

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room at 175 Ingram Street, Duncan, BC, on Wednesday, March 8, 2006 at 6:00 p.m.

PRESENT: Chair J. Lefebure
Directors K. Cossey, M. Dorey, L. Duncan,
G. Giles, B. Hodson, P. Kent,
M. Marcotte <to 6:40 p.m.>, J. Peake, G. Ridgway,
G. Seymour, M. Tansley, M. Walker and Alternate
Directors J. McKenzie and D. Fraser

ALSO

PRESENT: Frank Raimondo, Administrator
Jane Armstrong, Deputy Secretary

ABSENT: Directors J. Allan and R. Hutchins

(Shaw Cable not present)

**APPROVAL OF
AGENDA
(06-91)**

It was moved and seconded that the agenda be amended with the addition of the following five items:

Regular Session:

- 1. NB1 – Community to Community Forum;**
- 2. NB2 – Regional Policing;**
- 3. NB3 – Regional Services Committee Delegates;**
- 4. NB4 – 2006 Budget Meeting;**
- 5. NB5 – Revised Board/Standing Committee Appointments; and**

that the agenda, as amended, be approved.

MOTION CARRIED

**ADOPTION OF
MINUTES
(06-92)**

It was moved and seconded that the minutes of the February 8, 2006 Regular Board meeting be adopted.

MOTION CARRIED

(06-93)

It was moved and seconded that the minutes of the February 22, 2006 Special Board meeting be adopted.

MOTION CARRIED

**BUSINESS
ARISING FROM
THE MINUTES
BA1**

February 22, 2006 issue of the “CVRD Backgrounder” regarding the Priority Setting Session held on February 11, 2006, identifying the CVRD’s top five higher level priorities of a regional nature, was considered:

(06-94) It was moved and seconded that the issues contained in the February 22, 2006 “CVRD Backgrounder” regarding the Priority Setting Session held on February 11, 2006, be referred to Electoral Area Services Committee.

MOTION DEFEATED

It was moved and seconded that the Board adopt the results of the Priority Setting Session held on February 11, 2006 with respect to both priorities and processes, as outlined in the CVRD Backgrounder dated February 22, 2006.

MOTION WITHDRAWN

(06-95) It was moved and seconded that the issues contained in the February 22, 2006 “CVRD Backgrounder” regarding the Priority Setting Session held on February 11, 2006, be referred to a future Regional Services Committee meeting.

MOTION CARRIED

DELEGATIONS No delegations

6:40 p.m. Director M. Marcotte left the meeting at 6:40 p.m.

REPORT OF CHAIRPERSON The Chair provided an update on the Island Corridor Foundation activities; noted that he attended a meeting with Director G. Giles, Staff and a Community Delegation regarding the Landings’ Project; and reported on the Community Safety Advisory Committee workshop held on March 2, 2006 at the Silverbridge Inn.

(06-96) It was moved and seconded that Director Jack Peake be appointed to the Island Corridor Foundation as a representative for the Cowichan Valley Regional District.

MOTION CARRIED

CORRESPONDENCE

C1 March 3, 2006 – UBCM Notice to Members re: 2006 Resolution Process, was received for information.

INFORMATION No information items

COMMITTEE REPORTS

CR1 Report and recommendations of Electoral Area Services Committee meeting of February 13, 2006, listing eight items, were considered:
Electoral Area Services Committee

(06-97)**It was moved and seconded:**

- 1. 1. That Staff be directed to draft a Loan Authorization Bylaw in the amount of \$207,000 for the purpose of purchasing a new fire truck for the Honeymoon Bay Fire Protection Service;**
 - 2. That voter approval of the Loan Authorization Bylaw be obtained through an Alternative Approval Process; and**
 - 3. That Staff prepare the necessary Request for Proposal documents once voter approval for the Loan Authorization Bylaw has been obtained.**
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- 2. That the following appointments to the Youbou Volunteer Fire Department Commission be approved:
Ken Abbott – Elected for a term to expire March 31, 2008;
George De Lure – Elected for a term to expire March 31, 2008;
and
Graham Baird – Appointed by Director B. Hodson for a term to expire March 31, 2008.**
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- 3. That the CVRD grant approval-in-principle for takeover of the sewer and water systems for a proposed 31-lot subdivision on Briarwood Road in Mill Bay and consolidation of the proposed systems to the adjacent Kerry Village Mobile Home Park water and sewer systems, as requested by the owner/developer, Albert Peterson, in his letter dated January 30, 2006, subject to the following conditions:**
 - 1. The preliminary concepts, detailed design and installation must be approved by Engineering Services staff to ensure compliance with CVRD Design Standards and Subdivision Bylaw 1215.**
 - 2. The developer/owner prepare and submit the Registration of Discharge form and operation plan to the Ministry of Environment for expansion of the service area, increasing the sewage flows and all infrastructure upgrades required to raise the level of sewage treatment to Class A standards.**
 - 3. The developer is required to provide all upgrades to the existing sewage treatment system to achieve Class A effluent quality for a combined total of 92 lots, including all upgrades to the septic fields or other treatment works.**
 - 4. The developer undertakes to provide a two-year warranty on the completed sewer and water systems, backed by suitable bonding.**
 - 5. All infrastructure works, located on private property, are placed within registered Statutory Rights-of-way using the CVRD's standard charge terms.**
 - 6. All sewage disposal and water supply capacities must be confirmed by the developer.**

7. The developer is required to provide all water and sewer servicing infrastructure, including pumps, controls and mainlines for the proposed 31-lot subdivision; as well as all upgrades or construction as necessary to provide interconnects and pipeworks to accommodate the new servicing configuration.
 8. The developer is required to provide a fire pump, replace the existing water treatment system with a CVRD-approved treatment system and provide a genset, complete with an automatic transfer switch; and pre-payment of the cost of water meters at approximately \$100 each.
4. That the CVRD consider applications for takeover of "ornamental" streetlighting on a "case by case" basis.
 5. That the CVRD provide a letter of support for the Cowichan Community Land Trust Society Invasive Species Education and Outreach project, indicating that the CVRD considers the project to be critical for the Cowichan Valley and that the CVRD will provide in-kind support for the project, of approximately two hours per week of staff time, as well as maps and information sharing.
 6. That Director L. Duncan be reimbursed his Registration Fee and Mileage Claim Expenses for the Invasive Plant Species Workshop he attended in Nanaimo on February 2, 2006.
 7. That the proposed road closure and dedication submitted by John and Katherine Roberts with respect to Lot 3, D.L. 31, Helmcken District, Plan 2210, shown on the plan dated November 30, 2005 prepared by Island Land Surveying Ltd. be supported, as it will facilitate future road widening and allow the dedicated road right-of-way to more accurately represent the location of the road.

MOTION CARRIED

(06-98)

It was moved and seconded:

8. That Development Variance Permit Application No. 8-B-05DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Ernie Ferguson with respect to Lot 5, Shawnigan Lake Suburban Lots, Malahat District, Plan 5518 that would vary Section 5.15(a) of Zoning Bylaw No. 985 by: 6.0 meters to allow the construction of a house 9.0 meters from the high water mark of Shawnigan Lake; and 11.0 meters to allow the construction of a deck 4.0 meters from the high water mark of Shawnigan Lake.

MOTION CARRIED

Report and recommendations of Electoral Area Services Committee meeting of February 27, 2006, listing 19 items, were considered:

(06-99)

It was moved and seconded:

- 1. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$250 be given to Koksilah School Historical Society, to assist in structural repairs to the heritage school.**
- 2. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$250 be given to Cowichan Therapeutic Riding Association, to support the service that the CTRA provides to the Cowichan Valley.**
- 3. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Frances Kelsey Secondary School, to assist a worthy student residing in the Cowichan Bay area with funding for post-secondary education.**
- 4. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Cowichan Secondary School, to assist in the Helping Hands project.**
- 5. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$400 be given to Cowichan Wooden Boat Society, to assist with Development Permit Application fees.**
- 6. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$250 be given to Cowichan Therapeutic Riding Association, to assist with replacement of their outdoor riding ring.**
- 7. That the contract extension price from Coast Environmental Ltd. for community and regional park portable toilet services for January 1, 2006 to December 31, 2006 for a total of \$22,397.55 (including gst) plus \$93.55 per additional unit, be accepted.**
- 9. That staff be authorized to execute a Provincial Public Highway Permit Application with Ministry of Transportation for development of a formal public beach access within the Clifcoe Road undeveloped right-of-way.**

(Amended from original Committee Recommendation):

- 10. That the Chair be directed to forward a letter to the Cowichan Lake Community Forest Co-operative supporting their application to the Ministry of Forests to acquire some of the reclaimed portion of Tree Farm License 46.**

11. That the Wilderness Watch group be granted free tipping fees at Bings Creek, subject to the CVRD standard limit.

MOTION CARRIED

(06-100)

8. That the Regional Board award the 2006-2008 Electoral Area F and I Community Park Maintenance Services Contracts to Garden Gate Landscaping in the amount of \$100,580 for Electoral Area F, inclusive of GST, and the amount of \$100,580 for Electoral Area I, inclusive of GST. And furthermore, that the Regional Board award the 2006-2008 Electoral Area H Community Park Maintenance Services Contract to Happy Trails Park Maintenance in the amount of \$14,012.72 for the 33-month term.

MOTION CARRIED

(06-101)

It was moved and seconded:

13. That Development Permit Application No. 9-G-05DP be approved and that the Planning Division be authorized to issue a Development Permit to Peter and Marilyn Milne with respect to Lot 5, District Lot 34, Oyster District, Plan VIP6095 that would allow a new, single-family dwelling to be built in accordance with the Ocean Shoreline Development Permit Area Guidelines of Official Community Plan Bylaw No. 2500.
14. That Application No. 2-C-05ALR submitted by Al Dyrland & Connie Bruce made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct a second dwelling on their property to replace the existing mobile home be recommended for approval and forwarded to the Agricultural Land Commission with the condition that the existing mobile home is removed from the property prior to an occupancy permit being issued.
15. That Application No. 1-C-06ALR submitted by Marsha & David Stanley and Alison Philp made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct a second dwelling on their property be recommended for approval and forwarded to the Agricultural Land Commission.
16. That Development Variance Permit Application No. 4-A-05DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Vince Iameo on behalf of G.L. Pierce in respect to Lot 9, Block B, Section 1, Range 9 Shawnigan District, Plan 1720 (ref Plan 1499), that would vary Section 8.4 (b)(2) of Zoning Bylaw No. 2000 by 1.4 metres from the 6 metre maximum allowable height and vary Section 5.21(l)

of Zoning Bylaw No. 2000 by 16 meters from the required 60-meter setback from a small suite to the high water mark of the sea.

17. That Development Variance Permit Application No. 1-B-06DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Casey Hungle with respect to Lot A (DD R59982), Shawnigan Lake Suburban Lots, Malahat District, Plan 2046 that would vary Section 8.3(b)(3) of Zoning Bylaw No. 985 by 3.0 meters from the 7.5 meter required setback to allow the construction of a garage/day use accessory building 4.5 meters from the front property line.
18. That CVRD Development Application Procedures and Fees Bylaw No. 2255 be amended by reducing the application fees to \$50.00 for:
 - Cowichan River Development Permit Area, within the Electoral Area E (Cowichan/Koksilah) OCP Bylaw 1490, 1994;
 - Watercourse Protection Development Permit Area, within the West Cowichan Official Community Plan Bylaw 1945, 1999 (Electoral Area F);
 - Stream Protection Development Permit Area and Habitat Protection Development Permit Area within the Electoral Area G Saltair Official Community Plan Bylaw 2500, 2005;
 - Watercourse Protection Development Permit Area, within the Electoral Area I (Youbou/Meade Creek) Official Community Plan Bylaw No. 2650.
19. That the appropriate amendment bylaws be prepared to amend the Zoning Bylaws for Areas A, B, C, D, E, F and H that would remove the 10 metre height notwithstanding regulation, and that the amendment bylaws be forwarded to the Board for consideration of 1st and 2nd reading and a Public Notification process be used in place of a Public Hearing.

MOTION CARRIED

(06-102)

It was moved and seconded:

12. That Development Permit Application No. 6-A-05DP be approved and that the Planning Division be authorized to issue a Development Permit to Ron Scattergood with respect to District Lot 80, Malahat District, except Parcel A (DD 36099I) thereof and that part in Plan VIP77596, that would allow the subject property to be subdivided into 87 lots in accordance with the Mill Bay Development Permit Guidelines of Official Community

Plan Bylaw No. 1890, subject to the following conditions:

- a) CVRD approval and takeover of the community sewer system;
- b) That measures, such as absorbent strips, be put in place on all driveways within the subdivision to reduce storm water flows;
- c) That oil-water separators be used on all roads;
- d) That environmental monitoring take place throughout road construction and lot preparation;
- e) That all street lighting be ‘down lighting’ to minimize light pollution;
- f) That restrictive covenants preventing the construction of buildings and the alteration of land, including the removal of trees and vegetation, in order to protect the creek and wildlife trees be registered on lots 34, 79-85 as described in Enkon’s reports dated October 16 2005, November 22 2005 and February 16 2006;
- g) That all wildlife trees have informative plaques placed on them and that the covenant area be fenced off as per Enkon’s recommendations;
- h) That all disturbed areas within the creek and wildlife tree covenant areas be revegetated with native shrubs in consultation with Enkon;
- i) That lots 24-27 have restrictive covenants requiring a geotechnical assessment prior to allowing the construction of pools or ponds due to steep topography.
- j) That MoE’s decision concerning the penalty to be issued for applicant’s failure to submit a notification pursuant to Section 9 of the *Water Act* be received by this office prior to the issuance of the development permit, and further, that the development permit only be issued if no substantial changes that affect the terms of the development permit are deemed necessary by the Ministry of Environment.

MOTION CARRIED

**CR2
Regional Services
Committee**

Report and recommendations of Regional Services Committee meeting of February 22, 2006, listing three items, were considered:

(06-103)

It was moved and seconded:

1. That staff be directed to proceed with establishment of a Volunteer Trail Warden Program for the Cowichan Valley Trail.
2. That the Cowichan Valley Trail - Glenora Trailhead staging area land become a community park.

3. That the CVRD Board appoint the following individuals to the Regional Parks and Trails Master Plan Advisory Group:

Trina White	Electoral Area A
Brent Heath	Electoral Area D
Kelly Schellenberg	North Cowichan
Don Barrie	Electoral Area F
Don Pigott	Electoral Area H
Roger Wiles	Electoral Area I
John Scull	North Cowichan
Tracey Fleming	Duncan/North Cowichan
Director Mary Marcotte	CVRD Board Representative

and further, that staff be directed to proceed with the first round of Regional Parks and Trails Master Plan public open houses during the final week in March and first week in April.

MOTION CARRIED

**CR3
Cowichan Centre
Commission**

Report of Cowichan Centre Commission meeting of February 23, 2006, was received for information.

**STAFF
REPORTS**

SR1

Staff Report dated January 4, 2006 from Deputy Manager, Development Services, Re: Zoning Amendment Bylaw No. 2711 (Agricultural Auction Deletion from A-1 Zone – Area C), referred from January 11th Board meeting, was considered:

(06-104)

It was moved and seconded that “CVRD Zoning Amendment Bylaw No. 2711, 2005, Area C – Cobble Hill (Agricultural Auction Deletion), Amendment to CVRD Bylaw No. 1405”, be forwarded to the Board for consideration of 3rd reading and adoption.

MOTION CARRIED

**PUBLIC
HEARINGS**

No public hearings

BYLAWS

**B1
(06-105)**

It was moved and seconded that “CVRD Bylaw No. 2752 – Local Transit Service Amendment Bylaw, 2006”, be adopted.

MOTION CARRIED

**B2
(06-106)** It was moved and seconded that “CVRD Bylaw No. 2765 – Cowichan Community Centre Commission Amendment Bylaw, 2006”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B2
(06-107)** It was moved and seconded that “CVRD Bylaw No. 2765 – Cowichan Community Centre Commission Amendment Bylaw, 2006”, be adopted.

MOTION CARRIED

**B3
(06-108)** It was moved and seconded that “CVRD Bylaw No. 2766 – Advisory Planning Commissions Amendment Bylaw, 2006”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B3
(06-109)** It was moved and seconded that “CVRD Bylaw No. 2766 – Advisory Planning Commissions Amendment Bylaw, 2006”, be adopted.

MOTION CARRIED

**B4
(06-110)** It was moved and seconded that “CVRD Bylaw No. 2767 – Area D – Cowichan Bay Official Settlement Plan Amendment (Peter Oley) Bylaw, 2006”, be referred back to Electoral Area Services.

MOTION CARRIED

**B5
(06-111)** It was moved and seconded that “CVRD Bylaw No. 2768 – Area D – Cowichan Bay Zoning Amendment (Peter Oley) Bylaw, 2006” be referred back to Electoral Area Services.

MOTION CARRIED

**B6
(06-112)** It was moved and seconded that “CVRD Bylaw No. 2769 – Area A – Mill Bay/Malahat Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B7
(06-113)** It was moved and seconded that “CVRD Bylaw No. 2770 – Area B – Shawnigan Lake Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B8
(06-114)** It was moved and seconded that “CVRD Bylaw No. 2771 – Area C – Cobble Hill Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B9
(06-115)** It was moved and seconded that “CVRD Bylaw No. 2772 – Area D – Cowichan Bay Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B10
(06-116)** It was moved and seconded that “CVRD Bylaw No. 2773 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B11
(06-117)** It was moved and seconded that “CVRD Bylaw No. 2774 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B12
(06-118)** It was moved and seconded that “CVRD Bylaw No. 2775 – Area H – North Oyster/Diamond Zoning Amendment (Height Exceptions Deletion) Bylaw, 2006”, be granted 1st and 2nd reading.

MOTION CARRIED

**B13
(06-119)** It was moved and seconded that “CVRD Zoning Amendment Bylaw No. 2711, 2005, Area C – Cobble Hill (Agricultural Auction Deletion), Amendment to CVRD Bylaw No. 1405”, be granted 3rd reading.

MOTION CARRIED

**B13
(06-120)** It was moved and seconded that “CVRD Zoning Amendment Bylaw No. 2711, 2005, Area C – Cobble Hill (Agricultural Auction Deletion), Amendment to CVRD Bylaw No. 1405”, be adopted.

MOTION CARRIED

RESOLUTIONS

**RES1
(06-121)** It was moved and seconded that the following appointment to the Electoral Area A – Mill Bay/Malahat Advisory Planning Commission be approved:

**Elected for a term to expire November 30, 2008:
Kenneth Ross Bushell**

MOTION CARRIED

**RES2
(06-122)** It was moved and seconded that the following appointments to the Electoral Area D – Cowichan Bay Parks and Recreation Commission be approved:

Appointed for a term to expire December 31, 2006:
Arthur Caldicotte
Ernie Einarsson

MOTION CARRIED

**RES3
(06-123)** It was moved and seconded that the following appointments to the Electoral Area H – North Oyster/Diamond Parks and Recreation Commission be approved:

Elected for a term to expire March 31, 2008:
A. S. Ladret
Kim Hansen

Appointed for a term to expire March 31, 2008:
Brad Uytterhagen

MOTION CARRIED

**RES4
(06-124)** It was moved and seconded that the following appointment to the Electoral Area I – Youbou/Meade Creek Parks Commission be approved:

Appointed for a term to expire December 31, 2006:
Dana Arthurs

MOTION CARRIED

**RES5
(06-125)** It was moved and seconded that:

WHEREAS global peak in oil production may affect agriculture, economic opportunities, transportation, and possibly other interests of the Board;

THEREFORE BE IT RESOLVED that the CVRD refer the topic of global peak oil to the Round Table on the Environment for research and advisement on the subject in the context of the CVRD as a whole;

AND FURTHER BE IT RESOLVED that the CVRD Board refers the topic of global peak oil to other standing and select committees as necessary for consideration.

MOTION CARRIED

**UNFINISHED
BUSINESS** No unfinished business

**NOTICE OF
MOTION**

No notice of motion

NEW BUSINESS**NB1**

The Administrator noted that the upcoming Community to Community Forum is being held in Vancouver and reminded those Directors attending that it begins this Friday.

NB2

The Administrator advised that representatives of the RCMP would be attending the Regular Regional Services Committee meeting to be held on March 22, 2006, to discuss regional policing issues.

NB3

The Administrator reminded Board members that there is a Special In Camera Regional Services Committee meeting being held on March 15, 2006, regarding First Nations/Treaty Negotiations issues with delegates from various agencies.

NB4

The Administrator reminded Board members that the Budget meeting is scheduled for Thursday, March 9, 2006, at 5:00 p.m.

NB5

The Administrator distributed a revised Board/Standing Committee appointment list for information purposes.

**RESOLVE INTO
IN CAMERA**

(06-126)
7:46 p.m.

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsections (1)(a), (e) and (2)(b).

MOTION CARRIED

**RISE FROM
IN CAMERA
(06-131)
8:35 p.m.**

It was moved and seconded that the Board rise with report on Item Nos. SCR1.1 and SR1 and return to the Regular portion of the meeting.

MOTION CARRIED

**IN CAMERA
REPORT**

**SCR1
Land Acquisition
{Sub (1)(e)}.
(06-128)**

It was moved and seconded:

1. That the Regional Board direct Staff to proceed with preparation of a parkland disposal bylaw and requisite alternative approval process for the sale of Eleanor Street Park.

MOTION CARRIED

**SR1
Appointment
{Sub (1)(a)}.
(06-130)**

**It was moved and seconded that Mr. Jim Wakeham be appointed
Manager of the Kerry Park Recreation Centre, effective April 3,
2006.**

MOTION CARRIED

ADJOURNMENT

**(06-132)
8:35 p.m.**

**It was moved and seconded that the Regular Board meeting
adjourn.**

The meeting adjourned at 8:35 p.m.

Certified Correct:

Chair

Deputy Secretary

Dated: _____