

Monday, December 03, 2018

Minutes of the meeting of the Electoral Areas Services Committee held on Monday, December 03, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 10:12 am.

## MINUTES

### Present:

<b>Chair:</b>	E. Grieve	Puntledge/Black Creek (Area 'C')
<b>Directors:</b>	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area 'A')
	A. Hamir	Lazo North (Area 'B')
<b>Staff:</b>	R. Dyson	Chief Administrative 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
	A. Baldwin	Legislative Services Assistant

### RECOGNITION OF TRADITIONAL TERRITORIES

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

### MANAGEMENT REPORT:

A. Hamir/D. Arbour: THAT the Electoral Areas Services Committee management report dated December 2018 be received.

208

Carried

### REPORTS:

#### **DIRECTOR ORIENTATION**

A. Hamir/D. Arbour: THAT the following presentations regarding CVRD services and procedures be received:

- Fire Services

- Parks

- Emergency Planning

- Planning and Bylaw Compliance

- Comox Valley Water Distribution

- Governance & Procedures

208

Carried

The committee recessed at 12:14 pm and reconvened at 1:00 pm

### **ADVISORY PLANNING COMMISSION MINUTES**

A. Hamir/D. Arbour: THAT the following items be received:

- minutes of the Agricultural Advisory Planning Commission meeting held September 20, 2018; and

- minutes of the Electoral Area C Advisory Planning Commission meeting held September 26, 2018.

208

Carried

### **ELECTORAL AREA A - DEVELOPMENT VARIANCE PERMIT - 3675 EAGLEVIEW DRIVE (BELL)**

D. Arbour/A. Hamir: THAT the report dated November 15, 2018 regarding an application for a Development Variance Permit to decrease the minimum rear yard setback from 7.5 metres to 4.0 metres to accommodate a carport attached to the rear side of an accessory building be received.

208 and 213

Carried

Ton Trieu, Manager of Planning Services, provided an overview of the report regarding the Development Variance application DV 6A 18 - 3675 Eagleview Drive (Bell).

Patrick Bell, applicant, was in attendance at the meeting.

The chair called for any members of the public that may wish to speak regarding Development Variance application DV 6A 18 - 3675 Eagleview Drive (Bell). There were no speakers.

D. Arbour/A. Hamir: THAT the board approve the Development Variance Permit DV 6A 18 (Bell) to decrease the minimum rear yard setback for an accessory building from 7.5 metres to 4.0 metres with the condition that a fence be maintained along the rear yard for the life of the carport for a property described as Lot 7, Section 28, Township 11, Nelson District, Plan VIP83163, PID 027-081-516 (3675 Eagleview Drive);

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

208 and 213

Carried

### **ELECTORAL AREA C - DEVELOPMENT VARIANCE PERMIT - UNADDRESSED LOTS (PRESLEY/SCOTT/WHITTAKER)**

D. Arbour/A. Hamir: THAT the report dated November 5, 2018 regarding an application for a Development

Variance Permit to reduce the minimum required road frontage for two proposed properties involved in a lot line adjustment be received.

208 and 213

Carried

D. Arbour/A. Hamir: THAT the email correspondence from Blaine Douglas and Susan Rowe pertaining to Development Variance application DV 3C 18 unaddressed lots (Presley/Scott/Whittaker) be received.

208 and 213

Carried

Ton Trieu, Manager of Planning Services provided an overview of the Development Variance application DV 3C 18, unaddressed lots (Presley/Scott/Whittaker).

Patrick Whittaker, applicant and Nicki Whittaker were in attendance at the meeting.

The Chair called for any members of the public that may wish to speak regarding Development Variance application DV 3C 18 (Presley/Scott/Whittaker). There were no speakers.

D. Arbour/A. Hamir: THAT the board approve Development Variance Permit DV 3C 18 (000-878-120) to reduce the minimum road frontage from 10 per cent of the lot's perimeter to 5 per cent for the property currently described as Part of Section 34, Township 9, Comox District, Plan 552G (PID 000-878-120) for the purposes of a lot line adjustment;

AND THAT the board approve and Development Variance Permit DV 3C 18 (000-878-162) to reduce the minimum road frontage from 10 per cent of the lot's perimeter to 1.5 per cent for the property currently described as Part of Section 33, Township 9, Comox District, Plan 552G (PID 000-878-162) for the purposes of a lot line adjustment;

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

208 and 213

Carried

### **ELECTORAL AREA C - DEVELOPMENT VARIANCE PERMIT 6540 EAGLES DRIVE (TURNBULL)**

D. Arbour/A. Hamir: THAT the report dated November 15, 2018 regarding an application for a Development Variance Permit to increase the maximum height for an accessory building (beach cabana) from 6.0 metres to 7.0 metres be received.

208 and 213

Carried

D. Arbour/A. Hamir: THAT the e-mail correspondence (distributed at the meeting) from Bruce and Jean Bell, adjacent neighbours, regarding DV 4C 18 - 6540 Eagles Drive (Turnbull) be received.

208 and 213

Carried

Ton Trieu, Manager of Planning Services provided an overview of the Development Variance application DV 4C 18 - 6540 Eagles Drive (Turnbull).

Noah Overbye, the applicant's representative, was in attendance at the meeting.

The Chair called for any members of the public that may wish to speak regarding Development Variance application DV 4C 18 - 6540 Eagles Drive (Turnbull). There were no speakers.

A. Hamir/D. Arbour: THAT the board approve the Development Variance Permit DV 4C 18 (Turnbull) to increase the maximum permitted height for an accessory building from 6.0 metres to 7.0 metres for property described as Lot D, Section 25, Township 6, Comox District, Plan VIP65412, PID 023-785-021 (6540 Eagles Drive);

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.  
208 and 213 Carried

### **ELECTORAL AREA C - SITE SPECIFIC FLOODPLAIN SETBACK REDUCTION - 9560 SARMMA ROAD (KIRBY)**

D. Arbour/A. Hamir: THAT the report dated October 23, 2018 regarding a request for a site specific exemption to the floodplain setback to allow construction of a dwelling be received.  
208 and 213 Carried

Jodi McLean, Planner, provided an overview of the report regarding a request for a site specific exemption to the floodplain setback to allow construction of a dwelling.

Jonathan Kirby, applicant, was in attendance at the meeting and provided information regarding the application.

D. Arbour/E. Grieve: THAT the board grant a site specific exemption of the floodplain specifications that reduces floodplain setback from 60 metres to 40 metres for the proposed dwelling on Lot 21 Block 29 Comox District Plan VIP79847 (9560 Sarmma Road);

AND FINALLY THAT, as a condition of the site specific exemption, the Comox Valley Regional District building services department not issue final occupancy for the dwelling on the property described as Lot 21 Block 29 Comox District Plan VIP79847 (9560 Sarmma Road) until the applicants, at their own expense, register a restrictive covenant under section 219 of the Land Title Act, specifying conditions that would enable the land to be safely used for the use intended according to the terms of the professional engineer's report by Johannes Fischer, P.Eng., and Chris Hudec, P.Eng., of Lewkowich Engineering Associates Ltd, dated July 3, 2018, which will form part of the restrictive covenant, as well as an acknowledgement that no Disaster Financial Assistance funding is available for the building or its contents and releasing and indemnifying the Comox Valley Regional District from liability in the event any damage is caused by flooding or erosion.

208 and 213 Carried NAY: A. Hamir

R. Dyson, Chief Administrative Officer, recused himself from the meeting at 1:32 pm due to a potential perceived conflict of interest in relation to his spouse's position as chair of the Agricultural Land Commission.

### **NON-FARM USE WITHIN THE AGRICULTURAL LAND RESERVE - 3429 CESSFORD ROAD (THORBURN)**

D. Arbour/A. Hamir: THAT the report dated October 29, 2018 regarding a recommendation to forward an application to the Agricultural Land Commission regarding the placement of a second dwelling on a property as a non-farm use in the Agricultural Land Reserve be received.  
208 and 213 Carried

Jodi McLean, Planner, provided an overview of the the report regarding a recommendation to forward an

application to the Agricultural Land Commission for the placement of a second dwelling on a property as a non-farm use in the Agricultural Land Reserve.

Grant Hutchinson, applicant's representative, was in attendance at the meeting.

D. Arbour/A. Hamir: THAT the Agricultural Land Commission be advised that the Comox Valley Regional District supports Agricultural Land Reserve application ALR 5C 18 (Thorburn) on lands known as Part Lot 1, District Lot 112, Comox District, Plan 10659, PID 005-240-891 (3429 Cessford Road), for the purpose adding a second dwelling to a property;

AND FURTHER THAT the Comox Valley Regional District recommend a section 219 restrictive covenant be registered on title requiring the removal of the second dwelling prior to the transfer of the property to new owners;

AND FINALLY THAT the application ALR 5C 18 be forwarded to the Agricultural Land Commission.  
208 and 213 Carried

R. Dyson, Chief Administrative Officer, returned to the meeting at 1:38 pm.

#### **FIRE SERVICE AGREEMENT, BATES-HUBAND FIRE PROTECTION SERVICE**

D. Arbour/A. Hamir: THAT the report dated November 22, 2018 regarding entering into an agreement with the Town of Comox for the provision of fire protection services and emergency assistance to the Bates-Huband Fire Protection Local Service Area be received.  
207 Carried

James Bast, Manager of Fire Services, provided an overview of the report regarding an agreement with the Town of Comox for the provision of fire protection services and emergency assistance to the Bates-Huband Fire Protection Local Service Area.

A. Hamir/D. Arbour: THAT the board approve entering into an agreement with the Town of Comox for the provision of fire protection and emergency assistance services to the Bates-Huband Fire Protection Local Service Area for a five-year term (January 1, 2019 to December 31, 2023).

AND FURTHER THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.  
210 Carried

#### **COMMUNITY WILDFIRE PROTECTION PLAN - STRATEGIC WILDFIRE PREVENTION INITIATIVE 812 UPDATE**

A. Hamir/D. Arbour: THAT the report dated November 28, 2018 regarding an update on the progress of the Community Wildfire Protection Plan (CWPP) Strategic Wildfire Prevention Initiative (SWPI) 812 project be received.  
209 Carried

Bruce Green, Black Creek Oyster Bay Fire Chief, provided an overview of the report regarding an update on the progress of the CWPP Strategic Wildfire Prevention Initiative 812 project.

**FIRE SAFETY ACT - IMPLICATIONS FOR REGIONAL DISTRICTS**

A. Hamir/D. Arbour: THAT the report dated November 28, 2018 regarding an update of the new Fire Safety Act and its potential impacts on regional districts be received.

209

Carried

James Bast, Manager of Fire Services, provided an update of the new Fire Safety Act and its potential impacts on regional districts.

**HORNBY ISLAND – SHINGLE SPIT BOAT LAUNCH UPDATE AND GRANT APPLICATION**

D. Arbour/A. Hamir: THAT the report dated November 28, 2018 regarding pursuing the Community, Culture and Recreation (CCR) grant for Shingle Spit Boat Ramp and to share the results of an engineering assessment of the existing boat ramp be received.

207

Carried

Doug DeMarzo, Manager of Parks, presented information regarding pursuing the Community, Culture and Recreation (CCR) grant for Shingle Spit Boat Ramp and to share the results of an engineering assessment of the existing boat ramp.

D. Arbour/A. Hamir: THAT staff be directed to complete an application for the Community, Culture and Recreation grant for Shingle Spit boat ramp.

AND FURTHER THAT the expenditure contribution required from the local government be approved in the 2019 financial planning process for an amount not exceeding \$95,000 from the Hornby Island Community Parks & Greenways Capital Works Reserve (828) Fund.

207

Carried

**IN-CAMERA:**

A. Hamir/D. Arbour: THAT the committee adjourn to an in-camera session pursuant to the following subsection of section 90 of the Community Charter:

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

208

Carried

Time: 2:09 p.m.

**RISE AND REPORT:**

The committee rose from its in-camera session at 2:24 p.m.

**TERMINATION:**

A. Hamir/D. Arbour: THAT the meeting terminate.

208

Carried

Time: 2:24 pm

Confirmed by:

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Edwin Grieve  
Chair

Certified Correct:

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Jake Martens  
Manager of Legislative Services

Recorded By:

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Antoinette Baldwin  
Legislative Services Assistant

These minutes were received by the Comox Valley Regional District board on the \_\_\_\_\_ day of December, 2018.