

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, July 8, 2009 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, T. McGonigle, I. Morrison,
G. Seymour, T. Walker and Alternate Director S. Arnett

ALSO Warren Jones, Administrator
PRESENT: Joe Barry, Corporate Secretary
Jacob Ellis, Manager, Corporate Planning

ABSENT: Director R. Hutchins

**APPROVAL OF
AGENDA
09-341**

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

NB1 Appointment to the Area A - Mill Bay/Malahat Advisory Planning Commission;

NB2 Report and recommendations of the Kinsol Trestle Revitalization Committee meeting of July 8, 2009;

NB3 Staff Report from the Regional Environmental Manager re: Cowichan Basin Water Contract Authorization;

and that Agenda Item SR3 be deleted, and that the agenda, as amended, be approved.

MOTION CARRIED

**ADOPTION OF
MINUTES
09-342**

It was moved and seconded that the minutes of the June 10, 2009 Regular Board meeting be amended as follows:

Minute Page 16, resolution 09-318.3 - change the word "lien" to "line",

and that the minutes, as amended, be adopted.

MOTION CARRIED

DELEGATIONS

D1 David Towner, Chair, South Cowichan Services and Governance Committee re: South Cowichan Services and Governance Study 2009 Technical Report and Recommendations.

Mr. Towner introduced the Governance Committee members that were present, Heather Broughton and Paul Laraman, and provided a detailed and comprehensive overview of the project that the Governance Committee had been tasked with.

Mr. Towner noted that the Governance Committee were recommending that a Stage 2 study be carried out and that the proposed "Combined South Cowichan" concept be developed further in the proposed Stage 2 study.

09-343

It was moved and seconded that the Board:

- 1. Receive the *South Cowichan Services and Governance Study 2009 Technical Report* dated June 2009 prepared by Sussex Consultants Ltd. for information;**
- 2. Request that the Province fund a Phase II Study of the "Combined South Cowichan" concept as recommended by the South Cowichan Services and Governance Committee;**
- 3. Direct the CVRD to meet with the Minister of Community and Rural Development to request that the Province move forward.**

MOTION CARRIED

REPORT OF CHAIRPERSON

RC1

The Chair reported that the Environment Commission meeting was scheduled for July 9, 2009 at 6:00 pm and that members of the Roundtable would be present.

CORRESPONDENCE

C1

Correspondence from Director M. Dorey, Area G Director dated June 23, 2009, re: Vancouver Island Regional Library - library facility planning was considered for information purposes.

C2

Correspondence from Rosemary Bonanno, Executive Director, Vancouver Island Regional Library dated June 23, 2009 re: Facilities Planning was considered for information purposes.

COMMITTEE REPORTS

CR1

The report and recommendations of the Electoral Area Services Committee meeting of June 16, 2009 listing 13 items were considered.

Recommendation number 3 was deleted as it appears on the July 7, 2009 Electoral Area Services Committee report.

09-344

It was moved and seconded:

- 1. That the CVRD continue with Latitude Geographics Group Ltd. to supply a hosted interactive internet mapping system for publishing CVRD spatial information to the internet.**
- 2. That the request to hold the Half-Cutz softball tournament event at Mesachie Lake Park from July 30-August 2, 2009 be approved subject to the event organizers complying with the following conditions:**
 - Provision of liability insurance listing the CVRD as an additional insured in the amount no less than \$2 million;**
 - Written confirmation from event organizers that they understand and acknowledge the current size and layout of the Mesachie Lake Park youth ball field and agree to take full responsibility and liability for any and all incidents that may arise as a result of adult use of this field;**
 - Preparation of “sandwich boards” advising of errant fly balls to be installed/maintained for the duration of the event in locations around the exterior of the ballpark fence, including but not limited to the commercial store parking lot and the park playground, with such wording and layout to be approved by the CVRD;**
 - Ensuring event participant compliance with CVRD Park Bylaws, inclusive with respect to campfire ban restrictions and after-hours noise in the park;**
 - Posting of additional signage regarding campfire ban restrictions that may be in place during the event, inclusive of removal/storage of any fire rings prior to the event;**
 - Provision of site security to for the duration of the event manage event access to registered participants only, inclusive of licensed security staff on-site from the hours from 8 pm to 4 am during the event to control access and address any after-hours noise issues;**
 - Posting signage clearing specifying event hours;**
 - Providing additional port-o-potties at the park for the duration of the event; and**
 - Providing additional dumpsters for refuse collection/disposal for the duration of the event.**
- 4. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$250 be given to Cowichan Bay Improvement Association to assist with expenses to repair the Mariner sign at the west entrance to Cowichan Bay Village.**

5. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$1,250 be given to Cowichan Bay Improvement Association to assist with costs to construct and install a Welcome Sign at the east entrance to Cowichan Bay.
6. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$2,000 be given to Cowichan Community Land Trust Society to assist with costs associated with the Cowichan Eelgrass Stewardship Project.
7. That the following resolution be forwarded to the Board for consideration and submission to UBCM:

WHEREAS Search and Rescue organizations provide essential life and safety services to British Columbia's residents and visitors through volunteer organizations funded largely by private fundraising, local government grants and other forms of uncertain revenues;

AND WHEREAS the costs of providing search and rescue services are escalating dramatically due to call volumes and equipment costs;

NOW THEREFORE BE IT RESOLVED that the Union of BC Municipalities petition the provincial government to provide a significant level of predictable and sustainable funding to the Province's Search and Rescue organizations, including provision of adequate liability insurance.

MOTION CARRIED

09-345

It was moved and seconded:

8. That a letter be forwarded to the Ministry of Transportation requesting that emergency pre-emption lights be installed at two heavy traffic intersections in Mill Bay (new Mill Bay regional gas station intersection; Hutchinson Road intersection); and further that the CVRD pursue implementing additional application fees to cover costs for pre-emption lights for applications that would involve development in areas of heavy traffic intersections.

MOTION CARRIED

09-346

It was moved and seconded:

9. That application No. 2-I-05RS (Friesen et. al.) on Parcel A (DD72787I) of Section 45, Renfrew District for a new rural residential designation and zone be denied and that a partial refund be given to the applicants in accordance with the CVRD Development Applications Procedures and Fees Bylaw No. 2255.

10. That Application No. 1-B-09DVP (Betty and Brian Town) for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to a front parcel line for an accessory building from 7.5 metres down to 2.9 metres, on Lot 3, Shownigan Lake Suburban Lots, Malahat District, Plan VIP13231, be approved subject to receipt of a legal survey showing the proposed setback.
11. That the draft Seasonal Cabins Building Regulations Policy be amended by changing the definition that a cabin “is used no more than 180 days per calendar year” to “is used for no more than six months per calendar year”, and that the Seasonal Cabins policy, as amended, be adopted by the Board.
12. That the minimum \$55 building permit fee be charged for installation of a solar hot water system in the CVRD provided that a double-walled heat exchanger with leak detection is installed.

MOTION CARRIED

09-347

It was moved and seconded:

- 13.1. That Youbou/Meade Creek Zoning Bylaw No. 2465 be amended as follows:
 - a) Deleting Section 3.4.2(a) and replacing it with the following:

(a) the owner of the parcel agrees to and enters into a restrictive covenant in favour of the CVRD pursuant to Section 219 of the Land Title Act to the effect that the owner removes the existing dwelling or converts it to an accessory building under a Building Permit to the satisfaction of the Building Inspector, prior to the issuance of an occupancy permit;
 - b) The last sentence of Section 3.10.2 be deleted and replaced with the following:

No individual parcel created pursuant to this regulation shall, following subdivision, be more than 10% smaller than the minimum parcel size of the zone in which it is located.
 - c) Section 3.14 be amended by deleting subsections (c) and (d) and replacing them with the following:

(c) where the parcels involved are all under 10 hectares in area, the resulting parcels may be of any size provided that a required area for a sewage disposal field and reserve field area and a reasonable building envelope are available on each proposed parcel, and that any existing buildings and structures are set back the required minimum distance from proposed lot lines;

(d) where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel's area by greater than 20% of its original size.

2. That a public hearing be waived pursuant to Section 890(4) of the *Local Government Act* and public notice occur in its place.
3. That the referral of this application to the Ministry of Transportation, CVRD Engineering and Environmental Services Department, and the Town of Lake Cowichan, be accepted.

MOTION CARRIED

CR1

Report and recommendations of the Electoral Area Services Committee meeting of July 7, 2009 listing 11 items were considered.

09-348

It was moved and seconded

1. That the application from the MS Society of Canada to hold their 9th annual RONA MS Bike Tour event on August 8th and 9th in the Cowichan Valley, including having a rest stop in West Shawnigan Lake Provincial Park and a lunch stop in Hecate Park to be approved subject to the following conditions:
 1. Proof of a minimum \$2 million liability insurance coverage be provided by the organizers which covers the event and also includes the CVRD as an additional insured;
 2. A Course Marshall Plan is submitted prior to the event for CVRD review and approval;
 3. Confirmation that there will be appropriate flag persons at all road crossings along sections around West Shawnigan Lake Provincial Park and Hecate Park in Cowichan Bay.
2.
 1. That the *Certificate of Sufficiency* confirming that the petitions for inclusion in the Lake Cowichan Fire Protection Service Area is sufficient, be received.
 2. That CVRD Bylaw No. 1657 be amended by extending the boundaries of the service area to include the following two properties:
 - District Lot A, VIP 82489, (PID 026-953-315) Owner - 711933 BC Ltd.;
 - District Lot 1, Block 117 (except Plan VIP 84239 & Block 180), Plan VIP#82490, (PIC 026-953-374) Owner – Cowichan Lake Holdings
 3. That the Lake Cowichan Fire Protection Service Area amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

4. That Schedule A to the agreement with the Town of Lake Cowichan to provide fire protection to the Lake Cowichan Protection Service Area, be amended to include the expanded boundary.
5. That the Chair and Corporate Secretary be authorized to sign the amended Lake Cowichan Fire Protection Service Area agreement.
3. 1. That the *Certificate of Sufficiency* confirming that the petitions for inclusion in the North Oyster Fire Protection Service Area is sufficient, be received.
2. That it be recommended to the Board that CVRD Bylaw No. 1689 be amended by extending the boundaries of the service area to include the following two properties:
 - District Lot 51, Oyster District, Except the Right of Way of the Esquimalt and Nanaimo Railway Company, Except Part Coloured Red on Plan Deposited Under DD272791, and Except Part Shown Outlined in Red on Plan Deposited Under DD285551 (PID 009-439-714)
 - District Lot 51, Oyster District, Shown Coloured in Red on Plan Deposited Under DD272791 (PID 000-879-185).
5. That the procedure section of the Parks Commission Bylaws for Areas A, C, D, G and I be amended to include the election of a Co-Chair.
6. That a letter be forwarded to BC Hydro requesting them to appoint a designated individual to coordinate responses and claims by residents of Electoral Area F respecting the recent hydro power surge and resultant damages.

MOTION CARRIED

It was moved and seconded:

4. That a letter of response be forwarded to the Regional District of Nanaimo advising that the Cowichan Valley Regional District does not support their proposed Nanaimo Airport lands boundary adjustment.

09-349

It was moved and seconded that Recommendation number 4, Nanaimo Airport lands boundary adjustment, be referred to the Regional Services Committee.

Opposed: Directors Marcotte, Morrison and Cossey

MOTION CARRIED

It was moved and seconded:

7. That the CVRD provide funding in the amount of \$13,000 to the RCMP on a one time basis to assist with costs for additional summertime lake patrols and that the funds be extracted from Bylaw Enforcement Budget Function 328, and further, that alternative enforcement and funding models be structured for 2010.

09-350

It was moved and seconded that Recommendation number 7 be referred to the next Regional Services Committee meeting.

Opposed: Directors Giles, Cossey, Harrison, Haywood, Iannidinardo, Kent, Kuhn, McGonigle, Morrison, Seymour, Walker and Alternate Director Arnett

MOTION DEFEATED

VOTING RESUMED ON THE ORIGINAL MOTION

Motion restated for clarification:

09-351

It was moved and seconded:

7. That the CVRD provide funding in the amount of \$13,000 to the RCMP on a one time basis to assist with costs for additional summertime lake patrols and that the funds be extracted from Bylaw Enforcement Budget Function 328, and further, that alternative enforcement and funding models be structured for 2010.

Opposed: Directors Marcotte and Dorey

MOTION CARRIED

09-352

It was moved and seconded that the issue of RCMP summertime lake patrols be dealt with at a future Regional Services Committee meeting.

Opposed: Directors Morrison, Cossey, Kuhn and Giles

MOTION CARRIED

09-353

It was moved and seconded:

8. That application No. 2-E-09DP be approved, and that a development permit be issued to Top Shelf Feeds Inc. for Lot A, Section 12, Range 7, Quamichan District, Plan 21549, Except Part

in Plans 22632, 27248 and 29799 for the construction of a new warehouse and retail building, subject to the following:

- a. Underground wiring be installed;
 - b. Landscaping be installed to BCSLA standards in the amount and location as illustrated on the Revised Landscaping Plan, including an underground irrigation system;
 - c. Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the revised landscape plan be provided with 75% of the security being refunded once the landscaping has been installed and the balance being returned after successful completion of a one year maintenance period.
9. That Application No. 3-E-09DP be approved and that the Planning and Development Department be authorized to issue a development permit to DEF Autoworld Properties Ltd. for Lot 1, Range 6, Section 13, Plan 9381, Quamichan District for the construction of an automotive sales building with conditions in the development permit including replacement of the existing chain link fencing along Koksilah Road with decorative wooden fencing, and requirement for underground irrigation; and further that an irrevocable letter of credit in the amount of 125% of the estimated cost of landscaping be submitted to the CVRD, to be released once the landscaping has been completed and the vegetation is established for one year.
10. That the Agricultural Land Reserve Applications Policy sections 1 through 4 inclusive be deleted and replaced with the following:
- (a) *ALR subdivision applications which are subject to CVRD bylaws will only be forwarded to the ALC if:*
 1. *the minimum parcel size regulation is complied with; or*
 2. *if the minimum parcel size regulation is not complied with, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading;*
 - (b) *ALR non-farm use applications will only be forwarded to the ALC if:*
 1. *the proposed non-farm use complies with CVRD bylaws; or*
 2. *if the proposed non-farm use does not comply with CVRD bylaws, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading;*

and that the amended Agricultural Land Reserve Applications Policy be forwarded to the Board for adoption.

MOTION CARRIED

09-354

It was moved and seconded:

11. That Electoral Area A – Mill Bay/Malahat be included in the South Cowichan OCP review process, and that staff provide a progress report to the EASC in three to six months.

Opposed: Director Dorey

MOTION CARRIED

CR2

Report and recommendations of the Engineering and Environmental Services Committee meeting of June 24, 2009 listing eight items were considered.

09-355

It was moved and seconded:

3. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Arbutus Ridge Water System Service Area and authorizing the borrowing of up to \$100,000.00, be received.
- .2 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Arbutus Ridge Sewer System Service Area and authorizing the borrowing of up to \$125,000.00, be received.
- .3 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Arbutus Ridge Drainage System Service Area, be received.
- .4 That Service Establishment and Loan Authorization bylaws be prepared for the Arbutus Ridge Water, Sewer and Drainage Systems and forwarded to the Board for consideration of three readings, and following provincial approval, adoption.
- .5 That, following adoption of the service establishment and loan authorization bylaws, Capital Reserve Fund Establishment Bylaw, Parcel Tax Roll Bylaws and Service Management Bylaws be prepared for each of these systems and forwarded to the Board for consideration of three readings and adoption.
4. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting establishment of the Dogwood Ridge Water System Service Area and authorizing the borrowing of up to \$220,000.00, be received.
- .2 That Service Establishment and Loan Authorization bylaws be prepared for the Dogwood Ridge Water System and forwarded to the Board for consideration of three readings and, following Provincial approval, adoption.
- .3 That, following adoption of the Dogwood Ridge Service Establishment and Loan Authorization Bylaws, a Capital Reserve Fund Establishment Bylaw, a Parcel Tax Roll Bylaw and a Service Management Bylaw be prepared and forwarded to the Board for consideration of three readings and adoption.

5. That an Alternative Approval Process be carried out to obtain consent of the voters to create a service area of the Shawnigan Lake waterfront properties in Electoral Area B, for the purpose of cleanout of the creek bottom at the mouth of Shawnigan Creek to allow drainage and restoration of the natural system function; and further that an establishment bylaw be created for this service area.
7. That a letter be sent to Bench School Make a Difference Club congratulating them on their award and informing them of actions that the CVRD is taking to advance their cause.

MOTION CARRIED

09-356

It was moved and seconded:

1. .1 That "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009", be forwarded to the Board for consideration of 3 readings and, following Provincial and voter approval, be adopted.
- .2 That it be recommended to the Board that voter approval for CVRD Bylaw No. 3277 be obtained through an alternative approval process over the entire service area.
2. .1 That "CVRD Bylaw No. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009", be forwarded to the Board for consideration of 3 readings and, following Provincial and voter approval, be adopted.
- .2 That it be recommended to the Board that voter approval for CVRD Bylaw No. 3278 be obtained through an alternative approval process over the entire service area.

Opposed: Directors Marcotte, Morrison, McGonigle and Kuhn

MOTION CARRIED

09-357

It was moved and seconded:

6. That the Board receive the petitions for inclusion into Cowichan Bay Sewer Service Area, located in Electoral Area D, by extending the boundaries to include the properties described as:
 - *PID: 001-321-463, Lot 1, Section 4, Range 5, Cowichan District, Plan 20768*
 - *PID: 000-140-571, Lot 1, Section 4, Range 5, Cowichan District, Plan 18449*
 - *PID: 003-579-301, Lot 1, Section 4 & 5, Range 5, Cowichan District, Plan 20693*
 - *PID: 003-437-116, Lot A, Section 4, Range 5, Cowichan District, Plan 21381*
 - *PID: 011-721-031, Lot A, Section 4, Range 5, Cowichan District, Plan 47087*
- as requested by Four Ways Properties Ltd., for a strata

development, subject to the following conditions:

- .1 CVRD Board Resolution No. 07-773, providing approval in principle for takeover of a 50 unit sewer system for this development, approved in 2007, be rescinded;
- .2 The size of this development be limited to 36 unit residential strata units;
- .3 Thirty six Joint Utility Board Sewer Capacity Units be transferred from Eagle Heights Sewer System to Cowichan Bay Sewer System for this development;
- .4 The developer pay sewer connection fees of \$3500 per connection;
- .5 The developer pay for a re-routing of the Cowichan Bay Sewer System from Pritchard Road to Fenwick Road to reduce loading of the sewer main along Cowichan Bay Road, estimated at \$30,000;
- .6 The preliminary concepts, detailed design and installation of service works must be approved by Engineering and Environment staff to ensure compliance with CVRD Design Standards, and Subdivision Bylaw 1215;
- .7 All lands on which infrastructure works are located are transferred to the CVRD except where not practical, in which case will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
- .8 The owner of the utility be willing to transfer the service works including emergency generator to the CVRD;
- .9 The developer undertakes to provide a two-year warranty on the completed service works, backed by a letter of credit;
- .10 The Four Ways Properties Ltd. development be designed in such a way as to permit access via a strata road to an adjacent parcel of land that is the subject of a development proposal by Kim Johannsen.

and further that an amendment bylaw to extend the boundaries of the Cowichan Bay Sewer System service area be prepared and forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

09-358

It was moved and seconded:

8. That the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to the homeowners within Electoral Areas of the Cowichan Valley; and further that the Province strengthen the legislation to reduce the possibility of legal claims.

Opposed: Directors Kent and McGonigle

MOTION CARRIED

CR3 Report and recommendations of the Transit Committee meeting of July 8, 2009 listing two items were considered.

09-359 It was moved and seconded:

1. That the CVRD provide twenty bus passes to the Canada World Youth team members visiting our community from September 2009 to November 2009.
2. That the cash fares on the Cowichan Valley Regional Transit System be reduced to zero (no charge) on Saturday, October 31, 2009 for the Olympic Torch Relay celebrations happening region-wide.

MOTION CARRIED

CR4 Report and recommendations of the Cowichan Lake Recreation Commission meeting of June 25, 2009 listing one item was considered.

09-360 It was moved and seconded:

1. That the CVRD Board request the Liquor Control and Licensing Branch approve the application to permanently change the liquor license hours of the Youbou Community Bowling Alley License No. 300537 from Sunday, Monday, Tuesday, Thursday 6:30 – 10:30 p.m. and Saturday 6:30 p.m. – midnight to Sunday, Monday, Tuesday, Wednesday, Thursday 6:30 p.m. – midnight and Saturday 6:30 p.m. – 1:00 a.m.; and further, that the proposed changes will:
 1. Allow for more flexibility in programming such as youth bowling on Wednesday afternoon and an adult men's or corporate league on Wednesday night;
 2. Allow for more options when applying to host tournaments; and will
3. Accommodate the annual application for the extension of the liquor license to the gymnasium area for the Youbou Regatta Dance.

MOTION CARRIED

CR5 Report and recommendations from the Kerry Park Recreation Commission meeting of July 6, 2009 listing three items were considered.

09-361

It was moved and seconded:

1. That staff be authorize prepare a Loan Authorization Bylaw for up to \$25 million to renovate the Kerry Park Recreation Centre to include an Aquatic Centre and the possibility of a Library space.
2. That the maximum requisition limit for the Kerry Park Recreation Service are be increased to allow for the cost increase associated with this project.
3. That the Board support a Kerry Park Recreation Commission application to the Olympic Torch Relay Community Grant Program to assist in costs associated with the events taking place in the Cowichan Bay and Mill Bay Route Communities.

MOTION CARRIED

STAFF REPORTS

SR1

Staff Report from the Legislative Services Coordinator dated June 11 2009 re: Sahtlam Fire Protection Service Loan Authorization Bylaw - Notice of Alternative Approval Process and Elector Response Form was considered.

09-362

It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3272 be approved.

Opposed: Director Marcotte

MOTION CARRIED

SR2

Staff Report from the Legislative Services Coordinator dated June 16, 2009 re: Cobble Hill Drainage System Service - Notice of Alternative Approval Process and Elector Response Form was considered.

09-363

It was moved and seconded that the *Notice of Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3085 be approved.

Opposed: Director Marcotte

MOTION CARRIED

SR3

Agenda item deleted upon Adoption of Agenda.

SR4

Staff Report from the Manager, Finance Division dated June 23, 2009 re: Fall Security Issuing Bylaw was considered.

09-364 It was moved and seconded that CVRD Security Issuing Bylaw No. 3279 be given three readings and adoption.

MOTION CARRIED

SR5 Staff Report from the Chief Building Inspector dated July 29, 2009 re: Seasonal Cabins Policy was considered.

09-365 It was moved and seconded that the CVRD's Planning and Development "*Seasonal Cabins*" policy be adopted as presented.

MOTION CARRIED

PUBLIC HEARINGS

PH1 Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3133 (School Sites) and Zoning Amendment Bylaw No. 3263 (Additional Parkland Regulation), applicable to Electoral Area A - Mill Bay/Malahat, were considered.

09-366 It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3133 (School Sites) and Zoning Amendment Bylaw No. 3263 (Additional Parkland Regulation), applicable to Electoral Area A - Mill Bay/Malahat, be received.

MOTION CARRIED

BYLAWS

B1
09-367 It was moved and seconded that "CVRD Bylaw No. 3258 - Air Pollution Control Service Establishment Bylaw, 2009", be adopted.

Opposed: Directors Marcotte, Morrison, McGonigle and Kuhn

MOTION CARRIED

B2
09-368 It was moved and seconded that "CVRD Bylaw No. 3277 - Solid Waste Management Loan Authorization (Solid Waste Works), Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B3
09-369 It was moved and seconded that "CVRD Bylaw No. 3278 - Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B4
09-370** It was moved and seconded that "CVRD Bylaw No. 3279 - Security Issuing (Loan Authorization Bylaw No. 2995, Loan Authorization Bylaw No. 3029, Loan Authorization Bylaw No. 3106, and Loan Authorization Bylaw No. 3197) Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B4
09-371** It was moved and seconded that "CVRD Bylaw No. 3279 - Security Issuing (Loan Authorization Bylaw No. 2995, Loan Authorization Bylaw No. 3029, Loan Authorization Bylaw No. 3106, and Loan Authorization Bylaw No. 3197) Bylaw, 2009", be adopted.

MOTION CARRIED

**B5
09-372** It was moved and seconded that "CVRD Bylaw No. 3133 - Area A - Mill Bay/Malahat Official Community Plan Amendment Bylaw (School Sites), 2008", be granted 3rd reading.

MOTION CARRIED

**B5
09-373** It was moved and seconded that "CVRD Bylaw No. 3133 - Area A - Mill Bay/Malahat Official Community Plan Amendment Bylaw (School Sites), 2008", be adopted.

MOTION CARRIED

**B6
09-374** It was moved and seconded that "CVRD Bylaw No. 3263 - Area A - Mill Bay/Malahat Zoning Amendment Bylaw (Additional Parkland Regulation), 2009", be granted 3rd reading.

MOTION CARRIED

**B6
09-375** It was moved and seconded that "CVRD Bylaw No. 3263 - Area A - Mill Bay/Malahat Zoning Amendment Bylaw (Additional Parkland Regulation), 2009", be adopted.

MOTION CARRIED

**B7
09-376** It was moved and seconded that "CVRD Bylaw No. 3282 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009", be granted 1st and 2nd reading.

MOTION CARRIED

**B8
09-377** It was moved and seconded that "CVRD Bylaw No. 3283 - Area I - Youbou/Meade Creek Zoning Amendment Bylaw (Housekeeping), 2009", be granted 1st and 2nd reading.

MOTION CARRIED

**B9 and B10
09-378**

It was moved and seconded that "CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009", and "CVRD Bylaw No. 3285 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom Estates), 2009", be referred back to Planning and Development Department staff. MOTION CARRIED

RESOLUTIONS

**RES 1
09-379**

It was moved and seconded that the following appointments to the Electoral Area G - Saltair/Gulf Islands Parks Commission be approved:

Appointed:

Tim Godau

Term to expire: December 31, 2009.

Elected:

Paul Bottomley

Jackie Rieck

Kelly Schellenberg

Term to expire: December 31, 2009.

MOTION CARRIED

**RES2
09-380**

It was moved and seconded that the following appointment to the Thetis Island Port Commission be approved:

Thetis Island Residents and Ratepayers Association Representative:

Chris Pegg

Term to expire: December 31, 2011

MOTION CARRIED

NEW BUSINESS

NB1

Appointment to the Electoral Area A - Mill Bay/Malahat Advisory Planning Commission was considered.

09-381

It was moved and seconded that the following appointment to the Electoral Area A - Mill Bay/Malahat Planning Commission be approved:

Geoff Johnson

Term to expire: November 30, 2009.

MOTION CARRIED

NB2 Report and recommendations of the Kinsol Trestle Revitalization Committee meeting of July 8, 2009 listing three items were considered.

09-382 It was moved and seconded:

1. That the Committee and Board authorize final payment to Commonwealth Historic Resource Management for consulting services to prepare the Kinsol trestle Rehabilitation Phase II report.
2. That staff be directed to prepare a bylaw authorizing no more than \$140,000 from the Regional Parks General Reserve Fund for the purpose of capital improvements to the Cowichan Valley Trail on sections between the Town of Lake Cowichan and Duncan, and within the E&R rail corridor within Chemainus.
3. That the Board provide a letter of support to accompany the Cowichan Foundation application to the Trans Canada Trail Foundation for grant funding in the amount of \$250,000 for the historic Kinsol Trestle Rehabilitation Project as part of the officially registered Trans Canada Trail route within the Cowichan Region for hikers, equestrians and cyclists.

And furthermore, that the Board Chair be authorized to issue letters of support on behalf of the Board where such letters are requested by the Cowichan Foundation to accompany grant funding applications for the historic Kinsol Trestle Rehabilitation project.

MOTION CARRIED

NB3 Staff Report from the Regional Environmental Policy Division Manager dated July 8, 2009 re: Cowichan Basin Water Contract Authorization.

09-383 It was moved and seconded that the Chair and Corporate Secretary be authorized to sign on behalf of the Cowichan Valley Regional District:

1. A contract with the Fraser Basin Council, to allow the transfer of \$40,000 from the Fraser Basin Council to assist the CVRD in contracting a Cowichan Basin Water Advisory Council (CBWAC) coordinator; and

2. A contract with Vis a Vis Management Resources Inc. to act as the CBWAC coordinator for the next year with an upset price of \$80,000 excluding GST.

Opposed: Directors Morrison and McGonigle

MOTION CARRIED

ADJOURNMENT

**09-384
8:07 pm**

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

MOTION CARRIED

The meeting adjourned at 8:07 pm

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____