REGULAR AGENDA

27/2014/R

The Corporation of the Village of Cumberland

Regular Council Meeting
November 10th, 2014 at 5:30 p.m.
Village Council Chambers

1. Approval of Agenda

1.1 Agenda for regular council meeting, November 10th, 2014.
Recommend THAT Council approve the agenda for the regular council meeting, November 10th, 2014.

2. Adoption of Minutes

2.1 Minutes of the council meeting held October 27th, 2014 1
Recommend THAT Council approve the minutes of the council meeting held October 27th, 2014.

3. Delegations

4. Unfinished Business

5. Correspondence

5.1 Brock Carlton, Chief Executive Officer, Federation of Canadian Municipalities 7

- Dedicated Fund for Wastewater Treatment Upgrades Needed
Recommend THAT Council receive the correspondence from Brock Carlton, Chief Executive Officer, Federation of Canadian Municipalites re: Dedicated Fund for Wastewater Treatment Upgrades Needed.

6. Reports

6.1 Cumberland Lake Park Master Plan 9
Prepared by Kevin McPhedran, Parks and Outdoor Recreation Coordinator

i) Recommend THAT Council receive the Cumberland Lake Park Master Plan report.

ii) Recommend THAT Council receive a presentation from Kate Evans, Golder Associates, on the Cumberland Lake Park Master Plan.

iii) Recommend THAT Council approve the attached Cumberland Lake Park Master Plan.

6.2 2015 Cumberland Lake Park Operations 95

Prepared by Kevin McPhedran, Parks and Outdoor Recreation Coordinator

i) Recommend THAT Council receive the 2015 Cumberland Lake Park Operations report.

ii) Recommend THAT Council direct staff to proceed with the master plan recommendation to "Compile revised contract for 2015 season as point of transition between current park operations and master plan implementation," and initiate a competitive process to acquire the services of a contractor for park operations in the 2015 season, with a Village option for renewing the contract for 2016.

6.3 Liquor License Application for a Brewery Lounge at 2732 Dunsmuir Avenue 98

Prepared by Joanne Rees, Planner

i) Recommend THAT Council receive the Liquor Control and Licensing Branch referral for a Brewery Lounge (with outdoor patio) at 2732 Dunsmuir Avenue report.

ii) Recommend THAT Council recommends to the Liquor Control and Licensing Branch that the application for an amendment to brewery-lounge LCLB Job #23586278-2 for the Cumberland Brewing Company Ltd. to be located at 2732 Dunsmuir Avenue, be approved based upon the following information considered:

a) summary of comments received
One email was received which asked for clarification of the subject property and seven letters were received in support of the application. No other comments other than support were received. As no addresses were given it is not possible to determine the writer's location.

b) location of the lounge
The property is zoned Commercial One (C-1) and as such a licensed premises is a permitted use.

c) the proximity of the lounge to other social or recreation facilities and public buildings.

The only nearby social, recreational, and public buildings do not conflict with the operation of a brewery lounge.

d) the person capacity and hours of the liquor services in the lounge.
The capacity of the lounge is set at 49 persons total, which meets the requirements for the facility per the BC Building Code and fire protection of the Fire Act.

e) the impact of noise in the immediate vicinity of the lounge
Recognizing that there is potential for noise or negative impact on the community with this type of outdoor use, Council recommends that timing of the outdoor use be shortened to 11pm during weekday evenings as opposed to the midnight closing proposed in the application.

f) the impact on the community if the application is approved.
With the restrictions imposed as recommended, the application may provide a positive impact on the community as the applicant is a successful business supported by a great number of local and out of town clients, and the business should have a positive impact on the economic development of the community.

6.4 Development Variance Permit Applicaton – 3249 First Street 119
Prepared by Joanne Rees, Planner

i) Recommend THAT Council receive "Development Variance Permit Application – 3249 First Street" dated October 31, 2014.

ii) Recommend THAT in preparation of a lot line change, Council grant the Development Variance Permit (File 2013-01-DV) for property to be legally described as Lot 1, District Lot 21, Nelson District, Plan EP33288 (3249 First Street) to vary the following conditions:

a) Section 5.1(3)(a) <u>Principal Buildings and Structures</u> shall be no closer than 0.0metres to a front lot line;

b) Section 5.1(3)(b) Principal Buildings and Structures shall be no closer than 0.8metres (2.6feet) to the rear lot line;

c) Section 5.1(3)(c) Principal Buildings and Structures shall be no closer than 0.3metres (1.0foot) to the right side lot line; all in accordance with the plan of subdivision prepared by Eric Hoerburger, BCLS, dated November 15, 2013 and attached to the draft Development Variance Permit as Schedule A.

iii) Recommend THAT staff issue the Development Permit subsequent to the registration of the new Plan EPP33288 at Land Title Office.

iv) Recommend THAT Council approve entering into the Highway Encroachment Agreement which is attached as Schedule B of this report, with the Owner's of the subject property.

6.5 Arseneault – Land Exchange Agreement 132
Prepared by Joanne Rees, Planner

i) Recommend THAT Council receive the Arseneault – Land Exchange Agreement report.

ii) Recommend THAT Council enter into the Purchase and Sale Agreement – Land Exchange, with Richard Arseneault and Darby Arseneault, and that Council authorize the Mayor and Corporate Officer to sign the agreement which is attached for Council's information.

6.6 October 2014 Bylaw Enforcement Summary Report 151
Prepared by TJ Moore, Bylaw Enforcement Officer
Recommend THAT Council receive the October 2014 Bylaw Enforcement Summary Report.

6.7 October 2014 Recreation Department Report 153
Prepared by Leah Knutson, Manager of Recreation

- October 2014 Parks and Outdoor Recreation Report

Recommend THAT Council receive the October 2014 Recreation Department Report for information.

6.8 October 2014, Operations Department Report 157
Prepared by Rob Crisfield, Manager of Operations

- Planning Report for October 2014
- Public Works Report for October 2014

Recommend THAT Council receives the October 2014 – Operations Department Report for information.

6.9 October 2014, Administration Department Report 166
Prepared by Michelle Mason, Financial Officer
Recommend THAT Council receive the October 2014 Administration Department Report for information.

6.10 October 2014, Chief Administrative Officer Report 168

Prepared by Sundance Topham, Chief Administrative Officer
Recommend THAT Council receive the October 2014 Chief Administrative Officer Report for information.

6.11 Council Reports
- 6.11.1 Mayor Leslie Baird
- 6.11.2 Councillor Conner Copeman
- 6.11.3 Councillor Kate Greening – Verbal Report
- 6.11.4 Councillor Roger Kishi 171
- 6.11.5 Councillor Gwyn Sproule

Recommend THAT the Council reports be received.

7. Bylaws

7.1 Water Rates Amendment Bylaw No. 1011, 2014 172
Recommend THAT Council adopt the "Water Rates Amendment Bylaw No. 1011, 2014".

7.2 Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014. 175
Recommend THAT Council adopt the "Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014".

7.3 2014-2018 Financial Plan Amendment Bylaw No. 1013, 2014 177
Recommend THAT Council adopt the "2014-2018 Financial Plan Amendment Bylaw No. 1013, 2014".

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 Comox Valley Regional District re: South Sewer Project Update Issue #5 – Autumn 2014. 179
Recommend THAT the Consent Calendar be received.

9. New Business

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.

- General Voting Day November 15, 2014, 8:00 a.m. to 8:00 p.m., in the OAP Hall on the lower floor of the Cumberland Cultural Centre
- RecJam at the Cumberland Recreation Centre on Wednesday, November 19, 2014, 5:30 p.m. to 7:30 p.m.
- Deadline to submit interest in sitting on Cumberland's Advisory Planning Commission is Monday, November 17, 2014.

11. Question Period

12. Closed Portion

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

- labour relations or other employee relations.

13. Adjournment