

Tuesday, February 27, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, February 27, 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')
	B. Leigh	Oyster Bay – Buttle Lake (Area 'D')
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
	K. Grant	Town of Comox
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	A. MacDonald	General Manager of Planning and Development Services
	J. Martens	Manager of Legislative Services
	M. Rutten	General Manager of Engineering Services
	J. Warren	General Manager of Corporate Services

Absent:

Directors:	L. Jangula	City of Courtenay
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IN-CAMERA MEETING:

K. Grant/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;

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;

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

ADOPTION OF MINUTES:

K. Grant/G. Sproule: THAT the Comox Valley Regional District Board minutes dated January 23, 2018 be adopted.

208 Carried

REPORTS:

BLACK CREEK OYSTER BAY SERVICES COMMITTEE - JANUARY 22, 2018

B. Wells/B. Leigh: THAT the Black Creek Oyster Bay Services Committee minutes dated January 22, 2018 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE - JANUARY 22, 2018

E. Grieve/G. Sproule: THAT the Electoral Areas Services Committee minutes dated January 22, 2018 be received.

208

Carried

E. Grieve/M. Theos: THAT the board approve entering into an agreement for fire protection for the Merville Fire Protection Service with the City of Courtenay;

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

210

Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - JANUARY 23, 2018

K. Grant/R. Nichol: THAT the Comox Valley Sports Centre Commission minutes dated January 23, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - JANUARY 23, 2018

R. Nichol/B. Wells: THAT the Committee of the Whole minutes dated January 23, 2018 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE - FEBRUARY 5, 2018

E. Grieve/B. Wells: THAT the Electoral Areas Services Committee minutes dated February 5, 2018 be received.

208

Carried

B. Wells/R. Nichol: THAT the board approve the Development Variance Permit DV 1A 18 (Gardave) to decrease the minimum front yard setback from 7.5 metres to 5.9 metres to allow for the construction of an accessory building on a property described as Lot 17, District Lot 26, Newcastle District, Plan 17305, PID 000-092-243 (7668 Ships Point Road);

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

208 and 213

Carried

K. Grant/B. Wells: THAT the board approve the Development Variance Permit DV 4C 17 (Oldale) to allow a carriage house to have access via an internal staircase, internal access to the accessory use below and to increase the maximum height from 7.0 metres to 7.5 metres for a property described as Lot K, Section 9, Township 5, Comox District, Plan 11119, PID 000-011-649 (1422 Seaview Road);

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

208 and 213

Carried

B. Wells/R. Nichol: THAT the board approve the Development Variance Permit DV 5C 17 (Landry) to allow an existing building to be considered a carriage house by allowing access via an internal staircase, internal access to the accessory use below and a ground level floor area greater than the second storey for a property described as Lot 2, District Lot 135, Comox District, Plan 24918, PID 002-836-203 (2485 England Road);

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

R. Nichol/M. Theos: THAT the board approve the Development Variance Permit DV 3C 17 (Ludwig) to increase the duration for which a temporary sawmill may operate on an agricultural property from 180 days to 3 years and to enable timber to be obtained from sources other than the property for the property described as Lot 6, Block 29, Comox District, Plan 3139, PID 006-285-929 (2186 Endall Road);

AND THAT the Corporate Legislative Officer be authorized to execute the permit;

AND FINALLY THAT the Corporate Legislative Officer remove the notice of the permit from the land title three years from the date of the applicant applied for the DVP, being November 3, 2020.
208 and 213 Carried

E. Grieve/B. Wells: THAT the Comox Valley Regional District forward to the Agricultural Land Commission the Agricultural Land Reserve non-farm use (placement of fill) application ALR 2B 17 (Forest Lakewood BC LLC) concerning the use of imported fill for the purpose of raising a field located on Lot B, District Lots 217 and 245, Comox District, Plan EPP41203, PID 029-405-491;

AND THAT the Agricultural Land Commission be advised that the Comox Valley Regional District endorses the findings of the Agricultural Advisory Planning Commission that the fill not be used on the fields and that those areas affected by the fill be remediated;

AND FINALLY THAT Comox Valley Regional District recommends that any approval by the Agricultural Land Commission of keeping the fill on the fields, and any requirement for remediation of the fields be reviewed in the context of the recommendations of the "Comox Valley Regional District – Queen's Ditch Lowland Area Drainage Improvements - Options Analysis".
208 and 213 Carried

K. Grant/E. Grieve: THAT the Comox Valley Regional District forward to the Agricultural Land Commission the Agricultural Land Reserve non-farm use (placement of fill) application ALR 3B 17 (Forest Lakewood BC LLC) concerning the use of imported fill for the purpose of building and repairing internal roads located on District Lot 146, Comox District, except Plans 40898 & VIP74344, PID 000-363-235;

AND FINALLY THAT the Agricultural Land Commission be advised that the Comox Valley Regional District endorses the findings of the Agricultural Advisory Planning Commission that the imported fill only be used for the purpose of building and repairing internal roads.
208 and 213 Carried

R. Nichol/M. Theos: THAT the board give first reading to Bylaw No. 513, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 2" (Saratoga Miracle Beach Local Area Plan).
208 and 213 Carried

R. Nichol/B. Price: THAT the board endorse the agency referral list as outlined in Appendix C in staff report dated February 1, 2018, and direct staff to commence the external agency referral process for the Saratoga Miracle Beach Local Area Plan;

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012, for the Saratoga Miracle Beach Local Area Plan. 208 and 213

Carried

E. Grieve/R. Nichol: THAT the recently constructed trail extending from Headquarters Road to Spike Road along the Comox Logging Grade/Condensory Extension authorized under Ministry of Transportation and Infrastructure Permit #2017-02928 be included as part of the One Spot Trail;

AND FURTHER THAT the recently constructed trail extending from Headquarters Road to Dove Creek Place along Piercy Road authorized under Ministry of Transportation and Infrastructure Permit Number 2017-02760 be added to Bylaw No. 103; and that this trail be named Piercy Bridge Greenway.

209

Carried

E. Grieve/B. Wells: THAT the recently constructed trail extending along East Road on Denman Island extending from Swan to Corrigal Road authorized under Ministry of Transportation and Infrastructure Permit #2017-02363 be included as part of the Denman Cross Island Trail;

AND FURTHER THAT the recently acquired Hornby Island trail extending along Lea Smith Road to St. John's Point Park authorized under Ministry of Transportation and Infrastructure Permit #2017-01980 be added to Bylaw No. 103; and that this trail be named Hornby Road Side Trail.

207

Carried

E. Grieve/G. Sproule: THAT the recently acquired Seaman Road beach access authorized under Ministry of Transportation and Infrastructure Licence of Occupation # 103279 be added to Bylaw No. 103;

AND FURTHER THAT this access be named Saratoga Beach Access.

209

Carried

R. Nichol/B. Wells: THAT Bylaw No.103 being "Electoral Areas Parks Regulations Bylaw No. 103, 2010" be amended to reflect the following changes as noted in the staff report dated February 1, 2018:

- i. provision for fire bans;
- ii. regulations related to use of ebikes;
- iii. provision for temporary smoking bans;
- iv. deleting reference to special use permits; and
- v. adding the identified new parks and greenways, maps, designations and other housekeeping revisions.

209

Carried

K. Grant/B. Price: THAT Bylaw No. 104 being "Municipal Ticket Information Bylaw No. 104, 2010" be amended to update the fines provided in Schedule 5 and to add the fire chief position or designate to the designated bylaw compliance officers listed in Schedule 1 for Electoral Areas Parks Regulation Bylaw No. 103, as outlined in the staff report dated February 1, 2018.

209

Carried

R. Nichol/K. Grant: THAT up to \$10,000 of Baynes Sound – Denman/Hornby Islands (Electoral Area A) feasibility study funds, function 154, be allocated for the completion of a comparative study to assess governance options and associated costs related to conversion of the Graham Lake Improvement District to a Comox Valley Regional District service.

AND FINALLY THAT an application be made to the Ministry of Municipal Affairs and Housing for restructure implementation grant in the amount of \$10,000 to help fund the conversion process.

207

Carried

K. Grant/B. Wells: THAT the remaining \$6,600 of Baynes Sound – Denman/Hornby Islands (Electoral Area A) Community Works Funds allocated for the Denman Island THM Resolution project be reallocated to the

Denman Island Water Master Plan project.

AND FINALLY THAT \$11,000 of Baynes Sound – Denman/Hornby Islands (Electoral Area A) Community Works Funds be allocated towards the Comox Valley Regional District's share of the Denman Island Water Master Plan being undertaken by the Graham Lake Improvement District to select a water treatment solution to comply with the Surface Water Treatment Objectives.

208

Carried

SEWAGE COMMISSION - FEBRUARY 6, 2018

R. Nichol/K. Grant: THAT the Sewage Commission minutes dated February 6, 2018 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - FEBRUARY 6, 2018

B. Price/K. Grant: THAT the Comox Valley Water Committee minutes dated February 6, 2018 be received.

208

Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - FEBRUARY 6, 2018

K. Grant/B. Price: THAT the Comox Valley Sports Centre Commission minutes dated February 6, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - FEBRUARY 6, 2018

K. Grant/R. Nichol: THAT the Committee of the Whole minutes dated February 6, 2018 be received.

208

Carried

E. Grieve/G. Sproule: THAT a new fare structure for the Comox Valley Transit System, described as Fare Option 3 in BC Transit's Comox Valley Fare Structure Review dated November 20, 2017 be implemented alongside the September 2018 conventional service expansion.

209

Carried

K. Grant/B. Price: THAT a new time-based transfer policy as described in BC Transit's Comox Valley Fare Structure Review dated November 20, 2017 be adopted.

209

Carried

R. Nichol/B. Price: THAT staff work in collaboration with North Island College's (NIC) staff and student union to investigate the potential implementation of the Universal Pass (U-PASS) at NIC's Comox Valley campus.

209

Carried

B. Price/K. Grant: THAT staff be directed to implement additional fare programs as identified in BC Transit's 2017 Comox Valley Fare Structure Review, including the Family Travel Program, and the School Group Pass.

AND FURTHER THAT the School Group Pass fare be set at \$30.

209

Carried

K. Grant/B. Price: THAT staff be directed to work with BC Transit to exchange two existing light duty buses for two medium duty buses in the conventional fleet for April 1, 2018;

AND FURTHER THAT the 2018 recommended budget for the Comox Valley Transit Service, Function 780, be amended to include the additional contribution from reserves associated with this exchange.

209

Carried

BLACK CREEK OYSTER BAY SERVICES COMMITTEE - FEBRUARY 19, 2018

B. Leigh/B. Price: THAT the Black Creek Oyster Bay Services Committee minutes dated February 19, 2018 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE - FEBRUARY 19, 2018

K. Grant/E. Grieve: THAT the Electoral Areas Services Committee minutes dated February 19, 2018 be received.

208

Carried

E. Grieve/R. Nichol: THAT staff utilize the available budgetary allowance for rainwater management in the 2018 Liquid Waste Management Planning Service (function 340) budget to complete the following work:

- a) Develop rainwater management language, performance standards and processes that support a subdivision and development servicing bylaw for the electoral area settlement nodes of Saratoga and Miracle Beach, Union Bay and Mt. Washington;
- b) Evaluate the viability of a rainwater service(s) in the electoral areas; and
- c) Develop a rainwater management public education program.

209

Carried

R. Nichol/B. Price: THAT the request by residents of Kilmarnock Drive to have the roadside ditches and culverts inspected, cleaned and maintained from Dorothy Road to Spindrift Road in Union Bay, be referred to the Ministry of Transportation and Infrastructure staff for follow up.

208 and 213

Carried

R. Nichol/K. Grant: THAT staff provide a report to the Comox Valley Regional District Board to amend the existing Denman Island Community Hall Service, Function 675, to incorporate the request of Denman Island Seniors and Museum Society to become a tax supported service;

AND FURTHER THAT the report is to include a full cost analysis, outline public consultation plan and implementation plan to be incorporated in the 2019-2023 financial plan.

207

Carried

E. Grieve/R. Nichol: THAT the board consider a bylaw to amend the boundaries of the Rural Cumberland Fire Protection Service Area by adding properties as noted in the staff report of February 14, 2018;

AND FURTHER THAT the directors for Electoral Area A and C being the participants, consent in writing to the amendment of Bylaw No. 192 being the "Rural Cumberland Fire Protection Service Establishment Bylaw No. 192, 2011".

209

Carried

K. Grant/E. Grieve: THAT the bylaws to merge the Merville Fire Protection Service and the Tsolum-Farnham Fire Protection Service be considered be adopted with the merger to take effect on January 1, 2019;

AND FURTHER THAT the Electoral Area B and C directors consent on behalf of the electors to the merger bylaws in writing;

AND FURTHER THAT any outstanding balance in existing reserve funds be transferred to the reserve funds for the merged service in an equitable manner based on the assessed value in each service area;

AND FINALLY THAT the Auxiliary Fire Hall construction process be supported, including the public engagement, October 2018 assent voting (referendum) and developing design cost estimates as described in the staff report dated February 13, 2018.

209

Carried

SEWAGE COMMISSION - FEBRUARY 20, 2018

K. Grant/B. Price: THAT the Sewage Commission minutes dated February 20, 2018 be received.

208

Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - FEBRUARY 20, 2018

K. Grant/M. Theos: THAT the Comox Valley Sports Centre Commission minutes dated February 20, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - FEBRUARY 20, 2018

K. Grant/R. Nichol: THAT the Committee of the Whole minutes dated February 20, 2018 be received.

208

Carried

K. Grant/B. Price: THAT the board appoint:

- James Warren as the Chief Election Officer; and
- Jake Martens as the Deputy Chief Election Officer.

208

Carried

K. Grant/B. Price: THAT the board approve an application to be made to the Union of BC Municipalities Community Preparedness Fund in the amount of \$25,000.00 to assist in the procurement of a stand-by generator for the new Comox Valley Regional District Civic Centre Emergency Operations Centre.

208

Carried

K. Grant/B. Price: THAT the Comox Valley Regional District Board provide a letter of support for the Merville Hall Association's request for grant funding from Heritage Canada to help the community celebrate their centennial in 2019.

208

Carried

K. Grant/E. Grieve: THAT the Comox Valley Regional District adopt a protocol for all meetings of the board, including standing committees, whereby the Chair commence each meeting by stating "I would like to acknowledge that we are on the unceded traditional territory of the K'ómoks First Nation".

208

Carried

K. Grant/R. Nichol: THAT the Comox Valley Regional District supports the work of Denman Housing Association in providing the Denman Island community with multi-generational, affordable housing.

208

Carried

K. Grant/E. Grieve: THAT the Comox Valley Regional District send a letter to federal and provincial governments as well as major telecommunication companies serving the Comox Valley, requesting that they continue in their efforts to provide high speed internet access to all rural and remote communities in

the Comox Valley.
208

Carried

PARCEL TAX ROLL REVIEW PANEL - FEBRUARY 21, 2018

B. Wells/B. Leigh: THAT the Parcel Tax Roll Review Panel minutes dated February 21, 2018 be received.
208

Carried

BYLAWS AND RESOLUTIONS:

E. Grieve/R. Nichol: THAT Bylaw No. 513 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 2" (Saratoga Miracle Beach Local Area Plan) be read a first time.
208 and 213

Carried

E. Grieve/R. Nichol: THAT Bylaw No. 505 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 72" (Upper Island Development - 5819 Tipton Road) be given first and second readings concurrently
208 and 213

Carried

K. Grant/M. Theos: THAT Bylaw No. 516 being "Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 5" be read a first and second time concurrently.
209

Carried

K. Grant/M. Theos: THAT Bylaw No. 516 being "Electoral Areas Parks Regulations Bylaw No. 103, 2010, Amendment No. 5" be read a third time.
209

Carried

E. Grieve/K. Grant: THAT Bylaw No. 517 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 11" be given first and second readings concurrently.
209

Carried

K. Grant/E. Grieve: THAT Bylaw No. 517 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 11" be read a third time.
209

Carried

M. Theos/R. Nichol: THAT Bylaw No. 509 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 11" be adopted.
209

Carried

NEW BUSINESS:

PUBLIC HEARING NOTICE

K. Grant/B. Wells: THAT the new business notice dated January 30, 2018 regarding a public hearing for Bylaw No. 505 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 72" (Upper Island Development - 5819 Tipton Road) be received.
208 and 213

Carried

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

- Bylaw No. 505 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 72" (Upper Island Development)

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 March 13, 2018 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. Director Nichol 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

ADDENDUM - UPON APPROVAL OF THE BOARD:

B. Wells/K. Grant: THAT the addendum be considered.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE – COMMUNITY WORKS FUNDS

K. Grant/B. Wells: THAT the proposed 2018-2022 financial plan for Lazo North (Area B) Feasibility Studies Service, Function 152 be amended to include \$80,000 of revenue in 2018 from Lazo North (Area B) Community Works Funds for phase two of the Lower Lazo watershed study;

AND FURTHER THAT the proposed 2018-2022 financial plan for Lazo North (Area B) Feasibility Studies Service, Function 152 be approved as amended.

207

Carried

K. Grant/B. Wells: THAT the proposed 2018-2022 financial plan for the Denman Island Water Local Service Area, function 307, be amended to include \$25,000 for other professional fees to support completion of the water treatment options study that will be cost shared between the Comox Valley Regional District and Graham Lake Improvement District with the Comox Valley Regional District’s portion of \$25,000 being funded by Baynes Sound – Denman/Hornby Islands (Electoral Area A), Community Works Funds;

AND FURTHER THAT Transfers from Reserves be increased by \$7,500 to fund the 2017 deficit for the service;

AND FINALLY THAT the proposed 2018-2022 financial plan for the Denman Island Water Local Service Area, Function 307 be approved as amended.

207

Carried

ADJOURN TO IN-CAMERA:

The board recessed to its in-camera session.

Time: 4:11 pm.

The board rose from its restricted in-camera session at 4:56 pm.

TERMINATION

E. Grieve/M. Theos: THAT the meeting terminate.

208

Carried

Time: 4:56 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services