

**R21/2005 – September 12, 2005**

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, September 12, 2005 at 4:00 p.m.**

**Attending:**

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

**Councillors: N. A. Ahmed**

**J. L. Harder**

**L. V. Jangula at 4:11 p.m.**

**D. S. McRae**

**G. T. Phelps**

**J. M. Presley**

**Staff:**

**S. T. Gray, Administrator**

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

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

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

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

**Ian Farquharson, Deputy Municipal Engineer**

**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 September 6, 2005 be adopted.

**Carried**

**4.00 COMMITTEE/STAFF REPORTS**

**.01**

DVP NO. 514/515  
PROTECH CONST  
3060-20-0514/0515

Moved by Presley seconded by Harder 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 October 3, 2005;

That subject to public input, Development Permit Nos. 0514 and 0515 be issued to Protect Construction Ltd. to allow the construction of a two storey 8 unit multi residential building on Lot G, Section 17, Comox District, Plan VIP57048 and a three storey 8 unit multi residential building at Alderwood Place, including landscape materials and installation valued at \$52,800.00 including the following variances to the City of Courtenay Zoning Bylaw No. 1427, 1986;

- Section 8.3.6 Yards (3) be relaxed to reduce the required side yard from 6m, for the 2<sup>nd</sup> storey to 4.5m on Lot H
- Section 8.3.6 Yards (3) be relaxed to reduce the required side yard from 6m, for the 2<sup>nd</sup> storey and 7.5m for the 3<sup>rd</sup> storey to a minimum of 4.5m on Lot G; 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**

**.02**  
ZONING & OCP  
AMEND  
HAROLD LONG  
EVANGELICAL FREE  
CHURCH  
3360-20-0501/0511

Moved by McRae and seconded by Presley that Council approve amendments to Official Community Plan Bylaw No. 2387, 2005 to designate a portion of Lot A, District Lot 158, Comox District, Plan VIP53738 from Urban Residential to Public/Institutional Use as outlined in Schedule No. 1;

That Council approve amendments to the City of Courtenay Zoning Bylaw No. 1427, 1986 to:

- Rezone a portion of Lot A, District Lot 158, Comox District, Plan VIP53738 and Lot 1, District Lot 158, Comox District, Plan 47906 from Residential 1C (R-1C) Zone to Residential 1B (R-1B) Zone; and
- Rezone Lot D, District Lot 158, Comox District, Plan 23207 from Residential 1C (R-1C) Zone to Residential 1 (R-1) Zone as outlined in Schedule No. 2
- to create Comprehensive Development 10 (CD-10) Zone to accommodate a 450 seat church and to rezone a portion of Lot A, District Lot 158, Comox District, Plan VIP53738 from Residential 1C (R-1C) Zone to Comprehensive Development 10 (CD-10) Zone as outlined in Schedule Nos. 2 and 3

That Official Community Plan Amendment Bylaw No. 2431, 2005 and City of Courtenay Amendment Bylaw No. 2432, 2005 proceed to 1<sup>st</sup> and 2<sup>nd</sup> reading;

That a Public Hearing be held on October 11, 2005 at 5:00 p.m. in the City Hall Council Chambers in relation to Bylaw Nos. 2431 and 2432; and

Prior to the adoption of City of Courtenay Zoning Amendment Bylaw No. 2432, that the application enter into a covenant requiring a Development Permit for the future construction of the proposed church.

**Carried**

**.03**  
2006 TAX  
EXEMPTIONS  
1960-20

Moved by Ahmed and seconded by Presley that Council consider the proposed “Tax Exemption 2006 Bylaw No. 2433” and “Churches 2006 Tax Exemption Bylaw No. 2434”; and

That statutory notice of the proposed permissive exemption bylaws pursuant to Section 227 of the *Community Charter* be published for two consecutive weeks prior to final adoption of the bylaws.

**Carried**

**.04**  
NAMING THE LERWICK  
CONNECTOR  
5450-01

Moved by Harder and seconded by Presley that the section of the Lerwick Road Extension between Highway 19A and Mission road be named “Veterans Memorial Parkway”.

**Carried**

**R21/2005 – September 12, 2005**

**.05** Moved by Presley and seconded by Ahmed that any decision to  
PETITION TO CLOSE close 20<sup>th</sup> Street at its intersection with Cumberland Road be delayed until  
20<sup>TH</sup> STREET the City Traffic Study is completed.  
5400-01 **Carried**

**.06** Moved by McRae and seconded by Ahmed that the three year  
TAYCO PAVING contract between the City of Courtenay and Tayco Paving Company which  
CONTRACT terminates on December 31, 2005 be extended for a further three years until  
5400-10 December 31, 2008.  
2320-20 **Carried**

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01** Moved by Harder and seconded by McRae that the Fire Report for  
FIRE REPORT August 2005 be received for information.  
650-20 **Carried**

**6.00 RESOLUTIONS OF COUNCIL**

**.01** Moved by Ahmed and seconded by Phelps that under the provisions  
INCAMERA 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 September 12,  
2005 at the conclusion of the Regular Council Meeting.  
**Carried**

**.02**

GAMING FUNDS

Moved by Ahmed and seconded by McRae that

WHEREAS the City of Courtenay on October 14, 2004 approved the use slot machines;

AND WHEREAS the Province of British Columbia has agreed to provide the City with 10% of the gross revenues from gaming, on an annual basis (estimated to be \$200,000 to \$500,000 per year);

AND WHEREAS it is recognized that there are some negative impacts on the social fabric of community as a result of gaming;

AND WHEREAS the provision of gaming funding is a new source of revenue for the City;

NOW THEREFORE BE IT RESOLVED that the City of Courtenay establish a policy for the expenditure of the gaming funds which focuses on projects in the recreation, parks, cultural, and social development areas of the City of Courtenay.

MOTION TO  
POSTPONE

Moved by Phelps and seconded by Harder that the gaming funds resolution be postponed pending the receipt of a staff report.

**Carried**

## **9.00 NEW BUSINESS**

**.01**

E&N RAILWAY PEST  
MANAGEMENT  
5280-05  
8550-02

Moved by Presley and seconded by Harder that the letter from Streamline Environmental Consulting Ltd regarding notification of a draft Pest Management Plan to control vegetation along the E & N Railway be received for information.

**Carried**

Moved by Ahmed and seconded by Presley that Council opposes any use of chemical sprays to control vegetation along the E & N Railroad within the boundary of the City of Courtenay and strongly encourages the E & N Railway Company to develop a pest management plan which controls vegetation through cutting and mowing.

**Carried**

## **10.00 BYLAWS**

**.01**

CHURCHES TAX  
EXEMPTION  
BYLAW NO. 2434

Moved by Harder and seconded by Presley that “Churches 2006 Tax Exemption Bylaw No. 2434, 2005” pass first, second and third reading.

**Carried**

**R21/2005 – September 12, 2005**

**.02** Moved by McRae and seconded by Presley that “Tax Exemption  
TAX EXEMPTION 2006 Bylaw No. 2433, 2005” pass first, second and third reading.  
NO.2433 **Carried**

**.03** Moved by Harder and seconded by Presley that “Official  
OCP AMENDMENT Community Plan Amendment Bylaw No. 2431, 2005” pass first and second  
BYLAW NO. 2431 reading.  
**Carried**

**.04** Moved by Presley and seconded by McRae that “City of Courtenay  
ZONING AMEND Zoning Amendment Bylaw No. 2432, 2005” pass first and second reading.  
BYLAW NO. 2432 **Carried**

**11.00 COUNCIL MEMBER ROUNDTABLE**

COUNCILLOR PHELPS Councillor Phelps reviewed his attendance at the following events:  
➤ National Ovarian Cancer Association Walk of Hope  
➤ 10<sup>th</sup> Anniversary of the Wachiay Friendship Centre Society

Councillor Phelps reviewed the upcoming Forum on Affordable Housing to be Held September 22, 2005

COUNCILLOR AHMED Councillor Ahmed reviewed his attendance at the Pacific Salmon Foundation Fundraiser

COUNCILLOR MCRAE Councillor McRae reviewed his attendance at the following events:  
➤ Pacific Salmon Foundation Fundraiser  
➤ Kidsfest at the Lewis Centre.

Councillor McRae suggested that a letter of appreciation be forwarded to the organizers of Kidsfest

COUNCILLOR PRESLEY Councillor Ahmed reviewed his attendance at the Pacific Salmon Foundation Fundraiser

COUNCILLOR HARDER Councillor Harder reviewed her attendance at the Wakeboard Festival held at Comox Lake

MAYOR WINCHESTER Mayor Winchester reviewed her attendance at the following events:  
➤ Comox Valley Sports Commission and Comox Valley Committee meetings  
➤ 10<sup>th</sup> Anniversary of the Wachiay Friendship Centre Society  
➤ Pacific Salmon Foundation Fundraiser  
➤ Kidsfest at the Lewis Centre  
➤ National Ovarian Cancer Association Walk of Hope, where approximately \$25,000 was raised

**12.00 ADJOURNMENT**

**.01**

Moved by Phelps and seconded by Ahmed that the meeting now adjourn at 5:36 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 19<sup>th</sup> day of September, 2005**

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**Mayor**