

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, October 3, 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
R. Wiwchar, Director of Community Services
T. Manthey, Director of Financial Services
P. Crawford, Director of Planning Services
A. Hampshire, Deputy Municipal Engineer

1.00 ADOPTION OF MINUTES

.01 Moved by Presley and seconded by Hillian that the September 19,
MINUTES 2011 Council minutes be adopted.
Carried

3.00 DELEGATIONS

1. Roger Kishi, Wachiay Friendship Centre re: Solutions to the Homelessness Issues

Roger Kishi, Wachiay Friendship Centre and Sarah Sullivan, AIDS Vancouver Island reviewed the homelessness issue in the Comox Valley, and urged Council to take a leadership role in the creation of an emergency shelter on the property purchased by the regional district.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Presley and seconded by Hillian that “Morello Place
MORELLO PLACE Road Closure Bylaw No. 2691, 2011” proceed to 1st, 2nd, and 3rd reading;
ROAD CLOSURE and
950-20
That notice be published regarding the proposed road closure pursuant to the *Community Charter*.
Carried

.02 Moved by Hillian and seconded by Leonard that “Lewis
LEWIS CENTRE LOAN Recreation Centre – Facility Renovation and Expansion Loan
AUTH BYLAW Authorization Bylaw No. 2680, 2011” proceed to final adoption.
6120-01 **Carried with Councillors Jangula and Presley opposed**

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.03 Moved by Hillian and seconded by Presley that the report on the
ANDERTON FIBRE Anderton Fibre Optic Duct Bank from the Director of Planning Services
OPTIC DUCT INSTAL be received for information.
5400-20 **Carried**

.04 Moved by Ambler and seconded by Presley that Council approve
TURNBULL the Statutory Right of Way document for the Subdivision of Lot A,
RIGHT OF WAY District Lot 104, Comox District, Plan 19473;
3320-20-10610

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

Carried

.05 Moved by Hillian and seconded by Ambler that Council support
6TH ST. CYCLING in principle the concept of a 6th Street Cycling/Pedestrian Bridge;
PEDESTRIAN BRIDGE
CONCEPT
5400-02

That staff arrange for cost estimates of geotechnical work and project construction, cost-sharing arrangements, regulatory approvals, technical feasibility and compatibility with transportation master-planning for subsequent consideration by Council; and

That a further report be submitted to Council once this information is obtained to seek further direction on this proposal.

Carried with Councillor Jangula opposed

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

HERITAGE Moved by Leonard and seconded by Presley that the Heritage
MINUTES Advisory Commission minutes for May and June 2011 be received for
information.
Carried

7.00 RESOLUTIONS OF COUNCIL

.01 Moved by Presley and seconded by Hillian that under the
INCAMERA MTG provisions of Section 90(c)(k) of the *Community Charter*, notice is
hereby given that a Special In-Camera meeting closed to the public, will
be held October 3, 2011 at the conclusion of the Regular Council
Meeting.
Carried

8.00 UNFINISHED BUSINESS

Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1112 and there were none.

.01

DVP NO. 1112
2368 ARDEN RD
3090-20-1112

Moved by Presley and seconded by Theos that Development Variance Permit No. 1112, which will vary Sections 8.1.6 (2) and (3) of the Zoning Bylaw No. 2500, 2007 by decreasing the rear yard setback from 9 metres to 6.5 metres, and decreasing the side yard setback (abutting a street) from 4.5 metres to 2 metres for proposed Lot 1, of Lot A, District Lot 230, Comox District, Plan 48707 as shown on Attachment No. 2 be issued.

Carried

Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1113 and there were none.

.02

DVP NO. 1113
2140 LAKE TRAIL RD
3090-20-1113

Moved by Theos and seconded by Presley that Development Variance Permit NO. 1113, which will vary Section 8.3.5(2) rear yard setback and Section 8.3.6 height of a principle building of the Zoning Bylaw No. 2500, 2007 by decreasing the rear yard setback for the third storey of a building from 10 metres to 9 metres, and allowing for an increase in the height of buildings from 10 metres to the 10.5 metres for Lot 3, District Lot 96, Comox District, Plan 2153, Except Parcel A (DD52974N) and Except Part in Plan VIP75376 as shown on Attachment No. 2 be issued.

Carried

Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1111 and there were none.

.03

DVP NO. 1111
2050 & 2094
ARDEN RD
3090-20-1111

Moved by Theos and seconded by Hillian that Development Variance Permit No. 1111, which will vary sections of the Zoning Bylaw 2500, 2007 as outlined in Table 1 for the Remainder of Lot A, Plan VIP63753 and the Remainder of Lot 1, Plan VIP87969, both of District Lot 230, Comox District and proposed Lots 13 and 14 as further illustrated and included in Attachment No. 2, which forms an integral part of this permit, be issued:

<i>Bylaw & Section</i>	<i>Applicable Lot(s)</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Difference</i>
2500 Section 8.1.4 <i>R-1 zone</i> (depth of lot)	Lot 13	30 metres	23 metres	-7.0 metres
2500 Section 8.1.6 (2) <i>R-1 zone</i> (rear yard setback)	Remainder of Lot A and Lot 13	9 metres	5 metres	-4.0 metres
2500 Section 8.1.40 <i>R-1D zone</i> (depth of a lot)	Lot 14	30 metres	19 metres	-11.0 metres
2500 Section 8.1.40 <i>R-1 D Zone</i> (depth of a lot)	Remainder of Lot 1	30 metres	23 metres	-7 metres
2500 Section 8.1.42 (2) <i>R-1D zone</i> (rear yard setback)	Lot 14 and Remainder of Lot 1	9 metres	5 metres	-4.0 metres

Carried

Mayor Phelps called a brief recess at 5:04 p.m.

The meeting reconvened at 5:08 p.m.

10.00 NEW BUSINESS

.01

COUN. PRESLEY
HOMELESS SHELTER
SITE

Moved by Presley and seconded by Jangula that

WHEREAS Council has received an eleven hundred signature petition and other complaints about the CVRD acquired site for the homeless shelter in Courtenay;

AND WHEREAS Council has asked the Comox Valley Regional District to take a second look at the homeless site chosen in Courtenay;

AND WHEREAS the CVRD has referred this request for a second look at the homeless site back to Courtenay as their issue;

THEREFORE BE IT RESOLVED that City of Courtenay staff be directed to issue a request for proposal for an alternate site for a homeless shelter to be located in the Comox Valley.

Moved by Ambler and seconded by Theos that the resolution be amended to include a deadline of January 16, 2012.

Carried with Councillors Hillian and Leonard and Mayor Phelps opposed

The main motion was carried as amended with Councillors Hillian and Leonard and Mayor Phelps opposed

11.00 BYLAWS

.01

BYLAW NO. 2691
MORELLO PL
ROAD CLOSURE

Moved by Presley and seconded by Ambler that “Morello Place Road Closure Bylaw No. 2691, 2011” pass first, second and third reading.

Carried

.02

BYLAW NO. 2680
LEWIS REC CENTRE
RENO LOAN

Moved by Hillian and seconded by Leonard that “Lewis Recreation Centre Facility Renovation and Expansion Loan Authorization Bylaw No. 2680, 2011” be finally passed and adopted.

Carried with Councillors Jangula and Presley opposed

.03

BYLAW NO. 2684
ZONING AMEND

Moved by Leonard and seconded by Ambler that “Zoning Amendment Bylaw No. 2684, 2011” be finally passed and adopted.

Carried

13.00 ADJOURNMENT

.01 Moved by Jangula and seconded by Hillian that the meeting now adjourn at 6:15 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 11th day of October, 2011

Mayor