R20/2005 – September 6, 2005

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Tuesday, September 6, 2005 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

Staff: **S. T. Gray, Administrator**
J. Ward, Manager of Corporate Administration
K. Lagan, Director of Operational Services
D. Slobodan, Director of Regulatory and Property Services
R. Wiwchar, Director of Community Services
T. Manthey, Director of Financial Services
G. Garbutt, Planner

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

1.00 MINUTES

.01 Moved by Presley and seconded by Jangula that the minutes of the Regular Council meeting held August 8, 2005 be adopted.
Carried

2.00 INTRODUCTION OF LATE ITEMS

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

3.00 DELEGATIONS

Donald Tunney – Resonant Light Technology re: Motor home Parking

Donald Tunney reviewed that he is the owner of Resonant Light Technology at 4875 North Island Highway. He stated that he lives in his motor home on his property for approximately 5 months each year, and that the motor home is an extension of his business and is not a recreational vehicle. Mr. Tunney requested that the City make a permit available allowing commercial property owners to live in a motor coach providing the coach is deemed to be part of their business.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Presley seconded by Ahmed that the report regarding Idiens Park be received for information.
IDIENS PARK
6140-216
Carried

.02
DVP NO. 0512
CANVEST ENT LTD
3090-20-0512

Moved by Ahmed and seconded by Jangula 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 October 3, 2005; and

That subject to public input, Development Variance Permit No. 0512 be issued to Canvest Enterprises Ltd. to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required lot frontage from 30 metres to 0 metres as outlined in Schedule No. 1 attached for the property described as Lot 1, Section 67, Comox District, Plan VIP74826 at 3040 Kilpatrick Avenue.
Carried

.03
SPORTS CENTRE COST APPORTIONMENT
1971-20

Moved by Ahmed and seconded by McRae that the Regional District Sports Centre cost apportionment decision be postponed pending a review with the Comox Valley Committee of all Regional District functions in which the City participates.
Carried

.04
APPOINTMENT OF AUDITORS
1680-01

Moved by Jangula and seconded by Presley that Council accept the resignation of the firm of Pateman Novescosky Chartered Accountants as City of Courtenay auditors;

That Council send a letter of appreciation for the years of service provided; and

That Council appoint the firm of Meyers Norris Penny LLP as City of Courtenay auditors for a five-year term covering the audit of years 2005 to 2009.
Carried

.05
PERMISSIVE TAX EXEMPT
L'ARCHE
1960-20

Moved by McRae and seconded by Presley that Council deny the application from the L'Arche Comox Valley organization for permissive tax exemption in 2006 for the property located at 534-19th Street.
Carried with Councillors Jangula and McRae opposed

Moved by Ahmed and seconded by Phelps that a review be undertaken in January 2006 regarding the City of Courtenay permissive tax exemptions.
Carried

.06
SUB SERVICING AGREE
R & H DEV LTD
3320-20-05453

Moved by McRae and seconded by Ahmed that Council approve the Subdivision Servicing Agreement for the subdivision of Lot H, District Lot 236, Comox District, Plan 43411;

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

That the Mayor and Clerk be authorized to sign all documentation relating to this development.
Carried with Councillor Jangula opposed

.07
STRATA CONVERSION
1220-21ST ST
3320-20

Moved by Ahmed and seconded by Phelps that Council approve the application for strata conversion of 1220-21st Street and direct Mayor and Manager of Corporate Administration to sign the strata plan mylars when provided.
Carried

.08
RECREATION VEHICLE
4875 N. ISL HWY
5455-04

Moved by McRae and seconded by Ahmed that Council deny the request from Resonant Light Technology to allow 6 months temporary occupancy of a motor home for residential use on a commercial property.
Carried with Councillor Jangula opposed

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
OPER SERV REPORT
650-20

Moved by Phelps and seconded by Presley that the Operational Services Report for June and July 2005 be received for information.
Carried

.02
BLDG RPT FOR
AUGUST
650-20

Moved by Presley and seconded by McRae that the building permit report for August 2005 be received for information.
Carried

RECESS

Moved by McRae and seconded by Phelps that the meeting now recess at 4:59 p.m. to conduct the Public Hearing in relation to Bylaw No. 2427.
Carried

8.00 NOTICE OF MOTION

NOTICE OF MOTION
COUNCILLOR AHMED

Notice of motion for the September 12, 2005 regular meeting of Council:

WHEREAS the City of Courtenay on October 14, 2004 approved the use slot machines;

AND WHEREAS the Province of British Columbia has agreed to provide the City with 10% of the gross revenues from gaming, on an annual basis (estimated to be $200,000 to $500,000 per year);

AND WHEREAS it is recognized that there are some negative impacts on the social fabric of community as a result of gaming;

AND WHEREAS the 10% provision of funding is a new source of revenue for the City;

NOW THEREFORE BE IT RESOLVED that the City of Courtenay establish a policy for the expenditure of the gaming funds which focuses on projects in the recreation, parks, cultural, and social development areas of the City of Courtenay.

9.00 NEW BUSINESS

.01
GLACIER KINGS CHALLENGE
8100-01

Moved by Ahmed and seconded by McRae that the letter from the Comox Valley Glacier Kings regarding the Fastest Skater Challenge be received for information.
Carried

.02
AREA K PARTICIPATION
470-20

Moved by Ahmed and seconded by McRae that the letter from the Regional District Area 'K" Director regarding participation in the Comox Valley Economic Development function be received.
Carried

Moved by Jangula and seconded by Presley that Courtenay Council oppose the withdrawal of Area 'K' from participation in the Comox Valley Economic Development function.
Carried

.03
SIDEWALK KILPATRICK AVE

Moved by McRae and seconded by Presley that a firm letter be forwarded to the Driftwood Mall requesting completion of the sidewalk along Kilpatrick Avenue related to the London Drugs construction, with a copy to London Drugs.
Carried

10.00 BYLAWS

.01
ROAD CLOSURE BYLAW NO. 2421

Moved by Presley and seconded by McRae that "Road Closure Bylaw No. 2421, 2005" be finally passed and adopted.
Carried

.02
INGLEWOOD/ WENTWORTH ROAD CLOSURE BYLAW NO.2428

Moved by McRae and seconded by Jangula that "Inglewood/Wentworth Road Closure Bylaw No. 2428, 2005" be finally passed and adopted.
Carried

.03
OCP AMENDMENT BYLAW NO. 2427

Moved by McRae and seconded by Presley that "Official Community Plan Amendment Bylaw No. 2427, 2005" pass third reading.
Carried

Moved by McRae and seconded by Presley that "Official Community Plan Amendment Bylaw No. 2427, 2005" be finally passed and adopted.
Carried

11.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR PRESLEY

Councillor Presley reviewed his attendance at the following events:

- North Island – Coast Development Initiative Seminar
- RCMP Ride along

COUNCILLOR PHELPS

Councillor Phelps reviewed the upcoming Cops for Cancer Tour de Rock

MAYOR WINCHESTER

Mayor Winchester reviewed her attendance at the following events:

- Student Employment Office closing ceremonies
- Fall Fair Opening
- John Armstrong retirement celebration
- Square Dancer's Corn Roast

The Mayor reviewed the upcoming Walk of Hope for Ovarian Cancer

12.00 ADJOURNMENT

.01 Moved by Ahmed and seconded by McRae that the meeting now adjourn at 6:04 p.m.
Carried

CERTIFIED CORRECT

_____
Manager of Corporate Administration

Adopted this 12th day of September, 2005

_____
Mayor