

Tuesday, March 16, 2021

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on March 16, 2021 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 4:00 pm.

MINUTES

Present:

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| 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. Cole-Hamilton | City of Courtenay |
| | K. Grant | Town of Comox |
| | E. Grieve | Puntledge/Black Creek (Area C) |
| | D. Hillian | City of Courtenay |
| | M. McCollum | City of Courtenay |
| | W. Morin | City of Courtenay |
| | M. Swift | Town of Comox |
| | B. Leigh | Oyster Bay – Buttle Lake (Area D) |
| Staff: | R. Dyson | Chief Administrative Officer |
| | J. Warren | Deputy Chief Administrative Officer |
| | D. DeMarzo | General Manager of Community Services |
| | J. Martens | General Manager of Corporate Services |
| | M. Rutten | General Manager of Engineering Services |
| | A. Mullaly | General Manager of Planning and Development |
| | L. Dennis | Manager of Legislative Services |

ATTENDANCE:

With the exception of Chair Ketler and Directors Arbour, Grant, Grieve, and Hamir, all directors attended via electronic means.

Also in attendance was K. Douville, CVRD.

IN-CAMERA MEETING:

W. Cole-Hamilton/E. Grieve: THAT the board adjourn to an in-camera session pursuant to the following sub-section of section 90 of the Community Charter:

90(1)(c) Labour relations or employee negotiations; and,
90(1)(g) Litigation or potential litigation affecting the regional district;

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

208

Carried

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 28: Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent;

Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

ADOPTION OF MINUTES:

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board minutes dated March 9, 2021 be adopted.

208

Carried

REPORTS:

BLACK CREEK – OYSTER BAY SERVICES COMMITTEE – MARCH 8, 2021

A. Hamir/E. Grieve: THAT the Black Creek – Oyster Bay Services Committee minutes dated March 8, 2021 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE – MARCH 8, 2021

A. Hamir/W. Cole-Hamilton: THAT the Electoral Areas Services Committee minutes dated March 8, 2021 be received.

208

Carried

E. Grieve/A. Hamir: THAT the Comox Valley Regional District Board approve the Development Variance Permit DV 1B 21 (Willis/Zimmerman) to reduce the front yard setback pertaining to Acacia Road from 7.5 metres to 5.0 metres for the foundation of the carriage house and from 5.5 metres to 4.25 metres for the eaves of the carriage house on property described as Lot 4, District Lot 170, Comox District, Plan 21086, PID

003-488-136 (2086 Hector Road);

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

A. Hamir/D. Arbour: THAT the Comox Valley Regional District Board direct staff to proceed with the Restructuring of Regulatory Services Project as outlined in the staff report dated March 3, 2021;

AND FURTHER THAT the Comox Valley Regional District Board support the use of \$36,000 from the future expenditure reserve for Function No. 295 (Animal Control) and \$36,548 from the future expenditure reserve for Function No. 298 (Unsightly Premises) towards the purchase of a new bylaw enforcement vehicle in 2021 in Function No. 291 (Animal Control), with these transactions to be reflected in the 2021 – 2025 recommended financial plan.

AND FINALLY THAT the associated amendments to the service establishment bylaws be introduced and given first and second readings.
209 Carried

A. Hamir/D. Arbour: THAT the board support the Comox Valley Regional District's Emergency Program, Electoral Areas Service function 270, application to the Union of BC Municipalities Community Emergency Preparedness Fund for funding up to \$11,357.95 to support the purchase of resources and development of specialized training for Emergency Support Services, and provide overall grant management.
209 Carried

E. Grieve/M. McCollum: THAT an allocation of \$24,321.44 in BC Safe Restart Grant funding be committed for distribution to assist five community halls with the purchase of touchless items and a portion of their fixed costs as outlined in the Community Halls – Restart Grants staff report dated March 3, 2021.
208 Carried

A. Hamir/M. McCollum: THAT participating area approval be sought by way of an Alternative Approval Process (AAP) with respect to the service establishing bylaw(s) for the proposed Rural Roadside Collection Service;

AND FURTHER THAT the bylaw(s) and other process logistics for the AAP be brought forward pending the results of Phase 2 Rural Roadside Solid Waste Collection Public Engagement Plan.
208 Carried

D. Arbour/D. Hillian: THAT the Comox Valley Regional District Board write a letter of support to the Denman Housing Association for the purpose of funding applications for the Denman Green Project;

AND FURTHER THAT staff prepare an analysis to consider assisting with the 2021 development costs requests for both Denman Green (Denman Housing Association) and the Denman Community Land Trust Association.
208 Carried

COMOX VALLEY SEWAGE COMMISSION – MARCH 9, 2021

D. Hillian/K. Grant: THAT the Sewage Commission minutes dated March 9, 2021 be received.

208

Carried

K. Grant/M. McCollum: THAT the following bylaw be introduced, read three times, and forwarded to the Inspector of Municipalities for approval:

- Bylaw No. 647 being “Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021”;

AND FURTHER THAT participating area approval be sought by way of alternative approval process to be conducted with respect to the elector approval required for Bylaw No. 647 for the entire service area.

209

Carried

K. Grant/D. Hillian: THAT with respect to proposed Bylaw No. 647, being “Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021”, the Comox Valley Regional District (CVRD) Board approves the elector response form and bylaw synopsis as provided in the notice of the AAP and upon receiving approval of the bylaw by the Inspector of Municipalities, CVRD staff be directed to publish the notice for each bylaw in accordance with section 86(2) of the Community Charter including the following information, as generally outlined in the staff report dated March 04, 2021;

- the total number of eligible electors to which the AAP applies is 30,736 within the service area;
- the notice of the AAP shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;
- the deadline for receiving elector responses is established as Monday, July 5, 2021 at 4:30 pm following the 30-day statutory elector response period;
- the elector response form provides for only a single elector response on each form and will be available at the CVRD offices and on the CVRD website from the first publication date of the notices of AAP until the deadline of the elector response period as determined above; and
- elector response forms may be accepted in any one of the following manners:
 - i. in person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:00 AM - 4:30 PM, excluding Statutory Holidays);
 - ii. via mail to: 770 Harmston Avenue, Courtenay, BC, V9N 0G8;
 - iii. via fax at: 250-334-4358; or
 - iv. via email attachment to: administration@comoxvalleyrd.ca with the subject heading: “Elector Response”.

209

Carried

COMOX VALLEY WATER COMMITTEE - MARCH 9, 2021

K. Grant/M. McCollum: THAT the Water Committee minutes dated March 9, 2021 be received.

208

Carried

COMOX VALLEY RECREATION COMMISSION -MARCH 9, 2021

W. Cole-Hamilton/W. Morin: THAT the Recreation Commission minutes dated March 9, 2021 be received.
208 Carried

RURAL ROADSIDE COLLECTION - SPRING 2021 ALTERNATIVE APPROVAL PROCESS

K. Grant/E. Grieve: THAT the report dated March 12, 2021 to introduce the logistics and legislative requirements to seek elector approval for the proposed rural roadside solid waste collection services, be received.
209 Carried

J. Warren, Deputy Chief Administrative Officer, provided an overview of the staff report regarding the logistics and legislative requirements to seek elector approval for the proposed rural roadside solid waste collection services

D. Arbour/A. Hamir: THAT the following bylaws be introduced, read three times, and forwarded to the Inspector of Municipalities for approval:

- Bylaw No. 648 being “Comox Valley Regional District Northern Garbage Collection Service Establishment Bylaw No. 648, 2021”;
- Bylaw No. 649 being “Comox Valley Regional District Central Garbage Collection Service Establishment Bylaw No. 649, 2021”; and
- Bylaw No. 650 being “Comox Valley Regional District Southern Garbage Collection Service Establishment Bylaw No. 650, 2021”

AND FURTHER THAT participating area approval be sought by way of alternative approval process to be conducted with respect to the elector approval required for Bylaws 648, 649 and 650 for their entire service areas.
209 Carried

D. Arbour/A. Hamir: THAT with respect to proposed Bylaws No. 648, 649 and 650, the Comox Valley Regional District (CVRD) Board approves the Elector Response Forms and bylaw synopses and upon receiving approval of the three bylaws by the Inspector of Municipalities, CVRD staff be directed to publish the Notice for each bylaw in accordance with section 86(2) of the Community Charter including the following information, as generally outlined in the staff report dated March 12, 2021;

- a. the total number of eligible electors to which the Alternative Approval Process (AAP) applies are as follows:
 - i. 3,370 within the proposed service area of the Northern Garbage Collection Service (Bylaw No. 648);
 - ii. 10,678 within the proposed service area of the Central Garbage Collection Service (Bylaw No. 649);
 - iii. 2,361 within the proposed service area of the Southern Garbage Collection Service (Bylaw No. 650);
- b. the Notices of the AAP shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;

- c. the deadlines for receiving elector responses is established as Monday, July 5, 2021 at 4:30 p.m. following the 30-day statutory elector response period (June 3, 2021 – July 5, 2021);
 - d. the elector response form provides for only a single elector response on each form and will be available at the CVRD offices and on the CVRD website from the first publication date of the notices of AAP until the deadline of the elector response period as determined above; and
 - e. elector response forms may be accepted in any one of the following manners:
 - i. In person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:00 am to 4:30 pm, excluding Statutory Holidays);
 - ii. Via mail to: 770 Harmston Avenue, Courtenay, BC, V9N 0G8;
 - iii. Via fax at: 250-334-4358; or
 - iv. Via email attachment to: administration@comoxvalleyrd.ca with the subject heading: “Elector Response”.
- 209 Carried

2021-2025 FINANCIAL PLAN AND CAPITAL EXPENDITURE PROGRAM

D. Hillian/K. Grant: THAT the Report dated March 12, 2021 providing the Comox Valley Regional District (CVRD) Board with the supporting background and recommendations to provide initial readings to the 2021-2025 Financial Plan and Expenditure Program Bylaw as well as an associated amendment to the Comox Valley Emergency Program Extended Service Establishment Bylaw, be received.

208 Carried

K. Douville, Manager of Financial Planning, provided an overview of the staff report regarding the 2021-2025 Financial Plan and Expenditure Program Bylaw.

D. Arbour/A. Hamir: THAT the Comox Valley Regional District Board give first, second and third readings to Bylaw No. 642 being “Comox Valley Regional District 2021-2025 Financial Plan and Capital Expenditure Program Bylaw No. 642, 2021”.

208 Carried

E. Grieve/K. Grant: THAT the Comox Valley Regional District Board give first, second and third readings to Bylaw No. 651 being “Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 3”;

AND FURTHER THAT the bylaw be forwarded to the Inspector of Municipalities for approval;

AND FINALLY THAT approval for Bylaw No. 651 be authorized to be obtained by participating area consent pursuant to s.347 of the Local Government Act with the directors for Electoral Area A, B and C being the participants, consenting to its adoption in writing.

208 Carried

BYLAWS AND RESOLUTIONS:

K. Grant/A. Hamir: THAT Bylaw No. 642 being “Comox Valley Regional District 2021 to 2025 Financial Plan and Capital Expenditure Program Bylaw No. 642” be given first and second readings concurrently.

E. Grieve/D. Arbour: THAT Bylaw No. 642 being "Comox Valley Regional District 2021 to 2025 Financial Plan and Capital Expenditure Program Bylaw No. 642" be read a third time.

D. Hillian/W. Morin: THAT Bylaw No. 647 being "Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021" be given first and second readings concurrently.

W. Cole-Hamilton/D. Hillian: THAT Bylaw No. 647 being "Sewer System Conveyance Project Loan Authorization Bylaw No. 647, 2021" be read a third time.

K. Grant/A. Hamir: THAT Bylaw No. 648 being "Comox Valley Regional District Northern Garbage Collection Service Establishment Bylaw No. 648, 2021" be given first and second readings concurrently.

A. Hamir/E. Grieve: THAT Bylaw No. 648 being "Comox Valley Regional District Northern Garbage Collection Service Establishment Bylaw No. 648, 2021" be read a third time.

E. Grieve/W. Morin: THAT Bylaw No. 649 being "Comox Valley Regional District Central Garbage Collection Service Establishment Bylaw No. 649, 2021" be given first and second readings concurrently.

E. Grieve/A. Hamir: THAT Bylaw No. 649 being "Comox Valley Regional District Central Garbage Collection Service Establishment Bylaw No. 649, 2021" be read a third time.

D. Arbour/K. Grant: THAT Bylaw No. 650 being "Comox Valley Regional District Southern Garbage Collection Service Establishment Bylaw No. 650, 2021" be given first and second readings concurrently.

D. Hillian/A. Hamir: THAT Bylaw No. 650 being "Comox Valley Regional District Southern Garbage Collection Service Establishment Bylaw No. 650, 2021" be read a third time.

K. Grant/E. Grieve: THAT Bylaw No. 651 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 3" be given first and second readings concurrently.

K. Grant/D. Hillian: THAT Bylaw No. 651 being "Comox Valley Emergency Program Extended Service Establishment Bylaw 1991, Amendment No. 3" be read a third time.

K. Grant/D. Hillian: THAT Bylaw No. 644 being "Comox Valley Water Supply System Bulk Water Rates Bylaw No. 190, 2011, Amendment No. 6" be adopted.

Bylaw 1783

Carried

RISE AND REPORT:

The board rose from its restricted in-camera session at 5:08 pm.

TERMINATION:

D. Arbour/E. Grieve: THAT the meeting terminate.

208

Carried

Time: 5:08 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services