

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay BC, on Monday, March 8, 2004 at 4:00 p.m.

Attending:

Mayor: S. L. Winchester

**Councillors: N A. Ahmed
L. V. Jangula
D. S. McRae
J. M. Presley**

Staff:

**S.T. Gray, Administrator
J. Ward, City Clerk
D. Slobodan, Director of Development Services
K. Lagan, Director of Operational Services
T. Manthey, Director of Financial Services
R. Wiwchar, Director of Community Services
P. Crawford, Senior Planner
G. Garbutt, Planner**

1.00 MINUTES

.01

Moved by Ahmed and seconded by Presley that the minutes of the Regular Council meeting held February 9, 2004 and Special Council meeting held March 1, 2004 be adopted.

Carried

2.00 DELEGATIONS

Rick Jackson – Silverado Land Corp.

Rick Jackson outlined the application from Silverado Land Corp. for Development Variance Permit No. 0405 to allow a reduction in the front and rear yard setbacks for lots 1-22 in Block 72, and to allow the construction of Idiens Way as a dead-end roadway longer than 154.4 metres and not having a direct sightline.

3.00 NEW BUSINESS

.01

**COURTENAY
RECREATIONAL
ASSOCIATION
0250-20**

Moved by McRae and seconded by Ahmed that the report from the Director of Community Services regarding the Courtenay Recreational Association (CRA) Board of Directors be received as information.

Carried

.02

**NEW OUTDOOR PATIO
COAST WESTERLY
HOTEL
4320-20**

Moved by Presley and seconded by Jangula that Council adopt the following resolution regarding the Coast Westerly Hotel application for a new outdoor patio:

Be it resolved that the Council of the City of Courtenay recommends approval of the new outdoor patio at the Coast Westerly Hotel for the

following reasons:

- (a) The outdoor patio would not have a negative impact on the community as it does not involve later operating hours, and is located in an appropriate business area; and*
- (b) No submissions were received from the public regarding the application.*

Council's comments on the prescribed considerations are as follows:

- (a) If the Coast Westerly Hotel application were approved, it would not result in an increase of noise in the area;*
- (b) If the application were approved, it would not have a negative impact on the community; and*
- (c) In order to gather the views of the residents, the City of Courtenay published a notice in 2 consecutive issues of a local newspaper outlining the Coast Westerly Hotel application and accepting written submissions concerning the application up to February 24, 2004. No submissions were received.*

Carried

.03

PARKLAND
EXCHANGE BYLAW
NO. 2307
6120-01

Moved by Ahmed and seconded by Presley that Parkland Exchange Bylaw No. 2307, 2004 proceed to final adoption.

Carried

.04

BILL FISHER AND
DAVE SLOBODAN
NEW ART GALLERY

Bill Fisher outlined the status of the Art Gallery project at the old Fire Hall. He reviewed the scope of the project, the Federal/Provincial Infrastructure Grant approved in the amount of \$800,000. Mr. Fisher also outlined some recent changes to the plans for the outside of the building including a shingled mansard roof.

Dave Slobodan reviewed the original project cost of \$1.2 million, and the current projected cost. There has been an increase of 15% in basic construction costs since the original proposal, and the proposed new visual changes to the outside of the building will cost approximately \$71,000. Dave also reviewed that staff would like to install fire sprinklers in the building at a cost of \$46,000, elevator work in the amount of \$57,000, roof work in the amount of \$56,000 for a total projected cost of \$1.6 million, subject to Council approval.

Moved by Jangula and seconded by Presley that a request for financial contribution towards the Art Gallery project be forwarded to the Regional District, Village of Cumberland, and Town of Comox;

That a presentation be made to the Regional District Comox Valley Committee regarding the Art Gallery project; and

That the proposed budget for the project be referred to a future Council meeting for consideration.

Carried

.05

DEVELOPMENT
PERMIT NO. 0401
FIRST COURTSIDE
DEVELOPMENTS
3060-20-0401

Moved by McRae and seconded by Ahmed that the application from First Courtside Developments Limited for Development Permit No. 0401 to allow the construction of a commercial building at 3267 Cliffe Avenue, generally in accordance with “Application for Development Permit”, dated January 24, 2004, with revisions up to and including February 25, 2004, including landscape materials, irrigation and installation valued at \$2269.25 be approved and, further, 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

.06

APPLICATION TO
AMEND THE ZONING
BYLAW – AUCTION
CENTRE
3360-20-0402

Moved by Ahmed and seconded by Presley that Council approve the application from Doris Brokest to amend the City of Courtenay Zoning Bylaw to add Auction Centre as a permitted use within the Commercial Two Zone (C-2) to a maximum floor area of 185 m² for a property at 1755-13th Street;

That City of Courtenay Zoning Amendment Bylaw No. 2335, 2004 proceed to 1st and 2nd readings; and

That a public hearing be held on April 13, 2004 at 5:00 pm in the Conference Hall of the Florence Filberg Centre in relation to Bylaw No. 2335, 2004.

Carried

.07

PROPOSED
BOUNDARY
EXTENSION
MEADOWBROOK/
HUBAND ROAD
3720-20-0403

Moved by Presley and seconded by Jangula that Council request a meeting with the Murray Coell, Minister of Community, Aboriginal and Women’s Services, as soon as possible to discuss the proposed boundary extension and financial assistance of the Meadowbrook/Huband area.

Carried

.08

APPLICATION
FOR DEVELOPMENT
VARIANCE PERMIT
NO. 0405
3090-20-0405

Moved by Presley and seconded by Ahmed that notice be given to the adjacent property owners of the proposed development variance outlined below and that the application be returned to Council at a meeting on April 5, 2004; and

That subject to public input, Development Variance Permit No. 0405 be issued to Silverado Land Corp.

to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the front yard setback from 7.5 m to 6 m and to reduce the rear yard setback from 9.14 m to 7.5 m for single residential dwellings only on lots greater than or equal to 550 m² and

to provide relief from the City of Courtenay Subdivision Control Bylaw No. 1401, 1986 and amendments thereto, to allow construction of Idiens Way as a dead-end roadway that is longer than 152.4 metres in length and not having a direct sightline

for proposed Lots 1 - 22, Block 72, Comox District, Plan VIP----- as outlined in Schedule No. 1 attached.

Carried

.09

NEW SANITARY
SEWER PROJECTS IN
ANNEXED AREAS
5340-01

Moved by Jangula and seconded by Presley that the report from the Director of Operational Services on new sanitary sewers in annexed areas, advising that tenders will be issued during this month for the Copperfield Road Sanitary Sewer and Sanitary Sewers in the Muir Road and Dingwall Road areas totalling approximately \$1.6 million be received for information.

Carried

.10

PROPOSED
SUBDIVISION OF
PART OF LOT C,
BLOCK 72, COMOX
DISTRICT, PLAN
VIP74891
3320-20-03377

Moved by McRae and seconded by Ahmed that Council approve the Subdivision Servicing Agreement for the subdivision of Part of Lot C, Block 72, Comox District, Plan VIP74891;

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

.11

STOP SIGN PETITION
6TH STREET EAST AND
EVERGREEN AVE
5460-06

Moved by Jangula and seconded by Presley that the report from the Director of Operational Services regarding the petition for stop signs at the 6th Street East and Evergreen Avenue intersection be received for information.

Carried

.12
SNOW & ICE
CONTROL POLICY
NO.5400.00.02
SIDEWALK SNOW
PLOW ROUTES
5400-11

Moved by Ahmed and seconded by McRae that Council receive the report from the Director of Operational Services; and

That the Sidewalk Snow Plow Route Map be incorporated into the Snow and Ice Control Policy No. 5400.00.02 under the ‘Sidewalk Snow Plowing’ section.

Carried

.13
REFERRAL FROM
COMOX VALLEY
COMMITTEE RE:
RECREATIONAL
GRANT SERVICE
0470-20-RDCS

Moved by Presley and seconded by McRae that Regional District Electoral Area ‘A’ Director Murray be requested to make a presentation to Council regarding the Royston Community Club request for a grant to close a portion of Warren Road and construct a road on the undeveloped section of Hyland Road; and

That the request be referred to a subsequent meeting of Council for consideration.

Carried

.14
PARCEL TAX REVIEW
2004
1950-02

Moved by Ahmed and seconded by Presley that Council establish the time and place for the sitting of the Parcel Tax Review Panel as Wednesday, April 28, 2004, at 3:30 pm in the Council Chambers.

Carried

.15
FINANCE DIVISION
ACTIVITY REPORT
JANUARY 2004
650-20

Moved by McRae and seconded by Presley that the Finance Division Activity Report for January 2004 be received for information.

Carried

.16
FINANCE DIVISION
ACTIVITY REPORT
FEBRUARY 2004
650-20

Moved by Presley and seconded by McRae that the Finance Division Activity Report for February 2004 be received for information.

Carried

4.00 BYLAWS

.01
BYLAW NO. 2334

Moved by Ahmed and seconded by Jangula that “City of Courtenay Official Community Plan Amendment Bylaw No. 2334, 2004”, pass first and second reading.

Carried

Moved by Ahmed and seconded by Presley that a Public Hearing be held on April 13, 2004 at 5:00 p.m. at the Florence Filberg Centre in relation to “City of Courtenay Official Community Plan Bylaw No. 2334, 2004”.

Carried

R3/2004 – March 8, 2004

.02 Moved by McRae and seconded by Presley that “Procedure Bylaw
BYLAW NO. 2284 No. 2284, 2004” be finally passed and adopted.
Carried

.03 Moved by Presley and seconded by Ahmed that “Parkland Exchange
BYLAW NO. 2307 Bylaw No. 2307, 2003” be finally passed and adopted.
Carried

RECESS Moved by Presley and seconded by Jangula that the meeting now
recess at 4:58 p.m. to conduct the Public Hearing scheduled for 5:00 p.m.
Carried

The meeting reconvened at 5:30 p.m.

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Ahmed and seconded by Presley that the letter from John
OLYMPIC TRAINING Les, Minister of Small Business and Economic Development regarding the
CENTRE AT MOUNT Olympic Training Centre at Mount Washington Alpine Resort be received
WASHINGTON ALPINE for information.
RESORT **Carried**

.02 Moved by McRae and seconded by Presley that the letter from the
SMALL CRAFT Minister of Environment regarding small craft weather warnings be
WEATHER WARNINGS received for information.
Carried

.03 Moved by Presley and seconded by McRae that the letter of
LETTER OF appreciation from area residents regarding the E & N property be received
APPRECIATION for information.
Carried

.04 Moved by Presley and seconded by Ahmed that the Regional
REGIONAL DISTRICT District Board Meeting Minutes of February 23, 2004 be received for
MINUTES information.
Carried

6.00 BYLAWS FOR CONSIDERATION AFTER PUBLIC HEARING

.01 Moved by Ahmed and seconded by Jangula that “City of Courtenay
BYLAW NO. 2328 Zoning Amendment Bylaw No. 2328, 2004” pass third reading.
Carried

Councillor Ahmed declared a potential conflict of interest regarding the next bylaw due to Solicitor/Client relationship and vacated Council Chambers at 5:32 p.m.

.02
BYLAW NO. 2331

Moved by McRae and seconded by Presley that “City of Courtenay Official Community Plan Amendment Bylaw No. 2331, 2004” pass third reading.
Carried

Moved by McRae and seconded by Presley that “City of Courtenay Official Community Plan Amendment Bylaw No. 2331, 2004” be finally passed and adopted.
Carried

Councillor Ahmed returned to Chambers and took his seat at 5:33 p.m.

.03
BYLAW NO. 2332

Moved by Presley and seconded by Ahmed that “City of Courtenay Zoning Amendment Bylaw No. 2332, 2004” pass third reading.
Carried

Moved by Presley and seconded by McRae that “City of Courtenay Zoning Amendment Bylaw No. 2332, 2004” be finally passed and adopted.
Carried

7.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR MCRAE Councillor McRae reviewed his attendance at the following events:
➤ United Way Annual General Meeting
➤ Meeting with Prime Minister Martin

COUNCILLOR AHMED Councillor Ahmed reviewed his attendance at the following events:
➤ Cantiamo Choir Fundraiser for a trip to Edmonton and Russia next year
➤ Downtown Courtenay Business Improvement Area meeting
➤ BC Economic Development Society Oil and Gas Seminar

COUNCILLOR JANGULA Councillor Jangula reviewed his attendance at the Special Olympics presentation in Comox.

COUNCILLOR PRESLEY Councillor Presley reviewed his attendance at the following events:
➤ Comox Valley Economic Development Society Trade and Export Seminar
➤ BC Economic Development Society Oil and Gas Seminar
➤ Meeting with Prime Minister Martin
➤ Courtenay Rotary Club Auction

- MAYOR WINCHESTER Mayor Winchester reviewed her attendance at the following events:
- Meeting with Ministry of Highways and Emcon Services regarding winter maintenance
 - Canadian Daughters Luncheon
 - Comox Valley Sign Committee meeting
 - Meeting with Prime Minister Martin
 - Guest speaker at CFB Comox dinner
 - Red Cross flag raising
 - Meeting of the north island Mayors with Forest Minister de Jong

8.00 ADJOURNMENT

01 Moved by Presley and seconded by McRae that the meeting now adjourn at 5:45 p.m.
Carried

CERTIFIED CORRECT

Clerk

Adopted this 15th day of March, 2004

Mayor