

R14/2006 – May 15, 2006

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, May 15, 2006 at 4:00 p.m.

Attending:

Acting 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
P. Crawford, Director of Planning Services
R. Wiwchar, Director of Community Services
T. Towle, Fire Chief
D. McPherson, Building Services Supervisor (Item 4.01)

The meeting was called to order at 4:03 p.m.

1.00 MINUTES

.01 Moved by Presley and seconded by McRae that the minutes of the regular Council meeting held May 8, 2006 and the Special Council meeting held May 10, 2006 be adopted.
Carried

2.00 DELEGATIONS

Edwin Grieve – July 1st Committee Chairman

Edwin Grieve, Chairman of the July 1st Committee, reviewed the Committee request to close 5th Street between Cliffe Avenue and Comox Road between 10:00 a.m. and 5:30 p.m. on July 1st, 2006. He expressed safety concerns for the public should the road remain open, due to the large number of people crossing the road between Lewis Park and Simms Park for the events on Canada Day.

4.00 COMMITTEE/STAFF REPORTS

Sandy T. Gray, Administrator declared a potential conflict of interest regarding the next item due to the fact that his personal property would qualify for a secondary suite under the proposed changes to the Zoning Bylaw, and vacated Council Chambers at 4:13 p.m.

Councillor McRae declared a potential conflict of interest regarding the next item due to the fact that his personal property would qualify for a secondary suite under the proposed changes to the Zoning Bylaw, and vacated Council Chambers at 4:14 p.m.

.01

UPDATE RESIDENTIAL
ZONES
3360-20

Moved by Presley and seconded by Theos that Council approve text amendments to the Residential One to Residential Five Zones inclusive.

That City of Courtenay Zoning Amendment Bylaw No. 2462, 2006 proceed to 1st and 2nd reading; and

That a Public Hearing be held on Monday, June 12, 2006 in the City Hall Council Chambers commencing at 5:00 p.m. in relation to bylaw 2462.

Carried

Sandy T. Gray and Councillor McRae returned to Council Chambers and took their seats at 4:15 p.m.

Councillor Presley declared a potential conflict of interest regarding the next two items due to the fact that the applicants are clients of his accounting firm, and vacated Council Chambers at 4:15 p.m.

.02

DVP NO. 0611
WHISTLE STOP
HOLDINGS
3090-20-0611

Moved by Leonard 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 June 12, 2006; and

That subject to public input, Development Variance Permit No. 0611 be issued to Whistle Stop Holdings to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the side yard setback from 4.5m to 1.0m for a 4.8m² addition to an existing cooler, as detailed in Schedule Nos. 1-2, for the property legally described as Lot B, Section 66, Comox District, Plan 28292 at 2355 Mansfield Drive.

Carried

.03

DP NO. 0524
LUKSAY
3060-20-0524

Moved by McRae and seconded by Phelps that the application from Dr. Wade Luksay Inc. for Development Permit No. 0524 to allow the construction of a 1070.2m² commercial building at 300-1530 Cliffe Avenue, including landscape materials, irrigation, fencing and installation valued at \$42,129.48, 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

Councillor Presley returned to Council Chambers and took his seat at 4:19 p.m.

.04

NOTICE ON TITLE
2129 FITZGERALD
4642 MCLAUGHLIN
3800-20

Moved by Jangula and seconded by Phelps that pursuant to Section 57(3) of the *Community Charter* Council direct the Corporate Officer to file a notice in the Land Title Office against the properties located at 2129 Fitzgerald Avenue and 4642 McLaughlin Drive which states:

- (a) a resolution relating to the lands has been made under section 57 of the Community Charter, and
- (b) further information about it may be inspected at the municipal hall.

Carried

.05

CANADA DAY PARADE
5460-08

Moved by Leonard and seconded by Presley that Council approve the temporary closure of Fifth Street, Willemar Ave and Old Island Highway between Lake Trail Road and Ryan Road on July 1, 2006 from 10:00 a.m. until 12:30 p.m.; and that between 12:30 p.m. and 5:30 p.m., Fifth Street between the east end of the Fifth Street Bridge and Comox Road becomes a controlled pedestrian crossing area; and
That is in the interest of Public Safety, snow fencing be installed along Lewis Park and Simms Millennium Park behind the sidewalk with a 6 metre wide controlled pedestrian crossing and following the parade ALL PEDESTRIANS are cleared off Fifth Street prior to it opening to traffic and that no vehicles are allowed to park within the closed road area.

Subsidiary motion

Moved by Leonard and seconded by Presley that this item be postponed to a future Council meeting subsequent to the Mayor meeting with July 1st Committee, and Emergency and Operational Services representatives.

Carried

.06

LATECOMER AGREE
MISSION RD DEV LTD
3320-30-LA0302

Moved by McRae and seconded by Presley that as provided for in Section 939 of the *Local Government Act*, Latecomer Agreement LA0302 with Mission Road Developments Ltd., for a sanitary sewer main extension, storm drainage main extension and a water main extension, from Mission Road to Lot B, D.L. 236, Comox District, Plan 43411 and widening of Mission Road adjacent to Lot B, D.L. 236, Comox District, Plan 43411, is approved; and

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

Carried

.07

GRANT PROGRAM TO
SUPPORT AFFORDABLE
HOUSING INITIATIVES
1850-01

Moved by Jangula and seconded by Presley that staff investigate the establishment of a grant program to support Not-for-Profit Organizations that promote affordable housing initiatives.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

ENVIRONMENTAL
COUNCIL MINUTES

Moved by Jangula and seconded by McRae that the C.V. Environmental Council minutes of March 15, 2006 be received for information.

Carried

.02

RECESS

Moved by McRae and seconded by Presley that the meeting now recess at 5:12 p.m. to conduct the Public Hearing in relation to bylaws 2460 and 2463.

Carried

.03

FORMER FIELD MILL
SITE

Moved by Phelps and seconded by Presley that the letter from Interfor regarding the former Field Sawmill site be received for information.

Carried

.04

PRESS RELEASE
FACILITY
EXCELLENCE AWARD
730-01

Mayor Winchester reviewed the press release regarding the Comox Valley Centre for the Arts receiving the “Facility Excellence” award.

6.00 RESOLUTIONS OF COUNCIL

.01

INCAMERA
MEETING

Moved by Presley and seconded by Jangula that under the provisions of Section 90 (1)(k) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held May 15, 2006 at the conclusion of the Regular Council Meeting.

Carried

9.00 NEW BUSINESS

.01
SQUAMISH-LILLOOET
REG DIST
BILL 30
135-01

Moved by McRae and seconded by Presley that the letter from the Squamish-Lillooet Regional District regarding Bill 30 be received for information.
Carried

10.00 BYLAWS

Sandy T. Gray, Administrator declared a potential conflict of interest regarding the next item due to the fact that his personal property would qualify for a secondary suite under the proposed changes to the Zoning Bylaw, and vacated Council Chambers at 5:27 p.m.

Councillor McRae declared a potential conflict of interest regarding the next item due to the fact that his personal property would qualify for a secondary suite under the proposed changes to the Zoning Bylaw, and vacated Council Chambers at 5:27 p.m.

.01
ZONING AMEND
NO. 2462

Moved by Presley and seconded by Theos that “City of Courtenay Zoning Amendment Bylaw No. 2462, 2006” pass first and second reading.
Carried

Sandy T. Gray and Councillor McRae returned to Council Chambers and took their seats at 5:30 p.m.

Councillor Leonard declared a potential conflict of interest regarding the next item due to the fact that she has received remuneration in the past from the Millard/Piercy Watershed Stewards relating to Riparian Areas work, and vacated Council Chambers at 5:35 p.m.

.02
OCP AMEND
NO. 2460

Moved by McRae and seconded by Presley that “Official Community Plan Amendment Bylaw No. 2460, 2006” pass third reading.
Carried

Councillor Leonard returned to Council Chambers and took her seat at 5:46 p.m.

.03
ZONING AMEND
NO. 2463

Moved by McRae and seconded by Presley that “City of Courtenay Zoning Amendment Bylaw No. 2463, 2006” pass third reading.
Carried

11.00 COUNCIL MEMBER ROUNDTABLE

R14/2006 – May 15, 2006

COUNCILLOR PHELPS Councillor Phelps outlined his attendance at the following events:
➤ Student Employment Centre opening
➤ Mental Health walk/run

COUNCILLOR JANGULA Councillor Jangula reviewed the following upcoming events:
➤ Cumberland Empire Days Parade
➤ Canadian Cancer Society Relay for Life on June 6

MAYOR WINCHESTER Mayor Winchester outlined her attendance at the following events:
➤ Meeting with Lou Dryden and valley Mayors
➤ Meeting with MLA Stan Hagen and valley Mayors/Area Directors

12.00 ADJOURNMENT

.01 Moved by Jangula and seconded by Phelps that the meeting now adjourn at 5:50 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 12th day of June, 2006

Mayor