

R1/2005 – January 10, 2005

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, January 10, 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
T. Manthey, Director of Financial Services
D. Slobodan, Director of Regulatory and Property Services
K. Lagan, Director of Operational Services
P. Crawford, Director of Planning Services
R. Wiwchar, Director of Community Services
G. Garbutt, Planner**

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

Mayor Winchester approved the addition of one late item to the agenda.

1.00 MINUTES

.01 Moved by Presley and seconded by Jangula that the minutes of the Regular Council meeting held December 20, 2004 and a Special Council Meeting held January 3, 2005 be adopted.
Carried

3.00 DELEGATIONS

**Richard Kerton - Sid Williams Theatre, Steve Gordon - Courtenay Little Theatre
Re: Tsunami relief fundraising**

Richard Kerton and Steve Gordon reviewed that the Courtenay Little Theatre held a special performance of “Sinbad” at the Sid Williams Theatre, and the entire proceeds of \$10,000 were donated to the Asia Tsunami Relief through Oxfam. They thanked the community for its support, as well as the performers and the staff at the theatre for donating their time for the event.

Mayor Winchester reviewed the excellent community response for the “Rally in the Valley” fundraiser held on January 8th where approximately \$103,000 was raised for the Asia Tsunami relief effort.

4.00 COMMITTEE/STAFF REPORTS

.01
AUDITOR FOR 2005
1680-20

Moved by Ahmed and seconded by McRae that the firm of Pateman Novecosky Chartered Accountants be appointed as the City of Courtenay Auditors for the year 2005.

Carried

.02
REZONING
BURGER
FISHERIES/WEST
VIEW PROP
3360-20-0408
3360-20-0419

Moved by Ahmed and seconded by Jangula that Council approve separate applications by Burger Fisheries Ltd. and West View Properties Ltd. to amend the City of Courtenay Zoning Bylaw No. 1427, 1986 to change the zoning from R-1C to R-1B for the properties legally described as Lots 5 and 6, District Lot 158, Comox District, Plan 1911 on Lerwick Road to accommodate a total of 54 single residential lots as outlined in Schedule No. 1 attached;

That City of Courtenay Zoning Amendment Bylaw No. 2391, 2005 proceed to 1st and 2nd readings; and

That a Public Hearing be held on February 14, 2005 at 5:00 p.m. in the City Hall Council Chambers in relation to Bylaw No. 2391, 2005.

Carried

.03
2004 AUDIT
COMMUNICATION
1680-20

Moved by McRae and seconded by Phelps that the communication from Pateman Novecosky Chartered Accountants regarding the 2004 Audit Engagement be received for information.

Carried

.04
MFA-SPRING 2005
DEBENTURE
BORROWING
1760-04

Moved by Ahmed and seconded by Presley that Council approve the following borrowing and borrowing terms through the Municipal Finance Authority's Spring 2005 Debenture Issue:

| Bylaw No. | Purpose | Amount | Term |
|------------------|----------------------|---------------|-------------|
| 2355 | Lerwick Rd Extension | \$700,000 | 25 yrs |
| 2356 | City Hall Renovation | \$850,000 | 15 yrs |
| 2354 | Paving | \$500,000 | 20 yrs |
| 2353 | Sewer Extensions | \$1,970,000 | 25 yrs |

Carried

.05
SUB SERVICING
AGREE SILVERADO
LAND CORP
3320-20-04413

Moved by Presley 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, and VIP77537;

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

.06
INFRASTRUCTURE
GRANTS
1845-20

Moved by Jangula and seconded by Presley that Council advise the Ministry of Community, Aboriginal and Women’s Services of the following infrastructure priorities:

1. Lerwick Trunk Sewer from the Hwy 19A to Valley Vista lift station at a projected cost of \$330,000.00; and
2. Water main from Hwy 19A to Mission Road at a projected cost of \$720,000.00.

Carried

.07
OPERATIONAL
SERVICES MONTH
END REPORT
650-20

Moved by Presley and seconded by McRae that the Operational Services Month End Report for November 2004 be received for information.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
REG DIST MINUTES

Moved by McRae and seconded by Phelps that Regional District of Comox-Strathcona Hospital and Board Meeting minutes of December 9, 2004 be received for information.

Carried

.02
FCM TSUNAMI
RESPONSE
1770-01

Moved by Ahmed and seconded by Presley that the communication from FCM regarding Tsunami Response be received for information.

Carried

7.00 UNFINISHED BUSINESS

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0441, and there were none.

.01

DVP NO. 0441
692273 BC LTD
3090-20-0441

Moved by Ahmed and seconded by Presley that Development Variance Permit No. 0441 be issued to 692273 B.C. Ltd. to provide relief from the City of Courtenay Subdivision Control Bylaw No. 1401, 1986 and amendments thereto, to allow construction of Blue Jay Place as a dead-end roadway, for Lot 15, Plan 1911, and Lots A and B, Plan 39690, D.L. 158, Comox District as outlined in Schedule No. 1.

Carried

Mayor Winchester inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 0440.

Vi McKenzie, Trumpeter Green, expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that the closure of Hawk Drive would affect the traffic on Valleyview Drive and also the Elementary school. Ms. McKenzie expressed safety concerns and also stated that she had submitted a petition with 87 names in opposition of closing Hawk Drive.

Sylvia Aiello, 2355 Valleyview Drive, expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that there has been no correspondence to the residents of Valleyview Drive regarding the closure of Hawk Drive, that Valleyview Drive is very busy, and the closure of Hawk Drive will double the traffic on Valleyview Drive.

Trevor Lane, 2155 Whiskey Jack Way, expressed his support for the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. He stated that the road closure is necessary due to non-residential traffic using Hawk Drive, and that various studies have been undertaken confirming the “rat-running”.

Christine Cybulski, 2036 Valleyview Drive, expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that residents have not received anything in the mail about the road closure, that she is opposed to extra traffic on Valleyview Drive, and she is concerned about safety issues around Valleyview Elementary.

Blaine McMillan, 2395 Valleyview Drive, expressed his opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. He stated that although Valleyview Drive is a collector road, he had concerns about the traffic around the school, and that the traffic would increase on Valleyview Drive if Hawk Drive were closed. Mr. McMillan also expressed concerns about increased response times for emergency vehicles.

Janice Cashin, 2160 Hawk Drive, expressed her opposition to the issuance of Development

Variance Permit No. 0440 and the closure of Hawk Drive. She outlined concerns regarding emergency services, and that the residents would be locked into a very long cul-de-sac. Ms. Cashin also stated that Hawk Drive was not properly cleared of snow, and that Council should consider the retired people and emergency services.

Gil DiCesare, 1838 Hawk Drive, and a member of the East Courtenay Traffic Calming Group, expressed his support for the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. He stated that he has spoken to the emergency services, and that there are no response time issues. Mr. DiCesare reviewed the petition with 185 signatures in favour of the Hawk Drive Road closure, the process undertaken by the East Courtenay Traffic Calming Group, and that it is actually faster to drive Ryan Road/Lerwick Road to reach the intersection of Hawk Drive and Lerwick Road.

Ms. Smits, 2193 Swallow Crescent, expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that Hawk Drive should be kept open and that speed bumps be installed at the park.

Melanie Zimmer, 2160 Hawk Drive, expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that it was not an issue for the ambulance to get to the end of Hawk Drive, but it was an issue getting from Hawk Drive to the hospital. Ms. Zimmer stated that the “rat-running” was exaggerated, and that it was only a small group of people who started this whole traffic review process.

Paula Lane, 2155 Whiskey Jack Way, and a member of the East Courtenay Traffic Calming Group, expressed her support for the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that the merits of closing Hawk drive outweigh the inconvenience of using an alternate route.

Melanie Rait, 1908 Hawk Drive, and a member of the East Courtenay Traffic Calming Group, expressed her support for the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive (written submission received at meeting). She outlined the process undertaken by the Traffic Calming Group, the support for the closure of Hawk Drive, and the problem of no residential traffic using Hawk Drive.

Kevin Lagan, Director of Operational Services, reviewed the route taken by emergency vehicles to the Hawk Drive area, and the planned provisions for emergency vehicle access through the new development to avoid using Valleyview Drive to travel to Comox.

Bert Badey, 2160 Hawk Drive, expressed his opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. He reviewed the traffic plan for the area, including access to Valleyview Drive and Hawk Drive from Lerwick Road. He stated that traffic making illegal left turns onto Hawk Drive should not be a concern of the residents, and suggested a “Local Traffic Only” sign at the entrance to Hawk Drive.

Janine Fukui, 1086 Malahat Drive, expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive, and requested an alternate solution to the traffic problems on Hawk Drive. She stated that traffic on Valleyview Drive is already concern for the safety of the children at the school.

Ray Merkel, 1340 Hobson Avenue and a member of the East Courtenay Traffic Calming Group, expressed her support for the issuance of Development Variance Permit No. 0440 and the

closure of Hawk Drive. He reviewed that a petition was submitted with 185 names in favour of closing Hawk Drive, and that most people are concerned about rat-running. Mr. Merkel would encourage traffic to use Lerwick Road and Ryan Road to avoid residential neighbourhoods.

Shelley Isfeld Gailloux, 1620 Griffin Drive expressed her opposition to the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. She stated that as a parent of two children attending Valleyview Elementary School, she felt the traffic is very dangerous on Valleyview Drive and is afraid a child is going to get hurt. Ms. Isfeld Gailloux stated that although she appreciates the traffic problem she would like the solution revisited.

Bert Badey, 2160 Hawk Drive, expressed concerns regarding the closure of Hawk Drive, and stated that the traffic counting that was conducted did not have anything to do with Hawk Drive.

Melanie Rait, 1908 Hawk Drive, and a member of the East Courtenay Traffic Calming Group, stated that traffic surveys were conducted in the entire east Courtenay area, and that the traffic near Valleyview School is a serious concern.

Dave Wilson, 2111 Whiskey Jack Way, expressed his support for the issuance of Development Variance Permit No. 0440 and the closure of Hawk Drive. He stated that the problem is non-residential traffic using Hawk Drive, and that people should be using Lerwick Road. Mr. Wilson stated that closing Hawk Drive is a good first step toward solving the traffic problems, and that he is also concerned about the safety of children.

Melanie Zimmer, 2160 Hawk Drive, stated that if the “rat-running” were stopped on Hawk Drive it would just increase the traffic on Valleyview Drive.

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| <p>.02 DVP NO. 0440 HAWK DRIVE 3090-20-0440</p> | <p>Moved by Presley and seconded by Ahmed that Development Variance Permit No. 0440 be issued to provide relief from the City of Courtenay Subdivision Control Bylaw No. 1401, 1986 and amendments thereto, to allow Hawk Drive as a dead-end roadway upon the subsequent closure of Hawk Drive at Lerwick Road. Carried with Councillor Jangula opposed</p> |
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9.00 NEW BUSINESS

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| <p>.01 PARKING AT COURTENAY MOTOR SPORTS</p> | <p>Moved by Jangula and seconded by Ahmed that the correspondence from James Derry regarding hazardous parking at Courtenay Motor Sports be referred to staff for a report to Council. Carried</p> |
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10.00 BYLAWS

R1/2005 – January 10, 2005

.01 Moved by Presley and seconded by McRae that “City of Courtenay
BYLAW NO. 2391 Zoning Amendment Bylaw No. 2391, 2005” pass first and second reading.
Carried

.02 Moved by McRae and seconded by Ahmed that
BYLAW NO. 2389 “Caledon/Wentworth Sanitary Sewer Service Area Parcel Tax Bylaw No.
2389, 2005” pass first, second and third reading.
Carried

.03 Moved by Ahmed and seconded by Jangula that “City of Courtenay
BYLAW NO. 2390 Fees and Charges Amendment Bylaw No. 2390, 2005” pass first, second
and third reading.
Carried

.04 Moved by Presley and seconded by McRae that “Hawk Drive Road
BYLAW NO. 2388 Closure Bylaw No. 2388, 2004” be finally passed and adopted.
Carried with Councillor Jangula opposed

11.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR AHMED Councillor Ahmed reviewed his attendance at the “Rally in the Valley” fundraiser for the Asia Tsunami relief effort.

MAYOR WINCHESTER Mayor Winchester reviewed her attendance at the following events:
➤ Crime Stoppers Month proclamation at City Hall
➤ Round Table discussion with Minister Chan
➤ Rally in the Valley fundraiser at Crown Isle and Filberg Centre along with Councillors

COUNCILLOR JANGULA Councillor Jangula reviewed that the Habitat for Humanity “Re-store” is open for business and taking donations of building products and paint. He also mentioned that Habitat is looking for property to build another house.

12.00 ADJOURNMENT

01

Moved by Phelps and seconded by Ahmed that the meeting now adjourn at 5:28 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 17th day of January, 2005

Mayor