

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, March 9, 2011 at 6:07 pm.

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

ALSO

PRESENT: Warren Jones, Administrator
Kathleen Harrison, Deputy Corporate Secretary
Mark Kueber, General Manager, Corporate Services
Sharon Moss, Manager, Finance Division
Steve Hurcombe, Budget Coordinator, Finance Division
Sybille Sanderson, Acting General Manager, Public Safety
Brian Dennison, General Manager,
Engineering & Environmental Services
Rob Conway, Manager, Development Services Division
Kate Miller, Manager, Regional Environmental Policy Div.
Brian Farquhar, Manager, Parks and Trails Division
Dave Leitch, Manager, Water Management Division
Jacob Ellis, Manager, Corporate Planning

**APPROVAL OF
AGENDA**

11-096

It was moved and seconded that the agenda be amended as follows:

Staff Report SR4 moved to follow Delegation D2;

and the addition of New Business Items:

NB1 Appointment to the Youbou Fire Service Commission

**NB2 Director Marcotte – Verbal Update of 2011 Agricultural
Advisory Committee Workshop**

**NB3 Director Morrison – Information regarding Cowichan Lake
Sports Arena 40th Anniversary and the Grand Opening of the
Newly Renovated Cowichan Lake Sports Arena,**

**NB4 Director Duncan – Butler Bros. Gravel Pit, Langtry Road, and
that the agenda, as amended, be approved.**

MOTION CARRIED

**ADOPTION OF
MINUTES**

11-097

**It was moved and seconded that item CR2 on page 10 of the
minutes of the February 9, 2011 Regular Board meeting be
corrected by changing “were” to “was” and that the minutes, as
amended, be adopted.**

MOTION CARRIED

BUSINESS ARISING

OUT OF MINUTES There was no business arising out of the minutes.

DELEGATIONS

D1 Justin Straker representing the CVRD Environment Commission
Re: Lands Subcommittee Presentation on behalf of the Environment Commission (CR5 recommendations 1 through 3)

Justin Straker provided a PowerPoint presentation regarding the fragility of the environment and the need to develop tools and methodologies to preserve and protect fragile ecosystems within the CVRD.

D2 Dr. Bruce Fraser representing the CVRD Environment Commission
Re: Environment Commission recommendations regarding recent logging in the Shawnigan Lake Watershed (CR5 recommendation 4)

Dr. Fraser spoke to the issue of recent private land logging (clear cut) of a large section of forest located on the west shore of Shawnigan Lake and the implications of this logging on the Shawnigan watershed.

11-098 **It was moved and seconded that item CR5 Environment Commission Report of February 22, 2011, be considered at this time.**

MOTION CARRIED

CR5 The report and recommendations of the Environment Commission meeting of February 22, 2011, listing four items, were considered.

It was moved and seconded that items 1, 2 (a) and 3 be referred to staff for information on Work Plan and Budget implications.

11-099 **It was moved and seconded that item 2 (b) be included in the referral motion.**

Opposed: Director Kent

MOTION CARRIED

11-100 **VOTING RESUMED ON THE MAIN MOTION**

Motion restated for clarification:

It was moved and seconded that items CR5 1, 2 (a) and (b), and 3 be referred to staff for information on Work Plan and Budget implications.

Opposed: Directors Iannidinardo, Giles and Kent

MOTION CARRIED

- 11-101** It was moved and seconded that the Information items be included in Item 4 and the word “a” between “and” and “formal” in the second line be replaced with the word “any” and the word “And” be inserted at the beginning of paragraphs 2 and 3.

MOTION CARRIED

- 11-102** It was moved and seconded that amended recommendation 4 be referred back to staff for further information.

Opposed: Directors Giles, Iannidinardo, Kent, Cossey, Dorey, Duncan, Harrison and Hutchins

MOTION DEFEATED

- 11-103** It was moved and seconded that the Regional Board make a formal complaint to the Private Managed Forest Land Council regarding the situation on the west shore of Shawnigan Lake and any formal response from them be provided to both the Regional District and the Environment Commission;

And failing a satisfactory response from the Private Managed Forest Land Council, then, the Regional Board make urgent representation to the Minister of Forests to invite the Forest Practices Board to conduct an audit of the oversight practices of the Private Managed Forest Land Council with specific reference to the Shawnigan Lake Westshore Logging Practices and their outcomes.

And failing a thorough and satisfactory airing of and resolution to the issues involved and a commitment to avoidance of any repeats of the situation, then the Regional Board lodge a formal complaint with the relevant Forest Certification body and request both a formal audit and that the results of the audit be provided to the Board and the Environment Commission.

Opposed: Directors Dorey, Haywood, Marcotte and Morrison

MOTION CARRIED

- 11-104** It was moved and seconded that a meeting take place between the Private Managed Forest Land Council and a member of the Environment Commission and a member of the CVRD Board to discuss this issue.

MOTION CARRIED

- SR4** The Staff Report from the Manager, Water Management Division, dated March 2, 2011 re: Utility Acquisition Program was received for information.

The Manager, Water Management Division provided a PowerPoint presentation regarding the Utility Acquisition Program highlighting the major aspects of the program and historical activities, locations, upgrades, the acquisition process, costs and the future of acquisitions within the CVRD.

REPORT OF CHAIRPERSON

The Chair requested the update of item NB2 be provided at this time.

NB2**Director Marcotte – Verbal Update of 2011 Agricultural Advisory Committee Workshop**

Director Marcotte reported on the 2011 Agricultural Advisory Committee Workshop that she had attended on February 24, 2011 in Richmond and the issues and difficulties being faced with developing and implementing Agricultural Area Plans.

INFORMATION

The Chair requested the update of NB3 be provided at this time.

NB3**Director Morrison – Information re: 40th Anniversary of the Cowichan Lake Sports Arena and the Grand Opening**

Director Morrison reported that the Cowichan Lake Sports Arena upgrade has been completed and that the Cowichan Lake Recreation Commission had issued invitations to the 40th Anniversary celebration and the Opening Ceremonies being held on March 12th at 10:00 am. Events following the opening ceremonies will include a public open house, a free public skate and curling and an alumni Appollos hockey game featuring players from the past 40 years.

COMMITTEE REPORTS**CR1**

The report and recommendations of the Electoral Area Services Committee meeting of March 1, 2011 listing 17 items, were considered.

11-105

It was moved and seconded:

1. That the following appointments to the CVRD Volunteer Fire Departments be approved: Mesachie Lake VFD – Fire Chief, Gary Eve and Deputy Fire Chief, David Middlemost; Youbou VFD – Fire Chief, Orest Smycniuk and Deputy Fire Chief, Stu McKee.
2. That the overall expenditure of no more than \$120,000 (increased from the original \$100,000) for the purchase of a used fire tender for the Malahat Volunteer Fire Rescue Service, be approved, and further that the CVRD Purchasing Policy be waived and the expenditure be approved prior to approval of the 2011 budget.
3. That the request by the Cowichan Valley Metis Nation to waive the park booking fees at Bright Angel Park to host a cultural camp scheduled for May 8-13, 2011, be approved.
4. That the Glenora Trails Head Park Caretaker Contract with the incumbent caretakers be extended for a maximum two year term extension beyond the original three year term, commencing March 1, 2011 and completing February 29, 2013.
5. That the following Grants-in-Aid be approved:
 - Electoral Area C – Cobble Hill, in the amount of \$500 to Bard@Brentwood to assist with production of “Inherit the Wind”.

- Electoral Area B – Shawnigan Lake, in the amount of \$200 to Shawnigan Beach Estates Neighbourhood Association to assist with start-up costs to create an association.
 - Electoral Area B – Shawnigan Lake, in the amount of \$200 to Cowichan Spirit of Women to assist with the operations of the Womens Resource Centre.
 - Electoral Area D – Cowichan Bay, in the amount of \$1,000 to Cowichan Wooden Boat Society to assist with funding for the 4th Annual Prawn Festival.
 - Electoral Area D – Cowichan Bay, in the amount of \$375 to Bike to Work Cowichan to assist with costs for the bike to work week program.
 - Electoral Area D – Cowichan Bay, in the amount of \$500 to Cowichan Seniors Community Foundation to assist with costs to offset staging a major fund raising.
6. That the CVRD enter into a partnership agreement with Evergreen Independent School Society to assist with the building of a sport court on their property through contribution of an amount not to exceed \$28,500 from the 2011 Electoral Area C Community Parks (233) budget in exchange for which a community use agreement will be entered into between the CVRD and the Society for community after school, weekend and summer holiday use and potential summer programming.
7. That the Chair and Corporate Secretary be authorized to sign the 2011 one-year Fire Protection and Emergency Response Services Agreement between the CVRD and the Capital Regional District for Malahat Fire Protection.

MOTION CARRIED

11-106

It was moved and seconded:

8. That pursuant to s.799 of the *Local Government Act*, the Board of the Cowichan Valley Regional District request that the Province provide the CVRD with additional powers and exceptions, including power to regulate, prohibit and impose requirements, in relation to the provision, construction, operation and maintenance of sidewalk services within Electoral Area A – Mill Bay/Malahat of the CVRD.

Opposed: Director Kent

MOTION CARRIED

11-107

It was moved and seconded:

9. That Application No. 1-D-10ALR, submitted by Gordon Fraser, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct an addition on the side of an existing building for the storage of an antique fire truck and equipment maintenance space on the subject property be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

10. That Application No. 2-D-10DVP, submitted by Peter and Margaret McKercher for a variance to Section 8.1(b)(3) of Zoning Bylaw No. 1015 by reducing the minimum front parcel line setback from 7.5 metres to 5 metres for Parcel B (DD 348731) of Section 4, Range 7, Cowichan District, Except part in Plan 2454, and Except part of Cherry Road lying within the Limits of said Parcel B, be approved, subject to the applicant providing a survey confirming compliance with approved setbacks.
11. That Application No. 8-G-10DP be approved, and that a development permit be issued to Dan Casler for Lot 1, District Lot 34, Oyster District, Plan 18775 to legitimize and finish construction of a house, subject to compliance with the recommendations noted in the October 29th, 2010 report by Lewkowich Engineering Associates Ltd.
12. That Application No. 1-G-11DP/VAR be approved, and that a development permit be issued to Brian and Sandra Crompt for Lot 4, District Lot 34, Oyster District, Plan 22516 and a variance to Section 3.24(1) of Zoning Bylaw No. 2524 to reduce the setback from a watercourse from 15 metres to 10 metres for the purpose of building a 2 metre wide deck and a wheelchair ramp on an existing house also be approved, subject to the applicant providing a survey confirming compliance with approved setbacks.
15. That Application No. 4-B-10 DVP by Jim and Lisa Lindsay for a variance to Section 8.5(b)(3) of Bylaw No. 985 in order to reduce the required exterior side setback from 4.5 metres down to 3 metres on Strata Lot 8, Shawnigan Lake Suburban Lots, Shawnigan District, Strata Plan 731 (PID:000-020-711) be approved, subject to receipt of a survey indicating the location of the workshop complies with the variance.
16. That the request by John Salmen and Gretchen Hartley to allow a shower and utility sink, in addition to two permitted plumbing fixtures, within an accessory building at 4465 Uphill Road (Parcel C (DD 676071) of Section 3, Range 1, Cowichan District PID: 009-534-555), be approved subject to registration of a covenant prohibiting occupancy of the accessory building as a dwelling.
17. That CVRD Zoning Amendment Bylaw No. 3460 (Doole Road A1-A-2) be referred to the Stz'uminus First Nation, the Agricultural Land Commission and the Ministry of Transportation and Infrastructure.

MOTION CARRIED

8:05 pm

Director Hutchins left the Board Room at 8:05 pm.

8:06 pm

Director Duncan declared a possible conflict of interest as the proponent for Application 1-F10RS is a personal acquaintance and Director Duncan left the Board Room at 8:06 pm.

11-108

It was moved and seconded:

13. 1. That the draft bylaws for Application No. 1-F-10RS (Hignell) be forwarded to the Board for consideration of first and second reading;
2. That the application referrals from the Ministry of Transportation and Infrastructure, Sahtlam Volunteer Fire Department, and Vancouver Island Health Authority be accepted;
3. That a public hearing be scheduled with Directors Morrison, Kuhn and Dorey appointed as delegates of the Board, following receipt of a draft covenant that would limit the subdivision of the subject property to a maximum of 3 lots.

MOTION CARRIED

8:07 pm

Director Hutchins returned to the Board Room at 8:07 pm.

It was moved and seconded:

14. That Application No. 1-I-10DVP, submitted by Rick Brubaker for Debby Tonn respecting Lot 28, District lot 32, Cowichan District, Plan 1003, except part in Plan 1584RS be approved to increase the height of an accessory building from 6 metres to 7 metres, subject to a survey confirming compliance with the approved height variance prior to issuance of building permit.

11-109

It was moved and seconded that Recommendation No. 14 (Application No. 1-I-10DVP, submitted by Rick Brubaker for Debby Tonn) be referred back to Planning and Development.

MOTION CARRIED

8:10 pm

Director Duncan returned to the Board Room at 8:10 pm.

CR2

The report and recommendations of the Engineering and Environmental Services Committee of February 23, 2011, listing three items, were considered.

11-110

(Amended from original Committee recommendation):

It was moved and seconded:

1. That a function and service area inclusive of the Shawnigan Lake North Water System, the Shawnigan Village Water System and the Shawnigan Lake waterfront properties in Electoral Area B – Shawnigan Lake be created for the purposes of cleaning out Shawnigan Creek, allowing drainage and the restoration of the natural system.

MOTION CARRIED

11-111

It was moved and seconded:

2. That “CVRD Bylaw No. 3464 – Twin Cedars Sewer System Management Amendment Bylaw, 2011” be forwarded to the Board for three readings and adoption.
3. That the Board waive the CVRD Purchasing Policy and, prior to approval of the 2011 Budget, authorize purchase of an Expanded Polystyrene (Styrofoam) Densifier for the Bings Creek Solid Waste Management Complex, in the amount of \$35,000.

MOTION CARRIED

CR3

The report and recommendation of the Parks Committee meeting of March 9, 2011, listing three items, were considered.

11-112

It was moved and seconded:

1. That the firm price of \$394,789 (net of HST and rebate) submitted by Macdonald and Lawrence Timber Framing Ltd. on June 29, 2010, to complete the Phase III Remainder Historic Bents Stabilization capital work be approved.
2. That up to a maximum of \$416,000 in short term borrowing for the completion of the Historic Kinsol Trestle Phases III Remainder Historic Bents Stabilization capital works be approved, and that the loan be paid back over five years under the Liabilities Under Agreement section 175 of the *Community Charter*.
3. That the proposed 2011 Budget for Function 283 (Kinsol Trestle) be amended to reduced the requisition by \$90,000, and reduce the operating expenses accordingly; also amend the 2011 Budget for Function 280 (Regional Parks) by increasing the requisition by \$90,000 to cover the loan interest/principle payment, and also add the Short Term Borrowing revenue of \$416,000 and Capital Expenditure of \$416,000.

MOTION CARRIED

CR4

The report and recommendation of the Transit Committee meeting of February 23, 2011, listing one item, was considered.

11-113

It was moved and seconded that BC Transit's recommendations for route expansions, deletions and changes as presented in their February 2, 2011 report totaling 2,000 hours to commence approximately May 1, 2011 be approved; and further, that the CVRD Chair and Corporate Secretary be authorized to sign the corresponding amended annual operating agreements.

Opposed: Director Giles

MOTION CARRIED

CR5

Dealt with previously.

CR6 The report and recommendation of the Kerry Park Recreation Commission meeting of February 28, 2011, listing one item, was considered.

11-114 It was moved and seconded that the Cowichan Valley Regional District support the grant application to the Celebrate Canada Committee for British Columbia c/o Canadian Heritage for funds to host the Canada Day Celebration in the South Cowichan area.

MOTION CARRIED

CR7 The report and recommendation of the Shawnigan Lake Community Centre Commission meeting of February 24, 2011, listing one item, was considered.

11-115 It was moved and seconded that the annual maximum requisition limit for the Shawnigan Lake Community Centre be increased by 24.9%.

MOTION CARRIED

CR8 The report and recommendations of the Economic Development Commission meeting of February 22, 2011, listing two items, were considered.

11-116 It was moved and seconded:

- 1. That the Chair and Corporate Secretary be authorized to sign a five year (renewal) lease commencing February 14, 2011 and terminating February 13, 2016 for the Economic Development Division located at Community Futures Cowichan, 135 Third Street, Duncan.**
- 2. That the Chair and Corporate Secretary be authorized to sign a Contribution Agreement with the Investment Agriculture Foundation of British Columbia for the CVRD Area Agricultural Plan.**

MOTION CARRIED

CR9 The report and recommendation of the Cowichan Lake Recreation Commission meeting of February 23, 2011, listing one item, was considered.

11-117 It was moved and seconded that the CVRD Board approve the Facilities and Recreation management Agreement between the Town of Lake Cowichan and the Cowichan Valley Regional District for the administration, management and operation of the Lake Cowichan Centennial Hall for a term commencing January 1, 2011 and expiring December 31, 2030, and further, that the Chair and Corporate Secretary be authorized to enter into the agreement on behalf of the CVRD.

MOTION CARRIED

STAFF REPORTS

- SR1** The Staff Report from the Manager, Legislative Services, dated February 25, 2011 re: Cowichan Lake Library – Construction Financing was received for information.
- SR2** The Staff Report from the General Manager, Corporate Services Department, re: 2011 Five Year Financial Plan Bylaw was considered.
- 11-118** **It was moved and seconded that the Area D – Cowichan Bay Grant-In-Aid budget be reduced by \$4,000.**

MOTION CARRIED

- SR3** The Staff Report from the Manager, Corporate Planning, dated March 2, 2011, re: Resolution on Federal Library Funding Contribution was considered.
- 11-119** **It was moved and seconded:**

That the following resolution be forwarded to the Association of Vancouver Island Coastal Communities (AVICC):

WHEREAS public libraries serve to enrich lives and communities through universal access to knowledge, lifelong learning, and literacy;

AND WHEREAS the Federal government does not make contributions to local library services that are utilized by persons living on federal lands which are not taxed to support library services;

THEREFORE BE IT RESOLVED that the Association of Vancouver Island Coastal Communities petition the Federal Government to provide a grant in lieu of taxes on federal lands to the Vancouver Island Regional Library (VIRL), in recognition of use by persons living on federal lands located within the VIRL service area.

Opposed: Directors Morrison, Kent, and Marcotte

MOTION CARRIED

- SR4** Dealt with previously.

PUBLIC HEARINGS

- PH1** The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3405 (Habitat Protection Development Permit Area), applicable to Electoral Area H – North Oyster/Diamond, were considered.
- 11-120** **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3405 (Habitat Protection Development Permit Area), applicable to Electoral Area H – North Oyster/Diamond be received; and it be noted that Director Duncan did not attend the Public Hearing and was not “Also Present”.**

MOTION CARRIED

PH2 Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3421 (Bill 27), applicable to Electoral Area H – North Oyster/Diamond, were considered.

11-121 It was moved and seconded that Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3421 (Bill 27), applicable to Electoral Area H – North Oyster/Diamond be received.

MOTION CARRIED

PH3 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3453 and Zoning Amendment Bylaw No. 3454 (Mill Bay Marina), applicable to Electoral Area A – Mill Bay/Malahat, were considered.

11-122 It was moved and seconded that Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3453 and Zoning Amendment Bylaw No. 3454 (Mill Bay Marina), applicable to Electoral Area A – Mill Bay/Malahat, be received.

MOTION CARRIED

BYLAWS

B1
11-123 It was moved and seconded that “CVRD Bylaw No. 3448 – Malahat Fire Protection Specified (Local Service) Area Machinery and Equipment Reserve Fund Expenditure (Used Fire Tender) Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B1
11-124 It was moved and seconded that “CVRD Bylaw No. 3448 – Malahat Fire Protection Specified (Local Service) Area Machinery and Equipment Reserve Fund Expenditure (Used Fire Tender) Bylaw, 2011”, be adopted.

MOTION CARRIED

B2
11-125 It was moved and seconded that “CVRD Bylaw No. 3464 – Twin Cedars Sewer System Management Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B2
11-126 It was moved and seconded that “CVRD Bylaw No. 3464 – Twin Cedars Sewer System Management Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B3
11-127 It was moved and seconded that “CVRD Bylaw No. 3469 – Douglas Hill Water System Service Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B4
11-128** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3470 – Five Year Financial Plan (2011 – 2015) Bylaw, 2011”, be granted 1st, 2nd and 3rd reading as amended.

Opposed: Directors Morrison and Marcotte

MOTION CARRIED

**B4
11-129** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3470 – Five Year Financial Plan (2011 – 2015) Bylaw, 2011”, adoption.

Opposed: Directors Morrison and Marcotte

MOTION CARRIED

**B5
11-130** It was moved and seconded that “CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B6
11-131** It was moved and seconded that “CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
11-132** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3404 – Electoral Area C – Cobble Hill Zoning Amendment Bylaw (Fisher Road I-1C Industrial Area), 2010”, be adopted.

MOTION CARRIED

**B8
11-133** It was moved and seconded that “CVRD Bylaw No. 3405 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Habitat Protection Development Permit Area), 2010”, be granted 3rd reading.

Opposed: Directors Cossey, Iannidinardo, Morrison, Dorey,
Marcotte, and Kuhn

MOTION DEFEATED

**B9
11-134** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3421 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Bill 27), 2010”, be granted 3rd reading.

MOTION CARRIED

**B10
11-135** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3453 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Mill Bay Marina), 2010”, be granted 3rd reading.

MOTION CARRIED

- 11-136 It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3454 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010” be amended by redefining “Townhouse” as a residential building consisting of not less than two and not more than *eight* attached dwelling units separated by a common wall extending from foundation to roof, with each dwelling unit having its own private entrance with direct exterior access.

MOTION CARRIED

- B11
11-137 It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3454 – Area A – Mill Bay/ Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010”, be granted 3rd reading as amended.

Opposed: Directors Iannidinardo and Duncan

MOTION CARRIED

- 11-138 It was moved and seconded that prior to adoption of CVRD Bylaw No. 3453 and CVRD Bylaw No. 3454:
1. That a covenant be registered on the subject land in favour of the Regional District to limit the use of the upland W-3 zoned land to use as marina parking only;
 2. That improvements be undertaken or secured at the corner of Handy Road and Mill Bay Road to achieve sight distances in accordance with Ministry of Transportation and Infrastructure specifications;
 3. That opportunities for heritage interpretation be incorporated into the design and construction of the waterfront walkway;
 4. That the marina be built prior to townhouse construction;
 5. That the boat launch ramp be built, or security be posted, to ensure it will be built prior to townhouse construction;
 6. That lighting at the marina and townhouse site be down-lit to avoid glare and light pollution.

Opposed: Director Duncan

MOTION CARRIED

- 11-139 It was moved and seconded that the “Yacht Club” be removed as a permitted use in the W-3 zone as a future amendment to CVRD Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000.

MOTION CARRIED

9:07 pm Director Kent assumed the Chair at 9:07 pm.

Chair Giles left the Board Room at 9:07 pm.

- B12
11-140 It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3460 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (Doole Road A1-A2), 2011”, be granted 1st and 2nd reading.

MOTION CARRIED

9:10 pm Chair Giles returned to the Board Room and resumed the Chair at 9:10 pm.

9:10 pm Director Duncan declared a possible conflict of interest as the proponent for CVRD Bylaw No. 3471 and CVRD Bylaw No. 3472 is a personal acquaintance and Director Duncan left the Board Room at 9:10 pm.

**B13
11-141** It was moved and seconded that “CVRD Bylaw No. 3471 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Hignell), 2011”, be granted 1st and 2nd reading.

MOTION CARRIED

**B14
11-142** It was moved and seconded that “CVRD Bylaw No. 3472 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Hignell), 2011”, be granted 1st and 2nd reading.

MOTION CARRIED

9:13 pm Director Duncan returned to the Board Room at 9:13 pm.

RESOLUTIONS

**RES 1
11-143** It was moved and seconded that the following appointments to the Electoral Area H – North Oyster/Diamond Parks and Recreation Commission be approved:

Appointed for a Term to Expire March 31, 2013:

Barb Waters

Bruce Mason

MOTION CARRIED

**RES-2
11-144** It was moved and seconded that the following appointments to the Electoral Area I – Youbou/Meade Creek Parks Commission be approved as corrected:

Re-elected for a Term to Expire December 31, 2012:

Dave Charney

Gerald Thom

Elected for a Term to Expire December 31, 2012:

Gillian Scott

MOTION CARRIED

**RES3
11-145** It was moved and seconded that the following appointments to the Electoral Area D – Cowichan Bay Parks and Recreation Commission be approved:

Elected for a Term to Expire December 31, 2012:

Bruce Clarke

Roger Southern

Dave Nisbet

Appointed for a Term to Expire December 31, 2012:

Kerrie Talbot
Megan Stone
Stephen Garnett

MOTION CARRIED

NEW BUSINESS

NB1 It was moved and seconded that the following appointment to the
11-146 Youbou Fire Service Commission be approved:

Appointed for a Term to Expire March 31, 2012:

Gerry Walker

MOTION CARRIED

NB2 and NB3 Dealt with previously.

NB4 Director Duncan – Butler Bros. Gravel Pit, Langtry Road

11-147 It was moved and seconded that the CVRD Chair write a letter of inquiry in regard to the hydrologist report accompanying the application to the Ministry of Forests, Mines and Lands for gravel extraction on Langtry Road with emphasis on the importance of drinking water sources.

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

11-148 It was moved and seconded that the meeting be closed to the public
9:17 pm in accordance with the Community Charter Part 4, Division 3, Section 90, Subsections (1) (e) Land Acquisition, (1) (j) FOIPOP, and (c) Employee Relations.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

11-152 It was moved and seconded that the Board rise with report on item
10:20 pm CSSR1 FOIPOP {Sub (1) (j)} and return to the Regular portion of the meeting.

MOTION CARRIED

11-150 It was moved and seconded:

1. That the Board approve the second lowest quoted price from Steel Container Systems for the purchase of Roll-Off Bins in the amount of \$204,698 (net of taxes and rebate).
2. That the CVRD Purchasing Policy be waived to allow purchases of the roll-off truck and bins prior to approval of the 2011 Budget.

MOTION CARRIED

ADJOURNMENT

**11-153
10:20 pm**

It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 10:20 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____