

**Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, April 18, 2011 at 4:00 p.m.**

**Attending:**

**Mayor: G. T. Phelps**  
**Councillors: J. K. Ambler**  
**D. A. Hillian**  
**L. V. Jangula**  
**J. M. Presley**  
**R-R. Leonard until 4:54 p.m.**  
**M. Theos**

**Staff:**

**S. Gray, Administrator**  
**S. Karvalics, Executive Assistant**  
**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**  
**G. MacKay, Senior Planner**

MINUTES

Moved by Ambler and seconded by Hillian that the minutes of the Regular Council meeting held April 18, 2011.  
**Carried**

**2.00 INTRODUCTION OF LATE ITEMS**

Mayor Phelps introduced one late item to the agenda to be considered under new business.

**3.00 DELEGATIONS**

**1. Chad Huff, Applebee's Restaurant re: change to liquor licence**

Chad Huff, owner of Applebee's Neighbourhood Grill & Bar reviewed the application to amend its liquor food primary liquor license to allow patron participation in the facility for events such as karaoke, trivia and similar events.

**2. Bryan Russwurm, Brycyn Enterprises re: Development Variance Permit No. 1104**

Bryan Russwurm reviewed the application for a development variance permit to vary the front and side yard setbacks to accommodate the relocation of an existing single residence.

**3. Rick Cook re: Crown Isle Rezoning**

Rick Cook of Jordan Cook Associates reviewed the OCP and rezoning applications to realign the CD-1A and CD-1F boundary north of Ryan Road.

**4.00 COMMITTEE/STAFF REPORTS**

**.01**  
APPLEBEE'S REST  
LIQUOR LIC CHANGE  
4320-20

Moved by Presley and seconded by Ambler that Council receive the application from Applebee's Neighbourhood Grill & Bar for a permanent change to its liquor licence; and

That notices be published for two consecutive weeks in the local newspapers and posted on the City's website requesting input on the proposed licence change for Council consideration at the Council meeting schedule for May 16, 2011.

**Carried**

**.02**  
DVP NO. 1104  
2900 MISSION RD  
3090-20-1104

Moved by Presley and seconded by Theos that notice be given to the adjacent property owners of proposed Development Variance Permit No. 1104 as outlined below, and that the application be returned to Council on May 9, 2011; and

That subject to public input, Development Variance Permit No. 1104 to vary Section 8.1.51 of the City of Courtenay Zoning Bylaw No. 2500, 2007 to reduce the minimum front yard setback of the Residential One S Zone (R-1S) from 7.5 metres to 6.5 metres, the minimum side yard setback from 1.50 metres to 1.40 metres, and the minimum rear yard setback from 9.0 metres to 8.0 metres be issued to McElhanney Consulting Services Ltd. to accommodate the relocation of an existing residence to proposed Lot 9, District Lot 236, Comox District, Plan 43411 (2900 Mission Road) subject to the following conditions:

- a) The variances are to accommodate the relocation of a single residential dwelling;
- b) Development must be in conformance with the plans contained in Attachment No. 2.

**Carried**

**.03**  
OCP/ZONING AMEND  
SILVER SAND LAND  
CORP  
6480-20-1103  
3360-20-1103

Moved by Ambler and seconded by Presley that Official Community Plan Amendment Bylaw No. 2674, 2011 proceed to first and second reading;

That Zoning Amendment Bylaw No. 2675, 2011 proceed to first and second reading; and

That Council direct staff to schedule and advertise a statutory public hearing with respect to Official Community Plan Amendment Bylaw No. 2674, 2011 and Zoning Amendment Bylaw No. 2675, 2011 on May 2, 2011 at 5:00 p.m. in the City Hall Council Chambers.

**Carried**

**R12/2011 – April 18, 2011**

**.04** Moved by Presley and seconded by Ambler that Council endorse the 2011-2015 Financial Plan, Bylaw No. 2671, 2011 and Tax Rates Bylaw No. 2672, 2011.  
FIN FIVE YEAR PLAN  
AND TAX RATES  
1705-20  
**Carried**

**.05** Moved by Theos and seconded by Presley that Council approve Policy No. 3150.00.02 – DCC secondary suites and carriage houses.  
POLICY 3150.00.02  
SECONDARY SUITES  
3150-01  
**Carried**

**.06** Moved by Leonard and seconded by Presley that the report from the Director of Operational Services regarding Dingwall Road Upgrade from Hwy 19A to Northland Place be received for information.  
DINGWALL RD  
UPGRADE  
5400-20  
**Carried**

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

**.01** Moved by Hillian and seconded by Presley that the Police Report for March 2011 be received for information.  
POLICE REPORT  
**Carried**

**6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

COUNCILLOR Councillor Jangula reported on the Comox Valley Regional District meeting held April 12, 2011.  
JANGULA

**7.00 RESOLUTIONS OF COUNCIL**

**.01** Moved by Presley and seconded by Hillian that under the provisions of Section 90(1)(c) of the *Community Charter*, notice is hereby given that a Special In-Camera meeting closed to the public, will be held April 18, 2011 at the conclusion of the Regular Council meeting.  
IN CAMERA  
MEETING  
**Carried**

**10.00 NEW BUSINESS**

**.01** Moved by Jangula and seconded by Theos that Council approve the DCBIA 2011 proposed budget and requested tax levy for the amount of \$60,000.00.  
DCBIA TAX LEVY  
1971-20  
**Carried**

**11.00 BYLAWS**

**.01** Moved by Presley and seconded by Jangula that “Official  
BYLAW NO. 2674 Community Plan Amendment Bylaw No. 2674, 2011” pass first and  
OCP AMEND second reading.

**Carried**

**.02** Moved by Presley and seconded by Ambler that “Zoning  
BYLAW NO. 2675 Amendment Bylaw No. 2675, 2011” pass first and second reading.

**Carried**

**.03** Moved by Theos and seconded by Presley that “The 2011-2015  
BYLAW NO. 2671 Financial Plan Bylaw No. 2671, 2011” pass first, second and third  
FINANCIAL PLAN reading.

**Carried**

**.04** Moved by Hillian and seconded by Presley that “Tax Rates Bylaw  
BYLAW NO. 2672 No. 2672, 2011” pass first, second and third reading.

**Carried**

**.05** Moved by Presley and seconded by Theos that “The City of  
BYLAW NO. 2673 Courtenay Floodplain Management Amendment Bylaw No. 2673, 2011”  
FLOODPLAIN pass first, second and third reading.

**Carried**

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

**Carried with Councillor Jangula Opposed**

**.07** Moved by Presley and seconded by Ambler that “Zoning  
BYLAW NO. 2670 Amendment Bylaw No. 2670, 2011” pass third reading.

**Carried with Councillor Jangula Opposed**

**12.00 COUNCIL MEMBER ROUND TABLE**

COUNCILLOR Councillor Ambler reviewed his attendance at a Rotary fundraiser for  
AMBLER Rails for Trails.

COUNCILLOR HILLIAN Councillor Hillian reviewed his attendance at a Drug Strategy meeting.

COUNCILLOR THEOS Councillor Theos reviewed his attendance at a Community Justice Centre  
meeting.

**R12/2011 – April 18, 2011**

MAYOR PHELPS

Mayor Phelps reviewed his attendance at the following events:

- Opening of the Lake Trail Community Garden
- Opening of the Salt Water Waldorf Inspired School
- Annual Rotary Auction Event
- V.I. Real Estate Board Meeting

**13.00 ADJOURNMENT**

**.01**

Moved by Hillian and seconded by Presley that the meeting now adjourn at 5:33 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Manager of Corporate Administration**

**Adopted this 2<sup>nd</sup> day of May, 2011**

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**Mayor**