

**TOWN OF COMOX**  
**Minutes of the Regular Council Meeting,**  
**held in Council Chambers on Wednesday June 3, 2020**

**Present:** Acting Mayor K. Grant  
Councillors A. Bissinger (participated electronically), S. McGowan,  
P. McKenna (participated electronically), N. Minions, M. Swift  
Staff J. Wall, Chief Administrative Officer  
S. Russwurm, Corporate Officer  
C. Freundlich, Director of Finance  
M. Kamenz, Director of Development Services

**Absent:** Mayor R. Arnott

**Call to Order:**

The meeting was called to order at 5:30 p.m.

The Agenda was Adopted.

There were 0 members of the public in attendance.

Pursuant to section 7(1) and 7(2) of the Local Government Meetings and Bylaw Process (COVID-19) Ministerial Order No. 2 M139, the June 3, 2020 Regular Council Meeting was conducted by electronic means with some or all members of Council participating electronically. Further, in accordance with section 3(1) of the Ministerial Order No. 2 M139, the public was not permitted to be in attendance.

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**1. DELEGATIONS:**

- a. **David Frisch, Alana Mallaly and Angela Holmes (CVRD): Integrated Regional Transportation Committee - Memorandum of Understanding**

**MOU on Regional Transportation Planning**

Mr. Frisch and Ms. Mallaly presented a draft Memorandum of Understanding on Regional Transportation Planning within the Comox Valley (the MOU), and explained that its vision arose out of the work of the former Integrated Regional Transportation Select Committee and the goals and policies of the Regional Growth Strategy. They discussed the needs for the region's continued work and identified that the MOU reaffirms the cooperation of the different partners in developing inter-jurisdictional strategies and plans, while maintaining local autonomy and requiring no additional financial commitment and little staff resources.

**2. MINUTES OF MEETINGS:**

- a. **Regular Council Meeting Minutes**

**RCM Minutes**

*That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday May 20, 2020, be Approved.*

(2020.171) -- CARRIED

**3. COMMITTEE REPORTS: NIL**

**4. UNFINISHED BUSINESS:**

- a. **Management Report - June 3, 2020**

**Management Report**

*That the June 3, 2020 Management Report be received and filed for information.*

(2020.172) -- CARRIED

**b. UBCM Poverty Reduction Strategy Grant Application - Resolution Revision**

**Regional Poverty Reduction Strategy**

*That the Town of Comox provides its support for the Comox Valley Regional District to apply for, receive and manage grant funding to develop a regional poverty reduction action plan on behalf of the Town of Comox.*

(2020.173) -- CARRIED

**c. Planning Report PR 20-3 Patio Liquor Licence Application Review Land and Sea Brewing Company 2040 Guthrie Road**

**2040 Guthrie Road**

1. *Be it resolved that:*

*The Town of Comox Council's comments on the prescribed considerations regarding the request for an amendment to an existing Lounge Endorsement of a Manufacturing Liquor Licence to permit a maximum 38 person capacity outdoor patio at 2040 Guthrie Road, the Land and Sea Brewing Company facility (Lot 2, Section 70, Comox District, Plan VIP52533) are as follows:*

a) *The location of the establishment:*

i) *The subject property is located on Guthrie Road, an arterial in the Town's northwest commercial node. Surrounding uses include abutting multi-family residential to the south, commercial development to the west, light industrial to the east and, across Guthrie Road to the north, a mixture of commercial, light industrial and residential uses.*

b) *The person capacity and hours of liquor service of the establishment:*

i) *The subject property is zoned C3.2 Commercial Industrial. The development is proposed under the following C3.2 permitted uses:*  
a. *restaurant-lounges;*  
b. *processing or packaging of food or beverage products (e.g. brewery);*  
c. *warehousing; and*  
d. *as an accessory use, the retail sale of beverage products produced or packaged onsite.*

*The proposed amendment of an existing Lounge Endorsement liquor licence with an indoor capacity of 72 persons to permit a 38 person capacity outdoor patio for a total of 110 persons capacity is significantly less than the Zoning Bylaw 175 seat (indoor and outdoor) maximum for brew pubs which is also an allowed use in the C3.2 zone.*

ii) *The proposed hours of patio liquor service from 12:00 noon to 10:00 PM daily are shorter than the 11:00 PM closing of liquor service of the existing Lounge on Thursdays, Fridays and Saturdays and are the same hours as for the existing Lounge on other days of the week.*

c) *The impact of noise on nearby residents:*

i) *The Land and Sea Brewery occupies the ground floor of a 2 storey, commercial building and extends from the front (north) to the rear (south) wall of the building. Indoor liquor serving areas are in the centre and northern part of this area. The proposed patio on the north side of the building is largely screened by the two stories of the commercial building from the multi-family development to the south.*

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- ii) *The proposed patio is separated from the abutting Multi-Family parcel to the south by at least 30 m, including a 7.5 m building setback, and an approximately 1.8 m high fence.*
  - iii) *Residents in a mixed use development to the west are separated from the subject property by a commercially developed parcel and the patio area will be screened at the subject property's west lot line by a proposed 1.8 m high solid fence.*
  - iv) *Residents to the north across Guthrie Road are separated by a 2 to 4 lane arterial road and other commercial development.*
  - v) *No concerns were raised by the RCMP regarding this new liquor licence application.*
- d) *The impact on the community if the application is approved:*
- i) *If the application is approved, the impact is expected to be generally positive in that it will support:*
    - a) *growth in tourism and offer a social venue on a section of an arterial road that is primarily focused on retail, services and light industrial development; and*
    - b) *local beverage manufacturing.*
- e) *The method the Town used to gather the views of the residents:*
- i) *A notice, as contained in Attachment 5 of the June 3, 2020 report to Mayor and Council, Planning Report PR 20-3 Patio Liquor Licence Application Review, was:*
    - a) *posted on the Town's website and Town Hall notice board;*
    - b) *published in two consecutive editions of the Comox Valley Record newspaper (May 20, 2020 and May 27, 2020); and*
    - c) *mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.*
  - ii) *A sign advertising the Liquor License application was installed on the subject property.*
  - iii) *Written submissions from the public were provided to Council for Council's consideration of this application, copies of which will be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch with this resolution.*
- f) *The Town of Comox Council recommends that the existing Lounge Endorsement of a Manufacturer's Liquor Licence for the Land and Sea Brewing Company, located at 2040 Guthrie Road in Comox be amended to permit a 38 person capacity outdoor patio on the condition of the outdoor seating being limited to the area between the north building face and the north lot line of the subject property.*
- (2020.174) -- CARRIED*
2. *That the Town of Comox reach out to the Land and Sea Brewing Company to encourage them to examine alternate parking arrangements and establish harmonious relations with their neighbours.*
- (2020.175) -- CARRIED  
[Opposed: Councillor ABissinger]*

**5. SPECIAL REPORTS:**

**a. Comox Valley Regional District Meeting Minutes**

**CVRD Meeting Minutes**

*That the following Comox Valley Regional District meeting minutes be received for information:  
- Comox Valley Regional District Board held on Tuesday, April 28, 2020 and  
Tuesday, May 12, 2020.*

(2020.176) -- CARRIED

**6. BYLAWS:**

**a. Comox Business Regulation Amendment Bylaw No. 1882.04, 2020**

**Business Regulation  
Amendment Bylaw**

*That Comox Business Regulation Amendment Bylaw No. 1882.04, 2020 be Adopted.*

(2020.177) -- CARRIED

**7. NEW BUSINESS AND NOTICES OF MOTION:**

**a. Motion to Reopen the Comox Recreation Facilities**

**Reopening Comox  
Recreation Facilities**

*WHEREAS the COVID-19 pandemic has had a significant impact on the Town of Comox's ability to effectively deliver programs and services and has resulted in the closure of many Town recreation facilities;*

*AND WHEREAS the Town of Comox is committed to the health and wellbeing of its employees and the general public;*

*THEREFORE BE IT RESOLVED THAT TOWN OF COMOX recreation facilities, which were closed as a result of the COVID-19 pandemic, be reopened in alignment with recommendations, advice, and guidelines that are issued by WorkSafeBC, Island Health, the BC Centre for Disease Control, the BC Recreation and Parks Association, and the BC Ministry of Health;*

*AND FURTHER THAT any reopenings be informed by safety plans, safe work procedures, signage, and internal and external communication to promote public safety and responsible operations;*

*AND FINALLY THAT the TOWN OF COMOX remain responsive to changing conditions associated with COVID-19 such that future closures occur where required.*

(2020.178) -- CARRIED

**b. Appointment of Acting Mayor**

**Acting Mayor**

1. *THAT Councillor Ken Grant be appointed as Acting Mayor during the absence of Mayor Arnott.*

(2020.179) -- CARRIED

2. *THAT Council approves a medical leave of absence for Mayor Arnott until such a time that he is able to return to his duties.*

(2020.180) -- CARRIED

**8. CORRESPONDENCE: NIL**

**9. LATE ITEMS: NIL**

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**10. DELEGATIONS: NIL**

**11. REPORTS FROM MEMBERS OF COUNCIL:**

**a. Councillor Minions**

Councillor Minions advised that she attended a Vancouver Island Regional Library Board meeting.

**b. Councillor McKenna**

Councillor McKenna advised that he attended a Coalition to End Homelessness meeting and a Community Justice Centre meeting.

**c. Councillor Bissinger**

Councillor Bissinger mentioned that she had a conversation with a City of Courtenay Councillor regarding urban agriculture.

**d. Councillor McGowan**

Councillor McGowan advised that she attended a Comox Archives and Museum Society meeting, a Food Policy Council meeting and a Food Disruption Sub-Committee meeting.

**e. Councillor Swift**

Councillor Swift advised that she:

- participated in a tour of the new regional water treatment plant,
- attended a Regional District board meeting,
- attended two Emergency Operations Centre update meetings, and
- attended a Filberg Heritage Lodge and Park Association meeting.

**f. Acting Mayor Grant**

Acting Mayor Grant advised that he:

- attended a Regional District board meeting,
- met with the Church Street Taphouse,
- met with the Economic Development Society, and
- participated in a tour of the new regional water treatment plant.


**14. EXCLUDE THE PUBLIC: NIL**


**Adjournment:**

Regularly moved and seconded that the meeting adjourn at 6:24 p.m.

*CARRIED*

Certified correct pursuant to Section 97(1)(b) of the Community Charter.

*Acting*   
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CORPORATE OFFICER