

Tuesday, February 23, 2021

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on February 23, 2021 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
	K. Grant	Town of Comox
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	M. McCollum	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
	A. Mullaly	General Manager of Planning and Development
	L. Dennis	Manager of Legislative Services

ATTENDANCE:

With the exception of Chair Ketler and Directors Grant, Grieve and Hillian, all directors attended via electronic means.

Also in attendance was K. Douville, CVRD.

RECOGNITION OF TRADITIONAL TERRITORIES:

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

K'ómoks First Nation and read the following article from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) available online at: www.un.org/ :

Article 26: Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired;

Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.;

States shall give legal recognition and protection to these lands, territories and with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

IN-CAMERA MEETING:

D. Hillian/W. Cole-Hamilton: THAT the board adjourn to an in-camera session pursuant to the following sub-sections of section 90 of the Community Charter:

90(1)(c) Labour relations or employee negotiations;

90(1)(g) Litigation or potential litigation affecting the regional district; 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

Carried

ADOPTION OF MINUTES:

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board minutes dated February 9, 2021, be adopted.

208

Carried

BUSINESS ARISING FROM MINUTES:

UBCM CLIMATE RESOLUTION

A. Hamir/E. Grieve: THAT the correspondence received at the February 9, 2021 regular meeting regarding the financial plan for the Regional Growth Strategy Service and requesting consideration of submitting a resolution to the Association of Vancouver Island and Coastal Communities (AVICC) respecting provincial funding for climate action planning be received.

208

Carried

A. Hamir/W. Cole-Hamilton: THAT the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities 2021 AGM and Convention for consideration:

WHEREAS 493 municipalities across Canada, including dozens in BC, have adopted Climate Emergency Declarations; and

WHEREAS there is an urgent need for municipalities to develop Community Climate Action Plans with clearly articulated targets, but municipalities lack the financial resources to effectively implement such plans to mitigate the impacts of climate change;

THEREFORE, BE IT RESOLVED that the Union of BC Municipalities request that the provincial government provide sustained financial support for local community climate action planning and implementation that serves to meet the goals of CleanBC.

208

Carried

D. Hillian/E. Grieve: THAT the Union of British Columbia Municipalities Select Committee on Local Government Finance be requested to consider the impacts of climate change and actions to mitigate climate change in light of the need for new, stable and meaningful funding sources for local government.

208

Carried

REPORTS:

BLACK CREEK – OYSTER BAY SERVICES COMMITTEE – FEBRUARY 8, 2021

E. Grieve/B. Leigh: THAT the Black Creek – Oyster Bay Services Committee minutes dated February 8, 2021 be received.

208

Carried

B. Leigh/E. Grieve: THAT the Black Creek - Oyster Bay Services Committee Financial Planning Policy (P44), adopted on June 25, 2013, be amended by adding a new section 15 as follows:

Cost Allocation Process:

Under a principle of fairness, the cost allocations for all fire protection services managed by Oyster River Fire Rescue (ORFR), including Black Creek - Oyster Bay Fire Protection, will be conducted as follows:

a) Annually the ORFR fire chief will prepare a consolidated operational budget submission with estimates that support the day-to-day activities of all the fire protection services under ORFR purview (i.e. Greater Merville and Mt Washington).

b) The combined operational grant submission will then be apportioned to each fire protection service area based on the current year total assessment values of all the areas being served which would then be recovered by the Black Creek – Oyster Bay Fire LSA by way of a transfer from other functions.

c) All capital costs for each of the relevant fire protection service areas will continue to be budgeted independently in their respective service budgets and paid for by their specific group of participants.

Additionally, other direct operational, personnel, reserve management and debt servicing costs that fall under the direct management of the Comox Valley Regional District will also be independently accounted for in each respective service area budget.

d) Annually share the cost allocations information with the Electoral Areas Services Committee.

209

Carried

E. Grieve/B. Leigh: THAT the board approve an allocation of seventy thousand dollars (\$70,000) of Puntledge

- Black Creek (Electoral Area C) Community Works Funds towards function 313 for the replacement of Black Creek - Oyster Bay Water Local Service Area water meters to complement thirty thousand dollars (\$30,000) of Oyster Bay - Buttle Lake (Electoral Area D) Community Works Funds requested from the Strathcona Regional District for this project.

209

Carried

Director Leigh left the meeting at 4:13 pm.

ELECTORAL AREAS SERVICES COMMITTEE – FEBRUARY 8, 2021

A. Hamir/E. Grieve: THAT the Electoral Areas Services Committee minutes dated February 8, 2021 be received.

208

Carried

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board approve the Development Variance Permit DV 5A 20 (Morgan) to enable the conversion of an existing dwelling to a carriage house by increasing the maximum floor area of its interior entryway, landing or similar space from 2.8 square metres to 5.2 square metres on property described as Lot 1, Section 28, Township 11, Nelson District, Plan VIP81228, PID 026-732-467 (3550 Eagleview Drive) with the condition that the door leading to storage, mechanical room, laundry and shared space be sealed prior to the construction of a single detached dwelling on the subject property;

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

208 and 213

Carried

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board approve the Development Variance Permit DV 3A 20 (Roberts) to reduce the minimum front yard setback from 7.5 metres to 5.5 metres for the foundation of a detached garage, and from 5.5 metres to 4.5 metres for the eaves of a detached garage, on property described as Lot 2, District Lot 6, Newcastle District, Plan 23151, PID 003-049-761 (609 Lund Road);

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

208 and 213

Carried

A. Hamir/E. Grieve: THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix A of staff report dated January 21, 2021, and direct staff to start the external agency referral process for Lot 17, Block 71, Comox District, Plan 21799, PID 003-473-589 (5254 Langlois Road) as part of a proposed amendment (RZ 1B 20; Whyte) of Bylaw No. 520 being the “Rural Comox Valley Zoning Bylaw, No. 520, 2019”;

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012.

208 and 213

Carried

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix C of staff report dated January 25, 2021 and direct staff to start the external agency referral process for Bylaw No. 602, being the “Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 3”;

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012.

208 and 213

Carried

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board approve Development Permit DP 15B 20 (Lenco Development Ltd., Fernco Development Ltd, Norco Development Ltd.) on the property described as Lot 1, District Lot 114, Comox District, Plan 2280, PID 006-412-335 (1671, 1673 and 1675 Ryan Road East) for the construction of six single storey mini-storage buildings;

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

208 and 213

Carried

A. Hamir/M. McCollum: THAT the board support in principle the provision of operational funding to the Hornby Island Arts Council (HIAC) through the Heritage Conservation Service (Function 695) with final consideration to be given in the fall of 2021 following the completion of a public engagement process by HIAC, as outlined in the staff report dated February 4, 2021, with a reduction in the operations contract to \$20,000 and the inclusion of HICEEC in the consultation process.

207

Carried

E. Grieve/D. Hillian: THAT the board consider three readings and subsequent adoption of an amendment to Bylaw No. 1341, being “Electoral Areas A, B and C Emergency Program Extended Service Establishment Bylaw, 1991”, to increase the maximum requisition by 25 per cent, to be available for the 2021 fiscal year, in accordance with the Local Government Act and the Regional Districts Establishing Bylaw Approval Exemption Regulation;

AND FURTHER THAT the Directors for Electoral Areas A, B and C, being the participants in the service, consent to the amendment of Bylaw No. 1341 in writing.

209

Carried

E. Grieve/D. Hillian: THAT the board write a letter in support of the Royal Canadian Legion's application to the Veterans Wellbeing Fund Grant;

AND FURTHER THAT staff be directed to prepare a report on funding options to support the work of the Royal Canadian Legion to end veterans homelessness.

208

Carried

COMOX VALLEY SEWAGE COMMISSION – FEBRUARY 9, 2021

D. Hillian/M. McCollum: THAT the Sewage Commission minutes dated February 9, 2021 be received.

COMOX VALLEY RECREATION COMMISSION - FEBRUARY 8, 2021

W. Cole-Hamilton/W. Morin: THAT the Recreation Commission minutes dated February 8, 2021 be received.

208

Carried

PARCEL TAX ROLL REVIEW PANEL

A. Hamir/E. Grieve: THAT the Parcel Tax Roll Review Panel minutes dated February 18, 2021 be received.

208

Carried

E. Grieve/W. Cole-Hamilton: THAT staff prepare a report regarding the implications of parcel taxes for areas in transition to converting to Comox Valley Regional District services.

208

Carried

2020-2024 FINANCIAL PLAN AMENDMENT BYLAW 641, 2021

D. Hillian/A. Hamir: THAT the report dated February 19, 2021 regarding an amendment to the 2020-2024 adopted financial plan bylaw to align with the authorizations given to amend the various function and project budgets through board resolutions during the 2020 fiscal year be received.

208

Carried

K. Douville, Manager of Financial Planning, provided an overview of the staff report regarding an amendment to the 2020-2024 adopted financial plan bylaw to align with the authorizations given to amend the various function and project budgets through board resolutions during the 2020 fiscal year.

D. Hillian/W. Morin: THAT the Comox Valley Regional District Board consider first, second and third reading and finally adopt Bylaw No. 641 being, "Comox Valley Regional District 2020 to 2024 Financial Plan and Capital Expenditure Program Bylaw No. 641, Amendment Bylaw No. 1" which will formalize the board approved 2020 financial plan amendments to Bylaw No. 612, 2020, being "Comox Valley Regional District 2020 to 2024 Financial Plan and Capital Expenditure Program Bylaw No. 612" adopted on March 19, 2020.

208

Carried

2021 SINGULAR ALTERNATIVE APPROVAL PROCESS – SERVICE ESTABLISHMENT REQUIREMENTS

E. Grieve/A. Hamir: THAT the report dated February 18, 2021 regarding the respective service establishing bylaws and other legislative requirements for the 2021 singular Alternative Approval Process (AAP) be received.

208

Carried

J. Martens, General Manager of Corporate Services, provided an overview of the staff report regarding the respective service establishing bylaws and other legislative requirements for the 2021 singular Alternative Approval Process.

E. Grieve/M. McCollum: THAT the following bylaws be introduced, read three times, and forwarded to the Inspector of Municipalities for approval:

- o Bylaw No. 636 being “Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021”;
- o Bylaw No. 637 being “Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2”;
- o Bylaw No. 638 being “Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021”;

AND FURTHER THAT participating area approval be sought by way of Alternative Approval Processes to be conducted with respect to the elector approval required for Bylaws No. 636, 637 and 638 for their entire proposed service areas.

208

Carried

M. McCollum/E. Grieve: THAT with respect to proposed Bylaws No. 636, 637 and 638, the Comox Valley Regional District (CVRD) Board approves the Elector Response Form and bylaw synopses as provided in the Notices of the Alternative Approval Process (AAP) and upon receiving approval of the three bylaws by the Inspector of Municipalities, CVRD staff be directed to publish the Notice for each bylaw in accordance with section 86(2) of the Community Charter including the following information, as generally outlined in the staff report dated February 18, 2021;

- a. the total number of eligible electors to which the AAP applies are as follows:
 - i. 3,901 within the proposed service area of the Baynes Sound Community Facilities Support Service (Bylaw No. 636);
 - ii. 10,785 within the proposed service area of the Puntledge North Community Facilities Support Service (Bylaw No. 637);
 - iii. 1,083 within the proposed service area of the Saratoga Beach Community Mosquito Management Service (Bylaw No. 638);
- b. the Notices of the AAP shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;
- c. the deadlines for receiving elector responses is established as Monday, July 5, 2021 at 4:30 p.m. following the 30-day statutory elector response period;
- d. the elector response form provides for only a single elector response on each form and will be available at the CVRD offices and on the CVRD website from the first publication date of the Notices of AAP until the deadline of the elector response period as determined above; and

e. elector response forms may be accepted in any one of the following manners:

i. In person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:00 AM - 4:30 pm, excluding Statutory Holidays);

ii. Via mail to: 770 Harmston Avenue, Courtenay, BC, V9N 0G8;

iii. Via fax at: 250-334-4358; or

iv. Via email attachment to: administration@comoxvalleyrd.ca with the subject heading: "Elector Response".

208

Carried

BYLAWS AND RESOLUTIONS:

A. Hamir/W. Morin: THAT Bylaw No. 636 being "Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021" be given first and second readings concurrently.

208

Carried

E. Grieve/A. Hamir: THAT Bylaw No. 636 being "Baynes Sound Community Facilities Support Service Establishment Bylaw No. 636, 2021" be read a third time.

208

Carried

E. Grieve/M. McCollum: THAT Bylaw No. 637 being "Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2" be given first and second readings concurrently.

208

Carried

E. Grieve/W. Cole-Hamilton: THAT Bylaw No. 637 being "Black Creek Community Centre Contribution Service Establishment Bylaw No. 47, 2009, Amendment No. 2" be read a third time.

208

Carried

E. Grieve/W. Cole-Hamilton: THAT Bylaw No. 638 being "Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021" be given first and second readings concurrently.

208

Carried

E. Grieve/W. Cole-Hamilton: THAT Bylaw No. 638 being "Saratoga Beach Community Mosquito Management Service Establishment Bylaw No. 638, 2021" be read a third time.

208

Carried

RECOMMENDATION for Bylaw No. 641 being "Comox Valley Regional District 2020 to 2024 Financial Plan and Capital Expenditure Program Bylaw No. 612, Amendment No. 1"

A. Hamir/M. McCollum: THAT Bylaw No. 641 being "Comox Valley Regional District 2020 to 2024 Financial Plan and Capital Expenditure Program Bylaw No. 612, Amendment No. 1" be given first and second readings concurrently.

208

Carried

A. Hamir/W. Cole-Hamilton: THAT Bylaw No. 641 being "Comox Valley Regional District 2020 to 2024 Financial Plan and Capital Expenditure Program Bylaw No. 612, Amendment No. 1" be read a third time.

208

Carried

E. Grieve/D. Hillian: THAT Bylaw No. 643 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 2" be given first and second readings concurrently.
208 Carried

D. Hillian/M. McCollum: THAT Bylaw No. 643 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 2" be read a third time.
208 Carried

ADDENDUM - UPON APPROVAL OF THE BOARD:

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

NI 9-1-1 SHAREHOLDER'S RESOLUTION - TEMPORARY APPORTIONMENT CHANGE

A. Hamir/M. McCollum: THAT the correspondence dated February 19, 2021 from John McNabb, President, North Island 9-1-1 Corporation, regarding the NI 9-1-1 shareholder's resolution regarding a temporary apportionment change be received.
209 Carried

M. Swift/D. Hillian: THAT the Comox Valley Regional District Board endorse the resolution to enable a temporary change to the apportionment method for North Island 9-1-1 Corporation as outlined in Appendix A of the correspondence dated February 19, 2021.
210 Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 4:36 pm.

RISE AND REPORT:

The board rose from its restricted in-camera session at 6:32 pm and reported on the following resolution from the regular in-camera session:

"THAT the Comox Valley Regional District provide six months' notice of the termination of the Comox Valley Economic Development Society contract, and direct staff to undertake a thorough investigation into plans to manage the process and continuation of some level of service (Visitors Centre / MRDT) through the transition and beyond."

TERMINATION:

K. Grant/W. Cole-Hamilton: THAT the meeting terminate.
208 Carried

Time: 6:32 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services