

**Minutes of a Special Council Meeting held in the City Hall Council Chambers, Courtenay BC,
on Tuesday March 29, 2005 at 4:00 p.m.**

Attending:

Mayor: S. L. Winchester

Councillors: N. A. Ahmed

L.V. Jangula

D. S. McRae

G. T. Phelps

J. M. Presley

Staff: S. T. Gray, Administrator

J. Ward, Manager of Corporate Administration

T. Manthey, Director of Financial Services

D. Slobodan, Director of Regulatory and Property Services

P. Crawford, Director of Planning Services

G. Garbutt, Planner

1.00 STAFF REPORTS

.01

DVP NO. 0504

SHOSTAK

Moved by Ahmed and seconded by McRae 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 18, 2005; and

That subject to public input, Development Variance Permit No. 0504 be issued to Peter and Geraldine Shostak to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required front yard from 7.5m to 6.7m and the required rear yard from 9.14m to 8.45m as shown on Schedule Nos. 1 and 2 for property legally described as Lot 25, Block 72, Comox District, Plan VIP61374 at 3273 Kent Place.

Carried

.02

DVP NO. 0503

AFONSO

CONSTRUCTION

3090-20-0503

Moved by McRae and seconded by Phelps 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 18, 2005;

That subject to public input, Development Variance Permit No. 0503 be issued to Afonso Construction Ltd. to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required lot frontage from 20m to 19.15m as shown on Schedule No. 1 to accommodate a four lot subdivision at 2810 Piercy Avenue; and

That a covenant be placed on the subject property prior to the issuance of the variance restricting the permitted use to single residential dwelling only.

Carried

.03
DP NO. 0425
SILVERADO LAND
CORP
3060-20-0425

Moved by Presley and seconded by McRae that the application from Silverado Land Corp. for Development Permit No. 0425 to allow the development of a 78 lot subdivision for the property legally described as Lots 1-78, Part of Block 72, Comox District, Plan VIP--- at (addresses pending) Crown Isle Drive/Sussex Drive, as shown on Schedule No. 1, 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 Presley declared a potential conflict of interest regarding the next item due to a client relationship with the applicant, and vacated Council Chambers at 4:38 p.m.

.04
REZONING
ROYER/TRUELOVE
3360-20-0504

Moved by Ahmed and seconded by McRae that Council approve amendments to the City of Courtenay Zoning Bylaw No. 1427, 1986 to create a new Rural Residential One (RR-1) Zone and to rezone Lot B, District Lot 138, Comox District, Plan 43078 from Country Residential Two (CR-2) Zone, pursuant to Comox Valley Zoning Bylaw No. 869, 1986 to Rural Residential One (RR-1) Zone as outlined in Schedule Nos. 1 and 2;

That City of Courtenay Zoning Amendment Bylaw No. 2406, 2005 proceed to 1st and 2nd reading; and

That a Public Hearing be held on April 18, 2005 at 5:00 p.m. in the City Hall Council Chambers in relation to Bylaw No. 2406, 2005.

Carried

Councillor Presley returned to Council Chambers at took his seat at 4:42 p.m.

.05
PARCEL TAX REVIEW
1950-02

Moved by McRae and seconded by Presley that Council establish the time and place for the sitting of the Parcel Tax Review Panel as Wednesday, April 20, 2005 at 4:00 p.m. in the Council Chambers.

Carried

.06
DCBIA BUDGET
& FIN STMNTS
1971-20-BIA

Moved by Ahmed and seconded by Phelps that Council accept the audited financial statements for the Downtown Courtenay Business Improvement Area (DCBIA) for the Year Ended December 31, 2004 and;

That Council approve the DCBIA 2005 proposed budget and the requested BIA 2005 tax levy in the amount of \$60,000.00.

Carried

.07
SUB SERVICING
AGREE
SILVERADO LAND
CORP
3320-20-04429

Moved by Phelps and seconded by Ahmed that Council approve the Subdivision Servicing Agreement for the subdivision of Part Block 72, Comox District, Except Parts Outlined in Red on Plans 1691R and 2117R/W, and Except Part in Plans 49168, VIP53544, VIP53936, VIP55887, VIP56345, VIP56997, VIP57216, VIP61372, VIP61373, VIP61374, VIP61375, VIP64932, VIP67278, VIP68539, VIP71399, VIP72239, VIP73546, VIP74891, VIP74892, VIP74893, VIP75389, VIP76675, VIP76772, VIP77537, VIP78213, and VIP78293;

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

That the Mayor and Manager of Corporate Administration be authorized to sign all documentation relating to this development.

Carried

2.00 NEW BUSINESS

.01
THANK YOU LTR
FROM THRIFTY
FOODS

Moved by Phelps and seconded by Ahmed that the thank you letter from Rick Gaiga of Thrifty Foods be received for information.

Carried

3.00 BYLAWS

Councillor Presley declared a potential conflict of interest regarding the next item due to a client relationship with the applicant, and vacated Council Chambers at 4:41 p.m.

.01
BYLAW NO. 2406

Moved by Ahmed and seconded by Phelps that “City of Courtenay Zoning Amendment Bylaw No. 2406, 2005” pass first and second reading.

Carried

Councillor Presley returned to Council Chambers at took his seat at 4:42 p.m.

.02
BYLAW NO. 2407

Moved by McRae and seconded by Ahmed that “City of Courtenay Fees and Charges Amendment Bylaw No. 2407, 2005” pass first, second and third reading.

Carried

.03
BYLAW NO. 2408

Moved by Presley and seconded by McRae that “Water Frontage Rates Amendment Bylaw No. 2408, 2005” pass first, second and third reading.

Carried

.04
BYLAW NO. 2409

Moved by McRae and seconded by Phelps that “Sanitary Sewer Frontage Rates Amendment Bylaw No. 2409, 2005” pass first, second and third reading.

Carried

S3/05 – March 29, 2005

.05 Moved by Presley and seconded by Ahmed that “The Cemetery
BYLAW NO. 2394 Amendment Bylaw No. 2394, 2005” be finally passed and adopted.
Carried

4.00 LATE ITEMS

.01 Moved by Ahmed and seconded by McRae that the report from the
2005 UTILITY USER Director of Financial Services regarding the 2005 Utility User and Frontage
AND FRONTAGE TAX Tax Rate Increases be received for information.
RATES **Carried**

.02 Moved by Ahmed and seconded by Presley that a letter of
CV NATURALISTS appreciation be forwarded to the Comox Valley Naturalists Society for their
SOCIETY effort in clearing of invasive broom and blackberry at the Courtenay
Riverway on Good Friday.
Carried

5.00 ADJOURNMENT

.01 Moved by Phelps and seconded by Presley that the meeting now
ADJOURNMENT adjourn at 4:46 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 4th day of April, 2005

Mayor