

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, June 20, 2005 at 4:00 p.m.**

**Attending:**

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

**Councillors: N. A. Ahmed**

**J. L. Harder**

**L. V. Jangula**

**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**

**R. Wiwchar, Director of Community Services**

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

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

**G. Garbutt, Planner**

The meeting was called to order at 4:03 p.m.

**1.00 MINUTES**

**.01**

Moved by McRae and seconded by Harder that the minutes of the Regular Council meeting held June 13, 2005 be adopted.

**Carried**

**3.00 DELEGATIONS**

**Sid Williams Theatre Board Update**

Richard Kerton, President of the Sid Williams Theatre Board of Directors provided an update of the Theatre including events, fundraising, user groups, community partners, and equipment upgrades. He thanked Council and City staff for their support of the Theatre. Dove Hendren, Marlene Oolo, and Deb Renz were also in attendance and gifts were presented to the City on behalf of Taiwan and the Tibetan Monks.

**Brook Pearce, Creative Employment Access Society**

Brook Pearce outlined the Comox Valley Human Resource Planning Project being undertaken by the Creative Employment Access Society. He reviewed that the project is currently in the proposal writing stage, and requested a letter of support from the City.

**Dr. Stephen Blackburn, 17<sup>th</sup> Street Road Closure**

Dr. Blackburn reviewed the City’s closure of a portion of 17<sup>th</sup> Street adjacent to his property, which was exchanged for walkway along the Old House restaurant in 2002. He stated that he would like to get a dialogue going with City Administration, and expressed concerns that he was not consulted regarding the road exchange. Dr. Blackburn also stated that he has lost 13 parking spaces for customers of his dental office, and that an injustice has been done.

**Neil Banich, Consulpro Inc. re: DP 0422**

Neil Banich, the architect for the Riverglen development at 40 Anderton Avenue reviewed the application for Development Permit No. 0422. He outlined the request for three development variances including increased height for a small portion of one building, reduced driveway depth for four units, and a frontage relaxation for phase six of the development.

**4.00 COMMITTEE/STAFF REPORTS**

**.01** Moved by Jangula and seconded by Phelps that Council approve  
ELECTION BYLAW Election Procedures and Automated Voting Bylaw No. 2415, 2005.  
4200-01 **Carried**

**.02** Moved by Presley and seconded by Ahmed that Council approve the  
STRATA CONVERSION application for the strata conversion of 1677 A & B Burgess Road and direct  
1677 A & B BURGESS Mayor and Clerk to sign the Strata Plan mylars when provided.  
ROAD **Carried**  
3300-20

**.03**

DP NO. 0422  
CONSULPRO INC  
RIVERGLEN  
3060-20-0422

Moved by Ahmed and seconded by McRae 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 July 4, 2005; and

That subject to public input, Development Permit No. 0422 be issued to Consulpro Inc. to allow the construction of a 72 unit multi residential strata development including 15 Duplex Townhouses and 42 units within a 4 storey building on Lot 7, Section 61, Comox District, Plan 4308 Except That Part in Plan 18861 and 51091 at 40 Anderton Avenue, including landscape materials and installation valued at \$128,400.00 as outlined in *Schedule Nos. 1-6* including the following variance to the City of Courtenay Zoning Bylaw No. 1427, 1986;

- *Section 7.1.6(8), Specifications* be relaxed to decrease the distance from the face of a garage to private road from 6 m to 5.3 m for Strata Units 1, 2, 13, and 14;
- *Section 8.4.3, Minimum Lot Frontage* be relaxed to decrease the required Frontage from 30 m to 0.0 m for Strata Phase 6; and
- *Section 8.4.7 Height of Buildings* be relaxed to increase the maximum height from 13.71 m to 16 m for Strata Phase 6;

That the owner enters into a covenant pursuant to Section 219 of the *Land Titles Act* to “save harmless” the City of Courtenay regarding any future flooding prior to the issuance of Development Permit; 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**

**.04**

CANADA DAY  
CLOSURE OF 5<sup>TH</sup>  
STREET  
5460-08

Moved by McRae and seconded by Phelps that Council not approve the full closure of Fifth Street from 10:00 a.m. until 5:00 p.m.; and

That in the interest of public safety, snow fencing be installed along Lewis Park and Simms Millennium Park behind the sidewalk with a 6 metre wide controlled pedestrian crossing and following the parade all pedestrians area cleared off Fifth Street prior to it closing to traffic and that no vehicles are allowed to park within the closed road area.

**Carried**

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**Councillor Presley declared a potential conflict of interest regarding the next item due to a client relationship, and vacated Council chambers at 4:58 p.m.**

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

Moved by Phelps and seconded by McRae that the response from 3L Developments Inc. regarding land clearing and slash burning on Fraser Road be received for information.

**Carried**

**Councillor Presley returned to Council Chambers and took his seat at 4:50 p.m.**

**.02**  
STUDENT BURSARY  
THANK YOU LTRS

Moved by McRae and seconded by Ahmed that student bursary thank you letters from Geoffrey Rickson and Kate Kuss be received for information.

**Carried**

**.03**  
OPERATIONAL  
SERVICES RPT  
650-20

Moved by Ahmed and seconded by Harder that the Operational Services Report for May 2005 be received for information.

**Carried**

**6.00 RESOLUTIONS**

**.01**  
RESORT STRATA  
PROPERTY TAX  
135-01

Moved by Ahmed and seconded by Harder that a letter be forwarded to the provincial government outlining Council's concerns regarding the potential significant impact on development from the changes to the resort strata property tax classification.

**Carried**

**9.00 NEW BUSINESS**

**.01**  
GREEN MUNICIPAL  
FUNDS  
1845-01

Moved by Ahmed and seconded by Harder that should the time come, staff work with Field Sawmill and the Steelworkers Local to seek Brownfield Redevelopment funding for the Field Sawmill site.

**Carried**

**.02**  
TRANSPORTATION  
INVENTORY  
8620

Moved by Ahmed and seconded by Jangula that the City's transportation information be forwarded to Transport Canada relating to the transportation full cost investigation.

**Carried**

- .03**  
LUSH VALLEY  
FUNDING REQUEST  
1850-01
- Moved by McRae and seconded by Presley that the funding request from Lush Valley be denied with a letter of regret.  
**Carried**
- .04**  
RECESS
- The meeting recessed at 4:59 p.m. to conduct the Public Hearing in relation to Bylaw No. 2401.
- The meeting reconvened at 5:30 p.m.
- .05**  
STEELWORKERS  
LOCAL 1-363  
FIELD SAWMILLS
- Moved by Harder and seconded by Ahmed that
- WHEREAS Field Sawmill has been closed for 7 months; and
- WHEREAS Interfor has announced that it plans on selling the mill; and
- WHEREAS Field Sawmill has been and remains vital to the local economy;
- THEREFORE BE IT RESOLVED that Council lobby the provincial government to supply timber tenure to a prospective buyer;
- BE IT FURTHER RESOLVED that Council request that Interfor announce a total closure of Field Sawmill if they do not have a prospective purchaser for Field Sawmill by July 31, 2005; and
- BE IT FINALLY RESOLVED that Council lobby the provincial and federal governments to supply funding to do an analysis of the cost of cleaning up the Field Sawmill site if it were to be dismantled.  
**Carried**
- .06**  
HR PLANNING LETTER  
OF SUPPORT  
0430-20
- Moved by McRae and seconded by Harder that the City provide a letter of support for the Creative Employment Access Society regarding the Comox Valley Human resources Planning Project.  
**Carried**
- .07**  
17<sup>TH</sup> STREET ROAD  
CLOSURE STEPHEN  
BLACKBURN  
0950-20
- Moved by Harder and seconded by Presley that staff provide a report to Council regarding the concerns expressed by Dr. Stephen Blackburn in relation to the 17<sup>th</sup> road exchange from 2002/2003.  
**Carried**
- .08**  
CANADA DAY  
CLOSURE OF 5<sup>TH</sup>  
STREET  
5460-08
- Councillor Jangula expressed concerns regarding the additional cost of providing traffic control for the July 1<sup>st</sup> festivities since the road will not be closed.  
Sandy Gray stated that the City would be covering the costs of the additional traffic control personnel.

**10.00 BYLAWS**

**.01**  
BYLAW NO. 2415  
Moved by Ahmed and seconded by Harder that “Election Procedures and Automated Voting Bylaw No. 2415, 2005” pass first, second and third reading.

**Carried**

**.02**  
BYLAW NO. 2413  
Moved by Ahmed and seconded by Harder that third reading of “Official Community Plan Amendment Bylaw No. 2413, 2005” be postponed pending a further staff report.

**Carried with Councillor Presley opposed**

**.03**  
Moved by McRae and seconded by Harder that staff work with the developer towards achieving an 850 square metre average lot size in the south portion of the Muir Road development.

Moved by Jangula and seconded by Harder that the motion be amended to read “minimum 850 square metre lot size”.

**Defeated with Councillors Harder and Jangula in favour**

**The main motion was carried with Councillor Jangula opposed**

Moved by Ahmed and seconded by Harder that the concerns expressed at the Public Hearing for Bylaw No. 2413 and Bylaw No. 2414 regarding storm water siltation be forwarded to the Department of Fisheries and Oceans.

**Carried**

**.04**  
BYLAW NO. 2396  
Moved by Presley and seconded by Harder that “Special Events Regulation Bylaw No. 2396, 2005” be finally passed and adopted.

**Carried**

**.05**  
BYLAW NO. 2420  
Moved by Presley and seconded by Harder that “City of Courtenay Fees and Charges Amendment Bylaw No. 2420, 2005” be finally passed and adopted.

**Carried with Councillor Jangula opposed**

**Councillor Presley declared a potential conflict of interest regarding Bylaw No. 2401 due to a client relationship and vacated Council Chambers at 6:15 p.m.**

**.06**  
BYLAW NO. 2401  
Moved by Harder and seconded by Ahmed that “City of Courtenay Zoning Amendment Bylaw No. 2401, 2005” pass third reading.

**Carried**

**Councillor Presley returned to Council Chambers and took his seat at 6:16 p.m.**

**11.00 COUNCIL MEMBER ROUNDTABLE**

COUNCILLORS                      Councillors Presley, McRae and Ahmed outlined their attendance at the  
PRESLEY, MCRAE AND            F.C.M. Annual Conference  
AHMED

COUNCILLOR                      Councillor Jangula outlined his attendance at the following events:  
JANGULA                            ➤ 6<sup>th</sup> Annual North Island Hot Jazz Festival  
   ➤ Air Cadet Graduation Ceremony  
   ➤ Habitat for Humanity meetings  
   ➤ July 1<sup>st</sup> Committee meetings

MAYOR WINCHESTER            Mayor Winchester outlined her attendance at the following events:  
   ➤ D.A.R.E. Graduation Ceremony at Puntledge Elementary  
   ➤ ALS “On a Roll” Fundraiser  
   ➤ Bursary presentations at Mark Isfeld Secondary  
   ➤ Scooter ride with John Higginbotham  
   ➤ Opening Ceremony for the Cancer Relay for Life  
   ➤ City Golf Tournament  
   ➤ Regional District training for new equipment  
   ➤ Grand Opening of the Comox Valley Centre for the Arts  
   ➤ Grade 3 class tour of City Hall  
   ➤ Bursary presentations at Lake Trail Secondary

**12.00 ADJOURNMENT**

**.01**                                      Moved by Presley and seconded by Phelps that the meeting now  
adjourn at 6:32 p.m.  
**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 4<sup>th</sup> day of July, 2005**

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**Mayor**