

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, August 19, 2013 at 4:05 p.m.**

**Attending:**

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

**Staff:**

D. Allen, CAO  
S. Karvalics, Executive Assistant  
T. Manthey, Director of Financial Services  
P. Crawford, Director of Development Services  
R. Wiwchar, Director of Community Services  
I. Buck, Manager of Planning  
E. Ferguson, Planning Technician

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Theos and seconded by Anglin that the August 6, 2013  
MINUTES Council meeting minutes be adopted.  
**Carried**

**3.00 DELEGATIONS**

**1. Barry Weih, AIBC re: Development Permit No. 1304**

Barry Weih, AIBC and Ping Chen, P. Eng. reviewed the application for Development Permit for Phase 2 located at the Thrifty's Shopping Centre at 444 Lerwick Road.

**2. Shawn Vincent re: Development Permit No. 1313**

Shawn Vincent, reviewed the application for Development Permit for a duplex located at 1030 Cumberland Road.

**3. Mel McLachlan re: Modern Roundabouts**

Mel McLachlan reviewed a petition with 29 signatures supporting the development of modern roundabouts. Mr. McLachlan gave Council an overview on the advantages of roundabouts if used at appropriate intersections. The intent of his presentation and the petition is to encourage Council to consider roundabouts where warranted.

**4. C.V. Economic Development Society re: Regional Development Strategic Plan**

Representatives from the Comox Valley Economic Development Society provided a Powerpoint presentation on their 5 year Strategic Plan for the Comox Valley.

**4.00 COMMITTEE/STAFF REPORTS**

**.01**

DP NO. 1304  
444 LERWICK RD  
PHASE 2  
3060-20-1304

Moved by Anglin and seconded by Winchester that Development Permit with Variances No. 1304 be approved with the following variance to the City of Courtenay Zoning Bylaw No. 2500, 2007;

- Section 6.8.2 to increase the maximum fence height from 2.0 metres to 4.0 metres for the sound attenuation fencing as shown in Attachment No. 5; and

That Development Permit with Variances No. 1303 for phase 2 of an approximately 11,255m<sup>2</sup> commercial shopping centre on the property legally described as Lot 1, Block 72, Comox District, Plan VIP81206 (444 Lerwick Road) be issued subject to the following conditions:

- a. Development must be in conformance with the plans and elevations contained in Attachment No. 3;
- b. Submission of plans and drawings demonstrating that the sound attenuation fencing is coordinated with the building and landscaping design prior to issuance of building permit and subject to City approval;
- c. To protect the trees on the adjacent undeveloped property, an ISA Certified Arborist must be on-site monitoring the following activities:
  - i. Installation of the temporary tree protection fence setback 2.0 metres from the eastern property line as shown in Attachment No. 5;
  - ii. Grading of the site to ensure structural roots are not damaged and the tree protection area remains unaltered;
  - iii. Installation of the fence posts for the 1.8 metre fence located along the east property line to protect the structural roots of trees on the adjacent property;
  - iv. Installation of landscaping along the eastern property line to ensure that topsoil depths do not suffocate existing roots.

At the conclusion of the project and prior to any release of the landscaping security for Phase 2, the Arborist must submit a report to the City which details monitoring activities and outlines the best management practices which were followed.

- d. Submission of landscape security in the amount of (125% x \$217,467.64) \$271,834.55;
- e. Submission of a revised landscaping plan, acceptable to the City, for the area adjacent to Royal Place prior to the issuance of building permit;

- f. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- g. Issuance of a sign permit in compliance with the City of Courtenay Sign Bylaw No. 2042, 1998, or the bylaw in effect at the time of application and the Commercial Shopping Centre Development Permit Guidelines is required for all signage. Signage must not be internally illuminated unless otherwise permitted by the sign bylaw in effect at the time of application. This permit does not approve any signage;
- h. All building, site and sign lighting must be full cut off, flat lens in accordance with the City's Dark Skies Policy. All lighting must be approved by the City prior to installation;
- i. Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces. 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**

**.02**  
DP NO. 1313  
1030 CUMBERLAND  
ROAD  
3060-20-1313

Moved by Winchester and seconded by Leonard that Development Permit with Variances No. 1313 be approved with the following variance to the City of Courtenay Zoning Bylaw No. 2500, 2007;

- Section 8.2.10 to allow more than 50% of the lane frontage to be used as off-street parking as shown in Attachment No. 2; and

That Development Permit with Variances No. 1313 for the development of a duplex on the property legally described as Lot 3, District Lot 104, Comox District, Plan 5659 (1030 Cumberland Road) be issued subject to the following conditions:

- a. Development must be in conformance with the plans and elevations contained in Attachment No. 2;
- b. Landscaping shall be in accordance with the plans contained in Attachment No. 2;
- c. Installation of temporary snow fencing around the drip-line of the existing cherry tree to support its retention;
- d. Submission of landscape security in the amount of (125% x \$16,685.40) \$20,856.75;
- e. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;

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**

**.03**  
SIGN BYLAW REVIEW  
3900-20

Moved by Winchester and seconded by Leonard that the report from the Director of Development Services regarding the sign bylaw update be received for information.

**Carried**

The Council meeting recessed at 4:57 p.m. in order to conduct a public hearing.

The Council meeting reconvened at 5:25 p.m.

## **6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

- COUN. ANGLIN           Councillor Anglin reviewed his attendance at the following events:
- HMCS Quadra End of Summer Dining-In
  - Regional Gliding School Pacific, Power Pilot Scholarship/Glider Pilot Scholarship and Basic & Advanced Aviation Courses 2013 whereby a 16 year old Comox Valley resident - Warrant Officer Second Class Ostapovich, Emily was the recipient of the prestigious Jonathan Livingston Seagull Award
  - Airshow
  - DCBIA Meeting
  - C.V. Airport Commission meeting
- COUN. WINCHESTER    Councillor Winchester reviewed her attendance at the C.V. Airport Commission meeting
- COUN. AMBLER         Councillor Ambler reviewed his attendance at a CVRD meeting

## **7.00 RESOLUTIONS OF COUNCIL**

**.01**                               Moved by Theos and seconded by Ambler that notice is hereby  
IN CAMERA MEETING    given that a Special In-Camera meeting closed to the public will be held August 19, 2013 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (e)    The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the Municipality.

**Carried**

**8.00 UNFINISHED BUSINESS**

**.01**

CVRD ELECTED  
OFFICIALS FORUM  
470-20

Moved by Ambler and seconded by Theos that Council direct staff to prepare a presentation for the upcoming Comox Valley Elected Official Forum proposed for September 26, 2013 and that the topic be the Multi-Modal Transportation Summary Report and include the need for a North Connector.

**Carried**

**11.00 BYLAWS**

Moved by Leonard and seconded by Anglin that “Tax Exemption 2014 Bylaw No. 2764, 2013” and “Churches Tax Exemption 2014 Bylaw No. 2765, 2013” be referred to the next Council meeting pending further public notice.

**Carried**

**.01**

BYLAW NO. 2762  
OCP AMEND

Moved by Winchester and seconded by Ambler that “Official Community Plan Amendment Bylaw No. 2762, 2013” pass third reading.

**Carried with Councillor Leonard opposed**

**.02**

BYLAW NO. 2763  
ZONING AMEND

Moved by Winchester and seconded by Theos that “Zoning Amendment Bylaw No. 2763, 2013” pass third reading.

**Carried with Councillor Leonard opposed**

**12.00 COUNCIL MEMBER ROUND TABLE**

MAYOR JANGULA

Mayor Jangula reviewed his attendance at the RCMP Musical Ride.

