

TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday March 6, 2019

Present: Mayor R. Arnott
Councillors A. Bissinger, K. Grant, S. McGowan,
N. Minions, M. Swift

Absent: P. McKenna

Call to Order:

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

The Agenda was Amended to include a Late Item regarding the Mack Laing Heritage Society, and Approved as Amended.

There were 10 visitors in attendance.

1. DELEGATIONS: NIL

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 February 20, 2019, be Approved.

(2019.058) -- CARRIED

b. Committee of the Whole Meeting Minutes

COW Minutes

That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Wednesday February 27, 2019, be Received.

(2019.059) -- CARRIED

COMMITTEE RECOMMENDATIONS:

- (1) Mack Laing Trust Modification - Public Meeting

Mack Laing Trust - Public Meeting

That a facilitated Public Meeting be held during Council's March 27, 2019 Committee of the Whole meeting in order to hear presentations from the Mack Laing Heritage Society and the Friends of Mack Laing Nature Park, as well as engage in a discussion of issues and compromises related to the matter; and further,

That the meeting be held at the Comox Community Centre, between 5:00 and 7:00 p.m.

(2019.060) -- TABLED UNTIL AFTER CONSIDERATION OF LATE ITEM

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

a. Management Report - March 6, 2019

Management Report

That the Management Report for March 6, 2019 be received and filed for information.

(2019.061) -- CARRIED

b. Planning Report PR 19-3 Non-Medical Cannabis Licence Application Review (City Cannabis Corporation) 215 Port Augusta Street - Comox Mall

215 Port Augusta Street

1. *Be it resolved that the Town of Comox Council's comments on the prescribed considerations regarding the request for a Non-Medical Cannabis Retail Sales Licence for the City Cannabis Corp. at commercial Unit 16a/b, 215 Port Augusta St., Comox (Lot A, Section 56, Comox District, Plan VIP75741) are as follows:*

a. *The location of the proposed store:*

i) *The subject property is located within the Comox Centre Mall at the corner of Comox Avenue, an arterial road, and Port Augusta Street in downtown Comox. Surrounding uses include Comox Golf Course to the west and northwest, multi-family residential to the north across Balmoral Avenue, adjacent multi-family (congregate care) to the east, and commercial development to the east and south.*

b. *The general 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:*

a. *diversify services available to Comox residents, particularly as a walkable destination for the growing residential neighbourhood within the Town's downtown core;*

b. *strengthen Downtown Comox's commercial base with proposed hours of operation (10:00 am to 10:00 pm) comparable to that of the following Comox Centre Mall businesses:*

- i. John's Independent grocery store (8:00 am to 10:00 pm)*
- ii. BC Liquor Store (typically 9:30 am to 7:00-9:00 pm) and*
- iii. New Tradition Brewery (proposed 9:00 a.m. to 12:00 midnight)*

c. *The method the Town used to gather the views of the residents:*

i) *A notice, as contained in Attachment 5 of the March 6, 2019 Planning Report PR 19-3 for 215 Port Augusta Street 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 (February 21, 2019 and February 26, 2019); and*
- c. mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.*

ii) *A sign advertising the Non-Medical Cannabis Retail Store Licence application was installed on each of the three abutting street frontages of 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.*

(2019.062) -- CARRIED

b. Planning Report PR 19-3 Non-Medical Cannabis Licence Application Review (City Cannabis Corporation) 215 Port Augusta Street - Comox Mall

215 Port Augusta Street

2. *The Town of Comox Council recommends that a Non-Medical Cannabis Retail Store Licence be issued for the City Cannabis Corp., located at commercial Unit 16a/b, 215 Port Augusta Street in Comox as this will provide Comox residents with a local Non-Medical Cannabis Retail Store in a location that supports Comox Official Community Plan Bylaw, 2011 Policies 2.1.3.3(b)(d) and (e).*

(2019.063) -- CARRIED

5. SPECIAL REPORTS:

a. Rise and Report: Strategic Priorities 2019

Rise and Report

The March 1, 2019 report from the Deputy Corporate Administrator, titled "RISE AND REPORT: Strategic Priorities 2019", was received for information.

6. BYLAWS:

a. Rezoning Application: RZ 18-9 / Development Variance Permit Application: DVP 18-8 (1548 Dogwood Avenue)

1548 Dogwood Avenue

1. *That Comox Zoning Amendment Bylaw 1901 be given Third Reading.*
2. *That Comox Zoning Amendment Bylaw 1901 be Adopted.*
3. *That Development Variance Permit DVP 18-8 be issued, subject to the Development Permit conditions listed in Schedule 1 of the March 6, 2019 Planning Report on RZ 18-9 and DVP 18-8.*

(2019.064) -- CARRIED

(2019.065) -- CARRIED

(2019.066) -- CARRIED

b. Rezoning Application: RZ 18-11 / Development Variance Permit Application: DVP 18-12 (1622 Ascot Avenue)

1622 Ascot Avenue

1. *That Comox Zoning Amendment Bylaw 1871 be given Third Reading.*
2. *That Comox Zoning Amendment Bylaw 1871 be Adopted.*
3. *That Development Variance Permit DVP 18-12 be issued subject to the Development Variance Permit conditions listed in Schedule 1 of the March 6, 2019 Planning Report on RZ 18-11 and DVP 18-12.*

(2019.067) -- CARRIED

(2019.068) -- CARRIED

(2019.069) -- CARRIED

c. Planning Report PR 18-13: Comox Building Bylaw Amendment

Building Bylaw Amendment

1. *That Third Reading of Comox Building Amendment Bylaw 1903 be repealed.*

(2019.070) -- CARRIED

c. Planning Report PR 18-13: Comox Building Bylaw Amendment

Building Bylaw Amendment

2. That Comox Building Amendment Bylaw 1903 be amended as follows:

a. by adding as section (11) the following text:

"Section 27 Wood Burning Appliances is amended by:

a) adding the following as sub-section (3):

No person shall design or construct a building or building addition whose heating system or service water heating system relies in whole or in part on the use of a wood burning appliance, install a wood burning appliance in a new building or building addition, or install a wood burning appliance in any other building.

b) adding the following as sub-section (4):

Despite Section 27(3), a wood burning appliance may be installed in a building that existed on April 30, 2019 in replacement for an existing wood burning appliance, provided that the replacement appliance has a higher fuel efficiency rating than the existing appliance, and for the purpose of comparing fuel efficiency ratings the owner shall, after replacement, retain the existing appliance on the premises until the building official has authorized its removal."

b. by deleting section 1(A)(S) from Schedule F;

c. by making such consequential changes as are required to reflect the foregoing amendment, including without limitation changes in the numbering and order of the sections of the bylaw;

(2019.071) -- CARRIED

3. That Comox Building Amendment Bylaw 1903, as amended, be given Third Reading.

(2019.072) -- CARRIED

7. NEW BUSINESS:

a. Regional Mid-Island Electric Vehicle Charging Network

EV Charging Network

1. That the Town of Comox submit a letter of support for Community Energy Association's application to the Emotive Community Outreach Incentive Program on behalf of mid-island communities, for coordinating the collaboration on behalf of mid-island communities.

(2019.073) -- CARRIED

2. That the Town of Comox support the Regional District of Nanaimo acting as the lead applicant in a CleanBC Communities Fund application on behalf of multiple mid-island municipalities and regional districts.

(2019.074) -- CARRIED

b. Planning Report PR 19-2: Streamlined Applications for Side-By-Side Secondary Suites and Coach Houses

Secondary Suites / Coach Houses

1. That Comox Official Community Plan Amendment Bylaw 1908 be given First Reading.

(2019.075) -- CARRIED

b. Planning Report PR 19-2: Streamlined Applications for Side-By-Side Secondary Suites and Coach Houses

Secondary Suites / Coach Houses

2. *That, having considered the impact on the Financial Plan and the Comox Strathcona Waste Management 2012 Solid Waste Management Plan, Comox Official Community Plan Amendment Bylaw 1908 be given Second Reading.*
(2019.076) -- CARRIED
3. *That Comox Zoning Amendment Bylaw 1909 be given First and Second Readings.*
(2019.077) -- CARRIED
4. *That Comox Planning Procedures Amendment Bylaw 1910 be given First and Second Readings.*
(2019.078) -- CARRIED
5. *That a Public Hearing in respect of Comox Official Community Plan Amendment Bylaw 1908 and Comox Zoning Amendment Bylaw 1909 be scheduled for April 3, 2019 at 6:30 p.m., located at Council Chambers, 1801B Beaufort Avenue, and staff be instructed to publish the requisite notices as required by the Local Government Act.*
(2019.079) -- CARRIED

8. CORRESPONDENCE:

a. Ben Henderson (FCM) Town of Comox Water Metering Feasibility Study

Water Meter Feasibility Grant Funding

That the February 8, 2019 letter from Ben Henderson, Chair of the Green Municipal Fund Council, advising of Council's successful funding application for a Water Metering Feasibility Study, and of a grant approval for up to \$23,000, be received and filed for information.
(2019.080) -- CARRIED

b. Emma Tillotson - Coach House 1622 Ascot

1622 Ascot Avenue

That the February 25, 2019 email from Emma Tillotson of 1605 Ascot Avenue, advising of her objection to the proposed coach house at 1622 Ascot Avenue, be received and filed for information.
(2019.081) -- CARRIED

c. James Derry (The Alberni Project Society) Funding

The Alberni Project

That the February 3, 2019 letter from James Derry of The Alberni Project Society, requesting a grant-in-aid of \$2000 in order to continue their mobile education work, be received and referred to the budget process.
(2019.082) -- CARRIED

9. LATE ITEMS:

a. Correspondence from Mack Laing Heritage Society- March 1, 2019

Mack Laing Trust - Public Meeting

1. *That the March 5, 2019 report from the Chief Administrative Officer, titled "Correspondence from Mack Laing Heritage Society - March 1, 2019" be received; and further,*

That Council invite only the Mack Laing Heritage Society to present any additional information they may wish to present on their proposed Business Plan at the March 27, 2019 Committee of the Whole, and that they be prepared to answer any questions the Committee may have regarding the proposed Business Plan.

(2019.083) -- DEFEATED

[Opposed: Mayor Arnott, Councillors ABissinger KGrant NMinions SMcGowan MSwift]

2. *That Council continues with the modification of the trust in its current format or a modified proposal.*

(2019.084) -- CARRIED

b. Mack Laing Trust Modification - Public Meeting

Mack Laing Trust - Public Meeting

1. *That the motion from Item 2.b.(1), regarding the modification of the Mack Laing Trust, be removed from the table.*

(2019.085) -- CARRIED

2. *That a facilitated Public Meeting be held during Council's March 27, 2019 Committee of the Whole meeting in order to hear presentations from the Mack Laing Heritage Society and the Friends of Mack Laing Nature Park, as well as engage in a discussion of issues and compromises related to the matter; and further,*

That the meeting be held at the Comox Community Centre, between 5:00 and 7:00 p.m.

That the main motion be amended to add the text "and workshop" after the text "Public Meeting", and to remove the text "hear presentations from the Mack Laing Heritage Society and the Friends of Mack Laing Nature Park, as well as".

(2019.086) -- CARRIED

3. *That a facilitated Public Meeting and Workshop be held during Council's March 27, 2019 Committee of the Whole meeting in order to engage in a discussion of issues and compromises related to the matter; and further,*

That the meeting be held at the Comox Community Centre, between 5:00 and 7:00 p.m.

(2019.087) -- CARRIED

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor Bissinger

Councillor Bissinger advised that she attended:

- the Wounded Warriors Run event,
- the Integrated Regional Transportation Select Committee meeting,
- the regional solid waste management strategic planning session, and
- the solid waste advanced technology meeting.

b. Councillor Grant

Councillor Grant advised that he attended:

- the Regional District board (budget) meeting, sports commission meeting and water committee meeting, and
- the Coldest Night of the Year event.

c. Councillor Minions

Councillor Minions advised that she attended the regional solid waste management meeting.

d. Councillor McGowan

Councillor McGowan advised that she attended:

- the Comox Archives and Museum Society meeting,
- the plaque unveiling for former Councillor Shirley McLoughlin,
- the Coldest Night of the Year event,
- the Community to Community forum with K'omoks First Nation,
- an affordable housing 101 webinar, and
- the Comox Valley Social Planning Society meeting.

e. Councillor Swift

Councillor Swift advised that she attended:

- the plaque unveiling for former Councillor Shirley McLoughlin,
- the regional district sewage commission meeting,
- the Filberg Heritage Lodge and Park Association meeting,
- the Community to Community forum with K'omoks First Nation,
- the Regional District board (budget) meeting, water committee meeting and sports commission meeting, and
- a Filberg volunteer appreciation coffee.

f. Mayor Arnott

Mayor Arnott advised that he attended:

- a Mayor's lunch,
- a meeting with Providence Health along with the CAO,
- the plaque unveiling for former Councillor Shirley McLoughlin, and
- the Coldest Night of the Year event.

14. EXCLUDE THE PUBLIC: NIL

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:10 p.m.

CARRIED

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



MAYOR



CORPORATE OFFICER