

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, May 2, 2011 at 4:00 p.m.

Attending:

A/Mayor: J. K. Ambler

**Councillors: D. A. Hillian
L. V. Jangula
J. M. Presley
M. Theos**

Staff:

**S. Gray, Administrator
S. Karvalics, Executive Assistant
K. Lagan, Director of Operational Services
P. Crawford, Director of Planning Services
T. Manthey, Director of Financial Services
R. Wiwchar, Director of Community Services
A. Hampshire, Deputy Municipal Engineer**

MINUTES

Moved by Presley and seconded by Jangula that the minutes of the Regular Council meeting held April 11, 2011 and Committee of the Whole notes of April 26, 2011 be adopted.

Carried

Acting Mayor Jon Ambler and RCMP Inspector Tom Gray presented Bill Borland with a certificate of appreciation for his dedicated service to the community as an Auxiliary RCMP Constable.

3.00 DELEGATIONS

1. Bob Hudson & Ryan McQueen re: Development Permit No. 1105

Bob Hudson of McElhanney advised Council that he was available to answer any questions pertaining to a development permit application for a ten unit multi residential project at 1620 Piercy Avenue.

4.00 COMMITTEE/STAFF REPORTS

.01

CO-OPERATORS
LEASE
2380-20

Moved by Presley and seconded by Theos that subsequent to publication of notice, Council approve the Co-operators General Insurance Company lease renewal for municipally owned property located at 685A Cliffe Avenue, Courtenay BC, V9N 2J6 or Lot 3, Plan 3817, Section 61, Comox Land District, PID: 006-102-930.

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

Carried

.02

DP NO. 1105
1620 PIERCY AVE
3060-20-1105

Moved by Presley and seconded by Hillian that notice be given to the adjacent property owners of proposed Development Permit with Variances No. 1105 as outlined below, and that the application be returned to Council on May 16, 2011; and

That subject to public input, Development Permit with Variances No. 1105 to allow construction of a ten unit multi-residential project, and to reduce the minimum setback provisions of the Residential Three Zone (R-3) of the City of Courtenay Zoning Bylaw No. 2500, 2007 from 7.5 metres to 6.0 metres for the rear yard, from 6.0 metres to 4.0 metres for the side yard, and to reduce the amount of useable open space required for the property legally described as Lot 4, Section 41, Comox District, Plan 4764 (1620 Piercy Avenue) be issued subject to the following conditions:

- a. Development in conformance with the plans and elevations contained in Attachment Nos. 2-5;
- b. Submission of landscape security in the amount of (125% x \$74,739.00) \$93,423.75;
- c. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- d. Contribution of \$5000.00 or equivalent towards the “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund”;
- e. All building, site and sign lighting must be full cut off, flat lens in accordance with the City’s Dark Skies Policy. All proposed lighting must be approved by the City prior to installation;
- f. Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces. Visitor parking spaces must be clearly marked;
- g. Parking must occur in designated parking spaces only. Signage must be installed adjacent to the mailbox indicating that no parking is permitted along the internal roadway in order to maintain fire access;
- h. That if the permit holder has not substantially commenced any construction to which the permit was issued within twelve (12) months after the date it was issued, the permit lapses.

Carried

.03

SUB SERV AGREE
LOT A, PL EPP11322
3320-20-11615

Moved by Theos and seconded by Jangula that Council approve the Subdivision Servicing Agreement for the subdivision of Lot A, Block 72, Comox District, Plan EPP11322;

That the required security be provided to the City prior to subdivision approval; and

That the Mayor and Manager of Corporate Administration be authorized to sign all documentation relating to this development.

Carried

.04

PHASE STRATA
LOT 236, PL
VIP61373
3300-20-1055

Moved by Hillian and seconded by Presley that Council approve the covenant document for the phased strata of Lot 36, Block 72, Comox District, Plan VIP61373;

That the required document be provided to the City prior to approval of the first phase of the strata;

That the developer's solicitor or BC Land Surveyor provide a letter of understanding to register the easement document and covenant concurrently with the phased strata plan; and

That the Mayor and Manager of Corporate Administration be authorized to sign all documentation relating to this development.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR HILLIAN Councillor Hillian advised that the Cycling Task Force will be sending an invitation to Council to attend a special event on June 16 and 17, 2011.

7.00 RESOLUTIONS OF COUNCIL

.01

IN CAMERA
MEETING

Moved by Presley and seconded by Theos that under the provisions of Section 90(1)(a) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held May 2, 2011 at the conclusion of the Regular Council meeting.

Carried

8.00 UNFINISHED BUSINESS

.01

DP NO. 1102
468-29TH ST
3060-20-1102

Moved by Hillian and seconded by Presley that Development Permit with Variances No. 1102 to allow construction of an approximately 214m² commercial building (Great Canadian Oil Change) and to reduce the minimum setback provisions of the Commercial Two Zone (C-2) of the City of Courtenay Zoning Bylaw No. 2500, 2007 for a Service Station from 12.0 metres to 7.5 metres for the property legally described as Lot B, Section 67, Comox District, Plan 33851 (468-29th Street) be issued subject to the following conditions:

- a. Development in conformance with the plans and elevations contained in Attachment No. 2;

- b. Submission of landscape security in the amount of (125% x \$51,687.50) \$64,609.38;
- c. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- d. Submission of a stormwater management plan to the satisfaction of the City prior to issuance of Building Permit;
- e. All proposed signage must be in conformance with the Sign Bylaw and Development Permit Guidelines applicable at the time of application for any sign and signage must not be internally illuminated;
- f. All exterior building lighting to be Full Cut Off/Flat Lens luminaries, consistent with City policy #5240.00.01 and all lighting must be approved by the City prior to installation;
- g. Parking areas must be developed in accordance with Zoning Bylaw 2500, Division 7, Off-Street Parking and Loading Spaces;
- h. That if the permit holder has not substantially commenced any construction to which the permit was issued within twelve (12) months after the date it was issued, the permit lapses.

Carried

11.00 BYLAWS

.01
BYLAW NO. 2671
FINANCIAL PLAN

Moved by Hillian and seconded by Presley that “The 2011-2015 Financial Plan Bylaw No. 2671, 2011” be finally passed and adopted.

Carried

.02
BYLAW NO. 2672
TAX RATES

Moved by Jangula and seconded by Presley that “Tax Rates Bylaw No. 2672, 2011” be finally passed and adopted.

Carried

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.03
BYLAW NO. 2673
FLOODPLAIN
Moved by Presley and seconded by Theos that “The City of Courtenay Floodplain Management Amendment Bylaw No. 2673, 2011” be finally passed and adopted.
Carried

RECESS
Moved by Jangula and seconded by Hillian that the meeting recess at 4:45 p.m. in order to conduct a public hearing.
Carried

Moved by Jangula and seconded by Presley that the meeting reconvene at 5:23 p.m.
Carried

.04
BYLAW NO. 2674
OCP AMEND
Moved by Presley and seconded by Jangula that “Official Community Plan Amendment Bylaw No. 2674, 2011” pass third reading.
Carried with Councillor Hillian opposed

.05
BYLAW NO. 2675
ZONING AMEND
Moved by Presley and seconded by Jangula that “Zoning Amendment Bylaw No. 2675, 2011” pass third reading.
Carried with Councillor Hillian opposed

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR
AMBLER
Councillor Ambler reviewed his attendance at the following events:
➤ Opening of the Chinese Pavilion in Cumberland
➤ Battle of the Atlantic Ceremony
➤ L’Arche Comox Valley Event

COUNCILLOR HILLIAN
Councillor Hillian reviewed his attendance at the Climate Action Presentation by Allan Gornall and Nancy Hofer

COUNCILLOR THEOS
Councillor Theos reviewed his attendance at the lawnbowling season opening

