

TOWN OF COMOX

1809 Beaufort Avenue Ph: (250) 339-2202
Comox BC V9M 1R9 Fx: (250) 339-7110

REGULAR COUNCIL MEETING **AGENDA FOR WEDNESDAY NOVEMBER 20, 2019**

We respectfully acknowledge that we live, work and play on the traditional lands of the K'ómoks First Nation ... Gila'kasla ... Hay ch q' a'

Meeting Location: Council Chambers, 1801B Beaufort Avenue, Comox

Call to Order: 5:30 p.m.

Adoption of the Agenda

**NOTICE is hereby given that a Public Hearing has been scheduled for
06:30 PM at Council Chambers, in order to consider the following:
Rezoning Application RZ 19-6: Groundwater Bottling**

1. DELEGATIONS:

- (7) a. [John & Jennifer Hedican - The Current Opioid Crisis](#)

2. MINUTES OF MEETINGS:

- (10) a. [Regular Council Meeting Minutes](#)

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday November 6, 2019, be Approved.

- (15) b. [Public Hearing Meeting Minutes](#)

1. *That the Minutes of the Public Hearing, held in Council Chambers on Wednesday February 6, 2019, be Approved.*

2. *That the Minutes of the Public Hearing, held in Council Chambers on Wednesday November 6, 2019, be Approved.*

- (22) c. [Committee of the Whole Meeting Minutes](#)

That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Wednesday November 13, 2019, be Received.

- (23) d. [Special Council Meeting Minutes](#)

That the Minute of the Special Meeting of Council, held in Council Chambers on Wednesday November 13, 2019, be Approved.

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

- (24) a. [Management Report - November 20, 2019](#)

That the Management Report for November 20, 2019 be received and filed for information.

5. SPECIAL REPORTS:

- (31) a. [Comox Valley Regional District Meeting Minutes](#)
That the following Comox Valley Regional District meeting minutes be received for information:
- *Comox Valley Regional District Board held on Thursday, October 29, 2019.*
 - *Comox Valley Regional District Board held on Tuesday, November 5, 2019; and*
 - *Comox Strathcona Regional Hospital District Board held on Thursday, November 7, 2019.*

6. BYLAWS:

- (45) a. [Records Management System Bylaw No. 1932, 2019](#)
That the Records Management System Bylaw No. 1932, 2019 be Adopted.

7. NEW BUSINESS AND NOTICES OF MOTION:

- (49) a. [Electronic Participation in Council Meetings](#)
That Comox Council Procedure Bylaw No. 1614, 2009, Amendment No. 2019 be given First, Second and Third Readings.
- (54) b. [Rezoning Application RZ 19-5: Cannabis Production](#)
1. *That Comox Zoning Amendment Bylaw 1926 be given First and Second Readings.*
 2. *That a Public Hearing in respect of Bylaw 1926 be scheduled for 6:30 pm, January 15, 2020, at Council Chambers, 1801B Beaufort Avenue, and staff be instructed to publish the requisite notices as required by the Local Government Act.*

8. CORRESPONDENCE:

- (62) a. [Riley Lynn Evad - Red Dot Campaign](#)

9. LATE ITEMS: NIL

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

12. BUSINESS ARISING FROM PUBLIC HEARING:

- (63) a. [Comox Zoning Amendment Bylaw 1927](#)
1. *That Comox Zoning Amendment Bylaw 1927 be given Third Reading.*
 2. *That Comox Zoning Amendment Bylaw 1927 be Adopted.*

13. PUBLIC QUESTION PERIOD:

14. MEDIA QUESTION PERIOD:

15. EXCLUDE THE PUBLIC:

a. Exclude the Public

That the Public be Excluded from the In-Camera Meeting of Council on Wednesday November 20, 2019, pursuant to the following sub-sections of section 90 of the Community Charter:

(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and

(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

ADJOURNMENT

Deputy Corporate Administrator



REQUEST TO APPEAR AS A DELEGATION

TOWN OF COMOX
1809 Beaufort Avenue Ph: (250) 339-2202
Comox BC V9M 1R9 Fx: (250) 339-7110

0-RCM Agenda
Copies - Council
-AK

NOV 04 2019

TOWN OF COMOX

REQUESTS TO APPEAR BEFORE COUNCIL OR THE COMMITTEE OF THE WHOLE MUST BE SUBMITTED NO LATER THAN WEDNESDAY NOON, THE WEEK PRIOR TO THE MEETING.

Name(s) of person(s) speaking:

JOHN & JENNIFER HEDICAN

LOG: 19521	REFER:	AGENDA:
FILE: 040003	ACTION: MR	RCM Nov 20

Organization you are representing: Our Family

Primary purpose of Organization: ADVOCACY Number of members: _____

Mailing address: 2273 WALGRAN DR

City: COURTENAY Postal Code: V9N 9E4

Contact name: JOHN HEDICAN Email: 1hed3@telus-net

Phone: 250-898-9739 Fax: _____

Subject matter:

THE LOSS OF OUR SON AND BROTHER DUE TO A FENTANYL POISONING.
THE CURRENT OPIOID CRISIS

Specific request of Council, if any (i.e., letter of support, funding):

Municipal Council members change their response to
THE OPIOID CRISIS THAT IS KILLING COMOX VALLEY RESIDENTS

Requested meeting and date: ASAP NOV 20/19 AV equipment required: NO

Date of application: NOV 4/2019 Signature of applicant: [Signature]
(or print name)

Please Note:

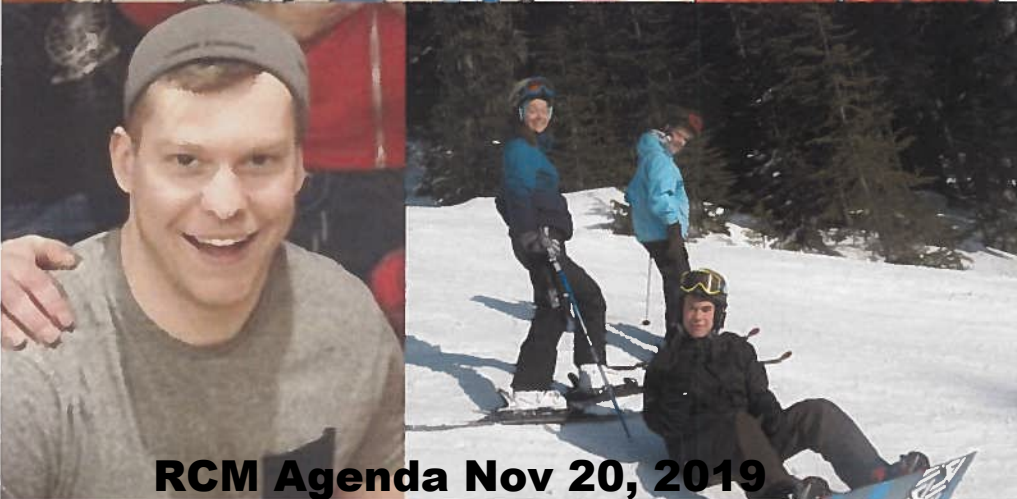
1. Regular Council Meetings start at 5:30 p.m., while Committee of the Whole Meetings start at 4:15 p.m. Delegations are dealt with at the beginning of each meeting.
2. Maximum presentation time is 10 minutes including questions, unless previously approved by the Chair.
3. Presenters are to address Council or the Committee of the Whole, and not the audience.
4. All presentation materials/handouts must be submitted no later than Thursday noon, the week prior to the meeting. If the Friday prior to the meeting is a statutory holiday, then presentation materials must be submitted by Wednesday noon.
5. Please ensure that your cell phone is turned OFF during the meeting.

Council and Committee of the Whole Meetings are public except where permitted to be closed pursuant to the Community Charter. Presentations at Council meetings are video recorded and available on the Town's website. Personal information you provide on this form is collected pursuant to Section 26 of the Freedom of Information and Protection of Privacy Act, and this form may be published in its entirety with public meeting agendas, which are also posted on the Town website.

Ryan William Hedican



Ryan spent the last 8 months of his life at the rehab facility “Last Door”. The Last Door gave Ryan the help and support he needed to get his life back. Our family will always be grateful to the Last Door for giving us our son and brother back.



RCM Agenda Nov 20, 2019



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Our hearts are broken at the loss of Ryan.

Ryan was born in Port Hardy on October 3rd 1990 and passed away in Vancouver on April 24th 2017 at the age of 26 after a long hard battle with the disease of addiction due to a fentanyl poisoning.

Ryan grew up in Courtenay and loved snowboarding, wakeboarding, playing hockey, baseball, tennis, golf and chess. He spent many summer and winter holidays surrounded by family where he made us all laugh with his quick wit and playful tricks. As an older sibling and cousin, Ryan was incredibly supportive and encouraging as he taught everyone how to wakeboard, wake surf, and waterski. He also was quick to help others whether it was with learning a wrist shot, solving a math problem, or fixing a computer issue. Ryan was incredibly bright. From a young age, he loved building with his grandpa and continued to find creative ways to problem solve and build things throughout his life. Ryan graduated from Mark Isfeld and received his business diploma at North Island College. He had completed his second year of electrical schooling and was working towards his third year hours on a project in Vancouver when he passed.

Not only did Ryan bring his family joy with his humor and playful attitude, he also brightened the lives of his friends. Ryan made many good friends throughout his years playing rep sports, throughout high school, and during his time at the Last Door. While he had many good times during his adolescence and young adulthood, Ryan also fought addiction for many years. Ryan actively battled addiction and wanted to be free of it's power over his life. He tried many avenues to try to overcome the addiction and was most recently successful at the Last Door. At the Last Door Ryan was able to share his good humor, intelligence, quick wit, and love for others. He was able to participate in activities that brought him joy again and made a positive impact on others at the Last Door. He had so many plans of how he was going to live going forward in his recovery. Ryan's life was much more than his addiction. As a family we learned that addiction is not a choice, but a disease and that we need to treat it as such.

He is a beloved son, brother, grandson, cousin, nephew and friend. Ryan will always be remembered for his wit, loving humor, incredible intellect and contagious laugh. He is survived by his parents John and Jennifer, siblings Megan and Kyle, grandmothers Phyllis Hediccan and Beryl Moore, and many other family and friends. Ryan is preceded

RCM Agenda Nov 20, 2019

Ryan William Hediccan



TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday November 6, 2019

Present: Mayor R. Arnott
Councillors A. Bissinger, K. Grant, S. McGowan,
P. McKenna, N. Minions, M. Swift
Staff Al Kenning, Chief Administrative Officer

Absent: Nil

Call to Order:

The meeting was called to order at 5:30 p.m.

The Agenda was Adopted.

There were 5 visitors in attendance.

1. DELEGATIONS:

a. Russell Dyson & Marc Rutten (CVRD) Update on Regional Organics Facility

Regional Organics Facility

Mr. Dyson and Mr. Rutten provided an update for Council on the current status of the regional organics treatment facility.

b. Dr. Charmaine Enns (North Island Medical Health Officer) Report on local population health

Local Population Health

Dr. Enns provided Council with a summary of health statistics relating to the Town of Comox population.

2. MINUTES OF MEETINGS:

a. Regular Council Meeting Minutes

RCM Minutes

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday October 16, 2019, be Approved.

(2019.316) -- CARRIED

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

a. Management Report - November 6, 2019

Management Report

That the Management Report for November 6, 2019 be received and filed for information.

(2019.317) -- CARRIED

5. SPECIAL REPORTS: NIL

6. BYLAWS: NIL

7. NEW BUSINESS AND NOTICES OF MOTION:

a. Heritage Alteration Permit HAP 19-1: 2182 Comox Avenue (Little Red Church)

2182 Comox Avenue

That Heritage Alteration Permit HAP 19-1 be issued subject to the Heritage Alteration Permit Conditions listed in Schedule 1 of the November 6, 2019 Planning Report on Heritage Alteration Permit HAP 19-1.

(2019.318) -- CARRIED

b. PR 19-18 Childcare Space Creation Funding Applications

Childcare Space Creation Funding

That the Town of Comox Council endorse the creation of additional childcare spaces in the Town Comox and indicate support for the current proposed activities and willingness to provide overall grant management;

That the Town of Comox Council instruct staff to apply to the Union of BC Municipalities, Community Child Care Space Creation Program and the Ministry of Children and Family Development, Childcare BC New Spaces Fund, for funding to:

- a) Purchase a commercial unit in a proposed mixed-use commercial-residential building at 695 Aspen Road, consisting of approximately 190 m2 of indoor floor area and approximately 200 m2 of outdoor space, and*
- b) Undertake necessary tenant improvements, including design, engineering and equipment purchase for a 28-space childcare facility comprised of 12 spaces for under 36 months, and 16 under 5 years of age, in the event that the proposed development is approved by Council, in its sole and unfettered discretion;*

That the Town of Comox Council authorize the expenditure of Town funds for professional services necessary to complete applications to the Union of BC Municipalities, Community Child Care Space Creation Program and the Ministry of Children and Family Development, Childcare BC New Spaces Fund which include legal and appraisal costs;

That staff, in consultation with the Town's solicitor to ensure the protection of the public interest, be directed to negotiate an option to purchase a commercial unit in a proposed mixed-use commercial-residential building at 695 Aspen Road, consisting of approximately 190 m2 of indoor floor area and approximately 200 m2 of outdoor space, dependent upon the seller securing all necessary permits and approvals including rezoning, development permit and building permit and the Town securing funding from the Union of BC Municipalities, Community Child Care Space Creation Program and/ or the Ministry of Children and Family Development, Childcare BC New Spaces Fund, for the creation of a 28-space childcare facility, subject to the proposed development being approved by Council, in its sole and unfettered discretion; and further,

That staff, in consultation with the Town's solicitor to ensure the protection of the public interest, be directed to negotiate a potential lease agreement with the Comox Valley Children's Day Care Society for the operation of a 28-space childcare facility in accordance with the Community Charter sections 24 and 26, subject to the proposed development being approved by Council, in its sole and unfettered discretion.

(2019.319) -- CARRIED

c. Records Management System Bylaw No. 1932, 2019

**Records Management
System Bylaw**

That the Records Management System Bylaw No. 1932, 2019 be given First, Second and Third Readings.

(2019.320) -- CARRIED

d. Disposal of Comox Fire Rescue Surplus Equipment

**Fire Rescue Surplus
Equipment**

That Council authorizes the disposal of Comox Fire Rescue's surplus self-contained breathing apparatus (SBCA) units to smaller local fire departments.

(2019.321) -- CARRIED

8. CORRESPONDENCE:

a. Ronna-Rae Leonard (Legislative Assembly of British Columbia) Planning and Space Creation Grants for Child Care.

Childcare Grants

That the October 18, 2019 letter from MLA Ronna-Rae Leonard, regarding planning and space creation grants for childcare, be received and filed for information.

(2019.322) -- CARRIED

9. LATE ITEMS: NIL

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor Bissinger

Councillor Bissinger advised that she attended:
- an accessibility framework legislation workshop,
- the Person's Day Lunch, and
- a climate action group event.

Councillor Bissinger also advised that she volunteered at the downtown Hallowe'en event and attended a workshop on urban forestry.

b. Councillor Grant

Councillor Grant advised that he attended:
- the Vancouver Island Economic Summit,
- the regional district strategic planning session, and
- the regional district sewer commission and water committee meetings.

Councillor Grant also advised that he met with the BIA and attended the regional district committee of the whole meeting.

c. Councillor Minions

Councillor Minions advised that she attended:
- the Person's Day Lunch,
- the accessibility framework legislation workshop, and
- the BIA Hallowe'en events and events at the Fire Hall.

Councillor Minions also advised that she met with Barbara Biley regarding lab services at the Courtenay and Campbell River hospitals, and attended the Comox Valley Foundation Gala.

d. Councillor McGowan

Councillor McGowan advised that she attended:

- the Person's Day Lunch,
- the accessibility framework legislation workshop,
- the d'Esterre board meeting,
- a community carbon tool webinar,
- the urban forest and sustainably cities conference,
- a social planning brown bag lunch,
- a Coalition to End Homelessness Meeting, and
- the Hallowe'en events on Comox Avenue.

Councillor McGowan also advised that she met with Diabetes Canada regarding textile waste diversion.

e. Councillor Swift

Councillor Swift advised that she attended the regional district strategic planning process and the regional district sewer, water, board and committee of the whole meetings.

f. Councillor McKenna

Councillor McKenna advised that he:

- attended a Community Justice Centre meeting,
- met with Maude Barlow regarding community initiatives,
- participated in a transit tour,
- attended a cooperative housing meeting,
- attended a Coalition to End Homelessness meeting, and
- joined an online eco-challenge.

g. Mayor Arnott

Mayor Arnott advised that he:

- participated in a discussion with Business View Magazine,
- attended a Comox Valley Economic Development Society meeting,
- attended a BIA meeting,
- attended the Legion's Poppy Day presentation,
- participated in the Child Development Telethon,
- attended the regional district sewage commission meeting,
- attended the North Island College regional community forum, and
- attended the Comox Valley Community Foundation Gala.

12. BUSINESS ARISING FROM PUBLIC HEARING:

a. Comox Zoning Amendment Bylaw 1929

Cannabis Regulation Update

1. *That Comox Zoning Amendment Bylaw 1929 be given Third Reading.*

(2019.323) -- CARRIED

2. *That Comox Zoning Amendment Bylaw 1929 be Adopted.*

(2019.324) -- CARRIED

b. Business Regulation Amendment Bylaw 1930

**Business Regulation
Amendment Bylaw**

That Comox Business Regulation Amendment Bylaw No. 1930, 2019 be Adopted.

(2019.325) -- CARRIED

15. EXCLUDE THE PUBLIC: NIL

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:14 p.m.

CARRIED

Certified correct pursuant to Section 97(1)(b) of the Community Charter.

MAYOR

CORPORATE OFFICER

**Minutes of a Public Hearing,
held in Council Chambers, 1801B Beaufort Avenue, Comox, BC
on Wednesday, February 6, 2019**

Present: Mayor R. Arnott
Councillors A. Bissinger; K. Grant; S. McGowan;
P. McKenna; N. Minions; M. Swift

Absent: NIL

Call to Order:

The Public Hearing was called to order at 6:30 p.m.

There were 31 members of the public in attendance.

PUBLIC HEARING STATEMENT

Mayor Arnott made the following statement:

This Public Hearing is hereby convened pursuant to Section 464 of the Local Government Act for the purpose of hearing representations from those persons who believe that their interest is affected by the proposed:

- 1. Rezoning Application RZ 17-12 (1961 Bolt Avenue):**
 - a. Comox Zoning Amendment Bylaw 1894

Council will also receive at this Public Hearing any representations that members of the public wish to make regarding Development Variance Permit Application DVP 17-9, which pertains to the land that is the subject of Comox Zoning Amendment Bylaw No. 1894.

The proposed bylaw has received first and second readings, but has not passed third reading or been adopted by Council. Notices of this Public Hearing have been published in accordance with the requirements of the Local Government Act. Also, a copy of the proposed bylaw and development variance permit application, supporting documentation and any submissions to Council received from the public have been available for inspection at Comox Town Hall as required by the Local Government Act. Copies are also available for review at the desk of the clerk.

To maintain order and to ensure everyone a reasonable opportunity to be heard, I ask that each person wishing to speak first sign the Speaker’s List, located at the desk of the Clerk. Once called by the Chair, please begin your presentation to Council by clearly stating your name and address. Please make your presentation as brief as possible. After all have had an opportunity to be heard, anyone wishing to have further input may once again sign the Speaker’s List.

Council will not debate with each other or members of the public. Council will not answer questions; we are here to hear from you. Technical questions may be directed by the Chair to the staff.

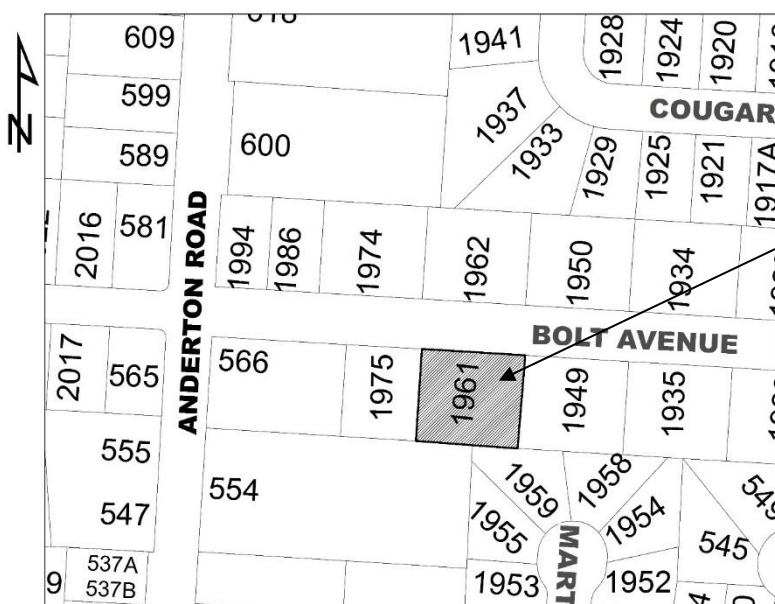
Everyone will be given a reasonable opportunity to be heard at this meeting. No one will be, or should feel, discouraged or prevented from making his or her views heard. Please refrain from any conduct that would intimidate others or discourage them from speaking.

1. Rezoning Application RZ 17-12 (1961 Bolt Avenue):

Application Summary

a) Comox Zoning Amendment Bylaw 1894

In general terms, the purpose of Comox Zoning Amendment Bylaw 1894 is to change the zoning of the west portion of 1961 Bolt Avenue from R2.1 Single/Two Family to R4.1 Single-Family – 350 m² Parcel, to allow subdivision of the lands west of the existing house into a separate single family lot.



Subject Property shown shaded on the map

ADDRESS:
1961 Bolt Ave.

LEGAL DESCRIPTION:
LOT 1, SECTION 70,
COMOX DISTRICT,
PLAN 18732

b) Development Variance Permit Application DVP 17-9

In general terms, the Development Variance Permit Application DVP 17-9 is to vary:

Town of Comox Subdivision and Development Servicing Bylaw 1261, Schedule C.1:

1. Appendix “C” (Specifications for Highways), Table C-1 (Minimum Requirements, Roadway Widths, Curbs and Sidewalks):

- a. Urban Road, No. of Sidewalks – from both sides of the road to one side of the road.
- b. Urban Road, Type of Curb – from concrete roll over curb to low profile asphalt water containment curb to match existing.

2. Appendix “G” (Specifications for Underground Wiring and Street Lighting), Section 1.2.1 to not require undergrounding of the overhead transmission wires on the north side of Bolt Avenue across the frontage of the subject property; proposed lots to be serviced with an underground wiring drop from the existing pole on the north side of Bolt Avenue to the front lot line of the proposed east and west lots.

The Application Summary was received for information.

Public Hearing Submissions:

Mayor Arnott made the following statement:

Written – To ensure that written submissions are included in the minutes of the meeting, please ensure that all are submitted to the desk of the Clerk before the end of the meeting.

Verbal – The proposed bylaw and development variance permit application are now open for discussion.

Mr. Aaron Handford, Owner, 1961B Bolt Avenue

Mr. Handford commented on the letter received by Council regarding the mess on the driveway. Mr. Handford advised that this was part of the renovation, and that it will be removed.

There being no further speakers on the speaker’s list, Mayor Arnott made the following statement:

I would remind those present that legal considerations prevent the members of Council from considering any representation made after the close of this Public Hearing.

TOWN OF COMOX – PUBLIC HEARING MEETING MINUTES

Before closing this Public Hearing, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaw and development variance permit.

For the first time, is there anyone who wishes to make any further representation?

For the second time, is there anyone who wishes to make any further representation?

For the third time, is there anyone who wishes to make any further representation?

There being no further speakers, I declare this Public Hearing closed.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 6:45 pm

Certified correct pursuant to Section 97(1)(b) of the *Community Charter*.

MAYOR

CORPORATE OFFICER

Certified fair and accurate pursuant to Section 465(6) of the *Local Government Act*.



DEPUTY CORPORATE ADMINISTRATOR

**Minutes of a Public Hearing,
held in Council Chambers, 1801B Beaufort Avenue, Comox, BC
on Wednesday, November 6, 2019**

Present: Mayor R. Arnott
Councillors A. Bissinger; K. Grant; S. McGowan;
P. McKenna; N. Minions; M. Swift

Absent: NIL

Call to Order:

The Public Hearing was called to order at 6:30 p.m.

There were three members of the public in attendance.

PUBLIC HEARING STATEMENT

Mayor Arnott made the following statement:

This Public Hearing is hereby convened pursuant to Section 464 of the *Local Government Act* for the purpose of hearing representations from those persons who believe that their interest is affected by the proposed:

1. Rezoning Application RZ 19-8: Cannabis Retail Store Regulation Update:

a. Comox Zoning Amendment Bylaw 1929

The proposed bylaw has received first and second readings, but has not passed third reading or been adopted by Council. Notices of this Public Hearing have been published in accordance with the requirements of the *Local Government Act*. Also, a copy of the proposed bylaw, supporting documentation and any submissions to Council received from the public have been available for inspection at Comox Town Hall as required by the *Local Government Act*. Copies are also available for review at the desk of the clerk.

To maintain order and to ensure everyone a reasonable opportunity to be heard, I ask that each person wishing to speak first sign the Speaker's List, located at the desk of the Clerk. Once called by the Chair, please begin your presentation to Council by clearly stating your name and address. Please make your presentation as brief as

possible. After all have had an opportunity to be heard, anyone wishing to have further input may once again sign the Speaker's List.

Council will not debate with each other or members of the public. Council will not answer questions; we are here to hear from you. Technical questions may be directed by the Chair to the staff.

Everyone will be given a reasonable opportunity to be heard at this meeting. No one will be, or should feel, discouraged or prevented from making his or her views heard. Please refrain from any conduct that would intimidate others or discourage them from speaking.

1. Rezoning Application RZ 19-8: Cannabis Retail Store Regulation Update:

Application Summary:

a) Comox Zoning Amendment Bylaw 1929

In general terms, the purpose of Comox Zoning Amendment Bylaw 1929 is to: amend the definition of a Recreational Cannabis Retail Store to permit the sale of cannabis accessories in addition to cannabis.

The Application Summary was received for information.

Public Hearing Submissions:

Mayor Arnott made the following statement:

Written – To ensure that written submissions are included in the minutes of the meeting, please ensure that all are submitted to the desk of the Clerk before the end of the meeting.

Verbal – The proposed bylaw is now open for discussion.

There being no speakers on the speaker's list, Mayor Arnott made the following statement:

I would remind those present that legal considerations prevent the members of Council from considering any representation made after the close of this Public Hearing.

Before closing this Public Hearing, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaw.

TOWN OF COMOX – PUBLIC HEARING MEETING MINUTES

For the first time, is there anyone who wishes to make any further representation?

For the second time, is there anyone who wishes to make any further representation?

For the third time, is there anyone who wishes to make any further representation?

There being no further speakers, I declare this Public Hearing closed.

Adjournment:


Regularly moved and seconded that the meeting adjourn at 6:33 pm

Certified correct pursuant to Section 97(1)(b) of the *Community Charter*.

MAYOR

CORPORATE OFFICER

Certified fair and accurate pursuant to Section 465(6) of the *Local Government Act*.



DEPUTY CORPORATE ADMINISTRATOR

TOWN OF COMOX
Minutes of the Committee of the Whole Meeting,
held in Council Chambers on Wednesday November 13, 2019

Present: Mayor R. Arnott
Councillors A. Bissinger, K. Grant, S. McGowan,
N. Minions, M. Swift
Staff Al Kenning, Chief Administrative Officer
S. Russwurm, Deputy Corporate Administrator
C. Freundlich, Director of Finance
S. Ashfield, Municipal Engineer
A. Fraser, Parks Superintendent
T. Hagmeier, Recreation Director
M. Kamenz, Municipal Planner

Absent: Councillor P. McKenna

Call to Order: The meeting was called to order at 4:15 p.m.

The Agenda was Adopted.

1. Delegations:

a. Haeley Dewhirst (Comox BIA) Aligning Strategic Goals

Ms. Dewhirst updated Council on the results of the BIA's recent strategic planning process, and advised that they look forward to working together with Council on shared goals.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 4:31 p.m.

CARRIED

Certified correct pursuant to Section 97(1)(b) of the Community Charter.

CHAIR

TOWN OF COMOX
Minutes of the Special Council Meeting,
held in Council Chambers on Wednesday November 13, 2019

Present: Mayor R. Arnott
Councillors A. Bissinger, K. Grant, S. McGowan,
N. Minions, M. Swift
Staff Al Kenning, Chief Administrative Officer
S. Russwurm, Deputy Corporate Administrator
C. Freundlich, Director of Finance
S. Ashfield, Municipal Engineer
A. Fraser, Parks Superintendent
T. Hagmeier, Recreation Director
M. Kamenz, Municipal Planner

Absent: Councillor P. McKenna

Call to Order:

The meeting was called to order at 4:31 p.m.

The Agenda was Adopted.

There were 0 visitors in attendance.

1. EXCLUDE THE PUBLIC:

a. Exclude the Public

Exclude the Public

That the Public be Excluded from the In-Camera Meeting of Council on Wednesday November 13, 2019, pursuant to the following sub-sections of section 90 of the Community Charter:

(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];

(2019.326) -- CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 4:32 P.M.

THE SPECIAL COUNCIL MEETING RECONVENED AT 5:54 P.M.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 5:55 p.m.

CARRIED

Certified correct pursuant to Section 97(1)(b) of the Community Charter.

MAYOR

CORPORATE OFFICER

TOWN OF COMOX – MANAGEMENT REPORT

NOVEMBER 20, 2019

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
07-Mar-2007	Waste Collection Service	Investigate the provision of an Organic Waste Collection Service in Comox-Courtenay. (Council provided conditional support on Aug 1, 2018 for a regional organics program, subject to a detailed cost comparative analysis being completed by the CVRD on site location alternatives.)	Regional District continuing to investigate options and CAO of CVRD to present to RCM Nov 6 on process/status of organics processing. Waste collection contract expires Mar 31, 2020. Implications of altering garbage collection being considered with new contract.
20-Aug-2014	Fixed Wing Search and Rescue Training Facility	Investigate the feasibility of financial and other incentives that would support the selection of 19 Wing Comox.	Grant-in-aid to be provided to 19 Wing Comox from facility PILTs. Expected building completion by year end 2019.
18-Jan-2017	Northeast Comox Storm Water Management Plan	Implementation of Northeast Comox Storm Water Management Plan	Financial consultants are working on different funding scenarios and Engineering consultants are preparing Class D cost estimates for pond construction options. Awaiting completion of legal review of regulatory bylaws.
18-Jan-2017	Mack Laing Trust	That staff be directed to begin the process to modify, if necessary, the terms of the Trust.	Facilitated Public Meeting and Workshop held March 27, 2019. Revised design for viewing platform approved by Council at May 15, 2019 Regular Meeting. Revised design presented to KFN Chief and Council on June 26, 2019. Waiting for Province (AG) to assess KFN correspondence and to decide whether or not to support funding of the viewing platform from trust funds. Town solicitor seeking time frame from Province.
17-Jan-2018	Boundary Extension Request - Torrence Road	That the Town of Comox proceed with a boundary extension proposal in the Noel, Torrence and Lazo Roads area that includes the following: <ul style="list-style-type: none"> • 480 Torrence Rd • Vacant Land • 456 Torrence Rd • Vacant Land (Lot 10) • 274 Torrence • 1310 Lazo Rd 	Discussions held with Ministry staff regarding condition of Lazo Road and Town desire for grant funding or improvements to be made prior to bringing it into Town boundary. Ministry staff advised that it is not a priority for them for the next few years. Owner of three parcels has also requested that his properties now be excluded. Staff to consult with other property owners in boundary extension area.

NOTE: Shaded items will be removed from the Management Report unless otherwise directed by council.

TOWN OF COMOX – MANAGEMENT REPORT

NOVEMBER 20, 2019

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
		<ul style="list-style-type: none"> • Vacant Land (Lot A) • 1250 Lazo Rd • Adjacent portions of Torrence and Lazo Roads plus undeveloped south end of King Road; and further, <p>That Town of Comox staff be authorized to develop, sign and submit the proposal to the Ministry of Municipal Affairs and Housing.</p>	
16-Jan-2019	LGMA Commemorative Tree Planting - 100th Anniversary	That Council authorize staff to proceed with selecting a tree to plant in a location recommended by staff and hold a commemorative tree planting ceremony in recognition of the local government profession and ongoing commitment to the community.	Plaque has been prepared. Preparations underway for planting ceremony. Council will be informed/invited in near future.
16-Jan-2019	Dog Park Feasibility and Public Consultation Process	That a public consultation process regarding the feasibility of a dog park be undertaken, for an amount up to \$20,000.	Meeting held Oct 31 with 50 th Parallel Public Relations. Looking at two leash optional areas – fenced in area plus larger trailed area.
20-Mar-2019	Planning Report PR 19-4: Affordable Housing, Town Initiatives	That staff be instructed to prepare a report on: a. Options for local government provision of affordable housing; b. Options for the use of rental zoning; and d. Impact of short term rentals on the supply of affordable housing, including an allowance for rental of primary units.	Complex issues that will require considerable staff time to complete. Current priority is working with developer at 695 Aspen to achieve some affordable housing in this project.
03-Apr-2019	Notice of Motion from March 20, 2019 Meeting (Councillor McGowan) - Heritage Registry	That a staff report be provided on whether a Heritage Registry be created within the Town of Comox.	No action taken to date due to lack of resources. Staff investigating the requirements and consequences of developing a Community Heritage Register.
17-Apr-2019	Interim Report on Affordable Housing Initiatives	That the Town request that the Comox Valley Regional District amend its Development Cost Charge Bylaws (DCCs) to exempt from required	Letter sent May 24, 2019 from Mayor to CVRD chair. No update received to date.

NOTE: Shaded items will be removed from the Management Report unless otherwise directed by council.

**TOWN OF COMOX – MANAGEMENT REPORT
NOVEMBER 20, 2019**

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
		DCCs payments the construction or alteration of self-contained dwelling units in buildings in which each unit is not larger than 45 m2;	
17-Apr-2019	Electric Vehicle Charging Station - Grant Funding Opportunity	That the Town of Comox participate in the Mid-Island EV Network project and associated CleanBC Communities Fund application with the Regional District of Nanaimo as the lead applicant and dedicate a total of up to \$6,000 to be funded from General Revenue, and representing the Town's portion of the cost of one (1) dual port public electric vehicle charging station at a Town owned site within the community and that the location of the charging station be referred to staff.	Information re: Home and Workplace EV Charging Program Grant on website and circulated to selected business. Investigation into possible Town sites under way.
17-Apr-2019	New Motion (Councillor McKenna): Communications Specialist	That staff include in the 2019 budget, the provision of salary to hire a communications specialist in the year 2019.	Additional support in Corporate Administration starting October 2019. Trial using consultant to prepare media information regarding green initiatives is underway.
15-May-2019	Climate Emergency (April 17, 2019 Notice of Motion: Councillor Bissinger)	That the following motions be referred to Council's next strategic planning process: - "That staff prepare a report to Council within six months with tangible actions the Mayor/Council and Town staff can take to address the Climate Crisis", and - "That Council seek commitment and financial support from the Comox Valley Regional District and its member communities for a shared position of Sustainability and Long Range Planning Manager for the Comox Valley."	Strategic priorities discussion to be held at Nov 13 COW (closed portion). See Oct 2, 2019 resolution "Open House - Climate Crisis and Adaptation"
19-Jun-2019	Single Use Plastic Regulation Bylaw	That Council direct staff to arrange for the required statutory advertising regarding the "Town of Comox Single Use Plastic Regulation Bylaw No. 1923, 2019" prior to adoption of the bylaw.	Bylaw given First, Second and Third Readings at June 19, 2019 RCM and staff directed to proceed with local stakeholder engagement. Similar Victoria bylaw struck down in July 2019 as being outside municipality's

NOTE: Shaded items will be removed from the Management Report unless otherwise directed by council.

TOWN OF COMOX – MANAGEMENT REPORT

NOVEMBER 20, 2019

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
			jurisdiction. Federal government announced in June 2019 its intention to ban harmful single-use plastics as early as 2021.
03-Jul-2019	Susan Anderson - Safety concern regarding the vehicle traffic on Hillside Avenue	That the June 24, 2019 letter to Mayor Arnott from Susan Anderson, regarding the Hillside/Nimpkish neighbourhood's safety concerns with vehicle traffic on Hillside Avenue, be received and referred to staff for followup.	Traffic tabulators to be placed on Hillside Avenue in September of this year. Following the collection of information staff to review and present a report to Council that may recommend formal changes to existing traffic patterns and/or pedestrian flow on Hillside Avenue.
07-Aug-2019	Alena, Quinn and Max Barner - Clamshell plastic used to sell bakery items	That the July 3, 2019 email from Alena, Quinn and Max Barner, asking Council to consider eliminating single use clamshell plastic, be received and referred to staff for inclusion in the Town of Comox Single Use Plastics Regulation Bylaw.	
02-Oct-2019	Open House - Climate Crisis and Adaptation	That an open house be held on the topic of Current Town of Comox Strategic Priorities and Climate Crisis and Adaptation at a future date to be determined by staff.	Open house to be held in November following Nov 13 strategic priorities discussion. See May 15, 2019 resolution "Climate Emergency"
16-Oct-2019	Proposal for CAO Executive Search and Strategic Planning	That Jerry Berry Consultants Inc. be hired to provide executive search services to assist with the recruitment of a new Chief Administrative Officer, for a total cost not to exceed \$12,500 plus applicable taxes, disbursements and expenses.	Continued discussions on CAO recruitment scheduled for the Dec 11 and Dec 18 meetings, 3:00-7:00 p.m. (closed portions).
16-Oct-2019	Proposal for CAO Executive Search and Strategic Planning	That Jerry Berry Consultants Inc. be hired to provide facilitation services to assist Mayor and Council with the review of its 2020 Strategic Priorities, for a total cost not to exceed \$7,200 plus applicable taxes, disbursements and expenses.	Continued discussions on strategic priorities scheduled for the Dec 11 and Dec 18 meetings, 3:00-7:00 p.m. (closed portions).
16-Oct-2019	Low Income Regional Recreation All Access Pass Program	That staff participate with the Regional District and other local municipalities to investigate options for a regional, low-income, all access pass and report	

NOTE: Shaded items will be removed from the Management Report unless otherwise directed by council.

**TOWN OF COMOX – MANAGEMENT REPORT
NOVEMBER 20, 2019**

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
		to Council with the operational and policy implications.	
16-Oct-2019	Councillor Bissinger: BC Energy Step Code	That the Town of Comox engage with the development community and the public on the implementation of BC Energy Step Code 2 for all Part 3 and Part 9 construction, and that staff provide a report back to Council on the results of the engagement prior to implementation.	Information Meeting and Open House scheduled for Thursday November 28, 2019 at the Community Centre Multipurpose Hall.
16-Oct-2019	Councillor Bissinger: BC Energy Step Code	That planning staff be encouraged to seek opportunities for BC Energy Step Code 3 or 4 as amenity contributions to extract during any rezonings, effective immediately, excluding instream applications.	
16-Oct-2019	Bill Toews (Comox BIA) Downtown Comox Business in Action Association Bylaw	That the October 1, 2019 letter from Bill Toews, President of the Comox Business in Action, requesting that Council initiate the renewal of the business improvement area, be received and filed for information.	Renewal letters to be sent to property owners in early January 2020. Draft bylaw for consideration at January 22 COW meeting.
06-Nov-2019	PR 19-18 Childcare Space Creation Funding Applications	<p>That the Town of Comox Council endorse the creation of additional childcare spaces;</p> <p>That the Town of Comox Council instruct staff to apply for funding to: purchase a commercial unit at 695 Aspen Road and undertake necessary tenant improvements;</p> <p>That the Town of Comox Council authorize the expenditure of Town funds for professional services necessary to complete applications;</p>	

NOTE: Shaded items will be removed from the Management Report unless otherwise directed by council.

**TOWN OF COMOX – MANAGEMENT REPORT
NOVEMBER 20, 2019**

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
		<p>That staff be directed to negotiate an option to purchase a commercial unit in a proposed building at 695 Aspen Rd;</p> <p>That staff be directed to negotiate a potential lease agreement with the Comox Valley Children's Day Care Society for the operation of a childcare facility.</p>	

NOTE: Shaded items will be removed from the Management Report unless otherwise directed by council.

STRATEGIC PRIORITIES CHART

Updated: August 2019

CORPORATE PRIORITIES (Council/CAO)

<p>NOW</p> <ol style="list-style-type: none"> MACK LAING: Future 5-YEAR CAPITAL PLAN: Priorities NE INDUSTRIAL LANDS STRATEGY: Terms of Reference AFFORDABLE HOUSING: Current Town Actions OFF LEASH DOG PARK: Public Consultation 	<p>TIMELINE</p> <p>May June July March [number of steps underway] March/April</p>
<p>NEXT</p> <ul style="list-style-type: none"> CLIMATE CHANGE ADAPTATION: Project LONG TERM CAPITAL PLAN DOWNTOWN REVITALIZATION: Zone Expansion ORGANICS COLLECTION PROGRAM: Review WATERFRONT WALKWAY: Options CLIMATE CHANGE ADAPTATION STRATEGY MARINA PARK: Phase II SHORT TERM RENTAL: Policy Options SHELF/SHOVEL-READY GRANT PROJECT 	<p>ADVOCACY / PARTNERSHIPS</p> <ul style="list-style-type: none"> <i>Regional Organics Facility: Decision (RD)</i> <i>NE Industrial Land Strategy (CVEDS)</i> <i>Coalition to end Homelessness: Support</i> <i>Climate Change Grant (FCM)</i> <i>Regional Transit Review (RD)</i> <i>Regional Connectivity System (RD)</i>

OPERATIONAL STRATEGIES (CAO/Staff)

<p>CHIEF ADMINISTRATIVE OFFICER</p> <ol style="list-style-type: none"> MACK LAING: Future – August NE INDUSTRIAL LAND STRATEGY: TOR – Sept CLIMATE CHANGE ADAPTATION: Project – July 	<p>PLANNING SERVICES</p> <ol style="list-style-type: none"> Subdivision Bylaw: Update - November NE Comox SWMP: Implementation - September Step Code - November Anderton Corridor Land Use: – Preliminary/Density concept Plan to consulting eng. March 2019
<p>FINANCE</p> <ol style="list-style-type: none"> Office Space: Relocations/renos - July/August CAPITAL PLAN: Priorities – Sept-Dec. <ul style="list-style-type: none"> Payroll Software (replacement) – Aug - Dec Fiber Optics - September 	<p>CORPORATE</p> <ol style="list-style-type: none"> Policy Manual: October Procedure Bylaw: October Records Management - Administration: December
<p>PARKS</p> <ol style="list-style-type: none"> DOG PARK: Options – Public Consultation Wayfinding Project – April <ul style="list-style-type: none"> Ellis Street Walkway: Replacement Greenway Development: Detailed Design 	<p>PUBLIC WORKS & ENGINEERING</p> <ol style="list-style-type: none"> Anderton Servicing Plan – 75% complete [water/sanitary and storm]. Construction ready spring 2020 <ul style="list-style-type: none"> Foreshore Sanitary Replacement Transportation Plan: Update
<p>FIRE</p> <ol style="list-style-type: none"> POC / Volunteer Retention: Review – FT Assistant hired – July Full Time Staff: Review - March Service Level Review – September 	<p>RECREATION</p> <ol style="list-style-type: none"> Site Master Plan: 1st draft - June Programmer Hours: Review – add 5 hrs. approved <ul style="list-style-type: none"> Fitness Studio: Capital Equipment - ongoing Regional Recreation Initiative – discussions in progress

Tuesday, October 29, 2019

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, October 29, 2019 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 4:10 pm.

MINUTES

Present:

Chair:	B. Wells	City of Courtenay
Directors:	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	D. Frisch	City of Courtenay
	M. Swift	Town of Comox
	J. Ketler	Village of Cumberland
	B. Leigh	Oyster Bay – Buttle Lake (Area D)
	K. Grant	Town of Comox
Alt. Directors:	W. Morin	City of Courtenay
	B. Price	Lazo North (Area B)
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial 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. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services

RECOGNITION OF THE TRADITIONAL TERRITORIES:

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

IN-CAMERA MEETING:

K. Grant/W. Morin: THAT the board adjourn to an in-camera session pursuant to the following sub-section(s) of section 90 of the Community Charter:

90(1)(a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district; 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

VARY THE AGENDA:

D. Hillian/D. Frisch: THAT the agenda be varied to consider agenda item F.1 Black Creek - Oyster Bay Services Committee minutes of October 7, 2019 and item F.7 Black Creek - Oyster Bay Services Committee minutes of October 21, 2019 , next on the agenda.

208

Carried

REPORTS:**BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - OCTOBER 7, 2019**

B. Leigh/K. Grant: THAT the Black Creek - Oyster Bay Services Committee minutes dated October 7, 2019 be received.

208

Carried

B. Leigh/D. Arbour: THAT the board support an application to the Union of BC Municipalities Community Preparedness Fund in an amount up to \$25,000 for the Oyster River Fire Rescue department for fire department equipment;

AND FURTHER THAT the Comox Valley Regional District provide support and grant funds management.

209

Carried

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - OCTOBER 21, 2019

B. Leigh/D. Arbour: THAT the Black Creek - Oyster Bay Services Committee minutes dated October 21, 2019 be received.

208

Carried

Director Leigh left the meeting at 4:25 pm.

ADOPTION OF MINUTES:

D. Frisch/E. Grieve: THAT the Comox Valley Regional District Board minutes dated October 1, 2019 be adopted.

208

Carried

PETITIONS AND DELEGATIONS:**VANCOUVER ISLAND MUSIC FEST**

E. Grieve/K. Grant: THAT the information presented by Jay Oddleifson and Susan Wood regarding their request for funding and support for the Vancouver Island MusicFest be received.

Carried

REPORTS CONTINUED:**ELECTORAL AREAS SERVICES COMMITTEE - OCTOBER 7, 2019**

D. Arbour/K. Grant: THAT the Electoral Areas Services Committee minutes dated October 7, 2019 be received.

208

Carried

D. Arbour/E. Grieve: THAT the board approve Development Variance Permit DV 4A 19 (Bell) to decrease the minimum side yard setback from 3.5 metres to 2.6 metres and the rear yard setback from 7.5 metres to 1.3 metres and the rear eaves setback to 1.0 metre for the purpose of constructing an accessory building on a property described as Strata Lot 5, Section 33, Township 11, Nelson District, Strata Plan VIS5591, PID 026-010-836 (9 Little Bear Way);

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

208 and 213

Carried

D. Arbour/B. Price: THAT the Comox Valley Regional District Board approve Development Variance Permit DV 7C 19 (deBalinhard/Lessard) to reduce the minimum rear yard setback from 7.50 metres to 4.91 metres for the proposed carriage house (from 5.5 metres to 4.47 metres for the eaves) for property described as Lot 43, District Lot 160, Comox District, Plan 30194, PID 000-548-154 (60 Salsbury Road);

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

208 and 213

Carried

D. Arbour/B. Price: THAT the Comox Valley Regional District Board deny the variance request to reduce the minimum rear yard setback for the staircase of the proposed carriage house from 7.5 metres to 3.7 metres for property described as Lot 43, District Lot 160, Comox District, Plan 30194, PID 000-548-154 (60 Salsbury Road).

208 and 213

Carried

D. Arbour/B. Price: THAT the board grant a site specific exemption of the floodplain specifications that reduces floodplain setback from 60 metres to 30 metres from the natural boundary of Oyster River for the proposed single detached dwelling on property described as Lot 22, Block 29, Comox District, Plan VIP79847, PID 026-477-866 (9570 Sarmma Road);

AND FINALLY THAT, as a condition of the site specific exemption, the Comox Valley Regional District Building Services Department not issue final occupancy for the single detached dwelling on the property described as Lot 22, Block 29, Comox District, Plan VIP79847, PID 026-477-866 (9570 Sarmma Road) until the applicants, at their own expense, register a restrictive covenant under Section 219 of the Land Title Act, specifying conditions that would enable the land to be safely used for the use intended according to the terms of the engineer's report by Jim Mitchell, MSc., P.Eng. of Emerald Sea Engineering, dated August 27, 2019, revised September 24, 2019, which will form part of the restrictive covenant, as well as an acknowledgement that no Disaster Financial Assistance funding is available for the building or its contents and releasing and indemnifying the Comox Valley Regional District from liability in the event any damage is caused by flooding or erosion.

208 and 213

Carried

E. Grieve/K. Grant: THAT a planning process be undertaken to identify the best route options for an active transportation pathway from the intersection of Butcher Road and Lazo Road to the community of Point Holmes with a multijurisdictional approach between the Town of Comox, the Ministry of Transportation and Infrastructure and the Comox Valley Regional District once the Town of Comox has identified a new Parks Superintendent.

209

Carried

E. Grieve/K. Grant: THAT the board support an application to the Union of BC Municipalities Community

Preparedness Fund in an amount of up to \$25,000 each for Denman Island Fire Rescue, Fanny Bay Volunteer Fire Department, and Hornby Island Fire Rescue for a total of \$75,000 for fire department equipment;

AND FURTHER THAT the Comox Valley Regional District provide support and grant funds management.
207 Carried

R. Dyson, Chief Administrative Officer, recused himself from the meeting at 4:56 pm due to a potential perceived conflict of interest in relation to his spouse's position as chair of the Agricultural Land Commission.

B. Price/E. Grieve: THAT the Agricultural Land Commission be advised that the Comox Valley Regional District does not support Agricultural Land Reserve Non-Farm Use application ALR 1B 19 (Pollard) to permit a two-lot subdivision of the property described as Lot A, Section 21, Comox District, Plan 25680, Except Part in Plan EPP64565, PID 000-913-375 (3120 Dove Creek Road);

AND FINALLY THAT the application ALR 1B 19 (Pollard) for the non-farm use of property within the Agricultural Land Reserve be forwarded to the Agricultural Land Commission for decision.
208 and 213 Carried

R. Dyson, Chief Administrative Officer, returned to the meeting at 4:59 pm.

SEWAGE COMMISSION - OCTOBER 8, 2019

D. Frisch/D. Arbour: THAT the Sewage Commission minutes dated October 8, 2019 be received.
208 Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - OCTOBER 8, 2019

K. Grant/J. Ketler: THAT the Comox Valley Sports Centre Commission minutes dated October 8, 2019 be received.
208 Carried

COMMITTEE OF THE WHOLE - OCTOBER 8, 2019

K. Grant/B. Price: THAT the Committee of the Whole minutes dated October 8, 2019 be received.
208 Carried

D. Arbour/D. Frisch: THAT the Comox Valley Regional District, in partnership with the Union Bay Improvement District, support an application to the Ministry of Municipal Affairs and Housing for a restructure planning grant and infrastructure planning grant that would:

- conduct a condition assessment of Union Bay Improvement District assets and liabilities
- analyze the governance options to remain as an improvement district or convert the street lighting, water supply and distribution and fire protection services to regional district services; and
- develop and execute a communication plan that:
 - assesses public perspective on the topic of Union Bay governance and service delivery; and
 - informs the public on potential outcomes from the assessment and governance models.

208

Carried

D. Arbour/J. Ketler: THAT the Comox Valley Regional District board send a letter of support to the Hornby Island Community Economic Enhancement Corporation for the implementation of a Municipal and Regional District Tax at 3% on the purchase of short-term accommodation on Hornby Island with such funds raised being utilized to support local affordable housing initiatives and tourism marketing, programs and projects.

208

Carried

COMMITTEE OF THE WHOLE - OCTOBER 17, 2019

K. Grant/B. Price: THAT the Committee of the Whole minutes dated October 17, 2019 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE - OCTOBER 21, 2019

D. Arbour/K. Grant: THAT the Electoral Areas Services Committee minutes dated October 21, 2019 be received.

208

Carried

B. Price/D. Arbour: THAT Bylaw No. 2866 being the "Comox Valley Water Systems Regulation, Fees and Charges Bylaw 2006" be amended to include a nine per cent rate increase for all commercial and residential minimum charge and tiered rates effective April 1, 2020 to ensure revenue demands for the Comox Valley Water Local Service Area are met while an organization-wide asset management review is completed.

209

Carried

B. Price/D. Arbour: THAT Bylaw No. 111 being the "Royston Water Service Regulation, Fees and Charges Bylaw, 2010" be amended to include a nine per cent rate increase to the basic fee and all tiered rates, effective April 1, 2020 for asset management purposes.

207

Carried

GRANT REVENUE ANTICIPATION BORROWING BYLAW

D. Frisch/K. Grant: THAT the report dated October 25, 2019 providing the board with supporting background information and a recommendation with respect to the adoption of a grant revenue anticipation borrowing bylaw to support the Comox Valley Water Treatment Project, be received.

208

Carried

B. Price/D. Arbour: THAT the board give readings to Bylaw No. 598 being "Grant Revenue Anticipation Borrowing Bylaw No. 598, 2020".

208

Carried

BYLAWS AND RESOLUTIONS:

D. Frisch/E. Grieve: THAT Bylaw No. 594 being "Revenue Anticipation Borrowing Bylaw No. 594, 2020" be given first and second readings concurrently.

210

Carried

K. Grant/D. Frisch: THAT Bylaw No. 594 being "Revenue Anticipation Borrowing Bylaw No. 594, 2020" be read a third time.

210

Carried

J. Ketler/E. Grieve: THAT Bylaw No. 596 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 13" be given first and second readings concurrently.
209 Carried

D. Frisch/K. Grant: THAT Bylaw No. 596 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 13" be read a third time.
209 Carried

D. Arbour/K. Grant: THAT Bylaw No. 597 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 3" be given first and second readings concurrently.
207 Carried

K. Grant/D. Arbour: THAT Bylaw No. 597 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 3" be read a third time.
207 Carried

W. Morin/D. Frisch: THAT Bylaw No. 598 being "Grant Revenue Anticipation Borrowing Bylaw No. 598, 2020" be given first and second readings concurrently.
210 Carried

W. Morin/D. Frisch: THAT Bylaw No. 598 being "Grant Revenue Anticipation Borrowing Bylaw No. 598, 2020" be read a third time.
210 Carried

D. Frisch/E. Grieve: THAT third reading of Bylaw No. 568 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 78" be rescinded.
208 and 213 Carried

D. Frisch/B. Price: THAT Bylaw No. 568 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 78" be amended at second reading to change the references from Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005" to Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2019".
208 and 213 Carried

D. Frisch/B. Price: THAT Bylaw No. 568 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 2" be given third reading as amended.
208 and 213 Carried

D. Frisch/B. Price: THAT Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw, No. 520, 2019" be finally adopted.
208 and 213 Carried

K. Grant/D. Frisch: THAT Bylaw No. 584 being "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014, Amendment No. 3" be finally adopted.
208 and 213 Carried

K. Grant/E. Grieve: THAT Bylaw No. 585 being "Comox Valley Regional District Building Bylaw No. 142, 2011, Amendment No. 4" be finally adopted.
208 and 213 Carried

K. Grant/D. Hillian: THAT Bylaw No. 586 being "Comox Valley Sewerage Service Future Expenditure Reserve Fund Establishment Bylaw No. 586, 2019" be finally adopted.

209

Carried

D. Frisch/D. Hillian: THAT Bylaw No. 592 being "Hornby Island Comfort Station Future Expenditure Reserve Fund Establishment Bylaw No. 592, 2019" be finally adopted.

207

Carried

NEW BUSINESS:**VANCOUVER ISLAND MUSIC FEST**

K. Grant/D. Frisch: THAT staff be directed to prepare a report on the request for funding from the Vancouver Island MusicFest as outlined in their delegation to the CVRD Board on October 29, 2019.

208

Carried *NAY: E. Grieve***ADJOURN TO IN-CAMERA:**

The board recessed to its in-camera session at 5:17 pm.

RISE AND REPORT:

The board rose from its restricted in-camera session at 5:49 pm and reported on the following resolutions:

"THAT the board grant a leave of absence to Electoral Area A Advisory Planning Commission member, Lindsay Clement, from December 1, 2019 until June 30, 2020;

AND FURTHER THAT the board rise and report on this resolution."

"THAT staff be directed to develop a report that:

- a) Describes the various initiatives that the CVRD is currently pursuing with K'ómoks First Nation;
- b) Identifies further opportunities, both short and longer term, for improving relations; and
- c) Presents a draft CVRD and KFN engagement policy that acts as a framework for aligning the CVRD's activities and intent with respect to its relationship with K'ómoks First Nation;

AND FURTHER THAT the board rise and report on this resolution."

"THAT the Comox Valley Regional District Board appoint Joe Schommer to the Board of Variance for a three-year term, effective January 1, 2020 and expiring December 31, 2022;

AND FURTHER THAT the board rise and report on this resolution."

TERMINATION:

E. Grieve/K. Grant: THAT the meeting terminate.

208

Carried

Time: 5:49 pm.

Confirmed this _____ day of _____ 20__:

Bob Wells
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services


COMOX VALLEY REGIONAL DISTRICT BOARD (INAUGURAL MEETING)

Tuesday, November 5, 2019

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on November 5, 2019 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 4:00 pm.

MINUTES

Present:

Directors:	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	W. Morin	City of Courtenay
	E. Grieve	Puntledge/Black Creek (Area C)
	A. Hamir	Lazo North (Area B)
	D. Hillian	City of Courtenay
	D. Frisch	City of Courtenay
	M. Swift	Town of Comox
	W. Cole-Hamilton	City of Courtenay
	J. Ketler	Village of Cumberland
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	M. Rutten	General Manager of Engineering Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services

RECOGNITION OF TRADITIONAL TERRITORIES:

James Warren, General Manager of Corporate Services and presiding member, called the meeting to order at 4:00 pm and acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

ELECTION OF THE COMOX VALLEY REGIONAL DISTRICT CHAIR:

Pursuant to sections 5 and 6 of the CVRD Procedure Bylaw, nominations were called for the position of board chair. Directors Ketler, Frisch and Grieve were nominated and voting took place by secret ballot. After the ballot counting by Beth Dunlop, James Warren and Jake Martens, it was announced that Director Ketler was elected chair of the board.

ELECTION OF THE COMOX VALLEY REGIONAL DISTRICT VICE-CHAIR:

Pursuant to sections 5 and 6 of the CVRD Procedure Bylaw, nominations were called for the position of board vice-chair. Directors Hamir and Frisch were nominated and voting took place by secret ballot. After the ballot counting by Beth Dunlop, James Warren and Jake Martens, it was announced that the result was a tie. The vote was conducted a second time and the result was also a tie. The directors were required to pass a resolution to determine the election by the drawing of lots or to conduct another election.

K. Grant/J. Ketler: THAT the election of vice-chair of the board for 2020 be determined by the drawing of lots.

208

Carried

Mayor Bob Wells, former chair of the board, was called upon to draw the name. Director Hamir's name was drawn and as such was elected to the position of vice-chair of the Comox Valley Regional District Board.

D. Hillian/K. Grant: THAT the ballots for both the chair and vice-chair elections be destroyed.

208

Carried

Director Ketler assumed the position of chair at 4:19 pm

REMARKS FROM THE COMOX VALLEY REGIONAL DISTRICT CHAIR:

Chair Ketler provided opening remarks following the election.

REPORTS:

EXTERNAL APPOINTMENT REPORTS FROM DIRECTORS

E. Grieve/D. Frisch: THAT the correspondence dated October 31, 2019 from Director Arbour regarding his appointments to the Island Corridor Foundation and the Vancouver Island Regional Library, be received.

208

Carried

D. Frisch/K. Grant: THAT the verbal reports from Directors Grieve, Ketler and Swift concerning their appointments to external organizations, be received.

208

Carried

CVRD - STRATEGIC PLANNING REPORT

K. Grant/W. Morin: THAT the report dated October 31, 2019 reporting on the board's strategic planning session held October 17 and 18, 2019 and describing the process for delivering services that are aligned with the board's goals, be received.

208

Carried

Russell Dyson, Chief Administrative Officer, presented information regarding the board's strategic plan and the process for delivery of the specific services and initiatives identified.

D. Arbour/K. Grant: THAT the board affirm its strategic drivers as:

- Fiscal responsibility
- Climate crisis and environmental stewardship and protection
- Community partnerships
- First Nations relations

AND FURTHER THAT the strategic planning report dated October 2019, attached as Appendix A to the staff report dated October 31, 2019, be approved and included with the 2020-2024 financial planning process, identifying how drivers influence service delivery and specific initiatives convey the Board's outcomes.

208

Carried

NEW BUSINESS:**VANCOUVER ISLAND REGIONAL LIBRARY (VIRL) BOARD - 2020 APPOINTMENT**

D. Arbour/K. Grant: THAT the correspondence dated October 29, 2019 from the Vancouver Island Regional Library (VIRL) requesting an appointment to the VIRL Board for 2020, be received.

208

Carried

A. Hamir/E. Grieve: THAT the following appointment be made to the 2020 Vancouver Island Regional Library Board:

- Member: Director Daniel Arbour;

AND FURTHER THAT remuneration be paid for meeting attendance in accordance with CVRD Bylaw No. 236 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012" provided that remuneration is not paid directly by the Vancouver Island Regional Library.

208

Carried

D. Arbour/E. Grieve: THAT the following appointment be made to the 2020 Vancouver Island Regional Library Board:

- Alternate member: Director Edwin Grieve;

AND FURTHER THAT remuneration be paid for meeting attendance in accordance with CVRD Bylaw No. 236 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012" provided that remuneration is not paid directly by the Vancouver Island Regional Library.

208

Carried

TERMINATION:

D. Arbour/K. Grant: THAT the meeting terminate.

208

Carried

Time: 4:49 pm.

Confirmed this _____ day of _____ 20__:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services



Thursday, November 7, 2019

Minutes of the meeting of the Comox Strathcona Regional Hospital District Board of Directors held on November 7, 2019 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 9:30 am.

MINUTES

Present:

Chair:	C. Cornfield	City of Campbell River
Vice-Chair:	D. Hillian	City of Courtenay
Directors:	D. Frisch	City of Courtenay
	J. Abram	Discovery Islands - Mainland Inlets (Area C)
	M. Babchuk	City of Campbell River
	J. Colborne	Village of Zeballos
	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	E. Grieve	Puntledge/Black Creek (Area C)
	B. Leigh	Oyster Bay – Buttle Lake (Area D)
	M. Davis	Village of Tahsis
	B. Unger	Village of Gold River
	W. Morin	City of Courtenay
	G. Whalley	Kyuquot – Nootka/Sayward (Area A)
	A. Adams	City of Campbell River
Alt. Directors:	C. Evans	City of Campbell River
	M. McCollum	City of Courtenay
	A. Bissinger	Town of Comox
	S. Sullivan	Village of Cumberland
	B. Ives	Village of Sayward
	N. Minions	Town of Comox
	C. Dow	Cortes (Area B)
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	J. Martens	Manager of Legislative Services
	L. Dennis	Legislative Services Assistant
Other:	S. Christiansen	Ka:'yu : 'k't'h / Che : k'tles7et'h First Nations

Absent:

Directors:	R. Kerr	City of Campbell River
	A. Hamir	Lazo North (Area B)

ADOPTION OF MINUTES:

B. Leigh/C. Evans: THAT the Comox Strathcona Regional Hospital District Board minutes dated September 19, 2019 be adopted.

HDA (9)

Carried

REPORTS:**AUDIT SERVICE PLAN FOR THE YEAR ENDING DECEMBER 31, 2019**

M. Babchuk/A. Adams: THAT the report dated October 3, 2019 regarding the 2019 audit service plan as submitted by the audit firm of MNP LLP be received.

HDA (9)

Carried

2020 PROVISIONAL BUDGET

J. Colborne/M. Babchuk: THAT the report dated October 30, 2019 regarding the 2020 provisional budget for the Comox Strathcona Regional Hospital District be received.

LGA (196 and 197)

Carried

K. Douville, Manager of Financial Planning, provided an overview of the staff report regarding the 2020 provisional budget for the Comox Strathcona Regional Hospital District.

J. Colborne/J. Abram: THAT the 2020 provisional budget for the Comox Strathcona Regional Hospital District be adopted as presented.

LGA (196 and 197)

Carried

B. Ives/D. Hillian: THAT the Comox Strathcona Regional Hospital District engage in a strategic planning session in 2020 to review and confirm its mandate including the purpose of the future expenditure reserve funds.

LGA (196 and 197)

Alternate Director Minions left the boardroom at 10:15 am.

J. Colborne/D. Arbour: THAT the motion be amended by inserting the words "the first quarter of" immediately before the number "2020".

LGA (196 and 197)

Defeated

The vote was taken on the main motion:

THAT the Comox Strathcona Regional Hospital District engage in a strategic planning session in 2020 to review and confirm its mandate including the purpose of the future expenditure reserve funds.

LGA (196 and 197)

Carried

Alternate Director Minions returned to the boardroom at 10:18 am.

MANAGEMENT REPORT

J. Abram/M. Babchuk: THAT the Comox Strathcona Regional Hospital District Board management report dated November 2019 be received.

HDA (9)

Carried

BYLAWS AND RESOLUTIONS:

D. Hillian/D. Frisch: THAT Bylaw No. 292 being "Comox-Strathcona Regional Hospital District Remuneration and Expenses Bylaw 2008, Amendment No. 2" be adopted.

LGA (196 and 197)

Carried

NEW BUSINESS:

PATHOLOGY SERVICES AT NORTH ISLAND HOSPITALS

J. Abram/B. Leigh: THAT the Comox Strathcona Regional Hospital District write to the Premier and Island Health to reconfirm the board's strong support for maintaining fully functioning local pathology services at the North Island Hospitals in Courtenay and Campbell River in support of optimum health outcomes for the hospital district and to fully utilize the board's capital investments at both hospitals.

Carried

TERMINATION:

THAT the meeting terminate.

HDA (9)

Time: 10:39 am.

Confirmed this _____ day of _____ 20__ :

Charles J. Cornfield
Chair

Certified Correct:

Jake Martens
Manager of Legislative Services

Recorded By:

Lisa Dennis
Recording Secretary

TOWN OF COMOX

BYLAW NO. 1932

**A BYLAW TO AUTHORIZE THE USE OF A RECORDS MANAGEMENT SYSTEM
FOR THE TOWN OF COMOX**

The Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title:

This bylaw may be cited for all purposes as the "Comox Records Management System Bylaw No. 1932, 2019.

2. Definitions:

In this Bylaw, unless the context otherwise requires:

- (a) "Council" includes all members of the Council of the Town of Comox;
- (b) "Designated Officer" means the Corporate Officer assigned responsibility for corporate administration under s.148 of the Community Charter; or their Council appointed Deputy;
- (c) "Record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;
- (d) "Records Management System" means the Local Government Management Association of British Columbia Records Management System and the system used by the Town of Comox to manage the records of the Town of Comox from record creation through to records disposal;
- (e) "Records Classification and Retention Schedule" means formal schedule, as amended from time to time, that establishes the classification system and retention periods for the records of the Town and provides for their disposition; and
- (f) "Staff" includes employees, independent contractors, volunteers and service providers.

3. Records Management System Established

The Records Management System, including the Records Classification and Retention Schedule, currently utilized by the Town of Comox, is authorized.

4. Compliance with Record Management System

All records in the custody and control of Council and the staff of the Town of Comox are the property of the Town of Comox. All records of the Town of Comox must comply with the Records Management System and this Bylaw. Council and the staff must comply with this bylaw.

5. Creation or Receipt of Records

All records, either

- (a) created by Council or the staff, or
- (b) received or used by Council or the staff

in the context of their functional responsibilities, by standard mail, courier, hand-delivery, electronic mail or text, facsimile, scanning or by other means, are records of the Town and subject to the provisions of the Records Management System and this Bylaw.

6. Designated Officer

The Designated Officer is responsible for the management and maintenance of the Records Management System. The Designated Officer is authorized to manage and maintain the Records Management System.

7. Manual of Procedures and Policy

The Designated Officer is authorized to create and maintain a manual of procedures and policy (the "Manual"). Records of the Town of Comox are created, accessed, maintained and disposed of only as provided by the Manual. The Manual may provide for management of the records of the Town of Comox and include provisions regarding:

- the making, receiving, capturing and organization of records, including records not authorized for creation;
- the collection of records (including records not authorized for collection);
- access to records;
- disclosure of records;
- maintenance of records;
- managing records;
- using records;
- retention of records;
- security of records, including protection;
- storage of records;
- preservation of records;
- disposal of records, including destruction; and
- any other matter(s) the Designated Officer authorizes to be included in the Manual.

8. Exclusions

This bylaw does not apply to records

- (a) created or received by a member of Council, other than those records created, received or used in their capacity as a member of Council;
- (b) of staff that are personal in nature and do not relate to the operations of the Town and are not required for such operations; or
- (c) of community associations or other organizations or entities which have an operating agreement with the Town, where such records are not in the custody or control of the Town.

9. Integrity and Authenticity Maintained

The Records Management System must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

10. Authorization to Amend Manual

To ensure the Manual of procedures and policy complies with applicable laws, the Designated Officer is authorized to amend the Manual, as required.

11. Records Classification and Retention Schedule

The Records Classification and Retention Schedule must prescribe the period of time that records are kept to meet the operational, legal, regulatory, financial or other requirements of the Town of Comox. The Records Classification and Retention Schedule must also provide instructions as to the manner and time of the disposition of a record.

12. Authorization to Amend Records Classification and Retention Schedule

To ensure the Records Classification and Retention Schedule complies with applicable laws, the Designated Officer is authorized to amend the Records Classification and Retention Schedule, as required.

13. Disposal Ordered by Designated Officer

When the Designated Officer determines that the retention period for a given record described in the Records Classification and Retention Schedule has ended, the Designated Officer may order the record to be destroyed or otherwise disposed of in accordance with the instructions in the Records Classification and Retention Schedule.

14. Compliance with Law

The Records Management System must comply with the Manual, applicable laws and any provincial, national or international standards adopted for use and contained in the Manual.

15. Severability

If any section, subsection, paragraph, subparagraph or clause of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.

16. Adoption

READ A FIRST, SECOND and THIRD time this 6th day of November , 2019

ADOPTED this day of , 2019

MAYOR

CORPORATE OFFICER



TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
 Meeting Date: Nov. 20, 2019

TO: Mayor and Council	FILE: 0550-01
FROM: Shelly Russwurm, Deputy Corporate Administrator	DATE: Nov. 12, 2019
SUBJECT: Electronic Participation in Council Meetings	

Prepared by: Shelly Russwurm, DCA	Supervisor: _____	Financial Approved: _____ Clive Freundlich, Fin. Director	Report Approved: Al Kenning, CAO
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Recommendation from the Chief Administrative Officer:

That Comox Council Procedure Bylaw No. 1614, 2009, Amendment No. 4, 2019 be given First, Second and Third Readings.

Purpose

To advise Council of their authority to allow Council and Council committee members to participate electronically in meetings, and to recommend that Council give the recommended Comox Council Procedure Bylaw No. 1614, 2009, Amendment No. 4, 2019 three readings.

Strategic Plan Linkage

Council meeting procedures falls under one of Council's Core Services, to ensure strong governance and administration. Enabling meeting members to participate in meetings by electronic means provides an option to attend meetings, in certain circumstances, when they are otherwise not able to physically attend.

Background

Due to Council or Council committee members' availability, it may not be possible to physically attend all meetings. Provision to participate electronically would provide members an option to participate while away from the Town or otherwise unable to attend physically.

In accordance with section 128 of the Community Charter, Council may authorize a member of Council or of a Council committee to participate by electronic or other means. If Council wishes to do so, it must establish the authority and process in its procedure bylaw, and consideration should be given to factors, such as:

- the types of meetings that members are permitted to participate in electronically;
- the acceptable reasons that members or others are permitted participate electronically;
- the number of members at one time that are permitted to participate electronically at a meeting; and
- whether other participants (i.e., non-Council members, staff or consultants) are permitted to participate electronically.

The recommended Comox Council Procedure Bylaw No. 1614, 2009, Amendment No. 4, 2019 (the Procedure Bylaw Amendment) allows members of a Council or a Council committee meeting (including Committee of the Whole meetings, Public Hearings, and any select or standing committees established by Council) to participate electronically. Electronic participation is recommended to be limited to two members, provided that a majority of meeting members is participating physically. The recommended approach is to only permit the designated chair to participate electronically if the acting Mayor or vice chair, who is physically in attendance, presides over the meeting.

The recommended Procedure Bylaw Amendment also establishes other conditions under which electronic participation is permitted, and establishes procedures for participating (joining, voting, etc.) and for lost communication links.

Providing meeting members an alternative to physically attending and participating in meetings ensures that absences are minimized, that critical attendance can be assured, and that potentially unavoidable circumstances can be accommodated. The recommended Procedure Bylaw Amendment (attached) allows electronic participation to accomplish these objectives.

TOWN OF COMOX

BYLAW NO. 1936

A BYLAW TO AMEND THE COMOX COUNCIL PROCEDURE BYLAW, 2009

WHEREAS the Council of the Town of Comox wishes to allow electronic participation in Council meetings;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the “Comox Council Procedure Bylaw No. 1614, 2009, Amendment No. 4, 2019”.

2. Amendment

The Comox Council Procedure Bylaw, 2009 is amended as follows:

(1) By adding the following to Section 2 [Definitions] and renumbering accordingly:

- (a) “Council Committee” means a select committee of Council, a standing committee of Council, or any other body established by Council that is composed solely of Council members.
- (b) “Participate Electronically” means participation in a Council or a Council Committee meeting, by a Council or a Council Committee member, as applicable, by use of telephone communications or by Voice Over Internet Protocol (VOIP) that
 - (i) enables all members to hear and speak with each other, and
 - (ii) enables the public to hear the member participating electronically during that part of the meeting that is open to the public.

(2) By adding the following Sections and renumbering accordingly:

“14. Electronic Participation in Meetings

- (1) A member of Council or of a Council Committee, who is unable to attend at a Council meeting or Council Committee meeting, as applicable, may Participate Electronically.
- (2) No more than two members of Council or of a Council Committee may Participate Electronically at any one time during any meeting.

- (3) A member Participating Electronically is deemed to be present in the meeting as though they were physically present.
- (4) The Mayor, acting Mayor or chair, who is presiding at a meeting, must not Participate Electronically. If the Mayor, acting Mayor or chair requests to Participate Electronically, the Councillor designated as the member responsible for acting in the place of the Mayor, or the vice chair, is to preside over the meeting.

15. Conditions of Electronic Participation in Meetings

- (1) Members may only Participate Electronically in a meeting if the meeting is a regular Council, a special Council or Council Committee meeting.
- (2) Members may only Participate Electronically in a meeting at such times that the member is unable to be present at Council Chambers for reasons due to absence from the Town or health reasons, or with permission of Council.
- (3) Members may only Participate Electronically in a meeting if a majority of the members are physically present at the meeting.
- (4) There is no limit to the number of times a member may Participate Electronically in a meeting.

16. Procedures for Electronic Participation in Meetings

- (1) Notice of 24 hours must be given to the Corporate Officer in advance of the meeting if a member wishes to Participate Electronically.
- (2) When 24 hours' notice has not been given in advance of the meeting that a member wishes to Participate Electronically, the members physically present at the meeting must pass a resolution allowing the absent member's Electronic Participation.
- (3) A member Participating Electronically must inform the presiding member when they join and leave the meeting.
- (4) A member who is Participating Electronically must vote by audibly stating either "in favour" or "opposed".
- (5) If communication is lost to one or more members Participating Electronically during a meeting,
 - (i) a 10-minute recess will be called to try and reestablish the communication link, and

- (ii) if a communication link cannot be reestablished after the 10-minute recess,
 - (A) the member Participating Electronically will be deemed to have left the meeting, and
 - (B) if there is not a quorum of members remaining, the presiding member will deem the meeting to be adjourned.
- (6) The Corporate Officer shall record the names of members Participating Electronically.”

17. Adoption


- (1) READ A FIRST AND SECOND and THIRD time this _____ day of _____, 2019
- (2) ADOPTED this _____ day of _____, 2019


MAYOR


CORPORATE OFFICER

**TOWN OF COMOX
PLANNING REPORT**

TO:	AL KENNING, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER ELLIOT TURNBULL, PLANNING TECHNICIAN
SUBJECT:	RZ 19-5 CANNABIS PRODUCTION
DATE:	RCM NOVEMBER 20, 2019 FIRST AND SECOND READING REPORT


 Submitted by


 Concurrence


 Approval

Recommendation:

1. That Comox Zoning Amendment Bylaw 1926 be given First and Second reading (**Attachment 2**); and
2. That a Public Hearing in respect of Bylaw 1926 be scheduled for 6:30pm, January 15, 2020, at Council Chambers, 1801B Beaufort Avenue, and staff be instructed to publish the requisite notices as required by the *Local Government Act*.

Proposal

The proposal is to amend Comox Zoning Bylaw 1850 to permit recreational cannabis production in the I2.1 Aeronautical Industrial Zone and update references to federal regulations.

Background:

At the October 2, 2019 Regular Council Meeting Council directed staff to “prepare for Council’s consideration a zoning amendment bylaw to permit recreational cannabis production in the I2.1 Aeronautical Industrial Zone and update references to federal regulations.”

Planning Report PR 19-13 contains background and additional rationale for the proposed Zoning Bylaw amendments.

NOVEMBER 20, 2019

Official Community Plan Implications

The OCP designates land as Light Industrial. Light industrial objectives in section 2.1.6.2 include:

1. To diversify the local economic base and create new employment opportunities;
3. To maintain good neighbor relations and avoid negative impacts on other nearby uses, particularly housing.

Land designated Light Industrial is included in Development Permit Area #6 Light Industrial which specifies guidelines intended to ensure industrial development is compatible with surrounding land uses and complements the economic and environmental goals of the OCP.

Zoning Bylaw Implications:

Other than Agricultural zoned land within the Agricultural Land Reserve, the only zoning designation that currently permits cannabis production is the I2.1 Aeronautical Industrial zone which has medical cannabis production facilities as a permitted use. Bylaw 1926 proposes to create a new definition for cannabis production facilities and add this use to the I2.1 zone. The Bylaw proposes to allow all the forms of cannabis production permitted under the federal *Cannabis Act* (which does not differentiate between medical and recreational production - see **Attachment 3**).

Bylaw 1926 further proposes to remove the definition for Medical Cannabis Production Facility as it references the *Access to Cannabis for Medical Purposes Regulations (ACMPR)* which have been repealed and absorbed by the *Cannabis Act*. The new definition for Cannabis Production Facility will correctly reference the *Cannabis Act*. All other references to the defunct *ACMPR* would also be updated throughout the Zoning Bylaw.

As cannabis legalization is still an emerging area, it is expected that municipalities will continue to have to adjust their regulations as those from the higher levels of government and the industry itself evolves.

MK/ET

- Attachment:
1. Process Steps
 2. Comox Zoning Amendment Bylaw 1926
 3. Cannabis Act License Class Summary

NOVEMBER 20, 2019

ATTACHMENT 1
PROCESS STEPS

1. First and Second reading of proposed Zoning Amendment Bylaw 1926;
2. Public Hearing for proposed Zoning Amendment Bylaw 1926;
3. Third reading of proposed Zoning Amendment Bylaw 1926;
4. Resolution of any outstanding items; and,
5. Adoption of proposed Zoning Amendment Bylaw 1926.

NOVEMBER 20, 2019

ATTACHMENT 2
COMOX ZONING AMENDMENT BYLAW 1926

TOWN OF COMOX

BYLAW 1926

A BYLAW TO AMEND COMOX ZONING BYLAW 1850

WHEREAS the Council of the Town of Comox has the authority under the provisions of the *Local Government Act* to amend the Zoning Bylaw;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as "Comox Zoning Amendment Bylaw 1926".

2. Amendments

1. Comox Zoning Bylaw 1850 is hereby amended as follows:

(1) Under Section 3 Interpretation:

(a) Adding the following definition in alphabetical order:

Cannabis Production Facility

A building or part thereof used, in accordance with a license issued under Part 5 of the Cannabis Act, to produce cannabis for recreational or medical use, including cultivation, drying, testing and research laboratory, packaging and shipping; does not include a retail store.

(b) Replacing the definition for Manufacturing with the following:

Manufacturing

Includes fabrication and assembly; does not include cannabis production facilities, junkyards, impound yards, wrecking yards, or primary processing of minerals, cement plants, concrete plants or other heavy industrial uses.

(c) Replacing the definition for Plant Nursery with the following definition:

Plant Nursery

A parcel, structure or part thereof used for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation and their retail sale; may also include the retail sale of related accessory supplies; does not include cannabis production facilities.

(d) Deleting the definition for **Medical Cannabis Production Facility**

- (2) Replacing Section 5.10(7) with the following text:

the retail sale of cannabis, or any other method of distributing cannabis other than by a recreational cannabis retail store, shipping authorized by the *Cannabis Act* and undertaken by a cannabis production facility, or shipping authorized by a licence issued under the *Cannabis Control and Licencing Act*, and for clarity, this prohibition includes the distribution of cannabis at premises commonly known as compassion clubs, which distribute cannabis to club members or other persons at the premises, whether for use at the premises or at another location.

- (3) Schedule "A" Section 502 I2.1 Aeronautical Industrial is hereby amended by:

- (a) adding the following text as Section 502.1(6):

Cannabis production facilities

- (b) deleting Section 502.1(18).

2. Comox Zoning Bylaw 1850 is further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and order of the sections of this bylaw.

3. Adoption

- | | | |
|-----|-----------------------------------|-----------------|
| (1) | READ A FIRST AND SECOND time this | th day of, 2019 |
| (2) | ADVERTISED A FIRST time this | day of, 2019 |
| (3) | ADVERTISED A SECOND time this | day of, 2019 |
| (4) | PUBLIC HEARING HELD this | day of, 2019 |
| (5) | READ A THIRD time this | day of, 2019 |
| (6) | ADOPTED this | day of, 2019 |

Russ Arnott,
Mayor

Corporate Officer

NOVEMBER 20, 2019

ATTACHMENT 3

CANNABIS ACT LICENSE CLASS SUMMARY

License class	Authorized Activities
Cultivation	<ul style="list-style-type: none"> - Propagate, cultivate, harvest cannabis. - Possess cannabis. - Sell and distribute dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds to other license holders. - Alter chemical/physical properties of cannabis for the purpose of testing. - Ancillary activities (e.g. drying, trimming, milling, etc). - Includes micro-cultivation (plant area surface cannot exceed 200m²). - Allows both indoor and outdoor cultivation.
Cultivation – Nursery	<ul style="list-style-type: none"> - Same as cultivation but nurseries may only sell and distribute cannabis plants and seeds to other license holders.
Processing	<ul style="list-style-type: none"> - Possess cannabis. - Produce cannabis other than by propagation, cultivation, or harvesting. - Sell cannabis to other license holders. - Indoors only.
Sale for medical purposes	<ul style="list-style-type: none"> - Same allowances as the previous Access to Cannabis for Medical Purposes Regulations. - Possess cannabis. - Sell or distribute cannabis to other license holders and registered clients authorized to use medical cannabis (no on-site sales).
Analytical testing	<ul style="list-style-type: none"> - Possess cannabis. - Alter the chemical or physical properties of the cannabis for the purposes of testing.
Research	<ul style="list-style-type: none"> - For the purposes of research, possess, produce, and transport, send or deliver cannabis between sites that are authorized by the license. - Sell cannabis plants or seeds to other license holders.
Cannabis drug license	<ul style="list-style-type: none"> - Manufacture and sell a drug that contains cannabis.

NOVEMBER 20, 2019

	<ul style="list-style-type: none">- Also requires a separate Drug Establishment License under the Food and Drug Regulations.
Industrial hemp license	<ul style="list-style-type: none">- Cultivation, sale, importation, exportation, cleaning, preparing, and processing of industrial hemp.

Town of Comox – Administration

Subject: FW: Mayor and Council

LOG: 19-517	REFER:	AGENDA: RCM NOV 20
FILE: 0400-03	ACTION: MR	

RECEIVED

Oct. 24, 2019

TOWN OF COMOX

From: helloriley <helloriley@protonmail.com>

Sent: October 24, 2019 8:37 PM

To: council <council@comox.ca>

Subject: Mayor and Council

O - Cfile / rcm agenda

Copies - Council

- AK / Lia

Dear Mayor and Council,

I'm writing to you to let you know about the Red Dot Campaign that has been implemented in the town of Langley since about 2012. You can read about it on their website here: <https://www.tol.ca/at-your-service/sustainability/recycling/red-dot-campaign/>

I would like to request that the Town of Comox implement a campaign like this as well so that we can get more people to take part in refusing junk mail, and therefore cut down on paper waste, and all the other resources involved in the printing, distributing, and recycling of those unwanted flyers and ads.

Thank you for your consideration, please do let me know if you decide to address this or implement in.

Riley Lynn Evad
2750 Exeter Place
V9N6X7

TOWN OF COMOX

BYLAW 1927

A BYLAW TO AMEND COMOX ZONING BYLAW 1850

WHEREAS the Council of the Town of Comox has the authority under the provisions of the *Local Government Act* to amend the Zoning Bylaw;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as “Comox Zoning Amendment Bylaw 1927”.

2. Amendments

(1) Comox Zoning Bylaw 1850 is hereby amended by:

(A) Under Section 5.10 Prohibited Uses adding the following prohibited use:

(8) The bottling of water where the source of the water is other than the municipal water supply supplied directly to the property on which the bottling is taking place;

(B) Schedule “A” is hereby amended by:

a. replacing Sections 307.1(36), 813.1(22), and 820.1(32) with the following text:

Small appliance repair shops, processing or packaging of food or beverage products, or establishments that repair or assemble electronic equipment which

- (i) have a total non-retail floor area not in excess of 460 square metres,
- (ii) retail directly from the premises, and
- (iii) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.

b. replacing Section 502.1(26) with the following text:

Processing or packaging of food or beverage products

c. replacing Sections 810.1(2)(q), 811.1(l), and 825.1(25) with the following text:

Small appliance repair shops, processing or packaging of food or beverage products, or establishments that repair or assemble electronic equipment which

- (i) have a total non-retail floor area not in excess of 300 square metres,
- (ii) retail directly from the premises, and

(iii) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.

- d. adding the following text as Sections 302.2(5), 303.2(2), 305.2(5), 306.2(4), 307.2(6), 501.2(4), 502.2(10), 701.2(6), 804.2(5), 810.1(3)(d), 811.2(4), 813.2(5), 820.2(4), 825.2(4):

Processing or packaging of food or beverage products shall not include the bottling of water where the source of the water is other than the municipal water supply supplied directly to the property on which the bottling is taking place.

- (2) Comox Zoning Bylaw 1850 is hereby further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and order of the sections of this bylaw.

3. Adoption

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|---------------------------------------|--|
| (1) READ A FIRST AND SECOND time this | 16 th day of October, 2019 |
| (2) ADVERTISED A FIRST time this | 12 th day of November, 2019 |
| (3) ADVERTISED A SECOND time this | 14 th day of November, 2019 |
| (4) PUBLIC HEARING HELD this | day of , 2019 |
| (5) READ A THIRD time this | day of, 2019 |
| (6) ADOPTED this | day of, 2019 |

Russ Arnott,
Mayor

Corporate Officer