

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 4, 2013 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:

S. Gray, CAO
J. Ward, Director of Legislative Services
T. Manthey, Director of Financial Services/Deputy CAO
K. Lagan, Director of Operational Service
R. Wiwchar, Director of Community Services
P. Crawford, Director of Development Services
I. Buck, Manager of Planning
L. Hatch, Municipal Engineer

1.00 ADOPTION OF MINUTES

.01 Moved by Theos and seconded by Ambler that the January 21,
MINUTES 2013 Council meeting minutes and January 28, 2013 Committee of the
Whole minutes be adopted.
Carried

Honourable Don McRae, MLA Comox Valley presented Mr. Sandy Gray, City CAO with the Queen Elizabeth II Diamond Jubilee Medal.

3.00 DELEGATIONS

1. Dawn to Dawn Action on Homelessness Society Update

Richard Clarke, Chairs of the Dawn to Dawn Action on Homelessness Society provided Council with an update regarding the Society's mandate and operations.

2. Jason Hess, Architect for DP 1206 – 388 Lerwick Road

Jason Hess reviewed the application for Development Permit No. 1206 to allow the construction of a restaurant and a commercial building on property located at 388 Lerwick Road.

3. Costco Wholesale – Noise Mitigation Update

Rick Jerabek and Steele Jones provided Council with an update regarding noise mitigation undertaken at the Courtenay Costco Wholesale location. In addition, they provided a review of the truck delivery schedule for the warehouse. Andrew Barclay and Kim Katz were also in attendance.

The meeting recessed at 4:58 p.m. to conduct the public hearing in relation to Bylaw No. 2722 and Bylaw No. 2723.

The meeting reconvened at 5:25 p.m.

4.00 COMMITTEE/STAFF REPORTS

.01 Randy Wiwchar and Blair Pettis provided Council with an update regarding the Lewis Centre renovation.
LEWIS CENTRE
CONSTRUCTION
UPDATE

The meeting recessed at 6:01 p.m. and reconvened at 6:05 p.m.

.02 Moved by Ambler and seconded by Winchester that Development Permit No. 1206, to allow construction of an approximately 395m² restaurant and 757m² commercial building on the property legally described as Lots 1 and 2, Section 78, Comox District, Plan EPP27505 and the remainder of Lot A, Section 78, Comox District, Plan VIP75241 (388 Lerwick Road) be issued subject to the following conditions:

DP NO. 1206
388 LERWICK RD
3060-20-1206

- a. Development in conformance with the plans and elevations contained in Attachment No. 2;
- b. Submission of landscape security in the amount of (125% x \$32,521.33) \$40,651.66;
- c. Submission of an irrigation plan prior to issuance of building permit;
- d. Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- e. The following minimum depth of topsoil or amended organic soil is required on all landscaped areas of the property; shrubs – 450mm; groundcover and grass – 300mm; trees – 300mm around and below the root ball;
- f. Issuance of a sign permit in compliance with the City of Courtenay Sign Bylaw No. 2042, 1998 or the bylaw in effect at the time of application and the Commercial Development Permit Guidelines is required for all signage. Signage must not be internally illuminated unless otherwise permitted by the sign bylaw in effect at the time of application;
- g. All building, site and sign lighting must be full cut off, flat lens in accordance with the City’s Dark Skies Policy. Submission of a lighting plan and specifications is required prior to issuance of a building permit and all lighting must be approved by the City prior to installation;
- h. Submission of a sediment and erosion control plan prior to any site disturbance;
- i. 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

R04/2013 – February 4, 2013

.03
SUB SERVICING
AGREEMENT
BUCKSTONE
3320-20-11634

Moved by Theos and seconded by Ambler that Council approve the Subdivision Servicing Agreement for the subdivision of Lot A, District Lot 153, Comox District, Plan EPP19353;

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

.04
“ONE BILLION
RISING” TEMP
ROAD CLOSURE
5460-08

Moved by Leonard and seconded by Hillian that the report from the Director of Operational Services regarding the closure of 5th Street on February 14, 2013 between Duncan and England Avenue from 1:00 p.m. to 1:40 p.m. be received;

That the applicant advise all emergency services of the road closure at least five working days prior to the event; and

That the necessary insurance be in place prior to the event.

Moved by Hillian and seconded by Ambler that the resolution be amended to add “that Council support the event and that the location be moved to the Sid Williams Civic Square”.

Carried

The main motion as amended was Carried

.05
ROAD RUNNERS
HALF MARATHON
ROAD CLOSURE
5460-08

Moved by Hillian and seconded by Ambler that the report from the Director of Operational Services regarding the closure of Anderton Avenue on March 24, 2013 from the 5th Street entrance to the Florence Filberg Centre between 10:00 a.m. and 2:15 a.m. be received;

That the applicant advise all emergency services of the road closure at least five working days prior to the event; and

That the necessary insurance be in place prior to the event.

Carried

.06
PROJECT WATERSHED
LETTER OF SUPPORT
400-02

Moved by Leonard and seconded by Ambler that Council provide a letter of support to Project Watershed for three (3) separate funding applications.

Carried

.07
2013 WATER AND
SEWER USER RATES
1700-01
1830-01

Moved by Theos and seconded by Anglin that Council approve

That user fee revenue for the water utility fund increase by 10% for 2013;

That user fee revenue for the sewer utility fund increase by 20% for 2013;

That the frontage rate for water be increased to \$1.14 per taxable frontage; and

That staff be directed to draft the bylaws required to implement the proposed changes in water and sewer user fees and frontage rates.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR
AMBLER

Councillor Ambler reviewed his attendance at the following meetings:

- CVRD Committee of the Whole
- Ad Hoc Comox Valley Sign Committee

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at the following meetings:

- Comox Valley Environmental Council
- Comox Valley Housing Task Force

7.00 RESOLUTIONS OF COUNCIL

.01

COUN. LEONARD
RAVEN COAL MINE

Moved by Leonard and seconded by Hillian that

WHEREAS the operations of the proposed Raven Underground Coal Mine could impact the aquifers used by the surrounding communities for their potable water;

AND WHEREAS the operation of this mine could impact the fin fish, shellfish, and other fisheries in Baynes Sound and the considerable economic value derived from these fisheries;

AND WHEREAS the City of Courtenay previously passed a resolution requesting the Province of British Columbia conduct a comprehensive mapping of the aquifers in the areas that could be affected by the Raven Underground Coal Mine Project proposed by Compliance Coal Corporation and such mapping has not been completed as a requirement of the Environmental Review process;

AND WHEREAS the Comox Valley Regional District supported a letter sent to the BC Ministry of Environment requesting a baseline study of the Baynes Sound intertidal and subtidal benthic infauna community adjacent to the proposed mine;

AND WHEREAS our additional request that the Federal Government conduct an independent Environmental Assessment of the project has gone unheeded;

THEREFORE BE IT RESOLVED THAT the City of Courtenay advise the elected representatives and the appropriate agencies of the Federal and Provincial government that it is opposed to the further processing of this application until the Province of British Columbia conduct a comprehensive aquifer mapping of the aquifers that could be affected by the Raven Underground Coal Mine Project; and

THAT the Province of British Columbia conduct an independent baseline study of the Baynes Sound intertidal and subtidal benthic infauna community adjacent to the proposed Raven Underground Coal Mine Project; and

THAT the Federal Minister of the Environment refer the environment assessment of the Raven Underground Coal Mine Project to an independent review panel with public hearings.

Carried

10.00 NEW BUSINESS

.01
CANCEL MEETING
FEBRUARY 12, 2013

Moved by Hillian and seconded by Anglin that the regular Council meeting scheduled for February 12, 2013 be cancelled and all business be referred to the February 18, 2013 meeting.

Carried

11.00 BYLAWS

.01
BYLAW NO. 2731
ZONING AMEND

Moved by Hillian and seconded by Ambler that “Zoning Amendment Bylaw No. 2731, 2013” be finally passed and adopted.

Carried

.02
BYLAW NO. 2722
OCP AMEND

Moved by Winchester and seconded by Theos that “Official Community Plan Amendment Bylaw No. 2722, 2013” pass third reading.

Carried

.03
BYLAW NO. 2723
ZONING AMEND

Moved by Hillian and seconded by Winchester that “Zoning Amendment Bylaw No. 2723, 2013” pass third reading.

Carried

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at the following events:

- Integrated Care Advocacy Event
- Community Film Festival
- Family Literacy Day

R04/2013 – February 4, 2013

MAYOR JANGULA

Mayor Jangula reviewed his attendance at the following events:

- Island Corridor Foundation meeting
- Lunch with Grade 3 class at Valleyview Elementary School

13.00 ADJOURNMENT

.01

Moved by Hillian and seconded by Ambler that the meeting adjourn at 7:20 p.m.

Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 12th day of February, 2013

Mayor