

TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday April 6, 2022

Present: Mayor R. Arnott
Councillors A. Bissinger, K. Grant, J. Kerr (electronically)
S. McGowan, N. Minions, M. Swift

Absent: Nil

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

Call to Order:

The meeting was called to order at 5:00 p.m.

There were 5 members of the public in attendance.

Mayor Arnott acknowledged that the Town of Comox is standing on the Unceded traditional territory of the K'omoks First Nation.

1. INTRODUCTION AND APPROVAL OF LATE ITEMS:

a. Rezoning Application RZ 21-6 (132 Port Augusta Street)

LATE AGENDA ITEM: 132
Port Augusta

That the Agenda be Amended to include Third Reading of Comox Zoning Amendment Bylaw 2000.

(2022.127) -- CARRIED UNANIMOUSLY

2. ADOPTION OF AGENDA:

a. Adoption of the Agenda

Adoption of Agenda

That the April 6, 2022 Regular Council Meeting Agenda be adopted as amended.

(2022.128) -- CARRIED

3. DELEGATIONS:

a. Haeley Dewhirst (Comox BIA) Strategic 5year plan and Upcoming Street Closures

Comox BIA

Ms. Dewhirst shared the new priorities of the Comox BIA with Council. She advised that one of their short term requests of the Town is to have a market permit business licence implemented that would allow vendors related to the holder of an event to be licensed under the main event licence. Ms. Dewhirst also asked for a series of road closures related to upcoming events of the Comox BIA.

b. Comox Valley Regional District: Proposed Regional Parks Service

CVRD Regional Parks

Mr. Harrison and Mr. Nielson provided a brief history of the regional parks service in the Comox Valley and summarized the Regional Parks Background Study, which looked at how a regional parks service can complement the existing municipal parks services and presented recommendations on how to move forward. They advised that they are looking for local government input and recommendations.

REGULARLY MOVED AND SECONDED THAT THE MEETING RECESS AT 5:58 P.M. UNTIL AFTER THE PUBLIC HEARING ON REZONING APPLICATION RZ 21-6.

CARRIED

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THE MEETING WAS CALLED BACK TO ORDER AT 6:20 P.M.

4. ADOPTION OF MINUTES:

a. Regular Council Meeting Minutes

RCM Minutes

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday March 16, 2022, be Approved.

(2022.129) -- CARRIED

5. COUNCIL COMMITTEE MINUTES AND REPORTS: NIL

6. CONSENT AGENDA:

a. Consent Agenda

Consent Agenda

That the Consent Agenda items as follows be received for discussion:

1. *March 14, 2022 email from Maureen Denny regarding development of the northeast Comox area.*
2. *March 15, 2022 email from Pamela Edwards regarding development of the northeast Comox area.*
3. *March 18, 2022 email from Darquise Desnoyers of BC Lyme regarding a Proclamation request.*
4. *March 24, 2022 email from Mary Weiler regarding the steel piling wall along the Kus-kus-sum property adjacent to the 17th Street bridge in Courtenay.*
5. *Letter received March 30, 2022 from Linda Thomas of the Filberg Heritage Lodge and Park Association regarding their 2022 budget.*
6. *Comox Valley Regional District Board Meeting Minutes held on February 15 & 24 and March 8 & 15.*

(2022.130) -- CARRIED

Lyme Disease Proclamation

That the month of May 2022 be proclaimed as Lyme Disease Awareness Month in the Town of Comox.

(2022.131) -- CARRIED

7. UNFINISHED BUSINESS:

a. Strategic Planning and Action Items Report - April 6, 2022

Strategic Planning and Action Items

That the April 6, 2022 Strategic Planning and Action Items Report be received and filed for information.

(2022.132) -- CARRIED

b. Affordable Housing Contribution: Method Revisit

Affordable Housing Contribution

1. *THAT the Affordable Housing Contribution Policy be amended to contain a hybrid Long-Term Acquisition and Non Profit Provision method.*

(2022.133) -- CARRIED
[Opposed: Councillor KGrant]

b. Affordable Housing Contribution: Method Revisit

Affordable Housing Contribution

2. *That the Affordable Housing Contribution Policy and the information on contribution amounts be brought back to Council for discussion.*

(2022.134) -- CARRIED
[Opposed: Councillors JKerr NMinions]

8. SPECIAL REPORTS: NIL

10. NEW BUSINESS:

a. Council Policy No. CCL-006: Council Correspondence

Council Correspondence Policy

That amended Council Policy No. CCL-006 "Council Correspondence Policy" be approved.

(2022.135) -- CARRIED
[Opposed: Councillors SMcGowan NMinions]

11. NOTICES OF MOTION: NIL

12. CORRESPONDENCE:

a. Lisa Dennis (Comox Valley Regional District): Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 2

CVEDS Conversion Bylaw

THAT the Town of Comox consent to the adoption of the Comox Valley Regional District Bylaw No. 702 being "Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016, Amendment No. 2" under section 346 of the Local Government Act.

(2022.136) -- CARRIED

b. Steve Cowan, C.D., President (Royal Canadian Naval Association): Battle of the Atlantic and Flyby Permission

Battle of the Atlantic

That permission be granted for a flyby over Marina Park by RCAF Aircraft as low as 500 feet on Sunday May 8, 2022 at 1:10 p.m. during the Battle of the Atlantic memorial service.

(2022.137) -- CARRIED

c. Doug Hillian, Acting Mayor (City of Courtenay): Strengthening Communities Services Grant Funding

Strengthening Communities Grant

That the Town of Comox provide its support to the City of Courtenay, as primary applicant, to apply for, receive, and manage the UBCM Strengthening Communities Services grant funding previously awarded to the Comox Valley Regional District in 2021 in the amount of \$1.093 million dollars, on behalf of the Town of Comox.

(2022.138) -- CARRIED

13. LATE ITEMS: NIL

14. BUSINESS ARISING FROM FROM PUBLIC HEARING:

AT 7:04 P.M. COUNCILLOR KERR LEFT THE MEETING, DECLARING A CONFLICT OF INTEREST WITH THE NEXT TWO ITEMS ON THE AGENDA AS HE IS AN ADJACENT BUSINESS OWNER.

a. Planning Report 22-6: License Review Liquor Primary New Outdoor Patio (132 Port Augusta Street) - Issuance Report

132 Port Augusta Street

That the Town of Comox Council's comments on the prescribed considerations regarding the request for an amendment to an existing Liquor Primary Licence to permit a maximum 65 person capacity outdoor patio on the lower level at 132 Port Augusta Street, the Blackfin Pub (Lot 2, Section 56, Comox District, Plan VIP69621) be as follows:

a) The location of the establishment:

The subject property is located at the intersection of Port Augusta Street and Beaufort Avenue in Downtown Comox. Surrounding uses include abutting commercial uses to the east, Comox Harbour, wharf and Marina Park to the south, multi-family development to the west and commercial uses to the north.

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

i) The subject property is zoned C4.1 Core Commercial.

The proposed amendment of the existing Liquor Primary liquor licence with an existing capacity of 110 persons for the indoor and outdoor deck areas of the upper level to permit a 65 person capacity outdoor patio on the lower level of the building for a total of 175 persons capacity is permitted under the C4.1 zone of Comox Zoning Bylaw 1850.

ii) The proposed hours of patio liquor service from 9:00 AM to Midnight Sunday to Thursday and 9:00 AM to 1:00 AM Friday and Saturday are the hours currently allowed on the existing Liquor Primary Licence.

c) The impact of noise on nearby residents:

i) The Blackfin Pub occupies a 2 storey, commercial building surrounded by mixed use commercial-residential or marine (water) zoning on three sides and multi-family zoning on the west side. The proposed patio on the south side of the building is mostly uncovered and, therefore, anticipated to be used seasonally.

ii) The proposed patio is separated from the abutting Multi-Family parcel to the west by Port Augusta Street which is approximately 20 m in width.

d) The impact on the community if the application is approved:

If the application is approved, the impact is expected to be generally positive in that it will support:

a. growth in tourism and capacity for an existing business;

b. more space for social distancing should that be required by public health measures or preferred by the Pub's patrons.

e) The method the Town used to gather the views of the residents:

i) A notice, as contained in Attachment 4 of the April 6, 2022 report to Mayor and Council, Planning Report PR 22-6 Licence Review Liquor Primary New Outdoor Patio - 132 Port Augusta St, was:

a. posted on the Town's website and Town Hall notice board; and

b. published in two consecutive editions of the Comox Valley Record newspaper (Mar 23, 2022 and Mar 30, 2022); 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.

a. Planning Report 22-6: License Review Liquor Primary New Outdoor Patio (132 Port Augusta Street) - Issuance Report

132 Port Augusta Street

iv) A Public Hearing was held on April 6, 2022 prior to Council's consideration of this April 6, 2022 Planning Report on PR 22-6; copy of the Public Hearing Minutes 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 Liquor Primary Licence for the Blackfin Pub, located at 132 Port Augusta Street in Comox be amended to permit a 65 person capacity outdoor patio on lower level of the building.

(2022.139) -- CARRIED

b. LATE ITEM: Rezoning Application RZ 21-6 (132 Port Augusta Street)

That Comox Zoning Amendment Bylaw 2000 be given Third Reading.

(2022.140) -- CARRIED

AT 7:05 P.M., COUNCILLOR KERR RETURNED TO THE MEETING.

15. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor Kerr

Councillor Kerr advised that he attended:

- a couple of planning meetings in preparation for May community resiliency month,
- a meeting of the Vancouver Island Regional Library board, and
- the regional hospital board meeting.

b. Councillor McGowan

Councillor McGowan advised that she attended:

- a Food Policy Council strategic planning meeting,
- a Comox Archives and Museum Society meeting,
- the regional hospital board meeting,
- a building bridges through understanding the village workshop, and
- the AVICC conference.

c. Councillor Swift

Councillor Swift advised that she attended:

- the regional solid waste management meeting in place of Councillor Bissinger,
- the Filberg Heritage Lodge and Park Association board meeting,
- the regional district board meeting, and
- a workshop on creating healthy public policy.

d. Councillor Minions

Councillor Minions advised that she:

- attended the regional solid waste management board meeting,
- visited with a resident on Wireless Road,
- attended a Community Justice Centre board meeting and strategic planning session,
- attended the AVICC conference, and
- attended a session at the parliament buildings.

e. Councillor Bissinger

Councillor Bissinger advised that she:

- met with a resident on Wireless Road to discuss the tree trimming covenants,
- talked with many developers and others regarding construction costs, and
- attended a webinar on low-carbon concrete.

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f. Councillor Grant

Councillor Grant advised that he attended:

- the regional sewer open house,
- the regional district board meeting, and
- the AVICC conference.

g. Mayor Arnott

Mayor Arnott advised that he:

- participated in one of a series of ongoing local radio interviews,
- attended a d'Esterre Seniors Centre meeting and AGM,
- attended the Flair Flight ribbon cutting,
- attended a meeting regarding BC electoral boundaries, and
- attended the regional sewer open house.

18. RESOLUTION TO GO IN-CAMERA: NIL


19. RISE AND REPORT FROM IN-CAMERA: NIL

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:22 P.M.

CARRIED

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



MAYOR



CORPORATE OFFICER