

R19/2006 – August 8, 2006

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Tuesday, August 8, 2006 at 4:00 p.m.

Attending:

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

Staff:

S. Gray, Administrator
J. Ward, Manager of Corporate Administration
K. Lagan, Director of Operational Services
P. Crawford, Director of Planning Services
T. Manthey, Director of Financial Services

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

1.00 MINUTES

.01 Moved by Jangula and seconded by McRae that the minutes of the regular Council meeting held July 17, 2006 be adopted.
Carried

3.00 DELEGATIONS

Joy Martin, Vandalism in the Downtown Area

Joy Martin, owner of the Romance Shop on Cliffe Avenue, expressed concerns regarding vandalism in the downtown area, as well as in the entire Comox Valley. She requested that Council adopt a curfew bylaw, similar to the bylaw recently adopted in Vulcan, Alberta, and that Courtenay, Comox, and Cumberland be declared a crime free zone. Ms. Martin also reviewed the surveillance camera system the City of Parksville is using.

Walk of Achievement

Jackie Green, Dave Durrant, Neil Havers, and Erik Eriksson made a presentation on behalf of the Committee for the Walk of Achievement. The Committee proposes that the 5th Street sidewalk between the Palace Theatre and The Sid Williams Theatre be designated as the Walk of Achievement to honour people from the Comox Valley who have gained widespread recognition in their field of endeavour. The purpose of the Walk of Achievement will be as follows:

- ✓ To recognize outstanding achievement of individuals from the Comox Valley who have excelled in their field of endeavour;
- ✓ To inspire Comox Valley youth to believe in themselves and to explore the limitless possibilities the world has to offer; and
- ✓ To instill a sense of pride throughout the Comox Valley that we are a community that nurtures achievement.

.01 Moved by Leonard and seconded by Theos that Council support the
WALK OF Walk of Achievement program in principal.
ACHIEVEMENT **Carried**
SUPPORT
5420-00

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Presley and seconded by Leonard that the revised Anti-
ANTI HARASSMENT Harassment Policy #2640.00.07 be adopted.
POLICY REVISION **Carried**
2640-00

.02 Moved by Jangula and seconded by Theos that Council approve the
AGRICULTURAL formation of an Agricultural Advisory Committee.
ADVISORY
COMMITTEE That Council approve the proposed amendment to the Development
550-20 Applications Procedures Bylaw No. 2459, 2006; and

That Development Application Procedures Amendment Bylaw No. 2472,
2006 proceed to 1st, 2nd and 3rd reading.
Carried

.03 Moved by McRae and seconded by Theos that notice be given to the
DVP NO. 0618 adjacent property owners of the proposed development variance outlined
PARKIN below and that the application be returned to Council at a meeting on
3090-20-0618 August 21, 2006; and

That subject to public input, Development Variance Permit No. 0618 be
issued to Robert Parkin to provide relief from the City of Courtenay Zoning
Bylaw No. 1427, 1986, and amendments thereto to reduce the front yard
setback to 4.0m to allow the addition of a carport, as detailed in Schedule
No. 1, for the property legally described as Lot A, Block 71, Plan VIP60028
at 106-4714 Muir Road.

Carried

.04 Moved by Theos and seconded by Presley that the application from
DP NO. 0606 Lenco, Norco, Fernco Development Ltd. for Development Permit No. 0606
LENCO, NORCO, to allow the construction of a 955m² commercial building at 468 29th Street,
FERNCO including landscape materials, irrigation, fencing and installation valued at
3060-20-0606 \$28,998.90, 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

R19/2006 – August 8, 2006

.05

BOUNDARY EXT
SOUTH COURTENAY
3720-20

Moved by Presley and seconded by Jangula that Council proceed with a boundary extension for the area south of the current City boundaries for the area shown on attached Schedule #2 subject to a consultation plan including stakeholders and property owners, followed by a staff report on the results of this process to Council.

Carried with Councillor Leonard opposed

.06

DVP NO. 0621
SILVERADO LAND
CORP
3090-20-0621
3320-20-04442

Moved by Presley and seconded by Leonard 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 August 21, 2006; and

That subject to public input, Development Variance Permit No. 0621 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 a cul de sac as a dead-end roadway, for Lot 4, Block 71, Comox District, Plan VIP74892, (Dover Place), as outlined in Schedule No. 1

Carried

.07

SUB SERVICING AGREE
416499 BC LTD
3320-20-04397

Moved by McRae and seconded by Theos that Council approve the Subdivision Servicing Agreement for the subdivision of Lot B, Section 19, Comox District, Plan 25085;

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

.08

PHASED STRATA
RIVERGLEN HOLDINGS
3300-20-44
ANDERTON AVE

Moved by Theos and seconded by Jangula that Council approve the Covenant for the phased strata of Lot A, Section 61, Comox District, Plan VIP81226;

That the required document be provided to the City prior to approval of the first phase of the strata;

That the developer's solicitor provide a letter of undertaking to register the easement document and covenant concurrently with the phased strata plan; and

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

Carried

.01
FIRE REPORT

Moved by Jangula and seconded by Presley that the Fire Report for July 2006 be received for information.

Carried

6.00 RESOLUTIONS OF COUNCIL

.01
INCAMERA MTG

Moved by Presley and seconded by McRae that under the provisions of Section 90(1)(b)(m) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held August 8, 2006 at the conclusion of the Regular Council meeting.

Carried

7.00 UNFINISHED BUSINESS

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Permit No. 0611, and there were none.

.01
DP NO. 0611
0692273 BC LTD
3060-20-0611

Moved by McRae and seconded by Presley that Development Permit No. 0611 be issued to 0692273 BC Ltd. to allow the construction of 30 duplex style patio homes (60 units) on Lot P, District Lot 158, Comox District, Plan VIP79430 at 2001 Blue Jay Place, including landscape materials and installation, irrigation, fencing and retaining walls, valued at \$281,350, as outlined in *Schedule Nos. 1-4* including the following variances to the City of Courtenay Zoning Bylaw No. 1427, 1986;

Development Variances

- *Section 7.1.6 (8), Driveway Length* be relaxed to decrease the required driveway length from 6 m to 5.0 m for Buildings 9, 19, 20 and 21;
- *Section 8.3.5 (2), Rear Yard Setbacks* be relaxed to decrease the required rear yard setback from 9.0 m to 7.4 m for Buildings 21 and 20 and from 7.5 m to 7.3 m for Buildings 19 and 20.

Phased Strata Variances

- Phase 1: Section 8.3.5 (3), Side Yard Setbacks be relaxed to decrease the required side yard setback from 4.5 m to 3.0 m for Building 1;
- Phase 2: Section 8.3.3, Minimum Lot Frontage be relaxed to decrease the required frontage from 30 m to 25 m for Strata Phase 2;
- Section 8.3.5 (2), Rear Yard Setbacks be relaxed to decrease the required rear yard setback from 9.0 m to 5.0 m for Building 30 and 32 and from 7.5 m to 4.5 m for Building 31;
- Section 8.3.5 (3), Side Yard Setbacks be relaxed to decrease the required side yard setback from 4.5 m to 1.2 for Buildings 29 and 33;

- Phase 3: Section 8.3.5 (2), Rear Yard Setbacks be relaxed to decrease the required rear yard setback from 7.5 m to 6.0 m for Building 12, from 9.0 m to 6.8 m for Building 11 and 13;
- Section 8.3.5 (3), Side Yard Setbacks be relaxed to decrease the required side yard setback from 4.5 m to 2.4 m for Building 13;
- Phase 4: Section 8.3.5 (2), Rear Yard Setbacks be relaxed to decrease the required rear yard setback from 9.0 m to 7.5 m for Buildings 23 and 22;
- Section 8.3.5 (3), Side Yard Setbacks be relaxed to decrease the required side yard setback from 4.5 m to 2.1 m for Building 22; 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

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0616, and there were none.

.02

DVP NO. 0616
CROSS
3090-20-0616

Moved by Theos and seconded by Jangula that Development Variance Permit No. 0616 be issued to Glen Cross to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the side yard setback to a total of 3.8m for 1.78m² side projections on both sides of a single residential dwelling, as detailed in Schedule No. 1, for the property legally described as Lot 2, District Lot 127, Comox District, Plan VIP---- at 854 3rd Street.

Carried

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0617, and there were none.

.03

DVP NO. 0617
MCKENZIE
3090-20-0617

Moved by Theos and seconded by Presley that Development Variance Permit No. 0617 be issued to Viola McKenzie to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the side yard setback to 4.37m to allow the addition of a sunroom to the existing dwelling, as detailed in Schedule No. 1, for the property legally described as Strata Lot 8, District Lot, 157, Comox District, Plan VIP3423 at 8-2160 Hawk Drive.

Carried

.04

VIRL OPERATING
GRANT
7960-02

Moved by Leonard and seconded by McRae that Council request the provincial government to increase the Library Operating Grant, with a copy to the VIRL MLA's and MP's.

Carried

R19/2006 – August 8, 2006

.01 Councillor McRae gave notice that he would be bringing forward a
RD SERVICE REVIEW resolution at the August 21, 2006 Council meeting regarding the initiation
ADMIN COSTS of a service review for the Regional District Administration Service.
470-20

9.00 NEW BUSINESS

.01 Moved by Leonard and seconded by McRae that Council lobby the
ENERGUIDE PROGRAM Federal Government to reverse its decision to cancel the EnerGuide
5500 Program.
Carried

10.00 BYLAWS

.01 Moved by McRae and seconded by Leonard that “Development
DEV APP PROCEDURE Application Procedures Amendment Bylaw No. 2472, 2006” pass first,
NO. 2472 second and third reading.
Carried

.02 Moved by Theos and seconded by Jangula that “City of Courtenay
ZONING AMEND Zoning Amendment Bylaw No. 2469, 2006” be finally passed and adopted.
NO. 2469 **Carried with Councillor Presley opposed**

.03 Moved by Jangula and seconded by Theos that the application from
DP NO. 0605 RDDJ Entertainment Ltd. for Development Permit No. 0605 to allow the
RDDJ ENTERTAIN construction of a 945m² commercial building at 1604 Cliffe Avenue,
3060-20-0605 including landscape materials, irrigation, fencing and installation valued at
\$27,882.06, 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 with Councillor Presley opposed

11.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR Councillor Jangula outlined his attendance at the Nautical Days Parade in
JANGULA Comox.

COUNCILLOR THEOS Councillor Theos outlined his attendance at the Nautical Days Parade in
Comox.

COUNCILLOR MCRAE Councillor McRae outlined his attendance at the Nautical Days Parade in
Comox. He also reviewed the tour of the valley with the U.S. Consulate
arranged by John Watson.

R19/2006 – August 8, 2006

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

- Meeting with the US Consulate arranged by the Economic Development Society and the Chamber of Commerce
- HMCS Quadra Inspection
- Meeting with Comox Indian Band
- Nautical Days Parade in Comox.

12.00 ADJOURNMENT

.01 Moved by Jangula and seconded by Presley that the meeting now adjourn at 5:15 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 21st day of August, 2006

Mayor