

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, January 17, 2011 at 4:00 p.m.**

**Attending:**

**Mayor:** G. T. Phelps  
**Councillors:** J. K. Ambler  
L. V. Jangula  
R-R. Leonard  
J. M. Presley  
M. Theos

**Staff:**

S. Gray, Administrator  
J. Ward, Manager of Corporate Administration  
K. Lagan, Director of Operational Services  
P. Crawford, Director of Planning Services  
G. MacKay, Senior Planner  
N. Hofer, Environmental Planner  
A. Gornall, Climate Action Analyst

MINUTES

Moved by Presley and seconded by Theos that the minutes of the Regular Council meeting held January 10, 2011 be adopted.  
**Carried**

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

**1. School District #71 - Development Variance Permit No. 1015**

Pastor Ken Gaglardi, Comox Valley Christian School and Sherry Elwood, School District 71 Superintendent of Schools, reviewed the application for Development Variance Permit No. 1015 including plans to enhance the Garry Oak Forest.

**2. Jack Minard - Development Variance Permit No. 1015**

Jack Minard, Executive Director Comox Valley Land Trust and Tsolum River Restoration Society, expressed his opposition to Development Variance Permit No. 1015, indicating that the property is not suitable for development.

**.01**

VARY AGENDA

Moved by Presley and seconded by Ambler that the agenda be varied to consider unfinished business.

**Carried**

**8.00 UNFINISHED BUSINESS**

**.01**  
MAYOR'S  
RECONSIDERATION  
SECTION 39  
PROCEDURE BYLAW  
DVP NO. 1015  
VANIER GROVE  
DEVELOPMENT  
3320-20-08563

**Resolution reconsidered from the December 20, 2010 Regular Council Meeting:**

Moved by Jangula and seconded by Presley that Development Variance Permit No. 1015 be issued to vary the following section of the City of Courtenay Subdivision Control Bylaw No. 1416, 1986 and amendments thereto, to allow no works and services required under the present Subdivision Application No. 3320-20-08563, as provided for in Section 944(2) of the Local Government Act and for the subdivision of Part of That Part of Parcel H (DD24282N) of Sections 18 and 45, Comox District, Lying to the North East of the Headquarters Road, as Said Road Was Dedicated by Plan 11475, Except That Part in Plans 33266 and VIP66585;

That as provided for in Section 938(6) of the Local Government Act, Council sets aside the requirements of the General Off-site Servicing Requirements Policy No. 3030.00.02 for this subdivision application; and

That the Mayor and Manager of Corporate Administration be authorized to sign all documentation relating to the subdivision.

Moved by Presley and seconded by Leonard that the meeting now recess at 4:59 p.m. to conduct the public hearing in relation to bylaws 2619 and 2620.

**Carried**

**The meeting reconvened at 5:22 p.m.**

**The main motion was carried.**

**In Favour – Councillors Ambler, Presley , Theos and Mayor Phelps  
Opposed – Councillors Jangula and Leonard**

**4.00 COMMITTEE/STAFF REPORTS**

**.01**  
ELECTION OFFICIALS  
4200-07

Moved by Presley and seconded by Jangula that John Ward, Manager of Corporate Administration be appointed chief election officer for the 2011 General Local Election; and

That Susan Karvalics, Executive Assistant be appointed as deputy chief election officer for the 2011 General Local Election.

**Carried**

**R03/2011 – January 17, 2011**

**.02**  
DVP NO. 1102  
2295 CLIFFE AVE  
3090-20-1102

Moved by Jangula and seconded by Presley that notice be given to the adjacent property owners of proposed Development Variance Permit No. 1102 as outlined below, and that the application be returned to Council on February 7, 2011; and

That subject to public input, Development Variance Permit No. 1102 to vary Section 6.4.3 and Section 6.4.4 of the City of Courtenay Sign Bylaw No. 2042, 1998 to allow part of the signs to project above the canopy roofline and to vary the maximum height for the fascia signs, from 1m to

1.85m for the property legally described a Lot 2, Section 66, Comox District, Plan 48919 (2295 Cliffe Avenue), be issued subject to development in conformance with the plans and elevations contained in Attachment No. 2.

**Carried**

**.03**  
CD-17 ZONE  
190 POWERHOUSE RD  
3360-20-1010

Moved by Presley and seconded by Theos that Bylaw No. 2658, 2011 which will amend Zoning Amendment Bylaw No. 2630, 2007 by adding Sections 8.44.8 to 8.44.12 to Division 8 Part 44 Comprehensive Development Seventeen Zone (CD-17) proceed to first and second reading; and

That Council waive the public hearing in respect of Zoning Amendment Bylaw No. 2658.

**Carried**

**.04**  
DEVELOPMENT STATS  
FOR 2010  
650-20

Moved by Jangula and seconded by Presley that the Development Statistics and Activity Report for 2010 be received for information.

**Carried**

**.05**  
MCDONALD ROAD  
CLOSURE  
950-20

Moved by Leonard and seconded by Presley that “McDonald Road Closure Bylaw No. 2654, 2011” proceed to 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading; and

That notice be published regarding the proposed road closure pursuant to the *Community Charter*.

**Carried**

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
POLICE REPORT  
7550-01

Moved by Theos and seconded by Presley that the Police Report for December 2010 be received for information.

**Carried**

**6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

**.01** COUNCILLOR JANGULA Councillor Jangula reported on the Regional District Solid Waste meeting which included Waste to Energy proposals.

**.02** COUNCILLOR PRESLEY Councillor Presley reported on the Regional District Solid Waste meeting which included Waste to Energy proposals.

Moved by Leonard and seconded by Theos that staff provide a report to Council regarding various options for Waste to Energy.

**Carried**

**.03** COUNCILLOR THEOS Councillor Theos reported on the Community Justice Centre meeting.

**7.00 RESOLUTIONS OF COUNCIL**

**.01** IN CAMERA MTG Moved by Presley and seconded by Ambler that under the provisions of Section 90(1)(k) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held January 17, 2011 at the conclusion of the Regular Council Meeting.

**Carried**

**11.00 BYLAWS**

**.01** BYLAW NO. 2658 ZONING AMEND Moved by Presley and seconded by Leonard that “Zoning Amendment Bylaw No. 2658, 2011” pass first and second reading.

**Carried**

**.02** BYLAW NO. 2654 ROAD CLOSURE Moved by Jangula and seconded by Presley that “McDonald Road Closure Bylaw No. 2654, 2011” pass first, second and third reading.

**Carried**

**.03** BYLAW NO. 2619 OCP AMEND Moved by Presley and seconded by Theos that “Official Community Plan Amendment Bylaw No. 2619, 2011” pass third reading.

**Carried**

**.04** BYLAW NO. 2620 ZONING AMEND Moved by Theos and seconded by Ambler that “Zoning Amendment Bylaw No. 2620, 2011” pass third reading.

**Carried**

**12.00 COUNCIL MEMBER ROUNDTABLE**

COUNCILLOR LEONARD                      Councillor Leonard reviewed her attendance at the AVICC Executive meeting.

COUNCILLOR AMBLER                      Councillor Ambler commented on the excellent community support of the Courtenay Regional Library.

**13.00 ADJOURNMENT**

**.01**    Moved by Jangula and seconded by Presley that the meeting now adjourn at 6:28 p.m.  
**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 7<sup>th</sup> day of February, 2011**

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**Mayor**