

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, May 14, 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

R. Wiwchar, Director of Community Services

L. Pedersen, Director of Employee and Technology Services

I. Buck, Senior Planner

1.00 ADOPTION OF MINUTES

.01

MINUTES

Moved by Winchester and seconded by Ambler that the May 7, 2012 Council meeting minutes be adopted.

Carried

3.00 DELEGATIONS

1. Peter Sanderson, Habitat for Humanity re: Development Permit No. 1201

Peter Sanderson and Deb Roth reviewed the Application for Development Permit with Variances No. 1201 for the proposed Habitat development located at 1580 Piercy Avenue.

4.00 COMMITTEE/STAFF REPORTS

.01

NOTICE ON TITLE

650-17TH ST

3800-20

Moved by Ambler and seconded by Winchester that pursuant to section 57(3) of the *Community Charter* Council direct the Corporate Officer to file a notice in the Land Title Office against the property legally described as P.I.D. 004-352-998, Lot 2, Section 68, Comox District, Plan 14140 located at 650-17th Street which states:

(a) a resolution relating to the lands has been made under section 57 of the *Community Charter*, and

(b) further information about it may be inspected at the municipal hall.

Carried

.02

DP NO. 1201
1580 PIERCY AVE
3060-20-1201

Moved by Winchester and seconded by Theos that notice be given to the adjacent property owners of proposed Development Permit with Variances No. 1201 as outlined below, and that the application be returned to Council on June 11, 2012;

That subject to public input, Council approve Development Permit with Variances No. 1201 for a six unit multi-residential project with the following variances:

- Section 8.3.5(2), the rear yard building setback from 7.5 metres to 4.4 metres;
 - Section 8.3.5(3), the side yard building setback from a total of 4.5 metres to 3.25 metres;
 - Section 8.3.76, the amount of useable open space from 300m² to 260m²;
 - Section 8.3.10(1), the landscape screen from 3.0 metres in width to 0.6 metres adjacent to the mailbox, recycling and storage area, and to 1.0 metres for the remainder of the side property lines;
 - Section 8.3.10(2), the minimum width of landscaped area along a property line adjacent to a street from 4.5 metres to 3.6 metres;
- and

That Development Permit with Variances No. 1201 be issued for the property legally described as Lot A, Section 41, Comox District, Plan EPP16159 (1580 Piercy Avenue) subject to the following conditions:

- a. Development in conformance with the plans and elevations contained in Attachment No. 3;
- b. Submission of landscape security in the amount of (125% x \$33,870.00) \$42,337.50;
- c. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- d. Protection of the mature trees on the adjacent property during all clearing, site preparation and construction activities according to the measures prescribed in Attachment No. 4:
 - Arborist assessment of neighbouring trees to establish root protection areas;
 - Installation of temporary fencing along edge of identified root protection areas to maintain existing rooting conditions of the neighbouring trees;
 - Grade changes along the edge of identified rooting areas must not alter the hydrology of the soil within those areas;
 - Retention of the rooting structures of tree #6 subsequent its removal to protect the integrity of neighbouring trees (after the tree is removed leave the stump in place);

- e. All building, and site 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;
- f. Parking areas must be developed in accordance with Zoning Bylaw No. 2500, 2007, Division 7, Off-Street Parking and Loading Spaces. Visitor parking spaces must be clearly marked;
- g. Approval of a 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.

Carried

.03
STAT RIGHT OF WAY
PUBLIC WALKWAY
3320-20-11620

Moved by Ambler and seconded by Anglin that Council approve the Statutory Right of Way over Lot A, Section 78, Comox District, Plan 37741, Except Part in Plan VIP78091; and

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

Carried

.04
RELEASE
RIGHT OF WAY
BANFF INVEST
3220-20-2871

Moved by Winchester and seconded by Hillian that Council approve the release of right of way G91993 over Lot A (DDJ113981), Section 67, Comox District, Plan 32185; and

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

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR
AMBLER

Councillor Ambler reviewed his attendance at Regional District Solid Waste and Hospital Board meetings

COUNCILLOR HILLIAN

Councillor Hillian reviewed his attendance at the CV Environmental Council meeting

7.00 RESOLUTIONS OF COUNCIL

.01
INCAMERA MTG

Moved by Anglin and seconded by Theos that under the provisions of Section 90(1)(l) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held May 14, 2012 at the conclusion of the Regular Council Meeting.

Carried with Councillor Leonard opposed

10.00 NEW BUSINESS

.01

COUN. AMBLER
CIVIC GOVERNANCE
GEORGE CUFF
530-01

Moved by Ambler and seconded by Winchester that

WHEREAS governance at the local level is complex and demanding, and that our citizens are entitled to our best efforts;

THEREFORE BE IT RESOLVED that in order to increase the efficiency and effectiveness of our Council, that George Cuff, a recognized expert in civic governance be asked to provide a Council training session.

Carried

11.00 BYLAWS

.01

BYLAW NO. 2708
FINANCIAL PLAN

Moved by Winchester and seconded by Ambler that “2012-2016 Financial Plan Bylaw No. 2708, 2012” be finally passed and adopted.

Carried

.02

BYLAW NO. 2709
TAX RATES

Moved by Hillian and seconded by Winchester that “Tax Rates Bylaw No. 2709, 2012” be finally passed and adopted.

Carried

.03

BYLAW NO. 2693
ZONING AMEND

Moved by Hillian and seconded by Winchester that “Zoning Amendment Bylaw No. 2693, 2012” be finally passed and adopted.

Carried

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at the following events:

- BBQ at the Public Works Yard for NAOSH Week
- Vancouver Island Regional Library Board meeting on Cortez Island
- CV Social Planning Society AGM

COUNCILLOR HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- CV Environmental Council meeting
- CV Social Planning Society AGM
- CV Drug Strategy Committee meeting

MAYOR JANGULA

Mayor Jangula reviewed his attendance at the following events:

- Meeting with Kim Stubblefield from the DCBIA
- Meeting with Pastor Peter Rabey from the Courtenay Fellowship Baptist Church
- Ride for Dad kick-off
- Citizenship Court
- Mayor’s Luncheon

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- BBQ at the Public Works Yard for NAOSH Week
- Filberg Park opening
- Sweet Revenge grand opening
- Vintage Auto Tour meet and greet

13.00 ADJOURNMENT

.01 Moved by Theos and seconded by Anglin that the meeting now adjourn at 5:33 p.m.
Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 21st day of May, 2012

Mayor