

**R10/2011 – April 4, 2011**

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

**Attending:**

**Mayor: G. T. Phelps**  
**Councillors: J. K. Ambler**  
**D. A. Hillian**  
**L. V. Jangula**  
**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**  
**T. Manthey, Director of Financial Services**  
**R. Wiwchar, Director of Community Services**  
**A. Hampshire, Deputy Municipal Engineer at 4:11 p.m.**  
**G. MacKay, Senior Planner**  
**E. Ferguson, Planning Technician**

MINUTES

Moved by Presley and seconded by Ambler that the minutes of the Regular Council meeting held March 21, 2011 and Committee of the Whole meeting held March 28, 2011 be adopted.  
**Carried**

**2.00 INTRODUCTION OF LATE ITEMS**

Mayor Phelps approved the addition of one late item to the agenda (Councillor Hillian water restrictions).

**3.00 DELEGATIONS**

**1. Al Fritz and Kip Keplock re: Harbour View Landing**

Alvin Fritz reviewed the proposed Harbour View Landing development proposed for the Jackson Drive area, and indicated that the owners will be applying for a boundary extension to have the property included in the City of Courtenay.

**4.00 COMMITTEE/STAFF REPORTS**

**.01**

**PARKLAND  
EXCHANGE  
BYLAW  
6120-01**

Moved by Presley and seconded by Hillian that “McDonald Road Parkland Exchange Bylaw No. 2655, 2011” proceed to 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading;

That Council seek the approval of the electors for Bylaw No. 2655 through the “Alternative Approval Process”;

That Council establish elector response forms as attached to the report;

That Council determine that 18,021 is the total number of electors to which the approval process applies; and

That Council establish the deadline for receiving responses for this alternative approval process as Thursday, May 12, 2011 at 4:30 p.m.

**Carried**

**.02**  
BACKYARD CHICKEN  
SURVEY RESULTS  
640-20

Moved by Presley and seconded by Jangula that Council not pursue introducing changes to existing City bylaws or policies which would result in allowing for backyard chickens in residential zones within the City of Courtenay.

**Carried**

**.03**  
C.V. PROJECT  
WATERSHED GRANT  
REQUEST  
1895-20

Moved by Ambler and seconded by Theos that Council approve a grant application of \$2,500 from the Comox Valley Project Watershed Society to fund the development of a documentary on the archaeological history and biological significance of the Courtenay River Estuary; and

That the grant funding be paid from the Gaming Funds under the category of Council Initiatives and Projects.

**Carried**

**.04**  
2011 GRANT  
REQUESTS  
1895-20

Moved by Presley and seconded by Theos that Council receive the following applications for grants:

- |                                     |                                      |
|-------------------------------------|--------------------------------------|
| 1. Operation Red Nose               | \$1,000                              |
| 2. BC Senior Games                  | Amount not specified                 |
| 3. Mountaineer Avian Rescue Society | \$1,000 plus funding for renovations |
| 4. Kitty Cat PAL Society            | Amount not specified                 |

**Carried**

RECESS

Moved by Jangula and seconded by Presley that the meeting now recess at 4:57 p.m. to conduct the Public Hearing in relation to Bylaw No. 2667 and 2670.

**Carried**

The meeting reconvened at 5:32 p.m.

## **5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01**  
TELUS WIRELESS  
UPGRADE  
510-20

Moved by Hillian and seconded by Presley that the news release from Telus investing \$17.5M in Courtenay-Comox to further expand and enhance its wireless and wireline networks be received for information.

**Carried**

**R10/2011 – April 4, 2011**

**.02** Moved by Theos and seconded by Presley that the Heritage  
HERITAGE MINUTES Advisory Commission minutes of February 23, 2011 be received for  
information.  
**Carried**

**6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

COUNCILLOR Councillor Ambler reported on his attendance at the Day of the Estuary  
AMBLER event.

COUNCILLOR Councillor Jangula reported on the Regional District budget meetings.  
JANGULA

**7.00 RESOLUTIONS OF COUNCIL**

**.01** Moved by Presley and seconded by Hillian that a Special Council  
SPECIAL COUNCIL meeting be held on Wednesday, April 6, 2011 at 4:00 p.m. in City Hall  
MEETING Council Chambers.  
**Carried**

**.02** Moved by Presley and seconded by Theos that under the  
IN CAMERA provisions of Section 90(1)(i) of the *Community Charter*, notice is hereby  
MEETING given that a Special In-Camera meeting closed to the public, will be held  
April 4, 2011 at the conclusion of the Regular Council meeting.  
**Carried**

**8.00 UNFINISHED BUSINESS**

Mayor Phelps inquired whether there were any members of the public wishing to make a submission regarding Development Variance Permit No. 1105 and there were none.

**.01** Moved by and seconded by that Development Variance  
DVP NO. 1105 Permit No. 1105 to vary Section 8.2.7 of the City of Courtenay Zoning  
1170 URQUHART AVE Bylaw No. 2500, 2007 the minimum side yard setback of the Residential  
3090-20-1105 Two Zone (R-2) from 1.5 metres to 1.2 metres and the minimum front  
yard setback from 7.5m to 5.2m be issued to Timothy C. Crouch, for the  
property legally described as Lot 28, District Lot 104, Comox District,  
Plan 5195 (1170 Urquhart Avenue) subject to the following conditions:

- a. The variances are to accommodate the addition to an existing single residential dwelling with non-conforming siting;
- b. Development must be in conformance with the plans and elevations contained in Attachment No. 2.

**Carried**

**10.00 NEW BUSINESS**

Councillor Hillian reviewed that he had received several emails from residents concerned about the Stage 3 water restrictions from April 6 -14.

Sandy Gray reviewed that the stage 3 restrictions were in place by the Comox Valley Regional District due to annual B.C. Hydro penstock maintenance. During this time water will be supplied through the backup pumps from the river.

**11.00 BYLAWS**

**.01**  
BYLAW NO. 2655  
PARKLAND  
EXCHANGE

Moved by Presley and seconded by Ambler that “McDonald Road Parkland Exchange Bylaw No. 2655, 2011” pass first, second and third reading.  
**Carried**

**.02**  
BYLAW NO. 2665  
DCC RESERVE  
EXPEND

Moved by Theos and seconded by Presley that “Development Cost Charge Reserve Fund Expenditure Bylaw No. 2665, 2011” be finally passed and adopted.  
**Carried**

**.03**  
BYLAW NO. 2666  
RESERVE FUND  
EXPEND

Moved by Hillian and seconded by Presley that “Reserve Fund Expenditure Bylaw No. 2666, 2011” be finally passed and adopted.  
**Carried**

**.04**  
BYLAW NO. 2667  
OCP AMEND

Moved by Presley and seconded by Ambler that “Official Community Plan Amendment Bylaw No. 2667, 2011” pass third reading.

Moved by Hillian and seconded by Theos that third reading of Bylaw 2667 be postponed to the regular Council meeting to be held on April 18, 2011 to allow staff to provide a report regarding costs of upgrades to Dingwall Road.  
**Carried**

**13.00 ADJOURNMENT**

**.01**

Moved by Presley and seconded by Jangula that the meeting now adjourn at 6:25 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 4<sup>th</sup> day of April, 2011**

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**Mayor**