

Minutes of the meeting of the Board of the Regional District of Comox-Strathcona held Monday, February 23, 1998, in the offices of the Regional District located at 4795 Headquarters Road, Courtenay, B.C. commencing at 1:40 p.m.

- PRESENT:**
- | | | |
|-------------------------|-----------------|------------------------------|
| Chairperson | - D. Andrews | - District of Campbell River |
| Vice Chairperson | - R. Mandryk | - Electoral Area "A" |
| Directors | - J. Abram | - Electoral Area "J" |
| | - D. Bell | - City of Courtenay |
| | - D. Chauvin | - Village of Sayward |
| | - J. Clarkston | - Electoral Area "B" |
| | - R. Grinham | - Village of Cumberland |
| | - F. Hansen | - Electoral Area "H" |
| | - B. Leigh | - Electoral Area "D" |
| | - G. Mack | - Town of Comox |
| | - B. Matthews | - District of Campbell River |
| | - T. McCrae | - Village of Tahsis |
| | - P. Myhres | - Village of Zeballos |
| | - R. Nichol | - Electoral Area "C" |
| | - T. Pater | - Electoral Area "G" |
| | - D. Rye | - Village of Gold River |
| | - G. Sirk | - Electoral Area "I" |
| | - S. Winchester | - City of Courtenay |

- ABSENT:**
- | | | |
|-----------------------|---------------|------------------------------|
| | - B. Harrison | - District of Campbell River |
| Staff Present: | - B. Williams | - Administrator |
| | - J. France | - Treasurer |
| | - H. Harker | - Director of Planning |
| | - T. Munro | - Executive Secretary |

MINUTES

Minutes

Mandryk/Grinham: "THAT the minutes of the Regular Meeting held January 26, 1998 be adopted, as circulated."

Section 791(2) CARRIED

PETITIONS AND DELEGATIONS

Petitions
And
Delegations

Pater/Mandryk: "THAT two late delegations be heard."

Nay: McCrae
Section 791(2) CARRIED

Mr. Mark Jackson, neighbour to DVP Applicant, made a presentation to the Board regarding a Development Variance Permit (DV1 7D 97 – Dragic). Mr. Jackson stated his concern that Mr. Dragic had not conferred with his neighbours for their input on the construction of this building, as requested by the Committee. Mr. Jackson felt that the Board had not been accurately informed about the future use of building. Mr. Jackson stated that he felt there were uncertainties as to the vehicle that will be housed in this building upon the completion of the construction.

Mark Jackson –
DV 1 7D 87

Mr. Chris Williams presented the Board with a Plaque for the Regional District of Comox-Strathcona Agricultural Advisory Committee on the 25th Anniversary of the Agricultural Land Commission in recognition of the Regional District's significant contribution to preserving B.C. Floodlands.

Chris Williams – CV
Farmers Institute

Mr. Rod Sutton, Solicitor from Chesterley and Dreyer, representing Residents of Radfords Beach, made a presentation to the Board against the Development Variance Permit (DV8 B 97 - Cruz). Mr. Sutton stated that the Board of Variance had declined this Variance finding no 'hardship'. Mr. Sutton defined the terms 'average' and 'natural' which are used in the Bylaw for this property. Mr. Sutton urged the Board that the height of this building, approximately 3 feet over the allowed building height, needs to be considered before any decisions are made.

Rod Sutton –
Chesterley and Dreyer
– Cruz DVP

Mr. Tony Cruz, owner/applicant, made a presentation to the Board in support of the Development Variance Permit (DV8 B 97 – Cruz). Mr. Cruz requested the Regional District to clearly define the content of the Building Bylaw. Mr. Cruz felt that as a professional builder he knows there is no definition of 'natural grade' in the Bylaw. Mr. Cruz stated that the Building Inspectors approved the site prior to the frame-up. Upon completion of framing stage Mr. Cruz was informed by a Building Inspector that the Building was 4.2' feet too high. Was then told the building was 2.7' feet too high. And, finally he has been asked to apply for a Development Variance Permit for 3.9' feet.

Mr. Tony Cruz - DV8 B
97 – Cruz

Ms. Maureen Hazelhurtz, CIBC – Financial Loaning Institution for applicant, made a presentation to the Board in support of the Development Variance Permit (DV8 B 97 – Cruz). Ms. Hazelhurtz questioned the value of the submission from Mr. Sutton that was contained in the Agenda, as it was unsigned. Ms. Hazelhurtz represented the financial institution for the Cruz building and stated that there would be significant financial repercussions to the applicant if the DVP in question is not approved.

Ms. Maureen
Hazelhurtz –
DV8 B 97 – Cruz

Bell/Myhres: "THAT Recommendation No. 11 of the Comox Valley Committee meeting held February 5, 1998 being:

'THAT the Regional Board approve a Development Variance Permit (DV8 B 97 – Cruz) which would increase the permitted height limit of a dwelling from 10.0 metres (32.8 feet) to 11.2 metres (36.9 feet), based on the survey certificate completed by Dick Spalton, B.C.L.S., and dated October 6, 1997, which would form Schedule 'B' of this permit, for property described as Lot 11, District Lot 191, Comox District, Plan 14276 (520 Andrew Avenue).'

be moved to the In-camera session of the Board meeting."

Section 791(2)

CARRIED

ORIGINAL COMMUNICATIONS:

Myhres/Mandryk: "THAT the correspondence from Lois Boone, Minister of Transportation and Highways dated February 4, 1998 regarding Vancouver Island Project, be received."

Original
Communications
Minister Transportation
and Highways - VIHP

Section 791(2)

CARRIED

Grinham/Mandryk: "THAT the correspondence from Glen Clark, Premier dated February 6, 1998 regarding local government undertaking feasibility investigations, be received."

Glen Clark, Premier –
Feasibility
Investigations

Section 791(2)

CARRIED

Myhres/Abram: “THAT the correspondence from Mayor R. Webber, City of Courtenay dated February 6, 1998 regarding BC Ferry Rates, be received.”

Mayor R. Webber - BC
Ferry Rates

Section 791(2)

CARRIED

Abram/Rye: “THAT the correspondence from Deputy Clerk R. Kanigan, Town of Comox dated February 5, 1998 regarding BC Ferry Fares, be received.”

Deputy Clerk R.
Kanigan - BC Ferry
Fares

Section 791(2)

CARRIED

Mandryk/Grinham: “THAT the correspondence from Murray Tekano, Project Manager, Vancouver Island Highway Project, dated February 12, 1998 regarding a Liaison Committee, be received.”

Murray Tekano - VIHP
Liaison Committee

Section 791(2)

CARRIED

PRESENTATION OF REPORTS

**Presentation of
Reports**

Report of the Comox Valley Sports Centre Commission

Comox Valley Sports
Centre Commission

The Commission reports that:

- A meeting was held on January 21, 1998
- Correspondence was received.

THE COMMISSION RECOMMENDS:

1. THAT the Comox Valley Sports Centre Commission continue with the next phase of the aquatic facility at the North Island College site and discontinue discussions on partnering with C.F.B. Comox on the leisure aspect of the aquatic facilities.
2. THAT it is the intention of the Comox Valley Sports Centre Commission to bring the proposed aquatic centre on or under budget, and do not support a project that is over budget, and further that staff will work with the Commission to bring the project on budget by advising the Commission on options to give the flexibility required to meet the budget.

Grinham/Myhres: “THAT the Report and Minutes (No. 268) of the Comox Valley Sports Centre Commission meeting held January 21, 1998, be received.”

Section 791(2)

CARRIED

Bell/Clarkston: “THAT Recommendations No. 1 and 2 of the Report of the Comox Valley Sports Centre Commission meeting held January 21, 1998, be adopted.”

Section 791(4)

CARRIED

Report of the West Coast Committee

West Coast Committee

The Committee reports that:

- A meeting was held on Monday, January 26, 1998.
- Correspondence and reports were received.
- Director T. McCrae was acclaimed as Chairperson of the Committee.
- Director T. Pater was acclaimed as Vice Chairperson of the Committee.
- An application for tenure of Crown Land was considered.
- An application for a Waste Management Permit was considered.

THE COMMITTEE RECOMMENDS:

1. THAT all initial referrals from other government agencies be included for consideration by the West Coast Committee; AND FURTHER THAT routine correspondence from the Ministry of Environment, Lands and Parks be forwarded as information only to the Electoral Area "G" Director and not be included in the agenda.
2. THAT BC Lands be advised that with regard to the application for tenure (File No. 1404197 – Quadra Management Ltd.) the retroactive legalization of Crown Land trespasses is not acceptable.
3. THAT the Ministry of Environment, Lands and Parks (MoELP), Pollution Prevention Branch be advised that with regard to Waste Management Permit application (File No. PE-15324 – Quadra Management Ltd.) that the Regional District agrees with the Village of Zeballos' concerns as contained in their letter to MoELP dated January 21, 1997, in particular:

"This has to stop sometime. Camps like this are setting up shop and operating illegally in our bays and harbours and then, when they are caught, they are being given a license to operate.

The Nootka Sound (area) is not a dumping ground for raw sewage and other waste from these types of operations."

AND FURTHER THAT MoELP ensure that an approved waste treatment system is in place and functioning before occupancy of the operation is permitted.

McCrae/Rye: "THAT the Report and Minutes (No. 136) of the West Coast Committee meeting held January 26, 1998, be received."

Section 791(2)

CARRIED

McCrae/Pater: "THAT Recommendations No. 1 through 3 of the Report of the West Coast Committee meeting held January 26, 1998, be adopted."

Section 791(2)

CARRIED

Report of the Regional Solid Waste Management CommitteeRegional Solid Waste
Management
Committee

The Committee reports that:

- A meeting was held January 27, 1998.
- Management report was received.
- Director Harrison was elected as Chairperson.
- Director Bell was elected as Vice Chairperson.
- Correspondence was received.
- Tipping fee refunds were discussed.
- Reports were received.
- Mandatory residential garbage collection was discussed.
- Inclusion of fine/office paper into the recycling program was discussed.
- Advertising for the Recycling Program was reviewed.
- Membership renewals for 1998 were discussed.

THE COMMITTEE RECOMMENDS:

1. THAT the Salvation Army be refunded for tipping fees for 1997 in the amount of \$827.00.
2. THAT the Regional District of Comox-Strathcona renew its membership in RCBC as a member only for 1998, at a cost of \$220.00.
3. THAT the Regional District of Comox-Strathcona not renew its membership in the Coast Waste Management Association for 1998.

Grinham/Chauvin: "THAT the Report and Minutes (No. 54) of the Regional Solid Waste Management Committee meeting held January 27, 1998, be received."

Section 791(2)

CARRIED

Mandryk/Bell: "THAT Recommendations No. 1 and 2 of the Report of the Regional Solid Waste Management Committee meeting held January 27, 1998, be adopted."

Section 791(2)

CARRIED

Mack/Mandryk: "THAT Recommendation No. 3 of the Report of the Regional Solid Waste Management Committee meeting held January 27, 1998, be adopted."

Section 791(2)

CARRIED

Report of the Strathcona Gardens CommissionStrathcona Gardens
Commission

The Commission reports that:

- A meeting was held on February 4, 1998.
- A delegation was heard regarding the broken lid of the timekeepers booth.
- A delegation was heard from the Campbell River Minor Hockey Association.
- A delegation was heard from the Campbell River Ice Users' Association.
- A facility orientation was given by Debra Wilson, Fitness Supervisor.
- Appointment of Alternates was discussed.
- Correspondence was received.
- Reports were received.

Matthews/Myhres: “THAT the Report and Minutes (No. 226) of the Strathcona Gardens Commission meeting held February 4, 1998, be received.”

Section 791(2)

CARRIED

Report of the Comox Valley Committee

Comox Valley
Committee

The Committee reports that:

- A meeting was held February 5, 1998.
- Delegations were heard.
- Reports were received.
- Correspondence was received.
- Transit was discussed.
- Picket Springs water licence was reviewed.
- Park development and maintenance contracts were discussed.
- Development Permits and Development Variance Permits were reviewed.

THE COMMITTEE RECOMMENDS:

1. THAT the use of staff resources to proceed with the petition process for the establishment of a Local Service Area to provide sewers in the Kye Bay Area, be approved.
2. THAT the Agreement between the Regional District of Comox-Strathcona and the Town of Comox for fire protection and emergency assistance response for the Bates/Huband Fire Protection Local Service Area be approved; AND FURTHER THAT the Chairperson and the Secretary of the Regional District be authorized to sign the Agreement.
3. THAT Bylaw No. 2011 being “Hornby Island Fire Protection Local Service Area Establishment Bylaw No. 2011, 1998” be forwarded to the Regional Board for approval.
4. THAT Bylaw No. 2012 being “Hornby Island Volunteer Fire Department Establishment and Regulatory Bylaw No. 2012, 1998” be forwarded to the Regional Board for approval.
5. THAT the Regional District abandon Water Licence C024418 on Picket Springs and also cancel the Right-of-Way Agreement with Weldwood of Canada.
6. THAT the Denman Island Residents’ and Ratepayers’ Association (DIRRA) be contracted to complete the boat ramp, grading of the parking lot and signs for Bill Mee Park for a sum of no more than \$10,500.00 as per the Parks Policy; AND FURTHER THAT this be paid from the Area “A” Parks Function.
7. THAT F.A.C.E.S. be contracted for work in Capes Park (up to a maximum of 1 day/week) at \$7.00 per hour, from the Area ‘A’ Parks Function.
8. THAT the matter of Parks Maintenance Contracts for Area ‘B’ Parks be referred to the next meeting of the Comox Valley Committee; AND FURTHER THAT Staff contact similar organizations to determine if there is an interest in the tendering of the maintenance contract for the Area ‘B’ Parks.

9. THAT the Regional Board consider giving first and second reading to Bylaws that add “Domestic Industrial Use” as a permitted use under the Black Creek/Oyster Bay Official Settlement Plan, 1983 and within the Country Residential Three (CR-3) zone under the Comox Valley Zoning Bylaw, 1986; AND FURTHER THAT these Bylaws proceed to Public Hearing.
10. THAT the Regional Board approve a development permit (DP3 B 97 – Rowe) for property described as Lot B, District Lot 239, Comox District, Plan 12760 (1871 Ryan Road), to allow the proposed chain link manufacturing plant development as shown on the attached drawings, and as described in the attached letter of intent, which would then form the schedules to the permit, subject to the following conditions:
 - a) that in keeping with previous development permits, a detailed landscaping contract be submitted for the Regional District’s review and approval at the time of building permit application for the proposed manufacturing plant; AND
 - b) that a performance bond of 10% of the cost of the landscaping contract be secured by the Regional District prior to the issuance of the building permit for the proposed construction and be held for a period of one year following the completion of the landscaping work;AND FURTHER THAT the applicants assume full responsibility for maintaining a stormwater drainage system.
11. THAT the Regional Board approve a Development Variance Permit (DV8 B 97 – Cruz) which would increase the permitted height limit of a dwelling from 10.0 metres (32.8 feet) to 11.2 metres (36.9 feet), based on the survey certificate completed by Dick Spalton, B.C.L.S., and dated October 6, 1997, which would form Schedule ‘B’ of this permit, for property described as Lot 11, District Lot 191, Comox District, Plan 14276 (520 Andrew Avenue).
12. THAT the Regional District of Comox-Strathcona recommend that the Union of B.C. Municipalities, in their review and rewriting of the Municipal Act, address the issue of the unclear wording in the present Municipal Act regarding Boards of Variance with respect to: the inter-relationship between the Board of Variance and the Development Variance Permit processes; the jurisdiction of each process; the definitions of ‘hardship’ and ‘minor’ that are used by the Board of Variance; and the ability or inability for appeals to be heard on each of the processes.
13. THAT the Regional Board approve a Development Variance Permit (DV1 B 98 – Regional District) for the proposed Comox Valley Sports Centre property, to be created by subdivision from the existing School District property, described as That Part of Parcel H. (DD 24282N) Of Sections 18 And 45, Comox District, Lying To The North East Of The Headquarters Road As Said Road Was Dedicated By Plan 11475 Except That Part In Plan 33266, which would vary the parking and siting requirements of this future property as follows:
 - a) Vary the required number of parking spaces required from 408 to 300, based on the understanding that the Ministry of Transportation and Highways will require the Sports Centre and School District to sign a reciprocal access/parking easement agreement as a condition of the Sports Centre site’s subdivision;

- b) Vary the required lot line setback of those parking stalls to be located along the Sports Centre and School District to sign a reciprocal access/parking easement agreement as a condition of the Sports Centre site's subdivision;
- c) Vary the required width of thirty-nine of the proposed parking spaces to be created on the Sports Centre property from 2.8 metres (9.2 feet) to 2.5 metres (8.2 feet); AND
- d) Vary the required front yard setback for the existing Sports Centre stairwell only from 7.5 metres (24.6 feet) to 5.0 metres (16.4 feet);

AND FURTHER THAT the application fee of \$550.00 for such an application be waived.

14. THAT the Regional Board consider giving first and second reading to bylaws which redesignate Lot 1, Plan 45386, Section 34, Township 6, Comox District from "Rural" to "Country Residential" under the Black Creek/Oyster Bay Official Settlement Plan, 1983, and which rezones the said property from "Rural One" (RU-1) to "Country Residential Three" (CR-3) under the Comox Valley Zoning Bylaw, 1986; AND FURTHER THAT these bylaws be taken to Public Hearing.

McCrae/Leigh: "THAT the Report and Minutes (No. 3) of the Comox Valley Committee meeting held February 5, 1998 be received."

Section 791(2)

CARRIED

Myhres/Grinham: "THAT Recommendations No. 1, 3, 4, 5, & 12 of the Report of the Comox Valley Committee meeting held February 5, 1998, be adopted."

Section 791(2)

CARRIED

Grinham/Mandryk: "THAT Recommendations No. 2, 6, 7, & 8 of the Report of the Comox Valley Committee meeting held February 5, 1998, be adopted."

Section 791(6)

CARRIED

Clarkston/Mandryk: "THAT Recommendation No. 9 of the Report of the Comox Valley Committee meeting held February 5, 1998, be adopted."

Section 791(2)(12)

CARRIED

Mandryk/Bell: "THAT Recommendation No. 10 of the Report of the Comox Valley Committee meeting held February 5, 1998, be adopted."

Section 791(2)(12)

CARRIED

Recommendation No. 11 of the Report of the Comox Valley Committee meeting held February 5, 1998 was dealt with earlier in the agenda.

Mack/Leigh: "THAT Recommendation No. 13 of the Report of the Comox Valley Committee meeting held February 5, 1998, be tabled to the March Board meeting."

Section 791(2)(12)

CARRIED

Nichol/Myhres: “THAT Recommendation No. 14 of the Report of the Comox Valley Committee meeting held February 5, 1998, be adopted.”

Nay: Leigh/Mandryk
Section 791(2)(12)

CARRIED

Report of the Greater Campbell River Committee

Greater Campbell River
Committee

The Committee reports that:

- A meeting was held on February 9, 1998.
- Applicants were heard.
- Management Reports were received.
- Reports and correspondence were received.
- Rezoning application was discussed.
- Development variance application was discussed.
- Temporary Industrial Use Permit was discussed.

THE COMMITTEE RECOMMENDS:

1. THAT rezoning application RZ 4I 97 (Lawton), to rezone a portion of property described as the Easterly 78 acres (31.6 hectares) of the Fractional Northeast ¼ of Section 7, Cortes Island, Sayward District, as shown on Plan Deposited Under DD720081, Except Parcel A (DD735231) and except those parts in Plans 7861, 11864, 1300R, 20460, 36874, VIP51538, VIP52055, from Rural One (RU-1) to Residential One (R-1), proceed in bylaw form for the Board to give consideration to giving first reading, in order to permit the gathering of public input, and comments from pertinent agencies.
2. THAT the application to renew the Temporary Industrial Use Permit (TI 1J 96 – Bute Inlet) for a further 2 years, to carry out log booming, and sorting on Unsurveyed foreshore or land covered by water being part of the bed of Bute Inlet, Range 1, Coast District, fronting Lot 1835, Range 1, Coast District, as shown on Plan deposited under DD593281 being the area of ±2.0 hectares subject to Crown License No. 236166 (File No. 2406434) be approved; AND FURTHER THAT the permit be issued following receipt of a new or replacement Irrevocable Letter of Credit in the amount of \$5,000.00.

Chauvin/Myhres: “THAT the Report and Minutes (No. 3) of the Greater Campbell River Committee meeting held February 9, 1998, be received.”

Section 791(2)

CARRIED

Abram/Myhres: “THAT Recommendations No. 1 and 2 of the Report of the Greater Campbell River Committee meeting held February 9, 1998, be adopted.”

Section 791(2)(12)

CARRIED

Report of the Wharves Committee

Wharves Committee

The Committee reports that:

- A meeting was held on February 9, 1998.
- Representatives from Novacorp Consulting Inc. attended the meeting to discuss the port divestiture process.
- Municipal participation was discussed.
- Regional District administrative costs were discussed.
- The Zeballos wharf facility was discussed.

THE COMMITTEE RECOMMENDS:

1. THAT the Regional District proceed to negotiations with Transport Canada as a Regional District team regarding the wharf facilities and Regional, local and specified remote sites comprising of: Big Bay, Evans Bay, Owen Bay, Port Neville, Refuge Cove, and Surge Narrows.
2. THAT the remote sites be negotiated for a minimum 8 year time frame; AND FURTHER THAT contingencies, insurance and administrative costs be added to present figures for wharf facilities.
3. THAT a Committee be struck to negotiate with Transport Canada regarding the divestiture of wharf facilities; AND FURTHER THAT the individual members of the Wharves Committee be appointed to the Negotiating Committee as needed to negotiate with Transport Canada regarding wharf facilities in their jurisdiction.
4. THAT the Regional District write a letter to Loretta Bemister, Regional Director, Harbours and Ports regarding additional travel expense costs for Novacorp Consulting Inc. due to time spent on the remote sites.

Abram/Pater: "THAT the Report and Minutes (No. 21) of the Wharves Committee meeting held February 9, 1998, be received."

Section 791(2)

CARRIED

Abram/Mandryk: "THAT Recommendations No. 3 and 4 of the Report of the Wharves Committee meeting held February 9, 1998, be adopted."

Section 791(2)

CARRIED

Abram/Pater: "THAT Recommendations No. 1 and 2 of the Report of the Wharves Committee meeting held February 9, 1998, be adopted."

Section 791(2)

CARRIED

Report of the Electoral Areas Committee

Electoral Areas
Committee

The Committee reports that:

- A meeting was held February 10, 1998.
- The Committee rose and reported items from the in-camera meeting.
- The Management Report was received.
- Unsightly Premises (Property Maintenance) Bylaw was discussed.
- Correspondence was received regarding the regulation of septic tanks.
- Contracts regarding the maintenance of parks were reviewed.
- The Committee reviewed the Draft Master Zoning Bylaw.
- The "Database Use Agreement" with Project Watershed was reviewed.

THE COMMITTEE RECOMMENDS:

1. THAT in future, Budget discussions be held in open session.
2. THAT the Hornby Island Residents and Ratepayers Association be contracted to maintain Mt. Geoffrey Park during 1998 for a maximum sum of \$3,000.00; AND FURTHER THAT the Union Bay Community Club be contracted to maintain Joe Walker Park during 1998 for a maximum sum of \$1,320.00; AND FURTHER THAT the Denman Island Residents and Ratepayers Association be contracted to maintain Bill Mee Park during 1998 for a maximum sum of \$1,000; AND FURTHER THAT all the contracts be paid from the Area 'A' parks function.

3. THAT the Comox Valley Naturalists Society be contracted to maintain Seal Bay Park during 1998 for a maximum sum of \$4,500.00, paid from the Area 'B' parks function.
4. THAT the Plateau Road Residents Association be contracted to maintain Nymph Falls Park during 1998 for a maximum sum of \$4,000.00, paid from the Area 'C' parks function.
5. THAT the Hagel Park Association be contracted to maintain Hagel Park during 1998 for a maximum sum of \$7,650.00; AND FURTHER THAT the Oyster Bay Park Association be contracted to maintain Oyster Bay Park during 1998 for a maximum sum of \$2,100.00; AND FURTHER THAT Storie Creek Park Society be contracted to maintain Storie Creek Park during 1998 for a maximum sum of \$500.00; AND FURTHER THAT the Oyster River Enhancement Society be contracted to maintain Oyster River Park during 1998 for a maximum sum of \$2,000.00; AND FURTHER THAT all the contracts be paid from the Area 'D' parks function.
6. THAT the Friends of Cortes Island be contracted to maintain Carrington Bay Park and Hague Lake Park during 1998 for a maximum sum of \$300.00 and \$890.00 respectively, paid from the Area 'I' parks function.
7. THAT all contracts regarding the maintenance of parks be signed per the Parks Policy.
8. THAT the Regional District enter into a "Database Use Agreement" with Project Watershed; AND FURTHER THAT the terms of this agreement are per the attached document; AND FURTHER THAT the Secretary of the Board be authorized to sign the agreement on the Board's behalf.

Leigh/Abram: "THAT the Report and Minutes (No. 13) of the Electoral Areas Committee meeting held February 10, 1998 be received."

Section 791(2)

CARRIED

Mandryk/Grinham: "THAT Recommendations No. 1 & 7 of the Report of the Electoral Areas Committee meeting held February 10, 1998, be adopted."

Section 791(2)

CARRIED

Director Sirk left the meeting at 3:28 p.m. due to a possible conflict of interest.

Abram/Mandryk: "THAT Recommendations No. 2, 3, 4, 5, & 6 of the Report of the Electoral Areas Committee meeting held February 10, 1998, be adopted."

Section 791(6)

CARRIED

Mandryk/Grinham: "THAT Recommendation No. 8 of the Report of the Electoral Areas Committee meeting held February 10, 1998, be adopted."

Section 791(6)

CARRIED

Director Sirk returned at 3:32 p.m.

BYLAWS AND RESOLUTION

Mandryk/Myhres: “THAT Bylaw No. 2021 being “Electoral Area ‘I’ Zoning Bylaw, 1970, Amendment Bylaw No. 52” be given first reading only.” Bylaw No. 2021

Section 791(2)(12) CARRIED

Clarkston/Leigh: “THAT Bylaw No. 1915 being “Regional District of Comox-Strathcona Building Bylaw, No. 1915, 1998” be reconsidered, finally passed and adopted.” Bylaw No. 1915

Section 791(2) CARRIED

Myhres/Nichol: “THAT Bylaw No. 2017 being “Black Creek/Oyster Bay Official Settlement Plan Bylaw, 1983, Amendment Bylaw No. 30” be given first and second readings concurrently.” Bylaw No. 2017

Nay: Leigh/Mandryk

Section 791(2)(12) CARRIED

Myhres/Clarkston: “THAT Bylaw No. 2018 being “Comox Valley Zoning Bylaw, 1986, Amendment Bylaw No. 213” be given first and second readings concurrently.” Bylaw No. 2018

Nay: Leigh/Mandryk

Section 791(2)(12) CARRIED

Mandryk/Myhres: “THAT Bylaw No. 2019 being “Black Creek/Oyster Bay Official Settlement Plan Bylaw, 1983, Amendment Bylaw No. 31” be given first and second readings concurrently.” Bylaw No. 2019

Nay: Leigh

Section 791(2)(12) CARRIED

Mandryk/Myhres: “THAT Bylaw No. 2020 being “Comox Valley Zoning Bylaw, 1986, Amendment Bylaw No. 214” be given first and second readings concurrently.” Bylaw No. 2020

Nay: Leigh

Section 791(2)(12) CARRIED

Mandryk/Grinham: “THAT Bylaw No. 2011 being “Hornby Island Fire Protection Local Service Establishment Bylaw No. 2011, 1998” be given first and second readings, concurrently.” Bylaw No. 2011

Section 791(2) CARRIED

Mandryk/Grinham: “THAT Bylaw No. 2011 being “Hornby Island Fire Protection Local Service Establishment Bylaw No. 2011, 1998” be given third reading.”

Section 791(2) CARRIED

Mandryk/Nichol: “THAT Bylaw No. 2012 being “Hornby Island Volunteer Fire Department Establishment and Regulatory Bylaw No. 2012, 1998” be given first and second readings, concurrently.” Bylaw No. 2012

Section 791(2) CARRIED

Mandryk/Mack: “THAT Bylaw No. 2012 being “Hornby Island Volunteer Fire Department Establishment and Regulatory Bylaw No. 2012, 1998” be given third reading.”

Section 791(2)

CARRIED

Mandryk/Nichol: “THAT Bylaw No. 2012 being “Hornby Island Volunteer Fire Department Establishment and Regulatory Bylaw No. 2012, 1998” be reconsidered, finally passed and adopted.”

Section 791(2)

CARRIED

Pater/Mandryk: “THAT Bylaw No. 2016 being “Electoral Area ‘G’ Community Parks Capital Works Reserve Fund Establishment Bylaw No. 2016, 1998” be given first and second readings, concurrently.”

Bylaw No. 2016

Section 791(2)

CARRIED

Pater/Mandryk: “THAT Bylaw No. 2016 being “Electoral Area ‘G’ Community Parks Capital Works Reserve Fund Establishment Bylaw No. 2016, 1998” be given third reading.”

Section 791(2)

CARRIED

Pater/Rye: “THAT Bylaw No. 2016 being “Electoral Area ‘G’ Community Parks Capital Works Reserve Fund Establishment Bylaw No. 2016, 1998” be reconsidered, finally passed and adopted.”

Section 791(2)

CARRIED

NEW BUSINESS

New Business

Matthews/Grinham: “THAT the correspondence from Director T. Pater, Electoral Area ‘G’ dated February 9, 1998 regarding West Coast Community Clam Management Board be received.”

West Coast Community
Clam Management
Board

Section 791(2) CARRIED

McCrae/Bell: “THAT Director Tom Pater be appointed the Regional Board Representative for the West Coast Community Clam Management Board for 1998 AND FURTHER THAT Director Pearl Myhres be appointed as the Alternate Director for the West Coast Community Clam Management Board for 1998.”

Section 791(2) CARRIED

Mandryk/Grinham: “THAT the following persons be appointed to the Advisory Planning Committee for Electoral Area ‘A’ for 1998:

APC –
Electoral Area ‘A’

- Bill Carmichael
- Bob Grant
- Mary Graves
- Marilyn Jensen
- Joe Lidster”

Section 791(2) CARRIED

Abram/Myhres: “THAT the following grants-in-aid from Electoral Area ‘J’ be approved:

Grants-in-aid –
Electoral Area “J”

Cultural Events Committee (Quadra Recreation Society)	\$ 1500.00
Friday Flicks (Quadra Recreation Society)	\$ 2500.00
Quadra Island Mapping Project (Quadra Recreation Society)	\$ 1000.00
Mountaineer Avian Rescue Society	\$ 300.00;

AND FURTHER THAT these grants be paid as soon as possible.”

Section 791(4) CARRIED

Clarkston/Pater: “THAT the following grants-in-aid from Electoral Area ‘B’ be approved:

Grants-in-aid –
Electoral Area ‘B’

4-H Club “Wind Racers”	\$500.00
4-H Club District Seniors Council	\$670.00;

AND FURTHER THAT these grants be paid as soon as possible.”

Section 791(4) CARRIED

Pater/Myhres: “THAT the report from G. Stallard, Sr. Planner dated February 12, 1998 regarding Land Use Coordination Officer Referral, be received.”

LUCO Referral

Section 791(2) CARRIED

Myhres/Mandryk: “THAT a ‘Vancouver Island Land Use Plan’ completed under the current process should be viewed as a pilot project and be the subject of comprehensive public review after one year.”

Nay: McCrae
Section 791(2)

CARRIED

Myhres/Nichol: “THAT WHEREAS Communities in the Regional District of Comox-Strathcona have consistently supported employment and job creation in our forests; AND WHEREAS the use of chemical methods of brush removal or suppression totally ignore creation of employment through manual brushing; AND WHEREAS the application of chemicals has never proven to be beneficial to the environment and since all salmon habitats and other aquatic life are affected by the micro-habitats where these chemicals are applied; AND WHEREAS the interests and health of all communities may also be adversely affected; AND WHEREAS the effects upon our community drinking water and groundwater are unknown; AND WHEREAS the E & N right-of way has historically been treated successfully with stream for vegetation control; BE IT RESOLVED THAT the Regional District of Comox-Strathcona requests that the Provincial Government deny the issuance of Pesticide Use Permit # 108-071-98/00.”

Pesticide Application –
108-071-98/00

Section 791(2)

CARRIED

Mandryk/Bell: "WHEREAS the following Bylaws have received two readings by the Regional District Board:

Public Hearing
Notification- Bylaw No.
2017, 2018, 2019, 2020

Bylaw No.	Bylaw Name	Applicant
2017	Black Creek/Oyster Bay Official Settlement Plan Bylaw, 1983, Amendment Bylaw No. 30	FD Corp. & 495142 BC
2018	Comox Valley Zoning Bylaw, 1986, Amendment Bylaw No. 213	FD Corp. & 495142 BC
2019	Black Creek/Oyster Bay Official Settlement Plan Bylaw, 1983, Amendment Bylaw No. 31	E. Schneider
2020	Comox Valley Zoning Bylaw, 1986, Amendment Bylaw No. 214	E. Schneider

AND WHEREAS, pursuant to Section 891 of the Municipal Act, it is necessary to hold a Public Hearing on the aforementioned Bylaws,

THEREFORE BE IT RESOLVED THAT:

1. A Public Hearing will be held on Thursday, March 19, 1998 at 7:30 p.m.
2. The location of the Public Hearing will be in the Regional District offices located at 4795 Headquarters Road, Courtenay, B.C.
3. Director Nichol is appointed as Chairperson of the Public Hearing.
4. Directors Mandryk, Clarkston, Bell, Winchester, Mack and Grinham are appointed as delegates to the Public Hearing.
5. At least three (3) of the above-named persons must be in attendance at the public hearing.

Section 791(2)

CARRIED

Bell/Rye: "THAT the report from B. Williams, Administrator dated February 12, 1998 regarding Board Voting Structure – Procedure, be received."

Board Voting Structure

Section 791(2)

CARRIED

Matthews/Pater: "THAT only Stakeholders empowered to vote be permitted to move and second motions' is rescinded; AND FURTHER THAT:

1. Only Stakeholders empowered to vote, are permitted to move and second motions pertaining to the administration and operation of their respective extended or local services, except:
 - (a) If the stakeholder is the sole participant in either an extended or local service,
 - (i) a non-stakeholder may second the motion made by the stakeholder at Committee or Board meetings;
 - (ii) a non-stakeholder may, move and second a committee recommendation to the Board, if the stakeholder is absent from the Board meeting.
 - (b) If there are two stakeholders participating in either an extended or local service,
 - (i) a non stakeholder may second the motion made by the stakeholder at Committee or Board meetings if it is not possible for the stakeholder to obtain a seconder to the motion;
 - (ii) a non-stakeholder may second a Committee recommendation to the Board, if one of the stakeholders is absent from the Board meeting;
 - (iii) non-stakeholders may move and second a Committee recommendation to the Board, if the stakeholders are absent from the Board meeting.
2. Any Director may discuss or debate a matter pertaining to the administration and operation of a local service even where the electoral area or municipality which the Director represents is not a participant in that service."

Nay: Abram/Leigh/Mandryk/McCrae

Section 791(2)

CARRIED

Matthews/McCrae: "THAT the Regional District Board write to the Union of British Columbia Municipalities to ask them to review the Municipal Act in regards to the issue of the unclear voting definition under Section 791(2)."

Section 791(2)

CARRIED

Mandryk/Grinham: "THAT the correspondence from Art Meyers, Chairperson for the Community Justice Centre dated February 12, 1998 requesting Regional Board support of the Comox Valley Community Justice Centre, be received."

Community Justice
Centre

Section 791(2)

CARRIED

Mandryk/Matthews: "THAT Director Rod Nichol be appointed as the Regional District representative for the Community Justice Centre: AND FURTHER THAT Director Starr Winchester be appointed the Alternate Regional District Representative for the Community Justice Centre."

Section 791(2)

CARRIED

Mandryk/Abram: “THAT the Regional Board write a letter to Art Meyers, Chairperson, in support of the proposed Comox Valley Community Justice Centre.”

Section 791(2)

CARRIED

Abram/Mandryk: “THAT the Senior Planner write a strongly worded letter to the Land Use Coordination Office expressing concerns regarding the inadequacies and inconsistencies of the Province’s approach to planning Vancouver Island’s Marine Resources.”

LUCO

Section 791(2)

CARRIED

Pater/Mandryk: “THAT the use of staff resources and the provision of \$2500.00 from the feasibility fund, in order to proceed with the referendum process for the establishment of a local Service Area within Electoral Area ‘G’, extending water service capability in the Kyuquot Walters Cove vicinity, be approved.”

Kyuquot Walters Cove -
Water service

Section 791(2)

CARRIED

Mandryk/Nichol: “WHEREAS the referendum of October 1997 regarding a liquid waste management study for the Comox Valley failed by only 13 votes, while in Electoral Area ‘A’ there was 60% support; AND WHEREAS the problem of septic contamination continues, with no solution in sight: AND WHEREAS the Union Bay Improvement District created a Standing Committee to develop a course of action toward a liquid waste management plan for Union Bay; AND WHEREAS the Union Bay Improvement District’s Standing Committee is developing a process, with full community involvement, which will lead to a pilot project for the community; AND WHEREAS the Union Bay Improvement District’s Standing Committee is voluntary at this time; THEREFORE BE IT RESOLVED THAT the Board of the Regional District of Comox-Strathcona support the Union Bay Improvement District as it pursues a liquid waste management plan for the community in Union Bay.”

Union Bay
Improvement District –
Liquid Waste
Management Plan

Section 791(2)

CARRIED

Mandryk/Pater: “THAT the Board of the Regional District of Comox-Strathcona supports the Electoral Area ‘A’ Director and the Ratepayers’ Associations of Hornby and Denman Islands in their request to the Ministry of Municipal Affairs to investigate the feasibility of a separate Electoral Area Director for Hornby and Denman Island within Electoral Area ‘A’ with the goal of the election of a separate Electoral Area Director for Denman and Hornby Islands in the Municipal Election of 1999; AND FURTHER THAT a letter be sent to the Minister of Municipal Affairs expressing this support.”

Separate Electoral Area
Director – Hornby and
Denman Islands

Section 791(2)

CARRIED

Mandryk/Abram: “THAT the Board of the Regional District of Comox-Strathcona support the Union of British Columbia Municipalities position on the Multilateral Agreement on Investments and write the Provincial Government to indicate this Board is not convinced of the benefits of the Multilateral Agreement on Investments; AND FURTHER THAT a copy of this letter be sent to the Prime Minister.”

Section 791(2)

CARRIED UNANIMOUSLY

Clarkston/Mandryk: “THAT the Regional District of Comox-Strathcona is aware that the Provincial Government is considering moving all charitable gaming in the Province from Section 207.1(b) to Section 207.1(a) of the *Criminal Code of Canada*, we understand the implications of the Owen-Flood decision, but do not support eliminating direct charitable involvement from gaming.”

Section 791(2)

CARRIED

Sirk/Leigh: “THAT the correspondence from Electoral Area ‘I’ Advisory Planning Commission dated February 21, 1998 regarding a request to have the first draft of the Master Zoning Bylaw Language available immediately to the APC and it’s Director for study and possible amendment, be received.”

The Chair ruled the motion out of order.

Director Sirk challenged the chair at which time the Chair asked if the ‘Chair shall be sustained?’

Yea: Leigh/Sirk

Nay: Abram/Bell/Chauvin/Clarkston/Grinham/Hansen/Harrison/Mack/Matthews/
Mandryk/McCrae/Myhres/Nichol/Pater/Rye/Winchester

Section 791(2)

CARRIED

ADDENDUM

Addendum

Mandryk/Pater: “THAT the addendum be considered.”

Nay: Abram/Leigh/McCrae/Sirk

Section 791(2)

CARRIED

The Board recessed at 4: 50 p.m.

The Board reconvened at 5: 02 p.m.

Mandryk/Mack: “THAT the meeting adjourn to the in-camera portion of the Board Meeting.”

Section 791(2)

CARRIED

Time: 5:02 p.m.

The Board rose at 5:53 p.m. and reported the following:

Hansen/Clarkston: “THAT the Regional Board approve a Development Variance Permit (DV8 B 97 – Cruz) which would increase the permitted height limit of a dwelling from 10.0 metres (32.8 feet) to 11.2 metres (36.9 feet), based on the survey certificate completed by Dick Spalton, B.C.L.S., and dated October 6, 1997, which would form Schedule ‘B’ of this permit, for property described as Lot 11, District Lot 191, Comox District, Plan 14276 (520 Andrew Avenue).”

Section 791(2)(12)

CARRIED

The Board returned to the open portion of the meeting.

Time: 6:30 p.m.

Report of the Comox Valley Sports Centre CommissionComox Valley Sports
Centre Commission

The Commission reports that:

- A meeting was held on February 5, 1998
- Members were updated on Guaranteed Maximum Price negotiations.
- Fixed fee and budget outlines from Dominion were circulated.

THE COMMISSION RECOMMENDS:

1. THAT Comox Valley Sports Centre Commission do not accept the Guaranteed Maximum Price proposed by Dominion Company at this time.

Bell/Mack: "THAT the Report and Minutes (No. 269) of the Comox Valley Sports Centre Commission meeting held February 5, 1998, be received."

Section 791(2)

CARRIED

Bell/Grinham: "THAT Recommendation No. 1 of the Report of the Comox Valley Sports Centre Commission meeting held February 5, 1998, be adopted."

Section 791(2)

CARRIED

Report of the Comox Valley Sports Centre CommissionComox Valley Sports
Centre Commission

The Commission reports that:

- A meeting was held on February 12, 1998
- The management report was received.
- Correspondence from T. Beaton North Island Rehabilitation was received.
- Peter Heiss, CJP Architects updated the Commission on the aquatic facility.
- Correspondence from T. Bryce regarding operation consultant hiring was received.

THE COMMISSION RECOMMENDS:

1. THAT the bid of \$328,570.00 from Upland Excavating Ltd. For Earthwork and the bid or \$702,819.00 from Dominion Construction for the Pre-engineered and Steel building material be approved as contained in the staff report dated February 12, 1998.
2. THAT the Comox Valley Sports Centre Commission proceed with the advertisement for the recreation grant funding and implement recommendations contained in the Recreation Grants Policy dated February 2, 1998.

Grinham/Mack: "THAT the Report and Minutes (No. 270) of the Comox Valley Sports Centre Commission meeting held February 12, 1998, be received."

Section 791(2)

CARRIED

Mack/Mandryk: "THAT Recommendation No. 1 of the Report of the Comox Valley Sports Centre Commission meeting held February 12, 1998, be adopted."

Section 791(6)

CARRIED

Bell/Winchester: "THAT Recommendation No. 2 of the Report of the Comox Valley Sports Centre Commission meeting held February 12, 1998, be adopted."

Section 791(4)

CARRIED

Report of the Comox Valley Water CommitteeComox Valley Water
Committee

The Committee reports that:

- A meeting was held February 19, 1998.
- The management report was reviewed.
- Minutes were received.
- Correspondence was received.
- Comox Valley Sports Centre water supply was discussed.
- Balmoral, Point Holmes, and Kye Bay water supply was discussed.
- A proposed Storm water detention pond at Lerwick and Ryan was reviewed.
- A public information sheet was considered.
- The monthly consumption report was received.

THE COMMITTEE RECOMMENDS:

1. THAT with regard to the master meter expansion project, Change Order No. 1 be approved for the purpose of increasing design fees and disbursements from \$5,810.00 to \$7,910.00, a difference of \$2,100.00.
2. THAT \$71,000 be included in the 1998 Budget for the purpose of investigating the cause of a breach in the bank of the Tsolum River, and to complete additional works to the river bank, if necessary, to protect the Comox Valley Water System supply line.
3. THAT the Committee has no objection to Director J. Clarkston, Electoral Area "B" accessing feasibility funding not to exceed \$18,000.00, for the purpose of a pre-design study for the Balmoral, Point Holmes and Kye Bay areas, on the premise that the study area would be based on connecting to the Comox Valley Water System, in accordance with the existing Policy for connections and Bylaw requirements; AND FURTHER THAT any request for connection to the System will be referred back to the Comox Valley Water Committee for consideration; AND FURTHER THAT the terms of reference for the study area be amended to include any off-site oversizing and additions to reservoirs that would not otherwise be required to service this area and the costs of same.

Mandryk/Bell: "THAT the Report and Minutes (No. 21) of the Comox Valley Water Committee meeting held February 19, 1998, be received."

Section 791(2)

CARRIED

Bell/Mandryk: "THAT Recommendations No. 1 and 2 of the Report of the Comox Valley Water Committee meeting held February 19, 1998, be adopted."

Section 791(4)

CARRIED

Mandryk/Myhres: "THAT Recommendation No. 3 of the Report of the Comox Valley Water Committee meeting held February 19, 1998, be adopted."

Mandryk/Pater: “THAT Recommendation No. 3 of the Report of the Comox Valley Water Committee meeting held February 19, 1998, be amended to read:

‘THAT the Board recommends Director J. Clarkston, Electoral Area “B” accessing feasibility funding not to exceed \$18,000.00, for the purpose of a pre-design study for the Balmoral, Point Holmes and Kye Bay areas, on the premise that the study area would be based on connecting to the Comox Valley Water System, in accordance with the existing Policy for connections and Bylaw requirements; AND FURTHER THAT any request for connection to the System will be referred back to the Comox Valley Water Committee for consideration; AND FURTHER THAT the terms of reference for the study area be amended to include any off-site oversizing and additions to reservoirs that would not otherwise be required to service this area and the costs of same.’

Section 791(2) CARRIED

Vote on motion as amended.

Section 791(2) CARRIED

Matthews/Mandryk: “THAT Bylaw No. 2013 being “Regional District Security Issuing Bylaw No. 94, 1998” be reconsidered, finally passed and adopted.”

Bylaw No. 2013

Section 791(6) CARRIED

Mandryk/Myhres: “THAT Bylaw No. 2014 being “Regional District Security Issuing Bylaw No. 95, 1998” be reconsidered, finally passed and adopted.”

Bylaw No. 2014

Nay: Leigh

Section 791(6) CARRIED

Myhres/Mandryk: “THAT Bylaw No. 2023 being “Jackson Drive Specified Area Parcel Tax Bylaw, 1998” be given first and second readings, concurrently.”

Bylaw No. 2023

Section 791(2) CARRIED

Bell/Myhres: “THAT Bylaw No. 2023 being “Jackson Drive Specified Area Parcel Tax Bylaw, 1998” be given third reading.”

Section 791(2) CARRIED

Bell/Grinham: “THAT Bylaw No. 2023 being “Jackson Drive Specified Area Parcel Tax Bylaw, 1998” be reconsidered, finally passed and adopted.”

Section 791(2) CARRIED

Clarkston/Mandryk: “THAT the following grants-in-aid from Electoral Area ‘B’ be approved:

Grant-in-aid – Electoral Area ‘B’

Courtenay Volleyball Club – Midget Girls Team (to attend Canadian National Championships in Calgary)	\$200.00
Comox Valley Farmers’ Institute	\$500.00
The Nature Trust of B.C. (NE Comox Reserve/Lazo Marsh Management Plan)	\$2500.00

AND FURTHER THAT these grants be paid as soon as possible.”

Section 791(4) CARRIED

Leigh/Pater: "THAT the following grant-in-aid from Electoral Area 'D' be approved:

Grant-in-aid – Electoral Area 'D'

Communities Institute \$500.00

AND FURTHER THAT this grant be paid as soon as possible."

Section 791(4) CARRIED

Abram/Myhres: "THAT the following grant-in-aid from Electoral Area 'J' be approved:

Grant-in-aid – Electoral Area 'J'

Campbell River Museum \$2500.00

AND FURTHER THAT this grant be paid as soon as possible."

Section 791(4) CARRIED

Myhres/Abram: "THAT the Regional District Board write a letter to Transport Canada urging them to seriously consider building a Wharf in Zeballos."

Zeballos Wharf

Section 791(2) CARRIED

Chauvin/Myhres: "THAT the correspondence from Alisa Vanthournout dated February 13, 1998 regarding the Comox Valley Committee meeting held February 5, 1998, be received."

Section 791(2) CARRIED

TERMINATION

Termination

Mandryk/Grinham: "THAT the meeting terminate."

Section 791(2) CARRIED

Time: 6:57 p.m.

Certified Correct:

Secretary

Confirmed this day of 1998

Chairperson