

Tuesday, October 02, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, October 02, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 6:45 pm.

MINUTES

Present:

Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	E. Grieve	Puntledge/Black Creek (Area 'C')
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
	B. Leigh	Oyster Bay – Buttle Lake (Area 'D')
	K. Grant	Town of Comox
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	S. Smith	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	I. Smith	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.

IN-CAMERA MEETING:

B. Wells/K. Grant: 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)(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)(c) Labour relations or employee negotiations;

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(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

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

208

Carried

ADOPTION OF MINUTES:

B. Wells/K. Grant: THAT the Comox Valley Regional District Board minutes dated August 28, 2018 be adopted.

208

Carried

B. Wells/K. Grant: THAT the Comox Valley Regional District Board minutes dated September 18, 2018 be adopted.

208

Carried

REPORTS:

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - SEPTEMBER 17, 2018

K. Grant/B. Leigh: THAT the Black Creek-Oyster Bay Services Committee minutes dated September 17, 2018 be received.

208

Carried

B. Leigh/B. Price: THAT a partnership between the Black Creek – Oyster Bay Fire Protection Service and the Greater Merville Fire Protection Service be approved that provides firefighter training for Merville volunteers on a cost-recovery basis;

AND FURTHER THAT annual financial plans incorporate a cost-recovery for volunteer recruitment and training in the Greater Merville Fire Protection Service at \$1100 per recruit per year, to be determined at the end of each calendar year.

209

Carried

B. Wells/B. Price: THAT the matter of the Black Creek - Oyster Bay Water Local Service Area new water supply well project be referred to a future meeting of the Black Creek - Oyster Bay Services Committee in January of 2019;

AND FURTHER THAT a meeting be arranged between representatives of the Comox Valley Regional District, Strathcona Regional District and the Black Creek - Oyster Bay Services Committee.

209

Carried

Director Leigh left the meeting at 6:50 pm.

ELECTORAL AREAS SERVICES COMMITTEE - SEPTEMBER 17, 2018

K. Grant/E. Grieve: THAT the Electoral Areas Services Committee minutes dated September 17, 2018 be received.

208

Carried

Grant Hyde, adjacent property owner, presented information regarding Development Variance Permit application DV 4B 18 for 1561 McDonald Road, (Swan).

The applicants, Michelle and Daryl Swan, provided information regarding Development Variance Permit application DV 4B 18 for 1561 McDonald Road, (Swan).

E. Grieve/R. Nichol: THAT the following presentations be received:

- Grant Hyde, adjacent neighbour; and
- Michelle and Daryl Swan, applicants.

208 and 213

Carried

E. Grieve/R. Nichol: THAT the board approve the Development Variance Permit DV 4B 18 (Swan) to vary the following zoning bylaw regulations:

- To reduce the rear setback of the proposed carriage house from 7.5 metres to 3.1 metres;
- To reduce the left (northeast) side yard setback of the proposed carriage house from 3.5 metres to 3.1 metres;
- To reduce the rear setback of the proposed eaves of the carriage house from 5.5 metres to 2.7 metres; and
- To vary Section 313(6)(vi) of the zoning bylaw to permit the floor area of the ground level to be greater than the floor area of the second storey;

for property described as Parcel A (DD 389220I) of Lot F, Section 5, Comox District, Plan 10028, PID 005-486-556 (1561 McDonald Road);

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

208 and 213

Carried

NAY: B. Jolliffe

E. Grieve/K. Grant: THAT the board approve the Development Permit DP 11B 18 (Jo-Ann Estates Ltd.) on the property described as Lot 2, District Lots 229 and 239, Comox District, Plan VIP85435, except Plan EPP78295, PID 027-590-887 (1690 Ryan Road E) for the development of an office building and related works;

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

208 and 213

Carried

B. Wells/B. Price: THAT the Comox Valley Regional District Board approve Development Permit DP 17B 18 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 three mini-storage warehouse buildings subject to the development permit not being issued until a landscape security deposit in the amount of \$34,932.82 (125 per cent of the \$27,946.25 estimate) has been satisfactorily received by the Comox Valley Regional District;

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

208 and 213

Carried

B. Wells/K. Grant: THAT the board approve the Shoreline Protection Devices Development Permit DP 16B 18 (Wade/Busenius) for the property described as Lot 11, District Lot 209, Comox District, Plan 13961 (1476 Wilkinson Road) for the installation of a shoreline protection device as per the staff report dated September 7, 2018 and the permit;

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

208 and 213

Carried

K. Grant/B. Wells: THAT the board consider three readings of an amendment to Bylaw No.1567 being the "Denman Island Water Local Service Area Conversion and Establishment Bylaw No.1567, 1993" to exclude the property within the Denman Island Water Local Service Area indicated on the map provided as Appendix A to the staff report dated September 13, 2018;

AND FURTHER THAT the Electoral Area Director for Baynes Sound – Denman/Hornby Islands (Electoral Area A), as the participant in the Denman Island Water Local Service, consent to the amendment of the service establishment bylaw in writing;

AND FINALLY THAT the board consider adoption of the amending bylaw.

207

Carried

B. Wells/K. Grant: THAT the final draft of the Seal Bay Regional Nature Park and Forest Management Plan update (2018) be referred to the applicable government agencies, First Nations, affected community stakeholder groups, and internal regional district departments for comment and also posted on the Comox Valley Regional District website for final public review;

AND FURTHER THAT following the referral and comment period, the final Seal Bay Regional Nature Park and Forest Management Plan update (2018) be brought forward to the Electoral Areas Services Committee for final review and recommendation for board adoption.

209

Carried

K. Grant/B. Price: THAT the board proceed with expanding the purpose of the Denman Island Community Hall service in order to also provide funding for the Denman Activity Centre and increase the maximum requisition by 25 per cent and initiate the following:

1. A service amendment bylaw be submitted to the electors for approval by way of the Alternative Approval Process to be conducted for the Denman Island Community Hall service area being Denman Island (a defined portion of Electoral Area A);
2. The notice to electors (includes synopsis of proposed bylaw) attached to the staff report as Appendix A dated September 7, 2018 be approved;
3. The elector response form Appendix C attached to the staff report dated September 7, 2018 be approved;
4. The deadline for receiving the elector response forms be set at 4:30 pm on Thursday, January 17, 2019; and,
5. The total number of electors within the service area to which the alternative approval process applies is determined to be 926 of which 10 per cent or 93 must submit elector response forms to prevent the Comox Valley Regional District from adopting the Denman Island Community Hall Service Establishment Amendment Bylaw without first obtaining the assent of the electors by way of referendum.

207

Carried

B. Price/K. Grant: THAT an application be made to the Infrastructure Planning Grant Program for a feasibility study for a Hornby Island composting toilet residuals management service;

AND FURTHER THAT the 2019-2023 financial plan for Service 155, Hornby Island Feasibility Studies, include up to \$5,000 for the Hornby Island composting toilet residuals management service feasibility study for further consideration and approval.

207

Carried

R. Nichol/K. Grant: THAT the to subdivide lands known as Lot 1, Block 29, Comox District, Plan 24877, be forwarded to the Agricultural Land Commission for their consideration, without comment.

208 and 213

Carried

Due to a potential perceived conflict of interest in relation to his spouse's position as chair of the Agricultural Land Commission, R. Dyson, Chief Administrative Officer, did not participate in the discussion regarding Agricultural Land Reserve application ALR 4C 18 (Proctor).

K. Grant/R. Nichol: THAT the 2019 Electoral Areas services parkland workplan include consideration of the

requests from Sharon Pickthorne, Back Country Horsemen of BC (BCHBC) - North Van Isl Chapter (NVI) liaison with CVRD and Director of Horse Council of BC (HCBC) as follows:

- continued collaboration on multi-use trail initiatives with the goal of continued access for equestrians;
- support for multi-use existing extended horse-bike trail to be re-routed/constructed away from busy Bates Road for the safety of everyone;
- support for re-routing the existing horse-bike trail away from private property edge (Langlois Road) for public safety and enhanced property privacy; and
- parking enhancements on Mitchell//Elmo Roads.

209

Carried

INTEGRATED REGIONAL TRANSPORTATION SELECT COMMITTEE - SEPTEMBER 17, 2018

E. Grieve/R. Nichol: THAT the Integrated Regional Transportation Select Committee minutes dated September 17, 2018 be received.

208

Carried

SEWAGE COMMISSION - SEPTEMBER 18, 2018

E. Grieve/K. Grant: THAT the Sewage Commission minutes dated September 18, 2018 be received.

208

Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - SEPTEMBER 18, 2018

K. Grant/M. Theos: THAT the Comox Valley Sports Centre Commission minutes dated September 18, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - SEPTEMBER 18, 2018

B. Price/K. Grant: THAT the Committee of the Whole minutes dated September 18, 2018 be received.

Carried

R. Nichol/B. Wells: THAT the final report on utilities governance for the Comox Valley Water Committee and Sewage Commission be referred to the Comox Valley Water Committee and Sewage Commission following the 2018 local government elections for further consideration of governance issues, concerns and options.

208

Carried

B. Wells/K. Grant: THAT the Comox Valley Regional District approve the application process for funding to continue the wood-stove exchange program in the Comox Valley Regional District;

AND FURTHER THAT staff submit an application for up to \$40,000.00 to the provincial wood stove exchange program;

AND FINALLY THAT the wood stove exchange program be continued in 2019, including additional incentives for cleaner heating sources, subject to funding being received from the provincial wood stove exchange program.

208

Carried

SOUTH SEWER SELECT COMMITTEE - SEPTEMBER 25, 2018

K. Grant/B. Wells: THAT the South Sewer Select Committee minutes dated September 25, 2018 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - SEPTEMBER 25, 2018

E. Grieve/B. Wells: THAT the Comox Valley Water Committee minutes dated September 25, 2018 be received.

208

Carried

BYLAWS AND RESOLUTIONS:

E. Grieve/R. Nichol: THAT Bylaw No. 564 being "Denman Island Community Facilities Service Establishment Bylaw, 1992, Amendment No. 2" be given first and second readings concurrently.

208

Carried

R. Nichol/E. Grieve: THAT Bylaw No. 564 being "Denman Island Community Facilities Service Establishment Bylaw, 1992, Amendment No. 2" be read a third time.

208

Carried

K. Grant/B. Price: THAT Bylaw No. 565 being "Denman Island Water Local Service Area Conversion and Establishment Bylaw, 1993, Amendment No. 3" be given first and second readings concurrently.

208

Carried

K. Grant/B. Wells: THAT Bylaw No. 565 being "Denman Island Water Local Service Area Conversion and Establishment Bylaw, 1993, Amendment No. 3" be read a third time.

208

Carried

K. Grant/B. Wells: THAT Bylaw No. 518 being the "King Coho Fees and Charges Bylaw, No. 518, 2018" be adopted.

207

Carried

K. Grant/B. Wells: THAT Bylaw No. 553 being "Sandwich Water Service Parcel Tax Bylaw No. 507, 2017, Amendment No. 1" be adopted.

207

Carried

B. Wells/K. Grant: THAT Bylaw No. 556 being "Electoral Areas Unsightly Premises and Nuisances Regulation Bylaw No. 377, 2015, Amendment No. 1" be adopted.

209

Carried

K. Grant/B. Price: THAT Bylaw No. 559, being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 14" be adopted.

208

Carried

K. Grant/R. Nichol: THAT Bylaw No. 560 being "King Coho Wastewater Service Capital Reserve Fund Establishment Bylaw No. 560, 2018" be adopted.

207

Carried

B. Wells/M. Theos: THAT Bylaw No. 561 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 561, 2018" be adopted.

208

Carried

B. Price/B. Wells: THAT Bylaw No. 562 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 562, 2018" be adopted.

208

Carried

NEW BUSINESS:

LAZO NORTH GRANT-IN-AID

K. Grant/B. Wells: THAT the correspondence from Director Nichol dated September 7, 2018 regarding a grant-in-aid request for Lazo North (Area B) be received.

208

Carried

R. Nichol/B. Wells: THAT the following grant-in-aid, payable from Lazo North – (Electoral Area B), be approved:

- \$2,000.00 for the L'Arche Comox Valley to assist with operating expenses for the L'Arche Comox Valley Outreach Centre.

208

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 7:07 pm

RISE AND REPORT:

The board rose from its restricted in-camera session at 7:42 pm and reported on the following:

THAT the Comox Valley Regional District enter into a partnership with the Comox Valley Land Trust as outlined in the staff report dated August 1, 2018 and September 7, 2018 for the acquisition of a parcel of land within the Morrison Creek Headwaters, legally described as Lot A, Section 2, Plan VIP87724, for the purposes of managing it as a community park within the Comox Valley Regional District Baynes Sound, Electoral Areas B and C Parks and Greenways Service;

AND FURTHER THAT the Comox Valley Land Trust be included on title of the parcel of land within the Morrison Creek Headwaters, legally described as Lot A, Section 2, Plan VIP87724;

AND FURTHER THAT the 2019 budget in the 2018-2022 financial plan for the Baynes Sound, Electoral Areas B and C Parks and Greenways Service (621) be amended to increase land acquisition by \$325,000 to be funded by the Baynes Sound, Electoral Areas B and C Parks and Greenways Service land acquisition reserve fund to support the acquisition of the property;

AND FURTHER THAT the Chair and Corporate Officer be authorized and directed to enter into an agreement with the Comox Valley Land Trust to outline expectations for management of the lands as a park;

AND FURTHER THAT the Chair and Corporate Officer be authorized and directed to enter into a contract of purchase and sale for the property for a purchase price not to exceed \$820,000 and with the Comox Valley Regional District contribution being \$325,000 or less;

AND FINALLY THAT the board rise and report on this partnership and property purchase.

TERMINATION:

B. Wells/K. Grant: THAT the meeting terminate.

208

Carried

Time: 7:42 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services