



Council Minutes

Meeting #: R21/2024
Date: December 11, 2024
Time: 4:00 pm
Location: CVRD Civic Room, 770 Harmston Ave, Courtenay

Council Present: B. Wells (Mayor)
W. Cole-Hamilton (joined electronically, left at 4:40 pm.)
D. Frisch
D. Hillian
M. McCollum
W. Morin

Regrets: E. Jolicoeur

Staff Present: G. Garbutt, City Manager (CAO)
C. Davidson, Director of Infrastructure and Environmental Engineering
A. Langenmaier, Director of Financial Services
K. MacDonald, Fire Chief
K. O'Connell, Director of Corporate Services (CO)
S. Saunders, Director of Recreation, Culture & Community Services
K. Shaw, Director of Operational Services
M. Wade, Director of Development Services
N. Gothard, Manager of Community and Sustainability Planning
J. Cramer, Planner 2
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

With no late items or objections, Council proceeded with the agenda as presented.

3. ADOPTION OF MINUTES

3.1 Regular Council Minutes - November 27, 2024

Moved By Morin

Seconded By McCollum

THAT Council adopt the November 27, 2024 Regular Council minutes.

CARRIED

4. DELEGATIONS

4.1 Comox Valley Masters Soccer Club - Timberframe Pavilion Partnership Proposal

A delegation by J. Ross, representing the Comox Valley Masters Soccer Club (CVMC), proposed a partnership with the City to create a Timberframe Pavilion at Woodcote Park.

5. PRESENTATION

5.1 Comox Valley Regional District (CVRD) - Direct Action on Housing and Regional Transportation

A presentation by J. Warren, Chief Administrative Officer of the Comox Valley Regional District (CVRD), introduced CVRD's initiatives to address affordable, non-market rental housing and regional transportation network.

6. STAFF REPORTS

6.1 Development Services

6.1.1 Development Variance Permit Application No. 2403 – 407 4th Street

The applicant, G. Renkema, representing Monterra Projects Ltd., addressed Council's questions on building design, height, parking, green space, and community engagement with local residents.

Councillor Cole-Hamilton left the meeting at 4:40 pm, and did not return.

Moved By Frisch

Seconded By Morin

THAT Council vary the requirements of *Zoning Bylaw No. 2500, 2007* as follows:

- a. Section 6.7.1 – Sight Triangle – from 6.0 m from the point of the street intersection to 3.0 m.
- b. Section 7.1.10(1) – Small Car Parking – from 10% of the total number of parking stalls for small cars to 26% of the total number of parking stalls for small cars.
- c. Section 7.3.2 (1) – Bicycle Parking Specifications – from each standard bicycle parking space shall be a minimum of 1.8 metres (length) to 1.2 metres (length) and from 0.6 metres (width) to 0.3 metres (width).
- d. Section 7.3.2 (2) – Bicycle Parking Specifications – from 10% to 5% of minimum required bicycle parking spaces shall be designed for oversized bicycle parking spaces and from 3.0 metres (length) to 1.2 metres (length).
- e. Section 7.3.2 (3) – Bicycle Parking Specifications – remove the requirement for each bicycle parking space must be independently accessible from a sturdy rack designed for frame, not wheel-only, support.
- f. Section 7.3.2 (6) – Bicycle Parking Specifications – from access shall be provided from each bicycle space to a street, excluding a lane to access shall be provided from each bicycle space to a street, including a lane.
- g. Section 7.3.2 (14) (c.) – Bicycle Parking Specifications – from no more than 20 bicycles [parking stalls] to no more than 30 bicycles [parking stalls] shall be provided in each bicycle room.
- h. Section 8.13.7 – Height of Building – from no *building* in this zone shall exceed 13.5 m to no *building* in this zone shall exceed 16.0 m; and

THAT Council approve Development Variance Permit No. 2403 (407 4th Street); and

THAT Council direct the Director of Development Services to issue “Development Variance Permit No. 2403 (407 4th Street).

CARRIED

6.1.2 Urban Forest Strategy and Tree Bylaw Update, Communication Strategy and Workplan

Moved By Hillian

Seconded By McCollum

THAT Council receive the report “Urban Forest Strategy and Tree Bylaw Update, Communication Strategy and Workplan” and endorse the communication strategy outlined in Attachment 2 in order to guide community and interest-holder communication and engagement.

CARRIED

6.2 Fire Department

6.2.1 Community Resiliency Investment Grant Funding: 2023 Update and 2025 Application

Moved By McCollum

Seconded By Frisch

THAT based on the December 11, 2024 staff report “Community Resiliency Investment Grant Funding: 2023 Update and 2025 Application”, Council approves OPTION 1 and authorize an application made to the Union of BC Municipalities Community Resiliency Investment Grant Funding – FireSmart Community Funding and Supports for up to \$2,000,000 to be used in 2025-2026 to support the regional application by the Comox Valley Regional District (primary applicant);

AND FURTHER, THAT as a joint applicant, Council agrees that the primary applicant will apply for, receive, and manage the grant funding on their behalf, if successful in grant funding.

CARRIED

6.2.2 2024 Disaster Risk Reduction – Climate Adaptation Grant

Moved By Frisch

Seconded By Hillian

THAT based on the December 11 2024 staff report “2024 Disaster Risk Reduction – Climate Adaptation Grant”, Council approves OPTION 1 and authorize an application made to the Union of BC Municipalities Community Emergency Preparedness Fund 2024 Disaster Risk Reduction – Climate Adaptation Category 2 for up to \$100,000 to support the regional application by the Comox Valley Regional District (primary applicant);

AND FURTHER, THAT as a joint applicant, Council agrees that the primary applicant will apply for, receive, and manage the grant funding on their behalf, if successful in grant funding.

CARRIED

6.3 Recreation, Culture and Community Services

6.3.1 Winter Shelter – Emergency Conditions

Moved By Hillian

Seconded By Frisch

WHEREAS a winter shelter provides urgently needed temporary accommodation free of charge to anyone who is homeless or at risk of homelessness during winter weather conditions; and

WHEREAS the building located at 971 Cumberland Road is available to be used for a winter weather shelter, but is zoned Industrial Two (I-2) and for which a winter shelter is not a permitted use; and

WHEREAS the to be selected shelter operator requires permission from the City of Courtenay to operate a winter shelter at 971 Cumberland Road until April 30, 2025; and

WHEREAS the British Columbia Housing Management Commission (BC Housing) has agreed to fund the operation of an Extreme Weather Response shelter;

THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF COURTENAY, resolves to temporarily defer strict enforcement of the Zoning Bylaw at 971 Cumberland Road so as to facilitate the operation of

the temporary winter shelter up to April 30, 2025, subject to the following:

- a. the City of Courtenay entering into an agreement with an operator for the provision of winter shelter services:
- b. The Fire Chief and Manager of Business Services inspecting 971 Cumberland Road and concluding that there are no immediate life safety concerns with the proposed use.

CARRIED

6.3.2 Winter Shelter – Service Provision

Moved By Frisch

Seconded By Morin

THAT Council, in recognition of the urgent need for the provision of winter shelter services, direct staff to enter into an agreement with an operator to facilitate the provision of winter shelter services up to April 30, 2025; and

THAT Council delegate authority to the Director of Recreation, Culture, and Community Services to determine the form of agreement, and negotiate all terms and conditions deemed necessary or as legally required to facilitate the provision of winter shelter services at 971 Cumberland Road; and

THAT Council authorize \$189,000 for the provision of winter shelter services.

CARRIED

Without objection, the meeting was recessed at 6:09 pm. Mayor Wells reconvened the meeting at 6:33 pm.

7. INTERNAL REPORTS AND CORRESPONDENCE

7.1 Management Reports

Moved By Frisch

Seconded By Morin

THAT Council receive Management Reports as presented for information.

CARRIED

8. UNFINISHED BUSINESS

8.1 Delegation - Morrison Creek Fish Passage Remediation

Moved By Frisch

Seconded By McCollum

THAT Council refer the delegation's request to replace the baffles, and repair the plunge pool's riffle crest in the Morrison Creek culvert to staff for a report.

CARRIED

8.2 Delegation - You Are Not Alone (Y.A.N.A.) Fund Society Fee Exemption Request

Moved By Morin

Seconded By Frisch

THAT Council provide a one-time grant in the amount of \$1,197.85 in support of the YANA's Big Love Benefit Dinner and Auction in February of 2025; and

THAT Council advise YANA on the Community Foundation Grant Application Process.

Council proposed an amendment to the main motion:

Amendment:

Moved By Hillian

Seconded By McCollum

THAT the main motion be amended by replacing the grant amount from "\$1,197.85" to "\$1,000" and add "Other Council Initiatives (Gaming Funds)" as the source of funding.

CARRIED

Council returned to the main motion as amended.

Moved By Morin

Seconded By Frisch

THAT Council provide a one-time grant in the amount of \$1,000 in support of the YANA's Big Love Benefit Dinner and Auction in February of 2025, to be paid from the Other Council Initiatives (Gaming Funds); and

THAT Council advise YANA on the Community Foundation Grant application process.

CARRIED

9. BYLAWS - For 1st, 2nd, 3rd Reading:

9.1 Reserve Bylaw Updates

9.1.1 Municipal and Regional District Tax Reserve Bylaw No. 3158

Moved By Hillian

Seconded By Frisch

THAT Council give first, second and third reading to Municipal and Regional District Tax Reserve Bylaw No. 3158, 2024.

CARRIED

9.1.2 Snow and Ice Control Reserve Bylaw No. 3159

Moved By Frisch

Seconded By Morin

THAT Council give first, second and third reading to Snow and Ice Control Reserve Bylaw No. 3159, 2024.

CARRIED

9.1.3 Solid Waste Reserve Bylaw No. 3160

Moved By Morin

Seconded By Frisch

THAT Council give first, second and third reading to Solid Waste Reserve Bylaw No. 3160, 2024.

CARRIED

9.1.4 Police Contingency Reserve Fund - Amendment Bylaw No. 3161

Moved By Hillian

Seconded By Frisch

THAT Council give first, second and third reading to Police Contingency Reserve Fund Amendment Bylaw No. 3161, 2024.

CARRIED

9.1.5 Election Reserve Bylaw No. 3162

Moved By Frisch

Seconded By McCollum

THAT Council give first, second and third reading to Election Reserve Bylaw No. 3162, 2024.

CARRIED

9.2 Fire Protective Services - Amendment Bylaw No. 3163

Moved By Morin

Seconded By Frisch

THAT Council give first, second and third reading to the Fire Protective Services - Amendment Bylaw No. 3163, 2024.

CARRIED

9.3 Development Cost Charges - Amendment Bylaw No. 3164

Moved By Frisch

Seconded By Hillian

THAT Council give first, second and third reading to Development Cost Charges - Amendment Bylaw No. 3164.

CARRIED

10. BYLAWS - For Adoption:

10.1 11th Street Zoning Amendment Bylaw No. 3059 Adoption - Part 68 - Comprehensive Development Forty One (CD-41) (120 11th Street)

Moved By McCollum

Seconded By Frisch

THAT Council adopt *Zoning Amendment Bylaw No. 3059 (11th Street)* – Part 68 - Comprehensive Development Forty One (CD-41) (120 11th Street):

THAT Council exempt the fee for an encroachment agreement (419 ft²) in exchange for the costs accepted by the land owner for the inspecting, maintaining, and repairing the encroachments on the City lands as established in the Section 219 Covenant (Landscaping).

CARRIED

10.2 Housing Agreement Bylaw No. 3152, 2024, Adoption – 120 11th Street

Moved By Hillian

Seconded By Morin

THAT Council adopt *Housing Agreement Bylaw No. 3152, 2024* (120 11th Street).

CARRIED

11. COUNCIL RESOLUTION

11.1 Rise and Report - 2025 Vancouver Island Regional Library (VIRL) Board Appointments

From the November 27th, 2024 Closed Meeting (In Camera), Council Rises and Reports the following:

"THAT Council appoint Councillor Morin to the Vancouver Island Regional Library (VIRL) Board for a one-year term, January 1 to December 31, 2025 with Councillor McCollum appointed as alternate."

12. COUNCIL REPORTS

12.1 Councillor Cole-Hamilton

No report provided.

12.2 Councillor Frisch

No report provided.

12.3 Councillor Hillian

Councillor Hillian submitted a report of activities, see agenda.

12.4 Councillor Jolicoeur

No report provided.

12.5 Councillor McCollum

No report provided.

12.6 Councillor Morin

Councillor Morin submitted a report of activities, see agenda.

12.7 Mayor Wells

Mayor Wells reviewed his attendance at the Comox Valley Holiday Parade, held on December 1, 2024, on 5th Street, expressing gratitude to the Downtown Courtenay Business Improvement Association (DCBIA), volunteers, and community members for their contributions to the parade's success.

13. IN CAMERA RESOLUTION

Moved By Frisch

Seconded By McCollum

THAT Council close the meeting to the public pursuant to the following subsections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and

(c) labour relations or other employee relations; and

(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; and

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

14. ADJOURNMENT

Mayor Wells terminated the open portion of the meeting at 7:04 pm. Following the conclusion of the in camera portion of the meeting, Mayor Wells terminated the meeting at 7:25 pm.

CERTIFIED CORRECT

Adopted by Council [MONTH] [DAY], 2024

Mayor Bob Wells

Corporate Officer