

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, May 2, 2005 at 4:00 p.m.**

**Attending:**

**Mayor: S. L. Winchester, Mayor**

**Councillors: N. A. Ahmed**

**D. S. McRae**

**G. T. Phelps**

**J. M. Presley**

**Staff:**

**S. T. Gray, Administrator**

**J. Ward, Manager of Corporate Administration**

**K. Lagan, Director of Operational Services**

**D. Slobodan, Director of Regulatory and Property Services**

**P. Crawford, Director of Planning Services**

**T. Manthey, Director of Financial Services**

**R. Wiwchar, Director of Community Services at 4:20 p.m.**

**G. Garbutt, Planner**

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

**1.00 MINUTES**

- .01** Moved by McRae and seconded by Presley that the minutes of the Regular Council meeting held April 18, 2005 be adopted.  
**Carried**

The Mayor approved the addition of two late items to the agenda.

**3.00 DELEGATIONS**

**Mike Hamilton, Truck Loggers Association**

Mike Hamilton, President of The Truck Loggers Association provided Council with an update regarding the Association and the B.C. forest industry in general. He reviewed that forestry is the major employer in the province, representing one in every four jobs.

**Frank Denton, OCP and Zoning Amendment No. 403**

Frank Denton reviewed the application from 416499 B.C. Ltd. to amend the Official Community Plan and to rezone property 11.2 hectares in size located on Muir Road. He outlined the plans for a single residential development including approximately 68 lots, 2.7 hectares of parkland, ponds and wetland areas.

**4.00 COMMITTEE/STAFF REPORTS**

**.01**

CANCEL COUNCIL  
MTGS  
570-01

Moved by Ahmed and seconded by Presley that the following meetings during the 2005 summer period be cancelled:

- June 6 Council
- July 11 Council
- July 27 Strategic Planning
- August 15 Council
- August 31 Strategic Planning

**Carried**

**.02**

PARADE POLICY  
AMENDMENT  
5460.00.01

Moved by Presley and seconded by Ahmed that amended Policy No. 5460.00.01 R-2 Parades be approved.

**Carried**

**.03**

OCP & REZONING  
MISSION ROAD  
DEVELOPMENTS  
3360-20-0410  
6480-20-0403

Moved by McRae and seconded by Ahmed that Council approve the application from 416499 B.C. Ltd. to amend the Official Community Plan Bylaw No. 2387 from “Suburban Residential” and “Residential Two” to “Residential” and “Parks and Recreation” and the City of Courtenay Zoning Bylaw No. 1427, 1986 from RU-1 (RDCS) to Residential One (R-1) Zone, Comprehensive Development Twelve (CD-12) Zone and Public Use and Assembly Two (PA-2) Zone for the property legally described as Lot B, Section 19, Comox District, Plan 25085 to allow for a single residential development as outlined in Schedule No. 1;

That “Official Community Plan Amendment Bylaw No. 2413, 2005” and “City of Courtenay Zoning Amendment Bylaw No. 2414, 2005” proceed to 1<sup>st</sup> and 2<sup>nd</sup> reading;

That the Public Hearing be set for May 16, 2005 in relation to “Official Community Plan Amendment Bylaw No. 2413, 2005” and “City of Courtenay Zoning Amendment Bylaw No. 2414, 2005” at 5:00 p.m.; and

That a servicing agreement and Department of Fisheries authorization be finalized prior to consideration of final reading.

**Carried**

**.04**

DVP NO. 0502  
MBP CONSULTING  
INC  
3090-20-0502

Moved by Ahmed and seconded by McRae that the application from MBP Consulting Inc. for Development Permit No. 0502 to allow the exterior renovation, including siding, windows, roofline and signage for Grains Bakery on Lot 2, Section 61, Comox District, Plan 5570 at 455 10<sup>th</sup> Street as outlined in Schedule Nos. 1 and 2 be approved;

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 the applicant enter into an encroachment agreement pursuant to the “City of Courtenay Sign Bylaw No. 2042” prior to the issuance of a building permit.

**Carried**

**.05**

HERITAGE MINUTES

Moved by Ahmed and seconded by McRae that the Heritage Advisory Commission minutes of April 27, 2005 be approved.

**Carried**

**.06**

FINANCIAL PLAN  
AND TAX RATES  
1705-20  
1715-20

Moved by McRae and seconded by Presley that Council consider the following bylaws:

1. The 2005-2009 Financial Plan Bylaw No. 2416, 2005, and
2. The Tax Rates Bylaw No. 2417, 2005.

**Carried**

**.07**

NOTICE AGAINST  
TITLE  
300 CARMANAH DR  
4020-20

Moved by Presley and seconded by Ahmed that pursuant to Section 57(3) of the *Community Charter*, the Corporate Officer file a notice in the Land Title Office against 300 Carmanah Drive stating that:

- (a) a Council resolution relating to that land has been made under this section; and
- (b) further information about it may be inspected at the offices of the Municipality.

**Carried**

**.08**

ROW  
29<sup>TH</sup> ST &  
CUMBERLAND RD  
5340-20

Moved by Ahmed and seconded by McRae that Council approve the Statutory Right of Ways over Part of Lot 12, District Lot 230, Plan 1406 and Lot 1, District Lot 96, Plan 27488, All of Comox District; and

That the Mayor and Manager of Corporate Administration be authorized to sign the necessary documentation relating to the statutory rights of way.

**Carried**

**.09**  
AMENDED LEASE  
CITY, E&N,  
L & M BOX  
8550-02  
2380-30

Moved by McRae and seconded by Phelps that the existing lease No. GCMK074-0104 between the City of Courtenay and the E & N Railway Company dated November 10<sup>th</sup>, 1980 granting a lease of a 30 feet wide strip of land for beautification purposes may be amended to allow a 7.62 metre (25 ft.) wide access to Part of Lot B, Plan 2303, Comox District, presently owned by Laurence and Maria Box; and

That the Mayor and Clerk be authorized to sign all documents relating to this lease amendment.

**Carried**

## **5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
AVICC APPRECIATION  
LTR  
390-20

Moved by Presley and seconded by Phelps that the letter of appreciation from AVICC concerning the annual conference be received for information.

**Carried**

## **6.00 NEW BUSINESS**

**Councillor Presley declared a potential conflict of interest regarding the next item due to a business relationship, and vacated Council Chambers at 4:55 p.m.**

**.01**  
SLASH BURNING  
FRASER ROAD  
5280-02

A discussion was held regarding the burning of land clearing slash, which is taking place on a large property in the Fraser Road area.

Moved by Ahmed and seconded by McRae that a letter be sent to the owner of the property in question expressing Council's concerns regarding the burning of land clearing slash, with a copy to the Village of Cumberland; and

That a letter be forwarded to the Regional District of Comox Strathcona outlining Council's concerns and encouraging the prohibition of land clearing slash burning in the Regional District.

**Carried**

**Councillor Presley returned to Council Chambers and took his seat at 5:01 p.m.**

**.02**  
REGIONAL DISTRICT  
ZONING BYLAW  
470-20

Councillor Ahmed provided Council with an update regarding Regional District Zoning Bylaw No. 2555, the Comox Valley Zoning Bylaw 2003, which was recently quashed in B.C. Supreme Court.

**7.00 BYLAWS**

**.01** Moved by Presley and seconded by Phelps that “The 2005-2009  
BYLAW NO. 2416 Financial Plan Bylaw No. 2416, 2005” pass first, second and third reading.  
**Carried**

**.02** Moved by McRae and seconded by Presley that “Tax Rates Bylaw  
BYLAW NO. 2417 No. 2417, 2005” pass first, second and third reading.  
**Carried**

**.03** Moved by Presley and seconded by McRae that “Official  
BYLAW NO. 2413 Community Plan Amendment Bylaw No. 2413, 2005” pass first and second  
reading.  
**Carried**

**.04** Moved by McRae and seconded by Phelps that “City of Courtenay  
BYLAW NO. 2414 Zoning Amendment Bylaw No. 2414, 2005” pass first and second reading.  
**Carried**

**9.00 COUNCIL MEMBER ROUNDTABLE**

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

- Tour of C.F.B. Comox along with Snowbirds demonstration
- Presentation of trophy at the Snow to Surf
- Cyril Burns 102<sup>nd</sup> birthday celebration
- Comox Valley Economic Development Society Annual General Meeting
- Opening of the Courtenay Lawn Bowling Association season
- Mount Washington funding announcement
- Sage Hills development presentation

**10.00 ADJOURNMENT**

**.01**

Moved by Phelps and seconded by Ahmed that the meeting now adjourn at 5:13p.m.

**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 9<sup>th</sup> day of May, 2005**

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**Mayor**