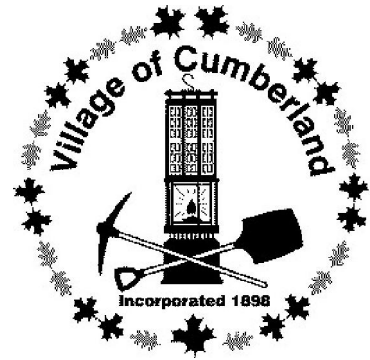


REGULAR MINUTES

14/2013/R



**The Corporation of the Village of Cumberland
Regular Council Meeting
May 13th, 2013 at 5:30 p.m.
Village Council Chambers**

Council Present:

Mayor Leslie Baird
Councillor Conner Copeman
Councillor Roger Kishi
Councillor Gwyn Sproule

Staff Present:

Sundance Topham, Chief Administrative Officer
Michelle Mason, Financial Officer
Rob Crisfield, Manager of Operations
Rachel Parker, Deputy Corporate Officer
Judith Walker, Senior Planner
Kevin McPhedran, Parks and Outdoor Recreation

Regrets:

Councillor Kate Greening

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

1. Approval of Agenda

- 1.1 Agenda for regular council meeting, May 13th, 2013.

Motion 13-237

Kishi/Copeman

THAT Council approve the agenda for the regular council meeting, May 13th, 2013 with the addition of an on-table amendment to item 6.2 and further notice to close the meeting to the public under section 90(1)(k) of the *Community Charter*.

Carried Unanimously

2. Adoption of Minutes

- 2.1 Minutes of the council meeting held April 22nd, 2013.

Motion 13-238

Sproule/Copeman

THAT Council approve the minutes of the council meeting held April 22nd, 2013.

Carried Unanimously

- 2.2 Minutes of the village hall meeting held May 6th, 2013.
Motion 13-239

Sproule/Copeman

THAT Council approve the minutes of the village hall meeting held May 6th, 2013.

Carried Unanimously

3. Delegations

None

4. Unfinished Business

- 4.1 David Stapley, Program Manager and Jack Minard, Comox Valley
Conservation Strategy Community Partnership, Proposal for a Comox Lake
Watershed Sustainable Use Recreation Area
Motion 13-240

Sproule/Copeman

THAT Council advise the Comox Valley Conservation Strategy Partnership that it is satisfied with the way the municipality and regional district is working towards protecting the Comox Lake watershed and that the Village of Cumberland is working with local landowners to meet the needs of recreational activities while protecting the watershed.

Carried Unanimously

5. Correspondence

- 5.1 Jeremy Grasby, Cumberland Course Director, BC Bike Race, June 30th, 2013
Motion 13-241

Sproule/Kishi

THAT Council receive the correspondence from Jeremy Grasby, Cumberland Course Director, BC Bike Race, June 30th, 2013, for information.

Carried Unanimously

Motion 13-242

Sproule/Kishi

THAT Council permit the closure of Dunsmuir Avenue between First Street and Second Street from 7:30 am to 11:00 am; and Dunsmuir Avenue between Second Street and Fourth Street and Fourth Street and Cumberland Road from Dunsmuir Avenue to Bevan Road from 9:00 am to 10:30 on June 30th, 2013 for the BC Bike Race.

Carried Unanimously

- 5.2 Keith Tatton, Rotary Club of Cumberland Centennial, Comox Valley Classic Cruisers Car Club Annual Cruise the Valley, July 27th, 2013
Motion 13-243

Sproule/Kishi

THAT Council receive the correspondence from Keith Tatton, Rotary Club of Cumberland Centennial re: Comox Valley Classic Cruisers Car Club Annual Cruise the Valley, July 27th, 2013.

Carried Unanimously

Motion 13-244

Sproule/Kishi

THAT Council permit the closure of Dunsmuir Avenue between First Street and Fourth Street on July 27th, 2013 from 6:00 pm to 10:00 pm for the Comox Valley Classic Cruisers Car Club Annual Cruise the Valley.

Carried Unanimously

- 5.3 Jean Cameron, Chairperson, 5th Annual Cumberland Motorcycle Roundup Show & Shine and Poker Run August 10th & 11th, 2013
Motion 13-245

Copeman/Kishi

THAT Council receive the correspondence from Jean Cameron, Chairperson, Cumberland Motorcycle Roundup re: 5th Annual Cumberland Motorcycle Roundup Show & Shine and Poker Run August 10th & 11th, 2013.

Carried Unanimously

Motion 13-246

Kishi/Sproule

THAT Council permit the closure of Third Street from Dunsmuir Avenue to the alley between Dunsmuir and Derwent Avenue on August 10th, 2013; to permit motorcycle demonstrations on Dunsmuir Avenue between Fourth Street and Fifth Street on August 10, 2013; and permit the closure of Dunsmuir Avenue between Third and Fourth Street between 8 am and 11 am on August 11th, 2013 for the Cumberland Motorcycle Roundup.

Carried Unanimously

- 5.4 Richard Ellsay, Race Director, Comox Valley Cycle Club , Comox Valley Cycle Club Race – June 16th, 2013
Motion 13-247

Sproule/ Kishi

THAT Council receive the correspondence from Richard Ellsay, Race Director, Comox Valley Cycle Club re: Comox Valley Cycle Club Race – June 16th, 2013.

Carried Unanimously

Motion 13-248

Sproule/ Kishi

THAT Council permits the Comox Valley Cycle Club to hold a bicycle road race on Dunsmuir Avenue, Royston Road, Union Road and Cumberland Road on June 16th, 2013 at 11:00 am.

Carried Unanimously

- 5.5 Edwin Grieve, Chair, Comox Valley Regional District, Proposed elected officials forum – June 11, 2013

Motion 13-249

Sproule/ Kishi

THAT Council receive the correspondence from Edwin Grieve, Chair, Comox Valley Regional District re: Proposed elected officials forum – June 11, 2013.

Carried Unanimously

Motion 13-250

Kishi/Sproule

THAT Council attend the Comox Valley Regional District elected officials forum on June 11, 2013 and submit topics for inclusion on the agenda.

Carried Unanimously

- 5.6 Julie Le Goff, Executive Director, Comox Valley Pregnancy Care Centre, Run/Walk Fundraiser

Motion 13-251

Sproule/Copeman

THAT Council receive the correspondence from Julie Le Goff, Executive Director, Comox Valley Pregnancy Care Centre re: Run/Walk Fundraiser.

Carried Unanimously

Motion 13-252

Sproule/Copeman

THAT Council permit the run/walk fundraiser from Village Park to Comox Lake and back on Comox Lake Road on May 20th, 2013 at 12:00 noon.

Carried Unanimously

6. Reports

6.1 Parks and Cemeteries Select Committee – Status update

Motion 13-253

Sproule/Kishi

THAT Council receive the Parks and Cemeteries Select Committee- Status Update report for information.

Carried Unanimously

Motion 13-254

Sproule/Kishi

THAT Council direct staff to delay the establishment of the Parks and Cemeteries Select committee and review the concept of the committee in spring 2014.

Carried Unanimously

6.2 Park Signs: Development of Standards and Manual

Motion 13-255

Copeman/Sproule

THAT Council receive the Park Signs: Development of Standards and Manual report for information.

Carried Unanimously

Motion 13-256

Sproule/Kishi

THAT Council approve the expenditure of up to \$6,000, to be funded through Council's Tax Surplus Reserve, for the development of a Village of Cumberland Parks Sign Standards manual; and THAT Council direct staff to bring forward an amendment to the adopted 2013-2017 Financial Plan Bylaw to reflect this expenditure.

Carried Unanimously

6.3 Edwards Industrial Park Development Permit 2013-01-DP

Motion 13-257

Sproule/Copeman

THAT Council remove 'Edwards Industrial Park Development Permit 2013-01-DP' report dated May 13, 2013 from the agenda.

Carried Unanimously

6.4 Official Community Plan – Review & Revision: May 13, 2013 Status Report

Motion 13-258

Sproule/Kishi

THAT Council receive the 2013 Official Community Plan – Review & Revision: May 13, 2013 Status Report for information.

Carried Unanimously

- 6.5 Liquor Licence Application for a Structural Change, Waverley Hotel and Pub, 2692 Dunsmuir Avenue
Motion 13-259

Kishi/Sproule

THAT Council receive the Liquor Licence Application for a Structural Change, Waverley Hotel and Pub report.

Carried Unanimously

Motion 13-260

Sproule/Kishi

THAT Council recommend that the application for an amendment to liquor-primary licence number 001858 for the Waverley Hotel & Pub, 2692

Dunsmuir Avenue, for the addition of a patio be approved;

THAT Council considers that the views of the residents indicate that there is a concern for noise to neighbouring residents and that measures be taken to reduce this potential for noise, including restrictions limiting patio use hours to daylight hours only and only when live entertainment is not occurring inside the venue, that the applicant provide screening and noise reduction barriers to the patio, that client access to the alleyway be restricted at all times (emergency exit only), that the rear door not be permitted to be left open;

THAT Council considers the impact on the community, if the application is approved with the restrictions imposed as recommended, is generally positive, supporting economic development in the commercial core in the Village.

Carried Unanimously

- 6.6 Comox Lake Road
Motion 13-261

Sproule/Kishi

THAT Council receives the Comox Lake Road Report.

Carried Unanimously

Motion 13-262

Sproule/Copeman

THAT Council direct staff to arrange for a presentation by GeoStablization International to learn more about their unique approach to slope stabilization.

Carried Unanimously

- 6.7 Backyard Chickens Report
Motion 13-263

Sproule/Kishi

THAT Council receive the Backyard Chickens Report.

Carried Unanimously

Motion 13-264

Sproule/Kishi

THAT Council direct staff to wait for the completion of the Official Community Plan review and revision process before moving forward on considering amendments to the regulation of backyard chickens.

In Favour: Mayor Baird
Councillor Kishi
Councillor Sproule
Opposed: Councillor Copeman
Carried

- 6.8 April 2013 Recreation Department Report
Motion 13-265

Sproule/Kishi

THAT Council receive the April 2013 Recreation Department Report for information.

Carried Unanimously

- 6.9 April 2013 Parks and Outdoor Recreation Report
Motion 13-266

Sproule/Kishi

THAT Council receive the April 2013 Parks and Outdoor Recreation Report for information.

Carried Unanimously

- 6.10 Protective Services Report, April 2013
Motion 13-267

Sproule/Kishi

THAT Council receive the Protective Services Report, April 2013 for information.

Carried Unanimously

- 6.11 April 2013 Operations Department Report
Motion 13-268

Sproule/Kishi

THAT Council receives the April 2013 – Operations Department Report for information.

Carried Unanimously

- 6.12 April 2013 Administration Department Report
Motion 13-269

Kishi/Sproule

THAT Council receive the April 2013 Administration Department Report for information.

Carried Unanimously

- 6.13 April 2013 Chief Administrative Officer Report
Motion 13-270

Sproule/Kishi

THAT Council receive the April 2013 Chief Administrative Officer Report for information.

Carried Unanimously

- 6.14 Council Reports
6.14.1 Mayor Leslie Baird
6.14.2 Councillor Conner Copeman
6.14.3 Councillor Kate Greening
6.14.4 Councillor Roger Kishi
6.14.5 Councillor Gwyn Sproule
Motion 13-271

Kishi/Sproule

THAT the Council reports be received.

Carried Unanimously

7. Bylaws

- 7.1 Carlisle Lane – 01-2012 OCP & Zoning Amendment Application
Prepared by Judith Walker, Senior Planner
Motion 13-272

Sproule/Kishi

THAT second reading of "Corporation of the Village of Cumberland Official Community Plan Amendment Bylaw No. 966, 2013" be rescinded, amended in Part B as follows and by replacing Schedule B, and given second reading anew:

That portion of the property known as PID 003-012-522 Lot 1, District Lot 24, Nelson District, Plan 24314 Except Part in Plan 31165 ("Lot 1"), shown as highlighted with thick black outline and hatched on Schedule 'B' attached, which is the entirety of Lot 1 except a triangular portion adjacent to the westerly boundary of PID 001-180-886 Lot A, District Lot 24, Nelson District, Plan 31165 ("Lot A") extending approximately 6 metres westerly from the southwest corner of that Lot A and connecting at the northwest corner of that Lot A, is hereby re-designated from 'Agriculture' to 'Residential' on Map A of the Official Community Plan;

THAT second reading of "Village of Cumberland Zoning Amendment Bylaw No. 967, 2013" be rescinded, amended in Section 2 as follows and by replacing Schedule B, and given second reading anew:

That portion of the property known as PID 003-012-522 Lot 1, District Lot 24, Nelson District, Plan 24314 Except Part in Plan 31165 ("Lot 1"), shown as highlighted with thick black outline and hatched on Schedule B, which is the entirety of that Lot 1 except a triangular portion adjacent to the westerly boundary of PID 001-180-886 Lot A, District Lot 24, Nelson District, Plan 31165 ("Lot A") extending approximately 6metres westerly from the southwest corner of that Lot A and connecting at the northwest corner of that Lot A, attached to and forming part of this bylaw, is hereby rezoned from Rural Two (RU-2) to Residential Four (R-4).

THAT second reading of the "Corporation of the Village of Cumberland Phased Development Agreement (Carlisle Lane) Bylaw No. 983, 2013" be rescinded, amended in Schedule A, by adding the words "and as further herein defined" after "(the "Lands", " and in Section 1.1 as follows, and by replacing the site plan in Schedule A with the site plan presented, and given second reading anew:

- 1.1. This Agreement applies to the Lands, including all parcels created from the Lands, and to no other land, except with respect to the following:
 - a) The Developer proposes to subdivide and transfer a small triangular portion of the Lands (the "Triangular Portion") for consolidation with the adjacent parcel legally described as PID 001-180-886 Lot A, District Lot 24, Nelson District, Plan 31165 (the "Adjacent Lot A");
 - b) That Triangular Portion is approximately 113sq.m. in area, adjacent to the westerly boundary of that Adjacent Lot A, extending approximately

- 6metres westerly from the southwest corner of that Adjacent Lot A and connecting at the northwest corner of that Adjacent Lot A;
- c) That Triangular Portion has been excluded from the OCP Amendment Bylaw and Zoning Amendment Bylaw, and therefore, if those bylaws are adopted, will continue to have an OCP designation and Zone that matches the Adjacent Lot A;
 - d) If the Approving Officer:
 - i) permits the subdivision of the Triangular Portion and it is consolidated with the Adjacent Lands, then the Lands as referred to herein shall apply to the Lands without the Triangular Portion;
 - ii) does not permit such subdivision, or the Developer does not register the approved plan of subdivision, then the Lands shall continue as defined in recital paragraph A of this Agreement, but the Triangular Portion shall be become part of the Park Area or Trails, as described below (at the sole option of the Village).

Carried Unanimously

- 7.2 The Corporation of the Village of Cumberland 2013 – 2017 Financial Plan Bylaw No. 984, 2013

Motion 13-273

Sproule/Kishi

THAT Council give fourth reading and adoption to “The Corporation of the Village of Cumberland 2013 - 2017 Financial Plan Bylaw No. 984, 2013”.

Carried Unanimously

- 7.3 The Corporation of the Village of Cumberland 2013 Property Tax Rates Bylaw No. 985, 2013.

Motion 13-274

Kishi/Sproule

THAT Council give fourth reading and adoption to “The Corporation of the Village of Cumberland 2013 Property Tax Rates Bylaw No. 985, 2013”.

Carried Unanimously

- 7.4 Bylaw 986 Development Procedures and Fees Bylaw Amendment – Development Permit Exemptions

Motion 13-275

Kishi/Sproule

THAT Council receive Bylaw 986 Development Procedures & Fees Bylaw Amendment – Development Permit Exemptions’ dated May 6, 2013.

Carried Unanimously

Motion 13-276

Sproule/ Kishi

THAT Council consider giving first, second and third readings to the
'Corporation of the Village of Cumberland Development Procedures and Fees
Amendment Bylaw No. 986, 2013.

Carried Unanimously

8. Consent Calendar

All matters listed here are considered to be routine and non-controversial and will be received by one motion. There will be no separate discussion of these items unless a member so requests, in which case the item will be removed from the Consent Calendar and considered immediately after the adoption of the Consent Calendar.

- 8.1 David Sparanese, President, Public Works Association of BC re: National Public Works Week, May 19-25, 2013 – "Because of Public Works";
- 8.2 Basia Ruta, Auditor General for Local Government re: Annual Service Plans for 2012/2013 – 2014/15 and 2015/16 release;
- 8.4 The Honourable Peter Kent, P.C., M.P. re: Raven Underground Coal Project;
- 8.5 Amber Zirnhelt, sustainability Manager, City of Campbell River re: urban Hen Information;
- 8.6 Russell Irvine, Chair, Comox Valley Airport Commission Governance Committee re: Upcoming Comox Valley Airport Commission Director Vacancy;
- 8.7 Elke Bibby re: Chicken petition;
- 8.8 Craig Daniell, Chief Executive Officer, BCSPCA re: Public Consultation Process.

Motion 13-277

Sproule/ Kishi

THAT the Consent Calendar be received.

Carried Unanimously

- 8.3 Crystal Dunahee, President, Child Find BC re: Proclamation for National Missing Children's Month and Missing Children's Day;

Discussion took place on posting the poster.

9. New Business

None

10. Notices, Motions and Announcements

Matters considered here may include notices or motions to hold a meeting of the Committee of the Whole, a Village Hall meeting, a public hearing, and notices of motion introduced by a council member.

- Village Booth on Market Day, Saturday May 18, 2013
- Deadline for Elector Response to the Alternate Approval Process for the Water Improvements Loan Bylaw is on June 10, 2013
- Stage 1 Water Restrictions are now in effect
- Property tax notices will be issued to property owners in mid-May.

11. Question Period

Questions were received on Comox Lake Road, and parks signs.

12. Closed Portion

Motion 13-278

Copeman/Sproule

THAT pursuant to Section 90 (1) of the Community Charter Council close the meeting to the public to consider the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and 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.

Carried Unanimously

13. Adjournment

Motion 13-279

Sproule/Kishi

THAT Council adjourn the meeting at 7:46 p.m.

Certified Correct:

Mayor

Corporate Officer