

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, June 11, 2012 at 4:00 p.m.

Attending:

Mayor: Acting Mayor M. Theos

Councillors: J. K. Ambler
B. F. Anglin
D. A. Hillian
R-R. Leonard
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
R. Wiwchar, Director of Community Services
I. Buck, Senior Planner
E. Ferguson, Planning Technician
D. Bardonex, Fire Chief
K. MacDonald, Deputy Fire Chief

1.00 ADOPTION OF MINUTES

.01

MINUTES

Moved by Ambler and seconded by Anglin that the May 22, 2012 Council meeting minutes and May 29, 2012 Committee of the Whole Minutes be adopted.
Carried

3.00 DELEGATIONS

1. Art Villa, Playtime Gaming re: Change in Liquor Licences

Art Villa reviewed the applications from Playtime Gaming Centres for permanent changes to the liquor licence hours of operation and occupant load at Chances Courtenay.

2. Bradley White re: Rezoning – 1300 Arden Road

Bradley White reviewed the application to rezone the property located at 1300 Arden Road to allow a secondary suite.

3. Allan Hughes re: Closure of Cape Lazo Canadian Coast Guard Marine Communications

Allan Hughes of CAW-TCA Local 2182 reviewed the planned closure of Canadian Coast Guard Marine Communications and Traffic Services Centre Comox, and requested support from Council to keep the facility open.

The meeting recessed at 4:55 p.m. to conduct the Public Hearing in relation to Bylaws 2698, 2706 and 2710, and reconvened at 5:24 p.m.

4.00 COMMITTEE/STAFF REPORTS

Moved by Winchester and seconded by Anglin the agenda be varied to consider the matters relating to the delegations.

Carried

.01

LIQUOR LICENCE
CHANCES
COURTENAY
4320-20

Moved by Winchester and seconded by Hillian that Council receive the application from Chances Courtenay for a permanent change to its liquor licence hours of sale; and

That notices be sent to property owners and businesses within a 100 metres radius of the subject property requesting input on the proposed licence change for Council consideration at the July 3, 2012 Council meeting.

Carried

.02

LIQUOR LICENCE
CHANCES
COURTENAY
4320-20

Moved by Winchester and seconded by Hillian that Council receive the application from Chances Courtenay for an increase in capacity of its licenced area; and

That notices be sent to property owners and businesses within a 100 metres radius of the subject property requesting input on the proposed licence change for Council consideration at the July 3, 2012, Council meeting.

Carried

.03

ZONING AMEND
1300 ARDEN RD
3360-20-1111

Moved by Ambler and seconded by Winchester that Council consider the application to amend Zoning Bylaw No. 2500, 2007 to rezone from Residential One A Zone (R-1A) to Residential One S Zone (R-1S) the property legally described as Lot A, District Lot 96, Comox District, Plan 38889 (1300 Arden Road, the subject property);

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2695, 2012 on July 3, 2012 at 5:00 p.m. in City Hall Council Chambers.

Carried

.04

COAST GUARD
COMMUNICATIONS

Moved by Winchester and seconded by Ambler that Council write to Honourable John Duncan with a copy to Honourable Don McRae expressing concerns regarding the planned closure of Canadian Coast Guard Marine Communications and Traffic Services Centre Comox; and

That Council invite Minister Duncan or a representative to attend the next available Council meeting to discuss the closure.

Carried

.05
EAST COURTENAY
FIRE HALL SITE
760-20

Moved by Winchester and seconded by Anglin that Council approve proceeding with the design and construction of the East Courtenay Fire Hall/Training Centre with the training centre to be completed by the end of fiscal year 2014, and completion of the fire hall to be by the end of fiscal year 2015; and

That Council approve meeting with representatives of the Comox Valley Emergency Program and the Comox Valley Ground Search and Rescue to ascertain whether these functions will be part of the space requirements of the new facility.

Carried

.06
MFA FALL 2012
DEBENTURE

Moved by Hillian and seconded by Anglin 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 2681, 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, \$1,560,000 as authorized through the Infrastructure Works and Road Paving Loan Authorization Bylaw No. 2681, 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
RCMP MUNICIPAL
POLICING CONTRACT
1660-20

Moved by Leonard and seconded by Winchester that Council approves a revised expenditure cap for the 2012/13 Municipal Contract Policing Resource in the amount of \$4,602,716, representing 90% of the revised contract cost of \$5,114,129; and

That Council grants “approval in principle” to the 2013/14 Municipal Contract Policing Resource request in the amount of \$4,833,477, representing 90% of the contract cost of \$5,370,530, and which maintains an established strength of 30.40 members.

Carried

.08
2011 STMNT OF
FINANCIAL INFO
1870-06

Moved by Winchester and seconded by Ambler that Council approve the 2011 Statement of Financial Information.

Carried

.09
HARMSTON PARK
LEASE RENEWAL
5920-20

Moved by Ambler and seconded by Anglin that Council approve the renewal of the lease agreement with School District 71 for the property known as Harmston Park (Lot A, Section 61, DL127, Plan 18873) for a five year term from November 1, 2011 to October 31, 2016; and

That the Mayor and Director of Legislative Services be authorized to executive the agreement.

Carried

.10
EDS LEASE
2380-20

Moved by Winchester and seconded by Hillian that subsequent to public notice, Council approve a lease agreement with the Comox Valley Economic Development Society for use of office space on the second floor of the Comox Valley Centre for the Arts located at 580 Duncan Avenue; and

That notice be published regarding the lease pursuant to Section 26 of the Community Charter.

Carried

.11
C-1 ZONE
3360-01

Moved by Winchester and seconded by Ambler that Council receive the report from the Director of Development Services for information; and

That for the purpose of providing clarity and guidance for future proposals the following definitions be endorsed:

- Emergency Shelter-provides temporary/short stay overnight accommodation, food and other services to people who are homeless.
- Transitional housing-provides limited term housing (up to 3 years) with support to enable people to live independently.
- Supportive housing-provides permanent affordable housing and supports to enable people to live independently
- Affordable housing-provides permanent housing for families and individuals who do not have sufficient income to afford market rent housing.

Carried with Councillors Hillian and Leonard opposed

.12
STAT ROW
LOT 4, PL 4764
3220-20-1620

Moved by Ambler and seconded by Hillian that Council approve the Statutory Right of Way over Lot 4, Section 41, Comox District, Plan 4764; and

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

Carried

.13
5TH ST. BRIDGE
MAINT WORK
5400-20

Moved by Ambler and seconded by Winchester that the update from the Director of Operational Services concerning the status of the 5th Street Bridge Structural Maintenance Work be received for information.

Carried

The meeting recessed at 7:00 p.m. and reconvened at 7:05 p.m.

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
HERITAGE MINUTES

Moved by Winchester and seconded by Leonard that the April 25 and May 23, 2012 Heritage Advisory Commission minutes be received for information.

Carried

.02
TRANSFER PROP ON
CLIFFE TO CITY
2260-20
5040-20
470-20 CVRD

Moved by Winchester and seconded by Hillian that the Comox Valley Regional District's offer to transfer Comox Valley Regional District purchased properties at 865, 877 and 889 Cliffe Avenue to the City of Courtenay be received for information; and

That staff provide a report to Council regarding the offer.

Carried

8.00 UNFINISHED BUSINESS

Acting Mayor Theos inquired whether there were any members of the wishing to make a submission regarding DP 1201 and there were none.

.01
DP NO. 1201
1580 PIERCY AVE
3060-20-1201

Moved by Winchester and seconded by Ambler that Council approve Development Permit with Variances No. 1201 for a six unit multi-residential project with the following variances:

That 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 8.3.7, 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 to 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

10.00 NEW BUSINESS

.01
C.V. HOUSING TASK
FORCE REPORT
5040-20

Moved by Hillian and seconded by Leonard that the report from the Comox Valley Housing Task Force be received for information.

Carried

Moved by Leonard and seconded by Winchester that Council write a letter of support to the Salvation Army in support of funding to maintain 24/7 operations.

Carried

.02

DAWN TO DAWN
LTR OF SUPPORT
5040-01

Moved by Ambler and seconded by Hillian that the request for a letter of support from The Dawn to Dawn Action on Homelessness Society grant application in the amount of \$80,000 to develop and implement a pilot project in Conflict Resolution for landlords and tenants who have mental health issues be received.

Carried

Moved by Ambler and seconded by Hillian that Council write a letter of support regarding the Dawn to Dawn Action on Homelessness Society grant application.

Carried

11.00 BYLAWS

.01

BYLAW NO. 2695
ZONING AMEND

Moved by Hillian and seconded by Anglin that “Zoning Amendment Bylaw No. 2695, 2012” pass first and second reading.

Carried

.02

BYLAW NO. 2710
ZONING AMEND

Moved by Hillian and seconded by Ambler that “Zoning Amendment Bylaw No. 2710, 2012” pass third reading.

Carried

.03

BYLAW NO. 2706
ZONING AMEND

Moved by Hillian and seconded by Ambler that “Zoning Amendment Bylaw No. 2706, 2012” pas third reading.

Carried

.04

BYLAW NO. 2698
ZONING AMEND

Moved by Hillian and seconded by Leonard that “Zoning Amendment Bylaw No. 2698, 2012” pass third reading.

Carried

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR
AMBLER

Councillor Ambler reviewed his attendance at the CV Boys and Girls Club fundraising event.

