

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 7, 2011 at 4:00 p.m.

Attending:

Mayor: G. T. Phelps
Councillors: J. K. Ambler
D. A. Hillian
L. V. Jangula
R-R. Leonard
J. M. Presley
M. Theos

Staff: S. Gray, Administrator
J. Ward, Manager of Corporate Administration
P. Crawford, Director of Planning Services
T. Manthey, Director of Financial Services
N. Hofer, Environmental Planner

MINUTES Moved by Presley and seconded by Ambler that the minutes of the Regular Council meeting held January 17, 2011 and Committee of the Whole minutes of January 31, 2011 be adopted.
Carried

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Marla Limousin, C.V. Farmers Market Association

Marla Limousin provided an update regarding plans for a Farmer's Market on the property located at Comox Bay Farms.

2. Tara Brockelmann, Driftwood Mall

Tara Brockelmann reviewed the application for a zoning amendment to allow a liquor store in the Driftwood Mall.

Moved by Jangula and seconded by Hillian that the Council meeting agenda be varied to allow consideration of new business.

Carried

10.00 NEW BUSINESS

.01 Moved by Hillian and seconded by Jangula that the petition from
PETITION the Fitzgerald Avenue residents regarding "No Parking" signs be
FITZGERALD AVE received.
Carried

Moved by Leonard and seconded by Ambler that the petition be referred to staff for a report to Council at the regular Council meeting scheduled for February 14, 2011.

Defeated Unanimously

Moved by Jangula and seconded by Theos that the temporary “No Parking” signs installed on Fitzgerald Avenue for the duration of the Cliffe Avenue construction be removed.

Carried

Moved by Jangula and seconded by Theos that staff provide a report to Council regarding the future options for Fitzgerald Avenue including the following:

- ✓ Resident parking;
- ✓ Cycling safety;
- ✓ Pedestrian controls for the crosswalk at 19th Street;
- ✓ An additional crosswalk at 23rd Street; and
- ✓ Completion of the sidewalk on the west side of Fitzgerald Ave. to 26th Street

Carried

4.00 COMMITTEE/STAFF REPORTS

.01

MACDONALD RD
CLOSURE
950-20

Moved by Presley and seconded by Ambler that “MacDonald Road Closure Bylaw No. 2654, 2011” proceed to final adoption.

Carried

.02

COSTCO SITE SUNDAY
WORK
4020-20

Moved by Presley seconded by Ambler that Council approve Graham Construction (Costco site) to perform construction work on Sundays which would normally be prohibited under section 5(e) of the City of Courtenay Prevention of Public Nuisance Bylaw No. 1798, 1994, during the hours of 8:00 a.m. to 5:00 p.m. until March 27, 2011.

Defeated Unanimously

.03

EARTH HOUR 2011
5280-11

Moved by Hillian and seconded by Leonard that the City of Courtenay support Earth Hour on Saturday, March 26, 2011, and encourage residents to turn off their lights between the hours of 8:30 to 9:30 p.m. to raise awareness and take action to flight climate change; and

That a challenge be issued to all Comox Valley local governments.

Carried

.04

SID THEATRE LIC TO
OCCUPY
7900-20

Moved by Theos and seconded by Presley that the License to Occupy and Operating Agreement for the Sid Williams Theatre Society for the operation of the Sid Williams Theatre be renewed for a five year term.

Carried

.05
C.V FARMERS’
MARKET
870-20

Moved by Presley and seconded by Jangula that Council support the concept of a “temporary” Farmers’ Market to be held from April to October on the Ducks Unlimited Property on the Island Highway 19A on an area of approximately 2.3 hectares;

That a lease agreement be drafted with Ducks Unlimited for this proposed use and presented to Council for approval;

That the initiative be contingent on approval from Ministry of Transportation (MOT); and

That an operating/use agreement be established between the City and the Comox Valley Farmers’ Market Association.

Carried

.06
DVP NO. 1103
FLORENCE FILBERG
CENTRE
3090-20-1103

Moved by Jangula and seconded by Theos that notice be given to the adjacent property owners of proposed Development Variance Permit No. 1003, as outlined below, and that the application be returned to Council on March 7, 2011; and

That subject to public input, Development Variance Permit No. 1103 to vary Section 6.4.4 of the City of Courtenay Sign Bylaw No. 2042, 1998 to increase the maximum height for the fascia signs from 1m to 1.30m on the west facade and from 1m to 1.11m on the south facade for the property legally described as Lot 1, Section 61, Comox District, Plan 46283 (411 Anderton Avenue), be issued subject to development in conformance with the plans and elevations contained in Attachment No. 2.

Carried

.07
DRIFTWOOD MALL
LIQUOR STORE
3360-20-0914

Moved by Presley and seconded by Ambler that Council reconsider the application to amend Zoning Bylaw No. 2500, 2007 by amending the Commercial One A Zone (C-1A) list of permitted uses to allow a liquor store on the property legally described as Lot A, Section 66 & 67, Comox District, Plan 44811 Except Parts in Plans 49234, VIP66865, and VIP68598 (2751 Cliffe Avenue – the Driftwood Mall);

That third reading of Bylaw No. 2633, (Zoning Amendment Bylaw No.

2633, 2010), to amend the Commercial One A Zone (C-1A) list of permitted uses to allow a liquor store on the property legally described as Lot A, Section 66 & 67, Comox District, Plan 44811 Except Parts in Plans 49234, VIP66865, and VIP68598 (2751 Cliffe Avenue – the Driftwood Mall) be rescinded;

That third reading of Bylaw No. 2635, (Driftwood Mall Phased Development Agreement Bylaw No. 2635, 2010) be rescinded;

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2633, 2010; and Driftwood Mall Phased Development Agreement Bylaw No. 2635, 2010 on February 21, 2011 at 5:00 p.m. in City Hall Council Chambers;

That first, second and third readings of Bylaw No. 2634, (Zoning Amendment Bylaw No. 2634, 2010), to amend the Commercial Two Zone (C-2) to remove liquor store as a permitted use on the property legally described as Lot B, Section 66, Comox District, Plan 28292 (2355 Mansfield Drive – the Whistle Stop Pub) be rescinded, and that Bylaw No. 2634, 2010 be abandoned.

Carried with Councillor Leonard Opposed

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Ambler and seconded by Jangula that the Year End
YEAR END Policing Report for 2011 be received for information.
POLICE REPORT **Carried**
7550-01

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

.01 Councillor Leonard reported on the following meetings:
COUNCILLOR
LEONARD

- Regional District Standing Committee on Housing and Homelessness where she was elected Chair
- Vancouver Island Regional Library AGM where she was elected Chair.

.02 Councillor Jangula reported on the following meetings:
COUNCILLOR
JANGULA

- Regional District Solid Waste Committee re: Waste to Energy
- Regional Hospital Board.

.03 Councillor Hillian reported that the Drug Strategy Committee will be coming to the Council meeting scheduled for February 14, 2011 as a delegation.
COUNCILLOR HILLIAN

.04 Councillor Ambler reported on the following meetings:
COUNCILLOR
AMBLER

- RCMP regarding proposed new police building
- Comox Valley Water Committee meeting where Councillor Jangula was elected Chair.

8.00 UNFINISHED BUSINESS

.01 Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1102 and there were none.
DVP NO. 1102
2295 CLIFFE AVE
3090-20-1102

Moved by Theos and seconded by Jangula that Development Variance Permit No. 1102 to vary Section 6.4.3 and Section 6.4.4 of the City of Courtenay Sign Bylaw No. 2042, 1998 to allow part of the signs to project above the canopy roofline and to vary the maximum height for the fascia signs, from 1m to 1.85m for the property legally described as

Lot 2, Section 66, Comox District, Plan 48919 (2295 Cliffe Avenue), be issued subject to development in conformance with the plans and elevations contained in Attachment No. 2.

Carried

11.00 BYLAWS

.01 Moved by Presley and seconded by Jangula that “Zoning Amendment Bylaw No. 2658, 2011” pass third reading.
BYLAW NO. 2658
ZONING AMEND

Carried

Moved by Presley and seconded by Theos that “Zoning Amendment Bylaw No. 2658, 2011” be finally passed and adopted.

Carried

.02 Moved by Jangula and seconded by Theos that “McDonald Road Closure Bylaw No. 2654, 2011” be finally passed and adopted.
BYLAW NO. 2654
ROAD CLOSURE

Carried

.03 Moved by Theos and seconded by Presley that “Zoning Amendment Bylaw No. 2628, 2011” be finally passed and adopted.
BYLAW NO. 2628
ZONING AMEND

Carried

12.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at the following events:

- Lunar New Year celebration
- CVRD Homeless Shelter/Supportive Housing property open house
- Family literacy celebration

COUNCILLOR
PRESLEY

Councillor Presley reviewed his attendance at the following events:

- Chamber of Commerce awards night
- Regional District meetings
- CV Economic Development Society Executive meeting

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COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at the following events:

- CVRD Homeless Shelter/Supportive Housing property open house
- RCSCC 189 “Port Augusta” Change of Command
- First meeting of ad hoc committee to have the Comox Bay fish traps declared a national historic site

COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance at the following events:

- Puntledge River Restoration Society meeting
- World Community Film Festival
- Lunar New Year celebration
- Welcoming and Inclusive Community round table
- Debriefing at the K'ómoks First Nation Band Hall re: racist attack
- Soccer match with foreign exchange students participating

COUNCILLOR JANGULA Councillor Jangula reviewed his attendance at the following events:

- CVRD Homeless Shelter/Supportive Housing property open house
- Walk for Memories for Alzheimer's research
- July 1st Committee meeting

MAYOR PHELPS Mayor Phelps reviewed his attendance at the following events:

- VIHA reception
- Regional District meetings
- The Great BC Shakeout for earthquake preparedness
- CVRD Homeless Shelter/Supportive Housing property open house
- Family literacy celebration
- Meeting with RCMP Chief Superintendent
- Meeting with Christy Clark
- Mayor's monthly luncheon
- Island Coastal Economic Trust strategic planning meeting
- Walk for Memories for Alzheimer's research
- Mayor Open Door session
- Regional Hospital Board meeting
- Regional Solid Waste Committee meeting
- Chamber of Commerce awards night

Mayor Phelps reviewed a sidewalk let-down recently voluntarily installed by the Safeway store.

13.00 ADJOURNMENT

.01 Moved by Presley and seconded by Hillian that the meeting now adjourn at 6:09 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 14th day of February, 2011

Mayor