# REGULAR MINUTES

12/2022/R

**The Corporation of the Village of Cumberland**
**Regular Council Meeting**
**May 9, 2022 at 5:30 p.m.**
**Council Chamber, 2675 Dunsmuir Avenue**

**Council Present:**
Mayor Leslie Baird
Councillor Gwyn Sproule
Councillor Sean Sullivan
Councillor Vickey Brown

**Staff Present:**
Michelle Mason, Interim Chief Administrative Officer /CFO
Kevin McPhedran, Interim Deputy Chief Administrative Officer
Courtney Simpson, Manager of Development Services
Rachel Parker, Corporate Officer
Karin Albert, Senior Planner

**Regrets:**
Councillor Jesse Ketler

Mayor Baird called the meeting to order at 5:30 p.m. and acknowledged that the meeting was taking place on the unceded traditional territory of the K'ómoks First Nation.

**1. Approval of Agenda**

1.1 Agenda for regular Council meeting, May 9, 2022
Motion 22-373
**Brown/Sullivan**
THAT Council approve the agenda for the May 9, 2022 Regular Council meeting.
**Carried Unanimously**

**2. Minutes**

2.1 Adoption of Minutes
Motion 22-374
**Sullivan/Brown**
THAT Council adopt the following minutes:
Committee of the Whole, April 25, 2022
Regular Council meeting, April 25, 2022
**Carried Unanimously**

2.2 Receipt of Minutes
Motion 22-375
**Brown/Sullivan**
THAT Council receive the following minutes for information:
Homelessness and Affordable Housing Committee
Heritage Committee
Advisory Planning Commission
Accessibility and Inclusivity Committee
Economic Development Steering Committee
**Carried Unanimously**

**3. Delegations**

3.1 Matt Merritt, RPF, Area Manager, Manulife Investment Management – Harvesting Update

Motion 22-376
**Sullivan/Brown**
THAT Council receive the delegation from Manulife Investment Management regarding a Harvesting update.
**Carried Unanimously**

**4. Unfinished Business**

None

**5. Reports**

5.1 Frontage Exemption – 2539 Kentmere Avenue

Motion 22-377
**Brown/Sproule**
THAT Council receive the "Frontage Exemption – 2539 Kentmere Avenue" report.
**Carried Unanimously**

Motion 22-378
**Brown/Sullivan**
THAT Council exempt Lot B of the proposed lot line adjustment of 2539 Kentmere Avenue, from the 10% minimum frontage requirement pursuant to Local Government Action Section 512, on the property described as Lot 18 District Lot 24 Nelson District Plan EPP79979 (2539 Kentmere Avenue).
**Carried Unanimously**

5.2 Heritage Alteration Permit Amendment and Development Variance Permit – 2732 Dunsmuir Avenue

Motion 22-379
**Sproule/Sullivan**
THAT Council receive the Heritage Alteration Permit Amendment and Development Variance Permit Application – 2732 Dunsmuir Avenue report.
**Carried Unanimously**

Motion 22-380
**Sullivan/Sproule**
THAT Council approve Heritage Alteration Permit (amendment) 2021-03-HAP for expansion of a patio cover and Development Variance Permit 2021-23-DV to increase lot coverage and reduce parking requirements, at 2732 Dunsmuir Avenue; and
THAT Council direct staff to draft a policy for consideration of development variance permit applications for parking associated with existing businesses and/or heritage buildings in the VCMU-1 zone.
**Carried Unanimously**

5.3 Vacation Rentals – Bylaw Amendment Options

Motion 22-381
**Brown/Sullivan**
THAT Council receive the April 29, 2022 report "Vacation Rental Regulations – Bylaw Amendment Options" report.
**Carried Unanimously**

Motion 22-382
**Brown/Sullivan**
THAT Council direct staff to draft an amendment bylaw to Zoning Bylaw No. 1027, 2016 to amend the vacation rental regulations to:

(a) Require a principal resident to live on property with vacation rentals;
(b) Limit the maximum number of bedrooms rented on a property to three and the maximum number of guests to six;
(c) Limit the vacation rental use on a single property to one dwelling unit;
(d) Clarify that a vacation rental can be located within a principal dwelling unit, accessory dwelling unit or a secondary suite on a property;
(e) Amend the definition of vacation rentals to distinguish between the commercial use of a home as a vacation rental and home-sharing of a principal residence; and

THAT Council direct staff to bring forward a report to

(a) Explore posting a modestly sized sign with the vacation rental name, operator/caretaker contact information and business license number at the property;
(b) Explore removing the cash in lieu option for vacation rental parking; and

THAT Council direct staff to draft an amendment to Business License Bylaw No. 896, 2009 that supports the Zoning Bylaw regulations for vacation rentals and:

(a) Requires display of the business license number on listings and similar advertisements or promotional materials that communicate the availability of a vacation rental.

**Carried Unanimously**

Motion 22-383
**Sullivan/Brown**
THAT Council withhold accepting new business licence applications for vacation rentals for properties subject to the Zoning Bylaw amendment in regard to vacation rentals.
**Carried Unanimously**

5.4 Mayor and Councillor Monthly Reports

Motion 22-384
**Sproule/Brown**
THAT Council direct Councillor Sproule to present the materials on the 00 coal mines survey marker located in Village Park to the Heritage Committee to consider heritage recognition in its work plan and budget for 2023.
**Carried Unanimously**

Motion 22-385
**Sproule/Brown**
THAT the Council Member Monthly reports be received.
**Carried Unanimously**

**6. Bylaws**

6.1 2022 Property Tax Rates Bylaw
Motion 22-386
**Sullivan/Brown**
THAT Council adopt the "2022 Property Tax Rates Bylaw No. 1167, 2022".
**Carried Unanimously**

**7. New Business**

None

**8. Notices, Motions and Announcements**

- Accessibility and Inclusivity Committee May 16 at 3:00 p.m.
- Homelessness and Affordable Housing Committee May 18 at 9:30 a.m.
- Committee of the Whole Meeting May 30 at 2:00 p.m.
- Regular Council Meeting May 30 at 5:30 p.m.

**9. Question Period**

No questions received

**10. Closed Portion**

Motion 22-387
**Sullivan/Brown**
THAT Council close the meeting to the public pursuant at 7:51 p.m. to Section 90 of the *Community Charter* to consider:

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
(g) litigation or potential litigation affecting the municipality;
(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried Unanimously**

**11. Adjournment**

The meeting was adjourned at 8:23 p.m.

Certified Correct:

_____ _____
Mayor Corporate Officer