



# Council Minutes

---

**Meeting #:** R10/2024  
**Date:** June 12, 2024  
**Time:** 4:00 pm  
**Location:** CVRD Civic Room, 770 Harmston Ave, Courtenay

**Council Present:** B. Wells (Mayor)  
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  
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 (electronic)  
E. Chow, Manager Legislative Services  
J. Chan, Manager of Business Administration  
N. Gothard, Manager of Community and Sustainability Planning  
J. Bays, Community Development Coordinator  
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.

Mayor Wells congratulated Councillor Cole-Hamilton on his successful re-election to the Federation of Canadian Municipalities' Board of Directors.

Councillor Hillian, on behalf of Council, addressed concerns regarding the ongoing Gaza/Israel conflict and voiced opposition to any form of racism.

Mayor Wells encouraged all residents of the Comox Valley to join and participate in the National Indigenous People's Day celebrations hosted by K'ómoks First Nation on June 21 at the Comox Valley Exhibition Grounds.

Councillor McCollum, on behalf of Mayor Wells, declared the month of June as Brain Injury Awareness Month.

**2. INTRODUCTION OF LATE ITEMS**

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

**3. ADOPTION OF MINUTES**

**3.1 Special Council Minutes - May 15, 2024**

**Moved By** Cole-Hamilton

**Seconded By** Morin

THAT Council adopt the May 15, 2024 Special and the May 22, 2024 Regular Council minutes.

**CARRIED**

**3.2 Regular Council Minutes - May 22, 2024**

The May 22, 2024 Regular Council minutes were adopted during Item 3.1.

**4. PRESENTATIONS**

**4.1 BC Housing Update**

Sarah Smith (Director of Regional Development, BC Housing) provided a presentation and spoke relative to the status of the proposed supportive housing and shelter development at 925 Braidwood Road.

**5. DELEGATIONS**

**5.1 Comox Strathcona Waste Management**

Sarah Willie (Manager of Solid Waste Planning and Policy Development, Comox Valley Regional District) introduced Marc Rutten (General Manager of Engineering Services, Comox Valley Regional District) and Vivian Schau (Senior Manager of Comox Strathcona Waste Management Services) and provided a presentation and an update on Comox Strathcona Waste Management Services' Solid Waste Management Plan renewal.

## 6. STAFF REPORTS

### 6.1 City Manager (CAO)

#### 6.1.1 2024 Union of British Columbia Municipalities (UBCM) Minister and Staff Meeting Requests

**Moved By** Hillian

**Seconded By** Frisch

THAT Council direct staff to make application for the following Minister and Ministry Staff meetings:

- Minister of Housing;
- Minister of Mental Health and Addictions;
- Minister of Transportation and Infrastructure;
- Ministry of Housing;
- Ministry of Municipal Affairs;
- Island Health;
- Ministry of Emergency Management and Climate Readiness; and
- Ministry of Transportation and Infrastructure.

**CARRIED**

### 6.2 Development Services

#### 6.2.1 Development Variance Permit Application No. 2306 – 1580 Fitzgerald Avenue

**Moved By** Frisch

**Seconded By** Morin

THAT Council vary the following sections of "Zoning Bylaw No. 2500, 2007":

- a) Section 8.26.2 – Minimum Lot Size – A lot shall have an area of not less than, from 2,500m<sup>2</sup> to 1,600m<sup>2</sup>;

b) Section 8.26.5 (2) – Rear Yard Building Setback – from 10.0m to 6.8m;

c) Section 8.26.5 (3) – Side Yard Building Setback – for the north west side yard from a minimum of 9.0m to 1.2m;

d) Section 8.26.10 (1) – Landscape and Screening Requirements – where a lot adjoins a residential zone, a minimum landscaped area shall be provided along the inside of all affected property lines from 7.5 m to 0.7 m for the north west side property line and from 7.5 m to 1.0m for the south east side property line; and

e) Section 8.26.10 (2) – Landscape and Screening Requirements – where a lot adjoins a street, a landscaped area shall be provided along the entire frontage of the property facing the street, from 6.0m to 0.0m.

**CARRIED**

**Moved By** McCollum

**Seconded By** Frisch

THAT Council approve "Development Variance Permit No. 2306 (1580 Fitzgerald Avenue)" which would allow for the redevelopment of the property to construct a new church and parking subject to the following conditions:

a) the payment of a landscape security in the amount of \$51,044.00 prior to the issuance of a Building Permit; and

b) no substantial changes to the site plan be permitted without an amendment to the Development Variance Permit and re-review of the Certificate of Compliance.

**CARRIED**

## **6.3 Financial Services**

### **6.3.1 Permissive Tax Exemption Policy Options**

Staff noted a minor technical issue and requested that Council take a brief recess so that the matter could be resolved. Without objection,

Mayor Wells called a recess at 5:18 pm. The Council meeting resumed at 5:24 pm with all members of Council present.

**Moved By** Morin

**Seconded By** McCollum

THAT the permissive tax policy options, as directed by Council at the October 25, 2023 Council meeting, be considered for application in the 2026 tax year; and

THAT Council direct staff to expand the scope of the review and options analysis from permissive taxes to grant in aid, and report back on permissive tax and granting policy options; and

THAT permissive tax and grant in aid options be guided by the policy priorities and cardinal directions of the Official Community Plan (OCP); and

THAT Permissive Property Tax Exemption Policy Section 5. a) be amended to clarify that not-for-profit daycares are not subject to this prohibition for consideration during the 2025 permissive tax exemption consideration.

**CARRIED**

## **6.4 Operational Services**

### **6.4.1 Downtown Courtenay Parking Study**

Matt Browning (Senior Transportation Planner at McElhanney) provided a presentation.

**Moved By** Frisch

**Seconded By** Morin

THAT Council receive the “Downtown Courtenay Parking Study” for information and that the study be used as a baseline data set to support future active transportation design standards, regulatory standards, parking enforcement standards, and the implementation of the *Official Community Plan*.

**CARRIED**

Without objection, Mayor Wells called a recess at 6:39 pm. The Council meeting resumed at 7:00 pm with all members of Council present.

## **6.5 Recreation, Culture and Community Services**

### **6.5.1 Comox Valley Farmers' Market Native Sons Hall Rental Fee Reduction Request**

**Moved By** Frisch

**Seconded By** Hillian

THAT Council direct staff to charge the Comox Valley Farmers' Market Association the Adult Not-For-Profit Rate for the Native Sons Hall Grand Hall, as established by the Fees and Charges Bylaw No. 2988, 2024; and

THAT Council delegate authority to the Director of Recreation, Culture, and Community Services to determine the service and reporting deliverables and form and content of an agreement between the City of Courtenay and Comox Valley Farmers' Market Association for a three-year term with two options to renew for an additional one-year term each; and

THAT Council delegate authority to the Director of Recreation, Culture, and Community Services to execute any agreements related to the assistance both in-kind and financial provided to Comox Valley Farmers Market Association, subsequent to the publishing of notice.

**CARRIED**

## **7. EXTERNAL REPORTS AND CORRESPONDENCE**

### **7.1 Letter from Courtenay Airpark Association**

**Moved By** Frisch

**Seconded By** Hillian

THAT Council refer the request from Courtenay Airpark Association to erect a marquee along the pathway on a one-time basis on June 15th, 2024 to support the "Give Hope Wings" Expedition's fundraising initiatives ("the request") to staff for consideration; and

THAT, due to time constraints associated with the request, Council delegate approval authority to staff relative to the request.

**CARRIED**

**7.2 Letter from Residents of Lambert Drive**

**Moved By** Frisch

**Seconded By** Hillian

THAT Council direct staff to determine implications related to the request for assistance removing the covenant on Lambert Drive and report back to Council on options related to the request.

**CARRIED**

**7.3 Letter from Kumugwe Cultural Society (KCS)**

**Moved By** Cole-Hamilton

**Seconded By** Jolicoeur

THAT Council direct staff to work with the Kumugwe Cultural Society and other interest holders to explore options for the management and care of totem poles on City of Courtenay property.

**CARRIED**

**8. INTERNAL REPORTS AND CORRESPONDENCE**

**8.1 Strengthening Communities' Grant Update**

**Moved By** Frisch

**Seconded By** Hillian

THAT Council receive the Strengthening Communities' Grant Update briefing note.

**CARRIED**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council request that Mayor Wells write to, and organize a meeting between, local and regional government partners and the Province regarding an

extension of the Strengthening Communities' Grant, which aims to support unsheltered homeless populations and address related community impacts.

**CARRIED**

**9. NOTICE OF MOTION**

**9.1 Union of British Columbia Municipalities (UBCM) Resolution - Advancing Local Government Actions Toward the Declaration on the Rights of Indigenous Peoples Act (DRIPA) and Reconciliation (Councillor Jolicoeur)**

The Union of British Columbia Municipalities (UBCM) requires that resolutions be submitted for consideration no later than June 15, 2024. As this is the last scheduled Council meeting prior to the UBCM resolution deadline, Councillor Jolicoeur requested that Council waive section 35.1(5) of Council Procedure Bylaw No. 2730, 2013 in order to consider the motion regarding Advancing Local Government Actions Toward the *Declaration on the Rights of Indigenous Peoples Act (DRIPA)* and Reconciliation during Item 9.1 of the June 12, 2024 agenda.

**Moved By** Cole-Hamilton

**Seconded By** Hillian

THAT Council waive section 35.1(5) of Council Procedure Bylaw No. 2730, 2013 in order to consider the motion regarding "Union of British Columbia Municipalities (UBCM) Resolution – Advancing Local Government Actions Toward the *Declaration of on the Rights of Indigenous Peoples Act (DRIPA)* and Reconciliation".

**CARRIED**

**As the motion to waive section 35.1(5) of Council Procedure Bylaw No. 2730, 2013 passed, Council proceeded with consideration of the motion regarding Advancing Local Government Actions Toward the *Declaration on the Rights of Indigenous Peoples Act (DRIPA)* and Reconciliation.**

**Moved By** Jolicoeur

**Seconded By** Cole-Hamilton

WHEREAS the Province of BC is implementing the 10 Principles within the *Declaration of Rights of Indigenous Peoples Act (DRIPA)* and local governments



and Indigenous organizations are collectively working towards reconciliation actions; and

WHEREAS many local governments and Indigenous organizations do not have the capacity for the extensive work required for effective partnership building in the spirit of reconciliation;

THEREFORE BE IT RESOLVED that UBCM request that the Province of BC provide an ongoing funding stream for local governments and Indigenous partners to advance *DRIPA* and local reconciliation actions.

**CARRIED**

## **10. COUNCIL RESOLUTIONS**

### **10.1 Urgent Need for Downtown Washroom Facilities – Advocacy to Island Health (Councillor Morin)**

**Moved By** Morin

**Seconded By** Cole-Hamilton

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.

**Council proposed an amendment to the main motion:**

**Amendment:**

**Moved By** Morin

**Seconded By** Cole-Hamilton

THAT the main motion be amended by deleting the following clause:

*"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"*

and replacing it with the following clause:

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

**CARRIED**

**Council returned to the main motion as amended.**

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, appropriate Island Health staff, and community partners 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.

**CARRIED**

**11. NEW BUSINESS**

No items.

**12. BYLAWS**

**12.1 For Adoption:**

**12.1.1 Zoning Amendment Bylaw No. 3037, 2023 (1590 Piercy Ave)**

**Councillor Frisch declared a conflict of interest due to previous business dealings with the applicant and left the meeting at 8:02 p.m.**

**Moved By** Cole-Hamilton

**Seconded By** Morin

THAT Council adopt Zoning Amendment Bylaw No. 3037, 2023 (1590 Piercy Ave).

**CARRIED**

**Councillor Frisch absent at the vote.**

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

**Councillor Frisch returned to the meeting at 8:03 p.m.**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council adopt "Zoning Amendment Bylaw No. 3135, 2024 (small-scale, multi-unit housing)".

**CARRIED**

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

**Moved By** McCollum

**Seconded By** Frisch

THAT Council adopt "Fees and Charges Amendment Bylaw No. 3138, 2024 – Development Application Fees".

**CARRIED**

**13. COUNCIL REPORTS**

**13.1 Councillor Cole-Hamilton**

No report provided.

**13.2 Councillor Frisch**

No report provided.

**13.3 Councillor Hillian**

Councillor Hillian submitted a report of activities; see agenda.

Councillor Hillian acknowledged the passing of Andrew Stringfellow, a long-time counsellor and community member, as well as Ben, a resident of The Junction.

Councillor Hillian indicated that he would be taking some personal time for the next four weeks and would be absent from upcoming Council meetings accordingly.

**13.4 Councillor Jolicoeur**

No report provided.

**13.5 Councillor McCollum**

Councillor McCollum submitted a report of activities; see agenda.

**13.6 Councillor Morin**

Councillor Morin reviewed her attendance at the following events:

- The Margaret Atwood event sponsored by the Comox Valley Writers Society (CVWS) on June 2nd;
- CVWS's 60th anniversary celebrations at Anderton Gardens on Saturday, June 8th; and
- Anne Davis's retirement celebration at the Comox Valley Transition Society, honoring her 31 years of service.

**13.7 Mayor Wells**

Mayor Wells reviewed his attendance at the following events:

- Miles of Flowers community event on Tuesday, May 28th;
- Comox Valley Farmers Institute Elected Officials Farm Tour on Tuesday, June 11th; and
- Comox Valley Substance Use Collaborative on Tuesday, June 11th.

**14. IN CAMERA RESOLUTION**

**Moved By** Hillian

**Seconded By** Frisch

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;
- (c) labour relations or other employee relations;
- (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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; and
- (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**

**15. ADJOURNMENT**

Mayor Wells terminated the open portion of the meeting at 8:15 pm. Following the conclusion of the in camera portion of the meeting, Mayor Wells terminated the meeting at 9:57 pm.

**CERTIFIED CORRECT**

Adopted by Council [MONTH] [DAY], 2024

---

Mayor Bob Wells

---

Lisa Bourgeois, Deputy Corporate Officer

