

Tuesday, August 25, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on August 25, 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
	D. Frisch	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
	J.Zbinden	Acting General Manager of Community Services
	M. Rutten	General Manager of Engineering Services
	S. Smith	General Manager of Planning and Development Services
	L. Dennis	Manager of Legislative Services

ATTENDANCE:

Staff also in attendance at the meeting were K. Douville and J. Bast. S. Hainsworth was in attendance via teleconference.

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 16: Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination;

States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

IN-CAMERA MEETING:

K. Grant/W. Cole-Hamilton: THAT the board adjourn to a restricted in-camera session pursuant to the following sub-section of section 90 of the Community Charter:

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

VARY THE AGENDA

E. Grieve/K. Grant: THAT the agenda be varied to move agenda items F.1 related to the Black Creek - Oyster Bay Services Committee forward on the agenda.

208 Carried

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - AUGUST 10, 2020

B. Leigh/D. Frisch: THAT the Black Creek - Oyster Bay Services Committee minutes dated August 10, 2020 be received.

208 Carried

E. Grieve/B. Leigh: THAT the board endorse the Comox Valley Regional District (CVRD) Fire Services Operational Guidelines Manual as the guiding operational document of the CVRD fire departments.

209 Carried

Director Leigh left the meeting at 4:04 pm.

PETITIONS AND DELEGATIONS:

COMOX VALLEY COMMUNITY FOUNDATION

K. Grant/D. Frisch: THAT the delegation from Matt Beckett and Susan Auchterlonie, Comox Valley Community Foundation, (via videoconference) regarding the allocation of CVRD grant-in-aid funds be received.

208 Carried

LUSH VALLEY - COMOX VALLEY FOOD POLICY COUNCIL

E. Grieve/K. Grant: THAT the presentation from Maurita Prato and Sandra Viney, LUSH Valley, Comox Valley Food Policy Council, regarding community food security in the age of COVID: A story of collaborative action and response; a reflection on lessons learned and considerations for the future be received.

208

Carried

ADOPTION OF MINUTES:

D. Frisch/K. Grant: THAT the Comox Valley Regional District Board minutes dated August 11, 2020 be adopted.

208

Carried

REPORTS:

ELECTORAL AREAS SERVICES COMMITTEE - AUGUST 10, 2020

E. Grieve/K. Grant: THAT the Electoral Areas Services Committee minutes dated August 10, 2020 be received.

208

Carried

E. Grieve/K. Grant: THAT the Electoral Area C Advisory Planning Commission minutes dated August 13, 2020 be received.

208

Carried

E. Grieve/A. Hamir: THAT the board approve Development Variance Permit DV 4C 20 (Pastershank/Sawatzky) to reduce the minimum front yard setback pertaining to Lamb Road from 7.5 metres to 4.5 metres (and from 5.5 metres to 3.5 metres for the eaves) for the purpose of allowing the construction of a single detached dwelling on the property described as Strata Lot 9, Section 24, Township 6, Comox District, Strata Plan VIS5611 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID 026-055-457 (6488 Eagles Drive);

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 July 23, 2020, and direct staff to commence the external agency referral process for Lot B, District Lot 13, Nelson District, Plan VIP60017, except Plan EPP76949, as part of a proposed amendment (RZ 1A 19) 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."

208 and 213

Carried

D. Arbour/A. Hamir: THAT the board approve Development Permit DP 3A 20 (Union Bay Coal Hills) on property described as That part of Lot 1 District Lot 154, Nanaimo District, Sections 31 and 32, Township 1 and District Lot 28, Nelson District, Plan EPP15507 as shown on Plan EPP56910, PID 030-110-254, for the development of shoreline protection devices;

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

208 and 213

Carried

E. Grieve/A. Hamir: THAT the board approve Development Permit DP 4A 20 (Union Bay Coal Hills) on property described as Block B, District Lot 155, Nanaimo District for the development of shoreline protection devices;

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

208 and 213

Carried

K. Grant/D. Frisch: THAT the board endorse the Comox Valley Regional District (CVRD) Fire Services Operational Guidelines Manual as the guiding operational document of the CVRD fire departments.

207

Carried

K. Grant/D. Frisch: THAT existing grant services are modified as described below:

a. Modify the Electoral Area Arts and Culture Grant Program to include dual funding streams, one for five-year agreements and the other for one-time special initiative or event funding, additionally request a regional strategic plan be created for the sector.

b. Grant in Aid funding to be marketed as Rural Area Community Grants and include election cycle multi-year agreements for some traditionally long standing recipients.

c. Establishment of a new Part A - Baynes Sound Community Facilities Service in conjunction with the expansion of the existing Black Creek Community Hall service (function #676) to include other community facilities within Electoral Area C both to be completed through an electoral ascent process.

208

Carried

K. Grant/A. Hamir: THAT staff refine grant criteria, application processes, deadlines and public awareness / engagement by way of a new community granting program portal on the Comox Valley Regional District website.

208

Carried

K. Grant/E. Grieve: THAT staff work with Denman and Hornby Island organizations to refine recreation grant processes and criteria.

208

Carried

E. Grieve/K. Grant: THAT Electoral Area Community Works Funds be reserved for internal Comox Valley

Regional District projects with exceptions made on a case to case basis.

208

Carried

A. Hamir/K. Grant: THAT the request from the Hornby Island Community Economic Enhancement Corporation (HICEEC) for grant application sponsorship by the CVRD to the current intake of the ICIP – RNC program, be declined;

AND FURTHER THAT staff be directed to work with and support HICEEC and its partners towards the potential establishment of high-speed broadband infrastructure (FTTP) to Denman and Hornby Islands.

208

Carried

SEWAGE COMMISSION - AUGUST 11, 2020

D. Frisch/K. Grant: THAT the Sewage Commission minutes dated August 11, 2020 be received.

208

Carried

GREATER MERVILLE FIRE HALL – ELECTOR ASSENT

E. Grieve/K. Grant: THAT the report dated August 20, 2020 regarding a loan authorization bylaw for the Greater Merville Fire Hall project and to confirm the alternative approval process (AAP) for elector assent of the bylaw be received,

209

Carried

E. Grieve/A. Hamir: THAT Bylaw No. 614, being “Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020”, be introduced and read a first, second and third time;

AND FURTHER THAT Bylaw No. 614, being “Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020”, together with the associated staff reports be forwarded to the Inspector of Municipalities for approval pursuant to the Community Charter and Local Government Act.

209

Carried

K. Grant/D. Hillian: THAT upon receiving approval of the Inspector of Municipalities and as soon as applicable publication deadlines allow, Comox Valley Regional District (CVRD) staff be directed to publish the Notice of Alternative Approval Process in accordance with section 86(3)(a) of the Community Charter including the following information, as generally outlined in the staff report dated August 20, 2020;

a) 2,733 as the total number of eligible electors within the Merville Fire Protection Service Area as established by Bylaw No. 484 being “Merville Fire Protection Service Establishment Bylaw No. 484, 2017”, to which the Alternative Approval Process applies;

b) the Notice of Alternative Approval Process shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;

c) the deadline for receiving elector responses shall be established as 4:30 pm on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being the first business day following the second publication date in the newspaper noted above;

d) the elector response form will provide 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 Notice of Alternative Approval Process until the deadline of elector response period as determined above; and

e) elector response forms are able to be submitted 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: adminstration@comoxvalleyrd.ca with the subject heading: "Elector Response".

209

Carried

COMOX VALLEY ECONOMIC DEVELOPMENT SOCIETY CONTRACT

K. Grant/W. Cole-Hamilton: THAT the report dated August 19, 2020 regarding the establishment of a select committee to liaise with the Comox Valley Economic Development Society and to appoint directors to the committee for this purpose be received.

209

Carried

E. Grieve/M. Swift: THAT the Terms of Reference attached to the staff report dated August 19, 2020 for the Comox Valley Economic Liaison Committee be approved;

AND FURTHER THAT the board appoint Director Arbour, Director Grant, and Director Hillian to the Comox Valley Economic Development Liaison Committee.

209

Defeated *NAY: D. Arbour, W.
Cole-Hamilton, D.
Frisch, A. Hamir, K.
Grant, W. Morin,*

D. Frisch/A. Hamir: THAT the Terms of Reference attached to the staff report dated August 19, 2020 for the Comox Valley Economic Liaison Committee be approved.

209

Carried

A. Hamir/D. Frisch: THAT the board appoint Director Arbour to the Comox Valley Economic Development Liaison Committee.

209

Director Arbour declined to be considered for appointment to the Comox Valley Economic Development Liaison Committee and the motion was withdrawn.

D. Frisch/W. Morin: THAT the board appoint Director Hamir to the Comox Valley Economic Development Liaison Committee.

209

Carried *NAY: K. Grant, M. Swift*

M. Swift/E. Grieve: THAT the board appoint Director Grant to the Comox Valley Economic Development Liaison Committee.

209

Director Grant declined to be considered for appointment to the Comox Valley Economic Development Liaison Committee and the motion was withdrawn.

D. Frisch/W. Cole-Hamilton: THAT the board appoint Director Swift to the Comox Valley Economic Development Liaison Committee.

209

Carried *NAY: E. Grieve*

E. Grieve/D. Arbour: THAT the board appoint Director Hillian to the Comox Valley Economic Development Liaison Committee.

209

Carried *NAY: A. Hamir*

2020 GRANTS-IN-AID

K. Grant/E. Grieve: THAT the directors' report dated August 13, 2020 from Directors Arbour, Hamir and Grieve regarding 2020 Grants-in-Aid be received.

208

Carried

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

o Old Church Theatre to assist with preservation of the Old Church Theatre and its heritage for the arts

o Area A - Baynes Sound (Function 120) \$1,650.00;

o Area B (Function 121) \$1,650.00;

o Area C (Function 122) \$1,650.00.

208

Carried

LIVING WAGE PROCUREMENT POLICY AMENDMENT

D. Hillian/W. Cole-Hamilton: THAT the report dated August 5, 2020 regarding an update to the procurement policy to include a living wage provision under the sustainable procurement section ands other minor policy updates be received.

208

Carried

S. Hainsworth, Manager of Operating and Capital Procurement, provided an overview of the staff report regarding updates to the procurement policy.

D. Arbour/A. Hamir: THAT the procurement policy revisions, as attached to the staff report dated August 5, 2020, be approved subject to feedback from the Comox Strathcona Waste Management Board

208 Carried

BOARD CODE OF CONDUCT POLICY

K. Grant/D. Frisch: THAT the report dated August 17, 2020 regarding a draft Board Code of Conduct Policy that articulates the board's shared expectations for conduct and behaviour be received.

208 Carried

J. Warren, Deputy Chief Administrative Officer, provided an overview of the Board Code of Conduct Policy.

D. Frisch/K. Grant: THAT the Board Code of Conduct Policy as presented in Appendix A of the staff report dated August 17, 2020 be approved subject to review by the Comox Strathcona Waste Management Board at their September 10, 2020 meeting;

AND FURTHER THAT the policy be referred to staff to investigate guidelines for enforcement.

208 Carried

COVID-19 RESPONSE AND RENEWAL – SUPPLEMENTAL INFORMATION

K. Grant/D. Frisch: THAT the report dated August 20, 2020 regarding an update and supplemental information on the COVID-19 Response and Renewal initiatives, including specific information on emergency programming, economic development, financial planning and opportunities to realign efforts to promote more efficient service delivery be received.

208 Carried

W. Cole-Hamilton/D. Hillian: THAT the COVID-19 Response and Renewal initiatives, as included with the staff report dated August 20, 2020, be approved for further consideration through 2020 strategic planning and subsequent implementation.

208 Carried

BYLAWS AND RESOLUTIONS:

D. Frisch/A. Hamir: THAT Bylaw No 619 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 5" be read a third time.

208 and 213 Carried

D. Hillian/W. Cole-Hamilton: THAT Bylaw No. 614, being "Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020" be given first and second readings concurrently.

K. Grant/E. Grieve: THAT Bylaw No. 614 being "Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020" be read a third time.

D. Frisch/E. Grieve: THAT Bylaw No. 620 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 620, 2020" be adopted.

Note: the above resolution received at least two-thirds of the votes cast.

K. Grant/A. Hamir: THAT Bylaw No. 621 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 621, 2020" be adopted.

Note: the above resolution received at least two-thirds of the votes cast.

NEW BUSINESS:

NEW BUSINESS NOTICE - PUBLIC HEARING FOR BYLAW NO. 604

K. Grant/D. Frisch: THAT the new business notice dated August 13, 2020 regarding the scheduling of a public hearing for Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" (CP 1CV 19) be received.

D. Arbour/D. Frisch: WHEREAS the following bylaw has received first and second readings by the regional district board:

- Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" (CVRD);

AND WHEREAS, pursuant to Section 464 (1) of the Local Government Act [RSBC 2015, c.1], it is necessary to hold a public hearing on the aforementioned bylaw;

AND WHEREAS gatherings of greater than 50 persons are prohibited under order of the Provincial Health Officer and the available meeting facilities at the CVRD corporate office cannot accommodate more than 30 persons present in person, including members of the board and staff;

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on September 30, 2020 at 6:30 pm;

2. The meeting will be held by electronic means as attendance of the public cannot be reasonably accommodated in accordance with the applicable requirements or recommendations under the Public Health Act;

Openness, transparency, accessibility and accountability will be addressed by providing the public the following means of participation: written submissions by mail, email or dropbox prior to the hearing; videoconference and teleconference participation; and live-streaming of the hearing;

The procedures for public participation will be outlined in detail on the CVRD website; all legal notices and advertising will direct the public to the webpage for instruction and to staff for assistance.

3. The holding of the public hearing be delegated to the Directors from Electoral Areas A, B and C with Director Hamir designated as the Chair and Directors Grieve and Arbour designated as First Vice-Chair and Second Vice-Chair respectively for the public hearing; and

4. At least one (1) of the above-named delegates must be in attendance at the public hearing.
208 and 213

Carried

UBCM DIRECTOR AT LARGE

D. Hillian/E. Grieve: THAT the correspondence dated August 24, 2020 from Director Cole-Hamilton regarding candidacy for the position of Director at Large for the Union of British Columbia Municipalities be received.
208

Carried

K. Grant/D. Hillian: THAT the Comox Valley Regional District Board provide a letter of support for Director Will Cole-Hamilton to be considered as a candidate for Director at Large of the Union of British Columbia Municipalities for 2020.
208

Carried

ADDENDUM - UPON APPROVAL OF THE BOARD:

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

Carried

AMENDMENT TO FUNCTION 451, FUNDING TO DAWN TO DAWN ACTION ON HOMELESSNESS SOCIETY FOR THE PURCHASE OF A CONDOMINIUM UNIT

E. Grieve/D. Arbour: THAT the report dated August 24, 2020 regarding a request from Dawn to Dawn Action on Homelessness Society regarding the purchase of a condo unit be received.
209

Carried

E. Grieve/D. Arbour: THAT the \$90,000 allocated for the purchase of a three bedroom condominium unit for a family be amended to the purchase of a one bedroom condominium unit;

AND FINALLY THAT the amendment be reflected as an addendum to the Comox Valley Coalition to End Homelessness five year action plan (2020 – 2024).

209

Carried

ADJOURN TO RESTRICTED IN-CAMERA:

The board adjourned to its restricted in-camera session at 6:26 pm.

RISE AND REPORT:

The board rose from its restricted in-camera session at 7:00 pm.

TERMINATION:

D. Arbour/D. Frisch: THAT the meeting terminate.

208

Carried

Time: 7:00 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services