

Monday, March 9, 2020

Minutes of the meeting of the Electoral Areas Services Committee held on March 9, 2020 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 10:00 am.

## MINUTES

### **Present:**

<b>Chair:</b>	E. Grieve	Puntledge/Black Creek (Area C)
<b>Vice-Chair:</b>	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
<b>Director:</b>	A. Hamir	Lazo North (Area B)
<b>Staff:</b>	R. Dyson	Chief Administrative Officer
	S. Smith	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	D. DeMarzo	General Manager of Community Services
	J. Martens	Manager of Legislative Services
	A. Baldwin	Legislative Services Assistant

### **RECOGNITION OF TRADITIONAL TERRITORIES**

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

### **MANAGEMENT REPORT:**

D. Arbour/A. Hamir: THAT the Electoral Areas Services Committee management report dated March 2020 be received.

208

Carried

### **REPORTS:**

#### **ELECTORAL AREA B - DEVELOPMENT VARIANCE PERMIT, 1406 WILKINSON ROAD (GRAHAM)**

A. Hamir/D. Arbour: THAT the report dated February 18, 2020 regarding Development Variance Permit to reduce the minimum front and side yard setbacks and increase the maximum height limit for the purpose of adding a second floor to an existing accessory building be received.

208 and 213

Carried

D. Arbour/A. Hamir: THAT the following items be received:

- Correspondence dated March 4, 2020 received from Joseph Liboiron, 1400 Wilkinson Road, regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham); and

- Correspondence dated March 5, 2020 received from Larry Lorimer, 1402 Wilkinson Road, regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

208 and 213

Carried

J. MacLean, Rural Planner, provided an overview of the report regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

The applicant, Dariel Graham, was in attendance and spoke to the application.

### **VARY THE AGENDA:**

A. Hamir/D. Arbour: THAT the agenda be varied to consider the correspondence under the addendum regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

208

Carried

D. Arbour/A. Hamir: THAT the following items be received:

- E-mail correspondence dated March 6, 2020 received from Joan and George Goodwin, 1432 Wilkinson Rd, regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

- Correspondence dated March 6, 2020 received from Gerry Blomme and Sheila Kruchak, 1426 Wilkinson Rd, regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

- E-mail correspondence dated March 6, 2020 received from Karla Lasota, regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

208 and 213

Carried

The Chair called for any members of the public that may wish to speak regarding Development Variance Permit DV 6B 19, 1406 Wilkinson Road (Graham).

The following individuals spoke regarding Development Variance Permit application DV 6B 19, 1406 Wilkinson Road (Graham):

George Goodwin, 1432 Wilkinson Road, spoke in support of the Development Variance Permit application DV 6B 19.

Tracy Fogtmann, realtor, spoke in support of the Development Variance Permit application DV 6B 19.

A. Hamir/D. Arbour: THAT the board deny Development Variance Permit DV 6B 19 (Graham) to decrease the minimum front yard setback from 7.5 metres to 3.19 metres and the front eaves setback to 2.28 metres, the side yard setback from 1.75 metres to 1.58 metres, and to increase the maximum height for an accessory building from 7.0 metres to 7.62 metres, for the purpose of adding a second storey to an accessory building on a property described as Lot 15, District Lot 216, Comox District, Plan 12215, PID 004-967-321 (1406 Wilkinson Road).

208 and 213

Carried

### **ELECTORAL AREA C - REZONING – 8659 ISLAND HIGHWAY (ZIMMERMAN)**

D. Arbour/A. Hamir: THAT the report dated March 2, 2020 regarding comments received from First Nations and external agencies, a recommendation for first and second reading of the proposed bylaw and to authorize that a public hearing be held, be received.

208 and 213

Carried

J. MacLean, Rural Planner, provided an overview of the report regarding the rezoning application RZ 1C 19 for 8659 Island Highway (Zimmerman).

The applicant, Nevin Zimmerman, was in attendance.

A. Hamir/D. Arbour: THAT the board give first and second reading to Bylaw No. 609, being the “Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 4” for property known as Lot A, Block 29, Comox District, Plan 9954, Except Parcel A (DD 41465W), PID 005-433-401 (8659 Island Highway), which rezones the entire property from Country Residential One (CR-1) to Industrial Light (IL);

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. 609, being the “Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 4” (RZ 1C 19, Zimmerman).

208 and 213

Carried

### **ELECTORAL AREA A - COMMERCIAL AND INDUSTRIAL (FORM AND CHARACTER) DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT - 2750 CUMBERLAND ROAD – (STRONG BACK HOLDINGS LTD.)**

A. Hamir/D. Arbour: THAT the report dated March 3, 2020 regarding a request to reduce the minimum required lot line setbacks and a Development Permit under the Commercial and Industrial (Form and Character) Development Permit Area Guidelines for the placement of two modular buildings be received.

208 and 213

Carried

B. Chow, Rural Planner, provided an overview of the report regarding a request to reduce the minimum

required lot line setbacks and a Development Permit under the Commercial and Industrial (Form and Character) Development Permit Area Guidelines for the placement of two modular buildings.

The applicant, Andrew Johnson, Strong Back Holdings Ltd., was in attendance.

D. Arbour/A. Hamir: THAT the following items be received.

- Correspondence dated March 6, 2020 received from Lori Ball, 2616 Mabley Road, regarding Development Permit DP 13A 19 and Development Variance Permit DV 7A 19 (Strong Back Holdings); and

- Correspondence dated March 5, 2020 received from Derek Shantz, Mabley Road, regarding Development Permit DP 13A 19 and Development Variance Permit DV 7A 19 (Strong Back Holdings).  
208 and 213 Carried

The Chair called for any members of the public that may wish to speak regarding Development Permit DP 13A 19 and Development Variance Permit DV 7A 19 (Strong Back Holdings). Melanie Owen-Jones, 2598 Slade Road, spoke in support of the application.

D. Arbour/A. Hamir: THAT the board approve the Development Permit DP 13A 19 (Strong Back Holdings Ltd.) on the property described as Lot A, District Lot 138, Comox District, Plan 35114, PID 000-324-451 (2750 Cumberland Road) for two modular buildings as identified on Schedules A and B of DP 13A 19;

FURTHER THAT the board approve Development Variance Permit DV 7A 19 (Strong Back Holdings Ltd.) on the property described as Lot A, District Lot 138, Comox District, Plan 35114, PID 000-324-451 (2750 Cumberland Road) to vary the following for the northern modular building as identified on Schedules A and B of DV 7A 19:

- a. To reduce the minimum northwestern lot line (Slade Road) setback from 7.5 metres to 2.9 metres; and
- b. To reduce the minimum northeastern lot line setback from 7.5 metres to 3.7 metres;

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

## **BYLAW UPDATES RELATING TO CANNABIS CULTIVATION, PROCESSING AND SALES**

D. Arbour/A. Hamir: THAT the report dated March 5, 2020 regarding comments received from First Nations and external agencies, and to recommend first and second reading of the proposed bylaw and authorize a public hearing be received.  
208 and 213 Carried

J. MacLean, Rural Planner, provided an overview of the report regarding bylaw updates relating to cannabis cultivation, processing and sales.

D. Arbour/A. Hamir: THAT the board give first and second reading to Bylaw No. 604, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5”, which updates policies relating to cannabis cultivation, processing and sales;

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. 604, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5” (CP 1CV 19).

208 and 213

Carried

NAY: E. Grieve

### **PROPOSED NEW FLOODPLAIN MANAGEMENT BYLAW**

D. Arbour/A. Hamir: THAT the report dated February 25, 2020 regarding a new Floodplain Management Bylaw, which would bring the Comox Valley Regional District’s floodplain regulations into conformity with the amended provincial Flood Hazard Area Land Use Management Guidelines “provincial floodplain guidelines” and fix minor housekeeping items be received.

208 and 213

Carried

B. Labute, Planning and Policy Analyst, provided an overview of the report regarding a new proposed Floodplain Management Bylaw.

A. Hamir/D. Arbour: THAT the Board repeal Bylaw No. 2782, being “Floodplain Management Bylaw, 2005”;

AND FINALLY THAT the Board give first, second and third reading of Bylaw No. 600, being the “Floodplain Management Bylaw No. 600, 2020”.

208 and 213

Carried

### **DRAFT REGIONAL HOUSING NEEDS ASSESSMENT - ELECTORAL AREAS**

A. Hamir/D. Arbour: THAT the report dated March 4, 2020 regarding specific draft Regional Housing Needs Assessment for review and discussion and the next steps in the Regional Housing Needs Assessment project be received.

208 and 212

Carried

A. Mullaly, Senior Manager Sustainability and RGS Planning, provided an overview of the report regarding specific draft Regional Housing Needs Assessment for review and discussion and the next steps in the Regional Housing Needs Assessment project.

information regarding the specific profiles of housing needs and baseline data for the electoral areas.

The committee recessed at 11:59 am and reconvened at 12:34 pm.

## **KUS-KUS-SUM CULTURAL CELEBRATION FUNDING**

D. Arbour/A. Hamir: THAT the report dated March 2, 2020 regarding a recommendation that funding from the electoral areas heritage conservation services be provided to K'ómoks First Nation in support of a celebration event for the restoration of Kus-Kus-Sum be received.

209

Carried

D. Arbour/A. Hamir: THAT the Comox Valley Regional District Board provide \$6,000.00 to K'ómoks First Nation to support a community event, to be held in spring 2020, celebrating the spiritual and cultural importance of Kus-Kus-Sum;

AND FINALLY THAT the funds be derived as follows:

- \$667 Area 'A' (Vancouver Island portion), function 691;
- \$667 Area 'A' (Denman Island), function 694;
- \$667 Area 'A' (Hornby Island), function 695;
- \$2000 Area 'B', function 692; and
- \$2000 Area 'C', function 693.

209

Carried

## **NOISE BYLAW REVIEW**

D. Arbour/A. Hamir: THAT the report March 2, 2020 regarding proposed amendments to the existing Comox Valley Regional District Noise Bylaw No. 102, being the "Electoral Areas Noise Control Regulations Bylaw No.102, 2010" in relation to commercial and industrial properties be received.

209

Carried

A. Yasinski, Manager of Bylaw Compliance, provided an overview of the report regarding proposed amendments to the existing Comox Valley Regional District Noise Bylaw No. 102, being the "Electoral Areas Noise Control Regulations Bylaw No.102, 2010" in relation to commercial and industrial properties.

A. Hamir/D. Arbour: THAT staff further review changes to the noise regulation bylaw, in relation to commercial and industrial properties and the use of decibel readings to mitigate noise complaints.

209

Carried

## **REQUEST FOR ANIMAL CONTROL FEASIBILITY STUDY**

D. Arbour/A. Hamir: THAT the report dated March 5, 2020 regarding a request from the Hornby Island Residents' and Ratepayers' Association that the Comox Valley Regional District undertake an animal control bylaw feasibility study for Hornby Island and the financial implications be received.

208 Carried

A. Yasinski, Manager of Bylaw Compliance, provided an overview of the report regarding a request from the Hornby Island Residents' and Ratepayers' Association that the Comox Valley Regional District undertake an animal control bylaw feasibility study for Hornby Island and the financial implications.

D. Arbour/A. Hamir: THAT the Hornby Island Residents' and Ratepayers' Association and the Denman Island Residents' and Ratepayers' Association consider making a joint request that the Comox Valley Regional District undertake an Animal Control Feasibility study for both Hornby and Denman Islands in 2021.

208 Carried

### **GULL ROAD HORNBY ISLAND ACTIVE TRANSPORTATION GRANT**

D. Arbour/A. Hamir: THAT the report dated February 25, 2020 regarding an option to support the delivery of the Gull Road trail on Hornby Island through a grant application be received.

207 Carried

M. Harrison, Manager of Parks, presented information regarding an option to support the delivery of the Gull Road trail on Hornby Island through a grant application.

D. Arbour/A. Hamir: THAT the Board of Directors of the Comox Valley Regional District support an active transportation infrastructure grant application in the amount of \$35,000 for trail construction in the Gull Road dedication on Hornby Island under the Hornby Island Community Parks and Greenways service, function 620.

207 Carried

### **2020 - 2024 FINANCIAL PLAN – GREATER MERVILLE FIRE PROTECTION – FUNCTION 237**

D. Arbour/A. Hamir: THAT the report dated March 4, 2020 regarding the proposed 2020-2024 financial plan for the Greater Merville Fire Protection Service, function 237 be received.

209 Carried

D. DeMarzo, General Manager of Community Services, provided an overview of the report regarding the proposed 2020-2024 financial plan for the Greater Merville Fire Protection Service, function 237.

A. Hamir/D. Arbour: THAT the proposed 2020 – 2024 Financial Plan for the Greater Merville Fire Protection Service, function 237, be approved;

AND FURTHER THAT the 2020 – 2024 recommended budget for the Greater Merville Fire Protection Service, function 237, include an increase in the annual requisition to the maximum allowable for 2020, in the amount of \$535,279, with the additional revenues being contributed to reserves for the purposes of constructing a new fire hall.

209

Carried

## **WATER QUALITY TESTING FOR SWIM LOCATIONS**

D. Arbour/A. Hamir: THAT the report dated March 2, 2020 regarding reaching out to Island Health on the collection of beach water samples to assist with monitoring water quality at popular swim locations in electoral areas be received.

209

Carried

B. Allaert, Parks Technician, provided an overview of the report regarding reaching out to Island Health on the collection of beach water samples to assist with monitoring water quality at popular swim locations in electoral areas.

A. Hamir/D. Arbour: THAT staff be directed to prepare a report for a future meeting of the Committee of the Whole regarding water sampling at public beaches within the Comox Valley under an expanded regional parks service, as outlined in option 3 of the staff report dated March 2, 2020.

209

Carried

## **COMMUNITY WORKS FUND STATUS REPORT - DECEMBER 31, 2019**

A. Hamir/D. Arbour: THAT the report dated March 4, 2020 regarding the quarterly Community Works Fund (CWF) status report for the period ending December 31, 2019 be received.

208

Carried

## **NEW BUSINESS:**

### **MOSQUITO CONTROL SARATOGA/MIRACLE BEACH AREA**

D. Arbour/A. Hamir: THAT the correspondence dated February 21, 2020 regarding a request that Electoral Area C feasibility funds be committed to investigate possible steps to establish a service area to control mosquitos in the Saratoga/Miracle Beach area be received.

208

Carried

K. Douville, Manager of Financial Planning, provided an update on available feasibility funds for Area C in the recommended 2020-2024 financial plan.

A. Hamir/D. Arbour: THAT \$12,500 from Electoral Area C Feasibility Funds be budgeted in 2020 to research the potential steps to establishing a service area and a tax requisition for the purpose of mosquito control in



the Saratoga / Miracle Beach area.

208

Carried

## **MOUNT WASHINGTON FIRE SERVICE**

E. Grieve/A. Hamir: THAT staff bring forward a report to the next Electoral Areas Services Committee with options to expedite the process to increase the maximum requisition for the Mount Washington Fire Service.

207

Carried

### **IN-CAMERA:**

D. Arbour/A. Hamir: THAT the committee adjourn to an in-camera session pursuant to the following sub-sections of section 90 of the Community Charter:

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;

90(1)(g) Litigation or potential litigation affecting the regional district;

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: 1:32 pm.

### **RISE AND REPORT:**

The committee rose from its in-camera session at 2:00 pm.

### **TERMINATION:**

D. Arbour/A. Hamir: THAT the meeting terminate.

208

Carried

Time: 2:00 pm.

Confirmed by:

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Edwin Grieve

Chair

Certified Correct:

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Jake Martens  
Manager of Legislative Services

Recorded By:

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Antoinette Baldwin

These minutes were received by the Comox Valley Regional District board on the \_\_\_\_\_ day of March 2020.  
Legislative Services Assistant