

TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday July 15, 2020

Present: Acting Mayor K. Grant
Councillors A. Bissinger (electronically), S. McGowan, P. McKenna (electronically), N. Minions, M. Swift

Absent: R. Arnott

Staff Present: J. Wall, Chief Administrative Officer
S. Russwurm, Corporate Officer
C. Freundlich, Director of Finance
M. Kamenz, Director of Development Services

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 sections 7(1) and 7(2) of the Local Government Meetings and Bylaw Process (COVID-19) Ministerial Order No. 3 M192, the July 15, 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. 3 M192, the public was not be permitted to be in attendance. Members of the public were able to attend to view the live-streamed proceedings of Council at d'Esterre Seniors' Centre, 1801 Beaufort Avenue.

1. DELEGATIONS:

a. Julie Micksch - Development During the Song Bird Breeding Season

Song Bird Breeding Season

Ms. Micksch advised that she wanted to bring to Council's attention that there has been some land clearing activities during the song bird breeding season. She advised that the cleared area contains active bird nests, and that section 34 of the Wildlife Act states that it is an offense to destroy such nests.

b. Alana Mullaly: Comox Housing Needs Report

Housing Needs

Ms. Mullaly summarized the Town of Comox Housing Needs Report, and identified that there will be a Community Housing Forum on August 12, 2020.

That the Town of Comox May 2020 Housing Needs Report and Summary Form, as included in the July 15, 2020 Regular Council Meeting Agenda, be received.

(2020.194) -- CARRIED

c. Hal Martyn - Development Variance Permit Application DVP 20-5 (2260 Robb Avenue)

2260 Robb Avenue

Mr. Martyn advised that the aesthetic benefits of undergrounding power lines to single infill developments is minimal compared to the cost involved in doing so. He asked that Council support his request to not require this for his client's project at 2260 Robb Avenue. He also suggested that the conversion of overhead wiring to existing homes in infill developments impacts the feasibility of the entire project, and asked Council to consider allowing overhead wiring for infill projects of up to three lots.

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 June 17, 2020, be Approved.

(2020.195) -- CARRIED

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

a. Management Report - July 15, 2020

Management Report

That the July 15, 2020 Management Report be received and filed for information.

(2020.196) -- CARRIED

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 May 26, June 16 & June 23, 2020.*
- *Comox Strathcona Waste Management Board held on March 12 & June 25, 2020.*

(2020.197) -- CARRIED

6. BYLAWS:

a. Planning Report PR 20-7: Requirement to Underground Overhead Services in Residential Infill Projects

Underground Wiring - Residential Infill

1. *THAT the following sub section be added to the Subdivision and Development Servicing Bylaw 1261 Appendix G section 1.2.1:*

"1.2.1.2 the development is within a residential zone where one parcel will be split into two provided the parcel can connect directly to existing overhead wiring."

(2020.198) -- CARRIED

2. *THAT the Town of Comox Subdivision and Development Servicing Bylaw, 1261, Amendment No. 13, 2020 be given First Reading.*

(2020.199) -- CARRIED

3. *THAT the Town of Comox Subdivision and Development Servicing Bylaw, 1261, Amendment No. 13, 2020 be given Second Reading.*

(2020.200) -- CARRIED

4. *THAT the Town of Comox Subdivision and Development Servicing Bylaw, 1261, Amendment No. 13, 2020 be given Third Reading.*

(2020.201) -- CARRIED

7. NEW BUSINESS AND NOTICES OF MOTION:

a. Ministerial Order No. M192 and Attendance of the Public at Council Meetings

Attendance of Public at Council Meetings

1. That, in accordance with Ministerial Order No. M192 and despite the best efforts of Council, the attendance of members of the public cannot be accommodated at Council and Council Committee meetings that would otherwise be held in accordance with the applicable requirements or recommendations under the Public Health Act, due to the room size and maximum person capacity of Council Chambers.

(2020.202) -- CARRIED

2. That, in accordance with Ministerial Order No. M192, the Town of Comox is ensuring openness, transparency, accessibility and accountability for Council and Council Committee meetings by:

- a. allowing the public to hear and see meetings in-person through attendance at livestreamed events at d'Esterre Seniors' Centre, 1801 Beaufort Avenue;
b. allowing the public to hear and see meetings electronically through livestreamed videos published on the Town's Facebook page;
c. allowing the public to ask questions on agenda items via email or drop-off of questions;
d. publishing the entire agenda and all background materials on the Town's website;
e. archiving the meeting video for future viewing by members of the public; and
f. continuing to explore options to facilitate public participation.

(2020.203) -- CARRIED

3. That, in accordance with Ministerial Order No. M192, Council will continue to conduct all or part of Council and Council Committee meetings by means of electronic or other communication facilities for the duration of the period that the declaration of a state of Provincial emergency made March 18, 2020 under section 9 (l) of the Emergency Program Act and any extension of the duration of that declaration is in effect.

(2020.204) -- CARRIED

b. Planning Report: Prioritization of 1582 Balmoral Ave Development Variance Permit Application DVP 20-6 / Development Permit Application DP 20-6

1582 Balmoral Avenue

That the Town of Comox process Development Variance Permit and Development Permit applications DVP/DP 20-6 (1582 Balmoral Avenue) as a high priority immediately following Rezoning Application RZ 19-7 (695 Aspen), Rezoning Application RZ 18-6 (2310 Guthrie), and Rezoning and Official Community Plan Amendment Applications RZ/OCP 19-1 (2309 McDonald)

(2020.205) -- CARRIED

c. Development Variance Permit Application DVP 20-5 (2260 Robb Avenue)

2260 Robb Avenue

That Development Variance Permit DVP 20-5 be approved.

(2020.206) -- CARRIED

d. UBCM Community Excellence Award - Application

UBCM Community Excellence Award

That Council formally support Administration in submitting an application to UBCM's 2020 Community Excellence Awards in the Excellence in Sustainability Category for the Anderton Corridor Neighborhood Concept Plan.

(2020.207) -- CARRIED

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

e. Rezoning Application RZ 18-6 / Development Permit Application DP 18-4 / Development Variance Permit Application DVP 19-7 (2310 Guthrie Road)

2310 Guthrie Road

Marvin Kamenz, Director of Development Services, summarized the proposed development, including transportation considerations, the surrounding pedestrian and park network, affordable housing implications and mitigation of building mass.

1. *That Comox Zoning Amendment Bylaw 1897 be given First Reading.*
(2020.208) -- CARRIED
2. *That Comox Zoning Amendment Bylaw 1897 be given Second Reading.*
(2020.209) -- CARRIED
3. *That Comox Phased Development Agreement Authorization Bylaw 1898: 2310 Guthrie Road be given First Reading.*
(2020.210) -- CARRIED
4. *That Comox Phased Development Agreement Authorization Bylaw 1898: 2310 Guthrie Road be given Second Reading.*
(2020.211) -- CARRIED
5. *That a Public Hearing in respect of Bylaws 1897 and 1898 be scheduled by the Town at a suitable time and location having regard to COVID-19 restrictions, and the Town publish the requisite notices as required by the Local Government Act.*
(2020.212) -- CARRIED

f. Garbage Collection Frequency

Solid Waste Collection

1. *THAT upon a thorough communications plan and notification to the public the Town of Comox moves to a garbage collection system of:*
 - *Bi-weekly Garbage Collection*
 - *Bi-weekly Recycling Collection*
 - *Weekly yardwaste and Organic Collection*

(2020.213) -- DEFEATED
[Opposed: Acting Mayor Grant, Councillors NMinions MSwift]
2. *THAT upon a thorough communications plan and notification to the public the Town of Comox moves to a garbage collection system of:*
 - *Bi-weekly Garbage Collection*
 - *Weekly Recycling Collection*
 - *Weekly yardwaste and Organic Collection*

(2020.214) -- DEFEATED
[Opposed: Councillors ABissinger SMcGowan PMcKenna]
3. *Moved by Councillor Minions THAT Council reconsider its decision on moving to a garbage collection system of:*
 - *Bi-weekly Garbage Collection*
 - *Bi-weekly Recycling Collection*
 - *Weekly yardwaste and Organic Collection*

(2020.215) -- CARRIED
[Opposed: Acting Mayor Grant, Councillor MSwift]

f. Garbage Collection Frequency

Solid Waste Collection

4. *THAT, upon a thorough communications plan and notification to the public, the Town of Comox moves to a garbage collection system of:*
 - *Bi-weekly Garbage Collection*
 - *Bi-weekly Recycling Collection*
 - *Weekly yardwaste and Organic Collection*

(2020.216) -- CARRIED

[Opposed: Acting Mayor Grant, Councillor MSwift]

g. Planning Report RZ 20-2 Zoning Map and Housekeeping Update

Zoning Map Updates

1. *That Comox Zoning Amendment Bylaw 1957 be given First Reading.*

(2020.217) -- CARRIED
2. *That Comox Zoning Amendment Bylaw 1957 be given Second Reading.*

(2020.218) -- CARRIED
3. *That in accordance with section 464(2) of the Local Government Act, the requirement to hold a Public Hearing in respect of Comox Zoning Amendment Bylaw 1957 be waived and staff be instructed to publish the requisite notices as required by the Local Government Act.*

(2020.219) -- CARRIED

8. CORRESPONDENCE:

a. Pam Moughton (Comox Archives and Museum Society) Comox Museum Update

Comox Archives and Museum Society

That the June 5, 2020 letter from Pam Moughton of the Comox Archives and Museum Society, thanking Council for its support and providing a museum update, be received and filed for information.

(2020.220) -- CARRIED

b. Bruce Gibbons (Merville Water Guardians) UBCM 2019 B154 Groundwater Resolution - No Action Taken

Merville Water Guardians

That the June 15, 2020 email from Bruce Gibbons of the Merville Water Guardians, requesting that Council write to the Minister of Forests, Lands and Natural Resource Operations and Rural Development expressing concern about their position on groundwater extraction for bottling, be received and filed for information.

(2020.221) -- CARRIED

c. Brenda Butterworth-Carr; Tr'injã shãr njit dintlãt (Ministry of Public Safety & Solicitor General) RCMP Auxiliary Program (Tier 3)

RCMP Auxiliary Program (Tier 3)

That the June 18, 2020 letter from Brenda Butterworth-Carr; Tr'injã shãr njit dintlãt of the RCMP, regarding an interim Tier 3 Auxiliary Program, be received and that Council confirm its intent to proceed with the Program.

(2020.222) -- CARRIED

d. Earlene Cameron (840 Shamrock Place): Drive Thru noise

Drive Thru Noise

That the June 20, 2020 letter from Earlene Cameron, Strata President of 840 Shamrock Place, requesting that Council help with noise and parking issues, be received and filed for information.
(2020.223) -- CARRIED

e. Dr. Lucia Ma: Systemic Racism

Systemic Racism

That the June 5, 2020 email from Dr. Lucia Ma, encouraging Council to consider implementing some changes to address systemic racism in the Comox Valley, be received and filed for information.
(2020.224) -- CARRIED

f. Richard Kerton (Pride Society of the Comox Valley) Pride Flag Raising

Pride Flag Raising

That the June 26, 2020 email from Richard Kerton of the Pride Society of the Comox Valley, requesting that the Town raise the pride flag in support of Pride week during the period July 20 to July 27, 2020, be received and that Council approve the raising of the Pride Flag on July 22nd at 9am to July 27.
(2020.225) -- CARRIED

g. David Grove (The Victoria Electric Vehicle Association) Right to Charge

Right to Charge Regulation

That the July 2, 2020 letter from David Grove, President of the Victoria EV Association, requesting support for their "right to charge" EV regulation, be received and filed for information.
(2020.226) -- CARRIED

h. Andrea Cupelli (Comox Valley Coalition to End Homelessness) Comox Valley 2020 Homeless Count - Preliminary Data

2020 Homeless Count

That the July 8, 2020 email from Andrea Cupelli of the Comox Valley Coalition to End Homelessness, regarding their 3rd Point in Time Homeless Count, be received and filed for information.
(2020.227) -- CARRIED

i. Ron Webber, Director (Comox Valley Affordable Housing Society): 1582 Balmoral Letter of Support

1582 Balmoral Avenue

That the July 10, 2020 email from Ron Webber of the Comox Valley Housing Society, requesting a letter of support for the redevelopment of the d'Esterre Seniors' housing at 1582 Balmoral Avenue, be received that a letter of support for the Comox Valley Affordable Housing Society be drafted for the 1582 Balmoral development.
(2020.228) -- CARRIED

9. LATE ITEMS:

a. UBCM Minister's Meetings

UBCM Minister's Meetings

Council had a general discussion on potential topics for Minister's meetings during the UBCM Convention.

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor McKenna

Councillor McKenna advised that:

- he participated in a subdivision site visit at Connemara Road,
- there will be a Community Justice Centre meeting on July 16, and
- he attended the Comox 2040 event by the Comox Valley Collective Magazine.

b. Councillor Bissinger

Councillor Bissinger advised that she attended:

- the Comox 2040 event by the Comox Valley Collective Magazine, and
- the Comox-Strathcona regional solid waste management meeting.

c. Councillor Minions

Councillor Minions advised that she attended:

- the Comox 2040 event by the Comox Valley Collective Magazine, and
- the Comox-Strathcona regional solid waste management meeting.

d. Councillor McGowan

Councillor McGowan advised that she:

- attended a Comox Archives and Museum Society meeting,
- participated in a drug strategy workshop,
- attended the Food Policy Council and Food Disruption Committee meetings,
- attended the Comox 2040 event by the Comox Valley Collective Magazine, and
- met with Sam Franey regarding his housing project.

e. Councillor Swift

Councillor Swift advised that she attended the regional district sewer, water sports committee meetings and the regional board meeting.

f. Acting Mayor Grant

Acting Mayor Grant advised that he attended:

- a Comox Valley Airport Commission recruitment meeting,
- an economic development contraction negotiation meeting,
- an economic task force meeting,
- a mayor's luncheon meeting,
- a meeting on vulnerable populations,

Acting Mayor Grant also advised that he:

- participated in a subdivision site visit at Connemara Road,
- attended the regional district sewer, water and sports committee meetings, and
- attended a farewell party for an economic development society staff member.

14. EXCLUDE THE PUBLIC:

a. Exclude the Public

Exclude the Public

That the Public be Excluded from the In-Camera session of Council on Wednesday July 15, 2020 pursuant to the following sub-sections of section 90 of the Community Charter:

(1)(c) 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;

(1)(g) litigation or potential litigation affecting the municipality; and

(1)(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.

(2020.229) -- CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 8:37 P.M.

THE REGULAR COUNCIL MEETING RECONVENED AT 9:55 P.M.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 9:55 p.m.

CARRIED

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



MAYOR



CORPORATE OFFICER