

Minutes of the meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, December 9, 2009 at 6:08 pm.

PRESENT: Directors K. Cossey, L. Duncan, G. Giles, B. Harrison, D. Haywood, R. Hutchins, L. Iannidinaro, P. Kent, K. Kuhn, M. Marcotte, T. McGonigle, I. Morrison, G. Seymour, and T. Walker
Alternate Director M. Dietrich

ALSO

PRESENT: Tom Anderson, Acting Administrator
Joe Barry, Corporate Secretary
Kathleen Harrison, Deputy Corporate Secretary
Mark Kueber, General Manager, Corporate Services
Ron Austen, General Manager, Parks, Recreation and Culture
Brian Dennison, General Manager, Engineering and Environmental Services
Kate Miller, Manager, Regional Environmental Policy
Jim Wakeham, Manager, Facility Management, Fleet and Transit
Brian Farquhar, Manager, Parks and Trails
Sharon Moss, Manager, Finance

ABSENT: Director M. Dorey

CALL TO ORDER

The Corporate Secretary called the meeting to order.

ELECTION OF CHAIR

The Corporate Secretary called for nominations for Chair. Mr. Barry noted that, by previous resolution of the Board, the Hospital Board Chair and Regional Board Chair are held by one Director elected by majority vote from among the members of the CVRD Board.

The Corporate Secretary called for nominations for Chair.

Directors Giles and Haywood were duly nominated.

ELECTION BY BALLOT

There being no further nominations, nominations were declared closed and Directors Giles and Haywood were provided an opportunity to address the Board in support of their candidacy for Chair. An election by ballot was conducted.

09-622

It was moved and seconded that the ballots for election of Hospital and Regional Board Chair for the year 2010 be destroyed.

MOTION CARRIED

- DECLARATION OF CHAIR FOR 2010** Director Giles was declared elected as Chair of the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Boards for the year 2010.
- NOMINATIONS FOR VICE-CHAIR** The Corporate Secretary called for nominations for Vice-Chair.
Director Kent was duly nominated.
- DECLARATION OF VICE-CHAIR FOR 2010** There being no further nominations, nominations were declared closed and Director Kent was declared elected by acclamation as the Vice-Chair of the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Boards for the year 2010.
- ASSUMPTION OF CHAIR** Chair Giles assumed the Chair.
- APPROVAL OF AGENDA 09-623** **It was moved and seconded that the agenda be amended with the addition of the following New Business Items:**
- NB1 Staff Report from the Manager, Community and Regional Planning Division
Re: OCP Amendment Bylaw No. 3119 and Zoning Amendment Bylaw No. 3120 – C. Little (Cobble Hill);**
- NB2 Staff Report from the Manager, Development Services Division
Re: Agricultural Land Commission Subdivision and Non-Farm Use Application;**
- NB3 Public Hearing Report
Re: Zoning Amendment Bylaw No. 3334 applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora;**
- NB4 "Cowichan Valley Regional District Bylaw No. 3334 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009", 3rd reading and adoption;**
- NB5 Grant-in-Aid Request—Electoral Area C – Cobble Hill (Warmland House);**
- NB6 Grant-in-Aid Request—Electoral Area D – Cowichan Bay (Warmland House);**
- NB7 Grant-in-Aid Request—Electoral Area E – Cowichan Station/ Sahtlam/ Glenora (Warmland House);**
- NB8 Grant-in-Aid Request—Electoral Area A – Mill Bay/Malahat (Warmland House);**

NB9 Grant-in-Aid Request—Electoral Area B – Shawnigan Lake (Warmland House); and

NB10 Health Network Meeting Update;

and further that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

**M1
09-624**

It was moved and seconded that the minutes of the Board meeting held November 12, 2009 be adopted.

MOTION CARRIED

**M2
09-625**

It was moved and seconded that the minutes of the Special meeting of the Board held November 25, 2009 be adopted.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

The Corporate Secretary responded to the concern raised by Director Morrison at the November 12, 2009 meeting that a letter, signed by the Chair, quoted Resolution No. 09-516-1 although it was not the same as adopted in the Board minutes.

The Corporate Secretary advised that, due to a deadline, the letter was drafted and sent quoting a resolution that was different from the final draft minutes. In the future, said Mr. Barry, correspondence that must be sent prior to the finalization of the minutes will not quote a resolution but, instead, will describe the net result of the resolution.

DELEGATIONS

D1

Rodger Hunter, Coordinator of the Cowichan Basin Water Advisory Council, provided an update on the implementation of the Cowichan Basin Water Management Plan. Mr. Hunter requested that the Board create a Cowichan Basin Watershed Advisory Board and a governance framework under which it would operate.

09-626

It was moved and seconded that the Board endorse immediate establishment of the Cowichan Watershed Board and the general governance framework as outlined in the report presented by the Coordinator of the Cowichan Basin Water Advisory Council.

MOTION CARRIED

09-627 **It was moved and seconded that staff report back to the Board with a report on funding for the Cowichan Watershed Board.**

Opposed: Director Kent

MOTION CARRIED

**REPORT OF THE
CHAIR**

RC1 Chair Giles requested the Directors to let her know of their preferences for sitting as members of various CVRD Committees for 2010.

RC2 Chair Giles noted that a number of Directors have expressed interest in having a 2010 budget workshop.

09-628 **It was moved and seconded that a 2010 budget workshop be arranged.**

MOTION CARRIED

**COMMITTEE
REPORTS**

CR1 The report and recommendations of the Regional Services Committee meeting of November 25, 2009, listing one item, were considered.

09-629 **It was moved and seconded that the Chair and Corporate Secretary be authorized to sign the renewal agreement for the use of the Mt. Bruce C1911 Antenna Site.**

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of December 1, 2009, listing nine items, were considered.

09-630 **It was moved and seconded:**

- 1. 1. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to amend the existing Parks and Trails Deficiencies Agreement with Woodland Shores to reduce the outstanding deficiencies value from \$44,400 to \$10,000, and furthermore that Woodland Shores be reimbursed \$34,400 from the deficiencies fund currently held by the Regional District under the terms of the existing agreement.**
- 2. That the following transfer of 2009 yearend surplus amounts be approved for Electoral Area Community Parks functions 231 (Area A), 235 (Area E) and 237 (Area G):**

- Area A Community Parks Capital Reserve Fund - \$15,000
 - Area E Community Parks Capital Reserve Fund - \$70,000
 - Area G Community Parks Capital Reserve Fund - \$40,000
3. That a Grant-in-Aid (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$2000 be given to Caycuse Volunteer Fire Department to assist with equipment and building repair costs.
 4. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$2205 be given to Sussex Consultants to assist with a funding shortfall for the South Cowichan Governance Study.
 5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$2205 be given to Sussex Consultants to assist with funding for the South Cowichan Governance Study.
 6. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$2205 be given to Sussex Consultants to assist with funding for the South Cowichan Governance Study.
 7. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$1000 be given to CMS Foodbank Society to assist with local community needs.

MOTION CARRIED

09-631

It was moved and seconded:

8.
 1. That Rezoning Application 4-A-07RS (Logan) be approved;
 2. That prior to any reading of the amendment bylaws, the Ministry of Transportation and Infrastructure indicate in writing to the CVRD that the sight distance issue has been resolved or can be resolved to their satisfaction; AND a landscaping plan be submitted with cost estimates;
 3. That prior to consideration of adoption of the amendment bylaws, the owner register a covenant on title prohibiting any signs from being posted along the southern boundary of the property along the Trans Canada Highway; and
 4. That a BCLS survey be done of the 0.8 ha site being rezoned and that portion be fenced, or that a security (ILOC) sufficient to ensure fencing is installed be

received by the CVRD; and that a security (ILOC) sufficient to ensure that landscape screening in the plan will be done is deposited with the CVRD.

9. That Application No. 1-G-09DVP by Reg and Anne Mann for a variance to Section 5.4(4) of Zoning Bylaw No. 2524, by decreasing the setback to a side interior parcel line from 1.8 metres down to 0.94 metres on Lot 20, District Lot 34, Oyster District, Plan 6095, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.

MOTION CARRIED

CR3

The report and recommendations of the Engineering and Environmental Services Committee meeting of November 25, 2009, listing nine items, were considered.

09-632

It was moved and seconded:

1. That the Board authorize staff time to continue with the process of investigating takeover of the Carlton Improvement District Water system, located in Electoral Area B, as requested by Carlton Improvement Trustees, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
 - All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owners;
 - A CVRD review of the system be undertaken in order to address deficiencies in the water system;
 - The owner of utility be willing to sell and/or transfer the system to the CVRD;
 - A public consultation process regarding CVRD takeover be undertaken;
 - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
 - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executedand further that an assessment of the system be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon

completion of a successful petition process, bylaws be prepared to create a service area for this utility.

2. That the Board accept the Briarwood/Kerry Village Capital Works Agreement between Briarwood Estates Ltd. and the CVRD, as amended, and further that the Board Chair and Corporate Secretary be authorized to sign the agreement.
3. That CVRD Bylaw No. 3339 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2009 be forwarded to the Board for consideration of three readings and adoption.
4. That the Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the Shellwood Improvement District Water System, located in Electoral Area H – North Oyster/Diamond, as requested by Shellwood Improvement Trustees, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
 - All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
 - A utility transfer agreement be executed between the CVRD and the owners;
 - A review of the system be undertaken in order to address deficiencies in the water system;
 - The owner of utility be willing to sell and/or transfer the system to the CVRD;
 - A public consultation process regarding CVRD takeover be undertaken;
 - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
 - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed.and further that an assessment of the system be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.
5.
 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Fern Ridge Water System Service Area be received.
 2. That the boundaries of the Fern Ridge Water System

Service Area be amended to include *"Lot 9, District Lot 107, Malahat District, Plan VIP32245 except plan 32821"* and *"Lot 12, District Lot 107, Malahat District, Plan 32245"*.

3. That "CVRD Bylaw No. 2994 – Fern Ridge Water System Service Establishment Bylaw, 2007", be amended to include Lot 9 and Lot 12, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

6. 1. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
 - CVRD Bylaw No. 3305 – Arbutus Ridge Water System Management Bylaw, 2009
 - CVRD Bylaw No. 3306 – Arbutus Ridge Sewer System Management Bylaw, 2009
 - CVRD Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009
 - CVRD Bylaw No. 3308 – Arbutus Ridge Water Capital Reserve Bylaw, 2009
 - CVRD Bylaw No. 3309 – Arbutus Ridge Water Parcel Tax Bylaw, 2009
 - CVRD Bylaw No. 3310 – Arbutus Ridge Sewer Capital Reserve Bylaw, 2009
 - CVRD Bylaw No. 3311 – Arbutus Ridge Sewer Parcel Tax Bylaw, 2009.

2. That the Board accept the Utility Transfer Agreement between the CVRD and CRC Canadian Retirement Corporation and Strata Plan VIS 1601 for CVRD takeover of the sewer, water and drainage systems for the Arbutus Ridge Strata Corporation in Electoral Area C, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.

7. That the CVRD apply a Water Conservation Fee of \$10,000 per connection to the following subject properties requesting inclusion into the Shawnigan Lake North Water System Service Area for the purpose of funding a Water Conservation, Metering And Backflow Prevention Program.

PID NOs.

001-429-876	003-122-310	009-481-079
004-166-248	009-255-702	006-121-161
009-480-901	009-255-753	006-121-179
001-959-646	008-441-804	009-255-516
003-126-102		

9. 1. That the Board accept the Utility Transfer Agreement

between the CVRD and Dogwood Ridge Improvement District for CVRD takeover of the water system in Electoral Area E, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.

2. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
 - CVRD Bylaw No. 3313 – Dogwood Ridge Water System Management Bylaw, 2009
 - CVRD Bylaw No. 3314 – Dogwood Ridge Water Capital Reserve Bylaw, 2009
 - CVRD Bylaw No. 3315 – Dogwood Ridge Water Parcel Tax Bylaw, 2009.

MOTION CARRIED

09-633

It was moved and seconded:

8. That the CVRD request that the Capital Regional District consider temporary acceptance of out-of-region municipal solid waste from the CVRD, commencing in 2012.

MOTION CARRIED

CR3

There was no report or recommendations of the Engineering and Environmental Services Committee meeting of December 9, 2009.

CR4

The report and recommendations of the Transit Committee meeting of December 9, 2009, listing three items, were considered.

09-634

It was moved and seconded:

1. That the change in scope to the revised Public Transit Agreement and Public Transit Infrastructure Program Funding Agreement be approved; and that the Board Chair and Corporate Secretary be authorized to sign the revised Agreement.
2. That the Board Chair and Corporate Secretary be authorized to sign Amendment #1 to the Cowichan Valley Regional Transit *Annual Operating Agreement* for the period April 1, 2009 to March 31, 2010.
3. That the Board Chair and Corporate Secretary be authorized to sign Amendment #1 to the Cowichan Valley Regional Transit *Youbou Annual Operating Agreement* for the period April 1, 2009 to March 31, 2010.

MOTION CARRIED

CR5 The report and recommendations of the Cowichan Lake Recreation Commission meeting of November 26, 2009, listing two items, were considered.

09-635 It was moved and seconded:

- 1. That the Board Chair and Corporate Secretary be authorized to execute the Community Access Program site funding agreement with the Victoria Free-Net Association for funding and operation of the Industry Canada Community Access Program at the Youbou Community Hall operated under the function of Cowichan Lake Recreation.**
- 2. That the CVRD Board support the grant application, in Phase 4 of the Community Grant Portion of the "Healthy Eating Strategy", for \$7,500 for funding to proceed with a healthy food and beverage initiative in the Cowichan Lake area.**

MOTION CARRIED

STAFF REPORTS

SR1 Staff Report from the Deputy Corporate Secretary dated December 1, 2009, regarding results of the alternative approval process for CVRD Bylaw Nos. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) and 3278 – Solid Waste Management Loan Authorization (Operations Facility) was considered.

09-636 It was moved and seconded:

- 1. That the *Certificate of Results*, confirming that the CVRD Board may proceed to adopt Bylaw No. 3277, be received.**
- 2. That the *Certificate of Results*, confirming that the CVRD Board may proceed to adopt Bylaw No. 3278, be received.**

MOTION CARRIED

SR2 Staff Report from the Chief Election Officer dated December 1, 2009, regarding a report of the Chief Election Officer for the Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Referendum 2009, was received as information.

SR3 Staff Report from the Assistant Manager, Planning and Development dated December 3, 2009, regarding third reading and adoption of Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Estates), was received as information.

**PUBLIC
HEARINGS**

PH1 Report of public hearing regarding Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 (Cooper), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, was considered.

09-637 It was moved and seconded that the report of public hearing regarding Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 (Cooper), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, be received.

MOTION CARRIED

PH2 Report of public hearing regarding Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Park Dev. Corp./Anasona Investments Ltd [Robin Mayo]), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, was considered.

09-637 It was moved and seconded that the report of public hearing regarding Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Park Dev. Corp./Anasona Investments Ltd [Robin Mayo]), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, be received.

MOTION CARRIED

BYLAWS

**B1
09-638** It was moved and seconded that "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009" be adopted.

MOTION CARRIED

**B2
09-639** It was moved and seconded that "CVRD Bylaw No. 3278 - Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009" be adopted.

MOTION CARRIED

**B3
09-640** It was moved and seconded that "CVRD Bylaw No. 3286 - Arbutus Ridge Water System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B4
09-641** It was moved and seconded that "CVRD Bylaw No. 3287 - Arbutus Ridge Water System Service Loan Authorization Bylaw, 2009" be adopted.

MOTION CARRIED

**B5
09-642** It was moved and seconded that "CVRD Bylaw No. 3288 - Arbutus Ridge Sewer System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B6
09-643** It was moved and seconded that "CVRD Bylaw No. 3289 - Arbutus Ridge Sewer System Service Loan Authorization Bylaw, 2009" be adopted.

MOTION CARRIED

**B7
09-644** It was moved and seconded that "CVRD Bylaw No. 3290 - Arbutus Ridge Drainage System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B8
09-645** It was moved and seconded that "CVRD Bylaw No. 3296 - Brulette Place Sewer System Service Establishment Bylaw, 2009" be adopted.

MOTION CARRIED

**B9
09-646** It was moved and seconded that "CVRD Bylaw No. 3297 - Brulette Place Sewer System Service Loan Authorization Bylaw, 2009" be adopted.

MOTION CARRIED

**B10
09-647** It was moved and seconded that "CVRD Bylaw No. 3313 - Dogwood Ridge Water System Management Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B10
09-648** It was moved and seconded that "CVRD Bylaw No. 3313 - Dogwood Ridge Water System Management Bylaw, 2009", be adopted.

MOTION CARRIED

**B11
09-649** It was moved and seconded that "CVRD Bylaw No. 3314 - Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B11
09-650** It was moved and seconded that "CVRD Bylaw No. 3314 - Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009", be adopted.

MOTION CARRIED

B12 It was moved and seconded that "CVRD Bylaw No. 3315 - Dogwood

09-651 Ridge Water System Parcel Tax Roll Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B12
09-652 It was moved and seconded that "CVRD Bylaw No. 3315 - Dogwood Ridge Water System Parcel Tax Roll Bylaw, 2009" be adopted.

MOTION CARRIED

B13
09-653 It was moved and seconded that "CVRD Bylaw No. 3339 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

Opposed: Directors Morrison and McGonigle

MOTION CARRIED

B13
09-654 It was moved and seconded that "CVRD Bylaw No. 3339 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2009" be adopted.

Opposed: Director Morrison

MOTION CARRIED

B14
09-655 It was moved and seconded that "CVRD Bylaw No. 3343 - Fern Ridge Water System Service Amendment Bylaw, 2009", 1st, 2nd and 3rd reading be adopted.

MOTION CARRIED

NB1 It was the consensus of the Board to consider New Business Item NB1 at this point in the meeting.

Staff Report from the Manager, Community and Regional Planning Division dated December 8, 2009, regarding OCP Amendment Bylaw No. 3119 and Zoning Amendment Bylaw No. 3120 – C. Little (Cobble Hill), was considered.

09-656 It was moved and seconded that the Board accepts the cash deposit in the amount of \$5,000, as security for the proposed landscaping at the Arbutus RV site in Cobble Hill, and that the security be held for a period of one year from the date of adoption of Bylaw Nos. 3119 and 3120, and be used to correct any deficiencies if the landscaping, as shown on the map attached to the December 8, 2009 Report from the Manager, Community and Regional Planning Division, fails to survive or is not done in the first place.

MOTION CARRIED

**B15
09-657** It was moved and seconded that "CVRD Bylaw No. 3119 - Area C - Cobble Hill Official Community Plan Amendment Bylaw (C. Little/TCH Screening Guidelines), 2008" be adopted.

MOTION CARRIED

**B16
09-657** It was moved and seconded that "CVRD Bylaw No. 3120 - Area C - Cobble Hill Zoning Amendment Bylaw (C. Little), 2008" be adopted.

MOTION CARRIED

**B17
09-658** It was moved and seconded that "CVRD Bylaw No. 3282 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009" be adopted.

MOTION CARRIED

**B18
09-659** It was moved and seconded that "CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009" be amended as follows:

- a) That the following guidelines be added to Section 14.9.4 of Schedule A, under the heading "Road Layout Guidelines":
 - Street lighting will be provided to safely light the driveway entrance and Culverton Road intersection.
 - Internal street lighting shall be provided that is designated in a manner that minimizes spill light, glare, and sky glow and utilizes low energy fixtures.
- b) That the following guidelines be added to Section 14.9.4 of Schedule A, under the heading "Landscaped Buffer Guidelines":
 - Outdoor recreation areas shall include a minimum area of four (4) square metres per residential dwelling for use as fenced community garden.
 - Landscaped open space shall incorporate fruit trees, nut trees, and other edible plantings.

MOTION CARRIED

**B18
09-660** It was moved and seconded that "CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009" be granted 3rd reading, as amended.

MOTION CARRIED

**B19
09-661**

It was moved and seconded that "CVRD Bylaw No. 3285 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom Estates), 2009" be granted 3rd reading.

MOTION CARRIED

**B18 AND B19
09-662**

It was moved and seconded that, prior to adoption of Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285, the following issues be addressed:

- a) That the proposed Land Title Act Section 219 covenant be registered against the title of the subject property with the following amendments:
 - Require construction of recycled water system ("purple pipes") that would supply treated water from the project's waste water treatment system for irrigation and toilets;
 - Require water metering for individual homes and rate structure that encourages conservation;
 - Require installation of "low flow" water fixtures and appliances in the construction of new homes;
 - Require landscaped areas to use native and drought tolerant plant species;
 - Establish a maximum decibel standard for air-to-air heat pumps to minimize noise;
 - Permit ground source heat pumps to be used as an alternative to air-to-air heat pumps;
 - Require ground source heat pumps for all dwellings where the CVRD chooses to establish and finance a district energy system.

- b) That the applicant obtains a Certificate of Compliance or an Approval in Principle from the Ministry of Environment for remediation of the subject property by January 1, 2011.

MOTION CARRIED

**B20
09-663**

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3330 - Area E - Cowichan Station/Sahtlam/Glenora and Area F - Cowichan Lake South/ Skutz Falls Official Community Plan Amendment Bylaw (Cooper), 2009" be granted 3rd reading.

MOTION CARRIED

**B21
09-664**

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3331 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cooper), 2009" be granted 3rd reading.

MOTION CARRIED

RESOLUTIONS

**RES1
09-665** **It was moved and seconded that the following appointments to the Electoral Area A – Mill Bay/Malahat Advisory Planning Commission be approved:**

- Dola Boas**
- Cliff Braaten**
- David Gall**
- Geoff Johnson**
- Margo Johnston**
- June Laraman**
- Deryk Norton**
- Ted Stevens**
- Archie Staats**

Term to expire November 30, 2011

MOTION CARRIED

**RES2
09-666** **It was moved and seconded that the following appointments to the Cowichan Lake Recreation Commission be approved:**

- Dave Darling**
- Sheila McFarlane**
- Bill Peters**
- Rocky Wise**
- Larry Olson**
- Corey Bath**

Term to expire December 31, 2010

MOTION CARRIED

NEW BUSINESS

NB1 **Item NB1 was dealt with earlier in the agenda.**

NB2 **Staff Report from the Manager, Development Services Division dated December 8, 2009, regarding Agricultural Land Commission subdivision and non-farm use application, was considered.**

09-667 **It was moved and seconded that Application No. 2-E-09ALR, submitted by the CVRD Engineering and Environmental Services Department, made pursuant to Section 21(2) of the Agricultural Land Commission Act to subdivide a 0.2025 hectare parcel for use as a water reservoir and water treatment facility be forwarded to the Agricultural Land Commission with a recommendation to approve the application; and further, that the Agricultural Land Commission be requested to expedite consideration of this application.**

MOTION CARRIED

NB3 Report of public hearing regarding Zoning Amendment Bylaw No. 3334, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, was considered.

09-668 It was moved and seconded that the report of public hearing regarding Zoning Amendment Bylaw No. 3334, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora be received.

MOTION CARRIED

NB4
09-669 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3334 – Electoral Area E – Cowichan Station/ Sahtlam /Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009" be granted 3rd reading.

MOTION CARRIED

NB4
09-670 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3334 – Electoral Area E – Cowichan Station/ Sahtlam /Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009" be adopted.

MOTION CARRIED

NB5
NB6
NB7
NB8
NB9
09-671 It was moved and seconded:

1. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$500 be given to Warmland House to help with startup;
2. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Warmland House to help with startup;
3. That a Grant-in-Aid (Electoral Area E – Cowichan Bay) in the amount of \$500 be given to Warmland House to help with startup;
4. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$500 be given to Warmland House to help with startup; and
5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$200 be given to Warmland House to help with startup.

MOTION CARRIED

09-672 **It was moved and seconded that \$1,000 from the Board's contingency funds be allocated to Warmland House as a Regional Grant-in-Aid.**

Opposed: Director Morrison

MOTION CARRIED

NB10 ***Cowichan Valley Health Network Meeting***

Director Seymour provided an update on the December 8, 2009 Cowichan Valley Community Health Network Working Group meeting.

**RESOLVE INTO
CLOSED
SESSION** **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) (e), (f) and (j) and Subsection (2) (b).**

**09-673
8:22 pm**

MOTION CARRIED

**RISE FROM
CLOSED
SESSION** **It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.**

09-676

MOTION CARRIED

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

**09-677
8:49 pm**

MOTION CARRIED

The meeting adjourned at 8:49 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____