

3:05 PM The Board meeting resumed at 3:05 PM.

It was moved and seconded that Application No. 03-H-16RS (13271 Simpson Road/PID: 008-903-603), be denied.

Opposed: Director I. Morrison

MOTION CARRIED

23-621 It was moved and seconded:

R3 That Application No. SA21B10 (2006 Renfrew Road/PID: 003-924-637), be referred to the Electoral Area B – Shawnigan Lake Advisory Planning Commission for comment.

R4 That the preliminary staff report for Application No. RZ21A02 (Holker Place/PID: 002-062-364), be referred back to staff for the following information, prior to further consideration:

1. A geotechnical assessment by a qualified geotechnical engineer that identifies a safe buildable area for each proposed strata lot as well as the common property access route;
2. Proof of sewer, water and drainage servicing capability on the subject property for the proposed light industrial uses, including water licensing authorization for the use of surface and/or groundwater;
3. Testing of fill to establish a baseline for the property (regarding possible level of contamination); and
4. An environmental inventory/impact assessment report from a qualified professional relating to the impact of development on the natural environment and compliance with the Provincial Riparian Areas Protection Regulation (RAPR).

R5 1. That the following information be provided to support Application No. RZ23E01 (Appaloosa Way, PID 009-845-119, PID: 009-849-637, and PID: 009-849-581):

a. A revised subdivision plan to demonstrate substantial compliance with DPA 1 (Riparian Protection), DPA 2 (Sensitive Ecosystem Protection) and DPA 4 (Aquifer Protection) design guidelines, including:

- I. Modifications to minimize crossings of riparian areas and maximize the distance between roads and riparian areas.
- II. Modifications to minimize the number of proposed non-contiguous lots bisected by riparian areas.
- III. A revised map clearly differentiating TLC covenanted areas, P-2 Zoned Areas, Natural Boundaries of watercourses, Streamside Protection and Enhancement Areas (SPEAs), stream crossings, and proposed road networks.

- IV. Setback information related to wells and septic discharge areas as set out in Island Health's Subdivisions Standards;
 - V. Confirmation from a qualified BC Land Surveyor (ABCLS) of the minimum lot sizes (1 ha) after removal of the SPEAs associated with wetlands, watercourses and streams;
 - b. Confirmation from a qualified environmental professional (QEP) that:
 - i. The revised subdivision plan would have no adverse effect on the natural features, functions and conditions that support fish life processes in the 30 m riparian assessment area (where a non-contiguous lot (bisected by riparian areas) is unavoidable, recommendations from a QEP shall be provided to ensure that the development will not harm natural features, functions and conditions in the riparian assessment area).
 - ii. The revised subdivision plan will have no adverse effect on Western Toad Habitat.
 - c. Conceptual site plans showing building envelopes within allowable footprints, driveway access, sewerage & water infrastructure, and parking areas.
 - d. Details on proposed parkland dedication areas, including topographic and environmental constraints for the 2.8 ha of P-2 Zoned lands that are not within the covenant area.
 - e. Trail construction standards and locations within the proposed development to provide connectivity between subdivision blocks and the proposed park.
2. That following receipt of the information, Application No. RZ23E01 (Appaloosa Way, PID 009-845-119, PID: 009-849-637 and PID: 009-849-581), be referred to the following external agencies and First Nations:
- a. Cowichan Tribes;
 - b. Lake Cowichan First Nation;
 - c. Penelakut Tribe;
 - d. Halalt First Nation;
 - e. Lyackson First Nation;
 - f. Stz'uminus First Nation;
 - g. Ministry of Transportation & Infrastructure;
 - h. Ministry of Forests;
 - i. Ministry of Environment and Climate Change Strategy;
 - j. Electoral Area E – Parks Advisory Commission (PAC);
 - k. Ministry of Water, Land and Resource Stewardship;
 - l. BC Hydro;
 - m. Electoral Area E – Advisory Planning Commission (APC); and
 - n. The Land Conservancy.
 - o.

CR3 Report and Recommendations of the Electoral Area Services Committee Meeting of April 3, 2024

24-169 It was moved and seconded:

- C1** That a Grant-in-Aid, Electoral Area E – Cowichan Station/Sahtlam/Glenora, in the amount of \$250 be provided to the Cowichan Green Community to support the Cowichan Valley Climate Solutions Expo at The Hub on May 25, 2024.

MOTION CARRIED

24-170 Electoral Area Directors only vote on the following:

It was moved and seconded:

- R1** That Development Variance Permit No. DVP24B01 (2170 Wildflower Road, PID: 025-002-660), to reduce the setbacks for construction of an accessory building, be issued.

- R2** That Application No. RZ23E01 (Appaloosa Way, PID: 009-845-119, PID: 009-849-637 and PID: 009-849- 581), be referred to the following external agencies and First Nations:

- a. Cowichan Tribes;
- b. Lake Cowichan First Nation;
- c. Penelakut Tribe;
- d. Halalt First Nation;
- e. Lyackson First Nation;
- f. Stz'uminus First Nation;
- g. Ministry of Transportation & Infrastructure;
- h. Ministry of Forests;
- i. Ministry of Environment and Climate Change Strategy;
- j. Electoral Area E – Cowichan Station/Sahtlam/Glenora Parks Advisory Commission (PAC);
- k. Ministry of Water, Land and Resource Stewardship;
- l. BC Hydro;
- m. Electoral Area E – Cowichan Station/Sahtlam/Glenora and Electoral Area F – Cowichan Lake South/Skutz Falls Advisory Planning Commissions (APC); and
- n. The Land Conservancy

- R3** That a meeting be arranged with the Minister of Transportation, CVRD Chief Administrative Officer, Area Director for Electoral Area B – Shawnigan Lake and the Electoral Area Services Committee Chair, to discuss speed limit parameters and safety concerns in Shawnigan Lake

MOTION CARRIED

Electoral Area Directors only vote on the following:

24-534

It was moved and seconded:

R1 That Application No. ALR24D02 (1300 Mindy Road, PID: 002-921-561) for a Non- Adhering Residential Use within the Agricultural Land Reserve be forwarded to the Agricultural Land Commission with the following comments:

1. That the application is consistent with the Cowichan Valley Regional District Harmonized Official Community Plan Policy 4.3.2(10), as the proposed residence is in support of a farm use and is proposed to be located on a property that has Farm Status; and

2. That the Cowichan Valley Regional District Board considers the residence to be supportive of a farm operation.

R3 That Development Variance Permit No. DVP24G03 (3491 Willshire Road, PID: 005-832-365), be issued.

R5 Public Input Prohibited Subject to *Local Government Act* Section 464

1. That the draft Zoning Amendment Bylaw for Application No. RZ23E01 (Appaloosa Way, PID: 009-845-119, PID: 009-849-637 and PID: 009-849-581), be prepared by staff and forwarded to the Board for consideration of 1st, 2nd, and 3rd reading;

2. That prior to the consideration of Adoption of the Zoning Amendment Bylaw for Application No. RZ23E01 (Appaloosa Way, PID: 009-845-119, PID: 009-849-637 and PID: 009-849-581), the following conditions be secured:

a. Registration of a Section 219 covenant to secure the following:

i. The dedication in fee-simple of the entirety of the approximately 23 hectares of land for community park subject to the existing Land Conservancy conservation covenant prior to any further site development, including the subdivision of land or issuance of a building permit;

ii. A requirement to install (at time of building permit) visual barriers, such as permanent fences or signs, under the supervision of a qualified environmental professional to prevent encroachment

into the Streamside Protection and Enhancement Areas (SPEAs) by demarcating the SPEAs for future land owners and occupiers; and

iii. A general prohibition on constructing buildings or structures within portions of the property designated P-2 in accordance with Section 12.10(c) of the Electoral Area “E” (Cowichan Station/Sahtlam/Glenora) Zoning Bylaw No. 1840.

MOTION CARRIED

24-535 It was moved and seconded:

R2 That Development Variance Permit No. DVP24D02 (4461 Trans-Canada Highway, PID: 026-301-482), be issued.

Opposed: Director Deck and Director Nicholson

MOTION CARRIED

DIRECTOR REPORTS

Verbal Report from Director Abbott Re: Recognition of Land Use Services Department Staff

On behalf of the Board of Directors – I would like to recognize the excellent planning, organizing and the delivering of two Public Engagement Sessions held on November 5th to enlist input on the CVRD’s proposed Comprehensive Zoning Bylaw.

It is always dangerous acknowledging individuals for fear of missing someone. That said, I wish to recognize the following people for all the work they did to deliver two effective, thought-provoking and idea-generating sessions – on in the afternoon for the Farming Community at Cobble Hill Hall and the second geared toward the public in the evening at the Cowichan Community Centre. Please recognize the following stalwarts in the Planning Division:

- Mike Tippet
- Michelle Pressman
- Laurent Wright
- Richard Buchan
- Linda Powers
- Richenda Woods
- Nadine Wiepning