

R05/2011 – February 14, 2011

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 14, 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
K. Lagan, Director of Operational Services
R. Wiwchar, Director of Community Services
A. Hampshire, Deputy Municipal Engineer
G. MacKay, Senior Planner
N. Hofer, Environmental Planner
Erin Ferguson, Planning Technician

MINUTES

Moved by Theos and seconded by Presley that the minutes of the Regular Council meeting held February 7, 2011 be adopted.
Carried

3.00 DELEGATIONS

1. Courtenay Community Drug Strategy Committee

Karen Rushton, Ian Lidster, and Jeff Taylor from the Courtenay Community Drug Strategy Committee provided Council with an update of the committee activities.

2. Rotary Club re: Rails with Trails Project

Art Meyers, Robert Buckley, Neil Havers, Audrey Craig and Naomi Carmichael from the Courtenay Rotary Club reviewed the “Trail along the Rails” fundraising project to provide a hard surface path along the E & N corridor.

3. Rick Jones, Urban Design Group Architects re: BC Assessment Building

Rick Jones and Jim Stewart (BC Assessment Authority Deputy Assessor) reviewed the application for an Official Community Plan amendment and a Zoning Amendment for the property located at 2488 Idiens Way.

4. Stephen Lindsey, Arden Road Developments

Stephen Lindsey reviewed the application by Arden Road Developments for an Official Community Plan Amendment and Zoning Amendment for the properties located at 2368,2498, and 2650 Arden Road.

4.00 COMMITTEE/STAFF REPORTS

.01
243-4TH ST
LEASE
2380-20

Moved by Presley and seconded by Hillian that subsequent to publication of notice, Council approve the Sasha Nowicki and Pauline Rae lease for municipally owned property located at 243-4th Street, Courtenay BC, V9N 1G7 or that portion of Parcel A, Plan 80170N, Section 61, Comox Land District, Except Plan 472BL, OF L; and

That the Mayor and Manager of Corporate Administration be authorized to execute the lease on behalf of the City.

Carried

.02
2040 CLIFFE AVE
LEASE RENEWAL
2380-20

Moved by Jangula seconded by Theos that subsequent to publication of notice, Council approve the Chamber of Commerce lease amendment and lease renewal for municipally owned property located at 2040 Cliffe Avenue, Courtenay, BC, V9N 2L3 or Lot 1 of Section 68, Comox District, Plan 15512.

That the Mayor and Manager of Corporate Administration be authorized to execute the lease amendment on behalf of the City.

Carried

.03
RAIL WITH TRAIL
PROJECT
6140-221

Moved by Theos and seconded by Presley that the vision for a Rail with Trail project be approved;

That the City of Courtenay work in partnership with the Courtenay Rotary Club to establish the first phase of the project from 5th Street to Cumberland Road and that the second phase from Cumberland Road to 17th Street is established pending community assistance, other partnerships and funding; and

That a Licence of Occupation with the Island Corridor Foundation be drafted and presented to Council for approval.

Carried

.04
C.V. REGIONAL
GROWTH STRATEGY

Moved by Ambler and seconded by Theos that Council accept the Regional Growth Strategy (RGS) Bylaw No. 120, 2010 as amended by the Regional District Board on January 25, 2011.

Carried with Councillor Presley opposed

.05

OCP/ZONING AMEND
2488 IDIENS WAY
6480-20-1101
3360-20-1027

Moved by Presley and seconded by Jangula that Bylaw No. 2660 (OCP Amendment Bylaw No. 2660, 2011) to amend the Official Community Plan designation of the property legally described as Lot 1, District Lot 157, Comox District, Plan VIP59557 from Public/Institutional to Commercial proceed to 1st and 2nd reading;

That Bylaw No. 2661 (Zoning Amendment Bylaw No. 2661, 2011) to amend Section 8.21.1 to exclude bingo facility as a permitted use for Lot 1, District Lot 157, Comox District, Plan VIP59557, proceed to 1st and 2nd reading;

That Bylaw No. 2656 (Zoning Amendment Bylaw No. 2656, 2011) to rezone from Public use and Assembly One Zone (PA-1) to Commercial Four Zone (C-4) the property legally described as Lot 1, District Lot 157, Comox District, Plan VIP59557 proceed to 1st and 2nd reading;

That, in accordance with Section 882 of the *Local Government Act*, Council has considered Bylaw No. 2660 (OCP Amendment Bylaw No. 2660, 2011) in conjunction with the current Financial Plan of the City and the Solid Waste Management Plan of the Regional District; and

That Council direct staff to schedule and advertise as statutory public hearing with respect to Official Community Plan Amending Bylaw No. 2660, 2011, Zoning Amendment Bylaw No. 2661, 2011 and Zoning Amendment Bylaw No. 2656, 2010 on March 7, 2011 at 5:00 p.m. in City Hall Council Chambers.

Carried

.06

OCP/ZONING AMEND
6480-20-1004
3360-20-1008

Moved by Ambler and seconded by Theos that Council receive the application from Arden Road Developments Ltd. to amend the City of Courtenay *Official Community Plan No. 2387, 2005* and the *City of Courtenay Zoning Bylaw No. 2500, 2007*, for Lot A, District Lot 230, Comox District, Plan 48707; Parcel A (DD 1061N) of Lot 4, District Lot 230, Comox District, Plan 2152, except that Part shown Outlined in Red on Plan 688R and except that Part in Plan 48707; That Part of Parcel A (DD10616N) of Lot 4, District Lot 230, Comox District, Plan 2152 (2368, 2498, 2650 Arden Road) as shown in bold on *Attachment No. 1*;

That Bylaw No. 2662 (OCP Amendment Bylaw No. 2662, 2011) to amend the designations of that portion of the property legally described above and shown in bold outline on the map contained in Attachment No. 1, from Rural Residential to Multi Residential, Urban Residential and Parks and Recreation proceed to First and Second Reading;

That Bylaw No. 2663 (Zoning Amendment Bylaw No. 2663, 2011) which will create a new Comprehensive Development Twenty Zone (CD-20) and will rezone the areas as shown on Attachment No. 2 from Residential One A Zone (R-1A) to Comprehensive Development Twenty Zone (CD-20), Residential One Zone (R-1), Residential Three Zone (R-3) and Public Use and Assembly Two Zone (PA-2) proceed to First and

R05/2011 – February 14, 2011

Second Reading;

That, in accordance with Section 882 of the *Local Government Act*, Council has considered Bylaw No. 2662 (OCP Amendment Bylaw No. 2662, 2010) in conjunction with the current Financial Plan of the City and the Solid Waste Management Plan of the Comox Valley Regional District;

That Council direct staff to schedule and advertise a statutory public hearing with respect to Official Community Plan Amendment Bylaw No. 2662, 2011, and Zoning Amendment Bylaw No. 2663, 2011, on March 14th, 2011 at 5:00 p.m. in City Hall Council Chambers;

That prior to adopting Zoning Amendment Bylaw No. 2663, 2011 a *Section 219 Covenant* be executed by the applicant and the City of Courtenay detailing the proposed amenity contributions of the vacant lot for the purpose of providing a site for affordable housing; the dedication of a portion of the property to the City for parkland land contribution; security equal in amount to the cost of construction for all trails in the dedicated parkland including all bridges (unless the trails and bridges have been completed, satisfactory to the City, prior to initial subdivision); a contribution to the “Affordable Housing Reserve Fund” for those parcels to be zoned Residential One Zone (R-1) and a contribution to the “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund” (for each and every residential unit) at the rates outlined in Section 7.7 of the OCP;

That prior to adopting Zoning Amendment Bylaw No. 2663, the City of Courtenay must be in receipt of a written agreement (inclusive of a sunset clause) between the City of Courtenay and the applicant, satisfactory to the City, outlining the conditions under which the existing and currently occupied mobile home and outbuildings, located within the riparian area of Tributary 7 (a feeder stream to Piercy Creek) are to be removed from dedicated City park; and,

That Council authorize the Mayor and Manager of Corporate Administration to execute all legal documents necessary to affect the rezoning of the subject lands.

Carried

.07

ZONING AMEND
780 NICHOLAISEN
3360-20-1011

Moved by Presley and seconded by Theos that Council receive the application from Brad Hornstein to amend the City of Courtenay Zoning Bylaw No. 2500, 2007 for Lot 2, Section 15, Comox District, Plan 9531 (780 Nicholaisen, the subject property);

That Zoning Amendment Bylaw No. 2664 (Zoning Amendment Bylaw No. 2664, 2011) to rezone from Residential One Zone (R-1) to Residential Two Zone (R-2) the property legally described as Lot 2, Section 15, Comox District, Plan 9531 proceed to 1st and 2nd reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2664 on march 14, 2011 at 5:00 p.m. in City Hall Council Chambers; and

That prior to adopting Zoning Amendment Bylaw No. 2664, 2011, a Section 219 Covenant be executed by the applicant and the City of Courtenay for the protection of significant trees on the property and securing the proposed amenity contribution to the “Affordable Housing Reserve Fund” and the contribution to the “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund” at the rates outlined in Section 7.7 of the OCP for the newly created residential lot; and, restricting any future subdivision beyond that discussed in this report; and

That Council authorize the Mayor and Manager of Corporate Administration to execute all legal documents necessary to affect the rezoning of the subject lands.

Carried

.08
BIKE ROUTE
FITZGERALD AVE
5400-20

Moved by Jangula and seconded by Hillian that the report from the Directors of Community, Planning and Operational Services be received, and

That Fitzgerald Avenue between 26th Street and 2nd Street is provided with Offset Bike Lanes both sides.

Subsidiary Motion

Moved by Leonard and seconded by Presley that the proposal for Offset Bike Lanes on Fitzgerald Avenue be referred to the Cycling Task Force for comment.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
HERITAGE MINUTES

Moved by Presley and seconded by Hillian that the Heritage Advisory Commission minutes of January 26, 2011 be received for information.

Carried

.02
POLICE REPORT

Moved by Leonard and seconded by Presley that the Police Report for January 2011 be received for information.

Carried

7.00 RESOLUTIONS OF COUNCIL

.01
INCAMERA MTG

Moved by Presley and seconded by Hillian that under the provisions of Section 90(1)(g) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held February 14, 2011 at the conclusion of the Regular Council meeting.

Carried

10.00 NEW BUSINESS

.01 Moved by Jangula and seconded by Hillian that Council write a letter to the Minister of Regional Economic & Skills Development (Immigrant Integration & Multiculturalism Branch) regarding the proposed service area designations with a copy to Comox Valley MLA Don McRae.
COUNCILLOR
JANGULA
IMMIGRANT OFFICE
SERVICE AREA
Carried

11.00 BYLAWS

.01 Moved by Presley and seconded by Ambler that “Official Community Plan Amendment Bylaw No. 2662, 2011” pass first and second reading.
BYLAW NO. 2662
OCP AMEND
Carried

.02 Moved by Presley and seconded by Ambler that “Zoning Amendment Bylaw No. 2663, 2011” pass first and second reading.
BYLAW NO. 2663
ZONING AMEND
Carried

.03 Moved by Jangula and seconded by Presley that “Zoning Amendment Bylaw No. 2664, 2011” pass first and second reading.
BYLAW NO. 2664
ZONING AMEND
Carried

.04 Moved by Hillian and seconded by Presley that “Zoning Amendment Bylaw No. 2656, 2011” pass first and second reading.
BYLAW NO. 2656
ZONING AMEND
Carried

.05 Moved by Theos and seconded by Presley that “Official Community Plan Amendment Bylaw No. 2660, 2011” pass first and second reading.
BYLAW NO. 2660
OCP AMEND
Carried

.06 Moved by Hillian and seconded by Theos that “Zoning Amendment Bylaw No. 2661, 2011” pass first and second reading.
BYLAW NO. 2661
ZONING AMEND
Carried

.07 Moved by Theos and seconded by Presley that “Zoning Amendment Bylaw No. 2643, 2011” be finally passed and adopted.
BYLAW NO. 2643
ZONING AMEND
Carried

.08 Moved by Presley and seconded by Ambler that “Official Community Plan Amendment Bylaw No. 2649, 2011” be finally passed and adopted.
BYLAW NO. 2649
OCP AMEND
Carried

.09 Moved by Hillian and seconded by Presley that “Zoning Amendment Bylaw No. 2650, 2011” be finally passed and adopted.
BYLAW NO. 2650
ZONING AMEND
Carried

12.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at an informal meeting regarding the new Tourist Information Centre and signage.

COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance at the Courtenay Community Drug Strategy Committee.

13.00 ADJOURNMENT

.01 Moved by Ambler and seconded by Jangula that the meeting now adjourn at 6:20 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 21st day of February, 2011

Mayor