

R12/2012 – April 16, 2012

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, April 16, 2012 at 4:00 p.m.

**Attending:**

**Mayor:** Mayor L. V. Jangula

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

**Staff:**

S. Gray, CAO  
J. Ward, Director of Legislative Services  
T. Manthey, Director of Financial Services/Deputy CAO  
P. Crawford, Director of Planning Services  
K. Lagan, Director of Operational Services  
R. Wiwchar, Director of Community Services  
I. Buck, Senior Planner  
A. Gornall, Sustainability Planner  
N. Hofer, Environmental Planner

**1.00 ADOPTION OF MINUTES**

**.01** Moved by Ambler and seconded by Anglin that the April 10, 2012  
MINUTES Council meeting minutes be adopted.  
**Carried**

**3.00 DELEGATIONS**

**1. Ron Webber re: V.I. Real Estate Board Commercial Building Awards**

Ron Webber presented Mayor Jangula with a 2012 Commercial Building Award for the City Hall renovation project, received from the Vancouver Island Real Estate Board.

**2. City Staff re: NAOSH Safety Week**

City staff members Tyler Johns and Paige Knapman made a presentation to Council regarding North American Occupational Safety and Health Week.

**.01** Moved by Hillian and seconded by Leonard that Council endorse  
NAOSH SAFETY WEEK NAOSH Safety Week May 6- 12, 2012.  
**Carried**

**3. Heather Ney re: 2<sup>nd</sup> Annual Purple Ribbon Campaign**

Heather Ney reviewed the 2<sup>nd</sup> Annual Purple Ribbon Campaign against family violence.

**4. Owners of 841 Cliffe Avenue re: property at the corner of Cliffe and 10<sup>th</sup>**

Detlef Kunz reviewed his request to purchase a portion of the Regional District property adjacent to his property at 841 Cliffe Avenue for parking purposes.

**.01** Moved by Winchester and seconded by Theos that the email from  
841 CLIFFE AVE Detlef Kunz be forwarded to the Comox Valley Regional District with the suggestion that the Regional District allow Mr. Kunz to be a delegation; and

That the Regional District consider leasing or selling a portion of the Regional District property as requested by Mr. Kunz.

**Carried with Councillors Hillian and Leonard opposed**

**4.00 COMMITTEE/STAFF REPORTS**

**.01** Moved by Ambler and seconded by Winchester that Council  
ZONING AMENDMENT consider the application to amend Zoning Bylaw No. 2500, 2007 to  
2325 VALLEY VIEW rezone from Residential One Zone (R-1) to Residential One S Zone (R-  
3360-20-1110 1S) the property legally described as Lot 14, District Lot 157, Comox District, Plan VIP54229 (2325 Valley View Drive, the subject property);

That Zoning Amendment Bylaw No. 2693 to rezone from Residential One Zone (R-1) to Residential One S Zone (R-1S) the property legally described as Lot 14, District Lot 157, Comox District, Plan VIP54229 proceed to 1<sup>st</sup> and 2<sup>nd</sup> reading; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2693 on May 7, 2012 at 5:00 p.m. in City Hall Council Chambers.

**Carried**

**The meeting recessed at 4:56 p.m. and reconvened at 5:03 p.m.**

VARY AGENDA Moved by Winchester and seconded by Ambler that the agenda be varied to consider Financial Services items first.

**Carried**

**.02** Moved by Anglin and seconded by Winchester that Council  
DCBIA BUDGET approve the DCBIA 2012 proposed budget and requested tax levy in the  
TAX LEVY amount of \$60,000.  
1971-20

**Carried**

**.03**  
2012/13 RCMP  
CONTRACT  
1660-20

Moved by Ambler and seconded by Winchester that Council grant final approval to the 2012/13 Municipal Contract Policing Resource request in the amount of \$4,593,606, representing 90% of the contract cost, which maintains the City's established strength of 30.40 members.

**Carried**

**.04**  
FIVE YEAR  
FINANCIAL PLAN  
1705-20

Moved by Winchester and seconded by Ambler that Council approve an increase of 3.3% in the revenue raised from property taxation as detailed in the proposed 2012-2016 Recommended Financial Plan; and

That Council approve the following 2012-2016 Financial Plan Schedules for inclusion in the 2012-2016 Financial Plan Bylaw:

Schedule C	General Operating Fund
Schedule D	Water Operating Fund
Schedule E	Sewer Operating Fund
Schedule F	General Capital Fund
Schedule G	Water Capital Fund
Schedule H	Sewer Capital Fund

**Carried**

Moved by Winchester and seconded by Ambler that Council approve a commercial rate tax rate multiplier of 2.85 to be used in calculating the 2012 property tax rates.

**Carried with Councillors Hillian and Leonard opposed**

**.05**  
5TH ST BRIDGE  
6TH ST CYCLING  
BRIDGE  
5400-02

Moved by Hillian and seconded by Leonard that Council receive the report on the Fifth Street Bridge and the Proposed Cycling/Pedestrian Wooden Frame Bridge at 6th Street from the Director of Operational Services;

That Council approves the initial \$70,000 for the 6th Street Cycling/pedestrian bridge for survey, design, geotechnical, environmental and archaeological work and that this be funded from the City's New Works – Community Works Fund Reserve;

That an application is made under the Gas Tax General Strategic Priorities Fund for \$1,750,000 for the recoating of the 5th Street Bridge; and

That an application is made under the Gas Tax Innovations Fund for \$1,900,000 for the construction of a wooden frame cycling/pedestrian bridge at 6th Street over the Courtenay River.

**Carried with Councillors Theos, Winchester and Mayor Jangula opposed**

Moved by Winchester and seconded by Ambler that Council identify the 5<sup>th</sup> Street Bridge as its #1 priority and this be communicated with the funding applications.

**Carried with Councillors Hillian and Leonard opposed**

**The meeting recessed at 7:14 p.m. and reconvened at 7:20 p.m.**

## **5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**

PURPLE RIBBON  
CAMPAIGN

Moved by Ambler and seconded by Winchester that Council endorse the 2<sup>nd</sup> Annual Purple Ribbon Campaign.

**Carried**

## **6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

COUNCILLOR  
AMBLER

Councillor Ambler reviewed his attendance at the AVICC convention along with other Council members.

## **7.00 RESOLUTIONS OF COUNCIL**

**.01**

INCAMERA MTG

Moved by Anglin and seconded by Theos that under the provisions of Section 90(1)(e) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held April 16, 2012 at the conclusion of the Regular Council Meeting.

**Carried**

## **8.00 UNFINISHED BUSINESS**

**.01**

DP NO. 1133  
1537 DINGWALL RD  
3060-20-1133

Mayor Jangula asked whether any member of public wished to make a verbal presentation regarding Development Permit No. 1133 and there were none.

Moved by Ambler and seconded by Hillian that Development Permit with Variances No. 1133 to allow construction of a six unit multi-residential project, and to reduce the minimum building setback provisions of the Residential Three Zone (R-3) of the City of Courtenay Zoning Bylaw No. 2500, 2007 from 7.5 metres to 7.0 metres for the front yard, to reduce the landscaping requirement from 3.0 metres to 1.0 metres in width for the side yard, and to reduce the amount of useable open space required from 260m<sup>2</sup> to 190m<sup>2</sup> for the property legally described as Lot B, Section 16, Comox District, Plan 29080 (1537 Dingwall Road) be issued subject to the following conditions:

- a. Development in conformance with the plans and elevations contained in Attachment Nos. 2-3;
- b. Submission of landscape security in the amount of (125% x \$29,978.00) \$37,472.50;
- c. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- d. All building, site and sign lighting must be full cut off, flat lens in accordance with the City's Dark Skies Policy. All proposed lighting must be approved by the City prior to installation;
- e. Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2077, Division 7, Off-Street Parking and Loading Spaces. Visitor parking spaces must be clearly marked;
- f. Applicant to provide confirmation of easement area securing access to the property from the adjacent property;
- g. Approval of the sediment and erosion control plan;
- h. 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.

**Defeated**

**In Favour – Councillors Ambler and Anglin**

**Opposed – Councillors Hillian, Leonard, Theos, Winchester and Mayor Jangula**

## **11.00 BYLAWS**

**.01**

BYLAW NO. 2693  
ZONING AMEND

Moved by Theos and seconded by Ambler that "Zoning Amendment Bylaw No. 2693, 2012" pass first and second reading.

**Carried**

