



**C·V·R·D**

**COWICHAN VALLEY REGIONAL DISTRICT**

**NOTICE OF SPECIAL BOARD MEETING**

**DAY: WEDNESDAY**

**DATE: NOVEMBER 25, 2009**

**TIME: → SPECIAL SESSION  
6:00 P.M.**

**PLACE: BOARD ROOM**

**175 INGRAM STREET**

  
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**Joe Barry**  
**Corporate Secretary**



# C·V·R·D

## SPECIAL BOARD MEETING

WEDNESDAY, NOVEMBER 25, 2009

6:00 PM - CVRD BOARD ROOM

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### AGENDA

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3.	<b><u>BYLAWS:</u></b>	
	B1 "CVRD Bylaw No. 3322 - Landclearing Management Regulation Amendment Bylaw, 2009", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	8-9
	B1 "CVRD Bylaw No. 3322 - Landclearing Management Regulation Amendment Bylaw, 2009", adoption.	
4.	<b><u>RESOLUTIONS:</u></b>	
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5.	<b><u>ADJOURNMENT:</u></b>	

The next Regular Board meeting will be held Wednesday, December 9, 2009 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.



CR1

**ELECTORAL AREA SERVICES  
COMMITTEE REPORT**

**OF MEETING HELD NOVEMBER 17, 2009**

**DATE:** November 19, 2009

**To:** Chairperson and Directors of the Board

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Your Electoral Area Services Committee reports and recommends as follows:

1. Pursuant to the provisions of Section 73 of the Community Charter and the Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, IT IS HEREBY RESOLVED that the owners and occupiers of the respective premises set forth below are required to remedy the unsafe condition by demolishing the remains of the fire damaged house, and remove the accumulation thereon of the unsightly materials and rubbish specified or take such remedial measures as are specified:

Property Description: Lot 1, Section 3, Oyster District, Plan 14037,  
PID 004 502 299

Location: 10505 Maytree Road, Saltair (Area G), B.C.

Unsafe Condition–Section 73 Community Charter: Remaining structure is unsafe.

Unsightly Accumulation – Section 725 Local Government Act and CVRD House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341: Accumulation of rubbish and burnt down house and contents.

Remedial measures: Demolish and remove the remaining structure and clean up and remove remains of the house and its contents and all other rubbish down to grade.

AND BE IT FURTHER RESOLVED that the CVRD Bylaw Enforcement Official BE AND IS HEREBY AUTHORIZED in default of such demolition and removal or remedial measures being undertaken by the owners or occupiers, within thirty (30) days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner or occupier. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

2. That Doug Higginson be appointed to the South Cowichan Official Community Plan Steering Committee.
3. That Tom Anderson be appointed to the Island Corridor Foundation Transportation Workshop Advisory Planning Commission.
4. That the resignation of Ron McKenzie from the Area F Parks Commission be accepted and that a letter of appreciation be forwarded to Mr. McKenzie.
5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$1000 be given to Frances Kelsey Secondary School, to provide a bursary to a deserving Shawnigan Lake graduating student.
6. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$975 be given to Cowichan Bay Improvement Association, to assist with costs for recycling bins and signage.
7. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$1000 be given to CMS Foodbank Society, to assist with local community needs.
8. That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School, to provide a bursary to a deserving Saltair graduating student.
9. That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation, to provide a Saltair Community Bursary.

**Electoral Area Directors only vote on the following recommendations under Part 26 OR Section 791 of the *Local Government Act*:**

10. That Development Permit Application No. 2-I-08DP by Jan and Gary Harvey for the expansion of a single family dwelling on Lot 1, Block 4, DL 72, Cowichan Lake District, Plan 16535, be approved, subject to compliance with the measures and recommendations outlined in RAR report No. 1011.
11. That Development Variance Permit Application No. 7-B-09DVP by Frank and Lynn Scott for a variance to Section 8.5(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to an exterior parcel line for an accessory building from 4.5 metres down to 3 metres on Lot 1, Shawnigan Suburban Lots, Shawnigan District, Plan 25740, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.

12. That Rezoning Application No. 1-D-09RS (Kolenberg) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.



CR2

## REGIONAL PARKS COMMITTEE REPORT

OF MEETING HELD NOVEMBER 24, 2009

**DATE:** November 25, 2009

**To:** Chairperson and Directors of the Board

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Your Regional Parks Committee reports and recommends as follows:

1. That a letter of appreciation be sent to Cowichan Tribes acknowledging their efforts to bring together the working partnerships to successfully achieve approval of the Job Opportunities Program work crews and for administering a successful program.
2. That a letter of appreciation be forwarded to Dan Brown, Parks Planning Technician (Trails) for his work with volunteer and the community on the Cleasby Bike Park and the Cobble Hill Mountain Regional Recreation Area.
3. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to secure access to the recently acquired Heart and Stocking Lake Regional Park property across adjoining crown lands legally described as Lot A, Blocks 1 and 731, District Lot 121, and Part of the Unnumbered part, Oyster District, Plan VIP78445 (PID 026-313-031).
4. That the Board Chair and Corporate Secretary be authorized to execute the documents to secure Trail Access License Agreements across Timberwests' privately owned lands legally described as Lot 691, Block 5, Bright and Oyster Land Districts as well as the property Block 1242, Malahat Land District, VIP 78495 for segments of the Cowichan Valley Trail.
5. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents applicable to the approved Recreation Infrastructure Canada Program's \$650,000 funding assistance to the expansion and construction of major sections of the Cowichan Valley Trail.



## KINSOL TRESTLE REVITALIZATION COMMITTEE

### REPORT OF MEETING HELD NOVEMBER 24, 2009

**DATE:** November 25, 2009

**To:** Chairperson and Directors of the Board

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Your Kinsol Trestle Revitalization Committee reports and recommends as follows:

1. That the Kinsol Trestle Rehabilitation Project be formally approved to proceed based on the \$5.671 million in funding secured to date for the project; and that the Board Chair and Corporate Secretary be authorized to execute the necessary documents to enter into a License Agreement with the Ministry of Transportation and Infrastructure for construction, operation and maintenance of the Cowichan Valley Trail within the former CNR railway corridor, inclusive of undertaking the full rehabilitation and ongoing maintenance of the historic Kinsol Trestle, for the sections of the former railway corridor between Sooke Lake Road and the eastern boundary of Cowichan River Provincial Park to the Pine Street intersection in the Town of Lake Cowichan.
2. That a sole services contract in the amount of \$15,000 plus taxes and disbursements be awarded to Commonwealth Historic Resource Management to provide specialized heritage design and preservation consulting services to the historic Kinsol Trestle Rehabilitation Project.
3. That a sole services contract in the amount of \$98,000 inclusive of taxes and disbursements be awarded to MMM Group Limited to provide the specialized services of Joost Meyboom, P. Eng., Regional Manager – Western Canada Project Delivery and Management for overall project management coordination of the historic Kinsol Trestle Rehabilitation Project.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3322**

**A Bylaw to Amend Bylaw No. 2020  
Landclearing Management Regulation Bylaw.**

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**WHEREAS** the Board of Directors of the Cowichan Valley Regional District established the regulation of landclearing debris pursuant to Bylaw No. 2020, cited as "CVRD Bylaw No. 2020 – Landclearing Management Regulation Bylaw, 2009";

**AND WHEREAS** the Board deems it desirable and expedient to update the definition and application sections of Bylaw 2020;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 3322 – Landclearing Management Regulation Amendment Bylaw, 2009**".

2. **AMENDMENT**

a) That under SECTION 2 – DEFINITIONS, the definition for "**Fire Chief**" be deleted in its entirety and replaced with the following:

**"Fire Chief"** means the highest ranking person in charge of the fire department in the jurisdiction where the **Open Burning** is occurring, or their authorized designate;

b) That under SECTION 3 – APPLICATION, Item 3.1 be deleted in its entirety and replaced with the following:

1) This bylaw applies to the Cowichan Valley Regional District Electoral Areas: A - Mill Bay/Malahat; B - Shawnigan Lake; C - Cobble Hill; D - Cowichan Bay; E - Cowichan Station/Sahtlam/Glenora; F - Cowichan Lake South-Skutz Falls; G – Saltair/Gulf Islands; H - North Oyster Diamond and I - Youbou/Meade Creek; except - that part of Electoral Area G located within the boundaries of the Thetis Island Improvement District.

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READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary



**RES1**

## COMMISSION APPOINTMENTS

SPECIAL BOARD MEETING  
OF NOVEMBER 25, 2009

DATE: November 16, 2009  
FROM: Director Cossey  
SUBJECT: **Area B - Shawnigan Lake Advisory Planning Commission**

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**Recommendation:**

That the following appointments to the Electoral Area B - Shawnigan Lake Advisory Planning Commission be approved:

*Term to expire November 30, 2011:*

John Clark  
Cynara de Goutiere  
Rod Macintosh  
Carol Lane  
Sara Middleton  
Roger Painter  
Graham Ross-Smith



**RES2**

## COMMISSION APPOINTMENTS

SPECIAL BOARD MEETING  
OF NOVEMBER 25, 2009

DATE: November 16, 2009  
FROM: Director Iannidinardo  
SUBJECT: **Area D - Cowichan Bay Advisory Planning Commission**

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**Recommendation:**

That the following appointments to the Electoral Area D - Cowichan Bay Advisory Planning Commission be approved:

*Term to expire November 30, 2011:*

Hilary Abbott  
Cal Bellerive  
Dan Bulter  
Brian Kosking  
Al Jones  
Kevin Maher  
Gordon Rutherford  
Calvin Slade  
David Slang



**RES3**

## COMMISSION APPOINTMENTS

SPECIAL BOARD MEETING  
OF NOVEMBER 25, 2009

DATE: November 17, 2009  
FROM: Director Marcotte  
SUBJECT: **Area H - North Oyster Advisory Planning Commission**

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**Recommendation:**

That the following appointments to the Electoral Area H - North Oyster Advisory Planning Commission be approved:

*Term to expire November 30, 2010:*

Ben Cuthbert  
Mike Fall  
Chris Gerrand  
John Hawthorn  
Alison Heikes  
Jody Shupe  
Janice Tukham