



# Council Minutes

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**Meeting #:** R12/2024  
**Date:** July 17, 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  
M. McCollum (joined the meeting electronically at 5:11 pm.)

**Regrets:** W. Morin

**Staff Present:** G. Garbutt, City Manager (CAO)  
A. Langenmaier, Director of Financial Services  
K. O'Connell, Director of Corporate Services (CO)  
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  
E. Chow, Manager of Legislative 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. 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:

(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;

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

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

**CARRIED**

The in camera portion of the meeting began at 4:03 pm.

The in camera meeting recessed at 4:49 pm and resumed after the completion of the open portion of the meeting.

The open portion of the meeting resumed at 5:11 pm and Council proceeded with the agenda as presented.

Councillor McCollum joined the open portion of the Council meeting at 5:11 pm.

**3. INTRODUCTION OF LATE ITEMS**

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

**4. ADOPTION OF MINUTES**

**4.1 Regular Council Minutes - June 26, 2024**

**Moved By** Cole-Hamilton

**Seconded By** Jolicoeur

THAT Council adopt the June 26, 2024 Regular Council minutes.

**CARRIED**

**5. PRESENTATIONS**

**5.1 K'ómoks Treaty Negotiations Update**

Jessica Jamieson, Negotiations Analyst, Ministry of Indigenous Relations & Reconciliation, presented an overview of the K'ómoks First Nation (KFN) Treaty process and its outcomes to date, as well as the next steps. Melissa Quocksister, Treaty Consultant, and Ashley Wright, Treaty Manager for KFN, spoke about the substantial work and time that was invested to reach this important stage of the treaty process, and outlined the benefits to KFN members, governments, and all residents of the Comox Valley.

## **6. DELEGATIONS**

### **6.1 925 Braidwood Neighbors**

J. Goddard appeared before Council and spoke on behalf of the 222 petition signatories. The delegate expressed concerns about recent changes to provincial legislation that have removed public engagement opportunities for residents to provide input on rezoning applications. The speaker stated support for the planned supportive housing development, but opposed the planned shelter at the same location. Council was also presented with a draft of the Good Neighbour Agreement between the 925 Braidwood Neighbours, City Council, and BC Housing. S. Larsen, a member of the 925 Braidwood Neighbours group appeared before Council and offered to answer any questions.

## **7. STAFF REPORTS**

### **7.1 City Manager (CAO)**

#### **7.1.1 Non-Enforcement of “Sanitary Sewer Use, Extension and Connection Bylaw No. 1327”**

**Moved By** Frisch

**Seconded By** Hillian

THAT the Comox Valley Regional District (CVRD) be requested to provide a water analysis from a qualified geotechnical engineer (e.g. hydrocarbons, BETX, PAHs, Metals, Suspended Solids, etc.); and

THAT once the following conditions have been met to the satisfaction of the City Manager, Council approve the CVRD’s request to discharge excavation water into the City of Courtenay sanitary sewer system as part of the Regional Lift Station on Comox Road Project up until November 15, 2024:

- that the water quality has been quantified and the CVRD has provided documentation that all regulatory assurances have been met, and,
- an Indemnification Agreement has been executed by both parties.

**CARRIED**

## **7.2 Development Services**

### **7.2.1 Development Variance Permit No. 2207 – 4883 Island Highway North**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council vary Section 5.3.1 (a) of Sign Bylaw No. 2760, 2013 from, “The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a building premise to a maximum of 9.0m<sup>2</sup> (96.9 sq. ft.)” to “The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 20% of the area the south building face of the existing building to a maximum 17.5m<sup>2</sup> (188.37 sq. ft.)”; and

THAT Council approve Development Variance Permit No. 2207 (4883 Island Highway North); and

THAT Council direct the Director of Development Services to issue Development Variance Permit No. 2207 (4883 Island Highway North).

**CARRIED**

### **7.2.2 Development Variance Permit No. 2402 – 558 England Avenue**

**Moved By** Jolicoeur

**Seconded By** Frisch

THAT Council vary the Section 8.18.2 of Zoning Bylaw No. 2500, 2007 “A lot shall have an area of not less than 500m<sup>2</sup>”, to “A lot shall have an area of not less than 118m<sup>2</sup>”; and

THAT Council approve Development Variance Permit No. 2402 (558 England Avenue); and

THAT Council direct the Director of Development Services to issue Development Variance Permit No. 2402 (558 England Avenue).

**CARRIED**

### **7.2.3 Update Local Area Plan Harmston Civic Precinct and Downtown Centre**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council receive the report “Update Local Area Plan Harmston Civic Precinct and Downtown Centre”; and

THAT Council direct staff to consolidate the Harmston Precinct, The Downtown Playbook, and the Downtown Centre with related land use plans, community plans, and policies into a comprehensive encompassing Downtown Area Plan.

**CARRIED**

**Without objection, the meeting was recessed at 6:35 pm. Mayor Wells reconvened the meeting at 7:00 pm.**

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

### **7.3.1 Comox Valley Art Gallery Society Licence to Occupy, Management and Operating Grant Fee for Service Agreement**

Glen Sanford, Executive Director, and Denise Lawson, Co-Director of Curatorial Programming, of the Comox Valley Art Gallery Society, provided an update on their approaches to delivering arts and culture opportunities to the public, showcasing some specific projects including art work displayed at the Comox Hospital, the Screen project, Walk With Me project, and the Youth Media project.

**Moved By** Frisch

**Seconded By** Jolicoeur

THAT Council authorize staff to execute the attached licence to occupy agreement between the City of Courtenay and Comox Valley Art Gallery Society for the occupation and use of a portion of the property located at 580 Duncan Avenue, Courtenay, British Columbia, legally described as PID: 028-799-925 Lot B, Section 61, Comox District Plan EPP15696, subsequent to the publishing of notice; and

THAT Council authorize staff to execute the attached Management and Operating Grant Fee for Service agreement between the City of Courtenay and Comox Valley Art Gallery Society for the management and operation of an art gallery and provision of public education and outreach programs in the community.

**CARRIED**

**7.3.2 Comox Valley Community Art Council Licence to Occupy and Grant Fee for Service Agreement**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council authorize staff to execute the attached two-year Licence to Occupy agreement between the City of Courtenay and Comox Valley Community Arts Council for the occupation and use of a portion of the property located at 580 Duncan Avenue, Courtenay, British Columbia, legally described as PID: 028-799-925 Lot B, Section 61, Comox District Plan EPP15696, subsequent to the publishing of notice; and

THAT Council authorize staff to execute the attached amended Grant Fee For Service agreement between the City of Courtenay and Comox Valley Community Art Council for it's provision of arts and culture services as outlined in the agreement; and

THAT Council direct staff to proceed with discussions with the Comox Valley Community Art Council regarding the future renewal of its grant fee for service agreement based on service deliverables that align with objectives and actions identified in the Strategic Cultural Plan, subject to Council's adoption of the Strategic Cultural Plan.

**CARRIED**

**8. EXTERNAL REPORTS AND CORRESPONDENCE**

**8.1 Letter of Support from Village of Cumberland - Strengthening Communities' Grant Expiration**

**Moved By** Jolicoeur

**Seconded By** Frisch

THAT Council receive the letter of support from village of Cumberland - Strengthening Communities' Grant expiration.

**CARRIED**

**8.2 Donation Request from School District 71 - Youth Climate Action Event**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council waive all facility costs for the Filberg Centre for the Youth Climate Action Event Symposium for November 13<sup>th</sup> and 14<sup>th</sup>, 2024; and

THAT Council make a \$5000 donation in support overall expenses of the Youth Climate Action Event from the Council discretionary fund.

**A member of Council called for division on the motion. Without objection, the motion as presented as divided.**

**As previously moved, the following motions were considered by Council as divided.**

THAT Council waive all facility costs for the Filberg Centre for the Youth Climate Action Event Symposium for November 13<sup>th</sup> and 14<sup>th</sup>, 2024

**DEFEATED**

**Opposed by Councillors Frisch, Hillian, McCollum, Jolicoeur and Mayor Wells.**

THAT Council approve a \$5000 grant to support overall expenses of the Youth Climate Action Event from the Council discretionary fund.

**CARRIED**

**8.3 Letter from Comox Valley 4 Palestine**

**Moved By** McCollum

**Seconded By** Jolicoeur

THAT Council receive the correspondence from Comox Valley 4 Palestine.

**CARRIED**

**9. INTERNAL REPORTS AND CORRESPONDENCE**

**9.1 Sid Williams Theatre Capital Projects Update**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council receive the “Sid Williams Theatre Capital Projects Update” briefing note.

**CARRIED**

**10. UNFINISHED BUSINESS**

**10.1 Delegation - Amend Building Bylaw No. 3114, 2023**

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT Council direct staff to report back on the options and implications of permitting homes older than 15 years to be relocated within the City of Courtenay.

**CARRIED**

**11. BYLAWS**

**11.1 For First, Second, and Third Readings:**

**11.1.1 Council Code of Conduct Bylaw No. 3150, 2024**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council give first, second and third readings to “Council Code of Conduct Bylaw No. 3150, 2024”; and

THAT Council repeal the existing Council Code of Conduct Policy, effective upon adoption of Council Code of Conduct Bylaw No. 3150.



**CARRIED**

**11.1.2 Indemnification Authorization Bylaw No. 3151, 2024**

**Moved By** Frisch

**Seconded By** Hillian

THAT Council give first, second, and third reading to “Indemnification Authorization Bylaw No. 3151, 2024”.

**CARRIED**

**Councillor Jolicoeur was absent for the vote.**

**11.2 For Adoption:**

**11.2.1 Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council adopt "Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1".

**CARRIED**

**Councillor Jolicoeur was absent for the vote.**

**11.2.2 Loan Authorization Bylaw 3136, 2024 – Strategic Land Acquisition 2024**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council adopt "Loan Authorization Bylaw 3136, 2024 – Strategic Land Acquisition 2024".

**CARRIED**

**11.2.3 Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge**

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT Council adopt "Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge".

**CARRIED**

**11.2.4 Official Community Plan Amendment Bylaw No. 3141, 2024**

**Moved By** Jolicoeur

**Seconded By** Frisch

THAT Council adopt "Official Community Plan Amendment Bylaw No. 3141, 2024".

**CARRIED**

**Councillor McCollum left the meeting at 8: 25 pm. and did not return.**

**12. COUNCIL REPORTS**

**12.1 Councillor Cole-Hamilton**

No report provided.

**12.2 Councillor Frisch**

No report provided.

**12.3 Councillor Hillian**

No report provided.

**12.4 Councillor Jolicoeur**

No report provided.

**12.5 Councillor McCollum**

No report provided.

**12.6 Councillor Morin**

As Councillor Morin was absent from the meeting, no report provided.

**12.7 Mayor Wells**

Mayor Wells reviewed his attendance at the following events:

- Canada Day Celebrations on July 1, 2024,
- Emterra and Mack Trucks launch of North America's largest electric garbage truck fleet, on July 16, 2024, and

- Comox Valley Ground Search and Rescue event on July 17, 2024.

**13. ADJOURNMENT**

Mayor Wells terminated the open portion of the meeting at 8:28 pm. Following the conclusion of the in camera portion of the meeting, Mayor Wells terminated the meeting at 8:56 pm.

**CERTIFIED CORRECT**

Adopted by Council July 31<sup>st</sup>, 2024.

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Mayor Bob Wells

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Kate O'Connell, Corporate Officer