REGULAR MINUTES

17/2014/R

The Corporation of the Village of Cumberland

Regular Council Meeting
June 23rd, 2014 at 5:30 p.m.
Village Council Chambers

Council Present:	**Staff Present:**
Mayor Leslie Baird	Sundance Topham, Chief Administrative Officer
Councillor Conner Copeman	Jaclyn Casler, Deputy Corporate Officer
Councillor Kate Greening	Michelle Mason, Financial Officer
Councillor Roger Kishi	Judy Walker, Senior Planner
Councillor Gwyn Sproule	Joanne Reese, Planner

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

1. Approval of Agenda

1.1 Agenda for regular council meeting, June 23rd, 2014
Motion 14-298
Sproule/Kishi
THAT Council approve the agenda for the regular council meeting, June 23rd, 2014.
Carried Unanimously

2. Adoption of Minutes

2.1 Minutes of the council meeting held June 9th, 2014
Motion 14-299
Sproule/Kishi
THAT Council approve the minutes of the council meeting held June 9th, 2014.
Carried Unanimously

3. Delegations

3.1 Bob Hofftsrom, Senior Project Manager, McElhanney re: Building Canada Grants
Motion 14-300
Copeman/Greening

THAT Council receive the delegation of Bob Hoftsrom, Senior Project Manager, McElhanney re: Building Canada Grants.
Carried Unanimously

4. Unfinished Business

4.1 Pidgeon Lake Road Closure and Disposal Bylaw, No. 1007, 2014 re: Public Input.
Motion 14-301
Sproule/Kishi
THAT Council receive public input on Pidgeon Lake Road Closure and Disposal Bylaw No. 1007, 2014.
Carried Unanimously

No public input was raised.

5. Correspondence

None

6. Reports

6.1 Atmosphere Gathering
Motion 14-302
Kishi/Sproule
THAT Council receive the Atmosphere Gathering 2014 report.
Carried Unanimously

Motion 14-303
Sproule/Kishi
THAT Council approve the requested street closure of 6th St between Dunsmuir and Keswick Avenues from Friday, Aug 15th at noon through to Monday, August 18th at noon, and;

THAT Council approve an exemption to the Noise Control Bylaw No. 950, 2012 for the Atmosphere Gathering according to the following daily timelines:

- Friday, August 15 11:00 AM through to 1:00 AM on Saturday, August 16;
- Saturday, August 16 11:00 AM through to 1:00 AM on Sunday, August 17;

- Sunday, August 17 11:00 AM through to 12:00 AM on Monday, August 18.

Carried Unanimously

6.2 Comox Lake Park Masterplan – Award of RFP

Motion 14-304
Kishi/Copeman
THAT Council receive the Cumberland Lake Park Master Plan report.
Carried Unanimously

Motion 14-305
Kishi/Sproule
THAT Council direct staff to enter into a contract for up to $20,000 (excluding tax) with Golder Associates Ltd. to complete a Cumberland Lake Park Master Plan.

In favour:	Mayor Baird
	Councillor Copeman
	Councillor Kishi
	Councillor Sproule
Opposed:	Councillor Greening

Carried

6. 3 Application for Development Variance Permit – 3302 Coniston Crescent

Motion 14-306
Sproule/Kishi
THAT Council receive the report "Application for Development Variance Permit – 3302 Coniston Crescent" dated June 17, 2014.
Carried Unanimously

Motion 14-307
Greening/Sproule
THAT Council grant the Development Variance Permit (File 2014-03-DV) for property legally described as Lot 3, District Lot 24, Nelson District, Plan VIP83070 (3302 Coniston Crescent) to vary the following conditions:

a) Section 6.2(d)(iv) Accessory Buildings shall not be located closer than 1.15metres (3.77feet) to the rear lot line;

b) Section 6.2(d)(iv) Accessory Buildings shall not be located closer than 1.43m (4.69ft) to the left side lot line;

all in accordance with the survey drawing prepared by Sandy Grant, BCLS, dated June 5, 2014 and attached to the draft Development Variance Permit as Schedule A.

Carried Unanimously

6.4 Development Variance Permit – School District 71 Campus

Motion 14-308

Sproule/Kishi

THAT Council receive the "Development Variance Permit – School District 71 Campus" report dated June 16, 2014.

Carried Unanimously

Motion 14-309

Greening/Sproule

THAT Council grant the Development Variance Permit (File 2014-04-DV – School District No. 71) which varies Schedule A 4(a)(ii) of the Village of Cumberland Subdivision and Development Bylaw No. 948, 2012, for the property legally described as Lot 2, DL 24, Nelson District, Plan 15750 (2674 Windermere Avenue); in the form of the draft Development Variance Permit which is attached as Appendix 'B' to this report, and amended to include the text "to the proposed lot 4" at the end of subsection 4a) and also amended to correct the numbering of bullets 6 – 8.

Carried Unanimously

6.5 School District 71 – Land Exchange – Extension of Closing Date

Motion 14-310

Copeman/Sproule

THAT Council receive the School District 71 – Land Exchange – Extension of Closing Date report.

Carried Unanimously

Motion 14-311

Sproule/Kishi

THAT Council agree to extend the closing date of the Purchase and Sale Agreement – Land Exchange, with School District 71, from July 4, 2014 to August 27, 2014; and

THAT that the Village enter into a license of occupation/indemnification agreement with School District 71 that provides School District 71 with permission to use Village owned lands until the land exchange is finalized, as well as provides indemnification to the Village of Cumberland for access to School District 71 lands once the land exchange is complete.

In favour:	Mayor Baird
	Councillor Copeman
	Councillor Kishi
	Councillor Sproule
Opposed:	Councillor Greening

Carried

6.6 Highway Encroachment Agreement – 2602 Penrith Avenue

Motion 14-312
Greening/Kishi
THAT Council receive the report "Highway Encroachment Agreement – 2602 Penrith Avenue" dated June 16, 2014.
Carried Unanimously

Motion 14-313
Greening/Sproule
THAT Council approve entering into the Highway Encroachment Agreement which is attached as Schedule A of this report, with the Owners of 2602 Penrith Avenue and that text within section 7 **Sale of Land** of the Highway Encroachment agreement be first amended to read "...the Village shall....".
Carried Unanimously

6.7 Development Permit Status Report – Library – 2748 Dunsmuir Avenue

Motion 14-314
Kishi/Copeman
THAT Council receive the "Development Permit Status Report – Library – 2748 Dunsmuir Avenue".
Carried Unanimously

6.8 Village of Cumberland Referral Process Report for Heritage Commission and Advisory Planning Commission

Prepared by Judith Walker, Senior Planner
Motion 14-315
Sproule/Kishi
THAT Council receive the Village of Cumberland Referral Process Report.
Carried Unanimously

6.9 2013 Annual Report, Consider Submissions and Questions from the Public as Required by the Community Charter
Prepared by Jaclyn Casler, Deputy Corporate Officer
Motion 14-316
Greening/Kishi
THAT Council receive the 2013 Annual Report, consider submissions and questions from the public as required by the Community Charter.
Carried Unanimously

6.10 2013 Statement of Financial Information (SOFI)
Prepared by Michelle Mason, Financial Officer
Motion 14-317
Sproule/Kishi
THAT Council receive the 2013 Statement of Financial Information (SOFI) report.
Carried Unanimously

Motion 14-318
Sproule/Kishi
THAT Council approve the Corporation of the Village of Cumberland 2013 Statement of Financial Information for filing with the Ministry of Community, Sport and Cultural Development.
Carried Unanimously

6.11 2014-2024 Community Works Fund Agreement
Prepared by Michelle Mason, Financial Officer
Motion 14-319
Copeman/Sproule
THAT Council receive the 2014-2024 Community Works Fund Agreement report for information.
Carried Unanimously

Motion 14-320
Greening/Sproule
THAT the Corporation of the Village of Cumberland enter into the 2014-2024 Community Works Fund Agreement under the Administrative Agreement on the Federal Gas Tax Fund in British Columbia.

And

THAT Council approve the CAO/Corporate Officer and the Mayor to execute the attached Community Works Fund Agreement between **the Corporation of the Village of Cumberland** and The Union of British Columbia Municipalities.
Carried Unanimously

6.12 Outstanding Action Items Report
Motion 14-321
Kishi/Sproule
THAT Council receive the Outstanding Action Items Report for information.
Carried Unanimously

6.13 Electronic Funds and Cheque Register Report, May 2014.
Motion 14-322
Greening/Kishi
THAT Council receive the Electronic Funds and Cheque Register Report, May 2014 for information.
Carried Unanimously

7. Bylaws

7.1 Advisory Planning Commission Bylaw No. 999, 2014
Motion 14-323
Kishi/Sproule
THAT Council receive the Advisory Planning Commission Bylaw No. 999, 2014 Report.
Carried Unanimously

Motion 14-324
Greening/Sproule

THAT section 7.1 of the proposed Advisory Planning Commission bylaw No. 999 be amended to read: "The Commission shall consist of a minimum of five and a maximum of seven appointed members".
Carried Unanimously

Motion 14-325
Greening/Kishi
THAT section 7.3 of the proposed Advisory Planning Commission bylaw No. 999 be amended to read: "The appointment of members to the Commission shall be by resolution of Council."
Carried Unanimously

Motion 14-326
Greening/Sproule
THAT section 7.4 of the proposed Advisory Planning Commission bylaw no. 999 be amended to read: "Commission members shall be appointed by Council to a four year term, and may be reappointed for further terms."
Carried Unanimously

Motion 14-327
Kishi/Copeman
THAT section 7 of the proposed Advisory Planning Commission bylaw No. 999 be amended to include a section pertaining to options for removal of appointees if and when required.
Carried Unanimously

Motion 14-328
Greening/Sproule
THAT section 7.8 of the proposed bylaw Advisory Planning Commission No. 999 be amended to read: "Employees, Council members and the approving officer of the Village of Cumberland may not be appointed as members of a Commission."
Carried Unanimously

Motion 14-329
Sproule/Greening
THAT section 10 of the proposed Advisory Planning Commission bylaw No. 999 be amended to remove subsection c) which had

read: "Other persons present for the duration of the meeting (i.e. named Council member, planning staff members);".
Carried Unanimously

Motion 14
Greening/
That section 12 of the proposed Advisory Planning Commission bylaw No. 999 be amended to read: "Commission meetings are open to the public for observation only, and public can request to be a delegation."
Motion fails for lack of seconder.

Motion 14-330
Kishi/Greening
THAT Council give 1st reading as amended to "Advisory Planning Commission Bylaw No. 999, 2014".
Carried Unanimously

7.2 Pidgeon Lake Road Closure and Disposal Bylaw No. 1007, 2014
Motion 14-331
Sproule/Kishi
THAT Council give 3rd reading to "Pidgeon Lake Road Closure and Disposal Bylaw No. 1007, 2014".
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.

9. New Business

None

10. Notices, Motions and Amendments

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.

- Open House – Cemetery Master Plan June 25, 2014, 6:00pm

Councillor Copeman made a notice of motion to:

Direct staff to establish a Committee of the Whole Meeting to receive public input on the Comox Lake Park Master Plan two days or greater after the first draft of the Master Plan is received and before the final draft of the Lake Park Master Plan is received.

11. Question Period

No questions were received from the public.

12. Closed Portion

Motion 14-332

Sproule/Kishi

THAT pursuant to Section 90 (1) of the Community Charter Council close the meeting to the public to consider:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations.
- (k) 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 14-333

Sproule/Kishi

That the meeting be adjourned at 9:04pm.

Carried Unanimously

Certified Correct:

Mayor

Corporate Officer