

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Tuesday, July 3, 2012 at 4:00 p.m.

Attending:

Mayor: L. V. Jangula
Councillors: J. K. Ambler
B. F. Anglin
D. A. Hillian
M. Theos
S. L. Winchester

Staff:

S. Gray, CAO
J. Ward, Director of Legislative Services
T. Manthey, Director of Financial Services/Deputy CAO
K. Lagan, Director of Operational Services
R. Wiwchar, Director of Community Services
I. Buck, Senior Planner
N. Hofer, Environmental Planner
E. Ferguson, Planning Technician

1.00 ADOPTION OF MINUTES

.01 MINUTES Moved by Theos and seconded by Winchester that the June 18, 2012 Council meeting minutes and June 25, 2012 Committee of the Whole minutes be adopted.
Carried

3.00 DELEGATIONS

1. Jami Harris, Branch Manager, St. John Ambulance

Jami Harris provided Council with a history of St. John Ambulance and reviewed the services provided to the community by volunteers.

2. Richard Drdul, Cycling Infrastructure Consultant re: Fitzgerald Cycling Lane Proposal

Richard Drdul provided some comments regarding the Fitzgerald Avenue cycling lane proposal.

3. Andrew Gower, Imagine Comox Valley re: Car Free Sunday

Andrew Gower reviewed the Car Free Sunday event held June 17, 2012.

4.00 COMMITTEE/STAFF REPORTS

.01

REG PLAYFIELDS
SALE OF CITY
PROPERTY
1971-20

Moved by Hillian and seconded by Winchester that the report from the Director of Legislative Services regarding the use of proceeds from the sale of City property adjacent to the proposed hospital site be received for information.

Carried

The meeting recessed at 4:55 p.m. to conduct the Public Hearing in relation to Bylaw No. 2695

The meeting reconvened at 5:04 p.m.

.02

CHANCES
COURTENAY
LIQUOR LICENCE
4320-20

Moved by Anglin and seconded by Winchester that

1. Be it resolved that the Council of the City of Courtenay recommends the amendment of the Chances Courtenay Primary Liquor Licence to increase the licenced capacity to 419 persons for the following reasons:

(a) The increase of licenced capacity would not have a negative impact on the community based on the limited number of submissions received from the public as well as the support from the Comox Valley R.C.M.P. regarding the application.

2. Council's comments on the prescribed considerations are as follows:

(a) If the Chances Courtenay application were approved, it would not result in an increase of noise in the area;

(b) If the application were approved, it would not have a negative submissions received from the public as well as the support from the Comox Valley R.C.M.P.;

(c) In order to gather the views of residents, the City of Courtenay mailed notices to property owner and businesses within a 100 metres radius of the subject property outlining the Chances Courtenay application and accepting written submissions concerning the application. One submission in favour was received, and one submission opposed was received.

Carried

.03

CHANCES
COURTENAY
LIQ LICENCE HOURS
4320-20

Moved by Winchester and seconded by Ambler that

1. Be it resolved that the Council of the City of Courtenay recommends the amendment of the Chances Courtenay Primary Liquor Licence to allow for a permanent extension of serving hours for the following reasons:

- (a) The extension of hours would not have a negative impact on the community based on the limited number of submissions received from the public as well as the support from the Comox Valley R.C.M.P. regarding the application.

2. Council's comments on the prescribed considerations are as follows:

- (a) If the Chances Courtenay application were approved, it would not result in an increase of noise in the area;
- (b) If the application were approved, it would not have a negative impact on the community based on the limited number of submissions received from the public as well as the support from the Comox Valley R.C.M.P.;
- (c) In order to gather the views of residents, the City of Courtenay mailed notices to property owner and businesses within a 100 metres radius of the subject property outlining the Chances Courtenay application and accepting written submissions concerning the application. One submission in favour was received, and one submission opposed was received.

Carried

.04
OFFER TO TRANSFER
CVRD PROP ON
CLIFFE AVE
940-20

Moved by Anglin and seconded by Theos that Council accept the offer from the Comox Valley Regional District to transfer the ownership of the properties at 865, 877 and 889 Cliffe Avenue and the provision of a minimum of \$100,000.00 from the Vancouver Island Health Authority 2012 grant to assist with the development of an emergency shelter and supportive housing project;

That the property is accepted by the City with the understanding that the Environmental Certificate of Compliance, issued for the property in 2003 pursuant to the Contaminated Site Regulations on the subject properties, is inherently restrictive in that it meets only the standard required for commercial uses on the ground floor and residential uses above; and

That this offer from the Comox Valley Regional District be subject to dissolving the Regional District Emergency Shelter and Supportive Housing function of which the City is a participant in.

Moved by Winchester and seconded by Ambler that the first paragraph of the resolution be amended to read "emergency shelter and/or supportive housing project".

Carried with Councillor Hillian opposed

Moved by Ambler and seconded by Theos that the above resolution be postponed to allow staff to provide additional information regarding potential contaminated site issues.

Carried

.05

STREET PARTY
TOWLER PL TO
FIRST ST
5400-01

Moved by Hillian and seconded by Ambler that Council approve the temporary closure of Urquhart Avenue from Towler Place to First Street for the purpose of a street party on Sunday, July 8, 2012 from 1:00 p.m. to 6:00 p.m.;

That the applicant advise all emergency services of the road closure at least five working days before the event; and

That the necessary insurance be in place prior to the event.

Carried

.06

EVALUATION OF
CAR FREE SUNDAY
5460-08

Moved by Winchester and seconded by Anglin that the report from the Director of Operational Services regarding Car Free Sunday 2012 be received for information.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR ANGLIN Councillor Anglin reviewed his attendance at the Comox Valley Economic Development Society Annual General Meeting

COUNCILLOR THEOS Councillor Theos reviewed his attendance at Regional District Meetings

COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at Regional District Meetings

8.00 UNFINISHED BUSINESS

.01

DP NO. 1213
2077-20TH ST
3060-20-1213

Mayor Jangula inquired whether there were any members of the public wishing to make a submission regarding DP 1213.

John Logan, 2140 20th Street expressed concerns regarding access to 20th Street from individual back doors in the development. He stated that there is not enough visitor parking, and there will be problems if parking is allowed on 20th Street.

Moved by Winchester and seconded by Hillian that Council approve Development Permit with Variances No. 1213 for a forty unit multi-residential project with the following variances as shown in Attachment No. 4;

- Section 8.3.5(2), the rear yard building setback from 7.5 metres to 2.0 metres;

- Section 8.3.5(3), the internal side yard building setback where the back of a building faces a side lot line from 6.0 metres to 5.5 metres;
- Section 8.3.5(3), the external side yard building setback where the back of a building faces a side lot line from 6.0 metres to 4.5 metres;
- Section 8.3.10(1), the landscape screen from 3.0 metres in width to 0.6 metres adjacent to the mailbox and internal roadway; and
- Section 7.1.6(8), the minimum distance between the face of a garage or carport to a property line or internal roadway from 6.0 metres to 5.2 metres; and

That Development Permit with Variances No. 1213 be issued for the properties legally described as Lot B, District Lot 230, Comox District, Plan EPP13210 (2077 20th Street) subject to the following conditions:

- a. Development must be in conformance with the plans and elevations contained in Attachment No. 2 and further, that all building materials and colours be as specified in Attachment No. 2 and as follows:
 - Roof – Asphalt Shingles
 - Siding – Concord Vinyl-beige/natural colour with belly bands
 - Doors – Metal – contrast colour to siding
 - Wood Trim – doors & windows – painted as per colour schemes in Attachment No. 2
 - Gables – Cedar shake with wood trim as per Attachment No. 2
 - Accents – cultured stone & wood posts on front door pillars
- b. Issuance of Environmental Development Permit No. 1212;
- c. Installation of landscaping as shown on the plans in Attachment No. 3 and submission of landscape security in the amount of (125% x \$92,075.00) \$115,093.75;
- d. Minimum depth of topsoil or amended organic soil on all landscaped areas as follows: shrubs-450mm; groundcover and grass – 300mm; trees-300mm around and below the root ball;
- e. Development of fencing (including arbours) in conformance with the plans in Attachment Nos. 2-3 and submission of security for fencing in the amount of (125% x \$56,420.00) \$70,525.00;
- f. Purchase and installation of playground equipment in conformance with the landscape plans as contained in Attachment No. 3;
- g. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- h. Project identification and entrance signs require a sign permit prior to installation and must be in conformance with the Sign Bylaw and Development Permit Guidelines;
- i. All building, site and sign lighting must be full cut off, flat lens in accordance with the City's Dark Skies Policy;
- j. Visitor parking must be clearly identified and these areas must be maintained for visitor parking;

- k. that if the permit holder has not substantially commenced any construction to which the permit was issued within twelve (12) months after the date it was issued, the permit lapses.

Carried with Councillor Winchester opposed

Moved by Anglin and seconded by Winchester that staff provide a report to Council regarding visitor parking requirements in the development as well as issues relating to parking on 20th Street.

Carried

.02

DP NO. 1126
2601 MISSION RD
3060-20-1126

Moved by Winchester and seconded by Ambler that Council approve Development Permit with Variances No. 1126, for a commercial project with the following variances with respect to the City of Courtenay Sign Bylaw No. 2042, 1998:

- Section 6.4.3, to allow the Petro Canada fascia sign to project above the roofline of the gas bar;
- Section 6.6.5, to allow a second freestanding sign on a property less than 2.0 ha;

That Development Permit with Variance No. 1126 be issued for the property legally described as Lot B, District Lot 236, Comox District, Plan VIP 52110 (2601 Mission Road) subject to the following conditions:

- a. Development in conformance with the plans and elevations contained in Attachment Nos. 2-3;
- b. Installation of landscaping as shown on the plans in Attachment No. 3 and submission of landscape security in the amount of (125% x \$133,771.00) \$167,213.75;
- c. Irrigation plan to be submitted and approved by the City prior to issuance of building permit;
- d. Minimum depth of topsoil or amended organic soil on all landscaped areas as follows: shrubs-450mm; groundcover and grass-300mm; trees –300mm around and below the root ball;
- e. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City and landscaping installation must be supervised by the landscape designer noted on Attachment No. 4;
- f. Prior to issuance of a Building Permit, the applicant, including the professional(s) designated to oversee this project will meet with City staff to review the approved plans and procedure to construct;
- g. All building, and site lighting must be full cut-off, flat lens in accordance with the City's Dark Skies Policy. All proposed lighting must be approved by the City prior to installation;

- h. A sign permit must be obtained prior to the installation of any fascia or freestanding signage. Signage must adhere to the Commercial Development Permit Area Guidelines and must be indirectly illuminated. Internally illuminated sign cabinets are not permitted;
- i. Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces;
- j. Approval of the sediment and erosion control plan prior to issuance of Building Permit;
- k. That if the permit holder has not substantially commenced any construction to which the permit was issued within twelve (12) months after the date it was issued, the permit lapses.

Carried

9.00 NOTICE OF MOTION

.01

UBCM RESOLUTION
PRIORITY
INFRASTRUCTURE

Councillor Hillian provided a notice of motion regarding development of a new long term federal plan for municipal infrastructure funding to be included on the July 16, 2012 Council meeting agenda.

10.00 NEW BUSINESS

.01

TOWN OF COMOX
GAS TAX
RESOLUTION
1890-20

Moved by Winchester and seconded by Theos that Council endorse the resolution passed by the Town of Comox on June 20, 2012 regarding use of gas tax money.

Carried

11.00 BYLAWS

.01

BYLAW NO. 2695
ZONING AMEND

Moved by Winchester and seconded by Theos that “Zoning Amendment Bylaw No. 2695, 2012” pass third reading.

Carried

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR
WINCHESTER

Councillor Winchester reviewed her attendance at the Comox Valley churches dinner at Crown Isle

COUNCILLOR HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- Comox Valley churches dinner at Crown Isle
- Municipal governance session with George Cuff with all Council
- Canada Day preparations and parade

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COUNCILLOR ANGLIN Councillor Anglin reviewed his attendance at the Comox Valley churches dinner at Crown Isle

COUNCILLOR THEOS Councillor Theos reviewed his attendance at the following events:
➤ Canada Day parade
➤ Comox Valley Relay for Life

COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at the following events:
➤ Comox Valley churches dinner at Crown Isle
➤ Canada Day celebrations
➤ Hospice Society fundraiser at Berwick House

MAYOR JANGULA Mayor Jangula reviewed his attendance at the following events:
➤ Comox Valley churches dinner at Crown Isle
➤ Mark R. Isfeld Secondary School graduation ceremony
➤ Canada Day celebrations
➤ “Cut the Waist” challenge with Comox Mayor Paul Ives

13.00 ADJOURNMENT

.01 Moved by Hillian and seconded by Anglin that the meeting now adjourn at 6:30 p.m.
Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 3rd day of July, 2012

Mayor