

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, April 13, 2011 at 6:00 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
D. Haywood, R. Hutchins <6:24 pm>, L. Iannidinardo,
P. Kent, K. Kuhn, M. Marcotte, T. McGonigle,
I. Morrison, G. Seymour, T. Walker
and Alternate Director R. Burgess

ALSO PRESENT: Mark Kueber, Deputy Administrator
Joe Barry, Corporate Secretary
Jacob Ellis, Manager, Corporate Planning
Kate Miller, Manager, Regional Environmental Policy

ABSENT: Director B. Harrison

APPROVAL OF AGENDA

11-161

It was moved and seconded that the agenda be amended with the deletion of Closed Session item CSSR1 FOIPOP and the addition of New Business items as follows:

NB1 “Cowichan Valley Regional District Bylaw No. 3415 – Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Bill 27), 2010”, adoption.

NB2 Cowichan Valley Regional District Bylaw No. 3416 – Area G – Official Community Plan Amendment Bylaw (Bill 27), 2010”, adoption.

NB3 “CVRD Bylaw No. 3417 – Area I – Youbou/Meade Creek Official Community Plan Amendment bylaw (Bill 27), 2010”, adoption.

NB4 “Cowichan Valley Regional District Bylaw No. 3421 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Bill 27), 2010”, adoption.

NB5 “CVRD Bylaw No. 3465 – Area E – Cowichan Station/ Sahtlam/Glenora Zoning Amendment bylaw (Wandering U Inc.), 2011”, 1st and 2nd reading.

**NB6 Staff Report from the Manager, Corporate Planning
Re: Funding Agreement Authorization – Cowichan Basin
Water Management Plan Implementation Project Phase 1
project.**

**NB7 AVICC Resolutions Update,
and that the agenda as amended be approved.**

MOTION CARRIED

ADOPTION OF MINUTES

11-162 It was moved and seconded that the minutes of the March 9, 2011 Regular Board meeting be adopted.

MOTION CARRIED

11-163 It was moved and seconded that the minutes of the March 23, 2011 Special Board meeting be adopted.

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

There was no business arising.

DELEGATIONS

D1 Judy Stafford representing the Cowichan Green Community
Re: To Thank the Board for the 2011 Regional Grant In Aid and Review How the Grant In Aid Will Be Used

Judy Stafford provided an overview of the community projects and works that the Cowichan Green Community plans to undertake with the support of the CVRD's 2011 Regional Grant In Aid.

D2 Joseph Gollner representing the Cameron Taggart Group
Re: Commissioned Studies on EcoDepot Site, Electoral Area B

11-164 It was moved and seconded to extend the time limit for the Cameron Taggart Group presentation to 15 minutes.

MOTION CARRIED

Joseph Gollner expressed the Cameron Taggart Group's continued opposition to the proposed EcoDepot site in Electoral Area B.

6:24 pm Director Hutchins joined the meeting at 6:24 pm.

REPORT OF CHAIRPERSON

RC1 The Chair reported that Linden Collette has been appointed to represent Social Planning Cowichan on the Community Safety Advisory Committee for a term to expire November 30, 2011.

CORRESPONDENCE There were no correspondence items.

INFORMATION

IN1 Referred from Electoral Area Services Committee meeting of March 15, 2011:
The correspondence from Kerri Skelly, Senior Contaminated Sites Officer, Ministry of Environment, dated February 17, 2011 re: Relocation of soil from various locations to 4975 Koksilah Road, Duncan BC was considered for information.

COMMITTEE REPORTS

CR1 The report and recommendations of the Regional Services Committee meeting of March 23, 2011 listing three items were considered.

11-165 It was moved and seconded:

1. That Resolution No. 10-259, dated May 12, 2010, approving the amended Tier I and Tier II Regional Gas Tax projects as identified in the Report of the Administrator dated May 4, 2010 directing \$285,550 of Regional Gas Tax funding be reserved for future Regional Gas Tax projects, be rescinded.

(Amended from original Committee recommendation)

2. That the Board approve Regional Significant Projects funding allocations to the following projects, and direct that staff submit proposals for approval to the Union of British Columbia Municipalities:
 - a. CVRD Composting Facility;
 - b. Cowichan Valley Flood Protection Infrastructure;
 - c. Integrated Regional Sustainability Plan;
 - d. Cowichan Valley Trail Completion Initiative;
 - e. Peerless Road Recycling Depot Upgrades and Ash Fill Remediation;
 - f. Town of Lake Cowichan – Wastewater Plant Upgrades;
 - g. Bings Creek Organics Collection Facility Upgrades;
 - h. Regional Climate Action Plan;
 - i. Tri-Regional Waste to Energy Facility; and
 - j. Cowichan Lake Sports Arena parking lot upgrade;

and that staff review these projects and modify the dollar amounts to accommodate the addition of the Cowichan Lake Sports Arena parking lot upgrades.

3. That should the proposals for Regionally Significant Projects funding be approved by the Union of British Columbia Municipalities (UBCM), that the Chair and Corporate Secretary be authorized to enter into funding agreements with UBCM on behalf of the CVRD.

Opposed: Director Seymour

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of March 15, 2011 listing eleven items were considered.

11-166

It was moved and seconded:

1. That the appointments to the Mesachie Lake and Youbou Volunteer Fire Departments be approved for a term to expire December 31, 2012.
2. That the request from Lifesport Coaching to host a two day Half Ironman Triathlon event at Shawnigan Lake Provincial Park from May 27th to 29, 2011, be approved; and further, that the organizers be advised that the CVRD can provide the requested Parks and Trails staff and movement of rocks to the CVT entrance, at a cost to the event estimated at \$2,500.
4. That the following grant in aid requests for Electoral Area I – Youbou/Meade Creek be approved:
 - Grant in aid to Cowichan Lake District Chamber of Commerce in the amount of \$5,000 to assist with the Town's Info Centre.
 - Grant in aid to Cowichan Lake Salmonid Enhancement Society in the amount of \$1,500 to assist with funding for fry salvage.
 - Grant in aid to Cowichan Therapeutic Riding Association in the amount of \$1,000 to assist with their riding program.
 - Grant in aid to Cowichan Lake Lady of the Lake Society in the amount of \$500 to assist with funding candidates.
 - Grant in aid to Lake Cowichan Secondary School in the amount of \$400 to assist with scholarship bursaries.
 - Grant in aid to Lake Cowichan Secondary School Dry Grad 2011 in the amount of \$400 to assist with dry grad expenses.
 - Grant in aid to Cowichan Lake District Senior's Association in the amount of \$1,200 to assist with cost recovery.
 - Grant in aid to CICV Radio in the amount of \$3,000 to assist with costs to acquire a Class A radio license.
5. That the resignation of Dola Boas from the Area A Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Ms. Boas.

MOTION CARRIED

11-167

It was moved and seconded:

3. That the following grant in aid requests be approved:
 - Electoral Area A – Mill Bay/Malahat, in the amount of \$350 to Bard@Brentwood, to assist with their 2011 production.
 - Electoral Area A – Mill Bay/Malahat, in the amount of \$10,000 to Mill Bay/Malahat Historical Society, to assist with their efforts to preserve and present the history and heritage of Mill Bay/Malahat.
 - Electoral Area G – Saltair/Gulf Islands, in the amount of \$500 to Harvest House Society (food bank), to assist with costs to provide basic food requirements to the needy.
 - Electoral Area B – Shawnigan Lake, in the amount of \$500 to Cowichan Seniors Community Foundation, to assist with their fund raising event.

- Electoral Area B – Shawnigan Lake, in the amount of \$750 to Bard@Brentwood, to assist with their 2011 production.
- Electoral Area C – Cobble Hill, in the amount of \$1,000 to South Cowichan Chamber of Commerce, to assist with their on-going projects to strengthen business and community in the South Cowichan Valley.
- Electoral Area A – Mill Bay/Malahat, in the amount or \$1,000 to South Cowichan Chamber of Commerce, to assist with their on-going projects to strengthen business and community in the South Cowichan Valley.
- Electoral Area B – Shawnigan Lake, in the amount of \$1,000 to South Cowichan Chamber of Commerce, to assist with their on-going projects to strengthen business and community in the South Cowichan Valley.

MOTION CARRIED

11-168

It was moved and seconded:

6. That Application No. 3-I-10DP/VAR by Michael Dix for a single family dwelling and associated development at Island #4, Cowichan Lake (Block 1455, Cowichan Lake District, as shown on Plan 40413) not be approved in its current form and that the applicant be requested to revise the proposal to substantially reduce the foot print of the proposed dwelling and encroachment into the SPEA, and further, that any approval include the following conditions:
 1. Authorization of the proposed SPEA encroachment by Department of Fisheries and Oceans and Ministry of Environment;
 2. Compliance with RAR Assessment Report #1910, as amended based on the reduced development footprint;
 3. On-site monitoring of construction by a Qualified Environmental Professional and submission of a post development report confirming compliance with the recommendations of RAR Assessment Report #1910 and any conditions of approval specified by the Ministry of Environment and Department of Fisheries and Oceans;
 4. Determination of the high water mark by legal survey and confirmation that the proposed building location is a minimum of 15 metres from the high water mark of Cowichan Lake;
 5. Installation of a “Type 3” or better sewage disposal system authorized by the Vancouver Island Health Authority.
7. That Application No. 2-E-10RS (Young/Pywell) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.
8. 1. That application No. 14-B-10DP (Elkington Forest – Phase 1) be approved, and that a development permit be issued to Living Forest GP Ltd. for an 18 lot subdivision and associated development subject to:

- a. Compliance with RAR report #1850;
 - b. Demarcation of SPEA boundaries with fencing and signage and submission of a post-development report prepared by a Qualified Environmental Professional prior to subdivision;
 - c. Submission and approval by the CVRD Planning and Development Department of a drainage design plan that incorporates the rain management concepts described Schedule 7, prior to subdivision of lots in the Trail Head Hamlet;
 - d. Registration of a restrictive covenant to preclude multiple family use and further subdivision;
 - e. Registration of a restrictive covenant to preclude development of the identified Streamside Protection and Enhancement Areas and the protective zones identified in RAR Assessment Report #1850 and on Schedule 2;
 - f. Demonstration that proposed buildings comply with criteria listed on Schedule 11 prior to issuance of a building permit for any residential or commercial building;
 - g. Compliance with Covenants CA1648147 and CA1648148 (Fire Protection);
 - h. Compliance with Covenants CA1648144 and CA1648145 (Parks);
 - i. Compliance with Covenant CA1648146 (Servicing);
 - j. Installation of all wiring underground excluding the three northern lots.
2. That Area “B” Zoning Bylaw No. 985 be amended to adjust the sub-zones in CL-1 Zone to comply with lot boundaries described in Development Permit Application No. 14-B-10DP.
9. That the draft South Cowichan Official Community Plan be referred to Fisheries and Oceans Canada; Transport Canada; Cowichan Tribes; Malahat First Nation; Tsawout First Nation; Tsartlip First Nation; Chemainus First Nation; Pauquachin First Nation; Agricultural Land Commission; Ministry of Forests and Range – Integrated Land Management Bureau; Ministry of Agriculture; Ministry of Energy and Mines; Ministry of Transportation and Infrastructure; Vancouver Island Health Authority; Ministry of Environment; Ministry of Community, Sport and Cultural Development - Intergovernmental Relations and Planning Division; Land Title and Survey Authority of BC; Capital Regional District; School District 79; Mill Bay Water Improvement District; Braithwaite Improvement District; Cobble Hill Improvement District; Lidstech Holdings; Cowichan Bay Volunteer Fire Department; Malahat Volunteer Fire Department; Mill Bay Volunteer Fire Department; CWAV Safer Futures; and Social Planning Cowichan; Shawnigan Lake Fire Improvement District; Areas A, B and C Parks Commissions; and RCMP, Shawnigan Detachment.

- 10.1. That the Board Chair forward a letter to the Ministry of Environment expressing the CVRD's grave concerns respecting relocation of contaminated soils to 4975 Koksilah Road (Evans Redi-Mix).
2. That the letter dated February 17, 2011, from the Ministry of Environment, regarding relocation of soil from various locations to 4975 Koksilah Road, be included in the Regional Board agenda package for information at the April 13th Board meeting.
11. That Application No. 1-I-10DVP, by Rick Brubaker for 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 the building permit.

MOTION CARRIED

CR2

The report and recommendations of the Electoral Area Services Committee meeting of April 5, 2011 listing seven items were considered.

11-169

It was moved and seconded:

1. That the request by O.U.R. Ecovillage to hold a multicultural music and community development fundraising event titled "Nheema North" to be held July 13 to 18, 2011, at the Ecovillage site, 1565 Baldy Mountain Road, Shawnigan Lake, be approved.
2. That the CVRD contact the Town of Lake Cowichan to congratulate them on their new draft Official Plan and advise that the CVRD supports the plan overall but respectfully requests that the reference in the plan to the possible annexation of industrial lands in the Meade Creek area be deleted from the text.
3. That the following grants in aid be approved:
 - Electoral Area A – Mill Bay/Malahat in the amount of \$300 to Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.
 - Electoral Area A – Mill Bay/Malahat in the amount of \$1,500 to Frances Kelsey Secondary to provide three \$500 student bursaries for post secondary education.
 - Electoral Area C – Cobble Hill in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.
 - Electoral Area C – Cobble Hill in the amount of \$500 to Cowichan Wooden Boat Society to assist with their 3rd annual prawn festival.
 - Electoral Area D – Cowichan Bay in the amount of \$300 to Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.
 - Electoral Area B – Shawnigan Lake in the amount of \$300 to

Shawnigan Cobble Hill Farmers Institute to assist with advertising the 102nd annual Cobble Hill Fall Fair.

- Electoral Area G – Saltair in the amount of \$500 to Saltair Ratepayers Association to assist with costs to build a fence on Saltair waterfront property for safety reasons.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,250 to Cowichan Lake Salmonid Enhancement Society to assist in funding fry salvage operations.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,250 to Cowichan Lake Lady of the Lake Society to assist with costs for the Lady of the Lake Ambassador Program.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$450 to Lake Days Celebration Society to assist with costs to sponsor the community breakfast during the 68th annual Lake Days event.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$3,000 to CIVC Community Radio to assist with costs in acquiring a Class A radio license.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$1,000 to Lake Cowichan Secondary School Dry Grad to assist with costs to sponsor dry grad team building adventure activities.
- Electoral Area F – Cowichan Lake South/Skutz Falls in the amount of \$500 to Lake Cowichan Secondary School to provide a bursary for a student residing in Area F.

MOTION CARRIED

11-170

It was moved and seconded:

4. That Application No. 8-I-10DP be approved, and that a development permit be issued to Ken Carbonneau for Parcel A (DD 27619W) of Lot 26, District Lot 22, Cowichan Lake District, Plan 4922 (PID: 006-016-651), with a variance to Section 3.20 of Zoning Bylaw No. 2465 to reduce the setback from a watercourse from 15 metres to 10 metres for the purpose of building a new single family dwelling, subject to the following:
 - Strict compliance with the recommendations in Riparian Assessment Report No. 1777, submitted by Qualified Environmental Professional Trystan Willmott, of Madrone Environmental Services, on September 9, 2010;
 - That the 10 metre SPEA be clearly demarcated with the use of flagging materials prior to commencement of development activities;
 - The applicant providing a survey confirming compliance with approved setbacks.
5. That application No. 7-A-10 DP/RAR/VAR be approved, and that a development permit with variance, be issued to Rohinton Kerravala for the construction of an accessory building 1.25

metres from the side interior parcel line on Lot A, District Lot 101, Malahat District, Plan 29059 (*PID 000-182-141*), subject to :

- compliance with the measures and recommendations outlined in RAR assessment report No. 1927 by Dave Munday, Golder Associates, including
 - Erection of temporary fencing along the top of bank of the ravine across the width of the property during construction activity
 - Construction of a permanent split rail fence along the top of bank once construction of the accessory building is complete to prevent future encroachment into the SPEA
 - the applicant providing a survey confirming compliance with approved setbacks.
6. That Application No. 1-D-11ALR, submitted by Dwight Milford for Tanner Elton, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct an additional residence for farm help on the second story of an agricultural building be forwarded to the Agricultural Land Commission with a recommendation to approve the application.
 7. That Application No. 3-E-10RS (Wandering U. Inc.) proceed, and that proposed Zoning Amendment Bylaw No. 3465 be forwarded to the Board for consideration of first and second reading; and further that a Public Hearing be scheduled and Directors Duncan, Iannidinardo, and Giles be named as delegates of the Board.

MOTION CARRIED

CR3

The report and recommendations of the Engineering & Environmental Services Committee meeting of March 23, 2011 listing seven items were considered.

11-171

It was moved and seconded:

1. That the Chair and Corporate Secretary be authorized to sign the "Climate Impacts and Adaptations for Waterborne Pathogens and Sustainable Clean and Healthy Water for Communities" five year contract with Dr. Asit Mazumder.
2. That "CVRD Bylaw No. 3477 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
3. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Cowichan Bay Sewer Service Area be received.
- .2 That the boundaries of the Cowichan Bay Sewer System area be amended to include "*PID 009-032-649, Parcel B (DD 47244I), Section 6, Range 4, Except parts in Plan 4159, 4307,*

8219, 9529, 17353, 19696 and VIP 81664, Cowichan District and PID 005-167-841, Lot 1, Section 5, Range 4, Plan 10957 except that part of said lot shown outlined in red on plan 1659-R and parts in plans 15342, 16358, 18893 and VIP 81664".

- .3 That CVRD Bylaw 3489 – Cowichan Bay Sewer Service Amendment Bylaw, 2011 be forwarded to the Board for consideration of 3 readings and adoption.
4. That the Board accept the Utility Transfer Amendment Agreement between the CVRD and the developers of the Twin Cedars development, Harbour City Ventures Corp, and Elise Holdings Ltd., and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Amendment Agreement.
5. That the CVRD support application through the Ministry of Community, Sport and Cultural Development Infrastructure Grant Funding Program for the following infrastructure planning study grants:
 - .1 Carry out an engineering assessment on the feasibility of integration of small water systems in Electoral Area A, to be funded to a maximum cost of \$15,000, with \$2,500 each from the Fern Ridge and Kerry Village Water System budgets, and \$10,000 through the Provincial Infrastructure Planning Grant Program.
 - .2 Carry out a water modeling study of the Saltair Water System, to be funded to a maximum cost of \$15,000, with \$5,000 from the Saltair Water System budget and \$10,000 through the Provincial Infrastructure Planning Grant Program.
6.
 - .1 That CVRD Bylaw No. 3476 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2011 be forwarded to the Board for consideration of three readings and adoption.
 - .2 That "CVRD Bylaw No. 3490 – Solid Waste Remediation Reserve Fund Establishment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.
7.
 - .1 That the CVRD accept the Right of Way Agreement between the CVRD and TimberWest, and that the Chair and Corporate Secretary be authorized to sign the Agreement.
 - .2 That the *Certificate of Sufficiency*, confirming that a sufficient petition requesting inclusion into the Honeymoon Bay Water Service Area be received.
 - .3 That the boundaries of the Honeymoon Bay Water System area be amended to include *"PID 018-871-020 Lot 2, Section 38, Plan VIP 59274, Renfrew District (situate in Cowichan Lake District).*
 - .4 That "CVRD Bylaw No. 1588 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Establishment Bylaw No. 10, 1993", be amended to include *PID 018-871-020*

Lot 2, Section 38, Plan VIP 59274, Renfrew District (situate in Cowichan Lake District), and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

CR4 The report and recommendation of the Environment Commission meeting of March 22, 2011 listing one item was received as information.

CR5 The report and recommendation of the Cowichan Lake Recreation Commission meeting of March 21, 2011 listing one item was received as information.

CR6 The report and recommendations of the Agricultural Advisory Committee meeting of March 22, 2011 listing three items were considered.

Recommendation No. 1 was not proceeded with since the AVICC AGM and Convention had already been held.

11-172 **It was moved and seconded:**

2. That the CVRD Board refers to staff for additional information on the number and scope of subdivision and exclusion applications.

(Amended from original Committee recommendation)

3. That the CVRD Board direct staff to prepare a bylaw to establish the Regional Agricultural Advisory Committee as a permanent Commission of the CVRD.

MOTION CARRIED

STAFF REPORTS

SR1 The Staff Report from the Legislative Services Coordinator, Corporate Services, dated April 6, 2011 re: Cowichan Station Area Association Annual Financial Contribution (Area B) – Notice of Alternative Approval Process and Elector Response Form, was considered.

11-173 **It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3393, be approved.**

MOTION CARRIED

SR2 The Staff Report from the Manager, Legislative Services, dated April 6, 2011 re: CVRD Bylaw No. 3491 – Regional Parkland Acquisition Reserve Fund Establishment Bylaw, 2011 was received for information.

SR3 The Staff Report from the Manager, Community and Regional Planning Division dated April 6, 2011, re: Zoning Amendment Bylaw No. 3460 (Area H – Doole Road, A-1 to A-2) was received for information.

PUBLIC HEARINGS

PH1 The Public Hearing Report and Minutes re: Phased Development Agreement Bylaw No. 3461 (Cowichan Bay Estates), applicable to Electoral Area D – Cowichan Bay, was considered.

11-174 It was moved and seconded that the Public Hearing Report and Minutes re: Phased Development Agreement Bylaw No. 3461 (Cowichan Bay Estates) be received.

MOTION CARRIED

BYLAWS

B1
11-175 It was moved and seconded that “CVRD Bylaw No. 3469 – Douglas Hill Water System Service Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

B2
11-176 It was moved and seconded that “CVRD Bylaw No. 3491 – Regional Parkland Acquisition Reserve Fund Establishment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B2
11-177 It was moved and seconded that “CVRD Bylaw No. 3491 – Regional Parkland Acquisition Reserve Fund Establishment Bylaw, 2011”, be adopted.

MOTION CARRIED

B3
11-178 It was moved and seconded that “CVRD Bylaw No. 3473 – Regional Parkland Acquisition Reserve Fund Expenditure (PID: 010-412-352) Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B3
11-179 It was moved and seconded that “CVRD Bylaw No. 3473 – Regional Parkland Acquisition Reserve Fund Expenditure (PID: 010-412-352) Bylaw, 2011”, be adopted.

MOTION CARRIED

B4
11-180 It was moved and seconded that “CVRD Bylaw No. 3476 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B4
11-181 It was moved and seconded that “CVRD Bylaw No. 3476 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2011”, be adopted.

MOTION CARRIED

**B5
11-182** It was moved and seconded that “CVRD Bylaw No. 3477 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

Opposed: Directors Morrison, Kuhn and Alternate Director Burgess

MOTION CARRIED

**B5
11-183** It was moved and seconded that “CVRD Bylaw No. 3477 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2011”, be adopted.

Opposed: Directors Morrison, Kuhn and McGonigle

MOTION CARRIED

**B6
11-184** It was moved and seconded that “CVRD Bylaw No. 3489 – Cowichan Bay Sewer System Service Area Amendment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
11-185** It was moved and seconded that “CVRD Bylaw No. 3490 – Solid Waste Works Remediation Reserve Fund Establishment Bylaw, 2011”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
11-186** It was moved and seconded that “CVRD Bylaw No. 3490 – Solid Waste Works Remediation Reserve Fund Establishment Bylaw, 2011”, be adopted.

MOTION CARRIED

**B8
11-187** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3387 – Area A – Mill Bay/ Malahat Official Community Plan Amendment Bylaw (Baranti Developments), 2010”, be adopted.

MOTION CARRIED

**B9
11-187** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3388 – Area A – Mill Bay/ Malahat Zoning Amendment Bylaw (Baranti Developments), 2010”, be adopted.

MOTION CARRIED

**B10
11-189** 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 3rd reading.

MOTION CARRIED

**B11
11-190** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011” be amended by inserting the

following amendments into Schedule B of the Phased Development Agreement following Section 22:

1. Topsoil

The Owner must deposit a minimum of 200 cubic metres of topsoil on land to be transferred to the District and at a location approved in writing by the District prior to deposit of a subdivision plan creating the 21st new parcel from the Lands.

2. Park Boundary Fence

The Owner must construct a 1.5 metre high fence constructed of treated posts and page wire, or other material agreed to in writing by the District, between the park land and the west boundary of the residential lots in Phase 4b.

3. Storm Water Management

The Owner must install on-site storm water management works that are consistent with the Ministry of Environment's *Development With Care: Environmental Guidelines for urban and Rural Land Development in British Columbia* document. The storm water design must be reviewed and approved by the District prior to inclusion of the Land in a drainage service area.

MOTION CARRIED

**B11
11-191**

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011", be granted 3rd reading as amended.

Opposed: Director Morrison

MOTION CARRIED

11-192

It was moved and seconded that the issue of policy around the transfer of sewer capacity units be referred to the Engineering & Environmental Services Committee and the Central Sector Liquid Waste Management Plan Steering Committee.

Opposed: Directors Haywood, Duncan, Dorey, Iannidinardo and Cossey

MOTION CARRIED

**B11
11-193**

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3461, Phased Development Agreement Authorization Bylaw (Cowichan Bay Estates), 2011", be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

RESOLUTIONS

**RES1
11-194** It was moved and seconded that the following appointments to the Electoral Area C – Cobble Hill Parks and Recreation Commission be approved:

Elected for a Term to Expire December 31, 2012:

Annie Ingraham
Dan Massen

MOTION CARRIED

**RES2
11-195** *(Amended from original Recommendation):*

It was moved and seconded that the following appointments to the North Oyster Fire Protection Service Commission be approved:

Elected for a Term to Expire March 31, 2012:

Grant Keefer
Shirley Husband

Appointed for a Term to Expire March 31, 2012:

Howie Davis

MOTION CARRIED

**RES3
11-196** It was moved and seconded that the following appointments to the Agricultural Advisory Committee be approved:

Term to Expire November 30, 2011:

Pat Durose, Farm Credit Canada
Mick Smith, Farmer's Market

MOTION CARRIED

**RES4
11-197** It was moved and seconded that the following appointments to the Shawnigan Lake Community Centre Commission be approved:

Elected for a Term to Expire March 31, 2012:

Barb Shultz
Sarah Malerby

Appointed for a Term to Expire March 31, 2012:

Kim rowe
Sharleen Impett
Marion Davies
Fransje Carr

MOTION CARRIED

NEW BUSINESS

**NB1
11-198** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3415 – Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Bill 27), 2010”, be adopted.

MOTION CARRIED

**NB2
11-199** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3416 – Area G – official Community Plan Amendment Bylaw (Bill 27), 2010”, be adopted.

MOTION CARRIED

**NB3
11-200** It was moved and seconded that “CVRD Bylaw No. 3417 – Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Bill 27), 2010”, be adopted.

MOTION CARRIED

**NB4
11-201** 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 adopted.

MOTION CARRIED

NB5 It was moved and seconded that “CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora be granted 1st and 2nd reading as amended with the addition of the following to Section 11.4 I-5 Restricted Light Industrial: “(6) automotive, truck, recreational vehicle and boat sales and servicing is not permitted”.

11-202 It was moved and seconded that “CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Wandering U Inc.), 2011” be referred back to the Electoral Area Services Committee.

Opposed: Directors Marcotte, Iannidinardo, Dorey, Duncan, and Giles

MOTION DEFEATED

11-203 **VOTING RESUMED ON THE ORIGINAL MOTION**

Motion restated for clarification:

It was moved and seconded that “CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora be granted 1st and 2nd reading as amended with the addition of the following to Section 11.4 I-5 Restricted Light Industrial: “(6) automotive, truck, recreational vehicle and boat sales and servicing is not permitted”.

Opposed: Director Cossey

MOTION CARRIED

NB6 The Staff Report from the Manager, Corporate Planning dated April 11, 2011, re: Funding Agreement Authorization – Cowichan Basin Water Management Plan Implementation Project Phase 1, was considered.

11-204 It was moved and seconded that the Chair and Corporate Secretary be authorized to sign, on behalf of the CVRD, the “Regionally Significant Project, Tier 1 and 2 Strategic Priorities Fund and/or Innovations Fund Funding Agreement Under the Agreement on the Transfer of Federal Gas Tax Revenues” for the Cowichan Basin Water Management Plan Implementation Project Phase 1 project.

MOTION CARRIED

NB7 Report on AVICC Resolutions
The Chair provided Director Marcotte with an opportunity to give an update on the resolutions put forth at the recent AVICC conference held in Sidney, BC, April 8 to 10, 2011.

**RESOLVING INTO
CLOSED SESSION**

11-205 It was moved and seconded that the meeting be closed to the public
8:32 pm in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsection (1) (c) Employee Relations.

Opposed: Directors Iannidinardo, Kent, McGonigle, Haywood, Walker, Marcotte, Duncan, Seymour, Morrison and Alternate Director Burgess

MOTION DEFEATED

**RESOLVING INTO
CLOSED SESSION**

11-206 It was moved and seconded that the meeting be closed to the public
8:44 pm in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsection (1) (c) Employee Relations.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

11-209 It was moved and seconded that the Board rise without report and
9:11 pm return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

11-210 It was moved and seconded that the Regular Board meeting be
9:11 pm adjourned.

MOTION CARRIED

The meeting adjourned at 9:11 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____