

Tuesday, June 05, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, June 05, 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')
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
	J. Martens	Manager of Legislative Services
	A. Mullaly	Acting General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	J. Warren	General Manager of Corporate Services
	M. Zbarsky	Acting General Manager of Community Services

Absent:

Vice-Chair:	B. Wells	City of Courtenay
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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:

K. Grant/R. Nichol: 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)(f) Law enforcement, if the committee/board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

90(1)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

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

ADOPTION OF MINUTES:

K. Grant/R. Nichol: THAT the Comox Valley Regional District Board minutes dated April 24, 2018 be adopted.
208 Carried

R. Nichol/M. Theos: THAT the Comox Valley Regional District Board minutes dated May 15, 2018 be adopted.
208 Carried

BUSINESS ARISING FROM MINUTES:

The following resolution was passed at the April 24, 2018 board in-camera meeting and was publicly released as the appointment of Mr. Clark to the Comox Valley Airport Commission has been confirmed:

"THAT the Comox Valley Airport Commission be advised that the Comox Valley Regional District Board concur to the reappointment of Mr. Richard Clarke to the commission effective September 20, 2018."

REPORTS:

COMOX VALLEY SPORTS CENTRE COMMISSION - MAY 1, 2018

K. Grant/R. Nichol: THAT the Comox Valley Sports Centre Commission minutes dated May 1, 2018 be received.
208 Carried

PUBLIC HEARING MINUTES - BYLAW NO. 522 (1671, 1673 AND 1675 RYAN ROAD EAST)

E. Grieve/R. Nichol: THAT the public hearing minutes dated May 9, 2018 for 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 received.
208 and 213 Carried

ELECTORAL AREAS SERVICES COMMITTEE - MAY 14, 2018

E. Grieve/M. Theos: THAT the Electoral Areas Services Committee minutes dated May 14, 2018 be received.
208 Carried

R. Nichol/B. Price: THAT the board approve an application to be made to the National Disaster Mitigation Program and/or the Union of BC Municipalities Community Emergency Preparedness Fund for Stream 2 funding for flood mapping of the Oyster River/Saratoga Beach project area.
207 Carried

E. Grieve/R. Nichol: THAT the board deny the Development Variance Permit DV 1B 18 (Tomlinson/Snow-Tomlinson) to decrease the minimum front yard setback from 4.5 metres to 3.0 metres for the construction of an accessory building on a property described as Lot B, District Lot 172, Comox District, Plan 32341, PID 000-103-489 (1758 Astra Road).
208 and 213 Carried

R. Nichol/E. Grieve: THAT the board approve Development Variance Permit DV 4A 18 (Kingfisher Oceanside Resort & Spa Ltd.774) on the property described as Lot B, District Lot 10, Nelson District, Plan VIP66171, PID 023-933-607 (4324 & 4330 Island Highway South) to reduce the minimum side yard (north) setback of the existing accessory building, labeled as “storage shed” on the permit, from 3.5 metres to 1.5 metres;

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

E. Grieve/R. Nichol: THAT the board approve the conversion to cooperative interest of the previously occupied single detached dwelling on the property described as Lot 1, District Lot 221, Comox District, and of part of the bed of the Strait of Georgia, Plan 35057, PID 000-318-434 (8922 and 8926 Clarkson Avenue).
208 and 213 Carried

R. Nichol/E. Grieve: THAT the board approve Development Variance Permit DV 2B 18 (Base Mini Storage Inc.) on the property described as Lot A, District Lot 103, Comox District, Plan 16638, PID 004-004-523 (1506 & 1510 Ryan Road East) to reduce the minimum side yard (east) setback from 7.5 metres to 3.0 metres and to reduce the minimum side yard (west) setback from 7.5 metres to 4.0 metres for the development of mini-storage buildings;

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

E. Grieve/R. Nichol: THAT the board approve Development Permit DP 5B 18 (Base Mini Storage Inc.) on the properties described as Lot A, District Lot 103, Comox District, Plan 16638, PID 004-004-523, and Parcel A, District Lot 103, Comox District, Plan VIP57436, PID 030-411-742 (1506, 1510, 1516, 1520 Ryan Road East) for the development of four new mini-storage buildings;

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

R. Nichol/E. Grieve: THAT the board approve the amendment to Farm Land Protection Development Permit DP 16B 17 (Salo) on the property described as Lot 5, Block 29, Comox District, Plan 25363, PID 002-906-872 (6269 Whitaker Road) to allow the farmland protection buffer to be one row of coniferous trees, two rows of trespass inhibiting shrubs and maintenance of a fence with the exception of the area behind the septic tanks where no shrubs will be required;

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

E. Grieve/R. Nichol: THAT the board endorse the external agency referral list outlined in Appendix A;

AND THAT the board give first and second readings of Bylaw No. 537, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 74”, Appendix B attached to staff report dated May 8, 2018, which proposes an amendment to the Zoning Bylaw to address implementation of the legalization of cannabis.
208 and 213 Carried

R. Dyson, Chief Administrative Officer, recused himself from the meeting at 4:03 pm due to a potential perceived conflict of interest in relation to his spouse's position as chair of the Agricultural Land Commission.

E. Grieve/R. Nichol: THAT pursuant to Section 57 of the Community Charter, the board approves filing a

notice with the Land Title and Survey Authority of British Columbia against land legally described as Lot 8, Block 29, Comox District, Plan 2261, PID 000-035-866 (2212 Coleman Road), for failure to comply with Building Bylaw No. 142, being the "Comox Valley Regional District Building Bylaw No. 142, 2011";

AND FURTHER THAT the board defer this matter to the Agricultural Land Commission (ALC) to conduct their own investigation and take enforcement action if necessary.

208 and 213

Carried

R. Dyson returned to the meeting at 4:04 pm.

R. Nichol/B. Price: THAT Bylaw No. 282 being the Royston Improvement District "Water Conservation Bylaw No. 282" be repealed;

AND FURTHER THAT the draft Bylaw No. 535 being "Royston Water Conservation Bylaw No.535, 2018", as attached to the staff report dated May 10, 2018, be adopted.

207

Carried

NAY: G. Sproule

E. Grieve/R. Nichol: THAT Bylaw No. 104 being "Municipal Ticket Information Bylaw No. 104, 2010" be amended to include offences and fines in relation to the Royston Water Conversation Bylaw.

207

Carried

K. Grant/R. Nichol: THAT the board approve an amendment to DP 14A 17 to allow a beach access staircase at 7652 Ships Point Road based on the design and recommendations contained within the biophysical assessments prepared by Ian Moul, R.P. Bio. (dated 13 September 2017; revised 9 January 2018) and the geotechnical assessment prepared by Lewkowich Engineering Associates Ltd. (dated 16 January 2018) ;

AND THAT staff prepare an amended development permit and authorize the Corporate Legislative Officer to execute the permit.

208 and 213

Carried

E. Grieve/R. Nichol: THAT staff prepare a report regarding a feasibility study on providing a composting toilet facility at the Hornby Island Waste Management Centre.

207

Carried

SEWAGE COMMISSION - MAY 15, 2018

B. Price/E. Grieve: THAT the Sewage Commission minutes dated May 15, 2018 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - MAY 15, 2018

K. Grant/R. Nichol: THAT the Comox Valley Water Committee minutes dated May 15, 2018 be received.

208

Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - MAY 15, 2018

K. Grant/E. Grieve: THAT the Comox Valley Sports Centre Commission minutes dated May 15, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - MAY 15, 2018

K. Grant/B. Price: THAT the Committee of the Whole minutes dated May 15, 2018 be received.
208 Carried

K. Grant/R. Nichol: THAT the Comox Valley Regional District renew the memorandum of understanding (Appendix A to staff report dated May 8, 2018) with the Department of National Defense – 19 Wing Comox to maintain a high-level communication structure.
210 Carried

B. Price/R. Nichol: THAT the funding agreement between the Comox Valley Regional District and Island Health for a Community Health Network in the Comox Valley be approved;

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

B. Price/K. Grant: THAT the Comox Valley Regional District (CVRD) achieve carbon neutrality for 2017 with the purchase of 2003 metric tonnes of verified offsets from the East Central Landfill Gas project, Minnesota at a cost of \$1.75 USD/MT, totalling approximately \$4,500 CAD;

AND FURTHER THAT remaining 2017 carbon offset funds (\$43,500) be allocated to a solar photovoltaic installation as part of the Comox Valley Regional Office building project.
208 Carried NAY: L. Jangula, M. Theos

R. Nichol/K. Grant: THAT the board approve entering into an Election Services Agreement with Islands Trust for the purpose of the Comox Valley Regional District conducting the 2018 local government election for Islands Trust local trustees on Denman Island and Hornby Island;

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

G. Sproule/E. Grieve: THAT the board approve entering into an agreement with School District No. 71 for the purpose of the Comox Valley Regional District conducting the 2018 local government election for school district trustees in Electoral Areas A (Baynes Sound – Denman/Hornby Islands), B (Lazo North) and C (Puntledge – Black Creek);

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

E. Grieve/B. Price: THAT Bylaw No. 244 being “Comox Valley Exhibition Grounds Fees and Charges Bylaw No. 244, 2013” be amended as attached to the staff report dated May 4, 2018, to be implemented January 1, 2019.
209 Carried

2018 GRANTS-IN-AID

E. Grieve/R. Nichol: THAT the report dated May 15, 2018 from Director Jolliffe, Director Grieve and Director Nichol bringing forward the 2018 Grant-in-Aid (GIA) funding allocations, be received.
208 Carried

R. Nichol/B. Price: THAT the 2018 Grants-in-Aid on Schedule A of the directors report dated May 15, 2018, payable from the respective area(s) indicated, be approved;

AND FURTHER THAT the Grant-in-Aid for the Comox Valley Multiplex Association be paid as soon as possible.

208

Carried

BYLAWS AND RESOLUTIONS:

E. Grieve/K. Grant: THAT Bylaw No. 537 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 74" be given first and second readings concurrently.

208 and 213

Carried

E. Grieve/B. Price: THAT Bylaw No. 536 being "Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 6" be given first and second readings concurrently.

209

Carried

R. Nichol/E. Grieve: THAT Bylaw No. 536 being "Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 6" be read a third time.

209

Carried

K. Grant/B. Price: THAT Bylaw No. 540 being "Comox Valley Recreation Complexes Fees and Charges Bylaw No. 12, 2008, Amendment No. 7" be given first and second readings concurrently.

209

Carried

K. Grant/E. Grieve: THAT Bylaw No. 540 being "Comox Valley Recreation Complexes Fees and Charges Bylaw No. 12, 2008, Amendment No. 7" be read a third time.

209

Carried

K. Grant/E. Grieve: THAT Bylaw No. 541 being "Comox Valley Exhibition Grounds Fees and Charges Bylaw No. 244, 2013, Amendment No. 4" be given first and second readings concurrently.

209

Carried

K. Grant/B. Price: THAT Bylaw No. 541 being "Comox Valley Exhibition Grounds Fees and Charges Bylaw No. 244, 2013, Amendment No. 4" be read a third time.

209

Carried

K. Grant/R. Nichol: THAT Bylaw No. 542 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 13" be given first and second readings concurrently.

209

Carried

E. Grieve/R. Nichol: THAT Bylaw No. 542 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 13" be read a third time.

209

Carried

K. Grant/R. Nichol: THAT Bylaw No. 522 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 73" be read a third time.

208 and 213

Carried

R. Nichol/K. Grant: THAT Bylaw No. 535 being "Royston Water Conservation Bylaw No. 535, 2018" be given first and second readings concurrently.

207

Carried

NAY: G. Sproule

Director Theos left the meeting at 4:20 pm.

K. Grant/R. Nichol: THAT Bylaw No. 535 being "Royston Water Conservation Bylaw No. 535, 2018" be read a third time.

207 Carried NAY: G. Sproule

K. Grant/E. Grieve: THAT Bylaw No. 535 being "Royston Water Conservation Bylaw No. 535, 2018" be adopted.

207 Carried NAY: G. Sproule

Note: the above resolution received at least 2/3 of the votes cast.

Director Theos returned to the meeting at 4:24 pm.

E. Grieve/R. Nichol: THAT Bylaw No. 515 being "Merville Fire Protection Service Establishment Bylaw No. 484, 2017, Amendment No. 2" be adopted.

208 Carried

K. Grant/R. Nichol: THAT Bylaw No. 524 being "Denman Island Water Local Service Area Conversion and Establishment Bylaw, 1993, Amendment No. 2" be adopted.

208 Carried

E. Grieve/R. Nichol: THAT Bylaw No. 525 being "Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 19" be adopted.

208 Carried

K. Grant/E. Grieve: THAT Bylaw No. 527 being "Comox Valley Water Treatment Project Temporary Borrowing Bylaw No. 527, 2018" be adopted.

210 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 528 being "Black Creek - Oyster Bay Fire Protection Service Regulations Bylaw No. 357, 2014, Amendment No. 1" be adopted.

209 Carried

R. Nichol/K. Grant: THAT Bylaw No. 529 being "Denman Island Fire Protection Service Regulation Bylaw No. 281, 2013, Amendment No. 1" be adopted.

207 Carried

K. Grant/E. Grieve: THAT Bylaw No. 530 being "Hornby Island Fire Protection Service Regulation Bylaw No. 282, 2013, Amendment No. 1" be adopted.

207 Carried

K. Grant/R. Nichol: THAT Bylaw No. 531 being "Fanny Bay Fire Protection Service Regulation Bylaw No. 283, 2013, Amendment No. 1" be adopted.

207 Carried

B. Price/E. Grieve: THAT Bylaw No. 532 being "Rural Cumberland Fire Service Regulations Bylaw No. 258, 2013, Amendment No. 1" be adopted.

209 Carried

R. Nichol/K. Grant: THAT Bylaw No. 533 being "Tsolum Farnham Fire Service Regulations Bylaw No. 261,

2013, Amendment No. 1" be adopted.

207

Carried

E. Grieve/R. Nichol: THAT Bylaw No. 534 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 12" be adopted.

209

Carried

NEW BUSINESS:

PUBLIC HEARING NOTICE

R. Nichol/E. Grieve: THAT the new business notice dated May 29, 2018 regarding the scheduling of a public hearing for Bylaw No. 537 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 74" (CVRD - cannabis regulation) be received.

208 and 213

Carried

K. Grant/E. Grieve: WHEREAS the following bylaw has received first and second readings by the regional district board:

- Bylaw No. 537 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 74"

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 June 28, 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 Jolliffe is appointed as chair of the public hearing;
4. Director Grieve 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

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 4:26 pm.

RISE AND REPORT:

The board rose from its restricted in-camera session at 5:00 p.m.

TERMINATION:

B. Price/E. Grieve: THAT the meeting terminate.

208

Carried

Time: 5:01 p.m.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services