

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, August 20, 2012 at 4:00 p.m.

Attending:

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

Staff:

S. Gray, CAO
S. Karvalics, Executive Assistant
K. Lagan, Director of Operational Services
R. Wiwchar, Director of Community Services
T. Manthey, Director of Financial Services
P. Crawford, Director of Planning Services
Ian Buck, Senior Planner
E. Ferguson, Planning Technician

1.00 ADOPTION OF MINUTES

.01 Moved by Winchester and seconded by Anglin that the August 7,
MINUTES 2012 Council meeting minutes be adopted.
Carried

3.00 DELEGATIONS

1. Brook Petersen, Development Permit No. 1215

Brook Petersen reviewed the Development Permit for a storage facility to be done in phases at 3595 Island Highway South.

2. Mike and Peter Croonen, Rezoning Application No. 1205

Representative from Croonen Construction Company reviewed the OCP amendment and rezoning application to allow the construction of six single residential homes with carriage houses and granny flats at 291 and 279 3rd Street, and 224, 232, 225 2nd Street.

3. Comox Valley Art Gallery, Update on the Activities and Initiatives of the Art Gallery

Roger Albert, President of the Comox Valley Art Gallery introduced their new Executive Director, Sharon Karsten.

Sharon Karsten, gave a PowerPoint presentation on the past and present activities of the Art Gallery and where they would like to take it into the future. The Art Gallery is very appreciative of Council's support over the years and hope that it continues. She asked

Council to consider if there is an appetite to support a municipal cultural strategy in conjunction with the Economic Development Society, and to provide them with feedback.

4.00 COMMITTEE/STAFF REPORTS

.01

DP NO. 1215
3595 S. ISL HWY
3060-20-1215

Moved by Winchester and seconded by Theos that Development Permit No. 1215 be issued for the property legally described as Lot 1, District Lot 82, Comox District, Plan VIP66485 (3595 Island Highway South) subject to the following conditions:

- a. Development shall comply with the drawings and elevations shown in Attachments 2-5;
- b. Submission of a drainage plan to the satisfaction of the Municipal Engineer prior to issuance of building permit;
- c. Submission of a landscape bond in the amount of (125% x \$93,636.00) \$117,045.00;
- d. Landscaping must be completed within 6 months of the date of issuance of an occupancy permit by the City;
- e. Issuance of a sign permit in compliance with the City of Courtenay Sign Bylaw No. 2402, 1998 and the Commercial Development Permit Guidelines is required for all fascia signage. Signage must not be internally illuminated;
- f. All new building, site and sign lighting must be full cut off/flat lens in accordance with the City's Dark Skies Policy. A lighting Plan must be submitted to the City for review and approval prior to issuance of a building permit.

Carried

.02

DVP NO. 1202
3245 CLIFFE AVE
SPORT CHEK
3090-20-1202

Moved by Anglin and seconded by Ambler that notice be given to the adjacent property owners of proposed Development Permit with Variance No. 1202 as outlined below, and that the application be returned to Council on September 4, 2012; and

That subject to public input, Development Variance Permit No. 1202 to vary Section 6.4.1 and Section 6.4.4 of the City of Courtenay Sign Bylaw No. 2042, 1998 to increase the maximum total area for fascia signs per building face of a business premise from 9.0m² to 14.3m² and to increase the maximum height of a fascia sign from 1.0 metres to 2.14 metres for the property legally described as Lot A, Section 67, Comox District, Plan VIP71925 (3245 Cliffe Avenue) be issued subject to conformance with the plans and drawings contained in Attachment No. 2.

Carried

.03

OCP/ZONING AMEND
3RD & 2ND STREETS
6480-20-1201
3360-20-1205

Moved by Theos and seconded by Ambler that Council receive the application to amend the City of Courtenay Official Community Plan No. 2387, 2005 and the City of Courtenay Zoning Bylaw No. 2500, 2007, for Lot A, Section 61, Comox District, Plan VIP57557 and Lots 19 and 20 of Section 61, Comox District, Plan 1517, and Lots 3 and 4 of Block A,

Section 61, Comox District, Plan 1395 (291 and 279 3rd Street, and 224, 232, 225 2nd Street) as shown in bold on Attachment No. 1;

That Bylaw No. 2711, 2012 to amend the OCP designation of the areas as shown on Attachment No. 1 from Public/Institutional to Urban Residential proceed to first and second reading.

That Bylaw No. 2712, 2012 to rezone the areas as shown on Attachment No. 1 from Comprehensive Development Nine (CD-9) to Residential Two B (R-2B) and to amend Section 8.2.31 and Section 8.2.32 of the Zoning Bylaw to allow the construction of carriage houses and granny flats on the subject properties proceed to first and second reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to OCP Amendment Bylaw No. 2711, 2012 and Zoning Amendment Bylaw No. 2712, 2012 on September 10 at 5:00 p.m. in the City Hall Council Chambers; and

That Council authorize the Mayor and Director of Legislative Services to execute all legal documents necessary to affect the rezoning of the subject lands.

Carried

.04

BNDY EXTENSIONS
S.COURTENAY
BEAVER MEADOWS
3720-20

Moved by Ambler and seconded by Winchester that Council direct staff to complete the required advertising and referrals to affected government agencies for boundary extensions for the South Courtenay Area (Attachment No. 1), and Beaver Meadow Farms/Beaver Meadows Cranberry Corporation (Attachment No. 3).

Carried

Moved by Winchester and seconded by Ambler that staff proceed with the required advertising and referrals to affected government agencies for boundary extension of the Baptist Church on Lake Trail Road.

Carried

.05

BRD OF VARIANCE
NEW MEMBER
3730-01
550-20

Moved by Theos and seconded by Anglin that Council appoint Joseph (Joe) Schommer to serve as a member of the Board of Variance from August 2012 to November 2014; and

That Council recognize the service of Mr. James Odo as a member of the Board of Variance from April 1996 to June 2012.

Carried

.06

DRAINAGE DITCH
KLANAWA SUB
5225-20

Moved by Ambler and seconded by Winchester that the report from the Director of Operational Services regarding the Storm Drainage Ditch off Mission Road northeast of Klanawa Crescent be received;

That the ditches existing on private property, where a City Statutory Right of Way for storm drainage and sanitary sewer services, that have been piped and filled in by the homeowners be allowed to remain in place subject to the buried infrastructure and pipe cleanouts and manholes being raised at the expense of the homeowner by December 31, 2012; and

That the remaining property owners who have not piped or filled in the ditch on their property be granted approval to complete pipe work and filling in accordance with the City Engineering Design Standards and Specifications and written approval from the Director of Operational Services.

Carried

RECESS

The meeting recessed at 4:56 p.m. to conduct the Public Hearing in relation to Bylaw No. 2703, and reconvened at 5:25 p.m.

.07

OPER SERVICES
CURRENT PROJECTS
UPDATE

Kevin Lagan, Director of Operational Services provided Council with an update on current capital projects in and around the City.

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

POLICE REPORT
7550-01

Moved by Ambler and seconded by Anglin that the Police Report for July 2012 be received for information.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNC. AMBLER

Councillor Ambler reviewed his attendance at Regional District meetings.

COUNC. WINCHESTER

Councillor Winchester advised of her appointment to the Select Committee on Homelessness along with Tom Grant and Edwin Grieve

COUNC. THEOS

Councillor Theos reviewed his attendance at Regional District meetings and tours of various sites in the Regional District.

7.00 RESOLUTIONS OF COUNCIL

.01
COUN. ANGLIN
ELECTORAL
BOUNDARIES
0430.01

Moved by Anglin and seconded by Winchester that

WHEREAS The Electoral Boundaries Readjustment Act requires that the population of an electoral district in a given province be as close as is reasonably possible to the average population size of a district for that province;

AND WHEREAS the main criterion for electoral boundaries is population equality, in addition to population equality, commissions must consider other social and geographic factors:

AND WHEREAS respect for communities of interest or identity and respect for historical patterns of previous electoral boundaries may be used to create electoral districts that vary from the average:

AND WHEREAS it is both desirable and necessary to present the City of Courtenay's position to the 2012 Federal Electoral Boundaries Commission of British Columbia.

NOW THEREFORE BE IT RESOLVED that Council informs the commission of its intent to make a presentation before the commission prior to the August 30, 2012 deadline for submission

Carried

10.00 NEW BUSINESS

.01
FITZGERALD BIKE
LAND PETITION

Moved by Winchester and seconded by Ambler that the petition objecting to the proposed Fitzgerald Avenue Bike Lanes be received for information, and further that the staff ensure that the petition forms part of any future reports to Council.

Carried

.02
TSOLUM RIVER REST
SOCIETY COUNCIL
REP
360-20

Moved by Anglin and seconded by Winchester that the letter from Tsolum River Restoration Society asking for a Council representative be received for information and further that they be invited to attend as a delegation to explain their request to a Council appointee to their Board and allow Council to make a decision afterwards.

Carried

11.00 BYLAWS

.01
BYLAW NO. 2711
OCP AMEND

Moved by Theos and seconded by Ambler that "Official Community Plan Amendment Bylaw No. 2711, 2012" pass first and second reading.

Carried

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.02
BYLAW NO. 2712
ZONING AMEND

Moved by Theos and seconded by Ambler that “Zoning Amendment Bylaw No. 2712, 2012” pass first and second reading.
Carried

.03
BYLAW NO. 2703
ZONING AMEND

Moved by Winchester and seconded by Theos that “Zoning Amendment Bylaw No. 2703, 2012” pass third reading.
Carried

13.00 ADJOURNMENT

.01

Moved by Winchester and seconded by Theos that the meeting now adjourn at 6:05 p.m.
Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 4th day of September, 2012

Mayor