

R3/2005 – February 7, 2005

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 7, 2005 at 4:00 p.m.

Attending:

Mayor: S. L. Winchester, Mayor

**Councillors: J. L. Harder
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.

1.00 MINUTES

.01 Moved by Harder and seconded by Jangula that the minutes of the Regular Council meeting held January 17, 2005 be adopted.
Carried

Mayor Winchester outlined the public process that was undertaken relating to the proposed closure of Hawk Drive at Lerwick Road. She reviewed that there will be additional members from the Hawk Drive, Valleyview Drive, and Thorpe Avenue areas appointed to the East Courtenay Neighbourhood Traffic Calming Group. Mayor Winchester also suggested that the closure of Hawk Drive be delayed in order for the Traffic Calming Group to review the traffic concerns in the Valleyview Drive and surrounding areas.

HAWK DRIVE ROAD CLOSURE 950-20 Moved by Jangula and seconded by Harder that the Hawk Drive road closure be delayed pending further review by the East Courtenay Neighbourhood Traffic Calming Group with a report to Council by March 31, 2005.
Carried

3.00 DELEGATIONS

Stephen Watson, BC Hydro

Stephen Watson made a PowerPoint presentation, which included the following topics:

- B.C. Hydro Energy Plan
- Vancouver Island energy supply
- 2004 Integrated Electricity Plan
- Vancouver Island Call for Tender for 150 – 300 Megawatt Power Project and Duke Point Project with a final decision expected February 17, 2005.
- Potential wind energy on the North Island
- Green Energy

Councillor Presley declared a potential conflict of interest regarding DVP 0439 due to a client relationship, and vacated Council Chambers at 4:28 p.m.

Shawn Vincent, Development Variance Permit No. 0339

Shawn Vincent stated that he was available to answer questions regarding DVP 0339.

Councillor Presley returned to Council Chambers and took his seat at 4:29 p.m.

Glenn Noort, Development Variance Permit No. 0442

Glenn Noort of Noort Developments provided an overview of the 31- unit seniors oriented townhouse development proposed for the property located at 1050 10th Street. He also reviewed the application for Development Variance Permit No. 0442.

4.00 COMMITTEE/STAFF REPORTS

.01

JOINT SKATEBOARD
PARK UPDATE
890-01

Moved by Presley and seconded by Phelps that the concept drawings of the park as presented be accepted and that Space2Place/Spectrum be authorized to proceed with the detail designs and construction drawing for the skateboard park;

That a grant application to have the Skilled Labour Construction Society (through HRDC) construct the project be supported;

That the Joint Committee continue to work on the development of policies regarding sponsor recognition, park name and other related issues; and

That a joint application to Legacies Now be forwarded for potential funding.
Carried

.02

LEGACIES NOW
APPLICATION
6140-210

Moved by Jangula and seconded by McRae that Council support an application to Legacies Now for funding for the Simms Park Pavilion Project.

Carried

Councillor Presley declared a potential conflict of interest regarding DVP 0439 due to a client relationship, and vacated Council Chambers at 4:40 p.m.

.03

DVP NO. 0439
423537 BC LTD/
586046 BC LTD
3090-20-0439

Moved by McRae and seconded by Harder that notice be given to the adjacent property owners of the proposed Development Variance Permit outlined below and that the application be returned to Council at a meeting on February 21, 2005; and

That subject to public input, Development Variance Permit No. 0439 be issued to 423537 BC Ltd/586046 BC Ltd. to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required Rear Yard Setback from 4.5m to 0.0m for a mini storage building with 2 residential units as outlined in Schedule Nos. 1-3, for the property described as Lot 2, District Lot 127, Comox District, Plan 6232 at 907 McPhee Avenue.

Carried

Councillor Presley returned to Council Chambers at took his seat at 4:41 p.m.

.04

DVP NO. 0442
NOORT DEV.
3090-20-0442

Moved by Harder 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 February 21, 2005;

That subject to public input, Development Variance Permit No. 0442 be issued to Noort Developments to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to allow:

Phased Strata Plan

- Reduced side yard setback from 6.0m to 3.5m for Block 9 of Strata Phase 1;
- Reduced side yard setback from 6.0m to 3.5m for Block 10 of Strata Phase 2;

Development Variances

- Reduced front yard setback from 4.5m to 3.9m for proposed Blocks 1, 7 and 8;
- Reduced side yard setback from 6.0m to 5.6m for proposed Blocks 1-3, 6 and 7;
- Reduced side yard setback from 6.0m to 3.4m for proposed Block 5;
- Reduced rear yard setback from 7.5m to 3.7m for proposed Block 3;
- Reduced rear yard setback from 7.5m to 2.1m for proposed Block 4; and
- Reduced rear yard setback from 7.5m to 3.4m for proposed Block 5 as outlined in Schedule Nos. 1-4 for the property legally described as Lot B, District Lot 127, Comox District, Plan 25639 except part in Plan 26825 at 1050-10th Street.

Carried

Councillor Presley declared a potential conflict of interest regarding DVP 0501 due to financial involvement with the applicant, and vacated Council Chambers at 4:43 p.m.

.05

DVP NO. 0501
OUMMET
3090-20-0501

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 February 21, 2005; and

That subject to public input, Development Variance Permit No. 0501 be issued to Chris and Nancy Ouimet to provide relief from the City of Courtenay Zoning Bylaw No. 1427, 1986, and amendments thereto, to reduce the required rear yard setback from 9m to 6.1m for the construction of a deck on a residential dwelling as shown on Schedule Nos. 1 and 2 for the property legally described as Lot 2, Section 46, Comox District, Plan VIP59389 at 1081 Thorpe Avenue.

Carried

Councillor Presley returned to Council Chambers and took his seat at 4:45 p.m.

.06

ZONING AMEND
SANDWICK/
HEADQUARTERS
LOCAL AREA PLAN
3360-20-SAND

Moved by Harder and seconded by McRae that Council approve amendments to the City of Courtenay Zoning Bylaw No. 1427, 1986 to create five new Rural Residential (RR-1 to 5) zones for existing residential properties and to zone Commercial and Institutional properties within the Sandwich/Headquarters area pursuant to the Sandwich/Headquarters Local Area Plan policies;

That 1st and 2nd reading of City of Courtenay Zoning Amendment Bylaw No. 2366, 2004 be rescinded;

That City of Courtenay Zoning Amendment Bylaw No. 2397, 2005 proceed to 1st and 2nd reading; and

That a Public Hearing be held on March 7, 2005 at 5:00 p.m. in the City Hall Council Chambers in relation to Bylaw No. 2397, 2005.

Carried

.07

BOUNDARY
EXTENSIONS
3720-01

Moved by Phelps and seconded by Presley that Council proceed with current boundary extension applications as follows:

Support the boundary extension for the Meadowbrook/Huband area within the Sandwich Waterworks District as shown on Schedule 3, subject to confirmation from the Ministry of Community, Aboriginal and Women's Services of adequate restructure assistance;

Consider the boundary extension for District Lot 95 and the Webdon Road as shown on schedule 4, following a review of services and input from residents and the Regional District;

Consider a boundary extension for South Courtenay including the Beechwood Road area as shown on Schedule on Schedule 6, following a review of services and input from residents, Regional District and the Royston Improvement District; and

Consider a boundary extension for the Jackson Drive area as shown on Schedule 7, following a review of services and input from residents and the Regional District.

Carried

The meeting adjourned at 4:59 p.m. to conduct the Public Hearing regarding Bylaw No. 2387.

The meeting reconvened at 5:35 p.m.

Moved by Harder and seconded by Presley that Council request a boundary extension for properties on Arden Road and Powerhouse Road as shown on Schedule 5.

Carried with Councillor McRae opposed

.08

HERITAGE
COMMEMORATION
6800-20

Moved by Presley and seconded by McRae that Council endorse the Heritage Commission's recommendation to recognize the heritage significance of the two St. Andrew's churches and that upon approval from the churches, the Commission proceed with the placement of the plaque and the reception.

Carried

.09
CITY HALL
RENOVATIONS
750-20

Moved by Jangula and seconded by Harder that the proposed upgrades to City Hall estimated at approximately \$1.6 million not proceed at this time; and

That the installation of the City Hall retaining wall proceed as well as preliminary plans and costs prepared for minor exterior and interior upgrades.

Carried

.10
VIRL 2005 BUDGET
7960-20
1715-20

Moved by McRae and seconded by Presley that Council receive the report on the Vancouver Island Regional Library 2005 Budget.

Carried

.11
2005 PROPOSED
FINANCIAL PLAN
1705-20

Moved by Presley and seconded by Phelps that Council approve the 2005 Provisional Financial Plan Schedules for inclusion in the Final 2005-2009 Financial Plan Bylaw; and

That Council approve the use of the following actions to meet the requirements for a process of public consultation prior to the adoption of the annual financial plan:

- Public Advertisement/invitation for the public to attend Budget Presentations to City Council; and
- Budget information and comment forms on the City of Courtenay website.

Carried

.12
V.I. RELAY
5460-08

Moved by Harder and seconded by Presley that Council approve the use of City street and City property for the Courtenay to Union Bay stage of the Vancouver Island Relay on May 21, 2005 commencing at 5:00 a.m. from Thrifty Foods Parking Lot onto England Ave., then right on Sixth Street across Cliffe Ave., then right onto the Courtenay Riverway Walkway proceeding to 31st Street, then onto MoT Roadways; and

That the necessary insurance be provided and emergency services be notified at least five working days prior to the event.

Carried

.13
SNOW TO SURF
5460-08

Moved by McRae and seconded by Phelps that Council approve the Snow to Surf event to be held at the Courtenay Air Park on Sunday April 24, 2005 between 8:00 a.m. and 2:00 p.m., the boat launch is closed for the same day and times, and traffic is restricted on Mansfield Drive adjacent to the Whistle Stop Pub;

That the Snow to Surf Society arrange for the necessary insurance and notification of emergency services at least five days prior to the event; and

That the Mayor attend the ceremonies to present the Masters Womens Trophy.

Carried

.14
SUB SERVICING
AGREE-GUSTASSON
3320-20-02341

Moved by Presley and seconded by McRae that Council approve the Subdivision Servicing Agreement for the subdivision of Lot 1, Plan 38090, Except Part in Plans 39759 and VIP68398, and Lot A, Plan VIP68398, All of District Lot 158, Comox District and the Parkland Agreement for Lot 3, District Lot 158, Comox District, Plan VIP---;

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

.15
STAT RIGHT OF WAY
LOT 35, PLAN
VIP54176
3220-20-2775
MUIR RD

Moved by McRae and seconded by Harder that Council approve the Statutory Right of Way over Part of Lot 35, Section 17, Comox District, Plan VIP54176; and

That the Mayor and Clerk be authorized to sign all documentation relating to this Statutory Right of Way.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
FOGHORNS
430-20

Moved by Presley and seconded by Phelps that the response from the Minister of Fisheries and Oceans regarding the decommissioning of foghorns be received for information.

Carried

.02
PLANNING DIV
ANNUAL REPORT
650-20

Moved by McRae and seconded by Presley that the Planning Services Annual 2004 Report be received for information.

Carried

.03 Moved by Jangula and seconded by Presley that the Heritage
HERITAGE MINUTES Advisory Commission meeting minutes of January 26, 2005 be received for
information.
Carried

10.00 BYLAWS

.01 Moved by Harder and seconded by Presley that “City of Courtenay
BYLAW NO. 2397 Zoning Amendment Bylaw No. 2397, 2005” pass first and second reading.
Carried

.02 Moved by Presley and seconded by Harder that “Development
BYLAW NO. 2392 Application Procedures Bylaw No. 2392, 2005” be finally passed and
adopted.
Carried

BYLAWS FOR 3RD AND FINAL ADOPTION AFTER PUBLIC HEARING

.01 Moved by Harder and seconded by that “Official Community Plan
BYLAW NO. 2387 Bylaw No. 2387, 2005” pass third reading.

Moved by McRae and seconded by Harder that Official Community
Plan Bylaw No. 2387, 2005 be amended by deleting the wording “to be
achieved within 5 years” from section 3.3.1 of Appendix “A”.

The motion to amend was carried

The main motion was carried as amended

Moved by Harder and seconded by Presley that “Official
Community Plan Bylaw No. 2387, 2005” be finally passed and adopted.
Carried

11.00 COUNCIL MEMBER ROUNDTABLE

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

- Chamber of Commerce Awards Night
- Rotary flag raising
- Shaw Cable program with Comox Valley Mayors
- Meeting with Salvation Army
- Youth Advisory Committee meeting

COUNCILLOR PRESLEY Councillor Presley reviewed his attendance at the following events:

- Chamber of Commerce Awards Night
- Hawk Drive road closure meeting at Valleyview School

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COUNCILLOR
JANGULA

Councillor Jangula reviewed his attendance at the following events:

- Meeting at Airport with Stephen Harper
- Hawk Drive road closure meeting at Valleyview School

12.00 ADJOURNMENT

.01

Moved by Jangula and seconded by Phelps that the meeting now adjourn at 6:16 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 14th day of February, 2005

Mayor