

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 20, 2012 at 4:00 p.m.

Attending:

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

Staff: Sandy Gray, CAO
J. Ward, Director of Legislative Services
T. Manthey, Director of Financial Services
K. Lagan, Director of Operational Services
R. Wiwchar, Director of Community Services
P. Crawford, Director of Planning Services
E. Ferguson, Planning Technician

1.00 ADOPTION OF MINUTES

.01 Moved by Winchester and seconded by Hillian that the February
MINUTES 13, 2012 Council meeting minutes be adopted.
Carried

Council approved the addition of one late delegation to the agenda.

3.00 DELEGATIONS

1. Larry Kowalsky, Rezoning Application-3096 Turnstall Road

Larry Kowalsky reviewed the application for rezoning property located at 3096 Turnstall Road to permit the subdivision of two additional single family lots.

2. Barry Weih, Wensley Architecture-Development Permit No. 1131

Barry Weih reviewed the application for Development Permit with Variances No. 1131 to allow the installation of signage for a proposed shopping centre located at 444 Lerwick Road.

3. Brian Russwurm, Subdivision Servicing Agreement Cascara Crescent

Brian Russwurm expressed concerns regarding the proposed covenants for part of the Cascara Crescent subdivision fronting Mission Road.

4.00 COMMITTEE/STAFF REPORTS

.01

INFRASTRUCTURE
WORKS & ROAD
PAVING LOAN BYLAW
6120-01

Moved by Winchester and seconded by Theos that “Infrastructure Works and Road Paving Loan Authorization Bylaw No. 2681, 2011” proceed to final adoption.

Carried

.02

COVENANT
2880 ARDEN RD
6480-20-1009
3360-20-1026

Moved by Ambler and seconded by Winchester that Council direct staff to commence the preparation of a covenant in advance of the consideration of final readings of Bylaw Nos. 2682 and 2683 detailing the following for the use of Lot 26 for the purpose of providing a site for an affordable housing project subject to:

- Maximum of 7 units in the form of two duplexes and one triplex.
- Public pedestrian trail on southern property line of Lot 26 outside of the streamside protection area.
- 2 metre high concrete fence off-set one metre along northern property line
- Driveway entrance a minimum of 4.5 metres from north property line
- 4.5 metres of landscaping along north property line
- Consideration of walkout basement design
- Residential units oriented towards Arden Road and back of property
- Subject to Multiple Residential Development Permit Guidelines

Carried

.03

ZONING AMEND
3096 TURNSTALL RD
3360-20-1105

Moved by Hillian and seconded by Theos that Council consider the application from McElhanney Consulting Services Ltd. to amend Zoning Bylaw No. 2500, 2007 for the property legally described as Lot B, District Lot 134, Comox District, Plan VIP53698 except part in Plan VIP88516 (3096 Turnstall Road) from the Residential One A Zone (R-1A) to Rural Residential One Zone (RR-1) as shown in bold in Attachment No. 1;

That Zoning Amendment Bylaw No. 2701 to rezone from Residential One A Zone (R-1A) to Rural Residential One Zone (RR-1) the property legally described as Lot B, District Lot 134, Comox District, Plan VIP53698 except part in Plan VIP88516 proceed to 1st and 2nd reading; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2701 on March 12, 2012 at 5:00 p.m. in City Hall Council Chambers.

Carried

.04

DP NO. 1131
444 LERWICK RD
3060-20-1131

Moved by Theos and seconded by Winchester that notice be given to the adjacent property owners of proposed Development Permit with Variances No. 1131 as outlined below, and that the application be returned to Council on March 5, 2012; and

That subject to the public input, Development Permit with Variances No. 1131 to allow the installation of signage for the proposed Thrifty's Shopping Centre on the property located at 444 Lerwick Road (Lot 1, Block 72, Comox District, Plan VIP81206) and to vary Sections 6.4.1, 6.4.4 and 4.1.1 of the City of Courtenay Sign Bylaw No. 2042, 1998, allowing fascia signs exceeding 9m² in area and 1 metre in height and allowing a sign to be mounted on the roof of a canopy, be issued to Jace Holdings Ltd., Inc. No. BC802190 subject to the following conditions:

- a. Signage must be in conformance with the plans and drawings contained in Attachment No. 2;
- b. Signage for the Thrifty's Food Store may be halo illuminated signage with a semi-translucent face. For all other business premises, signage must be indirectly lit or non-illuminated;
- c. All second storey signage must be non-illuminated;
- d. No lifestyle signage is permitted;
- e. Any signage on a rear building facade adjacent to a residential property must be non-illuminated;
- f. All future signage will be required to meet the conditions of this Development Permit and the provisions of the City of Courtenay Sign Bylaw at time of application and all signage will require a Sign Permit prior to installation;
- g. That if the permit holder has not substantially commenced construction within twelve (12) months after the date of issuance, the permit lapses.

Carried

.05

SUBDIVISION
SERVICING AGREE
RUSSWURM
HOLDINGS
3320-20-09595

Moved by Ambler and seconded by Leonard that Council approve the Subdivision Servicing Agreement, Covenants and Statutory Right of Way documents for the subdivision of Lot C, Plan 43411 and Part of Lot 11, Plan VIP83608, All of District Lot 236, Comox District;

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

That the Mayor and Director of Legislative Services be authorized to sign all documentation relating to this development.

Carried

.06

FALL 2012

DEBENTURE BORROW
1760-04

Moved by Winchester and seconded by Leonard that

Whereas the Corporation of the City of Courtenay is a Member Municipality of the Comox Valley Regional District; and

Whereas the Regional District may from time to time finance at the request, cost, and on behalf of the Municipality pursuant to the provisions of Section 824 of the Local Government Act; and

Whereas the Corporation of the City of Courtenay has enacted Bylaw 2680, 2011 approving the borrowing of the funds;

Now Therefore, Council hereby resolves:

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the Fall 2012 Borrowing Session, \$4,200,000 as authorized through the Lewis Recreation Centre-Facility Renovation and Expansion Loan Authorization Bylaw No. 2680, 2011; and

That the Comox Valley Regional District be requested to consent to our borrowing over a 15 year term and include this borrowing in their Security Issuing Bylaw.

Carried

.07

GARBAGE USER
FEES
1705-20

Moved by Leonard and seconded by Ambler that Council approve an increase of 10% in the garbage utility user bylaw fees, and

That Council endorse the City of Courtenay Fees and Charges Amendment Bylaw No. 2702, 2012.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

POLICE REPORT
7550-01

Moved by Leonard and seconded by Winchester that the Police Report for January 2012 be received for information.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR
AMBLER

Councillor Ambler reviewed his attendance at Regional District meetings including water, sewer, recreation and 911.

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

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

COUNCILLOR WINCHESTER Councillor Winchester outlined her attendance at Regional District meetings.

7.00 RESOLUTIONS OF COUNCIL

.01 Moved by Ambler and seconded by Winchester that under the provisions of Section 90(1)(d) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held February 20, 2012 at the conclusion of the Regular Council Meeting.

INCAMERA MTG

Carried

.02 Moved by Hillian and seconded by Anglin that

COUN. HILLIAN
LIVE STREAMING
COUNCIL MTG

WHEREAS the democratic process will be enhanced if more citizens have the opportunity to observe City Council meetings, but a limited number can attend in person;

THEREFORE BE IT RESOLVED that Council request a staff report on the feasibility of implementing internet streaming of Council meetings.

Carried

10.00 NEW BUSINESS

.01 Moved by Ambler and seconded by Theos that the request from the Comox Valley Social Planning Society to appoint a Council Liaison be received.

C.V. SOCIAL
PLANNING SOCIETY

Carried

Moved by Winchester and seconded by Theos that staff provide a report to Council regarding a potential appointment including the composition of the Society and local government appointees.

Carried

.02 Moved by Ambler and seconded by Winchester that the request from the Dawn to Dawn: Action on Homelessness Society to construct a community garden on City owned property on Harmston Avenue be approved for the summer of 2012.

DAWN TO DAWN
COMMUNITY GARDEN

Carried

12.00 COUNCIL MEMBER ROUND TABLE

- COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance in the Elderberry Crescent area regarding noise issues and Family Literacy Day.
- COUNCILLOR LEONARD Councillor Leonard reviewed her attendance at the Vancouver Island Regional Library Board meeting.
- COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at the following events:
➤ Cumberland Lantern Festival and Heritage Fair
➤ Visit to the Rotary Sky Park.
- MAYOR JANGULA Mayor Jangula reviewed his attendance at the CV Francophone Society Mardi Gras.

11.00 BYLAWS

- .01** Moved by Hillian and seconded by Winchester that “Zoning
BYLAW NO. 2701 Amendment Bylaw No. 2701, 2012” pass first and second reading.
ZONING AMEND **Carried**
- .02** Moved by Winchester and seconded by Anglin that “City of
BYLAW NO. 2702 Courtenay Fees and Charges Amendment Bylaw No. 2702, 2012” pass
FEES AND CHARGES first, second and third reading.
Carried
- .03** Moved by Hillian and seconded by Theos that “Infrastructure
BYLAW NO. 2681 Works and Road Paving Loan Authorization Bylaw No. 2681, 2011” be
WORKS & ROAD finally passed and adopted.
Carried

13.00 ADJOURNMENT

- .01** Moved by Hillian and seconded by Anglin that the meeting now
adjourn at 5:52 p.m.
Carried

CERTIFIED CORRECT

Manager of Corporate Administration

Adopted this 5th day of March, 2012

Mayor