

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Wednesday, September 29, 2004 at 4:00 p.m.

Attending:

Mayor: S. L. Winchester, Mayor
Councillors: N. A. Ahmed
L. V. Jangula
D. S. McRae
G. T. Phelps
J. M. Presley (at 4:15 p.m.)

Staff:

S. T. Gray, Administrator
J. Ward, City Clerk
T. Manthey, Director of Financial Services
K. Lagan, Director of Operational Services
D. Slobodan, Director of Development Services
R. Wiwchar, Director of Community Services
P. Crawford, Senior Planner
G. Garbutt, Planner
T. Towle, Fire Chief (until 4:10 p.m.)

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

1.00 MINUTES

.01 Moved by McRae and seconded by Ahmed that the minutes of the Regular Council meeting held September 13, 2004 be adopted.
Carried

4.00 COMMITTEE/STAFF REPORTS

.01 Fire Chief Terry Towle reviewed the 2004 Fire & Life Safety Expo to be held October 6th and 7th at the Courtenay Fire Hall, and invited the Mayor and Councillors to attend.
FIRE EXPO
PRESENTATION
7200-01

.02 Moved by McRae and seconded by Ahmed that Councillor Ahmed be appointed as a City representative on the Comox Valley Water Committee and the Regional District Sewage Commission with Councillor Presley as the alternate; and
REG DIST WATER &
SEWER APPTS
470-20

That Councillors Presley and Phelps be appointed as alternate Regional District Directors.

Carried

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0433. There were none.

.03

DVP NO. 433
OLD HOUSE GARDEN
INN
3090-20-0433

Moved by Ahmed and seconded by Jangula that Development Variance Permit No. 0433 be issued to Old House Garden Inn Development Ltd. to provide relief from the City of Courtenay Floodplain Management Bylaw No. 1743, 1994 and amendments thereto, to reduce the required building setback for the Courtenay River from 30m to 15m for the proposed 34 suite resort condominium building located on Lot 1, Section 68, Comox District, Plan 50245 at 1800 Riverside Lane as outlined in Schedule Nos. 1-4 attached, and in accordance with the geotechnical report prepared by Lewkowich Geotechnical Engineering Ltd. dated June 11, 2004; and

That the owner enters into a covenant pursuant to Section 219 of the Land Titles Act to “save harmless” the City of Courtenay regarding any future flooding.

Carried

.04

DP NO. 0415
OLD HOUSE
GARDEN INN
3060-20-0415

Moved by Jangula and seconded by Ahmed that the application from Old House Garden Inn Development Ltd. for Development Permit No. 0415 to allow the construction of a 34 suite resort condominium on Lot 1, Section 68, Plan 50245 at 1800 Riverside Lane, including landscape materials and installation valued at \$47,714.00, be approved as outlined in Schedule Nos. 1-4; 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

.05

REZONING
PLAYTIME GAMES
100 SLOT MACHINES
3360-20-0411

Moved by McRae and seconded by Ahmed that Council approve Zoning Bylaw Amendment Application No. 0411 for a text amendment to the Commercial Four Zone (C-4) of the City of Courtenay Zoning Bylaw No. 1427, 1986 to allow a maximum of 100 slot machines within the new Valley Bingo Palace on the property legally described as Lot A, Plan 37706, Lot 6, Plan VIP60575 Except Part in Plan VIP61917 and Lot 1, Plan VIP61138 as shown on Schedule No. 1;

That Council approve Official Community Plan Amendment Bylaw No. 2379, 2004 to amend “Map 6 Major Road System” to include pedestrian linkages as shown on Schedule No. 2;

That “City of Courtenay Zoning Amendment Bylaw No. 2378, 2004” and “City of Courtenay Official Community Plan Amendment Bylaw No. 2379, 2004” proceed to 1st and 2nd reading; and

That a Public Hearing be held on October 13, 2004 at 5:00 p.m. in the

Conference Hall at the Florence Filberg Centre in relation to Bylaw Nos. 2378 and 2379, 2004 and the addition of slot machines to the bingo facility.
Carried with Councillor Jangula opposed

Councillor Presley arrived at the meeting at 4:15 p.m.

.06

DVP NO. 0430
SILVERADO LAND
CORP
3090-20-0430
3320-20-04413

Moved by Ahmed and seconded by McRae that notice be given to the adjacent property owners of the requested development variance and that the application be returned to Council at the regular meeting on October 18, 2004; and

That subject to public input, Development Variance Permit No. 0430 be issued to Silverado Land Corp., to provide relief from the City of Courtenay Subdivision Control Bylaw No. 1401, 1986 and amendments thereto, to allow construction of Royal Boulevard as a dead-end roadway not having a direct sightline, for Lots 1 & 2, Block 72, Comox District, Plan VIP----, as outlined in Schedule No. 1.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

JT SKATEBOARD PARK
PROJECT
0890-01

Moved by Ahmed and seconded by Jangula that the letter from Town of Comox endorsing their participation in a joint skateboard park project be received for information.

Carried

.02

FIRE REPORT
650-20

Moved by McRae and seconded by Presley that the Fire Report for August 2004 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 September 9, 2004 be received for information.

Carried

6.00 RESOLUTIONS OF COUNCIL

.01

IN CAMERA MEETING

Moved by Ahmed and seconded by Phelps that under the provisions of Section 90(k) of the *Community Charter*, notice is hereby given that a Special In- Camera meeting closed to the public will be held September 29, 2004 at the conclusion of the Regular Council meeting.

Carried

9.00 NEW BUSINESS

.01
FIREWORKS IN
REGIONAL DISTRICT

Moved by McRae and seconded by Phelps that a letter be sent to the Regional District of Comox Strathcona Board of Directors requesting the following:

An explanation of the rationale of why the sale of fireworks is acceptable in the Regional District even though the sale of fireworks is prohibited in the City of Courtenay, Town of Comox, and the Village of Cumberland; and

How the City of Courtenay could convince the Regional District to no longer allow fireworks, as is the case in the rest of the Comox Valley.

Carried

10.00 BYLAWS

.01
BYLAW NO. 2378

Moved by Ahmed and seconded by McRae that “City of Courtenay Zoning Amendment Bylaw No. 2378, 2004” pass first and second reading.

Carried with Councillor Jangula opposed

.02
BYLAW NO. 2379

Moved by McRae and seconded by Phelps that “City of Courtenay Official Community Plan Amendment Bylaw No. 2379, 2004” pass first and second reading.

Carried

11.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR PHELPS Councillor Phelps outlined his attendance at the following events:

- Cops for Cancer Tour de Rock Welcome
- Meeting of the Canadian Association of Retired Persons
- Grand Opening of Winners

COUNCILLOR JANGULA Councillor Jangula outlined his attendance at the Cops for Cancer Tour de Rock Welcome

COUNCILLOR AHMED Councillor Ahmed outlined his attendance at the UBCM Annual Convention in Kelowna

COUNCILLOR MCRAE Councillor McRae outlined his attendance at the Battle of Britain Ceremony

COUNCILLOR PRESLEY Councillor Presley outlined his attendance at the following events:

- Grand Opening of Winners
- UBCM Annual Convention in Kelowna

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

- Subway for Child Fundraiser on September 16th
- UBCM Annual Convention in Kelowna
- Heart and Stroke Foundation Walk
- Meeting with RCMP Victoria District Office

Mayor Winchester read out a thank you card from Sandra Williams of YANA

12.00 ADJOURNMENT

.01 Moved by McRae and seconded by Ahmed that the meeting now adjourn at 4:46 p.m.

Carried

CERTIFIED CORRECT

Clerk

Adopted this 4th day of October, 2004

Mayor