

Monday, November 20, 2017

Minutes of the meeting of the Electoral Areas Services Committee held on November 20, 2017 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 10:00 am.

MINUTES

Present:

Chair:	E. Grieve	Puntledge/Black Creek (Area 'C')
Vice-Chair:	R. Nichol	Lazo North (Area 'B')
Directors:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	A. MacDonald	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	I. Smith	General Manager of Community Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services
	A. Baldwin	Legislative Services Assistant

MANAGEMENT REPORT:

B. Jolliffe/R. Nichol: THAT the Electoral Areas Services Committee management report dated November 2017 be received.

208

Carried

REPORTS:

ADVISORY PLANNING COMMISSION MINUTES

B. Jolliffe/R. Nichol: THAT the minutes of the Area A Advisory Planning Commission meeting held October 23, 2017 be received.

208

Carried

B. Jolliffe/R. Nichol: THAT the minutes of the Area C Advisory Planning Commission meeting held October 25, 2017 be received.

208

Carried

B. Jolliffe/R. Nichol: THAT the minutes of the Area B Advisory Planning Commission meeting held October 26, 2017 be received.

208

Carried

ELECTORAL AREA A - DEVELOPMENT VARIANCE PERMIT DV 4A 17 - 4014 HAAS ROAD (ZABORNIAK)

B. Jolliffe/R. Nichol: THAT the report dated October 31, 2017 regarding a Development Variance Permit

(DVP) to increase the maximum height for a recently built accessory building from 6.0 metres to 6.4 metres be received.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the email correspondence dated November 16, 2017 regarding DV 4A 17, 4014 Haas Road (Zaborniak) be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided information regarding Development Variance Permit DV 4A 17, 4014 Haas Road (Zaborniak).

The applicant, Kim Zaborniak, was in attendance.

The public was invited to speak regarding Development Variance Permit DV 4A 17, 4014 Haas Road (Zaborniak). There were no speakers.

B. Jolliffe/R. Nichol: THAT the board approve the Development Variance Permit DV 4A 17 (Zaborniak) to increase the height for an accessory building from 6.0 metres to 6.4 metres for a property described as Lot 2, District Lot 86, Comox District, Plan 18006, PID 002-174-821 (4014 Haas Road);

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

208 and 213

Carried

ELECTORAL AREA C - DEVELOPMENT PERMIT APPLICATION – 8655 ISLAND HIGHWAY NORTH (ZIMMERMAN)

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding a Development Permit (commercial and industrial form and character) to enable the development of a light industrial workshop be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided an overview of the report regarding a Development Permit (commercial and industrial form and character) to enable the development of a light industrial workshop.

The applicant, Nevin Zimmerman, was in attendance.

B. Jolliffe/R. Nichol: THAT the board approve the Development Permit DP 19C 17 on the property described as Parcel A (DD41465W) of Lot A, Block 29, Comox District, Plan 9954, PID 005-433-355 (8655 Island Highway North) for the development of a light industrial workshop;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit following the submission, to the Director responsible for the Environmental Management Act, of the proposed works, including all structures, locations and depths of proposed or constructed buildings or trenches.

208 and 213

Carried

ELECTORAL AREA C - EXCLUSION FROM THE AGRICULTURAL LAND RESERVE 2431 VANCLAN DRIVE

(DIETRICH)

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding an application to exclude a property from the Agricultural Land Reserve (ALR) and to request that the Agricultural Land Commission take a position on the use of building schemes be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided an overview of the report regarding an application to exclude a property from the Agricultural Land Reserve (ALR) and to request that the Agricultural Land Commission take a position on the use of building schemes.

The applicant, Stephen Dietrich, was in attendance.

B. Jolliffe/R. Nichol: THAT the Agricultural Land Reserve application ALR 3C 17 (Dietrich) to exclude lands known as Lot 1, District Lot 192, Comox District, Plan VIP57195 (PID 018-380-361), be referred to the Agricultural Land Commission (ALC);

AND FURTHER THAT the ALC be advised that the Comox Valley Regional District does not support the exclusion;

AND FINALLY THAT a copy of the building scheme that is registered on the property be referred to the ALC with a request that the ALC clarify whether the building scheme that prohibits installation of a mobile home within the subdivision impedes the reasonable use of the land relative to the ALC's second dwelling provisions.

208 and 213

Carried

ELECTORAL AREA A - 5819 TIPTON ROAD (UPPER ISLAND DEVELOPMENT)

B. Jolliffe/R. Nichol: THAT the report dated November 6, 2017 regarding a review of the external agency referral, a bylaw for first and second readings and a recommendation that a public hearing date be set be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided an overview of the report regarding a review of the external agency referral, a bylaw for first and second readings and a recommendation that a public hearing date be set.

Hal Martyn, owner's representative, was in attendance.

B. Jolliffe/R. Nichol: THAT the board give first and second readings to Bylaw No. 505, Appendix A to staff report dated November 6, 2017 (RZ 2A 17 – Upper Island Development), being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72” which rezones the Country Residential One (CR-1) portion of Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964 (5819 Tipton Road) to Residential One (R-1);

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. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72” (RZ 2A 17 – Upper Island Development).

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT prior to a public hearing on Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72”, Upper Island Development be required to obtain final subdivision approval from the Ministry of Transportation and Infrastructure to ‘unhook’ the lands east of the railway right-of-way (File Number: 00090 A 17).

208 and 213

Carried

PROPOSED REVISIONS TO SARATOGA BEACH ESTATES MASTER DEVELOPMENT AGREEMENT

B. Jolliffe/R. Nichol: THAT the report dated November 6, 2017 regarding the Saratoga Beach Estates (SBE) Master Development Agreement (MDA) be received.

208 and 213

Carried

Ann MacDonald, General Manager of Planning and Development, and Marc Rutten, General Manager of Engineering Services, presented information regarding the Saratoga Beach Estates (SBE) Master Development Agreement (MDA).

B. Jolliffe/R. Nichol: THAT the revised Saratoga Beach Estates Master Development Agreement, attached as Appendix A to staff report dated November 6, 2017, be approved with the changes as noted at the November 20, 2017 EASC to delete the words “building permit” and replace with “occupancy permit”, remove reference to a temporary sewage treatment plant, and include an updated Schedule A site map.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the letter to Saratoga Beach Estates Inc. regarding provision of a waste water treatment plant, attached as Appendix B to staff report dated November 6, 2017, be sent.

208 and 213

Carried

The meeting recessed at 11:02 am and reconvened at 11:11 am.

SUBDIVISION AND TRANSFER OF LAND FROM KENSINGTON ISLAND PROPERTIES (KIP) TO THE UNION BAY IMPROVEMENT DISTRICT

B. Jolliffe/R. Nichol: THAT the report dated November 16, 2017 regarding the subdivision of land from the Kensington Island Properties (KIP) Master Development Agreement (MDA) for the purposes of transfer of land from KIP to the Union Bay Improvement District (UBID) for a water treatment facility be received.

208 and 213

Carried

Ann MacDonald, General Manager of Planning and Development Services, and Marc Rutten, General Manager of Engineering Services, provided an overview of the report regarding the subdivision of land from the Kensington Island Properties (KIP) Master Development Agreement (MDA) for the purposes of transfer of land from KIP to the Union Bay Improvement District (UBID) for a water treatment facility.

B. Jolliffe/R. Nichol: THAT the Potable Water Servicing and Infrastructure Agreement dated October 12,

2017 between Kensington Island Properties and Union Bay Improvement District, attached as Appendix A be received for information purposes by the board;

AND FURTHER THAT notwithstanding the prohibition on subdivision of the lands set out in Sections 3.1 (r) of the 2010 Master Development Agreement between the Comox Valley Regional District and KIP, and any other section of the 2010 Master Development Agreement, the Comox Valley Regional District consents to the subdivision of a 1.62 ha parcel of land from the Kensington Island Properties, “the Lands” and the transfer of the 1.62 ha water treatment site to the Union Bay Improvement District by way of a Section 99 subdivision under the Land Titles Act for the purposes of the water treatment site, as shown on Schedule A-2 in Appendix A.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be invited to a Comox Valley Regional District board meeting in the spring of 2018 to provide an update on the progress and to provide details regarding the intended future use of the remediated Coal Hill site.

208 and 213

Carried

LAZO CREEK WATERSHED - DRAINAGE IMPROVEMENTS OPTIONS ANALYSIS

R. Nichol/B. Jolliffe: THAT the report dated November 16, 2017 regarding an update on the results of the Queen’s Ditch options analysis and to recommend a path forward be received.

208

Carried

Darry Monteith, Engineering Analyst, provided an overview of the report regarding an update on the results of the Queen’s Ditch options analysis and to recommend a path forward.

Bob Hudson, McElhanney, presented information regarding the results of the Queen’s Ditch options analysis.

R. Nichol/B. Jolliffe: THAT further study work be completed to assess the effectiveness and viability of managed retreat/wetland restoration in improving drainage in the lower Lazo Creek Watershed;

AND FURTHER THAT \$27,000 from Service 152, Electoral Area B Feasibility Studies, be allocated to a flow monitoring program for the Lazo Creek Watershed;

AND FINALLY THAT the McElhanney report titled “Comox Valley Regional District Queen’s Ditch Lowland Area Drainage Improvements Options Analysis” and dated September 14, 2017 be referred to the Committee of the Whole for information.

208

Carried

The meeting recessed at 11:48 am and reconvened at 11:53 am.

COMOX VALLEY WATER SYSTEM LOCAL SERVICE AREAS – RATE CHANGE

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding an increase in user rates for 2018

and 2019 for the Comox Valley water system (CVWS) water local service areas (WLSAs) to reflect the scheduled increases to the bulk water rate be received.

209

Carried

Zoe Berkey, Engineering Analyst, and Kris La Rose, Manager of Water/Wastewater Services, provided information regarding an increase in user rates for 2018 and 2019 for the Comox Valley water system (CVWS) water local service areas (WLSAs) to reflect the scheduled increases to the bulk water rate.

B. Jolliffe/R. Nichol: THAT Bylaw No. 2866 being the “Comox Valley Water Systems Regulation Fees and Charges Bylaw No. 2866, 2006” be amended as per the revised bylaw attached as Appendix A to the staff report dated November 15, 2017.

209

Carried

The committee recessed at 11:56 am and reconvened at 12:34 pm.

SANDWICK SERVICE ESTABLISHMENT AND PARCEL TAX BYLAWS

B. Jolliffe/R. Nichol: THAT the report dated November 17, 2017 regarding a service establishment bylaw for the Sandwich Water Local Service Area (WLSA) and a parcel tax bylaw for Sandwich to recover the cost of converting Sandwich to a Comox Valley Regional District (CVRD) service be received.

207

Carried

Kris La Rose, Manager of Water/Wastewater Services, provided an overview of the report regarding a service establishment bylaw for the Sandwich Water Local Service Area (WLSA) and a parcel tax bylaw for Sandwich to recover the cost of converting Sandwich to a Comox Valley Regional District (CVRD) service.

R. Nichol/B. Jolliffe: THAT Bylaw No.506 being the “Sandwich Water Service Establishment Bylaw No.506, 2017” be considered for three readings and subsequent adoption and Bylaw No.507 being the “Sandwich Water Service Parcel Tax Bylaw No.507, 2017” be considered for three readings and subsequent adoption.

207

Carried

DENMAN ISLAND WATER LOCAL SERVICE AREA – REVISED WATER SERVICE AGREEMENT AND CHANGE IN RATES

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding revisions to the water service agreement and amendments to the user rates for the Denman Island Water Local Service Area (DIWLSA) be received.

207

Carried

Kris La Rose, Manager of Water/Wastewater Services, provided an overview of the report regarding revisions to the water service agreement and amendments to the user rates for the Denman Island Water Local Service Area (DIWLSA).

B. Jolliffe/R. Nichol: THAT the revised water service agreement between the Comox Valley Regional District and the Graham Lake Improvement District, attached as Appendix A to the staff report dated November 15,

2017, be approved;

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

B. Jolliffe/R. Nichol: THAT the board amend Bylaw No.1920 being the “Denman Island Water Regulation and Rates Bylaw No.1920, 1997” to the revised bylaw attached as Appendix A;

AND FURTHER THAT an amendment to Bylaw No.1920 be considered for first, second third and fourth readings at the November 28, 2017 Board meeting.
207 Carried

B. Jolliffe/R. Nichol: THAT the board rescind Bylaw No. 1919 being the “Denman Island Water Local Service Area Parcel Tax Bylaw, 1997”
207 Carried

ROYSTON WATER LOCAL SERVICE AREA – WATER SUPPLY AGREEMENT

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding a revised Royston Water Local Service Area (WLSA) water supply agreement with the Village of Cumberland be received.
207 Carried

Kris La Rose, Manager of Water/Wastewater Services, provided an overview of the report regarding a revised Royston Water Local Service Area (WLSA) water supply agreement with the Village of Cumberland.

B. Jolliffe/R. Nichol: THAT the revised Royston water supply agreement between the Comox Valley Regional District and the Village of Cumberland, attached as Appendix A to the staff report dated November 15, 2017, be approved;

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

PROPOSAL TO MERGE THE SIX COMOX VALLEY LOCAL WATER SERVICE AREAS

B. Jolliffe/R. Nichol: THAT the report dated November 3, 2017 regarding a proposal to merge the six Comox Valley water local service areas that distribute water to just under 2,100 connections in Electoral Areas A, B and C into one water distribution service be received.
209 Carried

James Warren, General Manager of Corporate Services, presented information regarding a proposal to merge the six Comox Valley water service areas.

R. Nichol/B. Jolliffe: THAT the process to merge the six Comox Valley water local service areas, being Comox Valley, Sandwick, Greaves Crescent, Arden, England Road, and Marsden/Camco, as described in the November 2017 briefing note attached to the staff report dated November 3, 2017 be initiated with an aim to have one distribution service in place effective January 1, 2019;

AND FURTHER THAT an effective and equitable method for combining reserve funds and/or ensuring that future use of reserve funds is appropriately distributed be developed for consideration at an Electoral Areas Services Committee meeting in spring 2018.

209

Carried

KING COHO WASTEWATER SERVICE PETITION RESULTS

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding the results of the King Coho petition process and a request for approval to present the King Coho service establishment bylaw to the Comox Valley Regional District (CVRD) Board for consideration be received.

208

Carried

Darry Monteith, Engineering Analyst, provided an overview on the report regarding the results of the King Coho petition process and a request for approval to present the King Coho service establishment bylaw to the Comox Valley Regional District (CVRD) Board for consideration.

R. Nichol/B. Jolliffe: THAT the Corporate Legislative Officer has certified that a sufficient and valid number of petitions has been received for the establishment of the King Coho Wastewater Service;

AND FURTHER THAT the King Coho Wastewater Service Establishment Bylaw No. 495, 2017 be referred to the Comox Valley Regional District Board for three readings;

AND FURTHER THAT upon three readings by the Comox Valley Regional District Board, a copy of the King Coho Wastewater Service Establishment Bylaw No. 495, 2017 be sent to the Inspector of Municipalities for approval.

208

Carried

R. Nichol/B. Jolliffe: THAT the 2018-2022 financial plan commit \$50,000 of Electoral Area B Community Works Funds towards the required capital upgrades to the wastewater treatment infrastructure for the King Coho Wastewater Service.

208

Carried

R. Nichol/B. Jolliffe: THAT, subject to the establishment of the King Coho Wastewater Service, the Comox Valley Regional District enter into a short term financing agreement in an amount up to \$100,000 with the Municipal Finance Authority under section 175(1) of the Community Charter for the required capital upgrades to the wastewater treatment infrastructure for the King Coho Wastewater Service;

AND FINALLY THAT this financing be repaid within five years of entering into the agreement.

210

Carried

ANIMAL CONTROL SERVICES PROVIDER – ELECTORAL AREAS – CONTRACT RECOMMENDATION

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding an update on the status of the request for proposal (RFP) for animal control service provider for the electoral areas, and to recommend award of contract for the next three years be received.

209

Carried

James Warren, General Manager of Corporate Services, provided an overview of the report regarding an

update on the status of the request for proposal (RFP) for animal control service provider for the electoral areas, and to recommend award of contract for the next three years.

B. Jolliffe/R. Nichol: THAT as a result of a competitive process, a contract be awarded to the Commissionaires Victoria, the Islands and Yukon for the animal control service delivery in an amount not to exceed \$70,000 per year plus applicable taxes, with the exception of provision for an annual consumer price index adjustment for the period of January 1, 2018 to December 31, 2020, with an option to renew for an additional two one year terms;

AND FURTHER THAT the chair and corporate legislative officer be authorized to execute the contract.

210

Carried

NORTH COURTENAY CONNECTOR – PIERCY ROAD TRAIL UPDATE

R. Nichol/B. Jolliffe: THAT the report dated November 9, 2017 regarding a budget amendment for completing the Piercy Road trail section of the North Courtenay connector be received.

209

Carried

Ian Smith, General Manager of Community Services, provided an overview of the report regarding a budget amendment for completing the Piercy Road trail section of the North Courtenay connector. Doug DeMarzo, Manager of Planning, was in attendance.

B. Jolliffe/R. Nichol: THAT the 2017-2021 financial plan and capital expenditure program for the Baynes Sound, Area B and C Parks and Greenways Service (621) be amended by increasing land improvements in 2017 by \$200,000 to be funded by \$100,000 in community works funds from Lazo North (Electoral Area B) and \$100,000 in community works funds from Puntledge-Black Creek (Electoral Area C) for the capital construction costs of the roadside gravel path along the Ministry of Transportation and Infrastructure's north connector project.

209

Carried

PARCEL TAX ROLL REVIEW PANEL 2018

R. Nichol/B. Jolliffe: THAT the report dated November 3, 2017 regarding information with respect to the 2018 parcel tax roll review panel and to appoint the directors to the panel for authentication of the roll be received.

208

Carried

R. Nichol/B. Jolliffe: THAT a parcel tax roll review panel be held at 9:30 a.m. on February 21 2018 to authenticate the 2018 parcel and frontage tax roll and that Directors Jolliffe, Nichol and Grieve, Comox Valley Regional District directors representing Electoral Areas A, B, C, and Director Leigh, Strathcona Regional District director representing Electoral Area D for the Black Creek/Oyster Bay water service area, be appointed to the panel.

208

Carried

AUDIT SERVICE PLAN – MERVILLE FIRE PROTECTION DISTRICT FOR THE PERIOD JANUARY 1, 2016 TO JUNE 14, 2017

B. Jolliffe/R. Nichol: THAT the report dated November 8, 2017 regarding the 2017 audit service plan for the Merville Fire Protection District (MFPD) as submitted by the audit firm of MNP LLP be received.

209

Carried

IN-CAMERA:

B. Jolliffe/R. Nichol: THAT the committee adjourn to an in-camera session pursuant to the following subsections 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)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

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 committee/board, could reasonably be expected to harm the interests of the regional district if they were held in public.

208

Carried

Time: 1: 19 pm

RISE AND REPORT:

The committee rose from its in camera session at 3:34 pm.

TERMINATION:

B. Jolliffe/R. Nichol: THAT the meeting terminate.

208

Carried

Time: 3:34 pm.

Confirmed by:

Edwin Grieve
Chair

Certified Correct:

Jake Martens
Manager of Legislative Services

Recorded By:

Antoinette Baldwin
Legislative Services Assistant

These minutes were received by the Comox Valley Regional District board on the _____ day of November, 2017.