

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 6, 2012 at 4:00 p.m.

Attending:

Mayor: L. V. Jangula
Councillors: J. K. Ambler
B. F. Anglin
D. A. Hillian
M. Theos
S. L. Winchester

Staff: Tillie Manthey, Deputy CAO
J. Ward, Director of Legislative Services
R. Wiwchar, Director of Community Services
P. Crawford, Director of Planning Services
E. Ferguson, Planning Technician
A. Gornall, Sustainability Planner

1.00 ADOPTION OF MINUTES

.01 Moved by Theos and seconded by Ambler that the January 23, 2012 Special Council meeting minutes and January 30, 2012 Committee of the Whole minutes be adopted.
MINUTES
Carried

3.00 DELEGATIONS

1. Bev Skwernuik, North Island College Trades Building Noise

Bev Skwernuik, representing Tamarack Drive residents, provided a detailed update regarding ongoing noise concerns with the North Island College trades building.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Ambler and seconded by Anglin that the report from the CAO regarding the trades building at North Island College be received and further that staff continue monitoring noise related concerns from residents.
N.I. COLLEGE
TRADES
BUILDING
NOISE
4020-20
Carried

.02 Moved by Theos and seconded by Winchester that the Sid Williams Theatre Society 2012 user rental rates be approved.
SID THEATRE
2012 USER
RATES
7900-20
Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Hillian and seconded by Winchester that the Police Report
POLICE REPORT for December 2011 be received for information.
7550-01 **Carried**

.02 Moved by Hillian and seconded by Winchester that the findings from
OMBUDSPERSON the Ombudsperson regarding noise from Costco Wholesale Store be received
FINDINGS for information.
COSTCO **Carried**

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR Councillor Winchester reviewed her attendance at Regional District
WINCHESTER meetings and orientation sessions.

COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance the Community Justice Centre
meeting.

COUNCILLOR ANGLIN Councillor Anglin reviewed his attendance at Regional District
orientation sessions.

COUNCILLOR THEOS Councillor Theos reviewed his attendance at Regional District meetings
and orientation sessions.

COUNCILLOR Councillor Ambler reviewed his attendance at Regional District meetings
AMBLER and orientation sessions.

MAYOR JANGULA Mayor Jangula reviewed his attendance at the Island Corridor Foundation
meeting.

7.00 RESOLUTIONS OF COUNCIL

.01 Moved by Ambler and seconded by Winchester that
COUNCILLOR
AMBLER WHEREAS in a democracy the citizens trust in their elected
CODE OF CONDUCT representatives to govern effectively and to conduct government business
with the appropriate respect, decorum and integrity;

AND WHEREAS it is recognized that Council business is dynamic, complex, diverse and at time emotional, all of which can lead to conflict;

AND WHEREAS all humans are fallible and a set of written guidelines and core values constituting a code of conduct have been found useful at many other governing bodies;

THEREFORE BE IT RESOLVED that a written Code of Conduct be developed to be adopted by Council.

Carried

8.00 UNFINISHED BUSINESS

.01

DVP NO. 1116
TESSITURA FLATS
3090-20-1116

Mayor Jangula inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1116 and there were none.

Moved by Hillian and seconded by Theos that 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 17.5m 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

DVP NO. 1117
NICON DEVELOP
3090-20-1117

Mayor Jangula inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1117 and there were none.

Moved by Winchester and seconded by Theos that 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 NO. 1120
HEROLD
ENGINEERING
3060-20-1120

Mayor Jangula inquired whether there were any members of the public wishing to make a submission regarding Development Permit No. 1120 and there were none.

Moved by Anglin and seconded by Winchester that Development Permit with Variances No. 1120 to allow the renovation and approximately 790m² 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 3.0m to 0.0m 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 tree 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

That 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

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR ANGLIN Councillor Anglin reviewed his attendance at the CV Chamber of Commerce awards gala.

COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance at the Family Literacy Day.

COUNCILLOR WINCHESTER Councillor Anglin reviewed her attendance at the breakfast meeting with Minister Pat Bell and Minister Don McRae.

MAYOR JANGULA Mayor Jangula reviewed his various meetings with citizens, developers, builders, and downtown cultural and business groups.

13.00 ADJOURNMENT

.01 Moved by Hillian and seconded by Theos that the meeting now adjourn at 5:15 p.m.

Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 13th day of February, 2012

Mayor