

Tuesday, May 25, 2021

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on May 25, 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. Ketter	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
	M. Rutten	General Manager of Engineering Services
	A. Mullaly	General Manager of Planning and Development
	L. Dennis	Acting General Manager of Corporate Services

ATTENDANCE:

With the exception of Chair Ketter and Directors Arbour, Hamir and Grieve, all directors participated by electronic means.

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 33: Indigenous peoples have the right to determine their own identity or membership in accordance

with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live;

Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

IN-CAMERA MEETING:

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

90(1)(a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;

90(1)(b) Personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the regional district on condition of anonymity;

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

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;

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

90(1)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

90(1)(j) Information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;

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 board, could reasonably be expected to harm the interests of the regional district if they were held in public;

90(1)(n) The consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

90(2)(b) The consideration of information received and held in confidence relating to negotiations between the regional district and the provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

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

208

Carried

Note: the volume of references above to the Community Charter reflect the board's consideration of the annual release of in-camera information in accordance with the Release of Closed Meeting Minutes policy.

VARY THE AGENDA

D. Arbour/A. Hamir: THAT the agenda be varied to bring forward agenda items F.1, G.1 and G.2 regarding Black Creek - Oyster Bay services.

208 Carried

BLACK CREEK – OYSTER BAY SERVICES COMMITTEE – MAY 10, 2021

B. Leigh/E. Grieve: THAT the Black Creek – Oyster Bay Services Committee minutes dated May 10, 2021 be received.

208 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 2392 being the “Black Creek/Oyster Bay Water Local Service Area Development Cost Charge Bylaw 2001” be amended to include campsites as a form of development as per the redline version attached as Appendix A to staff report dated May 6, 2021.

209 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 2462 being “Black Creek - Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002” be amended to include campsites as a form of development as per the redline version attached as Appendix B to the staff report dated May 6, 2021.

209 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 639 being “Black Creek/Oyster Bay Water Local Service Area Development Cost Charge Bylaw 2001, Amendment No. 3” be given first and second readings concurrently.

209 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 639 being "Black Creek/Oyster Bay Water Local Service Area Development Cost Charge Bylaw 2001, Amendment No. 3" be read a third time.

209 Carried

M. Swift/E. Grieve: THAT Bylaw No. 640 being “Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002, Amendment No. 3” be given first and second readings concurrently.

209 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 640 being "Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002, Amendment No. 3" be read a third time.

209 Carried

Director Leigh left the meeting at 4:07 pm.

ADOPTION OF MINUTES:

A. Hamir/W. Cole-Hamilton: THAT the Comox Valley Regional District Board minutes dated May 11, 2021 be adopted.

208 Carried

BUSINESS ARISING FROM MINUTES:

RESPONSE TO REQUESTS FROM CATHY PETERS REGARDING HUMAN TRAFFICKING

A. Hamir/D. Hillian: THAT the report dated May 20, 2021 regarding the requests of Cathy Peters concerning human-trafficking as presented through a delegation to the Comox Valley Regional District Board on May 11, 2021 be received.

208

Carried

E. Grieve/D. Hillian: THAT the Comox Valley Regional District Board provide a letter of support to Cathy Peters, in support of her work to bring awareness to the issue of human sex trafficking, sexual exploitation and child sex trafficking in British Columbia;

AND FURTHER THAT the Comox Valley Regional District Board send a letter to the Premier and Solicitor General requesting resources and funding to address human sex trafficking, sexual exploitation and child sex trafficking in British Columbia, as per the requests from Cathy Peters at the May 11, 2021 Board meeting.

208

D. Arbour/A. Hamir: THAT the motion be amended to consider each clause of the motion separately.

208

Carried

The vote was taken on the first motion as follows:

THAT the Comox Valley Regional District Board provide a letter of support to Cathy Peters, in support of her work to bring awareness to the issue of human sex trafficking, sexual exploitation and child sex trafficking in British Columbia.

208

Defeated

NAY: Hamir, Cole-Hamilton, Grieve, Ketler, McCollum, Morin, Swift

E. Grieve/A. Hamir: THAT the second motion be amended to remove "AND FURTHER" and to strike the wording after "British Columbia".

208

Carried

The vote was taken on the second motion, as amended, as follows:

THAT the Comox Valley Regional District Board send a letter to the Premier and Solicitor General requesting resources and funding to address human sex trafficking, sexual exploitation and child sex trafficking in British Columbia.

208

Carried

PETITIONS AND DELEGATIONS:

FRIENDS OF STRATHCONA PARK

E. Grieve/A. Hamir: THAT the presentation from John Milne and Jennifer Pass, Friends of Strathcona Park, regarding a proposed study of public access issues surrounding Strathcona Park and possible support from the CVRD be received.

208 Carried

REPORTS:

COMOX VALLEY TRANSIT MANAGEMENT ADVISORY COMMITTEE MINUTES

D. Hillian/W. Morin: THAT the Comox Valley Transit Management Advisory Committee minutes dated April 28, 2021 be received.

208 Carried

COMOX VALLEY EMERGENCY PROGRAM ADMINISTRATIVE COMMITTEE

E. Grieve/D. Arbour: THAT the Comox Valley Emergency Program Administrative Committee minutes dated May 6, 2021 be received.

208 Carried

ELECTORAL AREAS SERVICES COMMITTEE – MAY 10, 2021

D. Arbour/A. Hamir: THAT the Electoral Areas Services Committee minutes dated May 10, 2021 be received.

208 Carried

E. Grieve/D. Arbour: THAT the Comox Valley Regional District Board approve Development Variance Permit DV 1A 21 (Latta) to reduce the front yard setback pertaining to Craft Road from 7.5 metres to 6.0 metres for the foundation of a new single detached dwelling, on property described as Lot 1 of Lot 31G of Section 2A, Nelson District, Plan 23003, PID 003-213-447 (6650 Island Highway South);

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

208 and 213 Carried

D. Arbour/E. Grieve: THAT Innovation, Science, and Economic Development Canada be advised that TELUS Communications Inc. and SitePath Consulting Ltd. have satisfactorily consulted with the Comox Valley Regional District and have completed the required public consultation process for the proposed telecommunications tower on property described as Lot B, Section 21, Township 4 and of Block 29, Comox District, Plan EPP53081, PID 029-776-279 (3301 Macaulay Road), and that the Comox Valley Regional District concurs with the proposal;

AND FINALLY THAT the Letter of Concurrence request that TELUS consider the possibility of using the fibre optic connection to feed back into the DSL system.

D. Arbour/A. Hamir: THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix B of staff report dated May 5, 2021, and direct staff to commence the external agency referral process for properties known as:

- Lot 2, Block 29, Comox District, Plan VIP70241, PID 024-701-599 (2380 Macaulay Road and 8723 Island Highway)
- Lot 2, Block 29, Comox District, Plan VIP58479, PID 018-677-487 (2305 and 2295 Shiloh Road)
- Part Lot 2, Block 29, Comox District, Plan 5517, except VIP74773, PID 005-972-281 (unaddressed lot off Macaulay Road)
- Lot 1, Block 29, Comox District, Plan VIP70241, PID 024-701-581 (8699 Island Highway)
- Lot A, Block 29, Comox District, Plan EPP33408, PID 029-845-629 (unaddressed lot off Macaulay Road) as part of a proposed amendment (RZ 2C 20, Leighton) to Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019";

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

AND FINALLY THAT the Comox Valley Regional District Board authorize staff to begin discussions on provision of community amenities as per Section 72 Community Amenity Contributions of Bylaw No. 337, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014."

D. Arbour/A. Hamir: THAT the Comox Valley Regional District Board approve the Farm Land Protection Development Permit DP 5C 21 (Siefert/ Lamberts) on the property described as Parcel A (DD 92319-N) of Lot 1, Block 29, Comox District, Plan 6878, PID 005-781-248 (8376 Island Highway N.) for the demolition of buildings and the construction of a new house and garage with a minimum 7 metre setback from the agricultural property and fencing and vegetative buffer along both the north and south side lot lines;

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

A. Hamir/E. Grieve: THAT the Comox Valley Regional District Board approve submitting an application to the Investment Agriculture Foundation's Local Government Partnership Program for the purposes of updating the Comox Valley Agricultural Plan.

D. Hillian/K. Grant: THAT staff be directed to bring forward the service establishing bylaws for the Union Bay Water Service, Union Bay Fire Protection Service and Union Bay Street Lighting Service for first, second and third readings;

AND FURTHER THAT the board authorize participating area approval for Electoral Area A to be given by the Electoral Area Director consenting in writing to adoption of such service establishing bylaws in accordance with Section 347 of the Local Government Act.

D. Arbour/E. Grieve: THAT the board support the continuation of the advisory body known as the Union Bay Improvement District Working Group to provide advice and input respecting all matters relating to the Union Bay Water Service, Union Bay Fire Protection Service and Union Bay Street Lighting Service;

AND FURTHER THAT the working group meet as required until September 30, 2021.

208 Carried

D. Arbour/E. Grieve: THAT an allocation of \$36,000 from the Comforts Stations Service, function 686, be committed for distribution to assist the Black Creek Community Centre, Merville Community Hall and the Union Bay Community Club for the construction of outdoor washrooms.

209 Carried

D. Hillian/A. Hamir: THAT \$40,000 of the second installment of the BC Safe Restart Grant of \$402,000 be allocated for the construction of outdoor washrooms at the Black Creek Community Centre, Merville Community Hall and the Union Bay Community Club;

AND FURTHER THAT staff consult with the Electoral Area Directors regarding distribution of the remainder of the funds.

208 Carried

A. Hamir/D. Arbour: THAT staff perform a cursory review and report back on the merits and feasibility of providing a pilot program to permit the use of recreational vehicles for seasonal worker accommodation on designated properties.

208 and 213 Carried

COMOX VALLEY SEWAGE COMMISSION – MAY 11, 2021

E. Grieve/D. Arbour: THAT the Sewage Commission minutes dated May 11, 2021 be received.

208 Carried

SUPPORT FOR THE CITY OF COURTENAY MRDT

D. Arbour/A. Hamir: THAT the report dated May 20, 2021 regarding a request for a letter of support from the City of Courtenay for their application to implement the Municipal and Regional District Tax (MRDT) for accommodation rentals within the City of Courtenay be received.

209 Carried

W. Cole-Hamilton/M. McCollum: THAT a letter be provided to the City of Courtenay advising of the Comox Valley Regional District's support of the City of Courtenay's application to implement Municipal and Regional District Tax for accommodation rentals within the City of Courtenay.

209 Carried

REGIONAL AIRSHED ROUNDTABLE UPDATE (YEAR ONE)

A. Hamir/D. Hillian: THAT the report dated May 17, 2021 regarding an update and summary of the first year of the Airshed Roundtable including the draft vision and goals developed for the Regional Airshed Protection Strategy be received.

208 and 212

Carried

D. Mazarura, Planning and Policy Analyst, presented an overview of the staff report regarding the first year of the Airshed Roundtable including the draft vision and goals developed for the Regional Airshed Protection Strategy.

COMOX VALLEY TRANSIT INFRASTRUCTURE STUDY

D. Arbour/E. Grieve: THAT the report dated May 13, 2021 regarding the Comox Valley Transit Infrastructure Study and to seek direction on presenting to municipal councils for feedback be received.

209

Carried

Dan Casey, Urban Systems, and James Wadworth, BC Transit, presented an overview of the Comox Valley Transit Infrastructure Study.

D. Arbour/A. Hamir: THAT the draft Comox Valley Transit Infrastructure Study report attached as Appendix A in the staff report dated May 13, 2021 be received and presented to municipal councils for feedback before coming back to the board for final approval.

209

Carried

The meeting recessed at 6:27 pm and resumed at 6:35 pm.

LONG TERM BORROWING SECURITY ISSUE FALL 2021 – CITY OF COURTENAY

D. Arbour/D. Hillian: THAT the report dated May 20, 2021 regarding the participation by the City of Courtenay in the Municipal Finance Authority's (MFA) long-term borrowing fall 2021 issue be received.

208

Carried

D. Hillian/D. Arbour: THAT Bylaw No. 653, being "Comox Valley Regional District Security Issuing Bylaw No.653, 2021", be forwarded to the Comox Valley Regional District Board for first, second and third readings and final adoption.

208

Carried

LONG TERM BORROWING SECURITY ISSUE FALL 2021 - CVRD

E. Grieve/D. Arbour: THAT the report dated May 20, 2021 regarding the Comox Valley Regional District's participation in the Municipal Finance Authority's long-term borrowing fall 2021 issue be received.

208

Carried

D. Arbour/W. Cole-Hamilton: THAT Bylaw No. 655, being "Comox Valley Regional District Security Issuing Bylaw No. 655, 2021", be forwarded to the Comox Valley Regional Board for first, second and third readings and final adoption.

208

Carried

BYLAWS AND RESOLUTIONS:

E. Grieve/D. Hillian: THAT Bylaw No. 653 being "Comox Valley Regional District Security Issuing Bylaw No. 653 , 2021" be given first and second readings concurrently.

210

Carried

A. Hamir/D. Arbour: THAT Bylaw No. 653 being "Comox Valley Regional District Security Issuing Bylaw No. 653 , 2021" be read a third time.

210

Carried

E. Grieve/A. Hamir: THAT Bylaw No. 655 being "Comox Valley Regional District Security Issuing Bylaw No. 655 , 2021" be given first and second readings concurrently.

210

Carried

D. Arbour/D. Hillian: THAT Bylaw No. 655 being "Comox Valley Regional District Security Issuing Bylaw No. 655 , 2021" be read a third time.

210

Carried

NEW BUSINESS:

ENDORSEMENT REQUEST - HELP CITIES LEAD

D. Arbour/A. Hamir: THAT the correspondence dated May 19, 2021 from Director Cole-Hamilton regarding a request from the Help Cities Lead Campaign to endorse the campaign and to send a letter of support to various provincial ministers be received.

208

Carried

D. Arbour/A. Hamir: WHEREAS emissions by buildings account for 40-60 per cent of a community's greenhouse gas (GHG) emissions;

AND WHEREAS climate policy modelling completed for Help Cities Lead shows current actions to reduce greenhouse gas (GHG) emissions from buildings are insufficient to achieve the province's GHG targets for 2030 and 2050;

AND WHEREAS the November 2020 mandate letters to ministers included direction to provincial ministries to move forward with three of the five policy measures included in the Help Cities Lead climate policy modelling: GHG requirements for new buildings, Property Assessed Clean Energy (PACE) financing, and

home energy labelling;

THEREFORE, BE IT RESOLVED THAT the Comox Valley Regional District Board write a letter to the Minister of Environment and Climate Change Strategy, the Minister of Energy, Mines and Low Carbon Innovation, the Minister of Municipal Affairs, the Attorney-General and Minister responsible for Housing, and the Minister of Finance, expressing its endorsement of the Help Cities Lead campaign; support for the directions set out in the November 2020 ministerial mandate letters regarding GHG requirements for new buildings, PACE financing, and home energy labelling; and also requesting that the province empower local governments to opt to take action, if they so choose, on the two remaining items of the Help Cities Lead's campaign, namely GHG requirements for existing buildings and building energy benchmarking.

208

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 6:46 pm.

RISE AND REPORT:

The board rose from its in-camera session at 7:11 pm and reported the following:

"THAT the Board authorize the release of the 2020 Board closed meeting minutes following the severing of information as identified in Appendix A of the staff report dated May 19, 2021."

TERMINATION:

D. Arbour/W. Cole-Hamilton: THAT the meeting terminate,

208

Carried

Time:

Confirmed this _____ day of _____ 20____:

Jesse Ketler

Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services