



Council Minutes

Meeting #: R9/2024
Date: May 22, 2024
Time: 4:00 pm
Location: CVRD Civic Room, 770 Harmston Ave, Courtenay

Council Present: B. Wells
W. Cole-Hamilton
D. Frisch
D. Hillian
E. Jolicoeur (electronic)
M. McCollum
W. Morin

Staff Present: G. Garbutt, City Manager (CAO)
C. Davidson, Director of Engineering Services (electronic)
A. Langenmaier, Director of Financial Services
S. Saunders, Director of Recreation, Culture & Community Services
K. Shaw, Director of Public Works Services
M. Wade, Director of Development Services
E. Chow, Manager Legislative Services
N. Gothard, Environmental Planner
C. Thompson, Manager of Public Works Services
L. Bourgeois, Deputy Corporate Officer

1. CALL TO ORDER

Mayor Wells 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

Councillor Morin informed that the K'ómoks First Nation has requested support regarding an Addition to Reserve Application to the Government of Canada, and requires a response no later than June 10, 2024. As the next Council meeting is scheduled for June 12, 2024, this item has been brought forward for Council's consideration this evening.

Moved By Morin

Seconded By Cole-Hamilton

THAT Council add correspondence from K'omoks First Nation under a new item numbered 5.3 - *Letter from K'omoks First Nation – Requesting support regarding an Addition to Reserve Application to the Government of Canada.*

CARRIED

3. ADOPTION OF MINUTES

3.1 Regular Council Minutes - May 8, 2024

Council, by unanimous consent, passed the following motion:

THAT Council adopt the May 8, 2024 Regular Council minutes.

CARRIED

4. STAFF REPORTS

4.1 Financial Services

4.1.1 Regional Social Development Grant Service Feedback

Moved By Frisch

Seconded By Hillian

THAT Council direct staff to inform the Comox Valley Regional District (CVRD) that it does not support participating in the proposed Regional Social Development Grant Service at this time; and

THAT the City request the CVRD to coordinate a fulsome review of all grant and grant like programs of Courtenay, Comox, Cumberland, and the CVRD to inform future grant service development.

CARRIED

4.2 Operational Services

4.2.1 Sustainable Infrastructure Investment Plan

Moved By Frisch
Seconded By Hillian

THAT Council approve the Sustainable Infrastructure Investment Plan.

CARRIED

Moved By Morin
Seconded By Frisch

THAT Council direct staff to implement the Sustainable Infrastructure Investment Plan by including the Plan's recommendations in the 2025-2029 financial planning process.

CARRIED

5. EXTERNAL REPORTS AND CORRESPONDENCE

5.1 Letter from Ravi Kahlon - Minister of Housing

Moved By Frisch
Seconded By Morin

THAT Council receive the letter from Ravi Kahlon, Minister of Housing regarding the City of Courtenay's request for Homeless Encampment Action Response Team (HEART) and Homeless Encampment Action Response Temporary Housing (HEARTH) programs.

CARRIED

5.2 Letter from Office of the Prime Minister

Moved By McCollum
Seconded By Frisch

THAT Council receive the letter from Office of the Prime Minister regarding the City of Courtenay's request for federal aid in infrastructure funding and municipal financing.

CARRIED

5.3 Letter from K’ómoks First Nation – Request for Support regarding an Addition to Reserve Application to the Government of Canada

Moved By Morin

Seconded By Hillian

THAT Council support the K’ómoks First Nation’s Addition to Reserve Application to the Government of Canada for three parcels (208 acres/84 hectares) of fee-simple land held by the Nation in the Union Bay Area (Southlands Project) for the following reasons:

- a. The support for the proposed Addition to Reserve is consistent with the reconciliation commitments made by the City of Courtenay in “Official Community Plan Bylaw 3070, 2022” and 2023-2026 Strategic Priorities Plan; and
- b. The proposed Addition reflects the intent of the policies contained with in the Regional Growth Strategy with respect to economic development and reconciliation for K’ómoks First Nation.

CARRIED

Moved By Frisch

Seconded By Cole-Hamilton

THAT Mayor Wells, on behalf of Council, send a letter to the K’ómoks First Nation in support of the Addition to Reserve Application to the Government of Canada.

CARRIED

6. INTERNAL REPORTS AND CORRESPONDENCE

6.1 Courtenay and District Memorial Outdoor Pool and Wading Pool

Moved By Hillian

Seconded By Cole-Hamilton

THAT Council receive the “Courtenay and District Memorial Outdoor Pool and Wading Pool” briefing note.

CARRIED

6.2 Management Reports - 2024

Moved By Hillian

Seconded By Frisch

THAT Council receive the “Management Reports – 2024” briefing note.

CARRIED

Without objection, Mayor Wells called a recess at 6:02 pm. The Council meeting resumed at 6:21 pm.

7. COUNCIL RESOLUTIONS

7.1 Rise and Report – 1915 Cumberland Road

THAT Council receive the report dated May 8, 2024 and direct staff to execute a Section 219 covenant for 1915 Cumberland to meet the conditions of the Zoning Amendment Bylaw No. 3044 that include: sewer main, Larsen Road turnaroud, amenity contributions and through traffic restrictions; and

THAT Council rise and report this resolution at the May 22, 2024 Council meeting.

8. NOTICE OF MOTION

8.1 Urgent Need for Downtown Washroom Facilities – Advocacy to Island Health (Councillor Morin)

WHEREAS the numbers of people in our community who are unsheltered have increased dramatically, and there are inadequate washroom facilities for those who are unsheltered; and

WHEREAS we are seeing evidence of an increase of public defecation and urination, potentially posing a public health risk to humans, animals, and the environment; and

WHEREAS due to the significant compromised health conditions of those who are unsheltered, and for safety and security reasons, public washrooms require enhanced maintenance and supervision; and

WHEREAS according to the Canadian National Housing Strategy Act of 2019, every person has a fundamental human right to housing; and

WHEREAS basic housing includes provision of heat, washroom facilities, and clean water; and

WHEREAS the responsibility for public health lies with provincial and federal governments and health authorities such as Island Health;

THEREFORE BE IT RESOLVED Council direct staff to request a meeting with Island Health’s Medical Health Officer and appropriate Island Health staff to discuss the health impacts of the lack of adequate daytime and no after-hours washroom facilities for those without shelter; and

BE IT FURTHER RESOLVED that the Mayor, on behalf of Council, send a letter to Island Health requesting the urgent provision of capital and operational funding to support downtown 24-hour washroom facilities; and

BE IT RESOLVED that Island Health be requested to appear as a delegation at Council to respond to the City’s requests regarding provision of and support for downtown 24-hour washroom facilities.

9. NEW BUSINESS

10. BYLAWS

10.1 For First and Second Readings:

10.1.1 City of Courtenay Official Community Plan Amendment Bylaw No. 3141, 2024

Moved By Frisch

Seconded By Cole-Hamilton

THAT Council give first and second readings to *“City of Courtenay Official Community Plan Amendment Bylaw No. 3141, 2024”*.

CARRIED

Moved By Hillian

Seconded By Morin

THAT Council direct staff to set a public hearing date for June 19, 2024 at 4:00 pm at the CVRD Civic Room 770 Harmston Ave Courtenay, BC.

CARRIED

Moved By Cole-Hamilton

Seconded By Frisch

THAT Council direct staff to provide notice of the scheduled public hearing as per section 466 of the *Local Government Act*, section 94 of the *Community Charter* and “City of Courtenay Development Procedures Bylaw No. 3106, 2023”.

CARRIED

Moved By Hillian

Seconded By Morin

THAT Council under section 475 *Local Government Act*, will provide opportunities it considers appropriate for consultation with persons it considers will be affected, including the Comox Valley Regional District, Comox/Cumberland, First Nations, and the province/provincial agencies; and

THAT Council, under section 476 *Local Government Act*, will consult the school board.

CARRIED

10.2 For First, Second and Third Readings:

10.2.1 Zoning Amendment Bylaw No. 3135, 2024 (small-scale multi-unit housing)

Moved By Hillian

Seconded By Frisch

THAT Council give first reading to Zoning Amendment Bylaw No. 3135, 2024 (small-scale, multi-unit housing) dated May 8, 2024.

CARRIED

Moved By Frisch

Seconded By Morin

That Council modify Zoning Bylaw Amendment Bylaw No. 3135, 2024 (small-scale, multi-unit housing) as follows:

- a. In Section 6.19.1. (i) delete “or” after (1) secondary Suite add “and”;

- b. In Section 6.19.1 (ii) delete “*or strata titling*”;
- c. In Section 7.1.13 delete “*the Downtown Core Area*” and replace with “*Walkable Areas*”;
- d. In Section 7.1.13 (1) delete “*for additional units, secondary to the principal residential use*” and replace with “*on a property*”;
- e. In Section 7.1.13 add after Schedule 7F “*Walkable Areas*” and after Schedule 7E add “*shown in Schedule C of this Bylaw*”;
- f. In Schedule 7A-Required Number of Off-Street Parking Spaces add the R-SSMUH use under A. Residential and add under the Required Parking Space 1 per dwelling unit to correspond with the SSMUH use;
- g. In Schedule A to Zoning Amendment Bylaw No.3135, 2024 (small-scale, multi-unit housing), renumbering the duplicate occurrence of 8.1.6 to become 8.1.7, and renumbering the remainder of section 8.1 accordingly;
- h. In Schedule A to Zoning Amendment Bylaw No.3135, 2024 (small-scale, multi-unit housing) Section 8.1.9 Off Street Parking (2) delete “*No more than 50% of the front yard area shall be used for off street parking*” and replace with “*Where more than one access point to a property is available, such as a front street and laneway, required parking stalls must be distributed in such a manner as to prevent a continuous row of parking stalls*”;
- i. In (e) AMENDING DIVISION 8 Part 1 Residential Zones 2. Change “*B17 to B18*” and add after Small-Scale Multi-Unit (R-SSMUH) Zone, “*Agriculture One (A-1), Public Use and Assembly Two (PA-2)*”;
- j. In DIVISION 3 Part 1 add to the definition of duplex after “*other*” “*and for certainty does not include a building that only contains a principal dwelling unit that contains a secondary suite*”;
- k. In DIVISION 3 Part 1 for the definition dwelling townhouse:
 - i. after “*has*” add the words “*at least two*”;
 - ii. delete the word “*a*”; and

- iii. add the letters “es” to access;
- I. In DIVISION 3 Part 1 for the definition of secondary suite:
 - i. add the word “and” after “located”; and
 - ii. delete the words “contained within a building which is a single real estate entity”.

CARRIED

Moved By McCollum

Seconded By Frisch

THAT Council give second reading as modified to Zoning Amendment Bylaw No. 3135, 2024 (small-scale multi-unit housing).

CARRIED

Moved By Cole-Hamilton

Seconded By Frisch

THAT Council give third reading as modified to Zoning Amendment Bylaw No. 3135, 2024 (small-scale-multi-unit housing).

CARRIED

Moved By Frisch

Seconded By McCollum

THAT given Ministerial Order No. M114, dated May 8, 2024, and regrading Approval Exemption (Controlled Access Highway) Regulation, Zoning Amendment Bylaw No. 3135, 2024 (small-scale multi-unit housing) does not require referral to the Minister of Transportation and Infrastructure for approval.

CARRIED

Moved By Cole-Hamilton

Seconded By Frisch

THAT Council confirms that it has given consideration to the Provincial Policy Manual and Site Standards document prepared by the Province of British Columbia, specifically, the standards recommended in Part 4 of the document.

CARRIED

Moved By McCollum

Seconded By Cole-Hamilton

THAT pursuant to Section 484.4 (2) of the *Local Government Act*, Staff prepare and submit the required letter of notification to the Province as soon as practicable after adoption of Zoning Amendment Bylaw No. 3135, 2024 (small-scale multi- unit housing), identifying the “Restricted Zone” properties that have been rezoned to the Residential Small-Scale Multi-Housing zone and the additional properties within “Restricted Zones” that are exempt from Sections 481.3 (4) and (5) of the *Local Government Act*.

CARRIED

Moved By Frisch

Seconded By McCollum

THAT staff, following final adoption and before the end of 2024, bring a report back to Council on the effects of on the development of infill housing within Courtenay.

CARRIED

Moved By Cole-Hamilton

Seconded By Frisch

THAT, given the size and scope of Zoning Amendment Bylaw No. 3135, 2024 (small-scale multi-unit housing), staff may need to bring forward additional amendments to correct the zoning bylaw, which will be done at no cost to the property owner.

CARRIED

10.2.2 Fees and Charges Amendment Bylaw No. 3138, 2024 – Development Application Fees

Moved By Hillian

Seconded By Frisch

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 3138, 2024 – Development Application Fees".

CARRIED

11. COUNCIL REPORTS

11.1 Councillor Cole-Hamilton

No report provided.

11.2 Councillor Frisch

No report provided.

11.3 Councillor Hillian

No report provided.

11.4 Councillor Jolicoeur

No report provided.

11.5 Councillor McCollum

No report provided.

11.6 Councillor Morin

Councillor Morin submitted a report of activities; see agenda.

11.7 Mayor Wells

Mayor Wells reviewed his attendance at the following events:

- The grand opening of the Courtenay Chamber of Commerce's Business Hub, located in downtown Courtenay, on May 9, 2024;
- The Royal Canadian Air Force's 100th anniversary at the Comox Air Show on May 18, 2024; and

- A Moose Hide Campaign event held on May 16, 2024.

Mayor Wells, in solidarity with the K'omoks First Nation, denounced an upcoming performance by the Danger Cats and informed that the City of Courtenay stands with First Nations communities.

12. ADJOURNMENT

Mayor Wells terminated the meeting at 6:46 pm.

CERTIFIED CORRECT

Adopted by Council June 12, 2024.

Mayor Bob Wells

Lisa Bourgeois, Deputy Corporate Officer