25 million new Canadians last year alone; and

WHEREAS, Canada Mortgage and Housing Corporation (CMHC) indicates we need to build 3.5 million additional homes by 2030, and expand the municipal infrastructure to accommodate this growth; and

WHEREAS, Federation of Canadian Municipalities (FCM) has estimated that the required municipal infrastructure cost averages in the range of \$107,000 per unit and Statistics Canada estimates the cost to upgrade existing municipal infrastructure in the \$170 billion range; and

WHEREAS, Non-residential construction inflation has risen by 29% since 2020 and municipalities face soaring infrastructure costs without corresponding revenue growth and, unlike federal/provincial revenue, municipal tax revenue has not kept pace in recent years with inflation, economic growth or population growth; and

WHEREAS, Municipalities face federal funding gap as the 10-year Investing in Canada Infrastructure Program has come to an end, the Canada Community-Building Fund (CCBF) is being renegotiated and the Permanent Public Transit Fund is set to start in 2026; and

WHEREAS, The CCBF, formerly known as the federal Gas Tax Fund, provides over \$2.4 billion annual capital funding to municipalities through a predictable allocation mechanism, and municipalities of all sizes use the CCBF to deliver results for Canadians by building/renewing critical core infrastructure, including water infrastructure, local roads, public transit and cultural and recreational facilities;

THEREFORE BE IT RESOLVED, That the City of Courtenay write to Prime Minister Justin Trudeau and Minister of Housing, Infrastructure and Communities Sean Fraser advocating that the federal government:

- work with agreement signatories and municipalities to maintain the CCBF as a source of direct, predictable, long-term funding for local infrastructure priorities;
- commit to the next generation of infrastructure programs, including a new program for water and wastewater infrastructure and an increase to the Disaster Mitigation and Adaptation Fund; and
- convene provinces, territories and municipalities to negotiate a “Municipal Growth Framework” to modernize the way municipalities are funded to facilitate Canada’s long-term growth.

CARRIED

8.2 Federation of Canadian Municipalities (FCM) Nomination (Councillor Cole-Hamilton)

Moved By Frisch

Seconded By Jolicoeur

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM’s Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government;

WHEREAS FCM’s Annual General Meeting (AGM) will be held in conjunction with the Annual Conference and Trade Show, June, followed by the election of FCM’s Board of Directors; and

WHEREAS the UBCM-FCM Small Communities Travel fund is under review, it currently covers airfare, hotel accommodation and ground transportation expenses related to attending FCM Board and Standing Committee meetings (other than the Annual Conference and Trade Show;

THEREFORE BE IT RESOLVED that Council of the City of Courtenay endorse Councillor Will Cole-Hamilton to stand for re-election on FCM’s Board of Directors for the period starting in May 2024 and ending June 2025; and

BE IT FURTHER RESOLVED that the City assume all costs associated with Councillor Will Cole-Hamilton attending FCM's Board of Directors meetings that are not covered by the UBCM-FCM Small Communities travel fund.

CARRIED

9. UNFINISHED BUSINESS

9.1 Reconsideration - Request to Appear as a Delegation to Council - Comox Valley for Palestine

In accordance with the Community Charter and the City of Courtenay Council Procedure Bylaw No. 2730, 2013, Councillor Morin requested that Council reconsider the request from Comox Valley for Palestine to Appear as a Delegation to Council.

Moved By Morin

Seconded By Jolicoeur

THAT Council reconsider the following resolution as passed at the April 10, 2024 regular Council meeting:

"THAT Council receive the correspondence from Comox Valley for Palestine for information and take no further action."

CARRIED

Opposed: Councillor Frisch

Moved By Morin

Seconded By Jolicoeur

THAT Council request further information from the Comox Valley for Palestine regarding their requests of Council as originally outlined in the correspondence submitted at the April 10th, 2024, Council meeting.

CARRIED

Opposed: Councillor Frisch

9.2 Community Priorities for RCMP Fiscal Year 2024-25

Moved By Frisch

Seconded By Jolicoeur

THAT the following resolution, as passed at the February 28, 2024 regular Council meeting, be rescinded:

"THAT staff be directed to schedule a Committee of the Whole meeting for the purpose of discussing the Royal Canadian Mounted Police (RCMP) community priorities for 2024-25; and

THAT the RCMP be invited to attend the Committee of the Whole meeting; and

THAT the date and time of the Committee of the Whole meeting be determined in association with the RCMP in order to accommodate their availability."; and

THAT Mayor Wells be requested to call a special Council meeting for the purpose of meeting with the Comox Valley RCMP detachment for the purpose of discussing community priorities for RCMP fiscal year 2024-25.

CARRIED

10. NEW BUSINESS

11. BYLAWS

11.1 For First, Second and Third Readings:

11.1.1 2024-2028 Consolidated Financial Plan Bylaw No. 3130, 2024

Moved By Frisch

Seconded By Morin

THAT Council give first, second and third readings to the "2024-2028 Consolidated Financial Plan Bylaw 3130, 2024".

CARRIED

11.1.2 Property Tax Rates Bylaw No. 3131, 2024

Moved By Frisch

Seconded By Jolicoeur

THAT Council give first, second and third readings to the "Property Tax Rates Bylaw No. 3131, 2024".

CARRIED

Moved By Frisch

Seconded By Morin

THAT Council direct staff to pay the Downtown Courtenay Business Improvement Association their 2024 requisition of \$120,000 on adoption of the “Property Tax Rates Bylaw No. 3131, 2024”.

CARRIED

11.2 For Adoption:

**11.2.1 Corporation of the City of Courtenay Fees and Charges Amendment
Bylaw No. 2988, 2024 (Recreation Facility Rental and User Fees)**

Moved By Frisch

Seconded By Morin

THAT Council adopt “Corporation of the City of Courtenay Fees and Charges Amendment Bylaw No. 2988, 2024” (Recreation Facility Rental and User Fees).

CARRIED

11.2.2 Council Procedure Amendment Bylaw No. 3132

Moved By Frisch

Seconded By Morin

THAT Council adopt “Council Procedure Amendment Bylaw No. 3132”.

CARRIED

12. COUNCIL REPORTS

12.1 Councillor Cole-Hamilton

Councillor Cole-Hamilton was absent for the meeting. No report provided.

12.2 Councillor Frisch

No report provided.

12.3 Councillor Hillian

Councillor Hillian left the meeting at 7:09 pm. No report provided

12.4 Councillor Jolicoeur

No report provided.

12.5 Councillor McCollum

No report provided.

12.6 Councillor Morin

No report provided.

12.7 Mayor Wells

Mayor Wells was absent for the meeting. No report provided.

13. ADJOURNMENT

Acting Mayor McCollum terminated the meeting at 7:46 pm.

CERTIFIED CORRECT

Adopted by Council May 8th, 2024

Acting Mayor Melanie McCollum

Kate O'Connell, Corporate Officer