

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room at 175 Ingram Street, Duncan, BC, on Wednesday, February 28, 2007 at 5:02 p.m.

PRESENT: Director W.J. Peake, Chair
Directors J. Allan, K. Cossey, L. Duncan,
G. Giles, B. Hodson, P. Kent, J. Lefebure, M. Marcotte,
G. Seymour, M. Tansley and M. Walker
Alternate Director M. Dietrich

ABSENT: Directors M. Dorey, G. Ridgway and R. Hutchins

ALSO Frank Raimondo, Administrator

PRESENT: Joe Barry, Corporate Secretary

**APPROVAL OF
AGENDA
(07-123)**

It was moved and seconded that the agenda be approved.

MOTION CARRIED

**COMMITTEE
REPORTS**

CR1

Report and recommendations of Electoral Area Services Committee meeting of February 19, 2007 listing 20 items.

(07-124)

It was moved and seconded:

- 1. That the CVRD supports the appointment of Kate Miller, Short Range Planner, to the Coastal Invasive Plant Committee Board of Directors.**
- 2. That the CVRD host and coordinate a workshop to discuss key issues identified in the Cowichan Estuary Environmental Management Plan revitalization report.**
- 3. That CVRD Bylaw No. 2937 Electoral Area B Shawnigan Lake Parks and Recreation Commission Amendment Bylaw 2007 be amended by changing the term of office for members from *two* years to *three* years, and that Bylaw No. 2937, as amended, be forwarded to the Board for consideration of three readings and adoption.**
- 5. That interested Electoral Area Directors be authorized to attend upcoming Riparian Areas Regulation workshops, including remuneration for mileage/meal allowances as required, being held in various locations on Vancouver Island.**

6. That a bylaw pertaining to "conflict of interest" issues respecting all volunteer committees and commissions be drafted and brought back to the EASC for review and approval.

7. That the following resolution be forwarded to AVICC:

"Whereas it has been demonstrated that collaborative, cooperative planning processes increase the efficiency and maximize the impacts of the investments that all levels of government are making in assisting communities to respond to the increasingly complex and inter-connected social issues they face;

And Whereas the Community Charter requires municipal governments to prepare an annual report that may include community social issues, and an integrated, collaborative planning process as a requirement for financial support by many funding sources including provincial and federal governments;

And Whereas municipal governments need support to ensure the existence of appropriate community driven social planning processes in their communities;

Therefore be it resolved that the Union of BC Municipalities ask the provincial government to commit to providing sustained financial support for local community social planning processes that serve to support and integrate responses to social issues throughout BC."

MOTION CARRIED

(07-125)

It was moved and seconded:

4. That a budget function for the Shawnigan Lake Historical Society and the Cobble Hill Historical Society in the amount of \$8,500, in the form of an annual contribution service, be created for each of these societies.

MOTION CARRIED

(07-126)

It was moved and seconded:

8. That Application No. 4-H-06 ALR submitted by Robert Garrett made pursuant to Section 21(2) of the *Agricultural Land Commission Act* to adjust the boundary between Lot 100 Oyster District and Lot 1, District Lot 11, Oyster District, Plan

VIP61094, be recommended for approval, subject to Lot 100 being included within the Agricultural Land Reserve, and that Application No. 4-H-06ALR be forwarded to the Agricultural Land Commission; and further, that covenant EH078226 be amended to include both the subject properties but retain the existing lot yield, and that if the application is approved by the Agricultural Land Commission, that amendment bylaws be prepared to rezone Lot 100 to A-1 and redesignate to Agriculture.

10. As Rezoning Application No. 1-F-05RS (The Village at Paldi) is considered to be a major application, that all Electoral Area Directors be invited to attend the public hearing respecting amendment Bylaws No. 2912 and 2913.
12. That the CVRD only provide support to a modification of the Streamside Protection and Enhancement Area (SPEA) in situations in which use of the lot would otherwise be extinguished, with the exception of a pathway to provide waterfront access of up to 1.5 m in width or development which was in process prior to implementation of RAR.
13. That the request by Ron Hollingworth to adjust the SPEA boundary respecting Application No. 6-I-07DP/RAR, be supported contingent on the provision of compensatory activities as outlined in the EASC Staff Report dated February 11, 2007.
14. That Application No. 10-I-06DP/RAR (Warm Valley Contracting) for a development permit pursuant to the Watercourse Protection Development Permit Area for Lot 1, Block 488, Plan 16811 Cowichan Lake District PID #000-677-108, be approved subject to:
 - Receiving official confirmation of acceptance of RAR report #304.
 - Temporary fencing of SPEA boundary during construction.
 - Implementation of the measures identified in the RAR report No. 304.
 - Inclusion of an additional catch basin to help alleviate possible spillage into nearby ditch.
 - Registration of a restrictive covenant on title, preferably in favour of a third party organization to protect the SPEA in perpetuity.

- 15. That the Board adopt a standing resolution that authorizes conservation covenants either in favour of a third party or the CVRD as a condition of RAR development permits, with the details of the covenants to be decided by staff.**
- 16. That Application No. 2-B-07DP/RAR (Gordon and Leslie Smith) for a development permit pursuant to the Streamside Riparian Areas Regulation Development Permit Area for Lot 3, Plan 36906, Section 7, Range 3, Shownigan Land District, PID 000-430-803, be approved subject to the inclusion to the following criteria:**
 - Implementation of the measures identified in the RAR report No. 308**
 - Registration of a restrictive covenant on title, preferably in favour of a third party organization to protect the SPEA in perpetuity.**
- 17. That Application No. 10-B-07DP/RAR (Devin Hawes) for a development permit pursuant to the Streamside Protection Development Permit Area for Lots 19 and 20, Block 156, Malahat District, Plan VIP 78459, PID 026-226-472 and 016-226-464, be approved subject to the inclusion to the following criteria:**
 - Implementation of the measures identified in the RAR report No. 303**
 - Registration of a restrictive covenant on title, preferably in favour of a third party organization to protect the SPEA in perpetuity.**
- 18. That Application No. 7-I-06DP/RAR (Richard Boss) for a development permit pursuant to the Watercourse Protection Development Permit Area for Lot 1, Block 488, Plan 16811, Cowichan Lake District, PID #000-677-108, be approved subject to:**
 - Receiving official confirmation of acceptance of RAR report #256.**
 - Temporary fencing of SPEA boundary during construction.**
 - Implementation of the measures identified in the RAR report No. 256.**
 - Registration of a restrictive covenant on title, preferably in favour of a third party organization to protect the SPEA in perpetuity.**
 - Areas, which are disturbed during development within the 30 m. Assessment Area to be replanted with native vegetation.**

19. That Rezoning Application No. 4-A-06RS (Bamberton) be referred to the following agencies:

- **Mill Bay Volunteer Fire Department**
- **Malahat Fire Department**
- **Inlet Drive Waterworks**
- **Mill Bay Parks and Recreation Commission**
- **Kerry Park Recreation Centre Commission**
- **Mill Bay Water Improvement District**
- **Cowichan Valley School District No. 79**
- **Capital Regional District**
- **City of Langford**
- **District of Highlands**
- **District of Central Saanich**
- **District of North Saanich**
- **Islands Trust**
- **Malahat First Nation**
- **Tsartlip First Nation**
- **Tseycum First Nation**
- **Ministry of Community Services**
- **Ministry of Transportation**
- **Ministry of Environment (Parks)**
- **Ministry of Environment (Vancouver Island Urban Ecosystem Team)**
- **Ministry of Agriculture and Lands (Integrated Land Management Bureau)**
- **Ministry of Forests**
- **BC Transit**
- **Private Managed Forest Land Council**
- **Vancouver Island Health Authority**
- **Vancouver Island Corridor Foundation**
- **BC Ferries**
- **Fisheries and Oceans Canada**
- **Transport Canada (Marine)**
- **Canadian Coast Guard.**

20.1. That the CVRD initiate an amendment to Electoral Area I Zoning Bylaw No. 2465 that would adjust the W-4 Zone polygons in accordance with the final subdivision plan respecting development proposed by G. Adams, and that the area of the property to the north that is zoned as Private Utility U-1 be altered to reflect the current location of the sewage works on the western edge of the property; that referrals be forwarded to the Ministry of Environment and Fisheries and Oceans Canada; that the appropriate amendment bylaw be prepared and forwarded to the Board for consideration of 1st and 2nd

reading; and further that a public hearing be waived pursuant to Section 890(4) of the *Local Government Act* and that the public notice process occur in its place.

2. That the CVRD not consider undertaking an amendment to Electoral Area F Zoning Bylaw No. 2600 respecting dock-related adjustments for the Stin-Qua development until such time as the subdivision is finalized, at which point the situation will be re-evaluated by the Electoral Area F Advisory Planning Commission.

MOTION CARRIED

(07-127)

It was moved and seconded:

9. That Official Community Plan Amendment Bylaw No. 2912 and Zoning Amendment Bylaw No. 2913 (The Village at Paldi) be forwarded back to the Board for consideration of 1st and 2nd readings, and further that a public hearing be arranged and that Director J. Allan, Director L. Duncan and Director B. Hodson be delegated to the hearing.

Opposed: Directors Marcotte and Duncan

MOTION CARRIED

(07-128)

It was moved and seconded that a comprehensive electronic groundwater monitoring system for the proposed Paldi development, tied into the CVRD's SCADA system, be provided by Cherokee Land Investments that would enable continuous monitoring of the impact of the extraction on the aquifer.

MOTION CARRIED

(07-129)

It was moved and seconded:

11. That Application No. 1-I-06RS (Shaw Creek Joint Venture) to amend OCP Bylaw No. 2650 and Zoning Bylaw No. 2465 respecting Section 16, Renfrew District, Except the Right-of-Way of the Canadian Northern Pacific Railway Company as shown in Red on Plan Deposited DD310025I, and Block 134, Cowichan Lake District, not be approved and that a partial refund of application fees be given in accordance with CVRD Development Applications Procedures and Fees Bylaw No. 2255.

MOTION CARRIED

**STAFF
REPORTS**

SR1 Staff Report from Deputy Manager Development Services dated February 22, 2007, re: Further amendments proposed to CVRD Zoning Amendment Bylaw No. 2909 (Caromar Sales Ltd.).

For information purposes.

BYLAWS

**B1
(07-130)** It was moved and seconded that “CVRD Bylaw No. 2912 – Area E – Cowichan Koksilah Official Community Plan Amendment Bylaw (The Village At Paldi; Cherokee Land Investments), 2007”, be granted 1st and 2nd reading.

Opposed: Directors Marcotte and Duncan

MOTION CARRIED

**B2
(07-131)** It was moved and seconded that “CVRD Bylaw No. 2913 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (The Village At Paldi; Cherokee Land Investments), 2007”, be granted 1st and 2nd reading.

Opposed: Directors Marcotte and Duncan

MOTION CARRIED

**B3
(07-132)** It was moved and seconded that 2nd Reading of “CVRD Bylaw No. 2909 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Caromar Sales), 2006” be rescinded.

MOTION CARRIED

**B3
(07-133)** It was moved and seconded that “CVRD Bylaw No. 2909 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Caromar Sales), 2006” be amended as noted in Item SR1.

MOTION CARRIED

**B3
(07-134)** It was moved and seconded that “CVRD Bylaw No. 2909 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Caromar Sales), 2006” be read a 2nd time as amended.

MOTION CARRIED

ADJOURNMENT

**(07-135)
5:13 p.m.**

It was moved and seconded that the Special Board meeting adjourn.

MOTION CARRIED

The meeting adjourned at 5:13 pm.

Certified Correct:

Chair

Corporate Secretary

Dated: _____