

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, May 16, 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
P. Crawford, Director of Planning Services
T. Manthey, Director of Financial Services
R. Wiwchar, Director of Community Services
G. Garbutt, Planner**

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

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

1.00 MINUTES

.01 Moved by McRae and seconded by Harder that the minutes of the Regular Council meeting held May 9, 2005 be adopted.
Carried

3.00 DELEGATIONS

Comox Valley Head Injury Society

Karen Waller, Ray Hyde and Daniel Huntley from the Comox Valley Head Injury Society made a presentation to Council, and requested a proclamation from the City. Mayor Winchester then proclaimed June 2005 as “Brain Injury Awareness Month” in the City of Courtenay.

RCMP Inspector Tom Gray

Inspector Gray, Officer in Charge of the Comox Valley RCMP Detachment introduced Staff Sergeant Derald Lewis. He also reviewed the 2004 crime statistics and the March/April 2005 Monthly Police Report as well as plans for the future including a new community committee to deal with crime issues.

Bill Katernchuck, Consulpro Inc. Rezoning Application No. 0415

Bill Kateranchuk briefly reviewed application No. 0415 to rezone property located at 40 Anderton Avenue, and advised Council that he would be available for any questions.

Councillor Presley declared a potential conflict of interest regarding the next delegation due to a business relationship, and vacated Council Chambers at 5:17 p.m.

Ian Whitehead, McElhanney Engineering, Rezoning Application No. 0503

Ian Whitehead made a PowerPoint presentation regarding application No. 0503 to rezone property located on Stewart Avenue and Piercy Avenue adjacent to the Comox Valley Parkway.

Councillor Presley returned to Council Chambers and took his seat at 4:31 p.m.

Blair Pettis, Arris Construction, Development Permit No. 0501

Blair Pettis reviewed Development Application No. 0501 for property located at 2787 1st Street, which includes a variance to allow 100% of the buildings to be 2 storeys.

Rick Jackson, Silverado Land Corp, Development Permit No. 0503

Rick Jackson and Graham Crocket reviewed the application for Development Permit No. 0503 for “The Lodge at Crown Isle”, a 10,378 square metre hotel and spa complex.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Harder and seconded by Phelps that the concept of a Frisbee Golf Course at Puntledge Park be accepted.
FRISBEE GOLF COURSE
6140-002
Carried

.02 Moved by McRae and seconded by Ahmed that Council seek the approval of the electors for “Community Futures Loan Authorization Bylaw No. 2405, 2005” through the alternative approval process;
COMMUNITY FUTURES LOAN BYLAW
6120-01
That Council establish elector response forms as attached to this report;
That Council determine 13,000 as the total number of electors to which the approval process applies; and
That Council establish the deadline for receiving responses for this alternative approval process as June 27, 2005 at 4:30 p.m.
Carried

Councillor Ahmed declared a potential conflict of interest regarding the next item due to a professional relationship, and vacated Council Chambers at 4:46 p.m.

.03

DEVELOPMENT
PERMIT NO. 0504
TOM LARSEN DESIGN
3090-20-0504

Moved by Presley and seconded by Jangula that the application from Tom Larsen Design Ltd for Development Permit No. 0504 to allow the construction of three commercial/residential buildings on Lot 8, District Lot 230, Comox District, Plan VIP57822, including landscape materials and installation valued at \$11,035.00 as outlined in Schedule Nos. 1-3 be approved; 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

Councillor Ahmed returned to Chambers and took his seat at 4:48 p.m.

.04

DEVELOPMENT
PERMIT NO. 0501
ARRIS CONST.
3060-20-0501

Moved by Harder and seconded by Phelps 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 June 13, 2005;

That subject to public input, Development Permit No. 0501 be issued to Arris Construction Ltd./RP Johnson Construction Ltd. to allow the construction of 16 single residential dwellings within a Bareland Strata Subdivision on Lot 5, DL155, Plan VIP75028 at 2787 1st Street, including landscape material and installation valued at \$25,170.00 as outlined in Schedule Nos. 1-4 including the following variance to the City of Courtenay Zoning Bylaw No. 1427, 1986;

- Section 8.3.29 Height of Buildings be relaxed to allow the number of dwelling units with a maximum height of 8m or 2 storeys be increased from 70% to 100%; 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 with Councillor Jangula opposed

Councillor Presley declared a potential conflict of interest regarding the next item due to a business relationship, and vacated Council Chambers at 4:52 p.m.

.05

ZONING AMENDMENT
448629 BC LTD
3360-20-0503

Moved by Ahmed and seconded by McRae that Council receive the staff report, which summarizes the result of a Public Information Meeting held April 21, 2005 and the applicant's response to neighbourhood concerns;

That Council consider an application to amend the City of Courtenay Zoning Bylaw No. 1427 and amendments thereto from "Rural One (RU-1) to Residential One Zone (R-1) and Public Use and Assembly Two Zone (PA-2) for the Rem. of Lot 1, DL231, Plan 2152 as outlined in Schedule Nos. 1 and 2 and that park dedication/fencing and noise attenuation buffer landscaping be secured by a Development Agreement prior to adoption; and

That a Public Hearing be held on June 20, 2005 at 5:00 p.m. in the City Hall Council Chambers in relation to Bylaw No. 2401.

Carried

Councillor Presley returned to Chambers and took his seat at 4:54 p.m.

.06

ZONING AMENDMENT
CONSULPRO INC
3360-20-0415

Moved by McRae and seconded by Phelps that Council approve the application from Consulpro Inc. to amend the City of Courtenay Zoning Bylaw No. 1427 from Public Use and Assembly One (PA-1) Zone to Residential Four (R-4) Zone and Public Use and Assembly Two (PA-2) Zone for the properties legally described as Lot 7, Section 61, Comox District, Plan 4308 Except That Part in Plan 18861 and 51091 at 40 Anderton Avenue to allow for construction of a 96 unit multi-residential development as outlined in Schedule Nos. 1-8;

That City of Courtenay Zoning Amendment Bylaw No. 2418, 2005 proceed to 1st and 2nd readings; and

That a Public Hearing be held on June 13, 2005 at 5:00 p.m. in City Hall Council Chambers in relation to Bylaw No. 2418.

Carried

.07

DEVELOPMENT
PERMIT NO. 0503
SILVERADO LAND
CORP
306-20-0503

Moved by Harder and seconded by Presley that the application from Silverado Land Corp. for Development Permit No. 0503 to allow the construction of a four storey, 10,378m² Hotel and Spa Complex on Lot A, Block 72, Comox District, Plan VIP68539, including landscape materials and installation valued at \$77,440.00 as outlined in Schedule Nos. 1-4 be approved; 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

.08

RECESS

Moved by Harder and seconded by Presley that the meeting now recess at 4:56 p.m. to conduct the Public Hearing regarding Bylaw No. 2313 and Bylaw No. 2314.

The meeting reconvened at 6:04 p.m.

.09

SUB SERVICING
AGREE
R & H DEV LTD
3320-20-04439

Moved by McRae and seconded by Presley that Council approve the Subdivision Servicing Agreement for the subdivision of Lot 6, District Lot 158, Comox District, Plan 1911, Except Part in Plan 47906;

That the required security be provided to the City prior to subdivision approval; and

That the Mayor and Clerk be authorized to sign all documentation relating to this development.

Carried

.10

LACK OF YELLOW
LINES 750 COMOX
AVE
5460-04

Moved by Ahmed and seconded by Harder that the letter from Finkelstein Associates concerning the lack of yellow curb lines be received for information.

Carried

.11

VISUALLY IMPAIRED
SAFETY ISSUES
5460-03

Moved by Ahmed and seconded by Harder that the report from the Operational Services Department be received, and that the Comox Valley Accessibility Committee is advised of the responses to the questions raised; and

That the Operational Services Department establish a semi-annual meeting schedule with the Comox Valley Accessibility Committee to discuss areas of common interest.

Carried

.01
JOHN WATSON TOP
EDO
250-20

Moved by Harder and seconded by McRae that editorial in the Business Vancouver Island publication concerning John Watson being named B.C.'s top Economic Development Officer be received for information.

Carried

.02
POLICE REPORT
7550-01

Moved by Presley and seconded by Ahmed that the Police Report for March/April 2005 be received for information.

Carried

.03
CRA MINUTES
250-20

Moved by McRae and seconded by Phelps that the CRA Advisory Board meeting minutes of May 5, 2005 be received for information.

Carried

9.00 NEW BUSINESS

.01
LTR FR BARRY
MINAKER
RESTRUCTURE
PROCESS
3720-01

Moved by McRae and seconded by Phelps that the invitation from Director Minaker regarding a restructure process meeting be received.

Carried

Moved by Presley and seconded by Phelps that the City contact the Regional District to determine whether the proposed meeting would be open to the public; and

That the details of the proposed process be provided to the City prior to the meeting.

Carried

.02
FILM COMMISSION
LTR OF SUPPORT
400-02

Moved by Ahmed and seconded by Harder that Council supports the request from the Island North Film Commission to close a portion of the Inland Island Highway in order to film the TV Series "The Dead Zone".

Carried

10.00 BYLAWS

Councillor Presley declared a potential conflict of interest regarding the next item due to a business relationship, and vacated Council Chambers at 6:19 p.m.

.01
BYLAW NO. 2401

Moved by Harder and seconded by McRae that “City of Courtenay Zoning Amendment Bylaw No. 2401, 2005” pass first and second reading.
Carried

Councillor Presley returned to Chambers and took his seat at 6:20 p.m.

.02
BYLAW NO. 2418

Moved by Harder and seconded by Phelps that “City of Courtenay Zoning Amendment Bylaw No. 2418, 2005” pass first and second reading.
Carried

.03
BYLAW NO. 2396

Moved by McRae and seconded by Presley that “Special Events Regulation Bylaw No. 2396, 2005” pass first, second and third reading.
Carried

11.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR JANGULA	Councillor Jangula outlined his attendance at the plaque dedications for two historic churches in Courtenay
COUNCILLOR AHMED	Councillor Ahmed outlined his attendance at the following events: <ul style="list-style-type: none">➤ 60th Anniversary of V.E. Day in Cumberland on behalf of Mayor Winchester➤ Mandala Sand Painting by the Tibetan Monks at the Sid Williams Theatre
COUNCILLOR MCRAE	Councillor McRae outlined his attendance at the following events on behalf of Mayor Winchester: <ul style="list-style-type: none">➤ Flag raising at City Hall for the Ladies of the Royal Purple➤ V.E. Day remembrance banquet at the Legion
COUNCILLOR PHELPS	Councillor Phelps outlined his attendance at the Open Houses at Sprott Shaw Community College
MAYOR WINCHESTER	Mayor Winchester expressed her appreciation to Council and staff for their assistance during her absence due to a family illness

12.00 ADJOURNMENT

.01

Moved by Harder and seconded by Jangula that the meeting now adjourn at 6:25 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 13th day of June, 2005

Mayor