

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Tuesday, August 2, 2011 at 6:10 p.m.

Attending:

Mayor: G. T. Phelps
Councillors: J. K. Ambler
D. A. Hillian
L. V. Jangula
R.R. Leonard
J. M. Presley
M. Theos

Staff:

S. T. Gray, Administrator
J. Ward, Manager of Corporate Administration
K. Lagan, Director of Operational Services
T. Manthey, Director of Financial Services
P. Crawford, Director of Planning Services
R. Wiwchar, Director of Community Services
G. MacKay, Senior Planner
E. Ferguson, Planning Technician

2.00 INTRODUCTION OF LATE ITEMS

Mayor Phelps approved the addition of one late staff report to the agenda.

4.00 COMMITTEE/STAFF REPORTS

Councillor Presley declared a potential conflict of interest regarding the next item due to a client business relationship and vacated Council Chambers at 6:11 p.m.

.01

OCP/ZONING AMEND
2880 ARDEN RD
3360-20-1026

Moved by Jangula and seconded by Hillian that Council receive the application from McElhanney Consulting Services Ltd. to amend the *City of Courtenay Official Community Plan No. 2387, 2005* and the *City of Courtenay Zoning Bylaw No. 2500, 2007*, for Lot 1, District Lot 231, Comox District, Plan 2152, Except Part in Plans VIP68939 and VIP81437 as shown in bold on Attachment No. 1;

That Official Community Plan Amendment Bylaw No. 2682, 2011 to amend the designation of that portion of the property legally described as Lot 1, District Lot 231, Comox District, Plan 2152, Except Part in Plans VIP68939 and VIP81437 as shown in bold outline on the map contained in Attachment No. 1, from Rural Residential to Urban Residential and Parks and Recreation proceed to first and second reading;

That *Zoning Amendment Bylaw No. 2683, 2011* which will create a new Comprehensive Development Twenty Two Zone (CD-22) and will rezone the areas as shown on Attachment No. 2 from Residential One Zone (R-1A) to Comprehensive Development Twenty Two Zone (CD-22); Residential Three Zone (R-3) and Public Use and Assembly Two Zone (PA-2) proceed to first and second reading;

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That, in accordance with Section 882 of the *Local Government Act*, Council has considered Bylaw No. 2682 (Official Community Plan Amendment Bylaw No. 2682, 2009) in conjunction with the current Financial Plan of the City and the Solid Waste Management Plan of the Comox Valley Regional District;

That Council direct staff to schedule and advertise a statutory public hearing with respect to Official Community Plan Bylaw No. 2682, 2011, and Zoning Amendment Bylaw No. 2683, 2011, on August 15th 2011 at 5:00 p.m. in City Hall Council Chambers;

That prior to adopting Zoning Amendment Bylaw No. 2683, 2011 a *Section 219 Covenant* be executed by the applicant and the City of Courtenay detailing the proposed amenity contributions of the vacant lot for the purpose of providing a site for affordable housing; the dedication of a portion of the property to the City for parkland land contribution and security equal in amount to the cost of construction for all trails in the dedicated parkland; and, a contribution to the “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund” at the rates outlined in Section 7.75. of the Official Community Plan for each of the residential lots within the Comprehensive Development Twenty Zone (CD-22); and

That Council authorize the Mayor and Manager of Corporate Administration to execute all legal documents necessary to affect the rezoning of the subject lands.

Carried with Councillors Hillian and Leonard opposed

Councillor Presley returned to Council Chambers and took his seat at 6:21 p.m.

.02
SCRIVEN WALK
5400-20

Moved by Ambler and seconded by Jangula that the report from the Director of Operational Services regarding Scriven Walk be received for information.

Carried

.03
ARDEN ROAD
MORRISON CREEK
CROSSING
5400-20

Moved by Ambler and seconded by Presley that the report from the Director of Operational Services regarding the Morrison Creek Crossing be received for information.

Carried

.04
GP VANIER SCHOOL
SUBDIVISION
LEGAL DOCS
3320-20-08563

Moved by Presley and seconded by Ambler that Council approve the legal documents for the subdivision of Part of That Part of Parcel H (DD24282N) of Sections 18 and 45, Comox District, Lying to the North East of the Headquarters Road as Said Road Was Dedicated by Plan 11475, Except That Park in Plans 33266 and VIP66585; and

That the Mayor and Manager of Corporate Administration be authorized to sign all documentation relating to this development.

Carried

.05
CUMMINGS/
SHERATON WATER/
SEWER SERVICE
5600-20
5340-20

Moved by Jangula and seconded by Presley that Council proceed with the initiation of the Cummings/Sheraton Local Area Service Project.
Carried

.06
CAR FREE SUNDAY
5460-08

Moved by Hillian and seconded by Theos that Council approve the Car Free Sunday event for September 25, 2011 from 1:00 p.m. to 5:00 p.m. providing that a Traffic Management Plan acceptable to the Director of Operational Services is submitted along with required insurance;

That temporary road closures be permitted during this period on the following City streets:

- Fitzgerald Avenue from 5th Street to 26th Street;
- 26th Street from Fitzgerald Avenue to Willemar Avenue;
- Willemar Avenue from 26th Street to 5th Street; and
- 5th Street from Willemar Avenue to Cliffe Avenue; and

That notification be provided to emergency services five workings days prior to the event.

Carried with Councillors Jangula and Presley opposed

Moved by Presley and seconded by Theos that the 5th Street bridge remain open on Car Free Sunday if the event proceeds.

Carried

.07
2011 PAVING
PROGRAM
5400-01

Moved by Leonard and seconded by Ambler that the report from the Director of Operational Services regarding the Road Condition Assessment be received for information.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
FIRE REPORT
650-20

Moved by Presley and seconded by Leonard that the Fire Report for January to June 2011 be received for information.

Carried

10.00 NEW BUSINESS

.01
PURCHASE OF CITY
PROPERTY – FORTIS
BC
5500-02

Moved by Hillian and seconded by Presley that subsequent to publication of notice Council approve the sale of 94.5m² of Parcel A (DD 401872-1) of Lot 2 DL 230 Comox District Plan 1406 to Fortis BC in the amount of \$5,700.00 for the purpose of relocating a natural gas pressure reducing station; and

That the Mayor and Council and Manager of Corporate Administration be authorized to sign all documentation relating to this agreement.

Carried

11.00 BYLAWS

Councillor Presley declared a potential conflict of interest regarding Bylaw 2682 and Bylaw 2683 due to a client business relationship and vacated Council Chambers at 7:09 p.m.

.01 Moved by Jangula and seconded by Hillian that “Official
BYLAW NO. 2682 Community Plan Amendment Bylaw No. 2682, 2011” pass first and
OCP AMEND second reading.
Carried with Councillors Hillian and Leonard opposed

.02 Moved by Jangula and seconded by Theos that “Zoning
BYLAW NO. 2683 Amendment Bylaw No. 2683, 2011” pass first and second reading.
ZONING AMEND **Carried with Councillors Hillian and Leonard opposed**

Councillor Presley returned to Council Chambers and took his seat at 7:11 p.m.

.03 Moved by Presley and seconded by Theos that “Zoning
BYLAW NO. 2668 Amendment Bylaw No. 2668, 2011” pass third reading.
ZONING AMEND **Carried**

.04 Moved by Theos and seconded by Presley that “Official
BYLAW NO. 2619 Community Plan Amendment Bylaw N. 2619, 2011” be finally passed
OCP AMEND and adopted.
Carried

.05 Moved by Hillian and seconded by Presley that “Zoning
BYLAW NO. 2620 Amendment Bylaw No. 2620, 2011” be finally passed and adopted.
ZONING AMEND **Carried**

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance at the CV Chamber of Commerce event at the composting site

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13.00 ADJOURNMENT

.01 Moved by Presley and seconded by Theos that the meeting now
adjourn at 7:20 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 15th day of August, 2011

Mayor