

The following is a consolidated copy of the Comox Valley Economic Development Service Conversion Bylaw and includes the following bylaws:

<b>Bylaw No.</b>	<b>Bylaw Name</b>	<b>Adopted</b>	<b>Purpose</b>
345	Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016	October 25, 2016	To convert and establish the Comox Valley economic development service for the purpose of providing for the economic development commission to encourage the responsible expansion of the Comox Valley economic base as well as enhance wealth and employment opportunities
654	Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016 Amendment No. 1	May 22, 2021	To amend the service establishing bylaw to remove the restriction on borrowing for the purposes of the service.

**This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.**

**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 345**

**A bylaw to convert and establish the Comox Valley economic development service to encourage and provide for the responsible expansion of the Comox Valley economic base as well as enhance wealth and employment opportunities**

**WHEREAS** the board of the Comox Valley Regional District (CVRD) may, by bylaw, under section 341(3) of the *Local Government Act* (RSBC, 2015, c.1) convert a service provided by the regional district in accordance with section 341(5) of the *Local Government Act* (RSBC, 2015, c.1) and by the same bylaw amend the power to the extent that it could if the power were in fact exercised under the authority of an establishing bylaw under the *Local Government Act* (RSBC, 2015, c.1) provided that the bylaw meets the requirements of section 339 and is adopted in accordance with section 349 of the *Local Government Act* (RSBC, 2015, c.1);

**AND WHEREAS** the board wishes to convert the Comox Valley economic development service established under letters patent dated June 30, 1976 to a regional district service;

**AND WHEREAS** the board wishes to integrate elements of the service review conducted in 2013 and 2014 to address the service purpose, clarity and roles;

**AND WHEREAS** the board wishes to implement the outcome of the service withdrawal dated March 2016 where the Village of Cumberland has withdrawn from the service and the Village of Cumberland is to pay to the service \$40,000 each year in 2016, 2017, 2018 and 2019 for a total of \$160,000;

**AND WHEREAS** pursuant to section 342 of the *Local Government Act* (RSBC, 2015, c.1), the approval of the Inspector of Municipalities has been obtained;

**AND WHEREAS** pursuant to section 346 of the *Local Government Act* (RSBC, 2015, c.1), the councils of the City of Courtenay, the Town of Comox and the Village of Cumberland have given consent on behalf of the electors within the municipal participating areas to adoption of this bylaw;

**AND WHEREAS** pursuant to section 347 of the *Local Government Act* (RSBC, 2015, c.1), the directors of Electoral Areas A, B and C have given consent in writing on behalf of the electors within the electoral participating areas to adoption of this bylaw;

**NOW THEREFORE** the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Service**

1. (1) The service converted and established by this bylaw is the Comox Valley economic development service.
- (2) The service shall be known as the Comox Valley economic development service (the 'service').

### **Definition of economic development**

2. A short definition provided by the International Economic Development Council suggests that “the main goal of economic development is improving the economic wellbeing of a community through efforts that entail job creation, job retention, tax base enhancements and quality of life.”

### **Purpose**

3. The service is to encourage the responsible expansion of the Comox Valley economic base as well as enhance wealth and employment opportunities through:
  - (a) Promoting, marketing and facilitating economic development in the Comox Valley;
  - (b) Developing and implementing economic development strategies for the Comox Valley;
  - (c) Developing and/or assisting in the development of properties and facilities which create or expand economic, investment or employment activity in the Comox Valley;
  - (d) Developing and maintaining timely information on economic activity and economically-relevant statistics in the Comox Valley;
  - (e) Partnering with business and other organizations within the Comox Valley;
  - (f) Supporting specific sector based economic activities, studies and other economic development activities specifically approved by the CVRD board.

### **Boundaries**

4. The boundaries of this service shall be the boundaries of Baynes Sound (Electoral Area A (excluding Denman and Hornby Islands)), Lazo North (Electoral Area B), Puntledge/Black Creek (Electoral Area C) and inclusive of the City of Courtenay and the Town of Comox.

### **Participating local governments ‘Members’**

5. The participants of this service are Baynes Sound (Electoral Area A, excluding Denman and Hornby Islands), Lazo North (Electoral Area B), Puntledge/Black Creek (Electoral Area C), the City of Courtenay and the Town of Comox.

### **Cost recovery**

6. As provided in section 378 of the *Local Government Act* (RSBC, 2015, c.1), the annual cost for this service shall be recovered by one or more of the following:
  - (a) property value taxes;
  - (b) fees and charges imposed under section 397 of the *Local Government Act* (RSBC, 2015, c.1);
  - (c) revenues raised by other means authorized by the *Local Government Act* (RSBC, 2015, c.1) or another Act; and
  - (d) revenues received by way of agreement, enterprises, gift, grant or otherwise.

### **Village of Cumberland withdrawal payments**

7. (1) As a condition of withdrawing from the Comox Valley economic development service in March 2016, the Village of Cumberland agrees to pay to the service \$40,000 each year in 2016, 2017, 2018 and 2019 for a total payment of \$160,000.

- (2) This section 7 (Village of Cumberland withdrawal payments) is removed from this bylaw on January 1, 2020 and the following subsections are renumbered accordingly.

### **Maximum requisition**

8. In accordance with section 339(1)(e) of the *Local Government Act* (RSBC, 2015, c.1), the maximum amount that may be requisitioned annually for the cost of the service is \$0.278 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes.

### **Service delivery**

9. (1) The service may be provided by an agency or agencies under contract to the CVRD pursuant to section 263 of the *Local Government Act* (RSBC, 2015, c.1).
- (2) If at any time the CVRD must reconsider its service delivery model and define a commission or other body to deliver economic development services, that commission or other body shall adopt a terms of reference that is not dissimilar to the terms of reference in schedule ‘A’ of this bylaw.

### **Service review**

10. All aspects of the Comox Valley economic development service function shall be reviewed at least every four years, with the first review occurring in 2020.

### **Citation**

This Bylaw No. 345 may be cited as “Comox Valley Economic Development Service Conversion Bylaw No. 345, 2016”.

## **Schedule ‘A’**

### **Terms of Reference – Comox Valley Economic Development Governance Structure**

#### **Directors:**

##### VOTING:

- Four (4) as appointed by City of Courtenay council
- Two (2) as appointed by Town of Comox council
- One (1) as appointed by Area A director
- One (1) as appointed by Area B director
- One (1) as appointed by Area C director
- One (1) as appointed by the K’omoks First Nation
- One (1) as appointed by Comox Valley Chamber of Commerce
- One (1) as appointed by another local organization

A quorum would consist of a majority of the voting directors plus one, or seven directors.

##### NON-VOTING:

- Commission immediate past-president

#### **Members:**

- City of Courtenay
- Town of Comox
- Comox Valley Regional District representing electoral areas:
  - Baynes Sound (Area A excluding Denman and Hornby Island)
  - Lazo North (Area B)
  - Puntledge/Black Creek (Area C)

**Member’s roles and responsibilities:** the participating local governments are named as members in the constitution bylaw with the responsibility of appointing directors to the board and the sole discretion to amend/change constitution/bylaws.

Appointments to consider knowledge, skills and experience include: demonstrated interest in society; governance; leadership; strategic planning; finance and accounting; legal; political processes; business management; community knowledge and stakeholder relations; connections with senior government stakeholders; communication and public relations/media; economic development; and logistics and transportation.

A commission formed pursuant to the BC *Society Act* (RSBC, 1996, c. 433) is a separate legal entity. A commission formed to provide the Comox Valley Regional District members with economic development services shall include in the bylaws language to protect the interests of the members and shall require the members’ approval to amend the governance model.