

R10/2005 – April 18, 2005

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, April 18, 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
I. Farquharson, Deputy Municipal Engineer
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
J. Nelson, Accounting Supervisor**

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

1.00 MINUTES

.01 Moved by McRae and seconded by Harder that the minutes of the Regular Council meeting held April 11, 2005 be adopted.
Carried

Councillor Presley arrived at the meeting.

3.00 DELEGATIONS

Dale Pateman, Audited 2004 Financial Statements

Dale Pateman of Pateman Novecosky presented the City of Courtenay Audited Financial Statements for 2004, and also reviewed the 2004 Financial Analysis of Operations.

Scott Butler, Mission Developments re: 1970 Cliffe Avenue

Scott Butler of Mission Developments reviewed a proposed multi family development on the property located at 1970 Cliffe Avenue. He expressed concerns relating to the project including the following:

- Development costs outside the basic Development Cost Charges including paving and road work on 20th Street
- Public access issues on 20th Street
- The completion of the road connection to 19th Street

- The requirement for a 9 metre roadway along the City right of way

Mr. Butler reviewed that the developer would provide the land for the walkway along the river; however he requested that the Development Cost Charges be applied to the cost of construction. In addition, Mr. Butler requested that 20th Street be included in the road Development Cost Charges bylaw. Mr. Butler also inquired whether 20th Street would be used for a third bridge crossing, and if this were the case the City should consider buying the land before any development takes place.

4.00 COMMITTEE/STAFF REPORTS

.01
FIRE PROT COMOX
INDIAN BAND
CAMPGROUND
7200-01

Moved by Ahmed and seconded by McRae that the attached fire protection agreement between the City of Courtenay and Comox Indian Band be approved; and

That the Mayor and Manager of Corporate Administration be authorized to sign the agreement on behalf of the City.

Carried

.02
CRUICKSHANK PARK
930-20

Moved by Presley and seconded by McRae that Council approve in principle the sale of Cruickshank Park located at 4670 Cruickshank Avenue containing 0.098 hectares for the purposes of a single residential dwelling.

Moved by McRae and seconded by Ahmed that the issue of the sale of Cruickshank Park be referred to the May 25, 2005 Long Range Planning meeting.

The subsidiary motion was carried with Councillors Jangula, Phelps and Presley opposed

.03
REZONING CROWN
ISLE SOUTH PORTION
OF BLOCK 72
3360-20-0506

Moved by Presley and seconded by McRae that Council approve the application from Silverado Land Corp to amend the City of Courtenay Zoning Bylaw No. 1427 by:

- Adding Car Museum as a permitted use within CD-1C area;
- Amending the maximum permitted Height for Hotel within CD-1C area from 15m to a maximum of 18m;
- Amending the Floor Area Ratio for Hotel within CD-1C from 0.6 to 9.72 to accommodate the development of a new 4 storey hotel and spa complex outlined in Schedule No. 1; and
- Creating zoning Area G within CD-1 to allow for the development of single, duplex and townhouse units within the southern portion of Block 72 as outlined in Schedule No. 2;

That City of Courtenay Zoning Amendment Bylaw No. 2412, 2005 proceed to 1st and 2nd readings; and

That a Public Hearing be held on May 9, 2005 at 5:00 p.m. in City Hall Council Chambers in relation to Bylaw No. 2412.

Carried

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- .04** Moved by Harder and seconded by McRae that Council accept the
AUDITED FIN STMENTS Audited Financial Statements for the year ended December 31, 2004 and the
1870-03 amended report of Council remuneration, expenses and contracts for the
year ended December 31, 2004.
Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

- .01** Moved by McRae and seconded by Phelps that the CRA Advisory
CRA MINUTES Board meeting minutes of April 7, 2005 be received for information.
250-20 **Carried**

- .02** Moved by Ahmed and seconded by Presley that the Regional District
REG DIST MINUTES of Comox-Strathcona meeting minutes of March 29, 2005 be received for
information.
Carried

- .03** Moved by Harder and seconded by Presley that the letter from
LTR FROM MURRAY Minister Murray Coell regarding the proposed Meadowbrook/Huband Road
COELL boundary extension be received for information.
MEADOWBROOK/
HUBAND RD **Carried**
3720-20

- RECESS Moved by Presley and seconded by Harder that the meeting now
recess at 4:59 p.m. to conduct the Public Hearing in relation to Bylaw 2406.
Carried

The meeting reconvened at 5:11 p.m.

6.00 RESOLUTIONS OF COUNCIL

- .01** Moved by Ahmed and seconded by Presley that under the provisions
INCAMERA MTG of Section 90 (1)(g) of the *Community Charter*, notice is hereby given that a
Special In-Camera meeting closed to the public, will held April 18, 2005 at
the conclusion of the Regular Council meeting.
Carried

7.00 UNFINISHED BUSINESS

.01
DVP NO. 0503
AFONSO
CONSTRUCTION
3090-20-0503

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0503, and there were none.

Moved by McRae and seconded by Jangula that Development Variance Permit No. 0503 be issued to Afonso Construction Ltd. to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required lot frontage from 20m to 19.15m as shown on Schedule No. 1 to accommodate a four lot subdivision at 2850 Piercy Avenue; and

That a covenant be placed on the subject property prior to the issuance of the variance restricting the permitted use to single residential dwelling only.

Carried

.02
DVP NO. 0504
SHOSTAK
3090-20-0504

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0504, and there were none.

Moved by Ahmed and seconded by Harder that Development Variance Permit No. 0504 be issued to Peter and Geraldine Shostak to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required front yard from 7.5m to 6.7m and the required rear yard from 9.14m to 8.45m as shown on Schedule Nos. 1 and 2 for property legally described as Lot 25, Block 72, Comox District, Plan VIP61374 at 3273 Kent Place.

Carried

8.00 BYLAWS

.01
BYLAW NO. 2412

Moved by Harder and seconded by Presley that “City of Courtenay Zoning Amendment Bylaw No. 2412, 2005” pass first and second reading.

Carried

.02
BYLAW NO. 2398

Moved by Presley and seconded by Harder that “Development Cost Charge Reserve Funds Expenditure Bylaw No. 2398, 2005” be finally passed and adopted.

Carried

.03
BYLAW NO. 2399

Moved by McRae and seconded by Presley that “Reserve Funds Expenditure Bylaw No. 2399, 2005” be finally passed and adopted.

Carried

.04 Moved by Harder and seconded by Presley that “2004 Annual
BYLAW NO. 2411 Financial Plan Amendment Bylaw No. 2411, 2005” be finally passed and
adopted.
Carried

**Councillor Presley declared a potential conflict of interest regarding
Bylaw No. 2406 due to a business relationship, and vacated Council
Chambers at 5:14 p.m.**

.05 Moved by McRae and seconded by Harder that “City of Courtenay
BYLAW NO. 2406 Zoning Amendment Bylaw No. 2406, 2005” pass third reading.
Carried

.06 Moved by McRae and seconded by Harder that “City of Courtenay
Zoning Amendment Bylaw No. 2406, 2005” be finally passed and adopted.
Carried

**Councillor Presley returned to Council Chambers and took his seat at
5:15 p.m.**

9.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR JANGULA Councillor Jangula reviewed the upcoming Canadian Cancer Society “Relay
for Life” to be held on June 10th and 11th, 2005 at the Vanier Track

COUNCILLOR AHMED Councillor Ahmed outlined his attendance at the following events:

- Annual General Meeting of the Boy’s and Girls Club
- Library Board meeting

COUNCILLOR MCRAE Councillor McRae outlined his attendance at the Youth Advisory
Committee meeting

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

- City Hall tour with grade 8 students from Courtenay Middle School
- Sod turning ceremony for the new joint Courtenay/Comox
skateboard park
- Comox Valley Committee and Sports Commission meetings
- Annual General Meeting of the Boys and Girls Club
- Minister Hagen’s office for cheques presentations for tsunami
preparedness (\$10,000) and joint skateboard park (\$88,000)
- Volunteer luncheon at the Filberg Centre

10.00 ADJOURNMENT

.01

Moved by Ahmed and seconded by Harder that the meeting now adjourn at 5:20 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 2nd day of May, 2005

Mayor