

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 14, 2010 at 6:06 pm.

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

**ALSO PRESENT:** Warren Jones, Administrator  
Joe Barry, Corporate Secretary  
Dan Derby, General Manager Public Safety  
Brian Dennison, General Manager  
Engineering & Environmental Services  
Kate Miller, Manager, Regional Environmental Policy  
Rob Conway, Manager, Development Services Division  
Brian Farquhar, Manager, Parks and Trails Division  
Bob McDonald, Manager,  
Recycling & Waste Management  
Jim Wakeham, Manager,  
Facility, Fleet & Transit Management

**ABSENT:** Director B. Harrison

## **APPROVAL OF AGENDA**

**10-182**

**It was moved and seconded that the agenda be amended with the addition of New Business items:**

**NB1 Staff Report from the Manager, Development Services Division re: Youbou Lands Rezoning - Board Conditions**

**NB2 Correspondence from the City of Richmond re: Nomination for Richmond Chamber of Commerce 911 Awards - Grant Keefer - Area H - North Oyster/ Diamond**

**NBCS1 Personal Information {Sub (1) (a)}**

**NBCS2 Freedom of Information {Sub (1) (j)}**

**and the deletion from the Agenda of CR4 Island Savings Centre Commission Report and Recommendations**

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

**MOTION CARRIED**

**ADOPTION OF  
MINUTES**

- 10-183**                      **It was moved and seconded that Resolution No. 10-170 be changed from "Area F" to Area I" and that the minutes of the March 10, 2010 Regular Board meeting be adopted as amended.**

**MOTION CARRIED**

**BUSINESS ARISING  
FROM MINUTES**

There was no business arising.

**DELEGATIONS**        There were no Delegations.

**REPORT OF CHAIRPERSON**

**RC1**                      Appointment to the Community Safety Advisory Committee.

The Chair advised that she has appointed Councillor Jillian Dashwood, Town of Ladysmith and Councillor Jayne Ingram representing the Town of Lake Cowichan to the Community Safety Advisory Committee for a term to expire November 30, 2010.

**RC2**                      The Chair acknowledged National Volunteer Week which is being held April 18<sup>th</sup> to April 24<sup>th</sup> and the many volunteers who serve in the Cowichan Region.

**CORRESPONDENCE**

**C1**                      Correspondence from the Capital Regional District dated March 22, 2010 re: Proposed Boundary Change.

The Corporate Secretary advised that a recommendation regarding this request is dealt with in Electoral Area Services Committee Report of April 6, 2010, item 7.

**INFORMATION**        There were no information items.

**COMMITTEE REPORTS**

**CR1**                      The report and recommendations from the Electoral Area Services Committee meeting held March 16, 2010 listing nine items were considered.

**10-184**                      **It was moved and seconded:**

- 1. That the request to release Restrictive Covenant J17198 (Silver Catch Processing Inc.) registered against Lot 1, Section 7, Range 4, Cowichan District, Plan 28681 (1838 Cowichan Bay Road, File #1-D-08DP), be approved, and that the CVRD proceed to have the covenant removed from title.**

2. That the resignation of June Laraman from the Area A Parks Commission be accepted, and that a letter of appreciation be forwarded to Ms. Laraman.
3. That the following grants-in-aid be approved:
  - Grant-in-aid request, Area D – Cowichan Bay, in the amount of \$2,000 to Cittaslow Cowichan Bay Society, to augment their fundraising efforts.
  - Grant-in-aid request, Area D – Cowichan Bay, in the amount of \$1,500 to Koksilah School Historical Society, to help with costs to paint their building.
  - Grant-in-aid request, Area A – Mill Bay/Malahat, in the amount of \$350 to Bard@Brentwood to assist with their 2010 performing arts program.
4. That Director's expenses occurred related to the one day UBCM elections task force session on March 12<sup>th</sup> be approved, and that submitted expenses for Director I. Morrison and Director M. Marcotte be taken from budget function 250.

**MOTION CARRIED**

**10-185**

It was moved and seconded that Application No. 3-A.09RS (Koutougos) be referred back to the Area A Advisory Planning Commission for their review.

**MOTION CARRIED**

**10-186**

It was moved and seconded:

7. That Application No. 1-C-09DVP by Marilyn Gourley for a variance to Section 5.3(a) of Zoning Bylaw No. 1405, by decreasing the setback from watercourse from 15 metres down to 12.6 metres, on Strata Lot 429, Section 14, Range 10, Shawnigan District, Strata Plan 1601 (Phase 13) PID: 017-559-553, be approved, subject to the applicant providing a survey confirming compliance with the reduced setback.
8. That Application No. 1-I-10DP/VAR be approved, and that a Development Permit, with a Variance, be issued to Robert and Susan Thackeray for the construction of an accessory building 4.5 metres from the front parcel line, subject to compliance with the measures and recommendations outlined in RAR Assessment Report No. 1342 by Kelly Schellenberg, B.Sc.F., R.P.F.
9.
  1. That the proposed planning and consultation process for the Area D Official Community Plan be approved in principle; and
  2. That the following individuals be confirmed as members of the Area D Official Community Plan Steering Committee:
    - Hilary Abbot
    - Don Bright
    - Dan Butler
    - Larry George

- Peter Holmes
- Danica Rice
- Robert Stitt

**MOTION CARRIED**

**6:24 pm** Director Marcotte declared a conflict of interest due to a long-term family relationship with the applicants and left the Board Room at 6:24 pm.

**10-187** It was moved and seconded:

6. That Application No. 3-H-09 DP be approved, and that a development permit be issued to Angela YP Quek Architecture on behalf of Peggy and Doug Kolosoff, for Parcel 1 (DD14733N) of Parcel B (DD3329N) of District Lot 22, Oyster District, except part in Plan 18087, to permit the construction of a 24 unit residential care facility, subject to:
  - a. The facility is licensed pursuant to the *Community Care and Assisted Living Act*,
  - b. The facility receives the appropriate water system approval from the Vancouver Island Health Authority pursuant to the *Drinking Water Protection Act*,
  - c. The development complies with the recommendations noted in Lewkowich Engineering Aquifer Impact Assessment report dated November 13, 2009,
  - d. The development complies with the recommendations noted in Lewkowich Engineering Geotechnical Hazard Assessment, dated September 11, 2009, including:
    - *The volume of storm discharge to the foreshore culvert is not increased substantially. This can be accomplished by providing a recharge facility (rock pit/trench) with an overflow to the storm system leading to the foreshore,*
    - *The building site soils are adequately drained to a depth of at least 0.5 m within the building footprint,*
    - *Foundations are extended to suitable undisturbed bearing soil*
  - e. The development is in substantial compliance with the attached Kiwi Manor Care Facility plans, dated May 7, 2009 by AYPQ Architecture. And furthermore, that these plans include paving the staff parking area and installing an oil/water separator.

**MOTION CARRIED**

**6:25 pm** Director Marcotte returned to the Board Room at 6:25 pm.

**CR1** The report and recommendations from the Electoral Area Services Committee meeting held April 6, 2010 listing ten items, were considered.

10-188

It was moved and seconded:

1. That the request from the Earth Week Committee to use select CVRD Community Park locations for their “Green Footprint Challenge” over three weekends between April 9<sup>th</sup> and 25<sup>th</sup>, be approved.
3. That Cowichan Lake Recreation Centre – Permanent Paving Project be recommended for consideration as a Gas Tax program “Regionally Significant Project” and be included into the 2010-2011 priority list.
4. That the following grants-in-aid be approved:
  - Grant-in-aid to Cowichan Secondary School in the amount of \$1,000 to provide two bursaries (\$500) each to deserving Area C – Cobble Hill graduating students.
  - Grant-in-aid to Garden House Foundation in the amount of \$500 to assist with Foundation activities.
  - Grant-in-aid to Mill Bay/Malahat Historical Society in the amount of \$10,000 to assist the Society in their efforts to collect, preserve and present the history and heritage of the Mill Bay/Malahat Electoral Area.
  - Grant-in-aid to Cowichan Carbon Busters in the amount of \$750 to assist with their Energy Solutions Bus project.
  - Grant-in-aid to Cowichan Carbon Busters in the amount of \$500 to assist with their Energy Solutions Bus project.
  - Grant-in-aid to LCSS Dry Grad 2010 in the amount of \$1,040 to support the safe and memorable 2010 graduation and prom activities.
  - Grant-in-aid to Lake Cowichan Secondary School in the amount of \$500 to support the scholarship and bursary program for deserving graduates.
  - Grant-in-aid to Mesachie Lake VFD Association in the amount of \$1,250 to support the Association past service recognition dinner and plaque presentation event.
  - Grant-in-aid to Honeymoon Bay Community Society in the amount of \$500 to assist with sponsorship of Heritage Days on May 15, 2010.
  - Grant-in-aid to Lake Days Society in the amount of \$400 to assist and co-sponsor Lake Days “Breakfast in the Town” event on June 12, 2010.
  - Grant-in-aid to Cowichan Lady of the Lake Society in the amount of \$1,125 to support the Youth Ambassador Program.
5. That bylaw enforcement action NOT be taken respecting existing fence located at 3236 Kilipi Road which exceeds the maximum allowed fence height.

6. That a letter be forwarded to the Ministry of Transportation requesting that a centre line and turn lane line be painted at the crosswalk to Frances Kelsey Secondary School due to safety concerns.
7. That a letter be forwarded to the Capital Regional District advising that the Cowichan Valley Regional District has no concerns with their proposed boundary change that relates to CRD watershed lands provided that the CVRD reserves the option to utilize the Sooke watershed if required.

Opposed: Director Marcotte

**MOTION CARRIED**

Resolution No. 2 was not proceeded with upon advice of the Administrator.

**10-189**

**It was moved and seconded:**

8. That application No. 5-B-08RS (Dan and Gail Morris) be denied, and that a partial refund be given to the applicant in accordance with CVRD Development Applications Procedures and Fees Bylaw No. 3275.
9. That application No. 1-C-10DVP by Daniel Hayward for a variance to Section 8.2(b) Zoning Bylaw No. 1405, decreasing the setback to the side interior parcel line from 3.0 metres to 2.4 metres be approved, subject to the applicant providing a survey confirming compliance with approved setbacks.
10. That the draft OCP and Zoning Amendment Bylaws respecting Application No. 1-H-09RS (Heart Lake Developments) be forwarded to the Regional Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings; and further that a public hearing be scheduled and that Director M. Marcotte, Director M. Dorey and Director I. Morrison be delegated to the public hearing.

**MOTION CARRIED**

**6:28 pm**

Director Duncan left the Board Room at 6:28 pm.

**CR2**

The report and recommendations from the Engineering and Environmental Services Committee meeting held March 24, 2010 listing nine items, were considered.

**10-190**

**It was moved and seconded:**

2. That "CVRD Bylaw No. 3360, Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.
3. .1 That "CVRD Bylaw No. 3368 – Arbutus Ridge Water System Management Amendment Bylaw, 2010 be forwarded to the Board for three readings and adoption.

**RESCINDED**  
**April 28, 2010**  
**Res. 10-233**

- .2 That "CVRD Bylaw No. 3369 – Arbutus Ridge Sewer System Management Amendment Bylaw, 2010 be forwarded to the Board for three readings and adoption.
- .3 That "CVRD Bylaw No. 3370 – Dogwood Ridge Water System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.
5. That the Cowichan Valley Regional District enter into sole source recycling depot servicing contract extensions, as negotiated, for the period of June 1, 2010 to December 31, 2010.
6. That a *critical location* streetlight be installed at the corner of Gregory Road and McKean Road in Electoral Area B – Shawnigan Lake, as requested in a petition from local residents.
7. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of a Water System Service Area and authorizing the borrowing of up to \$150,000.00, be received.
  - .2 That Service Establishment and Loan Authorization bylaws for the Douglas Hill Water System Service Area be prepared.
  - .3 That, following adoption of the Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaw, a Parcel Tax Roll Bylaw and a Management Bylaw be prepared for the Douglas Hill Water System, and that these be bylaws forwarded to the Board for consideration of three readings and adoption.
  - .4 That Staff be authorized to negotiate the transfer of assets agreement with the current owner of the system.
  - .5. That the service area residents be given the option of paying their portion of the borrowing cost up front.
8. That the Board approve the removal of the “no-build” covenant on Lot 7 and add a covenant restricting “use” and “no-build” for Lot 11 within the Hiles Subdivision of the Lambourn Estates Sewer and Water Systems Service Areas. Six lots of ten in the development will retain their “no-build” covenants.
9. That "CVRD Bylaw No. 3366 – Cowichan Bay Sewer System Management Amendment Bylaw" be forwarded to the Board for three readings and adoption.

**MOTION CARRIED**

**10-191**

**It was moved and seconded:**

1. That the Cowichan Valley Regional District enter into a sole source Curbside Collection contract extensions for the period of June 1, 2010 to May 31, 2011.

**MOTION CARRIED****10-192****It was moved and seconded:**

- 4. That the CVRD support application of an infrastructure planning grant for a Honeymoon Bay Micro Hydro Energy Recovery Program to be funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Electoral Area Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful business plan, an energy recovery service area for this utility be created.**

**MOTION CARRIED****6:36 pm**

Director Duncan returned to the Board Room at 6:36 pm.

**CR3**

The report and recommendations from the Transit Services Committee meeting held April 14, 2010 listing four items were considered.

**10-193****It was moved and seconded:**

- 1. That the following CVRD Conventional Transit service rates be implemented July 1<sup>st</sup>, 2010:**

		<u><b>Current</b></u>	<u><b>July 1, 2010</b></u>
<b>Cash Fare</b>	<b>Adult</b>	<b>\$ 1.75</b>	<b>\$ 2.00</b>
	<b>Student/Senior</b>	<b>\$ 1.50</b>	<b>\$ 1.75</b>
	<b>Children under 5</b>	<b>Free</b>	<b>Free</b>
<b>Tickets (book of ten)</b>	<b>Adult</b>	<b>\$ 14.00</b>	<b>\$ 16.00</b>
	<b>Student/Senior</b>	<b>\$ 11.50</b>	<b>\$ 13.50</b>
<b>Monthly Pass</b>	<b>Adult</b>	<b>\$ 43.00</b>	<b>\$ 48.00</b>
	<b>Student/Senior</b>	<b>\$ 32.50</b>	<b>\$ 36.00</b>
	<b>College Student</b>	<b>\$ 32.50</b>	<b>\$ 36.00</b>
	<b>College semester</b>	<b>\$100.00</b>	<b>\$112.00</b>

- 2. That the CVRD HandyDART service rates be increased for one fare from \$2.00 to \$2.25 effective July 1, 2010.**



3. That the CVRD Commuter Service rates be changed as follows effective July 1, 2010 to replace the two zone fare structure with a one zone fare:

Cash Fare	Zone 1	\$ 6.00	\$ 7.00
	Zone 2	\$ 8.00	\$ 7.00
Tickets (book of ten)	Zone 1	\$ 54.00	\$ 63.00
	Zone 2	\$ 72.00	\$ 63.00
Monthly pass	Zone 1	\$150.00	\$165.00
	Zone 2	\$200.00	\$165.00
Monthly South Island pass	Zone 1	\$185.00	\$200.00
	Zone 2	\$235.00	\$200.00

4. That the Board support BC Transit's recommendation to close the Park & Ride at Hutchinson Road effective July 1, 2010, and further that customers be encouraged to use either the Valley View or Frayne Road Park & Ride sites.

**MOTION CARRIED**

The Corporate Secretary advised that it would be appropriate to bring forward Agenda Item NBCS2 from the Closed portion of the agenda since it pertains to Transit and should have been reported out at the Transit Committee meeting.

**NBCS2  
10-194**

**It was moved and seconded:**

1. That the Board Chair and Corporate Secretary be authorized to sign the following Annual Operating Agreements between BC Transit, the CVRD and the corresponding operating companies, commencing April 1, 2010 to March 31, 2011:
  1. Cowichan Valley Conventional System - FirstCanada ULD
  2. Custom Transit - Handy-DART - Volunteer Cowichan
  3. Youbou Transit System - Cowichan Lake Community Services Society

**MOTION CARRIED**

**CR4**

Deleted upon Adoption of the Agenda.

**CR5**

The report and recommendations from the Cowichan Lake Recreation Commission of meeting held March 25, 2010 listing one item was considered.

- 10-195** It was moved and seconded that a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of a maximum of \$94,541 from Reserve Fund Bylaw No. 505 (Cowichan Lake Recreation Reserve Fund Establishment Bylaw, 1979) for the purpose of partially funding the replacement of the arena ice resurfacer (i.e. Zamboni) located at the Cowichan Lake Arena, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

**MOTION CARRIED**

## **STAFF REPORTS**

- SR1** The Staff Report from the Legislative Services Coordinator dated March 23, 2010 re: Amendment to Shawnigan Creek Drainage System Service Establishment Bylaw was considered for information.
- SR2** The Staff Report from the Corporate Secretary dated April 6, 2010 re: North Cowichan - No Further Borrowing under CVRD Security Issuing Bylaw No. 3048, 2008 was considered.

- 10-196** It was moved and seconded that the following Council resolution passed by the Municipality of North Cowichan on February 3, 2010: *"That Council resolve to no longer borrow using Bylaw No. 3301, being the "Maple Bay Fire Hall Authorization Bylaw, 2007", be accepted and received.*

**MOTION CARRIED**

- SR3** The Staff Report from the Planner, Development Services Division, dated April 6, 2010 re: Zoning Amendment Bylaw No. 2981 (CVRD for Ministry of Environment/Gordon Bay Provincial Park - Area F) was considered for information.
- SR4** Staff Report from the Planning Technician dated April 6, 2010 re: Proposed adjustment to Official Community Plan Amendment Bylaw No. 3378 (Koutougos 3-A-09-RS) was referred back to the Area A Advisory Planning Commission as a result of Resolution No. 10-186.
- SR5** The Staff Report from the Manager, Development Services Division dated April 7, 2010 re: Adoption of Zoning Amendment Bylaw 3233 (Nicholson) was considered for information.

## **PUBLIC HEARINGS**

- PH1** The Public Hearing Report and Minutes re: Official Settlement Plan Amendment Bylaw No. 3324 and Zoning Amendment Bylaw No. 3325 (Parhar Holdings), applicable to Electoral Area D - Cowichan Bay were considered.

- 10-197** It was moved and seconded that the Public Hearing Report and Minutes re: Official Settlement Plan Amendment Bylaw No. 3324 and Zoning Amendment bylaw No. 3325 (Parhar Holdings), applicable to Electoral Area D - Cowichan Bay be received.

**MOTION CARRIED**

## **BYLAWS**

- B1**  
**10-198** It was moved and seconded that "CVRD Bylaw No. 3344 - Shawnigan Creek Drainage System Service Establishment Bylaw, 2010", 3<sup>rd</sup> reading be RESCINDED.

**MOTION CARRIED**

- B1**  
**10-199** It was moved and seconded that "CVRD Bylaw No. 3344 - Shawnigan Creek Drainage System Service Establishment Bylaw, 2010, be amended by deleting tax rate \$0.04485 in Section 6 - Maximum Requisition of Bylaw. No. 3344 and replacing it with \$0.05051".

**MOTION CARRIED**

- B1**  
**10-200** It was moved and seconded that "CVRD Bylaw No. 3344 - Shawnigan Creek Drainage System Service Establishment Bylaw, 2010, be granted 3<sup>rd</sup> reading as amended.

**MOTION CARRIED**

- B2**  
**10-201** It was moved and seconded that "CVRD Bylaw No. 3360 - Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

- B2**  
**10-202** It was moved and seconded that "CVRD Bylaw No. 3360 - Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2010", be adopted.

**MOTION CARRIED**

- B3**  
**10-203** It was moved and seconded that "CVRD Bylaw No. 3366 - Cowichan Bay Sewer System Management Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

- B3**  
**10-204** It was moved and seconded that "CVRD Bylaw No. 3366 - Cowichan Bay Sewer System Management Amendment Bylaw, 2010", be adopted.

**MOTION CARRIED**

- B4**  
**10-205** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3368 - Arbutus Ridge Water System Management Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B4  
10-206** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3368 - Arbutus Ridge Water System Management Amendment Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B5  
10-207** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3369 - Arbutus Ridge Sewer System Management Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B5  
10-208** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3369 - Arbutus Ridge Sewer System Management Amendment Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B6  
10-209** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3370 - Dogwood Ridge Water System Management Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B6  
10-210** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3370 - Dogwood Ridge Water System Management Amendment Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B7  
10-211** It was moved and seconded that "CVRD Bylaw No. 3376 - Saltair Community Parks Park Land Acquisition Reserve Fund Expenditure (\$50,000) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B7  
10-212** It was moved and seconded that "CVRD Bylaw No. 3376 - Saltair Community Parks Park Land Acquisition Reserve Fund Expenditure (\$50,000) Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B8  
10-213** It was moved and seconded that "CVRD Bylaw No. 3377 - Cowichan Lake Sports Arena Capital Improvements (Physically Handicapped Accessibility) Reserve Fund Expenditure Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B8  
10-214** It was moved and seconded that "CVRD Bylaw No. 3377 - Cowichan Lake Sports Arena Capital Improvements (Physically Handicapped Accessibility) Reserve Fund Expenditure Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B9  
10-215** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 2981 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (CVRD for Ministry of Environment), 2009", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B9  
10-216** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 2981 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (CVRD for Ministry of Environment), 2009", be adopted.

**MOTION CARRIED**

**B10  
10-217** It was moved and seconded that "CVRD Bylaw No. 3233 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Polaris/Nicholson), 2008", be adopted.

**MOTION CARRIED**

**B11  
10-218** It was moved and seconded that "CVRD Bylaw No. 3324 - Area D - Cowichan Bay Official Settlement Plan Amendment Bylaw (Parhar), 2010", be amended by adding the following:

**Section 1.6** Site planning will incorporate the principles of Crime Prevention Through Environmental Design (CPTED);

**Section 3.7** Landscape security in the form of an irrevocable letter of credit equivalent to 125% of the estimated cost of all proposed hard and soft landscaping shall be provided prior to issuance of a development permit. The cost estimate shall be prepared by a member of the BC Society of Landscape Architects;

**Section 3.8** Up to fifty percent of landscape security may be released upon completion of required landscaping in accordance with approved plans. The remaining security shall be released following successful completion of a three year maintenance period.

and changing Section 3.6 by deleting "*or BC Nursery Trades Association*";

and further, that "CVRD Bylaw No. 3324 - Area D - Cowichan Bay Official Settlement Plan Amendment Bylaw (Parhar), 2010", be granted 3<sup>rd</sup> reading as amended.

**MOTION CARRIED**

**B12  
10-219** It was moved and seconded that "CVRD Bylaw No. 3325 - Area D - Cowichan Bay Zoning Amendment Bylaw (Parhar), 2010", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B13**  
**10-220** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3371 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (Heart Lake Developments), 2010", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B14**  
**10-221** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3372 - Area H - North Oyster/Diamond Zoning Amendment Bylaw (Heart Lake Developments), 2010", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B15** Referred back to the Area A Advisory Planning Commission as a result of Resolution No. 10-185.

**B16** Referred back to the Area A Advisory Planning Commission as a result of Resolution No. 10-185.

## **RESOLUTIONS**

**RES 1**  
**10-222** It was moved and seconded that the following appointment to the North Oyster Fire Service Commission be approved:

**Elected:**

**Jim Jackson**

**Term to expire March 31, 2012:**

**MOTION CARRIED**

**UNFINISHED**  
**BUSINESS** No unfinished business

## **NEW BUSINESS**

**NB1** The Staff Report from the Manager, Development Services Division and Manager, Parks and Trails Division, dated April 14, 2010 re: Youbou Lands Rezoning - Board Conditions (Bylaws No. 3213, 2314 and 3242) was considered.

**10-223** It was moved and seconded that conditions (a) and (b) be amended as follows:

- a) That a Section 219 Covenant be prepared and registered on the subject property in favour of the Cowichan Valley Regional District with conditions that both a Statutory Right of Way and Restrictive Covenant be registered in favour of the Regional District on the lands to be subdivided to create the proposed boat launch prior to commencement of Phase II of the proposed PDA, with such conditions including but not limited to:

- The boat launch site to be created as a separately titled parcel
  - The lands are to be limited to boat launch purposes only
  - The CVRD and public will have unrestricted access to use the SRW area to launch and retrieve boats
  - The CVRD retains the right to enter the lands to construct or maintain or expand the works at its costs in the event any facilities previously constructed are not in good repair, etc.
  - Prohibiting the owner from physically obstructing lake access, etc.
  - That the terms and conditions of the Statutory Right of Way and Restrictive Covenant be agreeable to the CVRD.
- b) That a *Land Title Act* Section 219 Covenant be registered against the Youbou Lands to establish a process and criteria for the construction of waterfront lot docks.

Opposed: Director Cossey

**MOTION CARRIED**

**NB2** Correspondence from the city of Richmond dated April 9, 2010 re: Nomination for Richmond Chamber of Commerce 911 Awards - Grant Keefer - Area H - North Oyster/Diamond was considered.

**10-224** It was moved and seconded that a congratulatory letter be sent to Mr. Keefer wishing him luck in the nomination and award process.

**MOTION CARRIED**

**RESOLVING INTO  
CLOSED SESSION**

**10-225** It was moved and seconded that the meeting be closed to the public in  
**7:15 pm** accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (a) Personal Information, (e) Land Acquisition and (j) *Freedom of Information*.

**MOTION CARRIED**

**RISE FROM  
CLOSED SESSION**

**10-230** It was moved and seconded that the Board rise with report on Items  
**8:21 pm** CSSR1 Board of Variance Appointments and NBCS1 Economic Development Commission Appointments, and return to the Regular portion of the meeting.

**MOTION CARRIED**

CSSR1  
Personal  
Information  
{Sub (1) (j)}  
10-227

It was moved and seconded that Tom Earl, R.J. (Bob) Brooke and Dalu Peng be appointed for a three year term to the Board of Variance to expire at the end of December, 2013.

**MOTION CARRIED**

NBCS1  
Personal  
Information  
{Sub (1) (a)}  
10-228

It was moved and seconded that the following appointments to the Economic Development Commission be approved:

**Appointed to Fill Remainder of Vacated Positions:**

Jane Worton

Marsha Stanley

Term to expire December 31, 2010

John Plas

Pat Foster

Mike Kelly

John Morris

Term to expire March 31, 2012

**MOTION CARRIED**

**ADJOURNMENT**

10-231  
8:21pm

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

**MOTION CARRIED**

The meeting adjourned at 8:21 pm

Certified Correct:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary

Dated: \_\_\_\_\_