

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, August 11, 2010 at 6:00 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
B. Harrison, D. Haywood, L. Iannidinardo,
P. Kent, K. Kuhn, M. Marcotte,
I. Morrison, G. Seymour and T. Walker <6:12 pm>.

ALSO PRESENT: Tom Anderson, Acting Administrator
Joe Barry, Corporate Secretary
Mark Kueber, General Manager, Corporate Services
Sharon Moss, Manager, Finance Division
Bob McDonald, Manager, Recycling & Waste Management
Ron Austen, General Manager
Parks, Recreation & Culture
Sybille Sanderson, Acting General Manager, Public Safety
Dave Leitch, Manager, Water Management
Jason Adair, Superintendent, Solid Waste Operations
Kate Miller, Manager, Regional Environmental Policy

ABSENT: Directors R. Hutchins and T. McGonigle

**APPROVAL OF
AGENDA
10-414**

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

**NB1 Kinsol Trestle Revitalization Committee Report and
Recommendation of Meeting of August 11, 2010 and
CSNB1 Land Acquisition {Sub (1) (e)} and Law Enforcement {Sub
(1) (f)},**

and that the agenda as amended be approved.

MOTION CARRIED

**ADOPTION OF
MINUTES
10-415**

It was moved and seconded that the minutes of the July 14, 2010 Regular Board meeting be amended as follows:

Resolution 10-364 - change the word "facilities" to "facilitates" and

Resolution 10-407 be amended by adding the word "Bylaw" after "Development Permit Area"

and that the July 14, 2010 Regular Board minutes, as amended, be adopted.

MOTION CARRIED

**BUSINESS ARISING
OUT OF MINUTES**

DELEGATIONS

D1 Lavonne Huneck and Barry Harvie representing Friends Against Rubbish Management Site re: South Cowichan EcoDepot.

Lavonne Huneck and Barry Harvie spoke on behalf of the Friends Against Rubbish Management Site (FARMS) regarding the community's concerns about the proposed South Cowichan EcoDepot.

The following material was distributed: hard copy entitled "Presentation to the CVRD Board of Directors, Aug. 11, 2010", Results of Survey from July 29, 2010 - count and percentage and a DVD entitled "Say No To Dump - Public Meeting July 29, 2010 The People Said".

6:12 pm Director Walker joined the meeting at 6:12 pm.

REPORT OF CHAIRPERSON

RC1 The Chair reported that she had received a letter from the Muscular Dystrophy Canada organization regarding fund raising efforts in 2009/2010 that raised \$628,674 in British Columbia. The Chair acknowledged the good works carried out by the organization and in particular the donations raised by Cowichan Lake Area volunteer fire departments.

10-416 **It was moved and seconded that letters of congratulations be sent to all the volunteer fire departments that helped raise money for the 2009/2010 Muscular Dystrophy Canada fund raising campaign.**

MOTION CARRIED

COMMITTEE REPORTS

CR1 The report and recommendations from the Electoral Area Services Committee meeting held August 3, 2010 listing 21 items were considered.

10-417

It was moved and seconded:

1. That the resignation of Gordon Rutherford from the Area D Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Gordon Rutherford.
2. 1. That the *Certificate of Sufficiency* confirming that the petitions for inclusion in the Malahat Fire Protection Service Area are sufficient, be received.
2. That CVRD Bylaw No. 2414 be amended to extend the boundaries of the Malahat Fire Protection Service Area to include the following five properties:
 - Block 270, Malahat Land District (PID 009-395-156);
 - District Lot 201, Malahat Land District (PID 009-395-130);
 - Block 281, Malahat Land District (PID 009-395-172);
 - That part of Block 201, Malahat Land District including part of amended Parcel A (DD189674I) of said Block, shown outlined in red on Plan 1522R (PID 009-395-075); and
 - Lot 26, Block 201, Plan VIP78459, Malahat Land District, PID: 026-226-537.
3. That the Malahat Fire Protection Service Area amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
3. That an additional \$100,000 of Community Works funding be allocated for upgrades to the Dogwood Ridge Water System to reduce the annual costs charged to customers of the system and that this funding be allocated from the Future Priorities list and removed from the identified Electoral Areas Curbside Program (3 Trucks, Organic, Garbage and Recycling Bins).
4. That the Agricultural Advisory Committee Terms of Reference be approved with the addition of adding to the Membership List one member from the Economic Development Commission and one member from Farm Credit Canada and changing Duncan Farmer's Market representative to Farmer's Market representative.
5. That a Grant-in-Aid (Area F) be given to the Caycuse Volunteer Fire Department in the amount of \$3,500 to assist with replacement of necessary equipment.
6. That a Grant-in-Aid (Area C) be given to the Shawnigan Cobble Hill Farmers Institute in the amount of \$300 to assist with the advertising for the 101st Annual Cobble Hill Fall Fair.
7. That a Grant-in-Aid (Area A) be given to the Shawnigan Cobble Hill Farmers Institute in the amount of \$300 to assist with the advertising for the 101st Annual Cobble Hill Fall Fair.

8. That a Grant-in-Aid (Area B) be given to the Shawnigan Cobble Hill Farmers Institute in the amount of \$300 to assist with the advertising for the 101st Annual Cobble Hill Fall Fair.
9. That a Grant-in-Aid (Area D) be given to the Shawnigan Cobble Hill Farmers Institute in the amount of \$300 to assist with the advertising for the 101st Annual Cobble Hill Fall Fair.

MOTION CARRIED

10-418

It was moved and seconded:

11. That Application No. 1-F-10DVP by Paul Tuit to increase the permitted height of a residence from 7.5 metres to 8.5 metres not be approved, respecting Lot 1, Section 34, Renfrew District Plan 42592.
12. That Development Variance Permit Application No. 1-D-10DVP by Blue and Raina Bennefield for a variance to Section 8.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum rear parcel line setback from 4.5 metres to 2 metres for Lot 7, Section 4, Range 6, Cowichan District, Plan 24679, except part in Plans 39250 and VIP 60753, be approved, subject to the applicant providing a survey confirming compliance with approved setbacks.
13. That Development Variance Permit Application No. 3-G-10DVP by Kevin Lamont, on behalf of Stephen and Susan Odell, for a variance to Section 5.3(5) of Zoning Bylaw No. 2524, increasing the permitted height for an accessory building from 6 metres to 6.782 metres be approved, subject to the applicant providing a survey confirming compliance with approved height.
14. That Development Permit Application No. 1-A-10DP be approved, and that a Development Permit be issued to CCLC Holdings for Lot A, Section 2, Range 8, Shawnigan District, Plan VIP54860, for construction of an addition to a veterinary clinic.
15. That Application No. 1-G-10DP be approved, and that a development permit be issued to John Merrett for Strata Lot 5, District Lot 27, Oyster District, Strata Plan VIS6144, to permit removal of 1 tree , construction of a 50 metre trail and building of a riprap retaining wall, subject to:
 - Compliance with the recommendations noted in the December 18th, 2009 report by C.N. Ryzuk and Associates Ltd;
 - Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 125% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the registered professional biologist or BCLSA member;
 - Receipt of a stormwater management plan by a professional engineer prior to the issuance of a building permit.

16. That the CVRD continue with Phase 2 of the Municipal Green Building Leaders project to develop policies that would achieve increased energy efficiency and renewable energy requirements in buildings by:
 1. Working with existing local government tools;
 2. Working with the provincial government to obtain clearer local government jurisdiction;
 3. Working with the provincial government to advance provincial policies; and
 4. That staff also explore the possibility of using the Development Approval Information tool under Section 920.01 of the *Local Government Act*.
17. 1. That the proposed amendment bylaw that would introduce an Ocean Shoreline Development Permit Area to the Mill Bay/Malahat Official Community Plan be approved and that the Draft Bylaw be forwarded to the Board for consideration of 1st and 2nd Readings;
 2. That the proposed bylaw be referred to Fisheries and Oceans Canada, School District 79, Capital Regional District, Ministry of Transportation and the Malahat First Nation, in the form of a written referral only with a 3 week response period; and
 3. That a Public Hearing be held with Directors Harrison, Giles and Duncan named as delegates of the Board.
18. 1. That staff be directed to prepare draft amendment bylaws to Electoral Areas C, D, F and H Official Community Plans that would create Ocean Shoreline Development Permit Areas, along with a referring agency list and bring back to the EASC for review; and
 2. That a separate Public Hearing be held for amendments to Electoral Area H – North Oyster/Diamond Official Community Plan.
19. 1. That the Bill 27 Bylaws for Electoral Areas D, G, and I proceed to the Board for 1st and 2nd Readings;
 2. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Area D – Cowichan Bay with Directors Iannidinardo, Duncan and Giles appointed as delegates;
 3. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Area I – Youbou/Meade Creek with Directors Morrison, Kuhn and Marcotte appointed as delegates;
 4. That a Public Hearing be scheduled for the Amending Bylaw in Electoral Areas G – Saltair/Gulf Islands, with Directors Dorey, Marcotte and Morrison appointed as delegates;

5. That the Bill 27 Bylaws for Electoral Areas D, G, and I be referred to the City of Duncan, Town of Lake Cowichan, District of North Cowichan, Town of Ladysmith, Nanaimo Regional District, Cowichan Tribes, Chemainus First Nation, Ministry of Community and Rural Development, School Districts No. 68 and 79 for comment.
20. That the CVRD not object to the temporary change to the existing liquor license request of the Saltair Pub located at 10519 Knight Road for live outdoor music entertainment and seating on the following dates and occupancy limit:
- Aug. 13, 2010, Aug. 14, 2010, Sept. 11, 2010, June 4, 2011, June 25, 2011 & July 16, 2011. Hours: 5pm to 11pm
 - Sundays: June 12, 2011 & July 24, 2011. Hours: 2pm to 8pm
 - Occupancy maximum of 175 persons.
21. 1. That a Zoning Amendment Bylaw be prepared to amend the Electoral Area H – North Oyster/Diamond Zoning Bylaw No. 1020 by amending the minimum parcel area provisions of the P-2A Zone, by lowering the standard to 0.6 hectares for all levels of services.
2. That the Amendment Bylaw be forwarded to the Regional Board for consideration of 1st and 2nd Readings and that a Public Hearing be waived under Section 890(4) of the *Local Government Act*.
3. That the proposed amendment be referred to the Vancouver Island Health Authority and staff contact them in person or by telephone with respect to the proposed amendment.

MOTION CARRIED

10-419 It was moved and seconded that Recommendation No. 10 - Development Variance Permit Application No. 4-A-10DVP (Eric Kuwert) be referred back to the Electoral Area Services Committee.

MOTION CARRIED

CR2 The report and recommendations from the Engineering & Environmental Services Committee meeting held July 28, 2010 listing nine items were considered.

10-420 It was moved and seconded:

1. .1 That the Board accept the Utility Transfer Agreement between the CVRD and Douglas Hill Water System for CVRD takeover of the water system in Electoral Areas C and D, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.

- .2 That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
 - .1 CVRD Bylaw No. 3406 – Douglas Hill Water System Management Bylaw, 2010
 - .2 CVRD Bylaw No. 3407 – Douglas Hill Water Capital Reserve Bylaw, 2010
 - .3 CVRD Bylaw No. 3408 – Douglas Hill Water Parcel Tax Bylaw, 2010.
- 2. That "CVRD Bylaw No. 3409 – Lambourn Estates Sewer System Management Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.
- 3. .1 That the *Certificate of Sufficiency*, confirming that a sufficient petition, requesting inclusion into the Lambourn Estates Sewer System Service Area, be received.
- .2 That the boundaries of the Lambourn Estates Sewer System Service Area be amended to include "*PID 006-578-608, Parcel A (DD K20395) Section 4, Range 7, Cowichan District, Plan No. 2454 except that part in Plan 45929*".
- .3 That "CVRD Bylaw No. 3052 – Lambourn Estates Sewer System Service Establishment Bylaw, 2008", be amended to include *PID 006-578-608, Parcel A (DD K20395) Section 4, Range 7, Cowichan District, Plan No. 2454 except that part in Plan 45929*, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

10-421

It was moved and seconded:

- 5. That the CVRD Chair and Corporate Secretary be authorized to sign a 5-year contract to enter a partnership with Asit Mazumder to undertake a research project for Shawnigan Lake water quality entitled "Climate Impacts and Adaptation for Waterborne Pathogens and Sustainable Clean and Healthy Water for Communities".
- 6. That the Cowichan Valley Regional District approve submission of a Provincial Infrastructure Study Grant Application, on behalf of Cowichan Bay Waterworks District, subject to a higher priority being assigned to CVRD applications.
- 7. .1 That the CVRD implement collection of Styrofoam for recycling at CVRD depots in the Fall 2010,
 - .2 The CVRD offer collection of Styrofoam at no charge, and further,

- .3 That the CVRD purchase the XT200 EPS densifier for the purpose of implementing a Styrofoam Recycling Program.
8. That the Board accept the Partnership Agreement between the Shawnigan Lake School and the CVRD, and further that the Board Chair and Corporate Secretary be authorized to sign the agreement.
9.
 - .1 That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$10,620.00 from the *Kerry Village Sewer System Capital Reserve Fund* to help finance upgrades to the sewer treatment plant, and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
 2. That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$10,620.00 from the *Kerry Village Water System Capital Reserve Fund* to help finance upgrades to the water treatment plant, and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

10-422

It was moved and seconded:

- 4. .1 That CVRD Bylaw No. 3359 –Environmental Initiatives Service Establishment Bylaw, 2010 be forwarded to the Board for consideration of three readings, and following provincial and voter approval, be adopted.**
- .2 An Alternate Approval Process be carried out to obtain consent of the voters for establishment of the Environmental Initiatives Service function.**

Opposed: Directors Marcotte and Haywood

MOTION CARRIED

CR3

No recommendations from the Transit Committee meeting of August 11, 2010 were provided.

STAFF REPORTS

SR1

The Staff Report from the Legislative Services Coordinator dated July 15, 2010 re: Mill Bay/Malahat Historical Society Annual Financial Contribution Service and Cowichan Station Area Association Annual Financial Contribution Service - Notices of Alternative Approval Process and Elector Response Forms was considered.

10-423

It was moved and seconded:

- 1. That the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3380, be approved.**

2. That the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3389, be approved.

MOTION CARRIED

SR2 The Staff Report from the General Manager, Corporate Services Department dated July 8, 2010 re: CVRD Five Year Financial Plan Amendment was considered.

10-424 **It was moved and seconded that the Five Year Financial Plan Amendment Bylaw No. 3411 be considered for three readings and adoption.**

MOTION CARRIED

SR3 The Staff Report from the Manager, Finance Division dated July 15, 2010 re: Cowichan Valley Regional Hospital District's 2009 Financial Statements and 2009 Audit report was considered.

10-425 **It was moved and seconded that the Cowichan Valley Regional Hospital District's 2009 Financial Statements be accepted and that the Audit Findings Report dated June 9, 2009 be received and filed.**

MOTION CARRIED

SR4 The Staff Report from the Acting Administrator dated August 5, 2010 re: Gas Tax Regionally Significant Projects - 2010 - 2014 was considered.

The following Regionally Significant Projects were reviewed:

Tier I:

- Regional Flood Mitigation Plan
- CVRD Facilities "Green" Review
- Regional Sustainability Plan
- Sustainable Economic Development Strategy
- Cowichan Basin Implementation Plan

Tier II:

- Bio-Diesel Building Upgrades
- CVRD GHG Plan
- Regional LiDAR
- Regional Water Quality Monitoring
- Cowichan Lake Recreation Centre - Paving
- Cowichan Valley Trail Completion Initiative

Tier III:

- Island Savings Centre West Side Green Parking
- Solid Waste Roll-off Truck Plus 30 Bins
- Regional Environmental Monitoring System.

Regional Flood Mitigation Plan

- 10-426** **It was moved and seconded that funding for the Cowichan - Koksilah River Flood Mitigation Plan be reallocated from the Environmental Policy Division allocation for staffing, the Corporate Greenhouse Gas inventory, and through the General Government Budget (100) to continue with this project.**

MOTION CARRIED

CVRD Facilities "Green" Review

- 10-427** **It was moved and seconded that the CVRD Facilities "Green" Review project be held in abeyance until Gas Tax funding has been secured.**

MOTION CARRIED

Regional Sustainability Plan

- 10-428** **It was moved and seconded that the Regional Sustainability Plan project be held in abeyance until Gas Tax funding has been secured.**

MOTION CARRIED

Sustainable Economic Development Strategy

- 10-429** **It was moved and seconded that the Sustainable Economic Development Strategy be funded through the General Government Budget (100) consultants account which has sufficient funds necessary to continue with this project.**

MOTION CARRIED

Cowichan Basin Implementation Plan

- 10-430** **It was moved and seconded that the Cowichan Basin Implementation Plan project be held in abeyance until Gas Tax funding has been secured.**

MOTION CARRIED

Bio-Diesel Building Upgrades

- 10-431** **It was moved and seconded that Bio-Diesel Building Upgrades issue be referred to staff to prepare a report for consideration at the Special Board meeting of August 25, 2010.**

MOTION CARRIED

CVRD Greenhouse Gas Plan

- 10-432** **It was moved and seconded that the CVRD Greenhouse Gas Plan project be held in abeyance until Gas Tax funding has been secured.**

MOTION CARRIED

Regional LiDAR

- 10-433** It was moved and seconded that funding for the Regional LiDAR project be sourced as follows: that the Peerless Road Drop-off Depot Upgrades project funds be expended as that project is not anticipated to start until late 2011; and, that the Peerless Road Drop-off Depot Upgrades project be added to the future Gas Tax application; and further, that a request be made to the Union of British Columbia Municipalities to approve this change.

Opposed: Director Marcotte

MOTION CARRIED

- 10-434** It was moved and seconded that the Peerless Road Drop-off Depot Upgrades Regionally Significant Projects agreement be withdrawn, and that the CVRD supports the priority submission to the UBCM Regionally Significant Projects of the Regional LiDAR application to replace the Peerless Road Drop-off Depot Upgrades project.

Opposed: Director Marcotte

MOTION CARRIED

Regional Water Quality Monitoring

- 10-435** It was moved and seconded that the Regional Water Quality Monitoring project be held in abeyance until Gas Tax funding has been secured.

MOTION CARRIED

Cowichan Lake Recreation Centre - Green Parking Management

- 10-436** It was moved and seconded that the matter of funding for the Cowichan Lake Recreation Centre - Paving project be referred to the Cowichan Lake Recreation Commission for its review and recommendation on the matter.

MOTION CARRIED

Cowichan Valley Trail Northern Completion Initiative

- 10-437** It was moved and seconded that the CVRD continue to expend the \$18,000 in surplus funds from 2009 on the Cowichan Valley Trail Northern Completion Initiative project in 2010 and that any new work on the Cowichan Valley Trail Northern Completion Initiative be held in abeyance until additional Gas Tax funding has been secured.

MOTION CARRIED

Island Savings Centre West Side - Green Parking Management

- 10-438** **It was moved and seconded that the Island Savings Centre West Side Green Parking project be held in abeyance until Gas Tax funding is secured.**

MOTION CARRIED

Curbside Roll-off Trucks - this is no longer a Gas Tax project.

Regional Environmental Monitoring System

- 10-439** **It was moved and seconded that the Regional Environmental Monitoring System project be held in abeyance until Gas Tax funding is secured.**

MOTION CARRIED

PUBLIC HEARINGS

- PH1** The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3371 and Zoning Amendment Bylaw No. 3372 (Heart Lake Developments), applicable to Electoral Area H - North Oyster/Diamond were considered.

- 10-440** **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3371 and Zoning Amendment Bylaw No. 3372 (Heart Lake Developments) applicable to Electoral Area H - North Oyster/Diamond, be received.**

MOTION CARRIED

BYLAWS

- B1**
10-441 **It was moved and seconded that "CVRD Bylaw No. 3359 - Environmental Initiatives Service Establishment Bylaw, 2010" be granted 1st, 2nd and 3rd reading.**

Opposed Director Marcotte

MOTION CARRIED

- B2**
10-442 **It was moved and seconded that "CVRD Bylaw No. 3384 - Nature and Habitat Fund Establishment Bylaw, 2010", be adopted.**

Opposed: Director Morrison

MOTION CARRIED

- B3**
10-443 **It was moved and seconded that "CVRD Bylaw No. 3397 - Kerry Village Water System Service Amendment Bylaw, 2010", be adopted.**

MOTION CARRIED

**B4
10-444** It was moved and seconded that "CVRD Bylaw No. 3398 - Kerry Village Sewer System Service Amendment Bylaw, 2010", be adopted.

MOTION CARRIED

**B5
10-445** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3411 - Five Year Financial Plan (2010 - 2014) Amendment Bylaw, 2010", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B5
10-446** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3411 - Five Year Financial Plan (2010 - 2014) Amendment Bylaw, 2010", be adopted.

MOTION CARRIED

**B6
10-447** It was moved and seconded that "CVRD Bylaw No. 3412 - Lambourn Estates Sewer System Service Amendment Bylaw, 2010", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
10-448** It was moved and seconded that "CVRD Bylaw No. 3413 - Shawnigan Lake Community Centre Capital Reserve Fund Expenditure (Bus) Bylaw, 2010", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
10-449** It was moved and seconded that "CVRD Bylaw No. 3413 - Shawnigan Lake Community Centre Capital Reserve Fund Expenditure (Bus) Bylaw, 2010", be adopted.

MOTION CARRIED

**B8
10-450** It was moved and seconded that "CVRD Bylaw No. 3222 - Area B - Shawnigan Lake Official Community Plan Amendment Bylaw (Living Forest Planning Consultants/Elkington Estates) 2008", be adopted.

MOTION CARRIED

**B9
10-451** It was moved and seconded that "CVRD Bylaw No. 3223 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Living Forest Planning Consultants/Elkington Estates), 2008", be adopted.

MOTION CARRIED

**B10
10-452** 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 3rd reading.

MOTION CARRIED

**B11
10-453** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3372 - Area H - North Oyster/Diamond Zoning Amendment Bylaw (Heart Lake Developments), be amended by:

1. Increasing the rear yard setback in the MH-2 zone from 3 metres to 7.5 metres;
2. Establishing a minimum parcel area for parcels serviced with community water and community sewer in the MH-2 zone of 540 square metres;
3. Establishing a minimum parcel area for parcels not serviced with community water or community sewer of 2.0 hectares.

MOTION CARRIED

**B11
10-454** 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 3rd reading as amended.

MOTION CARRIED

7:52 pm Director Morrison left the Board Room at 7:52 pm.

**B11
10-455** It was moved and seconded that: prior to adoption of CVRD Bylaw No. 3371 and CVRD Bylaw No. 3372:

1. A covenant be registered on the subject lands in favour of the Regional District to preclude subdivision of the proposed A-2 zoned land until that portion of the property has been accepted for inclusion into the Agricultural Land Reserve; and
2. A covenant be registered on the subject lands in favour of the Regional District to preclude subdivision of the proposed MH-2 lots until fencing between the proposed residential lots and the Bush Creek ravine is provided, debris and unauthorized road access to dedicated park land is removed, and a \$25,000 contribution towards a pedestrian bridge over Bush Creek is provided.

MOTION CARRIED

**B12
10-456** It was moved and seconded that "Cowichan Valley Regional District Official Community Plan Amendment Bylaw No. 3414 - Area A - Mill Bay/Malahat (Ocean Shoreline DPA), 2010", be granted 1st and 2nd reading.

MOTION CARRIED

**B13
10-457** 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 granted 1st and 2nd reading.

MOTION CARRIED

B14
10-458 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3416 - Area G - Official Community Plan Amendment Bylaw (Bill 27), 2010", be granted 1st and 2nd reading.

MOTION CARRIED

B15
10-459 It was moved and seconded that "CVRD Bylaw No. 3417 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Bill 27), 2010", be granted 1st and 2nd reading.

MOTION CARRIED

7:58 pm Director Morrison returned to the Board Room at 7:58 pm.

NEW BUSINESS

NB1 The report and recommendation from the Kinsol Trestle Revitalization Committee meeting held August 11, 2010 listing one item was considered.

10-460 *(Amended from original Committee recommendation):*

It was moved and seconded that a contract in the amount of \$4,345,160, excluding applicable taxes, be awarded to Knappett Projects Inc. to undertake the work of General Contractor as detailed in Tender ES-017-10 (Kinsol Trestle Rehabilitation Super Structure and Pedestrian Walkway).

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

10-461
8:07 pm It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (e) Land Acquisition, (f) Law Enforcement, (g) Potential Litigation, (j) *Freedom of Information and Protection of Privacy Act*, and (i) Legal Opinion.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

10-465
8:25 pm It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

**10-466
8:25 pm**

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

MOTION CARRIED

The meeting adjourned at 8:25 pm

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____