

Monday, May 14, 2018

Minutes of the meeting of the Electoral Areas Services Committee held on Monday, May 14, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 9:00 am.

MINUTES

Present:

Chair:	E. Grieve	Puntledge/Black Creek (Area 'C')
Vice-Chair:	R. Nichol	Lazo North (Area 'B')
Directors:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Staff:	A. Mullaly	Acting General Manager of Planning and Development Services
	I. Smith	General Manager of Community Services
	J. Warren	General Manager of Corporate Services
	L. Dennis	Legislative Services Assistant

IN-CAMERA:

B. Jolliffe/R. Nichol: THAT the committee adjourn to an in-camera session pursuant to the following sub-sections of section 90 of the Community Charter:

90(1)(e) The acquisition, disposition or expropriation of land or improvements, if the committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality;
 90(1)(f) Law enforcement, if the committee/board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and,
 90(1)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

208

Carried

Time: 9:02 am.

RISE AND REPORT:

The committee rose from its in-camera session at 9:58 am. The public portion of the meeting convened at 10:00 am.

RECOGNITION OF TRADITIONAL TERRITORIES

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the

K'ómoks First Nation.

DELEGATIONS:

FREEDOM MOBILE WIRELESS SITES

Erica Rigik, Freedom Mobile, and Chad Marlatt, Cypress Land Services for Freedom Mobile, introduced a proposal to establish wireless sites within the Comox Valley, including an interest in using two CVRD water towers.

COMPOST TOILETS AND GREYWATER PRACTICE

Ed Hoepfner presented information regarding a proposal to establish a processing facility for stabilized residuals from composting toilets at the Hornby Island Recycling Depot and requested the allocation of funding to undertake a feasibility study for this purpose.

MANAGEMENT REPORT:

B. Jolliffe/R. Nichol: THAT the Electoral Areas Services Committee management report dated May 2018 be received.

208

Carried

REPORTS:

OYSTER RIVER / SARATOGA BEACH FLOOD RISK ASSESSMENT

B. Jolliffe/R. Nichol: THAT the report dated May 10, 2018 regarding the Oyster River/Saratoga Beach Flood Risk Assessment Report, a National Disaster Mitigation Program (NDMP) Stream 1 project; and approval to apply for Stream 2 funding through the Union of BC Municipalities - Community Emergency Preparedness Fund (CEPF) and/or the NDMP, for flood mapping of the Oyster River/Saratoga Beach project area be received.

207

Carried

G. Doerkson, Deputy Emergency Program Coordinator, provided an overview of the staff report regarding the Oyster River/Saratoga Beach Flood Risk Assessment Report.

Tamsin Lyle, Ebbwater Consulting, presented information regarding the Oyster River/Saratoga Beach Flood Risk Assessment Report.

B. Jolliffe/R. Nichol: THAT the board approve an application to be made to the National Disaster Mitigation Program and/or the Union of BC Municipalities Community Emergency Preparedness Fund for

Stream 2 funding for flood mapping of the Oyster River/Saratoga Beach project area.

207

Carried

ADVISORY PLANNING COMMISSION MINUTES

R. Nichol/B. Jolliffe: THAT the following items be received:

- Minutes of the Electoral Area A Advisory Planning Commission meeting held April 30, 2018.
- Minutes of the Electoral Area B Advisory Planning Commission meeting held May 3, 2018 (no quorum).
- Minutes of the Electoral Area C Advisory Planning Commission meeting held May 2, 2018.
- Minutes of the Agricultural Advisory Planning Commission meeting held May 3, 2018.

208

Carried

ELECTORAL AREA B - DEVELOPMENT VARIANCE PERMIT DV 1B 18 - 1758 ASTRA ROAD (TOMLINSON / SNOW-TOMLINSON)

B. Jolliffe/R. Nichol: THAT the following items be received:

- Report dated May 3, 2018 regarding Development Variance Permit Application DV 1B 18 to reduce a front yard setback from 4.5 metres to 3.0 metres for an accessory building at 1758 Astra Road (Tomlinson / Snow-Tomlinson).
- Correspondence dated April 28, 2018 from Craig Bassett, 1770 Astra Road.
- Correspondence dated April 29, 2018 from Dianne Alsop, 1810 Astra Road.
- Correspondence dated April 30, 2018 from Floyd and Sarah Trotter, 1760 Astra Road.
- Correspondence dated April 30, 2018 from Yvonne Winram, 1805 Butler Road.
- Correspondence dated May 2, 2018 from Lindsey and Arlen Canary, Astra Road.

- Correspondence dated May 3, 2018 from Teresa Cosco, 1774 Astra Road.
- Correspondence dated May 3, 2018 from Bruce Hart, 1774 Astra Road.
- Correspondence dated May 6, 2018 from Kathy Coulthart-Dewey, 1818 Astra Road.
- Correspondence dated May 9, 2018 from Marie Clegg, 1761 Astra Road.
- Correspondence dated May 10, 2018 from Valerie Pearson, 1036 Seal Road.
- Correspondence dated April 25, 2018 from Becky Packer, 1750 Astra Road.
- Correspondence dated May 11, 2018 from Beverley York. adjacent neighbour.
- Correspondence dated May 11, 2018 from Anne Laughlin, 1759 Astra Road.

208 and 213

Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding DV 1B 18 for 1758 Astra Road (Tomlinson / Snow-Tomlinson).

The Chair called for any members of the public that may wish to speak regarding DV 1B 15 – 1758 Astra Road (Tomlinson / Snow-Tomlinson). There were no speakers.

B. Jolliffe/R. Nichol: THAT the board deny the Development Variance Permit DV 1B 18 (Tomlinson/Snow-Tomlinson) to decrease the minimum front yard setback from 4.5 metres to 3.0 metres for the construction of an accessory building on a property described as Lot B, District Lot 172, Comox District, Plan 32341, PID 000-103-489 (1758 Astra Road).

208 and 213

Carried

ELECTORAL AREA A - DEVELOPMENT VARIANCE PERMIT DV 4A 18 - 4324 & 4330 ISLAND HIGHWAY SOUTH (KINGFISHER OCEANSIDE RESORT & SPA LTD.)

B. Jolliffe/R. Nichol: THAT the report dated May 2, 2018 regarding Development Variance Permit Application DV 4A 18 for an accessory building (i.e. storage shed) at 4324 & 4330 Island Highway South (Kingfisher Oceanside Resort & Spa Ltd.) be received.

208 and 213

Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding DV 4A 18 for 4324 & 4330 Island Highway South (Kingfisher Oceanside Resort & Spa Ltd.).

The Chair called for any members of the public that may wish to speak regarding DV 4A 18 - 4324 & 4330 Island Highway South (Kingfisher Oceanside Resort & Spa Ltd.). There were no speakers.

B. Jolliffe/R. Nichol: THAT the board approve Development Variance Permit DV 4A 18 (Kingfisher Oceanside Resort & Spa Ltd.774) on the property described as Lot B, District Lot 10, Nelson District, Plan VIP66171, PID 023-933-607 (4324 & 4330 Island Highway South) to reduce the minimum side yard (north) setback of the existing accessory building, labeled as "storage shed" on the permit, from 3.5 metres to 1.5 metres;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

ELECTORAL AREA C -CONVERSION OF OWNERSHIP TO COOPERATIVE INTEREST REQUEST - 8922 & 8926 CLARKSON AVENUE (SEA ESTA PRIVATE RESORT COMPANY)

B. Jolliffe/R. Nichol: THAT the report dated May 8, 2018 regarding the conversion of ownership of an existing single detached dwelling from fee-simple to cooperative interest at 8922 and 8926 Clarkson Avenue (Sea Esta Private Resort Corporation) be received.

208 and 213

Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding the conversion of ownership of an existing single detached dwelling from fee-simple to cooperative interest at 8922 and 8926 Clarkson Avenue (Sea Esta Private Resort Corporation).

Pat O'Gorman, applicant, was in attendance at the meeting.

R. Nichol/B. Jolliffe: THAT the board approve the conversion to cooperative interest of the previously occupied single detached dwelling on the property described as Lot 1, District Lot 221, Comox District, and of part of the bed of the Strait of Georgia, Plan 35057, PID 000-318-434 (8922 and 8926 Clarkson Avenue).

208 and 213

Carried

NAY: E. Grieve

ELECTORAL AREA B - FARM LAND PROTECTION, COMMERCIAL AND INDUSTRIAL DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT - 1506, 1510, 1516, 1520 RYAN ROAD EAST (BASE MINI

STORAGE INC.)

R. Nichol/B. Jolliffe: THAT the report dated May 3, 2018 regarding Development Variance Permit DV 2B 18 to reduce minimum required side yard setbacks and Development Permit DP 5B 18 regarding the Commercial and Industrial (form and character) and Farm Land Protection Guidelines to develop four mini-storage buildings at 1506, 1510, 1516, 1520 Ryan Road East (Base Mini Storage Inc.) be received.
208 and 213 Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding DV 2B 18 for 1506, 1510, 1516, 1520 Ryan Road East (Base Mini Storage Inc.).

Rob Leighton, applicant, and Eric Ching, architect, were in attendance at the meeting.

The Chair called for any members of the public that may wish to speak regarding DV 2B 18 - 1506, 1510, 1516, 1520 Ryan Road East (Base Mini Storage Inc.). There were no speakers.

R. Nichol/B. Jolliffe: THAT the board approve Development Variance Permit DV 2B 18 (Base Mini Storage Inc.) on the property described as Lot A, District Lot 103, Comox District, Plan 16638, PID 004-004-523 (1506 & 1510 Ryan Road East) to reduce the minimum side yard (east) setback from 7.5 metres to 3.0 metres and to reduce the minimum side yard (west) setback from 7.5 metres to 4.0 metres for the development of mini-storage buildings;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.
208 and 213 Carried

R. Nichol/B. Jolliffe: THAT the board approve Development Permit DP 5B 18 (Base Mini Storage Inc.) on the properties described as Lot A, District Lot 103, Comox District, Plan 16638, PID 004-004-523, and Parcel A, District Lot 103, Comox District, Plan VIP57436, PID 030-411-742 (1506, 1510, 1516, 1520 Ryan Road East) for the development of four new mini-storage buildings;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.
208 and 213 Carried

The meeting recessed at 11:27 am and reconvened at 11:35 am

ELECTORAL AREA A - AMENDMENT - DEVELOPMENT PERMIT DP 14A 17 - 7652 SHIPS POINT ROAD (ADAMS)

B. Jolliffe/R. Nichol: THAT the report dated May 4, 2018 regarding a request for reconsideration of a CVRD officer's decision to refuse an amendment to Aquatic and Riparian Habitat, Steep Slopes and Blue

Heron Nest Development Permit DP 14A 17 to include a beach access staircase be received.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the applicant's submission in support of reconsideration of DP 14A 17 - 7652 Ships Point Road (Adams) be received.

208 and 213

Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding DP 14A 17 - 7652 Ships Point Road (Adams).

Mike Adams, applicant, and Toby Seward, applicant's agent, were in attendance at the meeting.

B. Jolliffe/R. Nichol: THAT the board approve an amendment to DP 14A 17 to allow a beach access staircase at 7652 Ships Point Road based on the design and recommendations contained within the biophysical assessments prepared by Ian Moul, R.P. Bio. (dated 13 September 2017; revised 9 January 2018) and the geotechnical assessment prepared by Lewkowich Engineering Associates Ltd. (dated 16 January 2018) ;

AND THAT staff prepare an amended development permit and authorize the Corporate Legislative Officer to execute the permit.

208 and 213

Carried

ELECTORAL AREA B - AMENDMENT - FARM LAND PROTECTION DEVELOPMENT PERMIT DP 16B 17 - 6269 WHITAKER ROAD (SALO)

B. Jolliffe/R. Nichol: THAT the report dated May 3, 2018 regarding an amendment to Farm Land Protection Development Permit DP 16B 17 requesting a reduction to the vegetated buffer requirements for 6269 Whitaker Road (Salo) be received.

208 and 213

Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding DP 16B 17 for 6269 Whitaker Road (Salo).

R. Nichol/B. Jolliffe: THAT the board approve the amendment to Farm Land Protection Development Permit DP 16B 17 (Salo) on the property described as Lot 5, Block 29, Comox District, Plan 25363, PID 002-906-872 (6269 Whitaker Road) to allow the farmland protection buffer to be one row of coniferous trees, two rows of trespass inhibiting shrubs and maintenance of a fence with the exception of the area behind the septic tanks where no shrubs will be required;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

R. Nichol/B. Jolliffe: THAT the agenda be varied to move agenda item E.10 - Request to Place Notice on Title - 2212 Coleman Road forward on the agenda.

208

Carried

ELECTORAL AREA B - REQUEST TO PLACE NOTICE ON TITLE - 2212 COLEMAN ROAD

B. Jolliffe/R. Nichol: THAT the report dated March 27, 2018 regarding a request to place a Notice on Title for 2212 Coleman Road for failing to obtain the required permits and inspections for the construction of a new dwelling be received.

208 and 213

Carried

D. Mirabelli, Manager of Building Services, provided an overview of the report regarding the proposed placement of a Notice on Title for 2212 Coleman Road for failing to obtain the required permits and inspections for the construction of a new dwelling.

William Wright, applicant, was in attendance at the meeting.

B. Jolliffe/R. Nichol: THAT pursuant to Section 57 of the Community Charter, the board approves filing a notice with the Land Title and Survey Authority of British Columbia against land legally described as Lot 8, Block 29, Comox District, Plan 2261, PID 000-035-866 (2212 Coleman Road), for failure to comply with Building Bylaw No. 142, being the "Comox Valley Regional District Building Bylaw No. 142, 2011";

AND FURTHER THAT the board defer this matter to the Agricultural Land Commission (ALC) to conduct their own investigation and take enforcement action if necessary.

208 and 213

Carried

NAY: R. Nichol

The meeting recessed at 12:22 pm and reconvened at 12:54 pm.

ZONING BYLAW AMENDMENT TO PROHIBIT NON-MEDICAL CANNABIS RETAIL AND PRODUCTION

B. Jolliffe/R. Nichol: THAT the report dated May 8, 2018 regarding an amendment to the Zoning Bylaw that would prohibit the production and distribution of non-medical cannabis in anticipation of federal legalization be received.

208 and 213

Carried

A. Mullaly, Acting General Manager of Planning and Development Services, provided an overview of the staff report regarding an amendment to the Zoning Bylaw that would prohibit the production and distribution of non-medical cannabis in anticipation of federal legalization.

B. Jolliffe/R. Nichol: THAT the board endorse the external agency referral list outlined in Appendix A;

AND THAT the board give first and second readings of Bylaw No. 537, being the "Comox Valley Zoning Bylaw, 2005, Amendment No. 74", Appendix B attached to staff report dated May 8, 2018, which proposes an amendment to the Zoning Bylaw to address implementation of the legalization of cannabis.
208 and 213 Carried

B. Jolliffe/R. Nichol: THAT staff report back to the Electoral Areas Services Committee with a fulsome analysis of options regarding regulations once the Cannabis Act and related regulations have been approved and made available to the public.
208 and 213 Carried

SOUTH SEWER SELECT COMMITTEE MINUTES

R. Nichol/B. Jolliffe: THAT the minutes of the South Sewer Select Committee meeting held May 2, 2018 be received.
208 Carried

ROYSTON WATER LOCAL SERVICE AREA – WATER CONSERVATION BYLAW UPDATES

B. Jolliffe/R. Nichol: THAT the report dated May 10, 2018 regarding an update to the water conservation bylaw for the Royston Water Local Service Area (WLSA) be received.
207 Carried

M. Herschmiller, Manager of Water Services, and Z. Berkey, Engineering Analyst, provided an overview of the staff report regarding an update to the water conservation bylaw for the Royston Water Local Service Area (WLSA).

B. Jolliffe/R. Nichol: THAT Bylaw No.282 being the Royston Improvement District "Water Conservation Bylaw No. 282" be repealed;

AND FURTHER THAT the draft Bylaw No.535 being "Royston Water Conservation Bylaw No.535, 2018", as attached to the staff report dated May 10, 2018, be adopted.
207 Carried

B. Jolliffe/R. Nichol: THAT Bylaw No.104 being "Municipal Ticket Information Bylaw No.104, 2010" be amended to include offences and fines in relation to the Royston Water Conversation Bylaw.
207 Carried

FIRE DEPARTMENT ROAD RESCUE SERVICE- OUTSIDE OF SERVICE AREA

B. Jolliffe/R. Nichol: THAT the report dated May 8, 2018 regarding road rescue services provided by CVRD

fire departments outside of their local service area be received.

209

Carried

NEW BUSINESS:

COMPOST TOILETS AND GREYWATER PRACTICE

B. Jolliffe/R. Nichol: THAT staff prepare a report regarding a feasibility study on providing a composting toilet facility at the Hornby Island Waste Management Centre.

207

Carried

TERMINATION:

B. Jolliffe/R. Nichol: THAT the meeting terminate.

208

Carried

Time: 1:15 pm.

Confirmed by:

Edwin Grieve
Chair

Certified Correct:

James Warren
General Manager of Corporate Services

Recorded By:

Lisa Dennis
Legislative Services Assistant