

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, October 17, 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  
R. Wiwchar, Director of Community Services  
T. Manthey, Director of Financial Services  
P. Crawford, Director of Planning Services

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Presley and seconded by Theos that the October 11,  
MINUTES 2011 Council minutes be adopted.  
**Carried**

**4.00 COMMITTEE/STAFF REPORTS**

**.01** Moved by Leonard and seconded by Presley that the report on the  
CITY HALL RENO City Hall Renovation project be received for information.  
PROJECT UPDATE **Carried**  
0890-20

**.02** Moved by Leonard seconded by Theos that the report from the  
CYCLING TASK FORCE Director of Planning Services which includes the endorsement by the  
END OF TERM REPORT Comox Valley Cycling Task Force of the proposed 6<sup>th</sup> Street  
6940-01 pedestrian/cycling bridge over the Courtenay River be received for  
information;

That Council extend the Terms of Reference for the Comox Valley  
Cycling Task Force for another three (3) year term until October 2014;  
and

That Council endorse the letter to the Premier, attached in Appendix F of  
at the end of term report, for which the Cycling Task Force is requesting  
endorsement by each of the local governments of the Comox Valley.  
**Carried**

**.03**

REZONING  
703, 721, 745  
CUMBERLAND RD  
3360-20-1104

Moved by Presley and seconded by Leonard

That Council receive the application from Mathot Homes Ltd to amend the *City of Courtenay Zoning Bylaw No. 2500, 2007*, for Lot A, District Lot 127, Comox District, Plan 16186 and Lots 10 and 11, Both of Block 11, District Lot 127, Plan 472B as shown in bold on Attachment No. 1;

That Bylaw No. 2686, 2011 which will create a new Comprehensive Development Twenty Three Zone (CD-23) and will rezone the areas as shown on Attachment No. 2 from Industrial Zone Two (I-2) to Comprehensive Development Twenty-Three Zone (CD-23);

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2686, 2011, on November 7<sup>th</sup>, 2011 at 5:00 p.m. in City Hall Council Chambers;

That prior to adopting Zoning Amendment Bylaw No. 2686, 2011 a *Section 219 Covenant* be executed by the applicant and registered on title restricting the stratification of the proposed development for a period of not less than 20 years;

That prior to adopting Zoning Amendment Bylaw No. 2686, 2011 a *Section 219 Covenant* be executed by the applicant specifying that the tenants accept that this location is adjacent to industrial uses and has therefore potential for noise or odours;

That prior to adopting Zoning Amendment Bylaw No. 2686, 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

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**

**.04**

DVP NO. 1114  
4839  
HEADQUARTERS  
3090-20-1114

Moved by Ambler and seconded by Jangula that notice be given to the adjacent property owners of proposed Development Variance Permit No. 1114 as outlined below, and that the application be returned to Council on November 7, 2011; and

That subject to public input, Development Variance Permit No. 1114, to vary Section 8.30.7(3) of the City of Courtenay Zoning Bylaw No. 2500, 2077 the minimum side yard setback of the Agricultural Two Zone (A-2) from 15.0 m to 5.50m, subject to the following conditions:

1. The variances are to accommodate the construction of an electrical building; and

2. Development must be in conformance with the plans and elevations contained in Attachment No. 3.

**Carried**

**.05**

DVP NO. 1115  
2986 CHAPMAN RD  
3090-20-1115

Moved by Theos and seconded by Ambler that notice be given to the adjacent property owners of proposed Development Variance Permit No. 1115 as outlined below, and that the application be returned to Council on November 7, 2011; and

That subject to public input, Development Variance Permit No. 1115 to vary Section 8.10.5 of the City of Courtenay Zoning Bylaw No. 2500, 2007 increasing the maximum lot coverage of the Rural Residential Five Zone (RR-5) from 10% to 30%, be issued subject to the following conditions:

1. The variances are to accommodate the construction of a single residential dwelling;
2. Development must be in conformance with the plans and elevations contained in Attachment No. 2;

**Carried**

**.06**

OCP AMEND  
BYLAW NO. 2387  
6480-20-1105

Moved by Presley and seconded by Jangula that Council consider the Official Community Plan “Chapter 8, Section 7: Environmental Development Permit Areas” amendments, Bylaw No. 2694, outlined in this report;

That Official Community Plan Amendment Bylaw No. 2694 proceed to first and second readings; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Bylaw No. 2694, 2011 on November 7, 2011 at 5:00 p.m. in City Hall Council Chambers.

**Carried**

**.07**

PAVING CONTRACT  
5400-10

Moved by Presley and seconded by Ambler that the City enter into a three year Paving Contract with Tayco Paving for the period January 1, 2012 to December 31, 2014; and

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

**Carried with Councillor Jangula opposed**

**.08**

CAR FREE SUNDAY  
UPDATE  
5460-08

Moved by Leonard and seconded by Ambler that Council receive the evaluation of Car Free Sunday event for information.

**Carried**

**.09**

HABITAT FOR  
HUMANITY APP  
1850-01

Moved by Leonard and seconded by Presley that pursuant to Policy No. 1850.03 “Affordable Housing Initiatives”, Council approves a 2011 matching grant in the amount of \$5000.00 to the Habitat for Humanity Vancouver Island North Society to be used towards the construction of affordable housing units on the property located at 1580 Piercy Avenue.

**Carried**

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

LTR TO MIN OF  
HEALTH  
RE: HOSPITAL

Moved by Leonard and seconded by Presley that the letter addressed to the Minister of Health from the City regarding correspondence from the Village of Cumberland concerning the new hospital site received for information.

**Carried**

**6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

COUNCILLOR  
LEONARD

Councillor Leonard reported on a meeting of the Comox Valley Housing and Homelessness Task Force.

COUNCILLOR  
PRESLEY

Councillor Presley reported on a visit with MP John Duncan at the new Visitors Information Centre.

**10.00 NEW BUSINESS**

COUNC. LEONARD  
CORINTHIAN ESTATES

Moved by Leonard and seconded by Ambler that

WHEREAS public inquiries were made as early as August 2010, well over a year ago regarding traffic safety concerns due to the lack of completion of a required second egress relating to the last development in Corinthian Estates;

AND WHEREAS as staff response during the winter indicated that paving could not be done until paving season, when weather conditions were suitable;

AND WHEREAS paving has not been undertaken to date;

THEREFORE BE IT RESOLVED that staff be directed to ensure the egress is completed to a satisfactory standard immediately.

**Carried with Councillor Jangula Opposed**

**R27/2011 – October 17, 2011**

DAWN TO DAWN  
SOCIETY LETTER OF  
SUPPORT

Moved by Theos and seconded by Presley that Council provide a letter of support for the fundraising efforts of the Dawn to Dawn Action on Homelessness Society.

**Carried**

HOMELESS  
PROPERTY  
ACQUISITION

Moved by Leonard and seconded by Ambler that the notice regarding property acquisition be received for information.

Moved by Presley and seconded by Jangula that the notice be amended to read “from property owners wishing to sell or donate suitable property”.

**Carried**

**The main motion was carried as amended.**

**11.00 BYLAWS**

**.01**  
BYLAW NO. 2686  
ZONING AMEND

Moved by Presley and seconded by Jangula that “Zoning Amendment Bylaw No. 2686, 2011” pass first and second reading.

**Carried**

**.02**  
BYLAW NO. 2694  
OCP AMEND

Moved by Theos and seconded by Leonard that “Official Community Plan Amendment Bylaw No. 2694, 2011” pass first and second reading.

Moved by Leonard and seconded by Theos that “Official Community Plan Amendment Bylaw No. 2694, 2011” be amended by adding the following to section 4 (1) “subject to the Riparian Area Regulation”.

**Carried**

**The main motion was carried as amended**

**.03**  
BYLAW NO. 2691  
MORELLO PLACE

Moved by Jangula and seconded by Presley that “Morello Place Road Closure Bylaw No. 2691, 2011” be finally passed and adopted.

**Carried**

**12.00 COUNCIL MEMBER ROUNDTABLE**

COUNCILLOR  
LEONARD

Councillor Leonard reviewed her attendance at the Garry Oak Symposium

COUNCILLOR  
PRESLEY

Councillor Presley reviewed his attendance at the following events:

- City Volunteer Appreciation Night
- CV Community Foundation Gala

**R27/2011 – October 17, 2011**

COUNCILLOR THEOS      Councillor Theos reviewed his attendance at the Community Justice Centre meeting, and expressed concerns regarding some comments made by Mayor Phelps which were published in the newspaper.

MAYOR PHELPS            Mayor Phelps reviewed his attendance at the following events:

- Habitat for Humanity Auction
- CV Community Foundation Gala
- Garry Oak Symposium
- Jim's Clothes Closet grand opening
- MRI funding announcement
- City Volunteer Appreciation night
- Meeting regarding funding for transition beds
- Occupy Wall Street event

**13.00 ADJOURNMENT**

**.01**                              Moved by Presley and seconded by Leonard that the meeting now adjourn at 5:10 p.m.  
**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 7<sup>th</sup> day of November, 2011**

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**Mayor**