

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, January 9, 2012 at 4:00 p.m.

Attending:

Mayor: L. V. Jangula
Councillors: J. K. Ambler
D. A. Hillian
R-R. Leonard
M. Theos
S. L. Winchester

Staff: S. Gray, Administrator
J. Ward, Manager of Corporate Administration
R. Wiwchar, Director of Community Services
P. Crawford, Director of Planning Services
E. Ferguson, Planning Technician

1.00 ADOPTION OF MINUTES

.01 Moved by Hillian and seconded by Winchester that the January 3,
MINUTES 2012 Regular Council meeting minutes be adopted.
Carried

3.00 DELEGATIONS

1. Kevin Lamont, Herold Engineering

Kevin Lamont, Herold Engineering reviewed the application for Development Variance Permit No. 1120 for the renovation and expansion of a commercial building located at 29th Street and Kilpatrick Avenue.

2. Eirah Unger, Tessitura Flats

Eirah Unger reviewed the application for Development Variance Permit No. 1116 to allow an increase in the maximum building height for the Tessitura Flats development at Cumberland Road and Grieve Avenue.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Hillian and seconded by Winchester that notice be
DVP 1116 given to the adjacent property owners of proposed Development
TESSITURA Variance Permit No. 1116 as outlined below, and that the application be
FLATS returned to Council on February 6, 2012; and
3090-20-1116

That subject to public input, Development Variance Permit No. 1116 varying Section 8.18.7 of *Zoning Bylaw No. 2500, 2007* by increasing the maximum height from 13.5 to 17.5 m be issued to Eirah Unger for the properties located at 574 Cumberland Road and 908 Grieve Avenue (Lots 8 & 9, both of Block B, Section 61, Comox District, Plan 3939), subject to the following conditions:

- (a) The variances are to accommodate construction of a mixed use commercial and residential building;
- (b) Development must be in conformance with the plans and elevations contained in *Attachment No. 3*;
- (c) Contribution of \$39,000 in lieu of providing 6 onsite parking stalls.

Carried

.02
DVP1117
2140 ARDEN
ROAD
3090-20-1117

Moved by Hillian and seconded by Theos that notice be given to the adjacent property owners of proposed Development Variance Permit No. 1117 as outlined below, and that the application be returned to Council on February 6th, 2012; and

That subject to public input, Development Variance Permit No. 1117 to vary *Section 8.3.5 (3)* of the *City of Courtenay Zoning Bylaw* by decreasing the side yard setback where the back of the building faces a side lot line from 6.0 metres to 1.8 metres for the property legally described as Lot 3, District Lot 96, Comox District, Plan 2153, Except Parcel A (DD 52974N) and Except Part in Plan VIP75376, be issued subject to the following condition:

- a) Development must be in conformance with the plans shown in *Attachment No. 2*

Carried

.03
DP WITH
VARIANCES NO.
1120
725 29TH STREET
AND 2871
KILPATRICK
3060-20-1120

Moved by Theos and seconded by Winchester that notice be given to the adjacent property owners of proposed Development Permit with Variances No. 1120 as outlined below, and that the application be returned to Council on February 6, 2012; and

That subject to public input, Development Permit with Variances No. 1120 to allow the renovation and approximately 790 m² expansion of an existing commercial building, and to vary *Section 8.24.11 (1)* and *(3)* of the *City of Courtenay Zoning Bylaw No. 2500, 2007* reducing the minimum landscaped area along the inside of the western side property line from 3.0 m to 0.0 m for the properties legally described as Lot 7, Section 67, Comox District, Plan 30252 and Lot A, (DD J113981), Section 67, Comox District, Plan 32185 subject to the following conditions:

- a. Development in conformance with the plans and elevations contained in *Attachment No. 2*;
- b. Lots must be consolidated prior to issuance of Building Permit;
- c. Submission of landscape security in the amount of (125% x \$43,650.00) \$54,562.50;
- d. Submission of a revised landscape plan showing approved street trees prior to issuance of Building Permit;
- e. Submission of an irrigation plan to the satisfaction of the City prior to issuance of Building Permit;
- f. Landscaping must be completed within six months of the date of issuance of the Occupancy Permit;
- g. 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;
- h. All exterior building lighting to be Full Cut Off/Flat Lens luminaries, consistent with City policy # 5240.00.01. A lighting spec must be provided and approved by the City prior to issuance of Building Permit;
- i. Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces; and
- j. 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

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at a meeting of the Comox Valley Housing Task Force.

13.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Leonard that the meeting now adjourn at 4:21 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 16th day of January, 2012

Mayor