

Tuesday, October 26, 2021

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on October 26, 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. 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
	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
	K. Douville	Acting Chief Financial Officer
	D. DeMarzo	General Manager of Community Services
	J. Martens	General Manager of Corporate Services
	M. Rutten	General Manager of Engineering Services
	A. Mullaly	General Manager of Planning and Development
	L. Dennis	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 42: The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

IN-CAMERA MEETING:

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

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

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

208

Carried

ADOPTION OF MINUTES:

M. McCollum/A. Hamir: THAT the Comox Valley Regional District Board minutes dated September 28, 2021 be adopted.

208

Carried

A. Hamir/W. Morin: THAT the Comox Valley Regional District Board minutes dated October 5, 2021 be adopted.

208

Carried

REPORTS:

BLACK CREEK – OYSTER BAY SERVICES COMMITTEE

B. Leigh/D. Hillian: THAT the following items be received:

- Black Creek – Oyster Bay Services Committee minutes dated September 20, 2021.

- Black Creek – Oyster Bay Services Committee minutes dated October 18, 2021.

208

Carried

B. Leigh/E. Grieve: THAT no new or upsized connections be approved for any non-in-stream and non-entitled properties within the Black Creek-Oyster Bay Water Local Service Area, as defined in the October 15, 2021 staff report;

AND FURTHER THAT Bylaw No. 5 being “Black Creek/Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008” be amended to include additional language to provide additional authority and flexibility to decline new water connections as per the redline sections highlighted in blue and attached as Appendix A to the staff report dated October 15, 2021;

AND FINALLY THAT staff work with Strathcona Regional District staff to ensure that the connection suspension and bylaw conditions are implemented in a similar manner for all properties located within the Strathcona Regional District Electoral Area D portion of the Black Creek-Oyster Bay Water Local Service Area.

209

Carried

K. Grant/B. Leigh: THAT the 2021-2025 financial plan for the Black Creek-Oyster Bay Water Local Service Area, Function 313, be amended to include an additional \$100,000 to be funded from reserves for further groundwater exploratory work, preliminary design, a Class C cost estimate and implementation schedule to be brought back to the Black Creek-Oyster Bay Services Committee for review in early 2022.

209

Carried

K. Grant/E. Grieve: THAT Bylaw No. 5 being "Black Creek/Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008" be amended to include additional language surrounding use of wells for non-domestic purposes as per the redline sections highlighted in green and attached as Appendix A to the staff report dated October 15, 2021.

209

Carried

K. Grant/D. Hillian: THAT the agenda be varied to bring forward Item G.1 - Recommendations for Bylaw No. 682 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 10"

208

Carried

E. Grieve/B. Leigh: THAT Bylaw No. 682 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 10" be given first and second readings concurrently.

209

Carried

K. Grant/B. Leigh: THAT Bylaw No. 682 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 10" be read a third time.

209

Carried

Director Leigh left the meeting at 4:11 pm.

2021 UBID FINANCIAL STATEMENTS AND AUDITOR'S REPORT

K. Grant/W. Morin: THAT the report dated October 21, 2021 regarding the 2021 Financial Statements of the Union Bay Improvement District along with MNP LLP's report to the Board of Directors relating to the final audit of the UBID for the six month period ended June 30, 2021 be received.

208

Carried

Graham Roberts, MNP, provided information regarding the Union Bay audit findings.

W. Cole-Hamilton/E. Grieve: THAT the financial statements of the Union Bay Improvement District for the six-month period ended June 30, 2021 be approved.

208

Carried

INDIGENOUS RELATIONS

K. Grant/A. Hamir: THAT the report dated October 21, 2021 regarding an update on the Comox Valley Regional Districts (CVRD) Indigenous relations be received.

208

Carried

Caroline Wroblel, Dillon Consulting, presented information regarding conducting an Indigenous Relations Assessment.

COMOX VALLEY NEIGHBOURHOOD EMERGENCY PREPAREDNESS PROGRAM UPDATE

K. Grant/E. Grieve: THAT the report dated October 22, 2021 providing an update on the Comox Valley Neighbourhood Emergency Preparedness Program (NEPP), be received.

209

Carried

G. Doerksen, Deputy Emergency Coordinator, presented an overview of the staff report regarding an update on the Comox Valley Neighbourhood Emergency Preparedness Program (NEPP).

ELECTORAL AREAS SERVICES COMMITTEE – OCTOBER 4, 2021

E. Grieve/A. Hamir: THAT the Electoral Areas Services Committee minutes dated October 4, 2021 be received.

208

Carried

K. Grant/W. Cole-Hamilton: THAT the Comox Valley Regional District Board approve the Development Variance Permit DV 2B 21 (Henderson/Gordon) to reduce the rear yard setback for a secondary dwelling from 7.5 metres to 3.0 metres for the foundation, and from 5.5 metres to 2.4 metres for the eaves, and to reduce the side yard setback for an existing exterior staircase attached to the principal dwelling from 1.15 metres to 0.8 metres for property described as Lot 12, District Lot 206, Comox District, Plan 30535, PID 001-251-333 (2113 Austin Road);

AND FINALLY 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 1, 2021, and direct staff to start the external agency referral process for Lot 2, District Lot 205, Comox District, Plan VIP52063, PID 017-168-309 (1334 and 1338 Hudson Road) as part of a proposed amendment (RZ 1B 21; McQueen) of 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

Prior to consideration of the following item, R. Dyson, Chief Administrative Officer, recused himself from the meeting at 5:12 pm due to a potential perceived conflict of interest in relation to his spouse's position as chair of the Agricultural Land Commission.

K. Grant/M. McCollum: THAT the Agricultural Land Commission be advised that the Comox Valley Regional District supports Agricultural Land Reserve Non-Adhering Residential Use application ALR 2C 21 (Fox) concerning a residential use located on Lot 2, Sections 31 and 32, Township 6 and Block 29, Comox District, Plan 5183, PID 005-950-066 (7912 Island Highway North);

AND FINALLY THAT the application ALR 2C 21 (Fox) regarding a non-adhering residential use on a property within the Agricultural Land Reserve be forwarded to the Agricultural Land Commission for final consideration.

208 and 213

Carried

R. Dyson, Chief Administrative Officer, returned to the meeting at 5:13 pm.

W. Morin/K. Grant: THAT the 2021 approved budget for the Union Bay Water Service, function 308, be amended to include the addition of \$50,000 of grant funding from the BC Ministry of Municipal Affairs and a corresponding increase in Other Professional Fees, towards the completion of a Union Bay Water Master Plan.

207

Carried

E. Grieve/K. Grant: THAT subject to the adoption of the necessary bylaws associated with the Mount Washington Fire Protection Service fire hall project, a contribution of \$700,000 from Puntledge - Black Creek (Electoral Area C) and \$200,000 from Lazo North (Electoral Area B) Community Works Funds be committed towards the construction of the Mount Washington fire hall.

208

Carried

COMOX VALLEY SEWAGE COMMISSION – OCTOBER 5, 2021

D. Hillian/K. Grant: THAT the Sewage Commission minutes dated October 5, 2021 be received.

208

Carried

COMOX VALLEY RECREATION COMMISSION - OCTOBER 5, 2021

K. Grant/A. Hamir: THAT the Recreation Commission minutes dated October 5, 2021 be received.

208

Carried

COMMITTEE OF THE WHOLE ELECTED OFFICIALS' FORUM - OCTOBER 12, 2021

W. Cole-Hamilton/K. Grant: THAT the Committee of the Whole minutes dated October 12, 2021 be received.

SPECIAL SEWAGE COMMISSION - OCTOBER 19, 2021

D. Hillian/K. Grant: THAT the Special Sewage Commission minutes dated October 19, 2021 be received.

208

Carried

STRATEGIC PLANNING FINDINGS

E. Grieve/K. Grant: THAT the report dated October 22, 2021 regarding the September 2021 strategic planning findings be received.

208

Carried

J. Warren, Deputy Chief Administrative Officer, presented an overview of the staff report regarding the September 2021 strategic planning findings.

K. Grant/A. Hamir: THAT the strategic planning process, as described in the October 2021 Corporate Planning Report attached as Appendix A to the staff report dated October 22, 2021, be endorsed with reference to the highest priority initiatives as specifically outlined in the October 22, 2021 report being:

- Regional Growth Strategy review
- Airshed roundtable
- Sustainable services for the south
- Agricultural planning
- Watershed stewardship advocacy
- Emergency resilience
- Recreation services and
- Regional climate adaptation and mitigation

AND FURTHER THAT a news release be issued that describes the board's highest priority initiatives.

208

Carried

PROCEDURE BYLAW UPDATES FOR ELECTRONIC MEETINGS AND PARTICIPATION

K. Grant/E. Grieve: THAT the report dated October 21, 2021 regarding a proposed amendment to the Comox Valley Regional District Procedure Bylaw to include provisions for the conduct of electronic meetings and participation, the assignment of delegations to the Board or one of its committees and other administrative updates be received.

208

Carried

K. Grant/W. Cole-Hamilton: THAT staff prepare an amendment to Bylaw No. 1 being "Comox Valley Regional District Procedure Bylaw No. 1, 2008" for first, second, third readings at the November 23, 2021 meeting to

include provisions regarding electronic meetings and participation;

AND FURTHER THAT the proposed bylaw amendment be referred to the Comox Strathcona Waste Management Board for feedback.

208

Carried

BYLAWS AND RESOLUTIONS:

A. Hamir/D. Hillian: THAT Bylaw No. 679 being "Comox Valley Regional District Bylaw Adjudication Ticketing Bylaw No. 679, 2021" be adopted.

209

Carried

E. Grieve/D. Hillian: THAT Bylaw No. 680 being "Greater Merville Fire Hall Temporary Borrowing Bylaw No. 680, 2021" be adopted.

210

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 5:38 pm.

RISE AND REPORT:

The board rose from its restricted in-camera session at 6:02 pm and reported the following:

- Execution of employment agreement with Russell Dyson, for the position of Chief Administrative Officer, as attached to the staff report dated October 12, 2021 as Appendix A.

TERMINATION:

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

208

Carried

Time: 6:02 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services