

Tuesday, July 24, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, July 24, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 6:35 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')
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	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
	I. Smith	General Manager of Community Services

Absent:

Directors:	M. Theos	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:

B. Wells/E. Grieve: 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)(f) Law enforcement, if the Board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

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:

E. Grieve/B. Price: THAT the Comox Valley Regional District Board minutes dated June 26, 2018 be adopted.

208

Carried

REPORTS:

PUBLIC HEARING, BYLAW NO. 537 (CVRD - CANNABIS REGULATION) - JUNE 28, 2018

B. Wells/K. Grant: THAT the public hearing minutes dated June 28, 2018 for Bylaw No. 537 (CVRD - Cannabis Regulation) be received.

208 and 213

Carried

ELECTORAL AREAS SERVICES COMMITTEE - JULY 9, 2018

K. Grant/B. Price: THAT the Electoral Areas Services Committee minutes dated July 9, 2018 be received.

208

Carried

K. Grant/B. Wells: THAT the board approve the Development Variance Permit DV 3B 18 (Woods) to reduce the minimum rear yard setback from 7.5 metres to 3.6 metres for a partially built accessory building on a property described as Lot 1, Section 23, Comox District, Plan EPP13981, PID 028-836-031 (2651 Baxter 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 give first and second readings to Bylaw No. 548, being the "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" which rezones Lot C, Block 29, Comox District, Plan 32630, PID 000-168-882 (1926 Vera Drive, Thomas) from Country Residential One (CR-1) to Country Residential One Exception 5 (CR-1-5);

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. 548, being the "Comox Valley Zoning Bylaw, 2005, amendment No. 77" (RZ 1B 18).

208 and 213

Carried

K. Grant/B. Wells: THAT the board give first reading of Bylaw No. 520, 2018 being the "Rural Comox Valley Zoning Bylaw No. 520, 2018 as amended to retain the Residential Rural zone for the properties within the rural settlement areas;

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, 2018".

208 and 213

Carried

E. Grieve/B. Wells: THAT pursuant to Section 57 of the Community Charter, the board approves filing a Notice on Title with the Land Title and Survey Authority of British Columbia against land legally described as Lot 1, Block 29, Comox District, Plan 20712, PID 003-605-558 (6005 Aldergrove Dr.), for failure to comply with Building Bylaw No. 142, being the "Comox Valley Regional District Building Bylaw No. 142, 2011".

209

Carried

B. Wells/E. Grieve: THAT the proposed changes to Bylaw No. 377 being the "Electoral Areas Unsanitary Premises and Nuisances Regulation Bylaw No. 377, 2015" as noted in the staff report dated June, 27 2018 be approved to clearly address nuisance odours and increase fines for ticketable offences.

209

Carried

K. Grant/E. Grieve: THAT the proposed Greater Merville Fire Protection Service continue working towards an auxiliary fire hall through a phased approach by:

- Hosting an open house in late summer 2018 to provide a project update;
- Confirming that the eventual service provider for a Merville auxiliary fire hall will be Oyster River Fire Rescue, subject to a financial plan that supports an interim cost sharing arrangement between the Merville fire protection service and the Black Creek – Oyster Bay fire protection service for volunteer recruitment, training and member supports;
- Strengthening the number of volunteer fire fighters in the Merville area by partnering more closely with Oyster River Fire Rescue;
- Seeking land that would be suitable for an auxiliary fire hall in the Merville community;
- Improving the service delivery arrangements for fire protection by assessing existing infrastructure and fire service delivery options; and
- Developing a long-term financial planning strategy for eventual funding to secure land and to design, construct and operate an auxiliary fire hall.

209

Carried

COMOX VALLEY WATER COMMITTEE - JULY 10, 2018

K. Grant/B. Wells: THAT the Comox Valley Water Committee minutes dated July 10, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - JULY 10, 2018

K. Grant/B. Wells: THAT the Committee of the Whole minutes dated July 10, 2018 be received.

208

Carried

K. Grant/E. Grieve: THAT Bylaw No. 236 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012" be amended to reflect the following as noted in the staff report dated July 6, 2018:

- effective January 1, 2019, the elected officials' base rate remuneration be increased by seven per cent to partially compensate for the Canada Revenue Agency elimination of the one-third non-taxable allowance;
- adjustment of the meeting remuneration from \$125 per meeting to \$160 per meeting;
- ongoing yearly remuneration adjustment to the base rate effective 2020 based on the annual change in the Consumer Price Index (British Columbia) for the preceding year; and,
- re-evaluation of remuneration in the year prior to an election.

208

Carried

K. Grant/E. Grieve: THAT the board give first reading to Bylaw No. 539, Appendix A to this staff report, dated June 28, 2018, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" which amends Part 5, Implementation and Monitoring, in order to make changes to the amendment process;

AND FINALLY THAT, in accordance with section 434 of the Local Government Act (RSBC, 2015, c.1), the board schedule a public hearing for Bylaw No. 539 (RGS 1CV 18).
208 and 212 Carried

K. Grant/E. Grieve: THAT the Protocol Agreement for Communication and Cooperation (Building a K'ómoks First Nation and Comox Valley Local Governments Relationship) be circulated to all relevant parties to consider updating the values, interests and principles contained therein;

AND FURTHER THAT a report be presented to a future Committee of the Whole meeting that describes how the Protocol Agreement and related actions and partnerships can be connected with Comox Valley Regional District service delivery.
208 Carried

PUBLIC HEARING, BYLAW NO. 514 (CVRD - OCP) & BYLAW NO. 538 (WING - (4320 & 4356 CAMCO RD) - JULY 17, 2018

E. Grieve/K. Grant: THAT the public hearing minutes dated July 17, 2018 for Bylaw No. 514 (CVRD - OCP Amendment) and Bylaw No. 538 (Wing - 4320 & 4356 Camco Rd) be received.
208 and 213 Carried

PUBLIC HEARING, BYLAW NO. 543 (MACKENZIE & HEYNCK - 2410 SACKVILLE ROAD) - JULY 23, 2018

The minutes of the public hearing dated July 23, 2018 for Bylaw No. 543 (MacKenzie & Heynck - 2410 Sackville Rd) were not considered at this meeting and may be considered at the August 28, 2018 Comox Valley Regional District Board meeting.

DIRECTORS BENEFIT ENTITLEMENT

K. Grant/E. Grieve: THAT the report dated July 13, 2018 regarding Directors benefit entitlement be received.
208 Carried

R. Nichol/B. Wells: THAT the Comox Valley Regional District not increase the age criteria for health benefit entitlement for Board Directors to "age 80 or retirement"

AND FURTHER THAT this matter be brought back for Board consideration in July 2019.
208 Carried

COMOX VALLEY REGIONAL OFFICE BUILDING CONTRACT AWARD

K. Grant/E. Grieve: THAT the report dated July 20, 2018 regarding the contract for the construction of the Comox Valley Regional Office building be received.
208 Carried

E Grieve/B Price: THAT as a result of a competitive process the contract for construction of the Comox

Valley Regional Office Building project be awarded to Knappett Projects Inc. in an amount not to exceed \$10,352,514 exclusive of GST.

210 Carried *NAY: L. Jangula*

BYLAWS AND RESOLUTIONS:

K. Grant/R. Nichol: THAT Bylaw No. 520 being "Comox Valley Zoning Bylaw No. 520, 2018" (CVRD Zoning Bylaw) be given first reading.

208 and 213 Carried

R. Nichol/B. Price: THAT Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" be given first reading.

208 and 212 Carried

K. Grant/R. Nichol: THAT Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive) be given first and second readings concurrently.

208 and 213 Carried

B. Wells/B. Price: THAT the Financial Fairness for Capital Assets Policy (Comox Valley Water Distribution Services) updates as shown on the draft policy contained in the July 24, 2018 Board agenda be approved.

209 Carried

E. Grieve/R. Nichol: THAT Bylaw No. 549 being "Greater Comox Valley Water Distribution Service Merger Project Repeal Bylaw No. 549, 2018" be given first and second readings concurrently.

209 Carried

E. Grieve/R. Nichol: THAT Bylaw No. 549 being "Greater Comox Valley Water Distribution Service Merger Project Repeal Bylaw No. 549, 2018" be read a third time.

209 Carried

K. Grant/R. Nichol: THAT Bylaw No. 550 being "Comox Valley Water Local Service Area Parcel Tax Bylaw 2001, Amendment No. 1" be given first and second readings concurrently.

209 Carried

K. Grant/R. Nichol: THAT Bylaw No. 550 being "Comox Valley Water Local Service Area Parcel Tax Bylaw 2001, Amendment No. 1" be read a third time.

209 Carried

E. Grieve/B. Price: THAT Bylaw No. 551 being "Greaves Crescent Water Service Parcel Tax Bylaw No. 551, 2018" be given first and second readings concurrently.

207 Carried

B. Wells/R. Nichol: THAT Bylaw No. 551 being "Greaves Crescent Water Service Parcel Tax Bylaw No. 551, 2018" be read a third time.

207 Carried

R. Nichol/B. Wells: THAT Bylaw No. 552 being "England Road Water Service Parcel Tax Bylaw No. 552, 2018" be given first and second readings concurrently.

207 Carried

R. Nichol/B. Wells: THAT Bylaw No. 552 being "England Road Water Service Parcel Tax Bylaw No. 552,

2018" be read a third time.

207

Carried

E. Grieve/G. Sproule: THAT Bylaw No. 554 being "General Administration Regional Office Building Temporary Borrowing Bylaw No. 554, 2018" be given first and second readings concurrently.

210

Carried

E. Grieve/K. Grant: THAT Bylaw No. 554 being "General Administration Regional Office Building Temporary Borrowing Bylaw No. 554, 2018" be given third reading.

210

Carried

K. Grant/R. Nichol: THAT Bylaw No. 555 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012, Amendment No. 1" be given first and second readings concurrently.

208

Carried

K. Grant/E. Grieve: THAT Bylaw No. 555 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012, Amendment No. 1" be given third reading.

208

Carried

NAY: E. Eriksson

K. Grant/E. Grieve: THAT Bylaw No. 514 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3" (CVRD) be read a third time.

208 and 213

Carried

K. Grant/E. Grieve: THAT Bylaw No. 537 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 74" (CVRD - Cannabis Regulation) be read a third time.

208 and 213

Carried

E. Grieve/K. Grant: THAT Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" (Wing - 4320 & 4356 Camco Rd) be read a third time.

208 and 213

Carried

E. Grieve/B. Price: THAT Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" (Wing - 4320 & 4356 Camco Rd) be adopted.

208 and 213

Carried

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

R. Nichol/E. Grieve: THAT Bylaw No. 526 being "Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 20, 2018" be adopted.

209

Carried

K. Grant/E. Grieve: THAT Bylaw No. 544 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8" be adopted.

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 adopted.

209

Carried

K. Grant/B. Wells: THAT Bylaw No. 546 being "Comox Valley Water Systems Regulation Fees, and Charges

Bylaw No. 2866, 2006, Amendment No. 12" be adopted.

209

Carried

E. Grieve/B. Wells: THAT Bylaw No. 547 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 2" be adopted.

207

Carried

NEW BUSINESS:

LAZO NORTH GRANT-IN-AID

B. Wells/R. Nichol: THAT the correspondence from Director Nichol dated July 4, 2018 regarding a grant-in-aid request for Lazo North (Area B) be received.

208

Carried

K. Grant/E. Grieve: THAT the following grant-in-aid, payable from Lazo North – (Electoral Area B), be approved:

- \$1,500.00 for the MacDonald Wood Park Society to assist with providing educational walks through the park.

208

Carried

PUBLIC HEARING NOTIFICATION - BYLAW NO. 548 (Vera Drive, Thomas)

K. Grant/R. Nichol: THAT the new business notice dated July 16, 2018 regarding a public hearing for Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive, Thomas) be received.

208 and 213

Carried

E. Grieve/K. Grant: WHEREAS the following bylaw has received first and second readings by the regional district board: Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive, Thomas);

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 15, 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

PUBLIC HEARING NOTIFICATION - BYLAW NO. 539 (CVRD Regional Growth Strategy)

K. Grant/R. Nichol: THAT the new business notice dated July 17, 2018 regarding a public hearing for Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" (CVRD) be received.

208 and 212

Carried

E. Grieve/K. Grant: WHEREAS the following bylaw has received first reading by the regional district board: Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" (CVRD);

AND WHEREAS the Board has resolved to hold a public hearing on the aforementioned bylaw;

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on August 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, City of Courtenay, Town of Comox and Village of Cumberland 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 NOTIFICATION - BYLAW NO. 520 (Comox Valley Zoning Bylaw)

K. Grant/E. Grieve: THAT the new business notice dated July 16, 2018 regarding a public hearing for Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2018" (CVRD) be received.

208 and 213

Carried

K. Grant/E. Grieve: WHEREAS the following bylaw has received first reading by the regional district board: Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2018" (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 September 5, 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

Director Leigh left the meeting at 7:06 pm.

ADJOURN TO IN-CAMERA:

The board recessed to its in-camera session.

Time: 7:07 pm.

The board rose from its in-camera session at 7:10 pm.

TERMINATION:

B. Wells/G. Sproule: THAT the meeting terminate.
208

Carried

Time: 7:10 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services