

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Tuesday, August 6, 2013 at 4:00 p.m.

Attending:

Mayor: L. V. Jangula
Councillors: B. F. Anglin
D.A. Hillian
R-R. Leonard
M. Theos
S.L. Winchester

Staff:

D. Allen, CAO
J. Ward, Director of Legislative Services
P. Crawford, Director of Development Services
L. Hatch, Manager of Engineering
E. Ferguson, Planning Technician

1.00 ADOPTION OF MINUTES

.01 Moved by Winchester and seconded by Theos that the July 15,
MINUTES 2013 Council meeting minutes be adopted.
Carried

Mayor Jangula presented David Allen, CAO with a Certificate in Local Government Executive Management from the Provincial Board of Examiners.

3.00 DELEGATIONS

1. Janice Cashin, Raise a Reader Campaign

Janice Cashin reviewed the Raise a Reader campaign, and invited Council to participate in the Raise a Reader day on September 25, 2013.

2. Harry Whitfield, Architect and Daniel Fontaine, Owner – Development Permit No. 1309

Harry Whitfield and Daniel Fontaine reviewed the application for Development Permit No. 1309 to allow an addition the Common Ground restaurant located at 596 5th Street.

4.00 COMMITTEE/STAFF REPORTS

.01 Moved by Anglin and seconded by Theos that the regular Council
COUNCIL MTG meeting scheduled for September 3, 2013 be rescheduled to September
SCHEDULE 23, 2013; and
570-01 That the Committee of the Whole meeting scheduled for September 23,
2013 be cancelled.
Carried

.02

DP NO. 1309
596-5TH ST
COMMON GROUND
CAFE
3060-20-1309

Moved by Hillian and seconded by Theos that Development Permit with Variances No. 1309 be approved for the construction of an addition to an existing restaurant with the following variances to the City of Courtenay Zoning Bylaw No. 2500, 2007:

- Section 8.18.9(1) – Off-Street Parking, reducing the number of required parking stalls for the proposed addition from 7 stalls to 0;
- Section 8.18.10(4) – Landscaping and Screening, reducing the width of the required 2.0 metre landscaping buffer from 2.0 metres to 0.0 metres; and

That Development Permit with Variances No. 1309 be issued for the property legally described as Lot A, Section 61, Comox District, VIP87722 (596 5th Street) subject to the following conditions:

- a) Development must be in conformance with the plans and elevations contained in Attachment No. 2;
- b) Installation of landscaping in conformance with the plans contained in Attachment No. 2;
- c) Minimum depth of topsoil or amended organic soil on all landscaped areas as follows: shrubs – 450 mm; groundcover and grass – 300 mm; trees – 300 mm around and below the root ball;
- d) Submission of landscape security in the amount of (125% x \$1,610.00) \$2,012.50;
- e) Landscaping must be completed within six months of the date of issuance of the occupancy permit by the City;
- f) All building and site lighting must be full cut-off, flat lens in accordance with the City's Dark Skies Policy (#5240.00.01);
- g) Issuance of a sign permit in compliance with the City of Courtenay Sign Bylaw No. 2042 is required for any alteration to existing signage or proposed new signage;
- 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

DVP NO. 1308
2937 KILPATRICK
LA-Z-BOY

Moved by Anglin and seconded by Theos that Development Variance Permit No. 1308 to vary Section 4.1.2, Section 6.4.1, and Section 6.4.4 of the City of Courtenay Sign Bylaw No. 2042, 1998 by increasing the maximum number of signs per business premise frontage from three signs to five signs, to increase the maximum combined area of

signs per building face from 9.0m² to 15.2m², and to increase the maximum height of a fascia sign from 1.0 metres to 1.6 metres for the property legally described as Strata Lot 1, Section 67, Comox District, Strata Plan VIS3732, together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (2937 Kilpatrick Road) be issued subject to conformance with the plans and drawings contained in Attachment No. 2.

Carried

.04

DVP NO. 1307
1799 CLIFFE AVE
MCDONALD'S
3090-20-1307

Moved by Hillian and seconded by Anglin that Development Variance Permit No. 1307 to vary Section 6.3.1 and Section 6.3.2 of the City of Courtenay Sign Bylaw No. 2042, 1998 by increasing the maximum area from 1.8m² to 5.04m² and 5.45m², the maximum height from 2.0 metres to 2.12 metres and 2.26 metres and the maximum number of directory signs from two signs to four signs per business premise for the property legally described as Lot 2, Section 68, Comox District, Plan VIP65180 (1799 Cliffe Avenue) be issued subject to conformance with the plans and drawings contained in Attachment No. 2.

Carried

.05

OCP/ZONING AMEND
CROWN ISLE
6480-20-1301
3360-20-1304

Moved by Theos and seconded by Anglin that Council receive the application to amend City of Courtenay Official Community Plan Bylaw No. 2387, 2005 and City of Courtenay Zoning Bylaw No. 2500, 2007, for part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850, and for part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 as shown in bold on Attachment No. 1;

That Bylaw No. 2762, 2013 to amend the Official Community Plan land use designation from Commercial to Mixed Use for part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 and from Mixed use to Commercial for part of Lot A, Block 72, Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850 proceed to first and second reading;

That Bylaw No. 2763, 2013 to create a new Comprehensive Development One I (CD-1I) zone and to rezone part of Lot 2, Block 72, Comox District, Plan EPP10850, Except Part in Plan EPP19657 from Comprehensive Development One F (CD-1F) zone to CD-1I zone, and to rezone part of Lot A, Block 72m Comox District, Plan 49168, Except Parts in Plans VIP72302, VIP78220, VIP80915, VIP82077, VIP82902, VIP87389, VIP88342 and EPP10850 from Comprehensive Development One A (CD-1A) zone to CD-1F zone proceed to first and second reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to OCP Amendment Bylaw No. 2762, 2013 and Zoning Amendment Bylaw No. 2763, 2013 on August 19, 2013 at 5:00 p.m. in City Hall Council Chambers; and

That Council authorize the Mayor and Director of Legislative Services to execute all legal documents necessary to affect the rezoning of the subject lands.

Carried with Councillor Leonard opposed

.06

SUB SERVICING
AGREE – SILVERADO
LAND CORP
3320-20-12641

Moved by Anglin and seconded by Theos that based on the August 6, 2013 report from the Deputy Approving Officer, Council approve OPTION 1, the Subdivision Servicing Agreement for the Subdivision between the Corporation of the City of Courtenay and Silverado Land Corporation for Lots 1 and 2, Plan VIP74892 and Part of Lot A, Plan VIP72239, Except Part in Plans VIP77537, VIP78754 and VIP82174, all in Block 72, Comox District; and Bareland Strata (Phase 1) of Lot D, Block 72, Comox District, Plan EPP25664 for the area in the Crown Isle Development located on the Crown Isle Drive south of Malahat Drive;

That the required security, as outlined in this report, be provided to the Corporation of the City of Courtenay prior to subdivision and bareland strata (phase 1) approval; and

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

Carried

.07

TAX EXEMPTION
BYLAWS
1960-20

Moved by Hillian and seconded by Winchester that whereas on July 15, 2013, Council approved the proposed list of recipients and prescribed exemption levels for property taxation exemption in 2014;

Now therefore Council endorse three readings of the following annual bylaws:

- a. Tax Exemption 2014, Bylaw 2764, 2013
- b. Churches Tax Exemption 2014, Bylaw 2765, 2013

Carried

5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

POLICE REPORT
7550-01

Moved by Hillian and seconded by Winchester that the monthly police report for July 2013 be received for information.

Carried

6.00 REPORTS FROM COUNCIL REPRESENTATIVES

COUNCILLOR HILLIAN Councillor Hillian reviewed the Community Justice Centre Mural Project on the Elks Lodge #60 building.

7.00 RESOLUTIONS OF COUNCIL

.01 Moved by Winchester and seconded by Theos that notice is
IN CAMERA MEETING hereby given that a Special In-Camera meeting closed to the public will be held August 6, 2013 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) Labour relations or other employee relations;
- 90 (1) (e) The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the Municipality.
- 90 (1) (g) Litigation or potential litigation affecting the municipality.

Carried

10.00 NEW BUSINESS

.01 Moved by Winchester and seconded by Leonard that Council lobby
COUNC. WINCHESTER for the work of the Comox Valley Hospice Society at every opportunity;
HOSPICE SOCIETY and

That Council request a meeting with Premier Clark, Minister Terry Lake and Minister Don McRae at the upcoming UBCM convention regarding this issue.

Carried

.02 Moved by Winchester and seconded by Hillian that the letter from
FUNDING ASSIST the Town of Port McNeill regarding the Lac-Mégantic Rail Disaster be
LAC-MEGANTIC received for information; and
RAIL DISASTER

That Council send a letter of condolence to the community of Lac-Mégantic.

Carried

.03 A discussion was held regarding the 2013 UBCM Convention Provincial
UBCM CONVENTION Appointment Book, and staff were instructed to request meetings with
APPT BOOK the following Ministers:
390-20

- Minister of Transportation;
- Minister of Energy, Mines and Natural Gas and Minister Responsible for Housing; and

- Minister of Community, Sport and Cultural Development.
Carried

11.00 BYLAWS

.01
BYLAW NO. 2762
OCP AMEND

Moved by Hillian and seconded by Winchester that “Official Community Plan Amendment Bylaw No. 2762, 2013” pass first and second reading.

Carried with Councillor Leonard opposed

.02
BYLAW NO. 2763
ZONING AMEND

Moved by Theos and seconded by Winchester that “Zoning Amendment Bylaw No. 2763, 2013” pass first and second reading.

Carried with Councillor Leonard opposed

.03
BYLAW NO. 2764
TAX EXEMP

Moved by Winchester and seconded by Anglin that “Tax Exemption 2014 Bylaw No. 2764, 2013” pass first, second and third reading.

Carried

.04
BYLAW NO. 2765
CHURCHES EXEMPT

Moved by Winchester and seconded by Anglin that “Churches Tax Exemption 2014 Bylaw No. 2765, 2013” pass first, second and third reading.

Carried

12.00 COUNCIL MEMBER ROUND TABLE

COUNCILLOR
LEONARD

Councillor Leonard reviewed her attendance at the following events:

- Lake Trail Connections Harvest Event
- Planning meeting for the Housing Task Force Community Forum

COUNCILLOR
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- CV Chamber of Commerce Mixer
- Market Days
- Theatre Works performance of “Fairy Island”
- Jim Brass memorial service

MAYOR JANGULA

Mayor Jangula reviewed his attendance at the following events:

- Classic Cruisers Graffiti Bash Car Show

13.00 ADJOURNMENT

.01 Moved by Hillian and seconded by Theos that the meeting adjourn at 5:36 p.m.
Carried

CERTIFIED CORRECT

Director of Legislative Services

Adopted this 19th day of August, 2013

Mayor