

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Tuesday, May 22, 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

K. Lagan, Director of Operational Services

P. Crawford, Director of Planning Services

I. Buck, Senior Planner

1.00 ADOPTION OF MINUTES

.01

MINUTES

Moved by Winchester and seconded by Ambler that the May 14, 2012 Council meeting minutes be adopted.

Carried

2.00 INTRODUCTION OF LATE ITEMS

Council approved the addition of a late in camera resolution from Councillor Leonard.

3.00 DELEGATIONS

1. Trudy Thompson, Christine Klassen & David Kirk re: Smart Meters

Trudy Thompson, Christine Klassen and David Kirk made a presentation regarding BC Hydro smart meters. They requested that Council pass a resolution to call for a moratorium on mandatory and/or request an opt-out option.

.01

BC HYDRO

Moved by Winchester and seconded by Ambler that a representative from BC Hydro be invited to attend a future Council meeting to discuss smart meters.

Carried

The meeting recessed at 4:28 p.m. and reconvened at 4:34 p.m.

2. David Rice, Zoning Amendment No. 1204- 1976 Snowbird Lane

David Rice reviewed the zoning amendment application to allow a secondary suite on the property located at 1976 Snowbird Lane.

3. Joe Burritt, Zoning Amendment No. 1201- 965 Nikolaisen Road

Joe Burritt reviewed the zoning amendment application to allow a secondary suite on the property located at 965 Nikolaisen Road.

4. Kyle Corey, Zoning Amendment No. 1203- 610-19th Street

Kyle Corey reviewed the zoning amendment application to allow a secondary suite on the property located at 610 19th Street.

5. Andrew Gower, P. Eng, PE Imagine Comox Valley re: Car Free Sunday

Andrew Gower reviewed the plans for Car Free Sunday to be held on June 17, 2012.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Ambler and seconded by Theos that Council adopt the
CODE OF CONDUCT revised Code of Conduct attached to the report from the Director of
530-20 Legislative Services.
Carried

.02 Moved by Theos and seconded by Winchester that Council
REZONING consider the application to amend Zoning Bylaw No. 2500, 2007 to
1976 SNOWBIRD rezone from Residential One Zone (R-1) to Residential One S Zone (R-
3360-20-1204 1S) the property legally described as Lot 8, Section 9, Comox District,
Plan 47868 (1976 Snowbird Lane, the subject property);

That Zoning Amendment Bylaw No. 2710, 2012 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. 2710, 2012 on
June 11, 2012 at 5:00 p.m. in City Hall Council Chambers.

Carried

.03 Moved by Anglin and seconded by Hillian that Council consider
REZONING the application to amend Zoning Bylaw No. 2500, 2007 to rezone from
965 NIKOLAISEN Residential One Zone (R-1) to Residential One S Zone (R-1S) the
3360-20-1201 property legally described as Lot 2, Section 15, Comox District, Plan
34407 (965 Nikolaisen Road, the subject property);

That Zoning Amendment Bylaw No. 2698, 2012 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. 2698 on June 11, 2012 at 5:00 p.m. in City Hall Council Chambers.

Carried

.04
REZONING
610-19TH ST
3360-20-1203

Moved by Hillian and seconded by Anglin that Council consider the application to amend Zoning Bylaw No. 2500, 2007 to rezone from Residential One Zone (R-1) to Residential One S Zone (R-1S) the property legally described as Lot 13, Block 3, Section 68, Comox District, Plan 16252 (610 19th Street, the subject property);

That Zoning Amendment Bylaw No. 2706, 2012 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. 2706, 2012 on June 11, 2012 at 5:00 p.m. in City Hall Council Chambers.

Carried

.05
SUB SERVICING
AGREE
SILVERADO LAND
3320-20-11623

Moved by Anglin and seconded by Theos that Council approve the Subdivision Servicing Agreement for the subdivision of Part of Lot A, Plan VIP74893, Except Parts in Plans VIP76772, VIP77377 and VIP88268; and Part of Lot B, Plan VIP74893, Except Parts in Plans VIP76772, VIP77377 and VIP88268, All in Block 72, Comox District;

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

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

Carried

.06
CAR FREE SUNDAY
5460-08

Moved by Hillian and seconded by Leonard that the report from the Director of Operational Services regarding an update on Car Free Sunday on June 17, 2012 be received;

That Council approves the Car Free Sunday event on June 17, 2012 from 12:00 p.m. to 5:00 p.m. and that the following roads are temporarily closed for the event: 5th Street from Cliffe Avenue to McPhee Avenue; Fitzgerald Avenue from 5th Street to 16th Street; 16th Street from Fitzgerald Avenue to McPhee Avenue; McPhee Avenue from 5th Street to 16th Street;

That the temporary closure of 5th Street from Cliffe Avenue to Fitzgerald Avenue remain from 5:00 p.m. to 7:00 p.m. for a street party with the barricades removed by 8:00 p.m.; and

That the applicant provides the necessary insurance for the event and notifies the emergency services at least five working days prior to the event.

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01 Moved by Winchester and seconded by Hillian by that the Police
POLICE REPORT Report for April 2012 be received for information.
Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR Moved by Winchester and seconded by Theos that the report from
LEONARD the Comox Valley Housing Task Force be included on the agenda for the
regular Council meeting to be held June 11, 2012.
Carried

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

7.00 RESOLUTIONS OF COUNCIL

.01 Moved by Leonard and seconded by Theos that under the
IN CAMERA MEETING provisions of section 90 (1) (n) of the *Community Charter*, Council now
proceed to a special in camera meeting closed to the public (5:37 p.m.)
Carried

The open Council meeting reconvened at 5:50 p.m.

.02 Moved by Ambler and seconded by Winchester that under the
IN CAMERA MEETING 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 May 22, 2012 at the conclusion of the Regular Council Meeting.
Carried

8.00 UNFINISHED BUSINESS

Mayor Jangula inquired whether there were any members of the wishing to make a submission regarding DVP 1201 and there were none.

.01 Moved by Ambler and seconded by Theos that Development
DVP NO. 1201 Variance Permit NO. 1201, to vary Section 8.2.7(1) and (2) of the City of
1743 A&B Courtenay Zoning Bylaw No. 2500, 2007 to vary the minimum front
ENGLAND AVE yard setback from 7.5 metres to 4.6 metres and the minimum rear yard

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3090-20-1201 setback from 9.0 metres to 5.5 metres, be issued to Mathot Homes Ltd., Inc. No. BC0654135, for Strata Lots A & B, Both of Section 68, Comox District, Strata Plan EPS449, subject to the following conditions:

- a. The variance is to accommodate entryway staircases of a front-to-back duplex as shown in Attachment No. 3;
- b. Planting of low level hedge between the fence and the sidewalk to the front, and planting of a low level hedge or shrubs between the fence and the lane to the rear.

Carried

.02 Moved by Hillian and seconded by Theos that staff provide a report to Council within 2 months regarding the success of noise attenuation efforts at the Costco site relative to previous noise concerns raised by adjacent residents.

COUNCIL HILLIAN
COSTCO NOISE
4020-20

Carried

11.00 BYLAWS

.01 Moved by Winchester and seconded by Leonard that “Zoning Amendment Bylaw No. 2698, 2012” pass first and second reading.

BYLAW NO. 2698
ZONING AMEND

Carried

.02 Moved by Theos and seconded by Hillian that “Zoning Amendment Bylaw No. 2710, 2012” pass first and second reading.

BYLAW NO. 2710
ZONING AMEND

Carried

.03 Moved by Hillian and seconded by Theos that “Zoning Amendment Bylaw No. 2706, 2012” pass first and second reading.

BYLAW NO. 2706
ZONING AMEND

Carried

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR AMBLER Councillor Ambler reviewed his attendance at the Walk of Achievement ceremony and reception for Kim Cattrall.

COUNCILLOR LEONARD Councillor Leonard reviewed her attendance at the Walk of Achievement ceremony and reception for Kim Cattrall.

COUNCILLOR WINCHESTER Councillor Winchester reviewed her attendance at the Walk of Achievement ceremony and reception for Kim Cattrall.

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MAYOR JANGULA

Mayor Jangula reviewed his attendance at the following events:

- 1st Mayors Caucus
- Reception for Kim Cattrall
- Knights of Columbus food booth at the Highland Games
- 124th annual Victoria Day celebrations in Cumberland

13.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Theos that the meeting now adjourn at 6:31 p.m.

Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 11th day of June, 2012

Mayor