



Council Minutes

Meeting #: R14/2024
Date: August 28, 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)
A. Langenmaier, Director of Financial Services
M. Wade, Director of Development Services
E. Chow, Manager of Legislative Services
N. Gothard, Manager of Community and Sustainability Planning
A. Guillo, Manager of Communications
M. Kurvers, Manager of Bylaw Enforcement
L. Bourgeois, Deputy Corporate Officer

1. CALL TO ORDER

Mayor Wells called the meeting to order at 4:02 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.

The Mayor noted that the agenda was adjusted to prioritize the bylaw amendments for 925 Braidwood Road and 120 11th Street. He stated that a public hearing was prohibited due to Section 464(4) of the Local Government Act.

The Mayor thanked the public for their engagement, emphasizing the value of their input. He also mentioned that all public comments received by 1 PM were provided to Council for consideration on each application.

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 - July 31, 2024

Moved By Frisch

Seconded By Cole-Hamilton

THAT Council adopt the July 31, 2024 Regular Council minutes.

CARRIED

4. BYLAWS - For First, Second, and Third Readings:

4.1 Zoning Bylaw Amendment No. 3154 – Part 70 - Comprehensive Development Forty Three Zone (CD-43) (925 Braidwood Road)

Sarah Smith, Director of Regional Development and Jennifer Fox, Regional Director at BC Housing, provided an update on the Braidwood Supportive Housing and Shelter Project.

Moved By Frisch

Seconded By Morin

THAT Council receive for information the prohibition on holding a public hearing and the public notice given of such a prohibited public hearing; and

THAT Council give first, second and third readings of *Zoning Bylaw Amendment No. 3154 – Part 70 - Comprehensive Development Forty Three Zone (CD-43) (925 Braidwood Road)* to rezone the land legally described as Lot 8, Section 16, Comox District, Plan 6065 Except Part In Plan 1149RW from R-4A to CD-43; and

THAT Council direct the Director of Development Services to discharge Section 219 Covenant CA7889996.

CARRIED

4.2 11th Street Zoning Amendment Bylaw No. 3059 – Part 68 - Comprehensive Development Forty One (CD-41) (120 11th Street)

The applicants Ryan Cohen (Co-founder & CEO) and Rick Browning (Co-founder) of Pacific Swell (developer) were present to answer Council's questions pertaining to the proposed development.

Moved By Jolicoeur

Seconded By Frisch

THAT Council receive for information the prohibition on holding a public hearing and the public notice given of such a prohibited public hearing; and

THAT Council give first, second and third readings of *Zoning Amendment Bylaw No. 3059 (11th Street)* to rezone the properties legally described as (1) LOT A, SECTION 69, COMOX DISTRICT, PLAN 32204; (2) THAT PART OF LOT 10, SECTION 69, COMOX DISTRICT, PLAN 3030, TAKEN FOR ROAD PURPOSES AND CONTAINING 0.27 OF AN ACRE MORE OR LESS, SHOWN IN RED ON PLAN 284BL ("Unaddressed Municipal Property"); (3) LOT 1, SECTION 69, COMOX DISTRICT, PLAN 6674; and (4) LOT 2, SECTION 69, COMOX DISTRICT, PLAN 6674; and

THAT Council direct Staff to provide notice of disposition of the Unaddressed Municipal Property in accordance with the requirements in Section 286 of the *Local Government Act* and Sections 26 and 94 of the *Community Charter*; and

THAT Council direct the Director of Development Services to enter into a Purchase and Sale Agreement for the lands described as Unaddressed Municipal Property, for the fair market value of \$360,000.00; and

THAT Section 219 Covenants for the car share program, landscaping retention and maintenance on City lands, transportation contributions towards intersection improvements and protection of a 15 metre environmentally sensitive area from the Courtenay River be prepared and executed by the applicant prior to adoption; and

THAT the Housing Agreement be executed by the applicant prior to adoption.

CARRIED

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

Moved By Frisch

Seconded By Hillian

THAT Council give first, second and third readings of Housing Agreement Bylaw No. 3152, 2024 – 120 11th Street on the properties legally described as (1) LOT A, SECTION 69, COMOX DISTRICT, PLAN 32204; (2) THAT PART OF LOT 10, SECTION 69, COMOX DISTRICT, PLAN 3030, TAKEN FOR ROAD PURPOSES AND CONTAINING 0.27 OF AN ACRE MORE OR LESS, SHOWN IN RED ON PLAN 284BL (“Unaddressed Municipal Property”); (3) LOT 1, SECTION 69, COMOX DISTRICT, PLAN 6674; and (4) LOT 2, SECTION 69, COMOX DISTRICT, PLAN 6674 ; and THAT the owner execute the Housing Agreement prior to adoption.

CARRIED

Without objection, the meeting was recessed at 6:04 pm. Mayor Wells reconvened the meeting at 6:31 pm.

5. STAFF REPORTS

5.1 City Manager (CAO)

5.1.1 2023-2026 Strategic Priorities Update

Moved By Hillian

Seconded By Frisch

THAT Council receive the update on progress towards the 2023-2026 Strategic Priorities for the City of Courtenay Council and direct staff to schedule a Strategic Priorities review session in Fall of 2024.

CARRIED

5.2 Corporate Services

5.2.1 Resident Surveys – Your Courtenay, Your Voice

Moved By Hillian

Seconded By Cole-Hamilton

THAT to establish a five-year City of Courtenay benchmarking data set, Council direct staff to conduct the statistically valid Resident Survey annually until 2027; and

THAT Council direct staff to conduct the statistically valid Resident Survey every two years starting in 2029.

CARRIED

6. EXTERNAL REPORTS AND CORRESPONDENCE

6.1 RCMP Quarterly Report - 1st Quarter 2024

Inspector Scott Mercer, Officer in Charge, reviewed the Royal Canadian Mounted Police (RCMP) report for the 1st Quarter of 2024 (April 1 – June 30, 2024) highlighting traffic offenses, violent crimes, property crimes, and controlled drug and substance incidents.

Without objection, Council received the “RCMP Quarterly Report - 1st Quarter 2024” briefing note for information.

7. INTERNAL REPORTS AND CORRESPONDENCE

7.1 Bylaw Dispute Adjudication System - Update

Moved By Morin

Seconded By Frisch

THAT Council receive the “Bylaw Dispute Adjudication System – Update” briefing note.

CARRIED

8. BYLAWS - For Adoption:

8.1 Tax Exemption 2025, Bylaw 3142, 2024

Moved By Frisch

Seconded By Hillian

THAT Council adopt "Tax Exemption 2025, Bylaw 3142, 2024".

CARRIED

8.2 Tax Exemption 2025, Bylaw 3143, 2024

Councillor Hillian declared a conflict of interest as he serves on the board at John Howard Society of North Island, and left the meeting at 7:31pm.

Moved By Morin

Seconded By Frisch

THAT Council adopt "Tax Exemption 2025, Bylaw 3143, 2024".

CARRIED

Councillor Hillian returned at 7:31 pm.

8.3 Tax Exemption 2025, Bylaw 3144, 2024

Moved By Morin

Seconded By Frisch

THAT Council adopt "Tax Exemption 2025, Bylaw 3144, 2024".

CARRIED

8.4 Tax Exemption 2025, Bylaw 3145, 2024

Councillor Jolicoeur declared a conflict of interest as he serves as an advisor to the board for Dawn to Dawn Action on Homelessness Society and is employed by L'Arche Comox Valley, and left the meeting at 7:32 pm.

Moved By Frisch

Seconded By Hillian

THAT Council adopt "Tax Exemption 2025, Bylaw 3145, 2024".

CARRIED

Councillor Jolicoeur returned at 7:33 pm.

8.5 Tax Exemption Churches 2025, Bylaw No. 3146, 2024

Moved By Hillian

Seconded By Frisch

THAT Council adopt "Tax Exemption Churches 2025, Bylaw No. 3146, 2024".

CARRIED

8.6 Temporary Borrowing Bylaw No. 3147, 2024 –Anderton Dike Phase 1

Moved By Frisch

Seconded By Hillian

THAT Council adopt "Temporary Borrowing Bylaw No. 3147, 2024 –Anderton Dike Phase 1".

CARRIED

8.7 Temporary Borrowing Bylaw No. 3148, 2024 – Strategic Land Acquisition 2024

Moved By Hillian

Seconded By Frisch

THAT Council adopt "Temporary Borrowing Bylaw No. 3148, 2024 – Strategic Land Acquisition 2024".

CARRIED

8.8 Temporary Borrowing Bylaw No. 3149, 2024 – 6th Street Bridge

Moved By Morin

Seconded By Hillian

THAT Council adopt "Temporary Borrowing Bylaw No. 3149, 2024 – 6th Street Bridge".

CARRIED

8.9 Subdivision and Development Servicing Amendment Bylaw No. 3155 - Road Classification

Moved By Cole-Hamilton

Seconded By Frisch

THAT Council adopt "Subdivision and Development Servicing Amendment Bylaw No. 3155-Road Classification".

CARRIED

9. COUNCIL REPORTS

9.1 Councillor Cole-Hamilton

No report provided.

9.2 Councillor Frisch

No report provided.

9.3 Councillor Hillian

No report provided.

9.4 Councillor Jolicoeur

Councillor Jolicoeur reviewed his attendance at Comox Valley Pride events on August 24th and 25th.

9.5 Councillor McCollum

No report provided.

9.6 Councillor Morin

Reports provided, please see agenda.

Councillor Morin thanked City Staff for their efforts during the summer, including heat wave outreach, the setup of misting stations, and the successful execution of events like Pride Day and the Sims Concert Series.

9.7 Mayor Wells

Mayor Wells reviewed his attendance at the following events:

- YANA Ride and Ribfest on August 18th raising \$100,000 for local charities
- Young Reader's Awards at the Courtenay Library on August 20th
- Comox Valley Fall Fair - 150 Years of Agriculture on August 23rd
- Community Justice Centre RCMP anti-racism event at the Florence Filberg Centre on August 28th.

10. IN CAMERA RESOLUTION

Moved By Frisch

Seconded By Cole-Hamilton

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:

(g) litigation or potential litigation affecting the municipality.

CARRIED

11. ADJOURNMENT

Mayor Wells terminated the open portion of the meeting at 7:47 pm. Following the conclusion of the in camera portion of the meeting, Mayor Wells terminated the meeting at 7:55 pm.

CERTIFIED CORRECT

Adopted by Council [MONTH] [DAY], 2024

Mayor Bob Wells

Deputy Corporate Officer