

Tuesday, November 26, 2019

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, November 26, 2019 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, 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. Morin	City of Courtenay
	D. Hillian	City of Courtenay
	D. Frisch	City of Courtenay
	M. Swift	Town of Comox
	W. Cole-Hamilton	City of Courtenay
	B. Leigh	Oyster Bay – Buttle Lake (Area D)
	K. Grant	Town of Comox
Alt. Director:	C. Scoville	Puntledge/Black Creek (Area C)
Staff:	R. Dyson	Chief Administrative Officer
	S. Smith	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	D. DeMarzo	General Manager of Community Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services

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 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

VARY THE AGENDA

D. Hillian/W. Morin: THAT the agenda be varied to consider agenda item F.6 Black Creek - Oyster Bay Services Committee - November 19, 2019, item F.8 Parcel Tax Role Review Panel and G.1 respecting Bylaw No. 595 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 9" next on the agenda.

208

Carried

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - NOVEMBER 19, 2019

D. Arbour/K. Grant: THAT the Black Creek - Oyster Bay Services Committee minutes dated November 19, 2019 be received.

208

Carried

B. Leigh/W. Morin: THAT Bylaw No. 5 being the "Black Creek/ Oyster Bay Water Service Regulation, Fees and Charges Bylaw No. 5, 2008" be amended to include a five per cent rate increase for all commercial and residential minimum charge and tiered rates effective April 1, 2020.

209

Carried

B. Leigh/K. Grant: THAT staff be directed to proceed with a petition process for those property owners within Puntledge – Black Creek Electoral Area C that fall within the proposed extension of the Black Creek – Oyster Bay Water Service as outlined on Appendix A attached to the staff report dated November 14, 2019;

AND FURTHER THAT if sufficient and valid petition is received pursuant to the Local Government Act and the Regional District Establishing Bylaw Approval Exemption Regulation, staff be directed to bring forward an amendment to Bylaw No. 1557 being "Black Creek and Oyster Bay Water Local Service Area Conversion and Establishment Bylaw No. 1557, 1993" to advance the boundary extension proposal;

AND FURTHER THAT subject to sufficient and valid petition being received, the Directors for Electoral Area C and D, being the service participants, consent to the amendment of Bylaw No. 1557 being "Black Creek and Oyster Bay Water Local Service Area Conversion and Establishment Bylaw No. 1557, 1993" in writing;

AND FINALLY THAT as part of completion of the above processes staff apply for transfer of water licenses from the Watutco Water System to the Black Creek / Oyster Bay Water Local Service Area.

209

Carried

PARCEL TAX ROLL REVIEW PANEL 2020

B. Leigh/D. Arbour: THAT the report dated November 5, 2019 providing information with respect to the 2020 parcel tax roll review panel and to appoint the directors to the panel for authentication of the roll, be received.

208

Carried

D. Arbour/K. Grant: THAT a parcel tax roll review panel be held at 9:30 am on February 20, 2020 to authenticate the 2020 parcel and frontage tax roll and that the directors from Electoral Areas A, B, C and the extraterritorial director for Electoral Area D with respect to the Black Creek/Oyster Bay Water Service area, be appointed to the panel.

208

Carried

BYLAWS AND RESOLUTIONS:

D. Arbour/K. Grant: THAT Bylaw No. 595 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 9" be given first and second readings concurrently.

209

Carried

D. Arbour/K. Grant: THAT Bylaw No. 595 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 9" be read a third time.

209

Carried

Director Leigh left the meeting at 4:03 pm.

IN-CAMERA MEETING:

D. Hillian/K. Grant: 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)(e) The acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure might reasonably be expected to harm the interests of the regional district;

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;

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

208

Carried

ADOPTION OF MINUTES:

W. Cole-Hamilton/D. Frisch: THAT the Comox Valley Regional District Board minutes dated October 29, 2019 be adopted.

208

Carried

W. Cole-Hamilton/D. Frisch: THAT the Comox Valley Regional District Board minutes dated November 5, 2019 be adopted.

208

Carried

PETITIONS AND DELEGATIONS:

FORBIDDEN PLATEAU RECLAMATION SOCIETY

D. Arbour/K. Grant: THAT the presentation from David Mellin and Greg Sawchuk, Forbidden Plateau Reclamation Society, providing an update on the clean up of the former Forbidden Plateau ski hill (Wood Mountain Park) be received.

208

Carried

COMOX VALLEY GROUND SEARCH AND RESCUE

A. Hamir/D. Hillian: THAT the presentation from Paul Berry, Comox Valley Ground Search and Rescue, providing an update on the organization's current status including current and projected operational demands, fiscal realities as well as projected future challenges and opportunities be received.

208

Carried

REPORTS:

COMMITTEE OF THE WHOLE - OCTOBER 29, 2019

K. Grant/D. Arbour: THAT the Committee of the Whole minutes dated October 29, 2019 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE - NOVEMBER 4, 2019

K. Grant/A. Hamir: THAT the minutes of the Electoral Areas Services Committee dated November 4, 2019 be received.

208

Carried

W. Morin/D. Frisch: THAT the board approve the Development Variance Permit DV 11B 19 (Lenco Development Ltd., Fernco Development Ltd., and Norco Development Ltd.) to increase the maximum height of a fence to 3.1 metres on property described as Lot 1, District Lot 114, Comox District, Plan 2280, PID 006-412-335 (1671, 1673 and 1675 Ryan Road East);

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

208 and 213

Carried

D. Frisch/K. Grant: THAT the board approve the Development Variance Permit DV 6A 19 (Adams, Wells and Nanayakkara) to reduce the following lot line setbacks in order to permit the conversion of the accessory building to a secondary dwelling:

- To reduce the left side yard setback from 3.5 metres to 2.7 metres; and
- To reduce the rear yard setback from 7.5 metres to 4.4 metres for the foundation, and from 5.5 metres to 4.0 metres for the eaves;

on property described as Lot 19, District Lot 28, Nelson District, Plan 31464, PID 001-147-382 (4696 Montrose Drive);

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

208 and 213

Carried

K. Grant/A. Hamir: THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix A of staff report dated October 24, 2019, and direct staff to commence the external agency referral process for Lot A, Block 29, Comox District, Plan 9954, except Parcel A (DD41465W), PID 005-433-401, as part of a proposed amendment (RZ 1C 19) to 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

K. Grant/A. Hamir: THAT the 2019 – 2023 financial plan and capital expenditure program for the Royston Water Service, function No. 312, be amended by increasing water infrastructure expenditures by \$22,000 in 2019 for the Gartley Road Fire Flow Improvement Project, project No. 1064, to be funded by a further contribution from the capital works reserve No. 839.

207

Carried

D. Hillian/K. Grant: That the 2019 – 2023 financial plan and capital expenditure program for the Sandwich Water Local Service Area, function 306, be amended by increasing water infrastructure expenditures by \$196,500 for the Sandwich water system modifications, project No. 1113; costs to be funded by a further contribution from the capital works reserve No. 842.

207

Carried

K. Grant/W. Cole-Hamilton: THAT a decision on implementation of a bulk water station for Denman Island residents be delayed until selection of a new treatment technology and a decision on conversion of the Graham Lake Improvement District to a regional service in late 2020.

207

Carried

K. Grant/W. Cole-Hamilton: THAT staff be directed to update K’ómoks First Nation regarding water service delivery challenges on Denman Island and the role of the Comox Valley Regional District.

207

Carried

K. Grant/W. Cole-Hamilton: THAT the board approve a decommitment of the remaining Area C Community Works Funds allocated to the Saratoga Beach Access project, in the amount of \$44,142.98;

AND FURTHER THAT \$44,142.98 of Area C Community Works Funds instead now be allocated to works planned for the Morrison Creek Conservation Area, within the Baynes Sound Area B and C Parks and Greenways Service, function #621, commencing in 2020.

208

Carried

K. Grant/W. Morin: THAT a \$10,000 grant-in-aid, payable from Puntledge – Black Creek (Electoral Area C), be approved for the Oyster River Enhancement Society for 2019 to assist with salmon enhancement, restoration and protection projects.

208

Carried

SEWAGE COMMISSION - NOVEMBER 5, 2019

K. Grant/W. Cole-Hamilton: THAT the Sewage Commission minutes dated November 5, 2019 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - NOVEMBER 5, 2019

K. Grant/D. Frisch: THAT the Comox Valley Water Committee minutes dated November 5, 2019 be received.

208

Carried

COMMITTEE OF THE WHOLE - NOVEMBER 5, 2019

W. Cole-Hamilton/K. Grant: THAT the Committee of the Whole minutes dated November 5, 2019 be received.

208

Carried

A. Hamir/K. Grant: THAT staff prepare a report addressing the concerns raised by the delegation from Twila Skinner, Comox Valley Farmers' Market, including the rental of the exhibition grounds for events.

208

Carried

COMMITTEE OF THE WHOLE - NOVEMBER 19, 2019

D. Frisch/D. Hillian: THAT the Committee of the Whole minutes dated November 19, 2019 be received.

208

Carried

NEW BUSINESS:

CHAIR KETLER - FEDERATION OF CANADIAN MUNICIPALITIES - WESTERN ECONOMIC SOLUTIONS TASKFORCE

D. Frisch/K. Grant: THAT the correspondence dated November 19, 2019 regarding provincial representation on the Western Economic Solutions Taskforce, be received.

208

Carried

K. Grant/D. Arbour: THAT the Comox Valley Regional District Board send a letter to the Federation of Canadian Municipalities requesting that the membership for the Western Economic Solutions Taskforce be amended to include representation from British Columbia.

CHAIR KETLER - CLIMATE LEADERSHIP STEERING COMMITTEE

D. Frisch/K. Grant: THAT the correspondence dated November 14, 2019 regarding the board's appointment to the Vancouver Island and Coastal Communities Climate Leadership Steering Committee, be received.

208

Carried

K. Grant/D. Hillian: THAT Director Cole-Hamilton replace Chair Ketler as the appointee to the Vancouver Island and Coastal Communities Climate Leadership Steering Committee to represent the Comox Valley Regional District for the remainder of the 2018 - 2022 term of office;

AND FURTHER THAT remuneration and expenses be paid for this appointment in accordance with Comox Valley Regional District Bylaw No. 236 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012.

208

Carried

BYLAWS AND RESOLUTIONS CONTINUED:

D. Frisch/K. Grant: THAT Bylaw No. 594 being "Revenue Anticipation Borrowing Bylaw No. 594, 2020" be finally adopted.

210

Carried

A. Hamir/K. Grant: THAT Bylaw No. 596 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 13" be finally adopted.

209

Carried

W. Cole-Hamilton/D. Frisch: THAT Bylaw No. 597 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 3" be finally adopted.

207

Carried

K. Grant/W. Cole-Hamilton: THAT Bylaw No. 598 being "Grant Revenue Anticipation Borrowing Bylaw No. 598, 2020" be finally adopted.

210

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 5:02 pm.

RISE AND REPORT:

The board rose from its in-camera session at 5:27 pm and reported the following resolutions:

"THAT staff be directed to develop a Land Acquisition Policy."

"THAT staff develop recommendations for a procedure regarding access to in-camera documents by alternate directors."

"THAT the Board, under Section 3 of Bylaw No. 36 being the "Advisory Planning Commission Bylaw 2009", appoint George Alastair Gibson to the Electoral Area 'B' Advisory Planning Commission for the remainder of the 2018-2022 term."

TERMINATION:

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

208

Carried

Time: 5:27 pm.

Confirmed this _____ day of _____ 20__:

Jesse Ketler

Chair

Certified Correct and Recorded By:

Jake Martens

Manager of Legislative Services