

R2/2006 – January 16, 2006

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, January 16, 2006 at 4:00 p.m.

Attending:

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

Staff:

S. T. Gray, Administrator (at 4:32 p.m.)
J. Ward, Manager of Corporate Administration
T. Manthey, Director of Financial Services
P. Crawford, Director of Planning Services
D. Slobodan, Director of Regulatory and Property Services
R. Wiwchar, Director of Community Services
T. Towle, Fire Chief
G. Garbutt, Planner

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

1.00 MINUTES

.01 Moved by Presley and seconded by McRae that the minutes of the regular Council meeting held January 9, 2006 be adopted.
Carried

2.00 INTRODUCTION OF LATE ITEMS

Mayor Winchester approved the addition of one late item to the agenda.

.01 Moved by Jangula and seconded by Leonard that under the
NOTICE OF IN CAMERA MEETING provisions 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 January 16, 2006 at the conclusion of the Regular Council Meeting.
Carried

3.00 DELEGATIONS

Hal Martyn, Rezoning Application No. 0505

Hal Martyn, representing Southwinds Development Corporation, outlined the proposed “River’s Edge” project located at Robert Lang Drive between 1st Street and the Puntledge River. He reviewed the current zoning, subdivision plans, and the rezoning application to allow for a development to allow a maximum of 80 units including single residential dwellings, bare land strata single residential dwellings, and a patio home style multi-residential development.

Scott Butler of Mission Ventures reviewed the application for Development Permit No. 0520 to allow the construction of 45 units within 3 multi-residential buildings at 1970 Cliffe Avenue. He reviewed the variances requested, proposed underground parking, landscaping, walkway construction, and improvements to Cliffe Avenue and 20th Street. Mr. Butler also stated that he would like to contribute funds towards the cleanup of the riverbank near the Marina and Riverway Walkway.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Presley and seconded by Jangula that Chris Kippel be appointed to the Board of Directors of the Sid Williams Theatre Society.
SID THEATRE BOARD
APPOINTMENT
7900-20
Carried

.02 Moved by Jangula and seconded by Leonard that the Committee of the Whole meeting scheduled for January 25, 2006 be rescheduled to Monday, January 23, 2006 at 4:00 p.m.
RESCHEDULE
JANUARY STRATEGIC
PLANNING MTG
570-01
Carried

.03 Moved by Theos and seconded by Presley that Council approve the application from Southwinds Development Corp. to amend the City of Courtenay Zoning Bylaw No. 1427 for the properties legally described as:
REZONING APP
SOUTHWINDS DEV
3360-20-0505

Lot B, District Lot 118, Comox District, Plan VIP60328, except parts in Plans VIP61633 and VIP73074 and Lot 1, District Lot 118, Comox District, Plan VIP61663 from Residential One (R-1), Residential Two (R-2), Comprehensive Development Two A (CD-2A), Comprehensive Development Two B (CD-2B) and Comprehensive Development Two D (CD-2D) to Comprehensive Development 15 (CD-15) Zone; and

A portion of Lot 1, District Lot 118, Comox District, Plan VIP61663 be rezoned from Residential One (R-1) Zone and Residential Two (R-2) Zone to Public Use and Assembly (PA-2) Zone

to allow for the development of a maximum of 80 units with a combination of Single Residential Dwellings, Bareland Strata Single Residential Dwellings and a Patio Home Style Multi-Residential Development as outlined on Schedule Nos. 1-4;

That City of Courtenay Zoning Amendment Bylaw No. 2448, 2006 proceed to 1st and 2nd reading; and

That a Public Hearing be held on February 20, 2006 at 5:00 p.m. in City Hall Council Chambers in relation to Bylaw No. 2448.

Carried

.04

DEV PERMIT NO. 0520
MISSION VENTURES
3060-20-0520

Moved by McRae and seconded by Jangula that notice be given to the adjacent property owners of the proposed Development Permit with variance outlined below and that the application be returned to Council at a meeting on February 6, 2006;

That subject to public input, Development Permit No. 0520 be issued to 267871 BC Ltd. (Mission Ventures) to allow the construction of 45 units within 3, three-storey multi residential buildings 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;

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; and

That subsequent to the publication of notice pursuant to Section 26 of the Community Charter, Council approve the disposition of the land legally described as Part of Section 68, Plan 235R/W, Comox District being approximately 789m² in area to 267871 BC Ltd (Mission Ventures) with a value of \$76,927.00 in exchange for land legally described as Part of Lot A, District Lot 68, Comox District, Plan 2352 being approximately 899m² in size with a value of \$87,652.00 as outlined on Schedule No. 5.

Carried

.05

C.V. RECREATION
COMPLEXES SERVICE
AMEND BYLAW
1971-20

Moved by Jangula and seconded by McRae that Council consent to the adoption of the Regional District of Comox Strathcona Bylaw No. 2823, pursuant to section 801.4 of the Local Government Act, being the “Comox Valley Recreation Complexes Service Amendment Bylaw No. 2, 2005”.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

BC ASSESSMENT
400-20

Moved by Presley and seconded by McRae that the update letter from BC Assessment be received for information.

Carried

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.02 Moved by McRae and seconded by Presley that the letter from the
LTR FROM City of Coquitlam regarding RCMP Funding Arrangements be received for
COQUITLAM information; and
7400-01

That Council endorse the City of Coquitlam RCMP Funding Resolution and forward the endorsement to all parties outlined in the letter.

Carried

6.00 RESOLUTIONS OF COUNCIL

.01 Moved by Theos and seconded by Leonard that
PUBLISHING COUNCIL WHEREAS Council members are accountable to the public and attendance
ATTENDANCE records reflect in part the value taxpayers are receiving from their Council
530-01 member's efforts;

AND WHEREAS with publishing attendance records, this open process allows for the public to be aware of Council member's participation;

BE IT RESOLVED that Courtenay Council publishes Council member's attendance records at least once a year similar to a financial disclosure statement and Councillor's expenses.

Defeated with Councillor Theos in favour

9.00 NEW BUSINESS

.01 Moved by McRae and seconded by Jangula that the letter from the
LTR OF SUPPORT B.C. Youth Educational Support Society be received; and
BC YOUTH
EDUCATIONAL That Council forward a letter of support as requested.
SUPPORT SOCIETY
5120-01 **Carried**

10.00 BYLAWS

.01 Moved by Presley and seconded by Jangula that "City of Courtenay
BYLAW NO. 2448 Zoning Amendment Bylaw No. 2448, 2006" pass first and second reading.
ZONING AMEND **Carried**

11.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR Councillor Leonard outlined her attendance at a Riparian Areas Regulation
LEONARD local government training session in Nanaimo.

COUNCILLOR Councillor Jangula outlined his attendance at a Habitat for Humanity
JANGULA meeting.

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COUNCILLOR PRESLEY Councillor Presley outlined his attendance at the initial meeting of the Regional District Economic Development Service Review Committee.

MAYOR WINCHESTER Mayor Winchester outlined her attendance at the following events:
➤ Meeting with Lou Dryden, President of North Island College;
➤ Meeting with RCMP Superintendent Rick Betker, Inspector Tom Gray, and Comox Mayor Jim Brass regarding the RCMP Operational Communications Centre.

RECESS Moved by Presley and seconded by Leonard that the meeting now recess at 4:55 p.m. to conduct the Public Hearing in relation to Bylaws 2445 and 2446.

Carried

The meeting reconvened at 5:22 p.m.

12.00 BYLAWS AFTER PUBLIC HEARING

.01 Moved by Presley and seconded by McRae that “Official
BYLAW NO. 2445 Community Plan Amendment Bylaw No. 2445, 2005 pass third reading.
OCP AMEND **Carried**

.02 Moved by McRae and seconded by Jangula that “City of Courtenay
BYLAW NO. 2446 Zoning Amendment Bylaw No. 2446, 2005” pass third reading.
ZONING AMEND **Carried**

13.00 ADJOURNMENT

.01 Moved by Leonard and seconded by Presley that the meeting now
adjourn at 5:25 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 6th day of February, 2006

Mayor