

Tuesday, December 17, 2019

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, December 17, 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:

Chair:	J. Ketler	Village of Cumberland
Vice-Chair:	A. Hamir	Lazo North (Area B)
Directors:	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	W. Morin	City of Courtenay
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	D. Frisch	City of Courtenay
	M. Swift	Town of Comox
	W. Cole-Hamilton	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
	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 Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation and read the following article from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) available online at: www.un.org/

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

VARY THE AGENDA

D. Hillian/K. Grant: THAT the agenda be varied to move item G.7 - Bylaw No. 595 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 9" forward on the agenda.

208

Carried

B. Leigh/K. Grant: THAT Bylaw No. 595 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 9" be finally adopted.

209

Carried

Director Leigh left the meeting at 4:02 pm.

IN-CAMERA MEETING:

D. Hillian/K. Grant: 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 board considers that disclosure might reasonably be expected to harm the interests of the regional district;

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/K. Grant: THAT the Comox Valley Regional District Board minutes dated November 26, 2019 be adopted.

208

Carried

PETITIONS AND DELEGATIONS:

COMOX VALLEY CHILD CARE ACTION PLAN

E. Grieve/K. Grant: THAT the presentation from Maria Stanborough and John Foster, consultants, regarding the Comox Valley Child Care Action Plan report dated December 2019 be received.

208

Carried

REPORTS:

COMMITTEE OF THE WHOLE - NOVEMBER 26, 2019

E. Grieve/K. Grant: THAT the Committee of the Whole minutes dated November 26, 2019 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE - DECEMBER 9, 2019

K. Grant/W. Cole-Hamilton: THAT the Electoral Areas Services Committee minutes dated December 9, 2019 be received.

208

Carried

A. Hamir/K. Grant: THAT the board approve Development Variance Permit DV 10B 19 (Wyss) to decrease the minimum rear yard setback from 7.5 metres to 4.1 metres and the minimum rear yard setback applicable to the eaves and gutters from 5.5 metres to 3.6 metres applicable to the accessory building constructed on the property described as Lot B, Section 6, Comox District, Plan 43475, PID 003-622-100 (1750 McDonald Road);

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

E. Grieve/A. Hamir: THAT the board approve Development Variance Permit DV 8C 19 (Taylor) to decrease the minimum rear (southeast) yard setback from 4.5 metres to 2.36 metres with the applicable setbacks related to the eaves and gutters from 2.5 metres to 2.03 metres, and to decrease the minimum rear (southwest) yard setback from 4.5 metres to 1.29 metres with the applicable setbacks related to the eaves and gutters from 2.5 metres to 0.84 metres, for the purpose of converting the accessory building into a principal building on the property described as Lot 9, Block F, District Lot 95, Comox District, Plan 13540, PID 004-571-517 (2632 Rampion Road);

AND THAT as a condition of the development variance permit, the owner install a fence along or adjacent to the lot lines beside the building to be converted;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit upon confirmation that the fencing has been installed.
208 and 213 Carried

A. Hamir/D. Arbour: THAT the board approve Development Variance Permit DV 9C 19 to decrease the minimum applicable setbacks for the utility buildings associated with the raw water pump station at Comox Lake to 1.0 metre from all property lines, with the applicable setbacks related to projections such as eaves to 0 metres on the property described as Lot A, Sections 32 and 33, Township 10, Comox District, Plan EPP90548, PID 030-774-535 (1750 Comox Logging Road);

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

D. Frisch/K. Grant: THAT the Comox Valley Regional District Board approve Development Variance Permit DV 7C 19 (deBalinhard/Lessard) amended to reduce the minimum setback that applies to the carport from 7.5 metres to 1.19 metres, and the setback applicable to its eaves from 5.5 metres to 0.74 metres, for property described as Lot 43, District Lot 160, Comox District, Plan 30194, PID 000-548-154 (60 Salsbury Road), with the condition that screening or fencing be provided and maintained between the carport and lot line;

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 14A 19 (Joah Ventures Inc.) on property described as Lot 2, District Lot 86, Comox District, Plan 42151, PID 001-400-037 (3771 Island Highway South) for the development of new commercial-industrial building;

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

D. Frisch/K. Grant: THAT the board give first and second reading to Bylaw No. 593, being the “Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1” for property described as Amended Lot 1 (DD 20594-N), Block 29, Comox District, Plan 3139 Except That Part of Said Lot Bounded on the North by Plan 5517 and East by the Island Highway as Said Highway is Shown on Plan 4267 and Except Those Parts in Plans 3747, 3865, 4267, 4417, 5517, 7148, 9836, 10102, 10943, 13270, 15600, 15674, 15722, 15775, 16502, 16520, 17359, 18493 1N3 19356, PID 006-281-222 (RZ 5C 18 Unger - Wilfred Road), which rezones the property from Rural Eight (RU-8) to Residential One Exception 10 (R-1-10) that incorporates density bonus regulations;

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. 593, being the “Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1” (RZ 5C 18 Unger).

208 and 213

Carried

D. Arbour/K. Grant: THAT the proposed changes for schedule 16 of Bylaw No. 104 being the “Comox Valley Regional District Municipal Ticketing Bylaw No.104, 2010” be amended to address ticketable offences in the “Rural Comox Valley Zoning Bylaw, No. 520, 2019” as outlined in the staff report dated November 29, 2019.

208 and 213

Carried

D. Hillian/K. Grant: THAT the additional capital upgrade costs in 2020 to the wastewater treatment infrastructure for the King Coho Wastewater Service, Function 331 be funded with 50 per cent Electoral Area B Community Works Funds and 50 per cent short-term borrowing, to be repaid by increased parcel taxes for five years.

207

Carried

D. Arbour/K. Grant: THAT the King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018, be amended to reflect a parcel tax of \$1,786.41 per strata lot to be levied in 2020.

207

Carried

D. Hillian/K. Grant: THAT the board give readings to the proposed King Coho Wastewater Service Future Expenditure Reserve Fund Establishment Bylaw as outlined in Appendix A of the staff report dated December 4, 2019.

207

Carried

K. Grant/D. Arbour: THAT \$20,000 be allocated to a study to identify service structure options for a local service area to provide funding for public rainwater management infrastructure, to be funded from rainwater management implementation funds included in the proposed 2020-2024 financial plan for the Liquid Waste Management Planning Service, function 340.

208

Carried

D. Hillian/D. Arbour: THAT total funding of \$60,000 be included in the 2020-2024 Financial Plan allocated as \$20,000 from each of the feasibility services for Baynes Sound (part 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 - DECEMBER 10, 2019

E. Grieve/W. Cole-Hamilton: THAT the Sewage Commission minutes dated December 10, 2019 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - DECEMBER 10, 2019

D. Frisch/W. Cole-Hamilton: THAT the Comox Valley Water Committee minutes dated December 10, 2019 be received.

208

Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - DECEMBER 10, 2019

D. Hillian/W. Cole-Hamilton: THAT the Comox Valley Sports Centre Commission minutes dated December 10, 2019 be received.

208

Carried

COMMITTEE OF THE WHOLE - DECEMBER 10, 2019

W. Cole-Hamilton/K. Grant: THAT the Committee of the Whole minutes dated December 10, 2019 be received.

208

Carried

D. Arbour/K. Grant: THAT option one of the BC Transit Fare Review Report attached as Appendix A of the staff report dated December 4, 2019 be approved for implementation in April 2020;

AND FURTHER THAT the April 2020 transit fare change include replacing transfers with the DayPASS-on-board program;

AND FINALLY THAT the custom transit monthly pass price be increased to \$55.00.

209

Carried

D. Hillian/K. Grant: THAT Comox Valley Farmers' Market continues to pay fees in accordance with the Comox Valley Regional District (CVRD) Fees and Charges Bylaw;

AND FURTHER THAT staff continue to encourage collaboration of large event organizers to include some of the pre-existing regular Exhibition Grounds users where possible;

AND FINALLY THAT CVRD staff discuss utility needs with the Comox Valley Farmer's Market to better understand their needs if they continue to use the Sports Centre site in the future.

209

Carried

NAY: A. Hamir

D. Frisch/K. Grant: THAT \$5,000 of the 2020 chair remuneration be allocated to the vice-chair for the period January to November 2020 in recognition of the vice-chair's role in supporting the chair including acting as co-chair of the Comox Strathcona Waste Management Board.

208

Carried

D. Arbour/D. Frisch: WHEREAS the Association of Vancouver Island Coastal Communities endorsed two resolutions from the City of Victoria for consideration at the Union of BC Municipalities Annual Convention which if implemented by the Province of BC, could start saving lives immediately;

THEREFORE, BE IT RESOLVED THAT the board write a letter to the Provincial Government expressing strong support of the following resolutions:

(B171) Safer Drug Supply to Save Lives

Be it resolved that in an effort to save lives and reduce harm due to an unpredictable and highly-toxic drug supply, and as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery, that the Province of British Columbia work with local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions, and the Ministry of Health to ensure that people at risk of toxic supply have access to safer alternatives.

(B172) Observed Inhalation Sites for Risk Mitigation of Overdose and Toxic Drug Supply

Be it resolved that to ensure that people at risk of overdose and toxic supply across BC have access to observed consumption services that provide space for inhalation, that the Province of British Columbia fund and work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to provide these services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

208

Carried

D. Hillian/W. Cole-Hamilton: THAT the Comox Valley Regional District Board write to the Minister of Environment and Climate Change Strategy to request:

1. Appropriate signage, in consultation with K'omoks First Nation, for Wood Mountain Park; and,

2. Recognition of the Forbidden Plateau Reclamation Society for their volunteer efforts to clean up the abandoned buildings and structures from the former Forbidden Plateau Ski Hill.

208

Carried

K. Grant/A. Hamir: THAT the Comox Valley Regional District Board provide a letter of support to the Kumugwe Cultural Society for their application to the Canada Council of the Arts for funding for Malkwalatlan's: A Legacy Project Honouring Missing and Murdered Indigenous Women, Girls and Two Spirited.

208

Carried

UBCM GRANT FUNDING PROPOSAL

D. Hillian/W. Cole-Hamilton: THAT the report dated December 11, 2019 seeking approval to apply for funding through the Union of BC Municipalities (UBCM) – Community Emergency Preparedness Fund (CEPF) for coastal flood mitigation planning for Comox Valley Regional District (CVRD) Electoral Areas A (Vancouver Island portion), B and C, be received.

208 and 213

Carried

D. Hillian/W. Cole-Hamilton: THAT the board authorize staff to make an application to the Union of BC Municipalities Community Emergency Preparedness Fund for flood mitigation planning for the Comox Valley Regional District Electoral Area A (Baynes Sound - Defined Area), Electoral Area B (Lazo North) and Electoral Area C (Puntledge – Black Creek).

208 and 213

Carried

LONG TERM BORROWING SECURITY ISSUE SPRING 2020

E. Grieve/W. Cole-Hamilton: THAT the report dated December 10, 2019 providing the Board with information regarding the Comox Valley Regional District's (CVRD) participation in the Municipal Finance Authority's (MFA) long-term borrowing Spring 2020 issue, be received.

208

Carried

D. Hillian/K. Grant: THAT Bylaw No. 603 being "Comox Valley Regional District Security Issue Bylaw No. 603, 2019, be forwarded to the Comox Valley Regional Board for first, second and third readings and final adoption.

210

Carried

MUNICIPAL FINANCE AUTHORITY

D. Frisch/K. Grant: THAT the report dated December 12, 2019 regarding confirmation of the appointment of a member and alternate member to the Municipal Finance Authority of BC for 2020, be received.

208

Carried

D. Arbour/K. Grant: THAT Director Grieve and Director Hamir be appointed to the Municipal Finance Authority (MFA) of BC, as member and alternate member respectively, for a one-year period expiring February 2021;

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

208

Carried

BYLAWS AND RESOLUTIONS:

D. Arbour/K. Grant: THAT Bylaw No. 593 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1" be given first and second readings concurrently.

208 and 213

Carried

K. Grant/D. Arbour: THAT Bylaw No. 605 being "King Coho Wastewater Service Future Expenditure Reserve Fund Establishment Bylaw No. 605" be given first and second readings concurrently.

207

Carried

K. Grant/D. Frisch: THAT Bylaw No. 605 being "King Coho Wastewater Service Future Expenditure Reserve Fund Establishment Bylaw No. 605" be read a third time.

207

Carried

D. Arbour/K. Grant: THAT Bylaw No. 607 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 16" be given first and second readings concurrently.

208

Carried

K. Grant/W. Cole-Hamilton: THAT Bylaw No. 607 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 16" be read a third time.

208

Carried

D. Hillian/K. Grant: THAT Bylaw No. 601 being "Comox Valley Regional District 2019 to 2023 Financial Plan and Capital Expenditure Program Bylaw No. 577, Amendment No. 1" be given first and second readings concurrently.

210

Carried

K. Grant/D. Frisch: THAT Bylaw No. 601 being "Comox Valley Regional District 2019 to 2023 Financial Plan and Capital Expenditure Program Bylaw No. 577, Amendment No. 1" be read a third time.
210 Carried

K. Grant/D. Frisch: THAT THAT Bylaw No. 601 being "Comox Valley Regional District 2019 to 2023 Financial Plan and Capital Expenditure Program Bylaw No. 577, Amendment No. 1" be finally adopted.
210 Carried

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

K. Grant/E. Grieve: THAT Bylaw No. 603 being "Comox Valley Regional District Security Issuing Bylaw No. 603, 2019" be given first and second readings concurrently.
210 Carried

K. Grant/W. Cole-Hamilton: THAT Bylaw No. 603 being "Comox Valley Regional District Security Issuing Bylaw No. 603, 2019" be read a third time.
210 Carried

K. Grant/D. Frisch: THAT Bylaw No. 603 being "Comox Valley Regional District Security Issuing Bylaw No. 603, 2019" be finally adopted.
210 Carried

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

K. Grant/A. Hamir: THAT Bylaw No. 606 being "King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018, Amendment No. 1" be given first and second readings concurrently.
207 Carried

A. Hamir/K. Grant: THAT Bylaw No. 606 being "King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018, Amendment No. 1" be read a third time.
207 Carried

W. Cole-Hamilton/K. Grant: THAT Bylaw No. 606 being "King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018, Amendment No. 1" be finally adopted.
207 Carried

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

NEW BUSINESS:
NEW BUSINESS NOTICE

D. Frisch/D. Hillian: THAT the new business notice dated December 11, 2019 regarding the scheduling of a public hearing for Bylaw No. 593 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1" (RZ 5C 18 - Wilfred Road), be received.
208 Carried

A. Hamir/D. Frisch: WHEREAS the following bylaw has received first and second readings by the regional district board:

- Bylaw No. 593 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 1"

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 January 22, 2020 at 7:00 pm;
2. The location of the public hearing will be at the Comox Valley Regional District Civic Room located at 770 Harmston Avenue Courtenay, BC V9N 0G8;
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 Arbour and Hamir 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

2019 GRANT-IN-AID

D. Hillian/W. Cole-Hamilton: THAT the correspondence dated December 10, 2019 from Director Grieve and Director Hamir requesting the board's consideration of a grant-in-aid to the Comox Valley Therapeutic Riding Society, be received.

208

Carried

K. Grant/D. Hillian: THAT a grant-in-aid, payable from the respective areas indicated, be approved:
- Comox Valley Therapeutic Riding Society to assist with equine therapies and recreation for children and adults with complex needs.

Area B - \$500.00; Area C - \$1,200.00.

208

Carried

GREEN MUNICIPAL FUND COUNCIL - LETTER OF SUPPORT

D. Hillian/D. Frisch: THAT the correspondence dated December 12, 2019 from Director Arbour requesting the board's support for an application to serve on the Green Municipal Fund Council, be received.

208

Carried

K. Grant/E. Grieve: THAT the board provide a letter of support for Director Arbour's application to serve as the BC representative on the Green Municipal Fund Council.

208

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 5:05 pm.

RISE AND REPORT:

The board rose from its in-camera session at 6:08 pm.

TERMINATION:

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

208

Carried

Time: 6:08 pm.

Confirmed this _____ day of _____ 20__:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services