

R3/2006 – February 6, 2006

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 6, 2006 at 4:00 p.m.

Attending:

Mayor: S. L. Winchester
Councillors: L. V. Jangula
R-R. Leonard
D. S. McRae
G. T. Phelps
J. M. Presley
M. Theos

Staff:

S. T. Gray, Administrator
J. Ward, Manager of Corporate Administration
P. Crawford, Director of Planning Services
D. Slobodan, Director of Regulatory and Property Services
R. Wiwchar, Director of Community Services

The meeting was called to order at 4:00 p.m.

1.00 MINUTES

.01 Moved by Presley and seconded by Jangula that the minutes of the regular Council meeting held January 16, 2006 and committee of the whole meeting held January 23, 2006 be adopted.
Carried

3.00 DELEGATIONS

Comox Valley Spirit of B.C. Committee

John Watson, Don Sharpe, Len Apedaile, Susan Kelsey, and Marilyn Tevington of the Comox Valley Spirit of B.C. Committee announced that a delegation from the Comox Valley will be travelling to Torino, Italy for the 2006 Winter Olympics, and that Mayor Winchester would lead the delegation. John Watson reviewed that the cost the cost to the City for the trip would be approximately \$5000.00.

Moved by Presley and seconded by McRae that Council approve Mayor Winchester leading the Comox Valley delegation travelling to Torino, Italy, and that the budget amount be a maximum of \$7500.00.
Carried

4.00 COMMITTEE/STAFF REPORTS

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.01
ACTIVE C.V.
COMMITTEE
4940-01

Moved by Jangula and seconded by Phelps that Council support and endorse the Active Comox Valley Committee and the Terms of Reference be approved.
Carried

.02
SID THEATRE LICENSE
TO OCCUPY
2240-20

Moved by Presley and seconded by Phelps that Council approve the attached “Licence to Occupy and Operating Agreement” with the Sid Williams Theatre Society for a term of five consecutive years commencing February 1, 2006.
Carried

.03
TOURISM V.I.
CONFERENCE
250-20

Moved by McRae and seconded by Phelps that the report regarding the Tourism Vancouver Island Conference and Annual General Meeting be received for information.
Carried

.04
SID THEATRE RENTAL
RATES
7900-20

Moved by Phelps and seconded by McRae that the Sid Williams Theatre rental rates for 2006 be approved.
Carried

.05
SPIRIT OF BC WEEK
8100-20

Moved by Leonard and seconded by Phelps that Council proclaim February 3 –10, 2006 “Spirit of BC Week”.
Carried

.06
DVP NO. 0514
ROSS
3090-20-0514

Moved by McRae and seconded by Leonard that Council deny Development Variance Permit application No. 0514 from Cliff and Lynnea Ross to vary the required rear setback from 1.5m to 0.48m and side yard setback from 1.5m to 0.57m to allow the current siting of pool decking and privacy fencing as shown on Schedule No. 1 for property legally described as Lot 10, Section 16, Comox District, Plan 26528 and located at 1725 McLauchlin Drive.
Carried

.07
DVP NO. 0601
JOLLY
3090-20-0601

Moved by Presley and seconded by Jangula that notice be given to the adjacent property owners of the proposed development variance outlined below and that the application be returned to Council at a meeting on February 20, 2006; and

That subject to public input, Development Variance Permit No. 0601 be issued to Edwin and Ida Jolly to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the rear yard setback from 7.5m to 6.25m to allow for the construction of a sunroom, as shown on Schedule No. 1 for the property legally described as Lot 11, District Lot 157, Comox District, Plan VIP71675 at 2005 St. Andrews Way.
Carried

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.08

DEV PROC BYLAW &
FEES AND CHARGES
BYLAW
3900-01

Moved by Theos and seconded by McRae that Council approve the proposed amendments to the Development Application Procedures Bylaw No. 2392, 2005 and the City of Courtenay Fees and Charges Bylaw No. 1673, 1992;

That Development Application Procedures Amendment Bylaw No. 2450, 2006 proceed to 1st, 2nd and 3rd reading; and

That City of Courtenay Fees and Charges Amendment Bylaw No. 2451, 2006 proceed to 1st, 2nd and 3rd reading.

Carried

.09

DP NO. 0527
SMALL TOWN ENT
3360-20-0527

Moved by McRae and seconded by Presley that the application from Small Town Enterprises (Industrial Paints and Plastics) for Development Permit No. 0527 to allow the construction of a 574m² light industrial/residential building at 751-30th Street, including retaining wall, landscape material, irrigation and installation valued at \$27,500.00 be approved as outlined in Schedule Nos. 1-3; and

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

Carried

.10

CITY PROPERTY
2485 IDIENS WAY
930-20

Moved by Presley and seconded by Phelps that Council direct staff to present a proposed zoning amendment (copy attached) to the immediate neighbourhood of a City owned 0.68 hectare parcel at 2485 Idiens Way for a mixed commercial/residential development.

And further, that following a public information meeting, staff submit a report for Council's consideration on zoning bylaw amendment for that subject property.

Carried

.11

VIRL BUDGET
7960-20

Moved by Presley and seconded by Phelps that Council receive the report on the Vancouver Island Regional Library 2006 Budget.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

POLICING IN RURAL
AREAS
7400-01

Moved by Presley and seconded by Phelps that the letters from the Solicitor General and the Town of Comox regarding police services in rural areas be received for information.

Carried

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.02 Moved by Phelps and seconded by Presley that the Heritage
HERITAGE ADVISORY Advisory Commission minutes of January 25, 2006 be received for
MINUTES information.

Carried

.03 Moved by McRae and seconded by Presley that the Fire Report for
FIRE REPORT January 2006 be received for information.

650-20

Carried

6.00 RESOLUTIONS OF COUNCIL

.01 Moved by Presley and seconded by Jangula that under the provisions
IN CAMERA MTG of Section 90(1)(e) of the Community Charter, notice is hereby given that a
Special In-Camera meeting closed to the public will be held February 6,
2006 at the conclusion of the Regular Council Meeting.

Carried

.02 Moved by Presley and seconded by Phelps that the meeting now
RECESS recess at 4:59 p.m. to conduct the Public Hearing in relation to Bylaw No.
2447.

Carried

The meeting reconvened at 5:08 p.m.

9.00 NEW BUSINESS

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Permit No. 0520, and there were none.

.01 Moved by Leonard and seconded by McRae that Development
DP NO. 0520 Permit No. 0520 be issued to 267871 BC Ltd (Mission Ventures) to allow
MISSION VENTURES the construction of 45 units within 3, three-storey multi-residential buildings
3060-20-0520 on Lot A, District Lot 68, Comox District, Plan 2352, including landscape
materials and installation valued at \$69,393.50 as outlined in Schedules 1-4
and including the following variances to the City of Courtenay Zoning
Bylaw No. 1427, 1986;

Phased Strata Plan

- Section 8.14.6 Yards (3) be relaxed to reduce the required side yard setback from 3.0m to 1.3m for strata phases 1, 2 and 3;

Development Variances

- Section 8.14.6 Yards (2) be relaxed to reduce the required rear yard from 7.5m to a minimum of 4.5m; and
- Section 8.14.7 Height of Building be relaxed to increase the maximum height of building from 10.0m to 11.1m; and

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 NEW BUSINESS

.01 A discussion was held regarding the Economic Development Function Service Review currently underway at the Regional District.
RDCS EDC SERVICE
REVIEW
470-20

.02 Mayor Winchester reviewed a letter written to the Regional District of Comox Strathcona regarding the Sewer Commission and Water Committee.
RDCS SEWER AND
WATER FUNCTION
BYLAWS
470-20
Mayor Winchester provided some highlights of the RDCS Board meeting held January 30, 2006.

.03 Moved by McRae and seconded by Jangula that staff investigate the feasibility of creating a walking/cycling path connecting the Town of Comox, City of Courtenay, and Comox Lake, including potential funding sources, route, and inter-jurisdictional coordination.
WALKING/CYCLING
PATHS
Carried

10.00 BYLAWS

.01 Moved by McRae and seconded by Phelps that “Development Application Procedures Amendment Bylaw No. 2450, 2006” pass first, second and third reading.
BYLAW NO. 2450
DEV APP PROCEDURE
Carried

.02 Moved by Presley and seconded by Leonard that “City of Courtenay Fees and Charges Amendment bylaw No. 2451, 2006” pass first, second and third reading.
BYLAW NO. 2451
Carried

.03 Moved by Jangula and seconded by Theos that “City of Courtenay Zoning Amendment Bylaw No. 2447, 2006” pass third reading.
BYLAW NO. 2447
ZONING AMENDMENT
Carried

11.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR MCRAE Councillor McRae reviewed his attendance at a meeting of the Puntledge River Restoration Committee.

COUNCILLOR LEONARD Councillor Leonard reviewed her attendance at the following events:

- Puntledge Park Residents Association meeting
- Cumberland Lantern Celebration
- Environmental Council meeting
- UBCM Newly Elected Officials Seminar
- V.I. Regional Library Board meeting
- Transportation meeting at Filberg Centre
- Bi-Council meeting
- Food Security Focus Group meeting

COUNCILLOR THEOS Councillor Theos reviewed his attendance at the UBCM Newly Elected Officials Seminar

COUNCILLOR PHELPS Councillor Phelps thanked Council for their condolences and flowers

COUNCILLOR JANGULA Councillor Jangula reviewed his attendance at the following events:

- Bi-Council meeting
- Habitat for Humanity meeting

MAYOR WINCHESTER Mayor Winchester reviewed her attendance at the following events:

- Opening of the Harbour Authority Conference
- B.C.A.A. Mature Drivers Seminar
- Chamber of Commerce Awards Night

12.00 ADJOURNMENT

.01 Moved by Jangula and seconded by Phelps that the meeting now adjourn at 5:52 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 13th day of February, 2006

Mayor