

R09/2011 – March 21, 2011

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, March 21, 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

Staff:

S. Gray, Administrator
J. Ward, Manager of Corporate Administration
K. Lagan, Director of Operational Services
P. Crawford, Director of Planning Services
T. Manthey, Director of Financial Services
Alan Hampshire, Deputy Municipal Engineer
G. MacKay, Senior Planner
A. Gornall, Climate Action Analyst

MINUTES

Moved by Hillian and seconded by Presley that the minutes of the Regular Council meeting held March 14, 2011 be adopted.
Carried

3.00 DELEGATIONS

1. Lake Trail Neighbourhood Connections re: Public Safety Initiative

Representatives from the Lake Trail Neighbourhood Connections group outlined its request for 2011 funding in the amount of \$18,987.00.

.01

LAKE TRAIL
NEIGHBOURHOOD
FUNDING

Moved by Hillian and seconded by Jangula that the request from the Lake Trail Neighbourhood Connections group be received.
Carried

4.00 COMMITTEE/STAFF REPORTS

.01

LIQUOR LICENCE
CHANGE WESTERLY
HOTEL
4320-20

Moved by Leonard and seconded by Hillian that

1. “Be it resolved that the Council of the City of Courtenay recommends the amendment of The Westerly Hotel Food Primary Liquor Licence to allow for patron participation for the following reason:
 - (a) The amendment to allow patron participation (dance floor) would not have a negative impact on the community based on the lack of submissions received from the public regarding the application.”

2. Council's comments on the prescribed considerations are as follows:

- (a) If the Westerly Hotel application were approved, it would not result in an increase of noise in the area;
- (b) If the application were approved, it would not have a negative impact on the community based on the lack of submissions received from the public;
- (c) The amendment would not result in the establishment being operated in a manner that is contrary to its primary purpose; and
- (d) In order to gather the views of residents, the City of Courtenay posted a notice in two consecutive issues of a newspaper and on the City's website outlining the Westerly Hotel application and accepting written submissions concerning the application. No submissions were received."

Carried

.02

BIKE LANES
FITZGERALD AVE
5400-15

Moved by Leonard and seconded by Presley that Council direct staff to hold an open house to present the proposal of offset bike lanes on Fitzgerald Avenue from 2nd Street to 26th Street; and

That individual notification of the open house be provided to the residents and businesses along Fitzgerald Avenue.

Carried

.03

OPTIONS FOR WASTE
TO ENERGY
5360-01

Moved by Ambler and seconded by Leonard that the report from the Director of Planning Services regarding various options of Waste to Energy be received for information.

Carried

.04

REZONING 1930,
1950 CLIFFE AVE
110-19TH ST
3360-20-1101

Moved by Hillian and seconded by Presley that Council receive the application from Riverfront Developments Ltd. to amend the City of Courtenay Zoning bylaw No. 2500, 2007, for Lot 2, Section 68, Comox District, Plan 2352, Except part in plan VIP87845; Lot 3, Section 68, Comox District, Plan 2352, Except part in Plan VIP87845; and, Lot C, Section 68, Comox District, Plan VIP54581 (1930 and 1950 Comox Avenue and 110-19th Street) as shown in bold on Attachment No. 1 (the subject properties):

That Bylaw No. 2659 (Zoning Amendment bylaw No. 2659, 2011) be amended by adding the following statement to Section 8.14.6 in Part 14 – Multiple Use Two Zone (MU-2); “Notwithstanding any provision of this bylaw, for the property shown in bold outline on Figure 7 the maximum height of a building shall be 14 metres (not to exceed a maximum of 4 storeys)”, proceed to first and second reading:

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment No. 2659, 2011 on April 11, 2011 at 5:00 p.m. in the City Hall Council Chambers;

That prior to adopting Zoning Amendment Bylaw No. 2659, 2011, a Section 219 Covenant be executed by the applicant and the City of Courtenay (for registration on the subject properties) detailing the agreements for parks contribution, trail construction and environmental works to be completed at the Development Permit stage; and a section 219 Covenant be executed by the applicant and the City of Courtenay (for registration on the remainder properties fronting Cliffe Avenue) in order to secure the works and agreements for the completion of Riverside Lane to be completed at the Development Permit;

That prior to adopting Zoning Amendment Bylaw No. 2659, 2011 a License of Occupation be entered into with the applicant allowing for the uninterrupted use of the portion of the Riverway Trail (which crosses the subject property), until such time as this area is dedicated to the City as public 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

.05

RESERVE FUND
EXPEND BYLAWS
1871-01

Moved by Presley and seconded by Hillian that Council consider the Development Charge Reserve Funds Expenditure Bylaw No. 2665, 2011, and the Reserve Funds Expenditure Bylaw No. 2666, 2011.

Carried

.06

GAMING FUNDS
1890-20

Moved by Presley and seconded by Jangula that Council approves the following policies in regards to the gaming fund account and the annual distribution of gaming funds:

1. That whereas the Gaming Funds Account holds available funds of \$1,085,833 as at December 31, 2010, now therefore staff be authorized to pay in full the outstanding offsite works balance owed to PT Courtenay Enterprises Ltd being \$473,988 as at December 31, 2010;
2. That the annual distribution of gaming funds be limited to the actual gaming revenue received in the year prior to distribution;
3. That the Schedule of Annual Gaming Funds Distribution for the years 2011, 2012, and 2013 be adopted.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Presley and seconded by Hillian that the letter advising
WATER BALANCE the City of Courtenay to be a charter member of the Partnership for
MODEL PARTNERS Water Sustainability in British Columbia be received for information.
5225-09 **Carried**

.02 Moved by Presley and seconded by Leonard that the letter from
GAMBLING Cliff Boldt against the expansion of gambling in the province be received
CLIFF BOLDT for information.
Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR Councillor Leonard reported on a meeting of the Regional District
LEONARD Housing and Homelessness Standing Committee.

COUNCILLOR HILLIAN Councillor Hillian reported on the following meetings:
➤ Maple Pool Campground residents
➤ Community agencies regarding homelessness

MAYOR PHELPS Mayor Phelps reported on his attendance at the Courtenay Volunteer Fire
Department Annual Banquet where several long service awards were
presented.

COUNCILLOR Councillor Jangula reported on the following meetings:
JANGULA ➤ CVRD meetings including Recreation/Water/Sewer and
Committee of the Whole
➤ Workshop regarding meetings and rules of order

7.00 RESOLUTIONS OF COUNCIL

.01 Moved by Presley and seconded by Hillian that under the
IN CAMERA provisions of Section 90(1)(k) of the *Community Charter*, notice is
MEETING hereby given that a Special In-Camera meeting closed to the public, will
be held March 22, 2011 at the conclusion of the Regular Council
meeting.
Carried

10.00 NEW BUSINESS

.01 Moved by Hillian and seconded by Leonard that Council allocate
LAKE TRAIL \$18,987.00 towards the Lake Trail Neighbourhood Connections program.
CONNECTIONS
FUNDING
Subsidiary Motion

Moved by Presley and seconded by Ambler that the request by the Lake Trail Neighbourhood Connections program for funding be referred to staff for a report to Council.

Carried

.02
LINE PAINTING
CLIFFE AVENUE

Mayor Phelps expressed concerns regarding the lack of line painting on the recently completed section of Highway 19A (Cliffe Avenue).

11.00 BYLAWS

.01
BYLAW NO. 2659
ZONING AMEND

Moved by Presley and seconded by Ambler that “Zoning Amendment Bylaw No. 2659, 2011” pass first and second reading.

Carried

.02
BYLAW NO. 2665
DCC RESERVE
EXPEND

Moved by Presley and seconded by Ambler that “Development Cost Charge Reserve Fund Expenditure Bylaw No. 2665, 2011” pass first, second and third reading.

Carried

.03
BYLAW NO. 2666
RESERVE FUND
EXPEND

Moved by Hillian and seconded by Presley that “Reserve Fund Expenditure Bylaw No. 2666, 2011” pass first, second and third reading.

Carried

.04
BYLAW NO. 2669
FEES & CHARGES

Moved by Presley and seconded by Jangula that “City of Courtenay Fees and Charges Amendment Bylaw No. 2669, 2011” be finally passed and adopted.

Carried

12.00 COUNCIL MEMBER ROUNDTABLE

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at the Linc Youth Centre Open House.

COUNCILLOR
AMBLER

Councillor Ambler reviewed his attendance at a meeting of the Ad Hoc Highway Signage Committee.

COUNCILLOR HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- Courtenay Drug Strategy Committee meeting
- Meeting with Lake Trail residents
- Community Justice Center Dialogue regarding hate crimes

MAYOR PHELPS

Mayor Phelps reviewed his attendance at the following events:

- Meeting in Cumberland regarding policing
- Island Coastal Economic Trust meeting
- Rotary meeting
- Mayor’s Open Door session

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- Meeting regarding sustainability
- CV Transition Society meeting
- Economic Round Table
- Ministry of Highways regarding bicycle lanes
- Regional District meetings
- Linc Youth Centre Open House

Mayor Phelps reviewed the upcoming Boomers Legacy Ride in June.

13.00 ADJOURNMENT

.01

Moved by Jangula and seconded by Hillian that the meeting now adjourn at 6:06 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 4th day of April, 2011

Mayor