

Tuesday, July 30, 2019

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, July 30, 2019 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 4:00 pm.

## MINUTES

### **Present:**

<b>Vice-Chair:</b>	A. Hamir	Lazo North (Area B)
<b>Directors:</b>	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Frisch	City of Courtenay
	M. Swift	Town of Comox
	J. Ketler	Village of Cumberland
	B. Leigh	Oyster Bay – Buttle Lake (Area D)
	W. Cole-Hamilton	City of Courtenay
	K. Grant	Town of Comox
<b>Alt. Directors:</b>	W. Morin	City of Courtenay
	M. McCollum	City of Courtenay
<b>Staff:</b>	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
	D. DeMarzo	Acting General Manager of Community Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services

### **RECOGNITION OF TRADITIONAL TERRITORIES:**

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

### **IN-CAMERA MEETING:**

D. Arbour/J. Ketler: 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)(e) The acquisition, disposition or expropriation of land or improvements, if the Board considers that disclosure might reasonably be expected to harm the interests of the regional district;

90(1)(g) Litigation or potential litigation affecting the regional district;

90(1)(j) Information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;

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;

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

**ADOPTION OF MINUTES:**

D. Frisch/K. Grant: THAT the following minutes be adopted:

- Comox Valley Regional District Board minutes dated June 25, 2019.

- Comox Valley Regional District Board minutes dated July 16, 2019.

208

Carried

**BUSINESS ARISING FROM MINUTES:**

**COMOX VALLEY WATER TREATMENT PROJECT**

The following resolution was passed at the July 16, 2019 board in-camera meeting and was publicly released:

"THAT the total project budget of the Comox Valley Water Treatment Project be increased from \$110.6 million to a maximum of \$126 million;

AND FURTHER THAT staff be authorized to execute a contract with AECON Water Infrastructure Inc. for the design and construction of the Comox Valley Water Treatment Project up to \$111,600,000;

AND FURTHER THAT the 2019 - 2023 financial plan for the Comox Valley Water Supply System Service, function 300, be amended to increase water infrastructure and debt issuance expenditures for the Comox Valley Water Treatment Plant project (#1035), over the five year financial plan, by \$12,955,159 (\$12,904,753 and \$50,406 respectively) to \$121,114,151, to be funded as follows and as supported by Appendix C attached to the report:

- Additional senior government grant funding of \$1,100,702;
- Further contributions from Capital Works Reserve #838 of \$1,947,823;
- Further contributions from Development Cost Charge Reserve #894 of \$4,867,967; and
- Remaining available debt proceeds of \$5,038,667;

AND FINALLY THAT subject to the execution of a contract with AECON Water Infrastructure Inc. for the design and construction of the Comox Valley Water Treatment Plant, the Board authorizes the release of information concerning this matter from in-camera."

**REPORTS:**

**BOARD OF VARIANCE - JUNE 26, 2019**

E. Grieve/K. Grant: THAT the Board of Variance minutes dated June 26, 2019 be received.

208

Carried

**BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - JULY 15, 2019**

B. Leigh/D. Arbour: THAT the Black Creek - Oyster Bay Services Committee minutes dated July 15, 2019 be received.

208

Carried

B. Leigh/E. Grieve: THAT staff be directed to request a meeting with the Minister of Municipal Affairs and Housing at the Union of British Columbia Municipalities conference in September in conjunction with the request for a formal meeting in Victoria at a later date to seek clarification on the letters patent regarding the Black Creek - Oyster Bay Services and the new production well initiative.

209

Carried

E. Grieve/B. Leigh: THAT the Black Creek - Oyster Bay Services Committee advise the Comox Valley Regional District Board of the following:

1) The committee is in favour of proceeding as soon as possible with the third well project on the aquifer north of the Oyster River;

2) with regard to distribution of the third well water, the CVRD Board is advised to await the completion of the third well to prove the availability of water and the environmental effect on the Oyster River; and

3) any water allocation from this well be decided by the service area once the well is in production.

209

Carried

E. Grieve/D. Frisch: THAT a meeting with the Minister of Municipal Affairs and Housing be requested to discuss the third well project on the aquifer north of the Oyster River.

209

Carried

E. Grieve/D. Frisch: THAT a request to appear as a delegation be submitted to the Strathcona Regional District to seek their reconsideration of their position regarding CVRD access to the Oyster River Nature Park for the installation of the third well project.

209

Carried

**ELECTORAL AREAS SERVICES COMMITTEE - JULY 15, 2019**

K. Grant/J. Ketler: THAT the Electoral Areas Services Committee minutes dated July 15, 2019 be received.

208

Carried

E. Grieve/K. Grant: THAT the board approve Development Variance Permit DV 4C 19 (DKMM Holdings Ltd.) on the property described as Lot D, Block 29, Comox District, Plan EPP81926, PID 030- 440-793 (2330 Macaulay Road) to allow for retaining walls up to 4.5 metres in height within the required side and rear yard setback areas, a 1.8 metre tall chain link fence on top of the retaining walls, and an increase of the maximum number of fascia signs on one building from 1 to 2 and the total area of fascia signage from 6 to 7.2 square metres on that building;

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

208 and 213

Carried

D. Arbour/D. Frisch: THAT the board approve the Development Permit DP 7C 19 (DKMM Holdings Ltd.) on the property described as Lot D, Block 29, Comox District, Plan EPP81926, PID 030-440- 793 (2330 Macaulay Road) for the development of three new light industrial/commercial buildings with a work/storage yard;

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

D. Arbour/W. Morin: THAT the board approve the Development Permit DP 5A 19 (34083 Yukon Inc) on the property described as Lot 3, District Lot 154, Nanaimo District, Section 32, Township 1 and District Lot 28, Nelson District Plan EPP15507, PID 028-731-531 (Lot 3, Plan EPP15507, Island Highway) for the construction of two buildings connected by a trellised walkway, parking area, drainage infrastructure, landscaping and related site works;

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

E. Grieve/D. Arbour: THAT the board give first and second reading of Bylaw No. 520, 2019 being the "Rural Comox Valley Zoning Bylaw No. 520, 2019;

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. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019.  
208 and 213 Carried

E. Grieve/D. Arbour: THAT the draft Memorandum of Understanding attached to the staff report dated July 5, 2019 between the Ministry of Transportation and the Comox Valley Regional District in regards to the general processes for planning and implementing active transportation infrastructure within provincial road dedication in unincorporated areas be approved;

AND FURTHER THAT this Memorandum of Understanding be sent to the local municipalities and the Integrated Regional Transportation Select Committee be received;

AND FURTHER THAT the final Memorandum of Understanding be signed by staff;

AND FINALLY THAT staff be directed to explore regional greenway planning in support of this Memorandum of Understanding.  
210 Carried

E. Grieve/K. Grant: THAT the correspondence from Director Grieve dated July 22, 2019 regarding recycling and garbage roadside pickup in the rural areas be received.  
208 Carried

D. Arbour/E. Grieve: THAT staff bring forward additional information on the proposed roadside waste collection service within the Comox Valley Regional District electoral areas, including service boundaries, contract approach, operating requirements, costs for service delivery and public assent process;

AND FURTHER THAT staff identify the specific funding requirements to be allocated in the 2020 Financial Plan from each of the feasibility services for Baynes Sound – Denman/Hornby Islands (Electoral Area A),

Lazo North (Electoral Area B) and Puntledge-Black Creek (Electoral Area C) to support the necessary public assent process and communication efforts.

208

Carried

**SEWAGE COMMISSION - JULY 16, 2019**

K. Grant/D. Arbour: THAT the Sewage Commission minutes dated July 16, 2019 be received.

208

Carried

**COMOX VALLEY WATER COMMITTEE - JULY 16, 2019**

K. Grant/D. Arbour: THAT the Comox Valley Water Committee minutes dated July 16, 2019 be received.

208

Carried

**COMOX VALLEY SPORTS CENTRE COMMISSION - JULY 16, 2019**

J. Ketler/K. Grant: THAT the Comox Valley Sports Centre Commission minutes dated July 16, 2019 be received.

208

Carried

**COMMITTEE OF THE WHOLE - JUNE 27, 2019**

D. Frisch/D. Arbour: THAT the Committee of the Whole minutes dated June 27, 2019 be received.

208

Carried

**COMMITTEE OF THE WHOLE - JULY 16, 2019**

K. Grant/D. Arbour: THAT the Committee of the Whole minutes dated July 16, 2019 be received.

208

Carried

D. Arbour/K. Grant: THAT the presentation from Carl Butterworth, Vancouver Island University (VIU) provided at the July 16, 2019 Committee of the Whole meeting, be received and that the board provide a letter of support for the proposed Seafood Innovation Centre at the Deep Bay Marine Field Station as requested.

208

Carried

D. Frisch/K. Grant: THAT the presentation from Dianne Hawkins, Comox Valley Chamber of Commerce, provided at the July 16, 2019 Committee of the Whole meeting, be received and that a letter of support or proclamation be provided to acknowledge the work of the Comox Valley Chamber of Commerce over the last 100 years in support of the Chamber's Centennial Year, as requested.

208

Carried

E. Grieve/W. Morin: THAT the matter of Electoral Area B participation on the Sewage Commission be referred to the Sewage Commission for further consideration of appointing the Area B director as a non-voting member for a temporary period of time, to be determined by the Sewage Commission.

209

Carried

D. Frisch/W. Morin: THAT the Comox Valley Regional District (CVRD) endorse the formation of the Comox Valley Food Policy Council (CVFPC) and direct staff to identify opportunities for collaboration with the CVFPC, once established, in support of CVRD services and strategic priorities and provide in-kind assistance as requested by the CVFPC (i.e. provision of meeting space).

208

Carried

W. Morin/E. Grieve: THAT Electoral Area Director Hamir (appointee) and Electoral Area Director Grieve (alternate) representing the Comox Valley Regional District be appointed to the Comox Valley Food Policy Council for the remainder of the 2018 - 2022 term of office;

AND FURTHER THAT remuneration and expenses be paid provided remuneration and/or expenses are not paid directly by the external organization.

208

Carried

D. Frisch/K. Grant: THAT the framework presented in this staff report, dated July 9, 2019, to guide the Comox Valley Regional District strategic planning session for fall 2019 be approved.

208

Carried

### **INTEGRATED REGIONAL TRANSPORTATION SELECT COMMITTEE - JULY 23, 2019**

E. Grieve/K. Grant: THAT the Integrated Regional Transportation Select Committee minutes dated July 23, 2019 be received.

208

Carried

D. Frisch/W. Morin: WHEREAS transportation is a growing issue within the Comox Valley;

AND WHEREAS the establishment of unified regional policies and strategic transportation plans which incorporate all modes of transportation is aligned with the goals and objectives of the Comox Valley Regional Growth Strategy;

THEREFORE BE IT RESOLVED THAT the Board direct staff to engage the Ministry of Transportation and Infrastructure (MoTI), School District No. 71 and member municipalities regarding the development of a Regional Transportation Implementation Agreement and provide a summary report of the feedback and other considerations respecting this proposed initiative, with a focus on the multi-modal transportation, planning and advocacy tasks described in appendix B of the staff report dated July 10, 2019 (service activities option #2) with a specific focus on:

- Greenhouse gas emissions reduction
- Public education
- Links between communities and destinations
- Active and healthy communities

208

Carried

Director Leigh left the meeting at 4:57 pm.

### **BYLAWS AND RESOLUTIONS:**

D. Frisch/E. Grieve: THAT Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2019" (CVRD) be given first and second readings concurrently.

208 and 213

Carried

D. Arbour/K. Grant: THAT Bylaw No. 583 being "Comox Valley Water Conservation Bylaw 2010, Amendment No. 6" be given first and second readings concurrently.  
Bylaw 1783

Carried

D. Arbour/K. Grant: THAT Bylaw No. 583 being "Comox Valley Water Conservation Bylaw 2010, Amendment No. 6" be given third reading.  
Bylaw 1783

Carried

D. Arbour/K. Grant: THAT Bylaw No. 582 being "Comox Valley Recreation Complexes Fees and Charges Bylaw No. 12, 2008, Amendment No. 8" be adopted.  
209

Carried

**NEW BUSINESS:**

**NEW BUSINESS NOTICE - BYLAW NO. 520 (CVRD - Zoning Bylaw)**

E. Grieve/K. Grant: THAT the correspondence dated July 16, 2019 regarding a public hearing to be set for Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2019" (CVRD - Zoning Bylaw) be received.  
208

Carried

D. Arbour/K. Grant: WHEREAS the following bylaw has received first and second readings by the regional district board: Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2019" (Comox Valley Regional District);

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 August 28, 2019 at 7:00 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. The holding of the public hearing be delegated to the Directors from Electoral Areas A, B and C with Director Grieve designated as the Chair and Directors Hamir and Arbour designated as First Vice-Chair and Second Vice-Chair respectively for the public hearing; and
4. At least one (1) of the above-named delegates must be in attendance at the public hearing.

208

Carried

**ADDENDUM - UPON APPROVAL OF THE BOARD:**

E. Grieve/D. Arbour: THAT the addendum be considered.  
208

Carried

**GRANT-IN-AID - ELECTORAL AREA C**

D. Arbour/W. Morin: THAT the correspondence from Director Grieve dated July 29, 2019 regarding a grant-in-aid request from the Saratoga and Miracle Beach Residents Association be received.  
208

Carried

E. Grieve/D. Arbour: THAT the following grant-in-aid, payable from Puntledge – Black Creek (Electoral Area C), be approved:

- \$4,000.00 for the Saratoga and Miracle Beach Residents Association to assist with a community bat box building to reduce mosquitoes within the Saratoga Beach Area as well as supporting operational expenses relating to their mandate as a community society.

208

Carried

**ADJOURN TO IN-CAMERA:**

The board adjourned to its in-camera session at 5:17 pm.

**RISE AND REPORT:**

The board rose from its restricted in-camera session at 6:31 pm.

**TERMINATION:**

E. Grieve/K. Grant: THAT the meeting terminate.

208

Carried

Time: 6:31 pm.

Confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_:

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Arzeena Hamir  
Vice-Chair

Certified Correct and Recorded By:

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Jake Martens  
Manager of Legislative Services