



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DATE: Wednesday, August 9, 2017

**TIME: CLOSED SESSION
5:15 PM**

**REGULAR SESSION
6:30 PM**

PLACE: BOARD ROOM

175 INGRAM STREET

**Joe Barry
Corporate Secretary**



REGULAR BOARD MEETING AGENDA
WEDNESDAY, AUGUST 9, 2017
6:30 PM - CVRD BOARD ROOM

PAGE

1. CLOSED SESSION

Motion that the Closed Session Agenda be approved, and that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

CS M1 - Closed Session Minutes of July 26, 2017

CS CR1 - Report and Recommendation of the Closed Session Cowichan 2018 BC Sumer Games Nominating Subcommittee

1. Subcommittee Replacement Appointment {Sub (1)(a)}

CS NB1 - Verbal Report from the Chief Administrative Officer Re: Litigation {Sub (1)(g)}

2. APPROVAL OF AGENDA

3. ADOPTION OF MINUTES

M1 Regular Board Meeting of July 26, 2017

1

Recommendation That the minutes of the Regular Board meeting of July 26, 2017 be adopted.

4. BUSINESS ARISING FROM THE MINUTES

5. DELEGATIONS

6. REPORT OF THE CHAIRPERSON

7. CORRESPONDENCE

C1 Correspondence from the Capital Regional District Re: Malahat Speed Enforcement Initiative

7

Recommendation For direction.

8. INFORMATION**9. COMMITTEE/COMMISSION REPORTS**

CR1 Report and Recommendations of the Electoral Area Services Committee meeting of August 2, 2017 - Director Morrison 9

- Recommendation**
1. That a response be sent to BC Timber Sales (BCTS) regarding the replacement of the Strait of Georgia Business Area's East and Southwest Coast Forest Stewardship Plan that emphasizes the need:
 1. For "whole of watershed" planning and coordination of forest management, and;
 2. For BCTS, as a government agency, to model exemplary ecosystem-based and climate change-wise forest management.
 2. That a Grant-in-Aid, Electoral Area E - Cowichan Station/Sahtlam/Glenora, in the amount of \$1380 be provided to Cowichan Station Area Association to support " Rec and Roll " after school youth program.
 3. That Application No. 04-B-17DVP (2386 Shawnigan Lake Road) to vary Section 5.14 (a) of Zoning Bylaw No. 985 to permit the modification of a dwelling located within the 15 metre watercourse setback, be approved.
 4. That Application No. 06-C-16DP (1355 Fisher Road) be approved; and that the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3510.
 5. That a bylaw be prepared to amend "CVRD Bylaw No. 2144 – Electoral Area I – Youbou/Meade Creek Critical Location Streetlighting Service Bylaw, 2000", to increase the maximum annual requisition limit from \$1,245 to \$1,555.
 6. That a bylaw be prepared to amend "CVRD Bylaw No. 3716 – Smoke Control Regulation Bylaw, 2013", to include Electoral Area G - Saltair (excluding Gulf Islands).

Electoral Area Directors only vote on the following under Part 14 - Planning and Land Use Management of the Local Government Act:

7. 1. That the Licence of Occupation agreement with the Ministry of Transportation and Infrastructure beginning September 1, 2017, for Elliots Beach Park (Licence #100800) in Electoral Area H – North Oyster/Diamond, be approved for renewal for up to 10 years; and
 2. That the Licence of Occupation agreement with the Ministry of Transportation and Infrastructure beginning September 1, 2017, for Michael Lake Trail (Licence #100801) in Electoral Area H – North Oyster/Diamond, be approved for renewal for up to 10 years.

8. That a proposed donation of materials and labour, from the owners of Laketown Ranch, to construct a 20ft x 20ft picnic shelter in Mile 77 Park in Electoral Area I – Youbou/Meade Creek, be accepted.

10. DIRECTOR REPORTS

11. STAFF REPORTS

SR1 Verbal Report from the Chief Administrative Officer Re: 2017 UBCM Minister Meetings 11

12. PUBLIC HEARINGS

PH1 Public Hearing Report, Minutes and Exhibits Re: "CVRD Bylaw No. 4109 - Electoral Area D - Cowichan Bay Zoning Amendment Bylaw (Whippletree), 2017" 13

Recommendation That Public Hearing Report, Minutes and Exhibits Re: "CVRD Bylaw No. 4109 - Electoral Area D - Cowichan Bay Zoning Amendment Bylaw (Whippletree), 2017", be received.

13. BYLAWS

B1 "CVRD Bylaw No. 4110 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading. 23

"CVRD Bylaw No. 4110 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2017", be adopted.

14. BYLAWS - ELECTORAL AREA DIRECTORS

BEA1 "CVRD Bylaw No. 4109 - Electoral Area D - Cowichan Bay Zoning Amendment Bylaw (Whippletree), 2017", be granted 3rd reading. 25

15. RESOLUTIONS

16. UNFINISHED BUSINESS

17. NOTICE OF MOTION

18. NEW BUSINESS

NB1 Director Acton Grant-in-Aid Request Re: Victoria Aqua Ski Club of Shawnigan Lake 29

Recommendation That a Grant-in-Aid Electoral Area B - Shawnigan Lake, in the amount of \$350, be provided to the Victoria Aqua Ski Club of Shawnigan Lake to sponsor Tyler Lindsay at the BC Provincials, US Nationals, and Canadian Nationals and Worlds, wakeboarding events.

19. QUESTION PERIOD

20. ADJOURNMENT

The next Regular Board meeting will be held Wednesday, August 23, 2017 at 1:30 PM, in the Board Room, 175 Ingram Street, Duncan, BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan BC, on Wednesday, July 26, 2017 at 1:30 PM.

PRESENT Chair J. Lefebure
 Director S. Acton
 Director B. Day
 Director K. Davis
 Director L. Iannidinardo
 Director S. Jackson
 Director K. Kuhn
 Director M. Marcotte
 Director K. Marsh
 Director I. Morrison
 Director A. Nicholson
 Director A. Stone
 Director T. Walker
 Alternate Director S. Jonas
 Alternate Director C. Morris

ALSO PRESENT B. Carruthers, Chief Administrative Officer
 J. Barry, Corporate Secretary
 R. Blackwell, General Manager, Land Use Services
 R. Blackmore, Manager, Inspection & Enforcement
 C. Lockrey, Manager, Strategic Services
 S. Carlow, Legislative Assistant

ABSENT Director M. Clement
 Director M. Dorey

APPROVAL OF AGENDA

17-314 It was moved and seconded that the agenda be amended with the addition of three Closed Session New Business items:

CSNB1 Resolution Report from Director Nicholson Re: Electoral Area E – Cowichan Station/Sahtlam/Glenora Advisory Planning Commission;

CSNB2 Verbal Report from the Chief Administrative Officer Re: Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act* {Sub (1)(j)};

CSNB3 Verbal Report from the Chief Administrative Officer Re: Information that is prohibited, or information that if it were

presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act* {Sub (1)(j)}; and

that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Board Meeting of July 12, 2017

17-315 It was moved and seconded that the minutes of the Regular Board Meeting of July 12, 2017 be adopted.

MOTION CARRIED

REPORT OF THE CHAIRPERSON

RC1 The Chair provided an update on the ongoing consultations with First Nations regarding relationship building, a project led by Michelle Staples. In preparation for the dedicated week long relationship building in June 2018 entitled "One Heart One Mind", many ideas have come forward but he advised that no definitive plans are in place at this time. A report and proposed budget will be forthcoming from Ms. Staples to the Board at a future date.

COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendations of the Electoral Area Services Committee meeting of July 19, 2017

17-316 It was moved and seconded:

1. That a Grant-in-Aid, Electoral Area B - Shawnigan Lake, in the amount of \$1,500 be provided to Shawnigan Residents Association to support printing and distribution of the lake map, and a volunteer appreciation lunch.
2. That a Grant-in-Aid, Electoral Area E - Cowichan Station/Sahtlam/Glenora, in the amount of \$600 be provided to the Glenora Community Association to support Waldon Park maintenance.
3. That a Grant-in-Aid Electoral Area E - Cowichan Station/Sahtlam/Glenora, in the amount of \$500 be provided to Vancouver Island Windsport Society to support and sponsor the 2017 Windfest Event at Nitinat Lake.
4. That a Grant-in-Aid, Electoral Area I – Youbou/Meade Creek, in the amount of \$500 be provided to Youbou Community Association to support new signage and flower bed maintenance.

MOTION CARRIED

2017 UBCM Minister Meetings

Minister of Environment and Climate Change Strategy:

Fisher Road Aquifer Monitoring
Soils Management and Bylaw/Removal of contaminated soils at South Island Aggregates
Regional District of Nanaimo tree/vegetation removal (Electoral Area H)

Minister of Forests, Lands and Natural Resources Operations, and Rural Development:

Riparian Area Protection

Minister of Municipal Affairs and Housing:

Approving Officer Authority
Affordable Housing efforts in Cowichan Valley
Levels of fines for Municipalities vs Regional Districts

Minister of Energy, Mines and Petroleum Resources:

Soils Bylaw and contaminated soil landfills

Minister of Health:

Cowichan District Hospital

Minister of Transportation and Infrastructure:

Roadside pathways/increased funding for active transportation
Approving Officer Authority

Minister of Public Safety and Solicitor General:

Mill Bay RCMP Building

Deputy Ministers/Assistant Deputy Ministers:

Mark Zacharias, Assistant Deputy Minister, Ministry of Environment and Climate Change Strategy; Craig Sutherland, Assistant Deputy Minister, Forests, Lands, Natural Resource Operations, and Rural Development Re: Cobble Hill Aquifer Monitoring



PUBLIC HEARING REPORT

Bylaw No. 4109

The following is a summary of the proceedings of the Public Hearing to consider Zoning Amendment Bylaw No. 4109 (4705 and 4715 Trans Canada Highway) – applicable to Electoral Area D – Cowichan Bay, held on Tuesday, July 25, 2017, at Island Savings Centre, Duncan, BC

INTRODUCTIONS

7:02 p.m.

Director L. Iannidinardo, Electoral Area D – Cowichan Bay, opened the meeting at 7:07 p.m. Introduced the Regional Board delegates and CVRD staff present.

HEARING

DELEGATES

Director L. Iannidinardo, Electoral Area D – Cowichan Bay
Director A. Nicholson, Electoral Area E – Cowichan Station/Sahtlam/Glenora

CVRD STAFF

PRESENT

R. Rondeau, Planner II, Land Use Services Department
M.A. McAdam, Recording Secretary, Land Use Services Department
K. Madge, Development Officer, Land Use Services Department

Members of the Public:
Two members of the public were present.

EXPLANATION OF PROPOSED REZONING APPLICATION & BYLAWS

Ms. Rondeau explained that this Public Hearing has been organized to give the public an opportunity to provide input on proposed Zoning Amendment Bylaw No. 4109 (applicable to Electoral Area D – Cowichan Bay).

PowerPoint presentation by Rachele Rondeau (**EXHIBIT 1**). Outline of the subject properties and proposed Zoning Amendment Bylaw No. 4109 (applicable to Electoral Area D – Cowichan Bay).

Ortho

This is a rezoning application for the two properties known as Whippлетree Junction. The Pioneer House property is not part of Whippлетree Junction. The properties are zoned C-2 (Rural Commercial) and the application proposes to rezone the properties to expand the permitted uses. The intent is that this would increase the economic viability of Whippлетree by providing more opportunities that are commercial in nature.

Zoning

If the rezoning application is approved, the new proposed zone C-2A, that has been drafted, would amend the Area D zoning bylaw, and would apply to only the subject properties.

Proposed zoning

The proposed zoning would allow "commercial recreation and entertainment", which is defined in the Area D zoning bylaw as follows:

"Means the use of land, buildings or structures for the purpose of operating a commercial recreation and entertainment business including bowling alleys, arcades, indoor and outdoor rock climbing facilities, dance halls, pools, skating rinks, and uses of a similar nature."

This means that it would allow outdoor activities such as a paintball field and indoor recreation related uses. The applicant has also proposed "food processing, distillery brewery and to increase the number of residential units. Currently, one residential unit is allowed per parcel and it is proposed to expand this to two per parcel if there is no community water, and one per 0.4 ha (1 acre) if community water is available.

APPLICANT**Alice Hung**

The applicant has a tenant who would like to set up a paintball field. The applicant would like to expand the scope of use on the subject properties. Citing water limitations, food processing would be limited to artisan products, not large-scale commercial operations.

The increase in residential rental space would provide an opportunity for retail tenants to reside on the same site as their business.

QUESTION and ANSWER SESSION

A question and answer session was carried out.

The only question asked was regarding fire protection. Rachele Rondeau advised that a copy of this proposal had been sent to the Cowichan Bay Volunteer Fire Department. The fire chief suggested that the provision of a water source, such as a pond or cistern on the site, would greatly assist the department in the event of a fire. An assessment of the buildings by the fire department and the owner was conducted, with recommendations to make the buildings more fire smart.

Any new building(s) would require a development permit and building permit in order to proceed.

**CALL TO ORDER
7:10 p.m.**

Chair Iannidinaro, Electoral Area D – Cowichan Bay, called the Public Hearing to order at 7:10 p.m.

Location of the File

Chair Iannidinaro stated that the information binder is available for review on the back table, along with copies of the proposed Amendment Bylaw. She advised that any letters or submissions that are to be included, as part of the Public Hearing record, must be received at the front table prior to the close of the Public Hearing. She further advised that all correspondence submitted to the CVRD in response to this Notice would form part of the public record and will be published in a meeting agenda that is posted online when this matter is before the Board or a Committee of the Board. The CVRD considers the author's address relevant to the Board's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information to be disclosed.

EXPLANATION OF PROPOSED BYLAW AMENDMENTS

This Public Hearing is convened pursuant to Section 466 of the *Local Government Act* in order to consider Zoning Amendment Bylaw No. 4109.

Ms. Rondeau stated:

The notice of the Public Hearing was advertised in two consecutive issues of the *Cowichan Valley Citizen* (Wednesday, July 19, 2017, and Friday, July 21, 2017). As required by the *Local Government Act*, letters were also sent to adjacent owners and occupiers of the property.

Zoning Amendment Bylaw No. 4109 would amend Electoral Area D – Cowichan Bay – Zoning Bylaw No. 3705 by expanding the permitted commercial uses at 4705 and 4715 Trans-Canada Highway (Whippletree Junction) by allowing "commercial recreation and entertainment", "distillery, brewery", and "food processing"; and to increase the number of permissible residential units on the subject properties from one dwelling per parcel to two on lots not serviced by community water, and one dwelling per 0.4 ha of land area for parcels served by community water.

Amendment Bylaw No. 4109 proposes to amend the Electoral Area D – Cowichan Bay Zoning Bylaw No. 3705 by rezoning the subject properties from C-2 Zone (Rural Commercial 2) to the C-2A Zone (Rural Commercial 2A). The subject properties are legally described as Lot 1, Section 6, Range 2, Cowichan District, Plan 9697, except part in Plan 2844RW (PID: 005-376-289) and Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, except

part in Plan 29764 (PID: 003-644-936).

To date, no letters of response have been received at the CVRD office from the date the advertising was placed within the local newspaper to the close of the CVRD office, today (July 25, 2017), at 4:30 p.m.

Correspondence

The following items are attached to the Minutes as Exhibits:

- 1) CVRD Power Point Presentation (**EXHIBIT 1**)

**PUBLIC
COMMENTS**

The Public Hearing was opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaw. Chair Iannidinardo reminded the public that the Information Binder was available for viewing on the back table along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.

Chair Iannidinardo asked for public comments or submissions three times from the public present regarding Zoning Amendment Bylaw No. 4109.

There were no comments.

**ADJOURNMENT
7:15 p.m.**

Chair Iannidinardo declared the Public Hearing closed at 7:15 p.m.

CERTIFICATION:

We attended the Public Hearing on Tuesday, July 25, 2017, and hereby certify that this is a fair and accurate report of the Public Hearing.

Lori L. Iannidinaro
Director Lori Iannidinaro, Chair

Date July 27/2017

[Signature]
Director Alison Nicholson

Date Aug 2/17

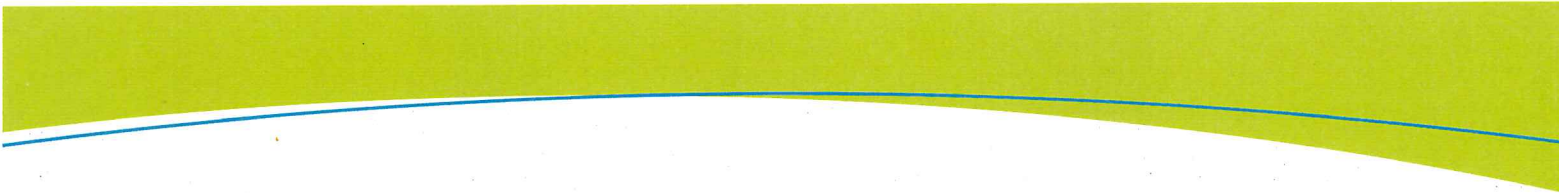
Rachelle Rondeau
Rachelle Rondeau, Planner II

Date July 27 2017

M. A. McAdam
Mary Anne McAdam, Recording Secretary

Date July 27, 2017

EXHIBIT 1
(5 pages)



Celebrating 50 years of Serving our Community
1967 - 2017





- Two subject properties
- Combined 4.46 ha (11.04 acres)
- Zoned C-2 (Rural Commercial)



