

**TOWN OF COMOX**  
**Minutes of the Regular Council Meeting,**  
**held in Council Chambers on Wednesday April 20, 2022**

**Present:** Mayor R. Arnott  
Councillors A. Bissinger, K. Grant, J. Kerr,  
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 16 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.

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**1. INTRODUCTION AND APPROVAL OF LATE ITEMS: NIL**

**2. ADOPTION OF AGENDA:**

**a. Adoption of the Agenda**

**Adoption of Agenda**

*That the April 20, 2022 Regular Council Meeting agenda be adopted.*

*(2022.141) -- CARRIED*

**3. DELEGATIONS:**

**a. Jen Groundwater & Mel Mclachlan - Save Our Forest Team-CV (SOFT-CV)**

**Save Our Forest Team**

Mr. Mclachlan, Ms. Groundwater and Douglas the tree summarized their three requests of Council:

- a strong and detailed new tree bylaw, including a temporary moratorium on all tree cutting while the new bylaw is developed;
- a 30% retention of the existing forest in the proposed Northeast Comox development and the Hector/Aspen area; and
- the establishment of a citizen advisory committee to work with the Town on issues related to development, the urban forest, and the tree canopy.

**b. Julie Micksch - 2123 Hector Road and Proposed High Density Development**

**Hector Road High Density**

Ms. Micksch advised that she wanted to introduce Council to a wetland in the centre of a proposed high density development at 2123 Hector Road, which has not been identified or mapped by the Town of Comox. She also advised of the two areas with trembling aspen, Pacific crab apple and slough sedge, identified by a registered professional biologist and which are a red listed species. She identified the benefits of wetlands and asked Council to look at options and alternatives to protecting the rare ecosystem.

**c. Dr. Jonathan Reggler: Moratorium on large residential builds**

**Lack of Family Physicians**

Dr. Reggler advised that 11,500 people in the Comox Valley do not have a family doctor. He advised that many physicians are also approaching retirement, and that the human

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### c. Dr. Jonathan Reggler: Moratorium on large residential builds

#### Lack of Family Physicians

infrastructure needs must be considered before development. He suggested that a credible, achievable, funded plan to attract doctors should be in place before further development and asked that Council stop approving high density builds until a such plan is in place.

## 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 April 6, 2022, be Approved.*

(2022.142) -- CARRIED

**REGULARLY MOVED AND SECONDED THAT THE MEETING RECESS AT 6:13 P.M. FOR FIVE MINUTES.**

**CARRIED**

**THE MEETING WAS CALLED BACK TO ORDER AT 6:19 P.M.**

### b. Public Hearing Meeting Minutes

#### Public Hearing Minutes

*That the Minutes of the Public Hearing, held at d'Esterre Seniors Centre on Wednesday April 6, 2022, be Approved.*

(2022.143) -- CARRIED

## 5. COUNCIL COMMITTEE MINUTES AND REPORTS:

### a. Strategic Planning Committee Meeting Minutes

#### Strategic Planning Committee Minutes

*That the Minutes of the Strategic Planning Committee Meeting, held in Council Chambers on Wednesday April 13, 2022, be Received.*

(2022.144) -- CARRIED

#### COMMITTEE RECOMMENDATIONS:

- (1) Affordable Housing Contribution Update

#### Affordable Housing

*THAT Administration consult with the local development community regarding Council affordable Housing Policy CCL-069 to amend the multi-family contribution rate to X% and single family contribution rate to no less than \$4,000.*

(2022.145) -- CARRIED  
[Opposed: Councillor NMinions]

## 6. CONSENT AGENDA:

### a. Consent Agenda

#### Consent Agenda

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

- 1. April 8, 2022 email from Terry Choquette regarding a conflict of interest.*
- 2. April 11, 2022 email from Adam Morton regarding banning woodstoves.*
- 3. April 11, 2022 email from Sue Zhang of Falun Dafa Association of Vancouver regarding a Proclamation.*

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- 4. April 12, 2022 email from David Coon of Comox Centre Mall Limited Partnership regarding Comox Centre Proposed Residential Project.
- 5. April 13, 2022 email from Bill Toews regarding Affordable Housing Tax.
- 6. April 13, 2022 email from Shawn Vincent of Simba Developments regarding 1000 Pritchard Road & 1603 Brighton Road.
- 7. April 14, 2022 email from Nicholas Solohub regarding the Town purchase of NE Comox lot for nature park.

(2022.146) -- CARRIED

**7. UNFINISHED BUSINESS:**

**a. Strategic Planning and Action Items Report - April 20, 2022**

**Strategic Planning and Action Items**

*That the Strategic Planning and Action Items Report for April 20, 2022 be received and filed for information.*

(2022.147) -- CARRIED

**b. Angela Fletcher (Comox Valley Coalition to End Homelessness): Funding contribution for an affordable housing project**

**Coalition to End Homelessness**

*That the Town's 2022 homelessness grant of \$40,000 be provided to the Habitat for Humanity for a 12 unit townhome development on Piercy Avenue in Courtenay.*

(2022.148) -- CARRIED

**8. SPECIAL REPORTS: NIL**

**9. BYLAW ADOPTIONS: NIL**

**10. NEW BUSINESS:**

**a. Referral Response to City of Courtenay OCP Review**

**Courtenay OCP Comments**

*THAT the comments contained in Attachment 2 to Planning Report PR 22-3 dated April 20, 2022, be forwarded to the City of Courtenay in response to the City's referral of its Draft Official Community Plan dated, January 22, 2022.*

(2022.149) -- CARRIED

**b. Official Community Plan Amendment OCP 22-1: Tree Cutting in Hazardous Areas (INTRODUCTORY REPORT)**

**OCP Amendment - Tree Cutting**

- 1. *That, in accordance with s. 475 of the Local Government Act:*
  - a. *a notice of proposed OCP amendment, as contained in Attachment 1 to the April 20, 2022 Planning Report OCP 22-1, be placed on the Town's bulletin board, website, and social media channels until replaced by a notice of public hearing; and*
  - b. *a copy of the April 20, 2022 Planning Report OCP 22-1 be posted on the Town's website.*

(2022.150) -- CARRIED

**b. Official Community Plan Amendment OCP 22-1: Tree Cutting in Hazardous Areas (INTRODUCTORY REPORT)**

**OCP Amendment - Tree Cutting**

- 2. *That the Town prepare an amending bylaw to:*
    - a. *Amend Comox Official Community Plan Bylaw Development Permit Area #13 Hazardous Areas to exempt tree pruning which meets a set of standardized exemption criteria from the requirement to obtain a Development Permit; and*
    - b. *Repeal Comox Tree Cutting in Hazardous Areas Bylaw, 1992*
- (2022.151) -- CARRIED

**c. Temporary Parklet and Patio Program: 4th Extension**

**Temporary Parklet and Patio Program**

- 1. *That the Town of Comox suspends until March 31, 2023 enforcement of:*
  - a. *Comox Zoning Bylaw 1850 setback and parking requirements; and,*
  - b. *Comox Official Community Plan Bylaw 1685 Development Permit Area requirements.*

*In respect of restaurants (including coffee shops), restaurant-lounges, breweries, and pubs who wish to place temporary outdoor seating on existing on-site open space and parking areas provided that:*

  - c. *the combined indoor and outdoor seating capacity does not exceed pre-COVID maximum seating capacity;*
  - d. *temporary seating in a parking lot does not reduce vehicle parking capacity by more than 6 parking spaces or 50% of existing onsite parking spaces whichever is greater;*
  - e. *no structures are constructed or placed on the property other than temporary seating and associated temporary tables, fencing and serving facilities;*
  - f. *no existing trees are impacted, and any landscaping alterations are temporary; and,*
  - g. *use of temporary seating within a required Zoning setback does not exceed 10:00 a.m. to 8:00 p.m. and in all other instances 7:00 a.m. to 10:00 p.m.*

(2022.152) -- CARRIED
- 2. *That the Town of Comox extend the temporary parklet program until March 31, 2023 provided that:*
  - a. *the combined indoor and outdoor seating capacity does not exceed pre-COVID maximum seating capacity;*
  - b. *applicant provision of 1.07 m high 2 x 4 wooden railing with horizontal roping between posts or other methods to delineate the boundaries of the parklet acceptable to the Town.*

(2022.153) -- CARRIED

**d. Tax Rate Setting**

**2022-2026 Tax Rates**

*THAT Council set tax rates to collect a 4.78% revenue increase in 2022, using the unneeded 1.02% increase in RCMP costs.*

(2022.154) -- CARRIED

**e. Regional Parks Service – Background Study and Proposed Service Framework**

**Regional Parks Service**

- 1. *THAT the Town of Comox provide correspondence to the Comox Valley Regional District indicating support for the creation of a Regional Parks service while highlighting outstanding concerns regarding requisition maximums and risk of inter-member service conflict in the creation of a land acquisition strategy.*

*THAT the main motion be amended to include the text at the end, ", and including the requirement that a land acquisition strategy be developed and agreed upon prior to the establishment of the service."*

(2022.155) -- CARRIED

- 2. *THAT the main motion as amended be further amended to add the following text after the phrase "land acquisition strategy" and before the phrase "be developed": "with an initial emphasis on connectivity through greenways".*

(2022.156) -- DEFEATED  
 [Opposed: Mayor Arnott, Councillors ABissinger KGrant SMcGowan JKerr NMinions MSwift]

- 3. *THAT the main motion as amended be further amended to add the following text after the phrase "land acquisition strategy" and before the phrase "be developed": "that includes connectivity through greenways".*

(2022.157) -- CARRIED

- 4. **MAIN MOTION AS AMENDED:**

*THAT the Town of Comox provide correspondence to the Comox Valley Regional District indicating support for the creation of a Regional Parks service while highlighting outstanding concerns regarding requisition maximums and risk of inter-member service conflict in the creation of a land acquisition strategy, and including the requirement that a land acquisition strategy, that includes connectivity through greenways, be developed and agreed upon prior to the establishment of the service.*

(2022.158) -- CARRIED

**11. NOTICES OF MOTION: NIL**

**12. CORRESPONDENCE:**

- a. **Nicole Rempel (Hegus/Chief), K'omoks First Nation: Support for Guardian Watchman Program**

**Guardian Watchman Program**

*That the February 28, 2022 letter from Hegus (Chief) Nicole Rempel of the K'omoks First Nation be received and that the Town offer in-kind assistance.*

*That the main motion be postponed indefinitely.*

(2022.159) -- CARRIED

- b. **James Volkens (Commodore Comox Bay Sailing Club): Request for reduced rental rate for Spinnaker Sail Building plus weekday bookings from July 4 to August 26, 2022**

**Sail Building Reduced Rent**

*That the February 15, 2022 letter from James Volkens of the Comox Bay Sailing Club, requesting a reduced rental rate for the Spinnaker Sail Building plus weekday bookings from July 4 to August 26, 2022 be received and that the Comox Bay Sailing Club be offered a 25% discount.*

(2022.160) -- CARRIED

**c. Haeley Dewhirst (Comox BIA): Requested Road Closures for 2022**

**Comox BIA Street Closures**

*That the April 14, 2022 letter from Haeley Dewhirst of the Comox BIA, be received and that the following road closure requests be approved:*

- *Saturday June 25 – Port Augusta Street from Beaufort Street to Comox Avenue and Comox Avenue from Port Augusta to Nordin Streets, between 8:00 a.m. to 6:00 p.m.;*
- *Monday October 31 – Comox Avenue from Port Augusta to Nordin Streets, between 2:00 p.m. to 6:00 p.m.; and*
- *Friday November 25 – Comox Avenue from Port Augusta to Nordin Streets, between 12:00 p.m. to 8:00 p.m.*

(2022.161) -- CARRIED

**13. LATE ITEMS: NIL**

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

**a. Councillor Kerr**

Councillor Kerr advised that he attended:

- a couple of Vancouver Island Regional Library board meetings,
- the bat talk event at Filberg Park,
- a Beaufort Family Health Society meeting,
- a meeting with the Comox Youth Climate Council in preparation for the Earth Day event,
- a health communities grant webinar,
- a Climate Caucus meeting, and
- a tour of the Kye Bay / Wireless Road area regarding the tree trimming issue.

**b. Councillor Swift**

Councillor Swift advised that she attended:

- the regional district sewer commission meeting,
- a utility governance review,
- the regional district water committee meeting,
- the regional district board meeting, and
- the Filberg Park Easter event.

**c. Councillor McGowan**

Councillor McGowan advised that she:

- attended a tour of the Kye Bay / Wireless Road area regarding tree trimming,
- participated in an interview with the feminist campaign school, and
- participated in a variety of community conversations and webinars.

**d. Councillor Grant**

Councillor Grant advised that he attended:

- the regional district sewer commission meeting,
- a utility governance review,
- the regional district water committee meeting, and
- the regional district board meeting.

**e. Councillor Bissinger**

Councillor Bissinger advised that she:

- met with many members of the community regarding affordable housing.

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**f. Councillor Minions**

Councillor Minions advised that she:

- attended a tour of the Kye Bay / Wireless Road area regarding the tree trimming issue,
- attended the BIA Scavenger Hunt,
- talked with many members of the community regarding affordable housing, and
- attended a meeting with the Comox Youth Climate Council in preparation for the Earth Day event.

**g. Mayor Arnott**

Mayor Arnott advised that he:

- attended the public works staff member retirement,
- attended the deputy wing commander's retirement,
- attended a Zoom call with Minister Cullen regarding affordable housing, and
- participated in many conversations with community members.

**17. RESOLUTION TO GO IN-CAMERA: NIL**

**18. RISE AND REPORT FROM IN-CAMERA: NIL**

**Adjournment:**

Regularly moved and seconded that the meeting adjourn at 8:30 p.m.

*CARRIED*

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



MAYOR



CORPORATE OFFICER