

R24/2006 – October 2, 2006

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, October 2, 2006 at 4:00 p.m.

Attending:

Mayor: S. L. Winchester
Councillors: L. V. Jangula
R-R. Leonard
D. S. McRae
G.T. Phelps
J. M. Presley
M. Theos

Staff:

S. Gray, Administrator
J. Ward, Manager of Corporate Administration
K. Lagan, Director of Operational Services
D. Slobodan, Director of Regulatory and Property Services
T. Manthey, Director of Financial Services
P. Crawford, Director of Planning Services
R. Wiwchar, Director of Community Services
I. Farquharson, Deputy Municipal Engineer

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

1.00 MINUTES

.01 Moved by Presley and seconded by McRae that the minutes of the regular Council meeting held September 18, 2006 be adopted.
Carried

2.00 INTRODUCTION OF LATE ITEMS

Mayor Winchester approved the addition of two late items to the agenda.

3.00 DELEGATIONS

Sid Williams Theatre Society

Marlene Oolo, President of the Sid Williams Theatre Society, made a presentation regarding the operation and activities of the Theatre over the past year. Dove Hendren and Theatre Manager Deb Renz were also in attendance.

John Watson, Economic Development Officer

John Watson provided an update regarding the proposed Discovery Centre project, which is planned for the Trilogy property located on the Inland Island Highway.

Mayor Winchester made an announcement that₁ the Comox Valley Economic Development

Office won a National Marketing Award from the Economic Development Association of Canada for a brochure designed to promote the heritage driving tour. She also announced that Comox Valley Economic Development has secured \$85,000 in funding from the Coast Sustainability Trust to be used for the creation of unique historic walking routes under the Heritage Experience project.

4.00 COMMITTEE/STAFF REPORTS

01 Moved by McRae and seconded by Presley that the Committee of
CANCEL MEETING the Whole meeting scheduled for October 25, 2006 be cancelled.
570-01 **Carried**

.02 Moved by Presley and seconded by Phelps that the application from
DP NO. 0610 Muchalat Construction for Development Permit No. 0610 to allow the
MUCHALAT construction of a 3757m² 22 unit multi-residential at 3666 Royal Vista Way,
CONSTRUCTION including landscape materials, irrigation, fencing and installation valued at
3060-20-0610 \$52,600, be approved as outlined in Schedule Nos. 1-3; 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

.03 Moved by McRae and seconded by Theos that notice be given to the
DVP NO. 0627 adjacent property owners of the proposed development variance outlined
DOWKER/MOOSE below and that the application be returned to Council at a meeting on
3090-20-0627 October 16, 2006; and

That subject to public input, Development Variance Permit No. 0627 be issued to Deborah Dowker and Marcel Moose to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to increase the mean height from 4.68m to 5.60m to allow the construction of a 11.13m by 7.62m single residential dwelling as detailed in Schedule Nos. 1-2, for the property legally described as Lot 1, District Lot 127, Comox District, Plan VIP79599 on 5th Street.

Carried

.04 Moved by Theos and seconded by Phelps that notice be given to the
DVP NO. 0628 adjacent property owners of the proposed development variance outlined
A.H. WINTER & SON below and that the application be returned to Council at a meeting on
3090-20-0628 October 16, 2006; and

That subject to public input, Development Variance Permit No. 0628 be issued to A.H. Winter & Son Construction Ltd. to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the frontage from 30m to 15m to allow subdivision of the property, as detailed in Schedule No. 1, for the property legally described as Strata Lots 1-12, Section 17, Comox District, Strata Plan VIS3658 at 4693 Muir Road.

Carried

.05
CITY OWNED PROP
2485 IDIENS WAY
3360-20-0615

Moved by Leonard and seconded by Jangula that Council approve amendments to the Official Community Plan from “Public/Institutional uses” to “Multi Residential” and adding “Multi Residential Use Development Permit Guidelines and amendments to the City of Courtenay Zoning Bylaw by adding a “Comprehensive Development Sixteen Zone” (CD-16) and a rezoning from “Public Use and Assembly One Zone (PA-1) to CD-16 for 2485 Idiens Way;

That the Official Community Plan Amendment Bylaw No. 2481, 2006 and City of Courtenay Zoning Amendment Bylaw No. 2482, 2006 proceed to 1st and 2nd reading; and

That a Public Hearing be held on October 16, 2006 at 5:00 p.m. in the City Hall Council Chambers in relation to Bylaw Nos. 2481 and 2482.

Carried

.06
AGRICULTURAL
ADVISORY
COMMITTEE
550-20

Moved by Phelps and seconded by Leonard that Council appoint the following seven community members to the Agricultural Advisory Committee:

Andrea Burch, John Grayson, George Hamilton, Niels Holbek, Sandra Mark, Gerry McClintock and Wendy Prothero.

Carried

.07
TRAFFIC CALMING ON
MCLAUCHLIN DR
360-20-GVTC

Moved by Jangula and seconded by Leonard that Council receive the status report on the Glacier View Traffic Calming Group.

Carried

.08
PUNTLEDGE PK
TRAFFIC CALMING
360-20-PPTC

Moved by Presley and seconded by Leonard that Council receive the Puntledge Park Neighbourhood Traffic Calming Report and approve the recommendations for implementation.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
LIBRARY OPERATING
GRANT
7960-02

Moved by Presley and seconded by McRae that the response from Shirley Bond, Minister of Education regarding VIRL’s request for an increase Library Operating Grants be received for information.

Carried

.02
LTR FROM CAMPBELL
RIVER RE: ZERO
CRASH MONTH
470

Moved by Theos and seconded by Leonard that the letter from City of Campbell River accepting Courtenay’s challenge to participate in the ICBC Zero Crash Month Challenge be received for information.

Carried

.03 Moved by McRae and seconded by Jangula that the CRA Advisory Board meeting minutes of September 7, 2006 be received for information.
CRA BOARD MINUTES 250-20
Carried

.04 Moved by Phelps and seconded by McRae that the letters from the CRA and DCBIA congratulating the City on flowers and plantings be received for information.
LTRS OF APPREICATION
Carried

6.00 RESOLUTIONS OF COUNCIL

.01 Moved by Jangula and seconded by Presley that under the provisions of Section 90(1)(a) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held October 2, 2006 at the conclusion of the Regular Council meeting.
INCAMERA MTG
Carried

7.00 UNFINISHED BUSINESS

.01 Moved by Jangula and seconded by Phelps that Council approve the application from Banco Investment Corp. to convert an existing 24 unit townhouse complex into a strata titled complex pursuant to section 242 of the Strata Property Act; and
STRATA CONVERSION 1560-13TH STR
BANCO INVEST CORP 3300-20

That when the required construction upgrades are completed and approved and a covenant placed on the property to prevent the removal of rental units up to 5 years, the Mayor and Manager of Corporate Administration be authorized to sign the mylars.

Carried with Councillors Leonard, McRae and Theos opposed

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0624.

Malinda and Wayne Gionet of 528 3rd Street expressed their opposition to DVP 0624, stating that the proposed deck is larger than they are comfortable with, and that it would be too close to their property on the west side. They also expressed concerns regarding access for fire fighting since the deck would be three feet from their property.

Andrew Clarke, the applicant stated that he appreciated the concerns of the neighbours at 528 3rd Street; however he felt there wouldn't be access problems for fire fighting, and he intends to build a fence between the two properties in the future. He also apologized for starting construction without a permit, and stated he would like to get going on the construction since he is going away to school in one month.

.02
DVP NO. 0624
CLARKE/SANGLAND
3090-20-0624

Moved by Presley and seconded by Theos that Development Variance Permit No. 0624 be issued to Andrew Clarke and Susan Sandland to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the front yard setback from 7.5m to 3.77m, reduce the west side yard setback from 1.5m to 1.18m and reduce the total side yard setback from 4.5m to 3.41m to allow the addition of an unenclosed deck, as detailed in Schedule Nos. 1-2, for the property legally described as Lot 4, Section 61, Comox District, Plan 472 at 512-3rd Street.
Defeated Unanimously

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0619.

Mr. Guenther, the applicant stated that he has reviewed the input from the public, and most of the concerns relate to minor bylaw issues and not the proposed deck size. He stated that the homeowner has a large motor home on the property and it is not being used as an extension of the house. Mr. Guenther also stated that the actual deck will not come out more than ten feet, and that the homeowner intends to plant screening along the property line.

.03
DVP NO. 0619
MCMULLEN
3090-20-0619

Moved by McRae and seconded by Presley that Development Variance Permit No. 0619 be issued to Kimberly McMullen to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the front yard setback from 7.5m to 4.94m, reduce the side yard setback from 4.5m to 4.21m and reduce the total side yard from 4.5m to 4.21m to allow the addition of an unenclosed deck, as detailed in Schedule Nos. 1-2, for the property legally described as Lot 1, Block 15, Section 69, Plan 480B at 708-12th Street.
Defeated Unanimously

9.00 NEW BUSINESS

.01
FENCING

Councillor McRae requested that staff prepare a report to Council regarding the issue of property fencing construction and maintenance standards in the City.

.02
YELLOW RIBBON
CAMPAIGN

Mayor Winchester reviewed a request from Mac McCaffrey for the City to tie a yellow ribbon around the flagpole at City Hall in honour of the military personnel serving overseas.

Moved by Phelps and seconded by Presley that a yellow ribbon be tied on the flag pole at City Hall as per the request from Mr. McCaffrey.
Carried

10.00 BYLAWS

.01 Moved by Jangula and seconded by McRae that “Official
BYLAW NO. 2481 Community Plan Amendment Bylaw No. 2481, 2006” pass first and second reading.
Carried

.02 Moved by McRae and seconded by Presley that “City of Courtenay
BYLAW NO. 2482 Zoning Amendment Bylaw No. 2482, 2006” pass first and second reading.
Carried

.03 Moved by Theos and seconded by Jangula that “Intermunicipal
BYLAW NO. 2464 Business Licence Agreement Authorization Bylaw No. 2464, 2006” be finally passed and adopted.
Carried

.04 Moved by Leonard and seconded by Phelps that “Tax Exemption
BYLAW NO. 2474 2007 Bylaw No. 2474, 2006” be finally passed and adopted.
Carried with Councillors Presley and Phelps opposed

.05 Moved by Theos and seconded by McRae that “2007-2011 Tax
BYLAW NO. 2475 Exemption Bylaw No. 2475, 2006” be finally passed and adopted.
Carried

.06 Moved by Jangula and seconded by Leonard that “Churches 2007
BYLAW NO. 2476 Tax Exemption Bylaw No. 2476, 2006” be finally passed and adopted.
Carried

11.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR MCRAE Councillor McRae outlined his attendance at the following events:
➤ Regional District Board Meetings
➤ Comox Valley Growth Strategy meeting

COUNCILLOR LEONARD Councillor Leonard outlined her attendance at the following events:
➤ C.V. Environmental Council meeting
➤ Cops for Cancer Tour de Rock Dinner/Auction
➤ United Way Breakfast
➤ Library Board meeting
➤ Comox Valley Growth Strategy meeting

COUNCILLOR THEOS Councillor Theos reviewed his attendance at the Community Justice Centre Appreciation Barbeque.

COUNCILLOR PHELPS Councillor Phelps reviewed his attendance at the Cops for Cancer Tour de Rock Dinner/Auction. He reviewed that approximately \$8000 was raised at the event.

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COUNCILLOR
JANGULA

Councillor Jangula reviewed his attendance at the following events:

- Comox Valley Growth Strategy meeting
- Regional Hospital Board meeting

MAYOR WINCHESTER

Mayor Winchester outlined her attendance at the following events:

- North Island - Coast Development Initiative Trust meeting
- United Way Breakfast
- Heart and Stroke Walk
- 40th Anniversary of the Faith Lutheran Church
- VIHA Meeting
- Regional District Board and Hospital Board Meetings

12.00 ADJOURNMENT

.01

Moved by Phelps and seconded by Presley that the meeting now adjourn at 6:09 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 10th day of October, 2006

Mayor