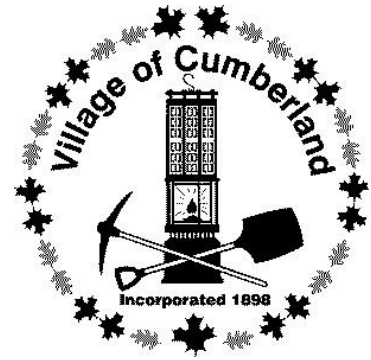


# REGULAR MINUTES

37/2018/R



**The Corporation of the Village of Cumberland  
Regular Council Meeting  
December 10, 2018 at 5:30 p.m.  
Village Council Chambers**

**Council Present:**

Mayor Leslie Baird  
Councillor Vickey Brown  
Councillor Jesse Ketler  
Councillor Gwyn Sproule  
Councillor Sean Sullivan

**Staff Present:**

Sundance Topham, Chief Administrative Officer  
Michelle Mason, Financial Officer  
Rachel Parker, Deputy Corporate Officer  
Rob Crisfield, Manager of Operations  
Ken Rogers, Manager of Development Services  
Ryan Coltura, Manager of Recreation  
Mike Williamson, Manager of Protective Services  
Cleo Corbett, Senior Planner  
Joanne Rees, Planner  
Kevin McPhedran, Parks and Outdoor Recreation C  
Paul Nash, LWMP Project Coordinator

Mayor Baird called the meeting to order at 5:30 pm.

**1. Approval of Agenda**

Councillor Brown declared a conflict of interest as she is an employee of Cumberland Lake Park Wilderness Society and left the meeting at 5:30 p.m.

- 1.1 Agenda for regular Council meeting, December 10, 2018  
Motion 18-645  
**Ketler/Sproule**  
THAT Council approve the agenda for the regular Council meeting, December 10, 2018, with the addition of an on table report on 2019-2023 Grant Funding under item 7.4.  
**Carried Unanimously**

Councillor Brown returned to the meeting at 5:31 p.m.

**2. Adoption of Minutes**

2.1 Minutes of the Council meeting held November 26, 2018

Motion 18-646

**Ketler/Sproule**

THAT Council approve the minutes of the Council meeting held November 26, 2018.

**Carried Unanimously**

2.2 Receipt of Committee/Commissions Minutes

Motion 18-647

**Sullivan/Sproule**

THAT Council receive the minutes of the:

- Homelessness and Affordable Housing Committee held July 18, 2018

**Carried Unanimously**

**3. Delegations**

3.1 Constable Donna Collins, Comox Valley RCMP

- Crime Free Multi Housing Program

Motion 18-648

**Brown/Sproule**

THAT Council receive the delegation of Constable Donna Collins re: Crime Free Multi Housing Program.

**Carried Unanimously**

**4. Unfinished Business**

4.1 Charlene Gray, Comox Valley Early Years Collaborative (CVEYC) Child Care Planning Committee

- Child Care in the Comox Valley: A community perspective

Motion 18-649

**Brown/Sproule**

THAT Council send a letter to the Comox Valley Early Years Child Care Planning Committee advising that the Village will be submitting its own application for a UBCM Community Child Care Planning grant; AND THAT the Village of Cumberland will liaise with the Comox Valley Early Years Collaborative Child Care Planning Committee during the creation of the Village's community child care space inventory and the development of a community child care space creation action plan.

**Carried Unanimously**

**5. Correspondence**

None

**6. Reports**

- 6.1 Reporting of Contract under s. 107 of the Community Charter  
Motion 18-650

**Sullivan/Ketler**

THAT Council receive the Reporting of Contract under s. 107 of the Community Charter report.

**Carried Unanimously**

- 6.2 Application to FCM's Green Municipal Fund for a Biochar Reed Bed and Wetland Pilot Test  
Motion 18-651

**Ketler/Sullivan**

THAT Council receive the Application to FCM's Green Municipal Fund for a Biochar Reed Bed and Wetland Pilot Test report.

**Carried Unanimously**

Motion 18-652

**Sullivan/Sproule**

THAT Council authorize the application to the Green Municipal Fund for funding of the Biochar Reed Bed and Wetland Pilot Test for a total project cost of \$100,000 with 50% funding to come from Green Municipal Funds.

**Carried Unanimously**

- 6.3 Liquor Licence Application for a Permanent Change to a Liquor Licence  
2714 Dunsmuir Avenue  
Motion 18-653

**Sproule/Sullivan**

THAT Council receive the Liquor License Application for a Permanent Change to a Liquor License at 2714 Dunsmuir Avenue report dated December 3, 2018.

**Carried Unanimously**

Motion 18-654

**Sproule/Sullivan**

THAT Council recommends to the Liquor and Cannabis Regulation Branch that in regards to the application Liquor License Application for a Permanent Change to a Liquor License at 2714 Dunsmuir Avenue for the Cumberland Hotel, the following be considered based on the information provided:

- a) Impact of noise on nearby residents: Council does not support a permanent change to the closing hours especially on Sunday nights,

as there is already an expressed negative impact on adjacent residential neighbours which is indicated by the number of letters received. Applications for temporary changes will be considered on a case-by-case basis.

- b) The impact on the community if the application is approved:  
Council feels that the extra hour of liquor service will result in an unacceptable increase in noise and will impact the adjacent residential neighbourhood and is not in Cumberland's best interest to set this precedent. As mentioned in the public submissions, Cumberland does not enjoy dedicated police presence and complaints of rowdiness or noise are not typically addressed until days after the incident occurs.
- c) Description of the methods used to gather views of adjacent neighbours: Notices were mailed notices to 62 property owners within 100metres of the subject property on November 16, 2018 advising that the Village was seeking the written comments in regard to the application. The same notice was hand-delivered to residents and business owners by the applicant. Please note that the notice incorrectly labelled the current Sunday closing as 1am when it is actually midnight.
- d) The local government recommendations and the reasons on which they are based. The Village has considered:
  - i) The applicant's request for change to permanent closing hours on Friday and Saturday nights from 1am to 2am and Sunday from midnight to 2am.
  - ii) The 10 letters received from adjacent neighbours (copies are attached).
  - iii) The report Liquor License Application for a Permanent Change to a Liquor License at 2714 Dunsmuir Avenue December 3, 2018.

**Carried Unanimously**

- 6.4 Development Permit and Development Variance Permit Applications –  
3216 Sutton Road  
Motion 18-655  
**Ketler/Sullivan**  
THAT Council receive the report Development Permit and Development Variance Permit Applications – 3216 Sutton Road dated December 3, 2018.  
**Carried Unanimously**

Motion 18-656  
**Ketler/Brown**

THAT Council grant the Development Permit and Development Variance Permits for property described as Lot B, District Lot 24, Nelson District, Plan VIP79617 (3216 Sutton Road) substantially in compliance with the attached draft Permits both dated December 10, 2018.

**Carried Unanimously**

- 6.5 Development Variance Permit Application – 3378A Mill Street  
Motion 18-657

**Sullivan/Ketler**

THAT Council receive the report Development Variance Permit Application – 3378A Mill Street dated December 3, 2018.

**Carried Unanimously**

Motion 18-658

**Brown/Sproule**

THAT Council grant the Development Variance Permit for property described as Lot A, Section 25, Township 10, Comox District, and District Lot 24, Nelson District, Plan EPP63269 (3378A Mill Street) to vary the rear setback from 4.5metres to as close as 3.0metres to permit an addition to the single family dwelling as shown on the site drawing attached as Schedule A of the Development Variance Permit dated December 3, 2018.

**Carried Unanimously**

- 6.6 Proposed Process for Development of a Village Forest Management Strategy  
Motion 18-659

**Ketler/Sproule**

THAT Council receive the Proposed Process for Development of a Village Forest Management Strategy report.

**Carried Unanimously**

Motion 18-660

**Sullivan/Sproule**

THAT Council endorse the proposed process as detailed in this report and includes information gathering, engagement, and strategic development to develop a Village Forest Management Strategy.

**Carried Unanimously**

- 6.7 Reserve and Surplus Policy for Council Approval  
Motion 18-661

**Sproule/Ketler**

THAT Council receive the Reserve and Surplus Policy for Council Approval report.

**Carried Unanimously**

Motion 18-662

**Ketler/Sproule**

THAT Council adopt the Reserve and Surplus Policy number 3.5 as presented; and based on the adopted Reserve and Surplus Policy, THAT Council direct staff to establish the following reserves by bylaw:

- Community Works Funds Reserve
- Host Amenity Funds Reserve
- General Fund Financial Stabilization Reserve
- Sewer Fund Financial Stabilization Reserve
- Water Fund Financial Stabilization Reserve
- General Village Asset Renewal Reserve
- Sewer and Water Infrastructure Asset Renewal Reserve
- Fire Vehicle and Protective Equipment Replacement Reserve
- Water Meter Replacement Reserve

AND THAT Council direct staff to transfer the balance in the Sewer Capital Reserve to the Sewer and Water Infrastructure Asset Renewal Reserve then repeal the bylaw.

**Carried Unanimously**

6.8 New Rescue Engine Contract Award

Motion 18-663

**Ketler/Sullivan**

THAT Council receive the Rescue Fire Engine Contract Award report.

**Carried Unanimously**

Motion 18-664

**Sullivan/Sproule**

THAT Council award the contract for construction, purchase and delivery of the new Cumberland Fire Rescue Pumper Engine for a total cost of \$501,869.00 CDN plus taxes to Fort Garry Fire Trucks of Winnipeg Canada.

**Carried Unanimously**

6.9 November 2018 - Recreation Department Report

Motion 18-665

**Ketler/Sproule**

THAT Council receive the November 2018 - Recreation Department Report for information.

**Carried Unanimously**

- 6.10 November 2018 Protective Services Report  
Motion 18-666

**Ketler/Sproule**

THAT Council receive the November 2018 Protective Services Report.

**Carried Unanimously**

- 6.11 November 2018 – Operations Department Report  
Motion 18-667

**Sullivan/Ketler**

THAT Council receive the November 2018 – Operations Department Report for information.

**Carried Unanimously**

- 6.12 November 2018 - Development Services Report  
Motion 18-668

**Ketler/Sullivan**

THAT Council receive the November 2018 – Development Services Report for information.

**Carried Unanimously**

- 6.13 November 2018 Financial Services Report  
Motion 18-669

**Ketler/Sullivan**

THAT Council receive the November 2018 Financial Services Report for information.

**Carried Unanimously**

- 6.14 November 2018 Chief Administrative Officer Report  
Motion 18-670

**Ketler/Sullivan**

THAT Council receive the November 2018 Chief Administrative Officer Report for information.

**Carried Unanimously**

- 6.15 Council Reports, October and November 2018

6.15.1 Mayor Leslie Baird

6.15.2 Councillor Vickey Brown

- 6.15.3 Councillor Jesse Ketler
  - 6.15.4 Councillor Gwyn Sproule
  - 6.15.5 Councillor Sean Sullivan
- Motion 18-671

**Sullivan/Sproule**

THAT the Council Reports, October and November 2018 be received.

**Carried Unanimously**

**7. Bylaws**

- 7.1 Development Procedures and Fees Bylaw No. 1073, 2018  
Motion 18-672

**Sullivan/Ketler**

THAT Council receive Development Procedures and Fees Bylaw No. 1073, 2018 dated November 28, 2018.

**Carried Unanimously**

Motion 18-673

**Ketler/Brown**

THAT Council direct that staff look in to reduced or waived fees for development applications from not for profit organizations and bring back to Council.

**Carried Unanimously**

- 7.2 Zoning Amendment Bylaws No. 1087 and 1088, 2018 – Third Readings and Adoption  
Motion 18-674

**Ketler/Sullivan**

THAT Council receive the Zoning Amendment Bylaws No. 1087 and 1088, 2018 – Third Readings and Adoption Staff Report.

**Carried Unanimously**

Motion 18-675

**Brown/Sullivan**

THAT Council grant third reading and adoption to Zoning Amendment Bylaw No. 1087, 2018 and Zoning Amendment Bylaw 1088, 2018.

In favour: Mayor Baird  
Councillor Brown  
Councillor Sproule  
Councillor Sullivan

Opposed: Councillor Ketler

**Carried**



Motion 18-676

**Brown/Sproule**

THAT Council direct that staff review the Zoning Bylaw in regard to vacation rentals and report back to council as soon as possible.

**Carried Unanimously**

7.3 Solid Fuel Burning Appliances Bylaw No. 1091, 2018

Motion 18-677

**Sullivan/Sproule**

THAT Council adopt the Solid Fuel Burning Appliances Bylaw No. 1091, 2018.

**Carried Unanimously**

7.4 2019-2023 Financial Plan Bylaw

Councillor Brown left the meeting at 7:11 pm due to a conflict of interest as she is an employee of Cumberland Lake Park Wilderness Society.

Motion 18-678

**Ketler/Sullivan**

THAT Council receive the 2019-2023 Financial Plan Bylaw report.

**Carried Unanimously**

Motion 18-679

**Ketler/Sullivan**

THAT Council give first reading of 2019-2023 Financial Plan Bylaw No. 1092, 2018.

**Carried Unanimously**

Motion 18-680

**Ketler/Sproule**

THAT Council rescind resolutions 18-624, 18-625, and 18-626 made at the Council meeting of November 26, 2018;

AND THAT Council allocate \$37,000 per year to the long-term operating grant stream and \$10,000 per year to the one-time special project grant stream from 2019 to 2023;

AND THAT Council allocate \$30,000 per year to the Cumberland Museum and Archives, upon the successful negotiation of a servicing agreement between the Village and the Cumberland and District Historical Society;

AND THAT Council direct staff to send letters to the Cumberland Community Schools Society, Cumberland Empire Events Society, Cumberland Lake Wilderness Society, and United Riders of Cumberland upon adoption of the 2019-2023 Five Year Financial Plan Bylaw, advising that the Community Grant Program system has changed, and that each may apply for long term grant funding for up to five years under an operating agreement;

AND THAT Council allocate the \$41,300 from 2018 growth taxes to the Cumberland Museum and Archives in equal payments over five years through an agreement to be negotiated with the Cumberland and District Historical Society that includes a clause that the funding be contingent on the Museum receiving funding from the Heung Foundation for the expansion of the Museum.

**Carried Unanimously**

Councillor Brown returned to the meeting at 7:20 pm.

7.5 Water Rates Amendment Bylaw No. 1093, 2018

Motion 18-681

**Sullivan/Sroule**

THAT Council adopt the Water Rates Amendment Bylaw No. 1093, 2018.

**Carried Unanimously**

7.6 Sanitary Sewer Rates Amendment Bylaw No. 1094, 2018

Motion 18-682

**Sullivan/Sroule**

THAT Council adopt the Sanitary Sewer Rates Amendment Bylaw No. 1094, 2018.

**Carried Unanimously**

7.7 Revenue Anticipation Borrowing Bylaw No. 1095, 2018

Motion 18-683

**Sroule/Ketler**

THAT Council adopt the Revenue Anticipation Borrowing Bylaw No. 1095, 2018 report for information.

**Carried Unanimously**

**8. Consent Calendar**

None

**9. New Business**

None

**10. Notices, Motions and Announcements**

Mayor Baird wished everyone a Merry Christmas and a safe and happy holiday.

**11. Question Period**

Council members received questions on the following matters:

- biochar and reed bed pilot project
- service agreement for the United Riders of Cumberland
- museum funding contingency on funding from the Hueng Foundation
- re-allocation of grant money if the Museum does not receive Hueng Foundation funding

**12. Closed Portion**

Motion 18-684

**Sullivan/Ketler**

THAT pursuant to Section 90 of the *Community Charter* Council close the meeting to the public to consider:

- 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;
- Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

**Carried Unanimously**

**13. Adjournment**

The meeting was adjourned to the in camera portion at 7:30 pm, and the in camera portion was adjourned at 8:24 pm.

Certified Correct:

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Mayor

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Corporate Officer