REGULAR MINUTES

27/2014/R

The Corporation of the Village of Cumberland

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

Council Present:	**Staff Present:**
Mayor Leslie Baird	Sundance Topham, Chief Administrative Officer
Councillor Conner Copeman	Michelle Mason, Financial Officer
Councillor Kate Greening	Rob Crisfield, Manager of Operations
Councillor Roger Kishi	Rachel Parker, Deputy Corporate Officer
Councillor Gwyn Sproule	Judith Walker, Senior Planner
	Jo Rees, Planner
	Leah Knutson, Manager of Recreation

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

1. Approval of Agenda

1.1 Agenda for regular council meeting, November 10th, 2014.
Motion 14-556
Sproule/Kishi
THAT Council approve the agenda for the regular council meeting, November 10th, 2014.
Carried Unanimously

2. Adoption of Minutes

2.1 Minutes of the council meeting held October 27th, 2014
Motion 14-557
Greening/Sproule
THAT Council approve the minutes of the council meeting held October 27th, 2014 as corrected to show that the motion under item 2.1 was made by Councillor Sproule.
Carried Unanimously

3. Delegations

None

4. Unfinished Business

None

5. Correspondence

5.1 Brock Carlton, Chief Executive Officer, Federation of Canadian Municipalities, Dedicated Fund for Wastewater Treatment Upgrades Needed

Motion 14-558

Copeman/Kishi

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

Carried Unanimously

Motion 14-559

Kishi/Greening

THAT Council send the Federation of Canadian Municipalities template letter to the Federal Minister of Infrastructure, Communities and Intergovernmental Affairs requesting a dedicated fund for wastewater treatment upgrades with a copy to the BC Minister of Community, Sport and Cultural Development and the Member of the Legislative Assembly.

Carried Unanimously

6. Reports

6.1 Cumberland Lake Park Master Plan

Motion 14-560

Greening/Sproule

THAT Council receive the Cumberland Lake Park Master Plan report.

Carried Unanimously

Motion 14-561

Kishi/Greening

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

Carried Unanimously

Copeman/Greening
THAT Council thank Golder and Associates and have staff make changes to the Cumberland Lake Park Master Plan as discussed and bring back to Council in December 2015.

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

Defeated

Motion 14-562
Sproule/Kishi
THAT Council approve the Cumberland Lake Park Master Plan as corrected.

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

Carried

6.2 2015 Cumberland Lake Park Operations

Motion 14-563
Kishi/Sproule
THAT Council receive the 2015 Cumberland Lake Park Operations report.
Carried Unanimously

Motion 14-564
Kishi/Copeman
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.
Carried Unanimously

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

Motion 14-565
Greening/Kishi

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

Motion 14-567
Greening/Sproule
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, the Council agrees to the midnight closing hour.
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.

Carried Unanimously

6.4 Development Variance Permit Application, 3249 First Street

Motion 14-568

Copeman/Sproule

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

In favour: Mayor Baird
Councillor Copeman
Councillor Kishi
Councillor Sproule

Opposed: Councillor Greening

Carried

Motion 14-569

Sproule/Kishi

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) Principal Buildings and Structures 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, subject to sign off by the Regional Manager of the existing lot; and

THAT staff issue the Development Variance Permit subsequent to the registration of the new Plan EPP33288 at Land Title Office; and

THAT Council approve entering into a Highway Encroachment Agreement with the owners of the subject property.

In favour: Mayor Baird
Councillor Kishi
Councillor Sproule

Opposed: Councillor Copeman
Councillor Greening

Carried

6.5 Land Exchange Agreement, 3249 First Street

Motion 14-570
Sproule/Kishi
THAT Council receive the Arseneault – Land Exchange Agreement report.
Carried Unanimously

Motion 14-571
Sproule/Kishi
THAT Council enter into the Purchase and Sale Agreement – Land Exchange, with Richard Arseneault and Darby Arseneault (3249 First Street), and that Council authorize the Mayor and Corporate Officer to sign the agreement.

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

Carried

6.6 October 2014 Bylaw Enforcement Summary Report

Motion 14-572
Sproule/Kishi
THAT Council receive the October 2014 Bylaw Enforcement Summary Report.
Carried Unanimously

6.7 October 2014 Recreation Department Report

Motion 14-573
Greening/Sproule
THAT Council receive the October 2014 Recreation Department Report for information.
Carried Unanimously

6.8 October 2014, Operations Department Report

Motion 14-574
Greening/Sproule
THAT Council receives the October 2014 – Operations Department Report for information.
Carried Unanimously

6.9 October 2014, Administration Department Report
Motion 14-575
Kishi/Sproule
THAT Council receive the October 2014 Administration Department Report for information.
Carried Unanimously

6.10 October 2014, Chief Administrative Officer Report
Motion 14-576
Kishi/Sproule
THAT Council receive the October 2014 Chief Administrative Officer Report for information.
Carried Unanimously

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
- 6.11.5 Councillor Gwyn Sproule

7. Bylaws

7.1 Water Rates Amendment Bylaw No. 1011, 2014
Motion 14-577
Greening/Sproule
THAT Council adopt the "Water Rates Amendment Bylaw No. 1011, 2014".
Carried Unanimously

7.2 Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014
Motion 14-578
Greening/Sproule
THAT Council adopt the "Sanitary Sewer Rates Amendment Bylaw No. 1012, 2014".
In favour: Mayor Baird
Councillor Greening
Councillor Kishi
Councillor Sproule
Opposed: Councillor Copeman
Carried

7.3 2014-2018 Financial Plan Amendment Bylaw No. 1013, 2014
Motion 14-579
Sproule/Kishi
THAT Council adopt the "2014-2018 Financial Plan Amendment Bylaw No. 1013, 2014".

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

Carried

8. Consent Calendar

Item 8.1 was removed from the consent calendar for discussion.

8.1 Comox Valley Regional District re: South Sewer Project Update Issue #5 – Autumn 2014.

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.

- 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

Questions and comments were received on the aquifer at Coal Creek Historic Park, Cumberland Lake Park Master Plan, affordable housing, purchase of 3249 First Street.

12. Closed Portion

Sproule/ Greening
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.
Carried Unanimously

13. Adjournment

Greening/Sproule

THAT Council adjourn the meeting at 7:30 p.m.

Carried Unanimously

Certified Correct:

Mayor

Corporate Officer