

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
L. V. Jangula
R-R. Leonard
J. M. Presley
M. Theos

Staff:

K. Lagan, Acting Administrator
J. Ward, Manager of Corporate Administration
P. Crawford, Director of Planning Services
R. Wiwchar, Director of Community Services
T. Manthey, Director of Financial Services
Alan Hampshire, Deputy Municipal Engineer
G. MacKay, Senior Planner
Erin Ferguson, Planning Technician

MINUTES

Moved by Jangula and seconded by Theos that the minutes of the Regular Council meeting held February 21, 2011 and Committee of the Whole notes of February 28, 2011 be adopted.
Carried

3.00 DELEGATIONS

1. Art Villa, Playtime Community Gaming re: change to liquor licence

Art Villa reviewed the application by Chances Courtenay to amend its liquor primary licence by increasing capacity from 199 to 419.

2. Aaron Greasley, Best Western Westerly Hotel re: change to liquor licence

Aaron Greasley reviewed the application by The Westerly Hotel to add a “Patron Participation Endorsement” to its Food Primary liquor licence.

3. Bruce Clapham and team – Buckstone Development

Bruce Clapham and Doug Backhouse reviewed the application from McElhanney Ltd. for a zoning amendment to allow a mixed use development area on property located between Buckstone Road and Fraser Road.

4. Joe Formosa, Muchalat Construction – 1577 Dingwall Road

Richard Jasper reviewed the application from Muchalat Construction for an OCP amendment and a zoning amendment to allow a 32 unit multi-residential development on the property located at 1577 Dingwall Road.

4.00 COMMITTEE/STAFF REPORTS

.01

LIQUOR LICENCE
CHANGE CHANCES
COURTENAY
4320-20

Moved by Ambler and seconded by Theos that Council receive the application from Chances Courtenay for a permanent change to its liquor licence; and

That notices be sent to property owners and businesses within a 100 metre radius of the subject property requesting input on the proposed licence changes for Council consideration at the April 4, 2011 Council meeting.

Motion defeated

In favour- Councillor Ambler and Mayor Phelps

Opposed – Councillors Jangula, Leonard, Presley, and Theos

.02

LIQUOR LICENCE
CHANGE WESTERLY
HOTEL
4320-20

Moved by Jangula and seconded by Presley that Council receive the application from the Westerly Hotel for a permanent change to its liquor licence; and

That notices be published for two consecutive weeks in the local newspapers and posted on the City's website requesting input on the proposed licence change for Council consideration at the Council meeting scheduled for March 21, 2011.

Carried

.03

OCP/ZONING AMEND
1577 DINGWALL RD
6480-20-1008/3360-
20-1020

Moved by Presley and seconded by Theos that Council receive the application from Muchalat Construction 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 15, Section 16, Comox District, Plan 7037 (1577 Dingwall Road) as shown in bold on Attachment No. 1;

That Bylaw No. 2667, 2011 (OCP Amendment Bylaw No. 2667, 2011) to amend the designation of Lot 15, Section 16, Comox District, Plan 7037, from Urban Residential to Multi Residential, proceed to First and Second Reading;

That Bylaw No. 2670, 2011 (Zoning Bylaw Amendment 2670, 2011) which will rezone Lot 15, Section 16, Comox District, Plan 7037 from Residential One A Zone (R-1A) to Residential Three Zone (R-3) proceed to First and Second Reading;

That, in accordance with Section 882 of the Local Government Act. Council has considered Bylaw No. 2670 (OCP Amendment Bylaw No. 2670, 2011) 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. 2667, 2011, and Zoning Amendment Bylaw No. 2670, 2011, on April 4, 2011 at 5:00 p.m. in City Hall Council Chambers;

That prior to adopting Zoning Amendment Bylaw No. 2670, 2011 a Section 219 Covenant be executed by the applicant and the City of Courtenay securing the contributions to both the “Affordable Housing Reserve Fund” and the “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund” at the rates outlined in Section 7.7 of the OCP, and protecting the areas defined (inclusive of trees) as per Attachment No. 3.

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

RECESS

Moved by Leonard and seconded by Presley that the meeting now adjourn at 4:56 p.m. to conduct the Public Hearing in relation to Bylaw No. 2656, 2660 and 2661.

The meeting reconvened at 5:10 p.m.

The main motion was Carried

.04

ZONING AMEND
BUCKSTONE RD
3360-20-1018

Moved by Theos and seconded by Presley that Council receive the application from McElhanney Ltd. to amend the City of Courtenay Zoning Bylaw No. 2500, 2007, for Lot 5, District Lot 153, Comox District, Plan VIP79934, and Lots 1, 2 & 3, all of District Lot 153, Comox District, Plan 1887 and Lots 4 & 7, both of District Lot 153, Comox District, Plan 1887 Except that Part in Plan VIP79934 (Buckstone Road) as shown in bold on Attachment No. 1;

That Bylaw No. 2668 (Zoning Amendment Bylaw No. 2668, 2011) which will create a new Comprehensive Development Twenty-One Zone (CD-21) and will rezone the areas as shown on Attachment No. 2 from RU-8 (CSR) to Comprehensive Development Twenty-One Zone (CD-21); Residential Three Zone (R-3) and Public Use and Assembly Two Zone (PA-2) proceed to First and Second Reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2668, 2011, following receipt of a Phased Development Agreement to the satisfaction of both the City Engineering and the City Planning departments;

That prior to adopting Zoning Amendment Bylaw No. 2668, 2011 the City enter into the aforesaid Phased Development Agreement with the applicant thus securing the dedication of a portion of the property to the City for parkland contribution; security equal in amount to the cost of construction for all trails in the dedicated parkland including all bridges,

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signage or additional works which may be required; a contribution to the “Affordable Housing Reserve Fund” 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; and security of the funds required to construct a pedestrian trail adjacent to the E & N Railway (Comox Valley Rail Trail) extending from Comox Logging Road along the Beachwood Road right-of-way to the E & N Corridor then northwest to Fraser Road; and

That prior to final reading of Zoning Amendment Bylaw No. 2668, 2011 all elements related to infrastructure sizing and alignment must be agreed to between the developer and the City to ensure that off-site servicing reflects the needs of the community and long term infrastructure ‘master plan’; 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

.05
PARCEL TAX REVIEW
PANEL
1950-02

Moved by Presley and seconded by Ambler that Council establish the time and place for the sitting of the Parcel Tax Review Panel as Wednesday, April 27, 2011, at 4:00 p.m. in the Council Chambers.

Carried

.06
ADDITIONAL TRAFFIC
CALMING HOBSON
AVE
5420-02

Moved by Ambler and seconded by Presley that the report from the Director of Operational Services and Deputy Municipal Engineer be received for information.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
LTR OF
APPRECIATION
MUNDAY

Moved by Leonard and seconded by Theos that the letter from Al and Margaret Munday praising City Public Works staff for their quick response and exceptional service be received for information.

Carried

.02
LTR OF
APPRECIATION
SYMONDS

Moved by Presley and seconded by Ambler that the letter of appreciation from Adrian Symonds regarding the Linc be received for information.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

- COUNCILLOR JANGULA Councillor Jangula reported on the following meetings:
- Solid Waste Workshop
 - Regional Hospital Board meeting
 - Regional Solid Waster meeting
- COUNCILLOR PRESLEY Councillor Presley reported on the Regional District Solid Waste meeting
- COUNCILLOR AMBLER Councillor Ambler reported on a meeting with provincial highways staff regarding signage
- COUNCILLOR LEONARD Councillor Leonard reported on the following meetings:
- Meeting of the Regional District Housing & Homelessness Standing Committee
 - Cycling Task Force meeting
- MAYOR PHELPS Mayor Phelps reported on his attendance at a meeting with some residents of the Maple Pool Campground along with Councillor Hillian

8.00 UNFINISHED BUSINESS

- .01**
DP NO. 1029
535 SILVERDALE
CRES
3060-20-1029
- Councillor Presley declared a potential conflict of interest regarding the next item due to a business relationship and vacated Council Chambers at 5:56 p.m.
- Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Permit with Variances No. 1029 and there were none.

Moved by Leonard and seconded by Ambler that Development Permit with Variances No. 1029 to allow the construction of a freestanding sign on the property located at 535 Silverdale Crescent (Lot 1, Block 72, Comox District, Plan VIP87389), and to vary Sections 6.4.1, 6.4.4 and 6.6.1 of the City of Courtenay Sign Bylaw No. 2042, 1998 to allow an increase in maximum sign area from 9m² to 15.3m² for fascia signs, to vary the maximum height for one fascia sign from 1m to 1.78m, and to allow an increase in maximum sign area from 8m² to 10.8m² for a multi-sided freestanding sign, be issued to 860817 BC Ltd. subject to the following conditions:

- a. Signage must be in conformance with the plans and drawings contained in Attachment No. 2;
- b. Signage must not be internally illuminated. Any direct external illumination must be full cut off, flat lens in accordance with the City's Dark Skies Policy. All proposed lighting must be approved in writing by the City prior to installation;

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c. That if the permit holder has not substantially commenced construction within twelve (12) months after the date of issuance, the permit lapses.

Carried

Councillor Presley returned to Council Chambers and took his seat at 5:57 p.m.

.02

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

Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1103 and there were none.

Moved by Jangula and seconded by Theos that 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 1.1m 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

11.00 BYLAWS

.01

BYLAW NO. 2667
OCP AMEND

Moved by Presley and seconded by Ambler that “Official Community Plan Amendment Bylaw No. 2667, 2011” pass first and second reading.

Carried

.02

BYLAW NO. 2670
ZONING AMEND

Moved by Presley and seconded by Ambler that “Zoning Amendment Bylaw No. 2670, 2011” pass first and second reading.

Carried

.03

BYLAW NO. 2668
ZONING AMEND

Moved by Theos and seconded by Presley that “Zoning Amendment Bylaw No. 2668, 2011” pass first and second reading.

Carried

.04

BYLAW NO. 2656
ZONING AMEND

Moved by Jangula and seconded by Presley that “Zoning Amendment Bylaw No. 2656, 2011” pass third reading.

Carried

.05

BYLAW NO. 2660
OCP AMEND

Moved by Theos and seconded by Presley that “Official Community Plan Amendment Bylaw No. 2660, 2011” pass third reading.

Carried

.06

BYLAW NO. 2661
ZONING AMEND

Moved by Theos and seconded by Jangula that “Zoning Amendment Bylaw No. 2661, 2011” pass third reading.

Carried

12.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR JANGULA Councillor Jangula reviewed his attendance at the July 1st Committee meeting with Councillor Hillian

COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at the Veteran's Affairs Funding Announcement by MP John Duncan at 19 Wing Comox

MAYOR PHELPS Mayor Phelps reviewed the upcoming Linc Open House on March 14, and a hockey fundraiser organized by Dr. Paul Helpard

Peter Crawford, Director of Planning Services introduced Erin Ferguson, Planning Technician

13.00 ADJOURNMENT

.01 Moved by Presley and seconded by Jangula that the meeting now adjourn at 6:12 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 14th day of March, 2011

Mayor