



**TOWN OF COMOX**  
**Minutes of the Regular Council Meeting,**  
**held in Council Chambers on Wednesday March 1, 2023**

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**Present:** Mayor N. Minions  
Councillors S. Blacklock, K. Grant, C. Haslett,  
J. Kerr, J. Meilleur, M. Swift

**Absent:** Nil

**Staff Present:** J. Wall, Chief Administrative Officer  
S. Russwurm, Corporate Officer  
C. Freundlich, Director of Finance  
M. Kamenz, Director of Development Services  
G. Schreiner, Fire Chief  
T. Hagmeier, Recreation Director  
S. Ashfield, Director of Operations

**Call to Order:**

The meeting was called to order at 5:00 p.m. with 12 members of the public in attendance.

Mayor Minions 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 March 1, 2023 Regular Council Meeting agenda be Adopted.*

*(2023.063) -- CARRIED*

**3. DELEGATIONS:**

**a. Angela Fletcher and Chris Bate (Comox Valley Coalition to End Homelessness): Funding recommendation for affordable housing projects**

**Coalition to End Homelessness**

Angela Fletcher and Chris Bate provided a brief overview of the Coalition and presented highlights for 2022. They presented information on the number of residents currently living in housing that is not considered affordable in the Comox Valley. They also provided the Homelessness Support Service requests received for 2023/24 and thanked Council for the \$40,000 contribution.

**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 February 15, 2023, be Adopted.*

(2023.064) -- CARRIED

**5. COUNCIL COMMITTEE MINUTES AND REPORTS: NIL**

**6. CONSENT AGENDA:**

**a. Consent Agenda**

**Consent Agenda**

1. *That the Consent Agenda items as follows be received for information:*

.01 *Lee Everson, Gukwas sa Wagalus Rainbow House - January 31, 2023, requesting assistance for a proposed development project in Comox.*

.02 *Linda Thomas, Filberg Heritage Lodge and Park Association / Dave Stevenson, Nautical Days Coordinator - February 6, 2023, requesting financial support of \$3,000 to assist with the cost of shuttle service.*

.03 *Lisa Bourgeois, February 10, 2023, requesting tree protection.*

.04 *Honourable Anne Kang, Minister of Municipal Affairs, February 10, 2023, Growing Communities Fund Grant.*

.05 *Jay Chalke, Ombudsperson, February 15, 2023, providing information and invitation to their Fairness by Design guide.*

.06 *Jacqueline Zweng, Wounded Warrior Run BC, February 24, 2023, inviting Council to meet the team and requesting \$2,000 donation.*

(2023.065) -- CARRIED

2. *That Item .02 (Filberg Heritage Lodge and Park Association / Nautical Days Coordinator requesting financial support of \$3,000 to assist with the cost of shuttle service) be removed from the Consent Agenda for discussion.*

(2023.066) -- CARRIED

3. *That Item .04 (Growing Communities Fund Grant.) be removed from the Consent Agenda for discussion.*

(2023.067) -- CARRIED

**7. UNFINISHED BUSINESS:**

**a. Summer Market Options**

**Summer Market Options**

*THAT Council directs Administration to engage with the Comox Valley Famers Market to establish a summer market at the Community Center field as soon as feasible.*

(2023.068) -- CARRIED

**b. RCMP Officer Increase Request**

**RCMP Officer Request**

*THAT Council move consideration of the request from the RCMP for additional members to 2023 strategic planning process.*

(2023.069) -- CARRIED

**c. OCP 22-1 Tree Cutting in Hazardous Areas**

**OCP Amendment - Tree Cutting**

1. *That Comox Official Community Plan Amendment Bylaw 2006 (Attachment 1), Section 3(1)(a), be amended as follows:*

a. *Replace sub-section (i) with the following text:*

(i) *Adding the following text to the beginning of Section 3.13:*

*The following definitions apply to DPA #13 only:*

*ANSI Standard A-300 means the American National Standards Institute (ANSI) A300 (Part 1) – 2017 Pruning Standard, and the companion Best Management Practices – Pruning, 3rd Edition (2019).*

*Cutting down means to entirely sever the main stem of a tree or plant, or to alter or fell a tree or plant or a tree or plant part such that the tree or plant is no longer biologically or structurally viable.*

*ISA means the International Society of Arboriculture.*

*Pruning means the selective removal of tree or plant parts. Does not include topping or cutting down.*

*Plant means a perennial plant other than a tree.*

*Re-topping means to remove tree growth to shorten a tree to the previous point of topping by either pruning or topping the tree.*

*Toe of slope means the lowest and first significant and regular break in a slope.*

*Topping means to sever the upper stem of a tree or plant, resulting in a truncated stem.*

*Tree means a woody perennial having one or more stems with at least one stem having a diameter of 10 centimetres or more measured at Diameter at Breast Height.*

b. *Deleting section (iii) to (iv);*

c. *Adding the following text as section (iii) and renumbering accordingly:*

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

1. (iii) Adding the following text after section 3.13.4(F):

"A development permit is not required for the following actions:"

d. Adding as section (iv) with the following text:

(iv) Adding the following text as Section 3.13.4(G):

"G. On the properties shown shaded on Figure 10 Kye Bay Properties, pruning of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that:

- I. the proposed pruning did not undermine the tree's health;
- II. the proposed pruning was conducted under the supervision of an ISA Certified Arborist;
- III. the proposed pruning was in accordance with the ANSI Standard A-300;
- IV. all tree parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,
- V. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading."

e. Adding as section (v) the following:

(v) Adding the following text as Section 3.13.4(H):

"H. Pruning, topping or cutting down trees or plants located below the toe of the slope on properties shown shaded on the map, included in recommendation 1(e) of the March 1, 2023 Report to Mayor and Council titled "OCP 22-1 Tree Cutting in Hazardous Areas".

f. Adding as section (vi) the following text:

(vi) Adding the following text as Section 3.13.4(I):

"I. Cutting down or pruning a hazardous tree that presents an immediate danger to human safety or to property. This must be confirmed by an ISA Certified Arborist. If the property owner cuts down or prunes a tree pursuant to this section, the Owner will advise the Parks Manager that it has done so in writing within one (1) business day of cutting down the tree."

g. Adding as section (vii) the following text:

(vii) Adding the following text as Section 3.13.4(J):

"J. On the properties shown shaded on Figure 9 Kye Bay Properties, cutting down or pruning a hazardous tree provided that a written opinion prepared

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

1. and executed by an ISA Certified Arborist states that the tree presents a danger to human safety or to property."

h. Adding as section (viii) the following text:

(viii) Adding the following text as Section 3.13.4(K):

"K. On the properties shown shaded on Figure 9 Kye Bay Properties, Re-topping of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that the tree has been previously topped and re-topping did not undermine the tree's health."

i. Adding as section (ix) the following text:

(ix) Adding the following text as Section 3.13.4(L):

"L. On the properties shown shaded on Figure 10 Kye Bay Properties, Pruning of plants provided that a written opinion prepared and signed by a Red Seal Landscape Horticulturalist or executed by an ISA Certified Arborist states that:

- I. the pruning did not undermine the plant's health or substantially reduce existing ground cover;
II. all plant parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,
III. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading."

j. Adding as section (x) the following text:

(x) Adding the following text as Section 3.13.4(M):

"M. On Lot 1, District Lot 93, Comox District, Plan 25746, pruning of plants within 30 cm horizontal distance from the edge of an existing trail to a height 2.5 metres above grade."

k. Adding as section (xi) the following text:

(xi) Adding the following at the end of Section 3.13.4:

"Figure 10 Kye Bay Properties and the map, included in recommendation 1(k) of the March 1, 2023 Report to Mayor and Council titled "OCP 22-1 Tree Cutting in Hazardous Areas"

(2023.070) -- CARRIED
[Opposed: Councillors JKerr JMeilleur]

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

- 2. That Comox Official Community Plan Bylaw 2006, as amended, be given Third Reading. (2023.071) -- CARRIED
- 3. That Comox Drainage Infrastructure Protection Amendment Bylaw 2007 be given Third Reading. (2023.072) -- CARRIED

8. SPECIAL REPORTS: NIL

9. BYLAW ADOPTIONS: NIL

10. NEW BUSINESS:

a. Rezoning Application RZ 18-7 / Development Variance Permit Application DVP 18-6 (1609 & 1617 Birch Avenue)

1609/1617 Birch Avenue

- 1. That Comox Zoning Amendment Bylaw 1899 be Adopted. (2023.073) -- CARRIED
- 2. That Development Variance Permit Application DVP 18-6 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the March 1, 2023 Planning Report on RZ 18-7 and DVP 18-6. (2023.074) -- CARRIED
- 3. That Town of Comox Subdivision And Development Servicing Amendment Bylaw No. 2015, 2023 be given First, Second and Third Reading. (2023.075) -- CARRIED

THE MEETING RECESSED AT 6:06 P.M. AND RECONVENED AT 6:13 P.M.

b. Operating Budget Report

Operating Budget

- 1. THAT Council approves the Operational Budget as included in Appendix A of the March 1, 2023 Report to Council from the CAO titled "Operating Budget Report"; and further, THAT Council approves the inclusion of two additional fire fighter positions, an Environmental and Development Engineer and an additional Finance staff member in the 2023-2027 Financial Plan.

That the main motion be amended to include the text "and an additional half time Recreation Programmer" before the text "in the 2023-2027 Financial Plan"

(2023.076) -- DEFEATED  
[Opposed: Mayor Minions, Councillors SBlacklock CHaslett KGrant MSwift]

**b. Operating Budget Report**

**Operating Budget**

- 2. *THAT Council approves the Operational Budget as included in Appendix A of the March 1, 2023 Report to Council from the CAO titled "Operating Budget Report"; and further,*

*THAT Council approves the inclusion of two additional fire fighter positions, an Environmental and Development Engineer and an additional Finance staff member in the 2023-2027 Financial Plan.*

(2023.077) -- CARRIED

- 3. *THAT the following items be moved to the upcoming Strategic Planning discussion:*

- 4) *THAT Council approves the inclusion of an additional half time Recreation Programmer in the 2023-2027 Financial Plan.*

- 5) *THAT Council approves the waiving of development fees and/or \$2,500 contribution request from Dawn to Dawn for funding towards the Gukwas sa Wagalus project.*

- 7) *THAT Council approves the \$15,000 request from the Comox Valley Community Health Network for funding towards phase three of the Substance Use Strategy.*

(2023.078) -- CARRIED

**11. NOTICES OF MOTION: NIL**

**12. CORRESPONDENCE:**

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

**Battle of the Atlantic and Flyby Permission**

*That the February 13, 2023 letter from Steve Cowan of the Royal Canadian Naval Association, requesting permission to hold the annual Battle of the Atlantic ceremony at the Naval Memorial Cairn in Marina Park on Sunday May 7, 2023, be received and permission granted; and further*

*That Council approve of a low level fly past by a CP-140 Aurora Long Range Patrol aircraft, as low as 500 feet, at 1:25 pm during the two minutes of silence.*

(2023.079) -- CARRIED

**13. LATE ITEMS: NIL**

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

- a. **Councillor Blacklock**

Councillor Blacklock advised that he attended:  
- the Comox Business in Action strategic planning session, and  
- the monthly Community Justice Centre board meeting.

**b. Councillor Swift**

Councillor Swift advised that she attended:

- a joint Nautical Days / Filberg Park meeting, and
- the opening of the Return It Kiosk at the Comox Mall.

**c. Councillor Haslett**

Councillor Haslett advised that he attended:

- the Local Government Leadership Academy,
- a d'Esterre Seniors Centre board meeting,
- a joint Nautical Days / Filberg Park meeting, and
- the opening of the Return It Kiosk.

**d. Councillor Kerr**

Councillor Kerr advised that he attended:

- the evening session of the Comox BIA strategic planning session,
- former mayor Arnott's celebration of life,
- a joint Nautical Days / Filberg Park meeting,
- a Coalition to End Homelessness meeting, and
- the CVRD recreation commission strategic planning session.

**e. Councillor Grant**

Councillor Grant advised that he attended:

- the CVRD board meeting,
- the CVRD regional parks committee meeting,
- the CVRD recreation commission strategic planning session, and
- the former mayor Arnott's celebration of life.

**f. Councillor Meilleur**

Councillor Meilleur advised that she attended:

- the Local Government Leadership Academy,
- the former mayor Arnott's celebration of life,
- a community showing and discussion regarding fentanyl,
- a food policy council meeting,
- the Comox Archives and Museum Society board meeting,
- a Blue Economy Strategy session, and
- a CVRD regional parks committee meeting.

**g. Mayor Minions**

Mayor Minions advised that she attended:

- the coldest night of the year event,
- the tour of Providence's dementia village,
- the BC Budget announcement,
- the Local Government Leadership Academy,
- the Return It Kiosk opening,
- a meeting with a local developer,
- a meeting with CVRD chair Ketler,
- the Ukrainian one-year rally,
- the former mayor Arnott's celebration of life,
- the regional solid waste management board meeting.



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

**a. Exclude the Public**

**Exclude the Public**

*That the Public be Excluded from the In-Camera session of Council on Wednesday March 1, 2023 pursuant to the following sub-sections of section 90 of the Community Charter:*

*(c) labour relations or other employee relations; and*

*(e) 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;*

(2023.080) -- CARRIED

**THE MEETING WAS CLOSED TO THE PUBLIC AT 7:00 P.M.**

**THE REGULAR COUNCIL MEETING RECONVENED AT 8:09 P.M.**

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

**Adjournment:**

Regularly moved and seconded that the meeting adjourn at 8:09 p.m.

CARRIED

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

  
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MAYOR

  
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CORPORATE OFFICER