

Tuesday, November 24, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on November 24, 2020 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 4:00 pm.

MINUTES

Present:

| | | |
|--------------------|------------------|--|
| Chair: | J. Ketler | Village of Cumberland |
| Vice-Chair: | A. Hamir | Lazo North (Area B) |
| Directors: | D. Arbour | Baynes Sound-Denman/Hornby Islands (Area A) |
| | W. Cole-Hamilton | City of Courtenay |
| | M. McCollum | City of Courtenay |
| | K. Grant | Town of Comox |
| | E. Grieve | Puntledge/Black Creek (Area C) |
| | D. Hillian | City of Courtenay |
| | W. Morin | City of Courtenay |
| | M. Swift | Town of Comox |
| | B. Leigh | Oyster Bay – Buttle Lake (Area D) |
| Staff: | R. Dyson | Chief Administrative Officer |
| | J. Warren | Deputy Chief Administrative Officer |
| | M. Foort | Chief Financial Officer |
| | D. DeMarzo | General Manager of Community Services |
| | J. Martens | General Manager of Corporate Services |
| | M. Rutten | General Manager of Engineering Services |
| | S. Smith | General Manager of Planning and Development Services |
| | L. Dennis | Manager of Legislative Services |

ATTENDANCE:

With the exception of Chair Ketler and Directors Arbour and Leigh, all directors attended by electronic means.

Also in attendance were K. Douville, A. Mullaly, and T. Trieu, CVRD.

CALL TO ORDER:

James Warren, Deputy Chief Administrative Officer, and presiding member, called the meeting to order at

4:00 pm.

ELECTION OF THE BOARD CHAIR:

Pursuant to sections 5 and 6 of the CVRD Procedure Bylaw, nominations were called for the position of board chair. At the close of nominations, Director Ketler was the only nomination and as such, was declared chair by acclamation.

ELECTION OF THE BOARD VICE-CHAIR:

Pursuant to sections 5 and 6 of the CVRD Procedure Bylaw, nominations were called for the position of board vice-chair. Directors Swift and Hamir were nominated and voting took place by secret electronic ballot. After the ballot counting by James Warren, Jake Martens, and Myriah Foort, it was announced that Director Hamir was elected vice-chair of the board.

J. Ketler/M. Swift: THAT the election ballots be destroyed.

208

Carried

REMARKS FROM THE CHAIR:

Chair Ketler provided opening remarks following the election.

ADOPTION OF MINUTES:

W. Morin/A. Hamir: THAT the Comox Valley Regional District Board minutes dated October 27, 2020 be adopted.

208

Carried

PETITIONS AND DELEGATIONS:

K. Grant/D. Arbour: THAT the late delegation request dated November 23, 2020 from Kathleen Pitt requesting to address the board regarding 3L Development's OCP and zoning bylaw amendment application, be permitted to proceed.

208

Carried

NOTE: The resolution above received at least two-thirds approval of the members in attendance in accordance with the CVRD Procedure Bylaw No. 1.

D. Hillian/K. Grant: THAT the late delegation request dated November 23, 2020 from Rob Buchan, 3L Developments Ltd, requesting to address the board regarding the their OCP and zoning bylaw amendment application, be permitted to proceed.

208

Carried

NOTE: The resolution above received at least two-thirds approval of the members in attendance in accordance with the CVRD Procedure Bylaw No. 1.

KATHLEEN PITT - 3L DEVELOPMENTS LTD

D. Arbour/K. Grant: THAT the presentation from Kathleen Pitt regarding 3L Development's OCP and zoning bylaw amendment application, be received.

208

Carried

ROB BUCHAN - 3L DEVELOPMENTS LTD

D. Arbour/K. Grant: THAT the presentation from Rob Buchan, 3L Developments regarding the their OCP and zoning bylaw amendment application, be received.

208

Carried

VARY THE AGENDA:

D. Arbour/D. Hillian: THAT the agenda be varied to bring agenda items I.5 and I.6.1 forward on the agenda.

208

Carried

REPORTS:

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - NOVEMBER 16, 2020

B. Leigh/A. Hamir: THAT the Black Creek - Oyster Bay Services Committee minutes dated November 16, 2020 be received.

208

Carried

D. Arbour/B. Leigh: THAT the Oyster River Nature Park access agreement between the Comox Valley Regional District and the Strathcona Regional District attached as Appendix A to the staff report dated November 12, 2020 be approved;

AND FURTHER THAT the Chair and Corporate Officer be authorized to execute the agreement.

209

Carried

ELECTORAL AREAS SERVICE COMMITTEE - NOVEMBER 16, 2020

D. Arbour/A. Hamir: THAT the Electoral Areas Services Committee minutes dated November 16, 2020 be received.

208

Carried

D. Arbour/A. Hamir: THAT the board approve supporting the Strathcona Regional District's (SRD) application to the Union of British Columbia Municipalities Community Emergency Preparedness Fund Evacuation Route Planning grant for the maximum potential amount of \$50,000.00, to assist in the procurement of a

contractor for the evacuation route planning project for Electoral Area C in the Comox Valley Regional District and Electoral Area D of the SRD.

AND FURTHER THAT, the Board endorse SRD staff to manage the overall grant financial administration and project management in collaboration with the Comox Valley Regional District's Emergency Program.

209 Carried

Director Leigh left the meeting at 4:43 pm.

EXTERNAL APPOINTMENT REPORTS FROM DIRECTORS

D. Hillian/W. Morin: THAT the correspondence dated November 12, 2020 from Director Arbour regarding his appointments to the Island Corridor Foundation and the Vancouver Island Regional Library, be received.

208 Carried

DIRECTOR'S REPORT - 2020 GRANTS IN AID

D. Arbour/A. Hamir: THAT the correspondence dated November 5, 2020 from Director Arbour regarding a request for grant-in-aid, be received.

208 Carried

D. Hillian/A. Hamir: THAT a grant-in-aid, payable from the respective areas indicated, be approved:

- Denman Island Preschool Society – Blackberry Lane Children's Centre to assist with the creation of additional, affordable and quality childcare spaces.
- o Area A – Denman Island (Function 123) \$6,000.00;
- o Area A – Hornby Island (Function 124) \$4,000.00.

208 Carried

ECONOMIC DEVELOPMENT SELECT COMMITTEE - NOVEMBER 9, 2020

A. Hamir/W. Cole-Hamilton: THAT the Economic Development Select Committee minutes dated November 9, 2020 be received.

208 Carried

D. Hillian/D. Arbour: THAT the Comox Valley Regional District (CVRD) Board direct staff to budget for Comox Valley Economic Development Society financial services under function No. 550 for the board's consideration in 2021-2025 financial planning process;

AND FURTHER THAT the CVRD Board suspend the Economic Development Select Committee's investigation of potential shared services until the conclusion of the formal service review.

209 Carried

SEWAGE COMMISSION - NOVEMBER 10, 2020

K. Grant/D. Arbour: THAT the Comox Valley Sewage Commission minutes dated November 10, 2020 be received.

208

Carried

ELECTORAL AREAS SERVICE COMMITTEE - NOVEMBER 16, 2020

K. Grant/A. Hamir: THAT the directors approve a three-year contract extension to be signed with HICEEC for the provision of economic enhancement activities on Hornby Island.

210

Carried

D. Arbour/A. Hamir: THAT the board approve Development Variance Permit DV 5B 20, Unaddressed lot, Galleon Way (1160322 BC Ltd) to increase the maximum allowable height for a single detached dwelling from 10.0 metres to 12.2 metres, on property described as the North 1/2 of the South 1/2 of District Lot 206, Comox District, Except Thereout Anderton Road as Shown on Plan 425 RW and Except Parts in Plans 31744, 34264 and 35732, PID 002-132-141 (Unaddressed lot on Galleon Way);

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

208 and 213

Carried

A. Hamir/W. Cole-Hamilton: THAT the board approve Development Variance Permit DV 2A 20, 7821 Ships Point Road (Ivan) to reduce the front yard setback pertaining to Baynes Drive from 4.5 metres to 2.5 metres for the foundation of a carriage house, and from 2.5 metres to 1.9 metres for the eaves of a carriage house, on property described as Lot 72, District Lot 26, Newcastle District, Plan 18550, PID 003-758-053 (7821 Ships Point Road);

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

208 and 213

Carried

A. Hamir/W. Cole-Hamilton: THAT the applications by 3L Developments Inc. to amend Bylaw No. 2042 being the Rural Comox Valley Official Community Plan Bylaw, 1998, Bylaw No. 337, being the Rural Comox Valley Official Community Plan Bylaw No 337, 2014, and Bylaw No. 520, being the Rural Comox Valley Zoning Bylaw No. 520, 2019, in order to subdivide and develop lands legally known as:

- That Part of the NW ¼ of Section 10, Township 9, Comox District, Plan 552G, Lying West of Puntledge River, except that part in Plan VIP70188 and EPP24391 (PID 000-866-792);
- The south west ¼ of Section 15, Township 9, Comox District, Plan 552G, except that part shown coloured red on Plan 79 RW and except that part in plan VIP70188 (PID 000-866-814);
- That Part of the north ½ section 14, Township 9, Comox District, Plan 552G lying to the South of the North bank of the Puntledge River (PID 003-922-308);
- That Part of the south east ¼ of section 14, Township 9, Comox District, Plan 552G lying to the west of the east bank of the Puntledge River except those parts in Plans 8304 and 9343 (PID 003-922-391);
- The south west ¼ section of Section 14, Township 9, Comox District, Plan 552G, except that part in Plan

9343 and except that part shown coloured red on Plan 829 R.W. (PID 003-924-033);

- Lot A Sections 10 and 15, Township 9, Comox District, Plan EPP23059 (PID 028-915-194);

be refused.

208 and 213

Carried

D. Arbour/A. Hamir: THAT staff be directed to work with 3L Developments Inc. towards securing public access to Stotan Falls.

208 and 213

Carried

A. Hamir/W. Cole-Hamilton: THAT the Comox Valley Regional District participate in the implementation phase of the Regional Adaptation Strategies: Vancouver Island as administered by BC Agriculture and Food Climate Action Initiative.

208 and 212

Carried

D. Hillian/W. Cole-Hamilton: THAT \$40,000 of Electoral Area Community Works Funds, equally distributed between defined Baynes Sound – Denman/ Hornby Islands (Electoral Area A), Lazo North (Electoral Area B), and Puntledge – Black Creek (Electoral Area C), be committed to support the installation of four (4) electric vehicle charging stations to be situated on publicly owned properties within the Comox Valley.

208

Carried

K. Grant/W. Morin: THAT staff bring forward a Phase II Public Engagement plan for the proposed roadside garbage, recycling and yard waste collection services, and consult on the proposed service area within the electoral areas of the Comox Valley Regional District.

208

Carried

INTEGRATED REGIONAL TRANSPORTATION SELECT COMMITTEE - NOVEMBER 16, 2020

K. Grant/W. Cole-Hamilton: THAT the Integrated Regional Transportation Select Committee minutes dated November 16, 2020 be received.

208

Carried

SEWAGE COMMISSION - NOVEMBER 17, 2020

K. Grant/W. Cole-Hamilton: THAT the Comox Valley Sewage Commission minutes dated November 17, 2020 be received.

208

Carried

SPORTS CENTRE COMMISSION - NOVEMBER 17, 2020

K. Grant/W. Morin: THAT the Comox Valley Sports Centre Commission minutes dated November 17, 2020 be received.

208

Carried

COMMITTEE OF THE WHOLE - NOVEMBER 17, 2020

D. Hillian/K. Grant: THAT the Committee of the Whole minutes dated November 17, 2020 be received.
208 Carried

W. Cole-Hamilton/K. Grant: THAT the board offer support in principle for the food hub grant proposal subject to further dialogue between staff and the Comox Valley Economic Development Society.
209 Carried

D. Arbour/K. Grant: THAT the 2020 – 2024 financial plan and capital expenditure program for the Regional Growth Strategy service, function No. 512, be amended by increasing other professional fees in 2020 by \$32,250 to support the implementation of the Comox Valley Regional District Residential Retrofit Market Acceleration Strategy, funded by the reallocation of \$32,250 in funds allocated from prior years in the Administration and General Government service, function No. 111, originally reserved to create a pilot project for an in-house retrofit rebate program in wood smoke hot spot areas.
208 and 212 Carried

M. McCollum/K. Grant: THAT the 2020 – 2024 financial plan and capital expenditure program for the Regional Growth Strategy service, function No. 512, be amended by increasing other professional fees by \$50,000 in 2020 and a further \$50,000 in 2021 in support of the preparation of a regional Poverty Reduction Strategy. This is to be funded by a recently awarded provincial Poverty Reduction Planning & Action program grant totalling \$100,000.
208 and 212 Carried

D. Arbour/E. Grieve: THAT the 2020 – 2024 financial plan and capital expenditure program for the Regional Growth Strategy service, function No. 512, be amended by increasing transfers to other governments by \$40,000 in 2020, as the Comox Valley Regional District's portion of the installation costs of four Electric Vehicle Charging Stations secured through the CleanBC Clean Communities Fund, to be funded by \$40,000 of Electoral Areas Community Works Funds.
208 and 212 Carried

E. Grieve/D. Hillian: THAT the 2020-2024 financial plan and capital expenditure program for the Electoral Areas Planning Service, functions 500 - 503, be amended by increasing other professional fees in function 503 by \$150,000 in 2020 to support the preparation of a coastal flood adaptation strategy, to be funded by a recently awarded Union of British Columbia Municipalities' Community Emergency Preparedness Fund (CEPF) grant of the same amount.
208 and 213 Carried

D. Arbour/K. Grant: That the Comox Valley Regional District write a letter of support for the Strathcona Regional District and Connected Coast project for their efforts to secure all necessary permits within the CVRD including identification of best sites, design and tenure agreements for landings, Points of Presence and ROWs.
208 Carried

SERVICE REVIEW INITIATION - COMOX VALLEY ECONOMIC DEVELOPMENT SERVICE

D. Hillian/D. Arbour: THAT the report dated November 19, 2020 providing information concerning the logistics and process for a formal service review of the Comox Valley Economic Development Service following its initiation by the Town of Comox, be received.

209

Carried

K. Grant/D. Arbour: THAT in accordance with section 359 of the Local Government Act, a preliminary meeting of the Comox Valley Economic Development Service Review be scheduled for 10:00 am on Tuesday, January 19, 2021 or, if necessary, a suitable alternative date as determined in collaboration with the service review participants and set by the Comox Valley Regional District (CVRD) Board Chair;

AND FURTHER THAT the municipal participants in the service, namely the:

- City of Courtenay
- Town of Comox

be requested to appoint a representative to the Comox Valley Economic Development Service Review;

AND FURTHER THAT the CVRD Board Chair be appointed as the representative of the Comox Valley Regional District Board;

AND FINALLY THAT all service participants be encouraged to consider adopting an alternative structure and process for economic development service reform at the proposed January 2021 preliminary meeting.

209

Carried

D. Arbour/D. Hillian: THAT the Chief Administrative Officer, in consultation with the Chief Administrative Officers of the Town of Comox and City of Courtenay, engage a facilitator to support the statutory review process for the Comox Valley Economic Development Service.

209

Carried

ECONOMIC DEVELOPMENT TASK FORCE RECOMMENDATIONS

D. Arbour/A. Hamir: THAT the report dated November 23, 2020 regarding support for the Comox Valley Regional District to liaise with various levels of government to action some recommendations developed by the Economic Recovery Task Force be received.

209

Carried

K. Grant/D. Arbour: THAT the board endorse the Economic Recovery Task Force proposed communications with the Union of BC Municipalities, the provincial and federal governments as highlighted in Schedule A; writing letters of support for the following initiatives:

- Tax credit for buying Canadian Artworks;
- Access to reliable, affordable, high capacity internet;
- Expanding permissive tax exemptions to child care sector;
- UBCM to create a child care pandemic response team;

- Wage increase for front-line workers;
- Develop more specific health and safety guidelines;
- Student employment support;
- Lobby to waive permit fees for 2020 park and crown land permits;

AND FURTHER THAT staff report back on the actions specific to the Comox Valley Regional District through the budget process.

209

Carried

BOARD CODE OF CONDUCT POLICY REVIEW

J.Martens, General Manager of Corporate Services, provided an overview of the Board Code of Conduct Policy.

The meeting recessed at 5:50 pm and resumed at 5:55 pm.

IN-CAMERA MEETING:

THAT the board adjourn to an in-camera session pursuant to the following sub-section(s) 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; and,
90(1)(k) Negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the committee/board, could reasonably be expected to harm the interests of the regional district if they were held in public:

AND FINALLY THAT the in-camera portion convene immediately following the open portion of the meeting.

208

BYLAWS AND RESOLUTIONS:

D. Hillian/D. Arbour: THAT Bylaw No. 628 being "Grant Revenue Anticipation Borrowing Bylaw No. 628, 2020, Amendment No. 1" be given first and second readings concurrently.

208

Carried

D. Arbour/D. Hillian: THAT Bylaw No. 628 being "Grant Revenue Anticipation Borrowing Bylaw No. 628, 2020, Amendment No. 1" be given third reading.

208

Carried

A. Hamir/D. Arbour: THAT Bylaw No. 628 being "Grant Revenue Anticipation Borrowing Bylaw No. 628, 2020, Amendment No. 1" be adopted.

208

Carried

NOTE: adoption of the above bylaw received a two-thirds affirmative vote for approval.

D. Arbour/M. McCollum: THAT Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" be adopted.
208 and 213 Carried

A. Hamir/D. Arbour: THAT Bylaw No. 625 being "Comox Valley Electoral Areas Animal Control Bylaw No. 100, 2010, Amendment No. 1" be adopted.
209 Carried

D. Arbour/A. Hamir: THAT Bylaw No. 626 being "Electoral Areas Noise Control Regulations Bylaw No. 102, 2010, Amendment No. 1" be adopted.
209 Carried

D. Arbour/A. Hamir: THAT Bylaw No. 627 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 19" be adopted.
209 Carried

NEW BUSINESS:

VANCOUVER ISLAND REGIONAL LIBRARY (VIRL) BOARD - 2021 APPOINTMENT

D. Arbour/W. Morin: THAT the correspondence dated October 30, 2020, from Rosemary Bonanno, Executive Director, Vancouver Island Regional Library (VIRL) requesting appointments to the VIRL Board for 2021, be received.
208 Carried

THAT the following appointments be made to the 2021 Vancouver Island Regional Library Board:
- Member: Director Arbour; and
- Alternate member: Director Grieve;

AND FURTHER THAT remuneration be paid for meeting attendance in accordance with CVRD Bylaw No. 236 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012" provided that remuneration is not paid directly by the Vancouver Island Regional Library.
208

ADDENDUM - UPON APPROVAL OF THE BOARD:

D. Arbour/D. Hillian: THAT the addendum be considered.
208 Carried

ELECTORAL AREAS SERVICES COMMITTEE - NOVEMBER 23, 2020

K. Grant/E. Grieve: THAT the Electoral Areas Services Committee meeting minutes dated November 23, 2020
Comox Valley Regional District Board minutes - November 24, 2020

be received.

208

Carried

D. Arbour/A. Hamir: THAT staff be directed to pursue the restructuring of regulatory services in the Electoral Areas, as outlined in the staff report dated November 9, 2020, by bringing forward:

- A communications plan to inform and engage residents; and
- The necessary bylaws to merge and repeal the applicable service establishment bylaws.

209

Carried

K. Grant/D. Arbour: THAT the Royston water supply agreement between the Comox Valley Regional District and the Village of Cumberland attached as Appendix A be approved;

AND FURTHER THAT the Chair and Corporate Officer be authorized to execute the agreement.

207

Carried

D. Arbour/K. Grant: THAT the 2021 water services agreement between the Comox Valley Regional District and the Graham Lake Improvement District, attached as Appendix A to the staff report dated November 12, 2020 be approved;

AND FURTHER THAT the Chair and Corporate Officer be authorized to execute the agreement.

207

Carried

D. Arbour/E. Grieve: THAT the board approve the concept of the singular alternative approval process, to occur in May/June 2021;

AND FURTHER THAT the following projects be considered for the singular Alternative Approval Process (AAP) with additional presentation at subsequent committee, commission or board meetings as needed:

- Rural Cumberland Fire Maximum Requisition Increase
- Electoral Areas Community Halls Service Establishment
- Saratoga Pest Management Service Establishment;

AND FINALLY THAT the final set of projects for the singular AAP be determined in February 2021, including any required bylaw readings and / or project logistics.

208

Carried

D. Hillian/D. Arbour: THAT the Comox Valley Regional District remains committed to working with K'ómoks First Nation towards implementation of the Royston/Union Bay Sewer Extension Project;

AND FURTHER THAT this commitment will take the form of exploring all opportunities to fund the project, lobbying provincial and federal government for their support of the project, and working with provincial staff to advance the project towards implementation;

AND FURTHER THAT this recommendation form the basis of a Memorandum of Understanding between Comox Valley Regional District and K'ómoks First Nation;

AND FINALLY THAT this report and recommendations be shared with K'ómoks First Nation.

208

Carried

D. Arbour/D. Hillian: THAT the 2020-2024 financial plan and capital expenditure program for the Electoral Areas Emergency Program Service, function 271 be amended by increasing capital expenditures in 2020 by \$8,000 to accommodate the purchase and installation of a sea-can container to be located at the Oyster River Fire Hall;

AND FURTHER THAT the purchase and installation costs be funded by a transfer of \$4,000 (50%) from the future expenditures reserves for the service with the remaining 50% by way of a contribution from the Strathcona Regional District as per contribution agreement.

209

Carried

D. Arbour/A. Hamir: THAT staff be directed to include the proposal to lower or eliminate minimum lot areas for the keeping of chickens in the upcoming general amendments to the Zoning Bylaw.

208 and 213

Carried

MINISTRY OF AGRICULTURE - FOOD HUB GRANT APPLICATION

D. Arbour/A. Hamir: THAT the report dated November 24, 2020 regarding an update on the submission of a grant application to the Ministry of Agriculture for the Merville Hall Food Hub be received.

209

Carried

K. Grant/E. Grieve: THAT the Comox Valley Regional District support the grant application to the Ministry of Agriculture for the Rural Community Food Hub project located at the Merville Community Association Hall for \$576,340.

209

Carried *NAY: A. Hamir, W.
Morin*

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 6:35 pm.

RISE AND REPORT:

The board rose from its in-camera session at 7:12 pm and reported the following:

"THAT the Comox Valley Regional District Board encourage BC Hydro to explore securing the timber rights for BC Hydro-owned lands along the Puntledge River, including those slated for harvest by Comox Timber, both in the short term and over the longer term;

AND FURTHER THAT the board rise and report on this resolution and staff report."

TERMINATION:

D. Arbour/K. Grant: THAT the meeting terminate.

208

Carried

Time: 7:12 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler

Chair

Certified Correct and Recorded By:

Lisa Dennis

Manager of Legislative Services