

Tuesday, June 26, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, June 26, 2018 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:	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')
	K. Grant	Town of Comox
	L. Jangula	City of Courtenay
	B. Leigh	Oyster Bay – Buttle Lake (Area 'D')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
Staff:	R. Dyson	Chief Administrative Officer
	K. Douville	Acting Corporate Financial Officer
	J. Martens	Manager of Legislative Services
	A. Mullaly	Acting 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

Absent:

Directors:	R. Nichol	Lazo North (Area 'B')
-------------------	-----------	-----------------------

ATTENDANCE:

Director Jangula was not in attendance when the meeting was called to order.

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:

E. Grieve/B. Wells: 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 committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality;

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

ADOPTION OF MINUTES:

B. Wells/B. Price: THAT the Comox Valley Regional District Board minutes dated June 5, 2018 be adopted.
208 Carried

REPORTS:

BOARD OF VARIANCE - MAY 30, 2018

K. Grant/E. Grieve: THAT the Board of Variance minutes dated May 30, 2018 be received.
208 Carried

COMMITTEE OF THE WHOLE - JUNE 5, 2018

B. Wells/B. Price: THAT the Committee of the Whole minutes dated June 5, 2018 be received.
208 Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - MAY 15, 2018

M. Theos/B. Wells: THAT the board enter into an agreement with the Comox Valley Glacier Kings Junior B Hockey Club for the construction and operation of a dressing room at the Comox Valley Sports Centre site.
210 Carried

SEWAGE COMMISSION - JUNE 12, 2018

B. Wells/E. Grieve: THAT the Sewage Commission minutes dated June 12, 2018 be received.
208 Carried

COMMITTEE OF THE WHOLE - JUNE 12, 2018

K. Grant/B. Price: THAT the Committee of the Whole minutes dated June 12, 2018 be received.
208 Carried

B. Wells/M. Theos: THAT the 2017 Statement of Financial Information for the Comox Valley Regional District be approved.
208 Carried

K. Grant/B. Price: THAT the board provide a letter of support to INFilm for the proposed shooting of the feature film entitled "Sonic" from September 13, 2018 to September 17, 2018 on the Island Highway 19 from the Buckley Bay interchange south to the Cook Creek interchange.
208 Carried

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - JUNE 18, 2018

K. Grant/B. Leigh: THAT the Black Creek - Oyster Bay Services Committee minutes dated June 18, 2018 be received.

208

Carried

E. Grieve/B. Leigh: THAT Bylaw No. 5 being the "Black Creek/Oyster Bay Water Service Regulation, Fees and Charges Bylaw No. 5, 2008" be amended as per the revised bylaw attached as Appendix A to the staff report dated June 13, 2018.

209

Carried

B. Leigh/E. Grieve: THAT the proposed changes to Schedule A of Bylaw No. 519 being the "Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018" be adopted.

209

Carried

K. Grant/B. Price: THAT the board approve the extension and amendment of the current Fire and Rescue Services Mutual Aid Agreement with the City of Campbell River, City of Courtenay, Town of Comox, Village of Cumberland, Union Bay Improvement District, and the Ships Point Improvement District, for a five-year term (May 10, 2018 – May 10, 2023), as outlined in staff report dated June 11, 2018;

AND FINALLY THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.

210

Carried

ELECTORAL AREAS SERVICES COMMITTEE - JUNE 18, 2018

K. Grant/B. Wells: THAT the Electoral Areas Services Committee minutes dated June 18, 2018 be received.

208

Carried

B. Wells/E. Grieve: THAT the board approve the Development Variance Permit DV 5A 18 (Goodridge & Turriff - Tozer Road) to increase the maximum permitted height for an accessory building from 6.0 metres to 6.5 metres for property described as Lot 50, Section 2, Newcastle District, Plan 22008, PID 000-176-982;

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

208 and 213

Carried

B. Price/B. Wells: THAT the board give first and second readings to Bylaw No. 538, being the "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" which rezones Lot A, District Lot 136, Comox District, Plan 8418, PID 005-548-926 (4320 & 4356 Camco Road, Wing) from Country Residential One (CR-1) to Country Residential One Exception 8 (CR-1-8);

AND FINALLY THAT pursuant to Section 464(1) of the Local Government Act (RSBC, 2015, c.1), the board schedule a public hearing for Bylaw No. 538, being the "Comox Valley Zoning Bylaw, 2005, amendment No. 75" (RZ 1C 18).

208 and 213

Carried

K. Grant/B. Wells: THAT Bylaw No.2866 being the "Comox Valley Water Systems Regulation, Fees and Charges Bylaw No.2866, 2006" be amended as per the revised bylaw attached as Appendix B.

209

Carried

Director Jangula entered the meeting at 4:04 pm.

B. Wells/K. Grant: THAT Zoning Bylaw Amendment Application RZ 2C 18 to permit Water and Beverage Bottling use on the property described as Lot C, Block 29, Comox District, Plan 25306, PID 002-904-713 (2410 Sackville Road) proceed to public hearing following first reading of the bylaw.
208 and 213 Carried

K. Grant/B. Price: THAT the board approve a fee refund request from the owners of 1808, 1814, 1810, 1806, 1796, 1800, 1798, 1826 and 1818 Astra Road (files DP 9B 17, DP 10B 17, DP 11B 17, DP 12B 17, DP 13B 17, DP 14B 17, DP 15B 17, DP 18B 17 and DP 21B 17), on the basis of a 50 per cent refund of the original application fee.
208 and 213 Carried

K. Grant/E. Grieve: THAT the board endorse the agency referral list as outlined in Appendix D of staff report dated June 13, 2018, and direct staff to commence the external agency referral process for the draft Rural Comox Valley Zoning Bylaw (CVRD - Comprehensive Zoning Bylaw Review);

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/B. Wells: THAT proposed Bylaw No. 514 being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment 3", which removes Section 44.(6) of the Official Community Plan that requires parcels proposed for subdivision in accordance with Section 514 of the Local Government Act (RSBC, 2015, c. 1) be two times the size of the minimum parcel size required in the zoning, be given first and second reading;

AND THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix B, of staff report dated June 7, 2018, and direct staff to start the external agency referral process as part of a proposed amendment of Bylaw No. 514;

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/E. Grieve: THAT the board approve the request to modify the restrictive covenant (EG126032) to reduce the flood construction level from 3.0 metres to 1.5 metres for the property described as That Part of District Lot 47, New Castle District, Lying to the South of the Centre Line of Coal Creek, Except that Part in the Right of Way of the Esquimalt and Nanaimo Railway Company as Registered under No. 5964F and Except Part in Plans 391R, VIP57345, VIP61292, VIP61649 and VIP61961, PID 009-670-301 (7861 MacArtney Drive – Shirkie and Au);

AND FINALLY THAT a Comox Valley Regional District officer be authorized to sign the modification instrument attached as Appendix B to the staff report dated June 5, 2018.
208 and 213 Carried

K. Grant/B. Price: THAT the Forbidden Plateau Road area residents (via the Forbidden Plateau Road Association – FPRA) be notified of any relevant community meetings and/or consultation opportunities associated with the Community Wildfire Protection Plan for the purpose of identifying future grant applications.
207 Carried

K. Grant/B. Wells: THAT Comox Valley Regional District be open to Forbidden Plateau Road Association funding applications for an eligible community project under a future intake of the Union of BC Municipalities' Strategic Wildfire Prevention FireSmart program.
207 Carried

K. Grant/B. Wells: THAT the Comox Valley Regional District be open to requests from the Forbidden Plateau Residents Association (or applicable organization) to help facilitate access to grant programs in support of community-led fire protection.
207 Carried

B. Wells/B. Price: THAT the 'Financial Fairness for Capital Assets (Greater Comox Valley Water Distribution Service Policy' be approved;

AND FURTHER THAT bylaws to repeal expired services and unnecessary parcel taxes, amend existing parcel taxes, transfer reserve funds and introduce new parcel taxes be considered by the board be adopted;

AND FINALLY THAT the communication strategy presented in Appendix G to the staff report dated June 13, 2018 be approved in order to inform the residents and property owners in the Greater Comox Valley Water Distribution Service about the administrative changes and financial impacts.
209 Carried

B. Wells/B. Price: THAT Bylaw No.111 being the "Royston Water Service Regulation, Fees and Charges Bylaw No.111, 2010" be amended as per the revised bylaw attached as Appendix A.
207 Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - JUNE 19, 2018

K. Grant/B. Wells: THAT the Comox Valley Sports Centre Commission minutes dated June 19, 2018 be received.
208 Carried

COMOX VALLEY WATER COMMITTEE - JUNE 19, 2018

K. Grant/B. Wells: THAT the Comox Valley Water Committee minutes dated June 19, 2018 be received.
208 Carried

REGIONAL GROWTH STRATEGY AMENDMENT: PROPOSED CHANGES TO AMENDMENT PROCESS

K. Grant/B. Wells: THAT the report dated June 20, 2018 providing the board with recommendations from the Regional Growth Strategy (RGS) Steering Committee regarding proposed amendments to Section 5.2, Amendments to the RGS be received.
208 and 212 Carried

A. Mullaly, Acting General Manager of Planning Services, provided an overview of the staff report dated June 20, 2018 regarding proposed amendments to Section 5.2, Amendments to the Regional Growth Strategy.

Growth Strategy pertaining to process-related language in Section 5.2, Amendments to the RGS, of the Regional Growth Strategy, Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010";

AND FURTHER THAT the Comox Valley Regional District Board consider changes to Section 5.2, proposed in Appendix A, of this report, dated June 20, 2018, as a standard amendment;

AND FURTHER THAT the Comox Valley Regional District Board adopt the Consultation Plan, appended to this report as Appendix B, as the required Consultation Plan;

AND FINALLY THAT the Comox Valley Regional District Board provide written notice of the initiation of an amendment to affected local governments and the Minister of Municipal Affairs and Housing.

208 and 212 Carried NAY: E. Eriksson, L.
Jangula

COMOX VALLEY REGIONAL DISTRICT DIRECTORS - ACTIVITIES FOR YEAR ENDING DECEMBER 31, 2017

B. Price/E. Grieve: THAT the report from Director Grant dated June 13, 2018 providing business activities conducted from January to December 2017 be received.

208 Carried

BYLAWS AND RESOLUTIONS:

K. Grant/B. Wells: THAT Bylaw No. 543 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 76" be given first reading.

208 and 213 Carried

E. Grieve/B. Price: THAT Bylaw No. 514, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3" be given first and second readings concurrently.

208 and 213 Carried

E. Grieve/B. Wells: THAT Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" be given first and second readings concurrently.

208 and 213 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 544 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8" be given first and second readings concurrently.

209 Carried

E. Grieve/B. Leigh: THAT Bylaw No. 544 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8" be read a third time.

209 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 545 being "Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018, Amendment No. 1" be given first and second readings concurrently.

209 Carried

E. Grieve/K. Grant: THAT Bylaw No. 545 being "Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018, Amendment No. 1" be read a third time.

209 Carried

E. Grieve/B. Wells: THAT Bylaw No. 546 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 12" be given first and second readings concurrently.
209 Carried

E. Grieve/B. Wells: THAT Bylaw No. 546 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 12" be read a third time.
209 Carried

E. Grieve/B. Wells: THAT Bylaw No. 547 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 2" be given first and second readings concurrently.
207 Carried

K. Grant/B. Price: THAT Bylaw No. 547 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 2" be read a third time.
207 Carried

K. Grant/B. Price: THAT Bylaw No. 522 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 73" (1671, 1673 and 1675 Ryan Road East, Lenco Development Ltd., Fernco Development Ltd., and Norco Development Ltd.) be adopted.
208 and 213 Carried

K. Grant/B. Price: THAT Bylaw No. 536 being "Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 6" be adopted.
209 Carried

B. Wells/K. Grant: THAT Bylaw No. 540 being "Comox Valley Recreation Complexes Fees and Charges Bylaw No. 12, 2008, Amendment No. 7" be adopted.
209 Carried

E. Grieve/K. Grant: THAT Bylaw No. 541 being "Comox Valley Exhibition Grounds Fees and Charges Bylaw No. 244, 2013, Amendment No. 4" be adopted.
209 Carried

B. Wells/K. Grant: THAT Bylaw No. 542 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 13" be adopted.
209 Carried

NEW BUSINESS:

PUBLIC HEARING NOTICE - BYLAW NO. 514 & BYLAW NO. 538

B. Wells/K. Grant: THAT the new business notice dated June 19, 2018 regarding the scheduling of a public hearing for Bylaw No. 514 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3" (CVRD) and for Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" (Wing - 4320 & 4356 Camco Rd.), be received.
208 and 213 Carried

K. Grant/B. Wells: WHEREAS the following bylaws have received first and second readings by the regional district board:

- Bylaw No. 514 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3"; and

- Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75";

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 bylaws;

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on July 17, 2018 at 6:00 pm;
 2. The location of the public hearing will be at the Comox Valley Regional District boardroom located at 550b Comox Road, Courtenay, BC;
 3. Director Nichol is appointed as chair of the public hearing;
 4. Director Jolliffe is appointed as vice chair of the public hearing;
 5. The directors from Electoral Areas A, B, and C are appointed to attend the public hearing; and
 6. At least one (1) of the above-named persons must be in attendance at the public hearing.
- 208 and 213 Carried

PUBLIC HEARING NOTICE - BYLAW NO. 543

K. Grant/B. Wells: THAT the new business notice dated June 19, 2018 regarding the scheduling of a public hearing for Bylaw No. 543 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 76" (MacKenzie & Heynck - 2410 Sackville Road) be received.

208 and 213 Carried

E. Grieve/B. Wells: WHEREAS the following bylaw has received first reading by the regional district board:

- Bylaw No. 543 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 76" (MacKenzie & Heynck - 2410 Sackville Road)

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;

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on July 23, 2018 at 6:00 pm;
2. The location of the public hearing will be at the Conference Hall in the Florence Filberg Centre located at 411 Anderton Avenue, Courtenay, BC;
3. Director Nichol is appointed as chair of the public hearing;
4. Director Jolliffe is appointed as vice chair of the public hearing;
5. The directors from Electoral Areas A, B, and C are appointed to attend the public hearing; and

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

DIRECTOR JANGULA - PUBLIC OPINION QUESTION ON GOVERNANCE STRUCTURE REVIEW

B. Wells/K. Grant: THAT the correspondence dated June 19, 2018 from Director Jangula requesting the board's consideration of sending a request to the City of Courtenay, Town of Comox, the Village of Cumberland and the Electoral Areas Services Committee to add a non-binding question regarding a governance review to the ballot for the 2018 general local elections, be received.
208 Carried

L. Jangula/K. Grant: THAT the councils for the City of Courtenay, Town of Comox and the Village of Cumberland and the Electoral Areas Services Committee be requested to consider including the following non-binding question on their ballots on October 20, 2018:

"Are you in favour of conducting a study, in partnership with the Province of BC, to review the governance structures and policies of (insert local government name here) and other local governments within the Comox Valley to consider the feasibility and implications of restructure?"

YES or NO

AND FINALLY THAT up to \$10,000 from the CVRD's member municipalities and electoral areas administration services be used to support the Comox Valley Chamber of Commerce in promoting awareness and a clear understanding about this referendum.
208 Carried NAY: B. Jolliffe, G. Sproule

Director Leigh left the meeting at 4:50 pm.

DIRECTOR GRIEVE - MERVILLE CENTENNIAL CELEBRATION

K. Grant/B. Price: THAT the correspondence dated June 21, 2018 regarding the centennial celebration of the Merville Soldiers' Settlement community and requesting the board's consideration of sending greetings and an invitation to officials from Merville, France, be received.
208 Carried

E. Grieve/K. Grant: THAT the Comox Valley Regional District send a letter of introduction and a brief summary of the history of the Merville Community (Comox Valley) to Mayor Helen-Marcel, Mayor of the Town of Ailly-sur Noye, to support the Merville, BC Centennial Celebrations in 2019;

AND FURTHER THAT a separate formal invitation be sent to Mayor Helen-Marcel to attend (or an appointed councillor) the Merville Centennial Celebrations in 2019.
208 Carried

DIRECTOR JOLLIFFE - GRANT-IN-AID

K. Grant/B. Wells: THAT the correspondence from Director Jolliffe requesting the board's consideration of

providing a grant-in-aid payable from Electoral Area 'A' to the Fallen Alders Community Club be received.
208 Carried

E. Grieve/B. Wells: THAT the following grant-in-aid, payable from Electoral Area 'A' (Baynes Sound), be approved:

\$1,500.00 for the Fallen Alders Community Club to assist with facility improvements and maintenance.
208 Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 4:52 pm.

RISE AND REPORT:

The board rose from its restricted in-camera session at 6:00 pm.

TERMINATION:

B. Wells/E. Grieve: THAT the meeting terminate.
208

Carried

Time: 6:00 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services