

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room at 175 Ingram Street, Duncan, BC, on Wednesday, January 9, 2008 at 6:01 p.m.

**PRESENT:** Chair J. Peake  
Directors J. Allan, M. Dorey, L. Duncan, G. Giles,  
R. Hartmann, B. Hodson, R. Hutchins, P. Kent,  
J. Lefebure, M. Marcotte, G. Seymour,  
M. Tansley, and M. Walker  
and Alternate Director T. Dheensaw

**ALSO**

**PRESENT:** Mark Kueber, Deputy Administrator  
Joe Barry, Corporate Secretary  
Kate McIntosh, Human Resources Manager  
Dan Derby, Manager Protective Services  
Kate Miller, Environment Manager

**ABSENT:** Director K. Cossey

**APPROVAL OF  
AGENDA  
08-01**

**It was moved and seconded that the agenda be amended with the addition of one New Business item, NB1 - Sutton Creek Watershed Management, and that the agenda as amended be approved.**

**MOTION CARRIED**

**ADOPTION OF  
MINUTES  
08-02**

**It was moved and seconded that the minutes of the Regular Board meeting of December 12, 2007 be adopted.**

**MOTION CARRIED**

**BUSINESS  
ARISING**

No business arising

**REPORT OF  
THE CHAIR  
RC1**

Memorandum from the Chairperson dated December 21, 2007 re: Proposed Change in 2008 Committee Meeting Schedule was considered for information.

**RC2  
2008 Committee  
Calendar  
08-03**

**It was moved and seconded that discussion of the Electoral Area Services meeting schedule be referred to the next Electoral Area Services Committee meeting.**

Opposed: Directors Hartmann, Tansley, Hutchins, Peake, Lefebure,  
Giles, Kent, Seymour and Alternate Director Dheensaw

**MOTION DEFEATED**

08-04

It was moved and seconded that the 2008 Committee Calendar, as presented, be approved for: Regional Services Committee; Electoral Area Services Committee; Engineering Services Committee; Parks Committee; and Transit Committee.

Opposed: Directors Marcotte, Hodson and Walker

**MOTION CARRIED**

### **SPECIAL MEETINGS**

The Corporate Secretary advised the Board of the following additional meetings:

1. Special Board meeting on January 23, 2008 regarding the Kinsol Trestle at 5:00 pm with Regional Services following immediately after.
2. Budget meeting on February 19, 2008 at 5:00 pm.

### **2008 Standing Committee Appointments**

The Chair provided an overview of the 2008 CVRD Board and Standing Committee Appointments.

The CVRD Standing Committee appointments for 2008 are listed for information:

#### **REGIONAL SERVICES COMMITTEE**

Director J. Lefebure, Chair	Director R. Hutchins
Director K. Cossey, Vice-Chair	Director P. Kent
Director J. Allan	Director M. Marcotte
Director M. Dorey	Director J. Peake
Director L. Duncan	Director G. Seymour
Director G. Giles	Director M. Tansley
Director R. Hartmann	Director M. Walker
Director B. Hodson	

#### **ELECTORAL AREA SERVICES COMMITTEE**

Director M. Marcotte, Chair	Director G. Giles
Director J. Allan, Vice-Chair	Director B. Hodson
Director K. Cossey	Director M. Tansley
Director M. Dorey	Director M. Walker
Director L. Duncan	

#### **ENGINEERING SERVICES COMMITTEE**

Director M. Walker, Chair	Director R. Hartmann
Director R. Hutchins, Vice-Chair	Director B. Hodson
Director J. Allan	Director P. Kent
Director K. Cossey	Director J. Lefebure
Director M. Dorey	Director M. Marcotte
Director L. Duncan	Director J. Peake
Director G. Giles	Director M. Tansley

**PARKS**

Director G. Giles, Chair	Director M. Dorey
Director P. Kent, Vice-Chair	Director R. Hutchins
Director J. Allan	Director J. Lefebure

**TRANSIT**

Director J. Peake, Chair	Director P. Kent
Director G. Giles, Vice-Chair	Director J. Lefebure
Director J. Allan	Director M. Tansley
Director K. Cossey	Director M. Walker
Director B. Hodson	

**COMMUNITY SAFETY ADVISORY COMMITTEE**

Director P. Kent, Chair	Director G. Giles, Vice-Chair
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**REGIONAL POLICING ADVISORY COMMITTEE**

Director J. Peake	Director J. Lefebure
Director K. Cossey	Director M. Walker
Director R. Hutchins	

08-05

It was moved and seconded that the following CVRD Board appointments for 2008 be approved:

**NON-CVRD COMMITTEES/AUTHORITIES**

1. **Mayor's Advisory Committee for People with Disabilities:**  
Director G. Seymour
2. **Municipal Finance Authority:**  
Director R. Hutchins/M. Kueber, Alternate
3. **Municipal Insurance Association of BC (MIABC):**  
Director M. Walker
4. **Island Coast Economic Trust (ICET):**  
Director G. Giles
5. **Island Corridor Foundation (ICF):**  
Director J. Peake
6. **Treaty Advisory Committee:**  
Director J. Allan  
Director M. Walker, Alternate

**MOTION CARRIED**

**INFORMATION**

The following correspondence, under the date indicated, was received for information:

**IN1**

Andrew Walasek, Special Assistant - Ontario and Western Canada, Office of the Minister of Transport, Infrastructure and Communities, dated December 6, 2007 re: Proposed Expansion of Nanaimo Airport.

**08-06**

**It was moved and seconded that the correspondence from Andrew Walasek, Special Assistant - Ontario and Western Canada, Office of the Minister of Transport, Infrastructure and Communities, dated December 6, 2007 re: Proposed Expansion of Nanaimo Airport be received and filed.**

**MOTION CARRIED**

**COMMITTEE  
REPORTS**

**CR1  
Cowichan Centre  
Commission**

Report and recommendation of Cowichan Centre Commission meeting of September 13, 2007 listing one item was considered:

**08-07**

**It was moved and seconded that the CVRD fund the additional 5-way share of an anticipated \$30,000 to \$40,000 overrun in addition to its original 5-way share of the \$150,000 Cowichan Place “Partner” Master Plan.**

**MOTION CARRIED**

**08-08**

**It was moved and seconded that up to \$8,000 to complete the Cowichan Place Master Plan be funded from the Feasibility Reserve Fund.**

**MOTION CARRIED**

**STAFF  
REPORTS****SR1**

Staff Report from the Deputy Corporate Secretary dated January 2, 2008 re: Kerry Village Sewer System Service Loan Authorization - Notice of Alternative Approval Process and Elector Response Form.

**08-09**

**It was moved and seconded:**

- 1. That voter approval for “CVRD Bylaw No. 3019 - Kerry Village Sewer System Service Loan Authorization Bylaw, 2007”, be obtained through an alternative approval process.**

2. That the *Notice of Alternative Approval Process* and the *Elector Response Form* for Bylaw No. 3019, be approved.

**MOTION CARRIED**

**SR2** Staff Report from the Deputy Corporate Secretary dated January 2, 2008 re: Honeymoon Bay Community Society Annual Contribution Service - Notice of Alternative Approval Process and Elector Response Form.

**08-010** It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3014, be approved.

**MOTION CARRIED**

**SR3** Staff Report from the Deputy Corporate Secretary dated January 3, 2008 re: Cowichan Wooden Boat Society Annual contribution Service - Notice of Alternative Approval Process and Elector Response Form.

**08-011** It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3015, be approved.

**MOTION CARRIED**

**SR4** Staff Report from the Manager Protective Services dated December 17, 2007 re: Agreement to Provide Fire Protection Between Regional District of Nanaimo and North Oyster.

**08-012** It was moved and seconded:

1. That the Cowichan Valley Regional District acknowledge and accept the Regional District of Nanaimo's notice of termination of the contract for Yellowpoint/Waterloo Fire Protection, to be effective December 31, 2008.
2. That staff be directed to liaise with the Regional District of Nanaimo to resolve ownership of the firehall, apparatus and equipment.

**MOTION CARRIED**

**SR5** Staff Report from the Development Services Deputy Manager dated January 2, 2008 re: Proposed development permit for B. Bickford, Mill Bay.

**08-013** It was moved and seconded that Application No. 8-A-07DP be approved, and that issuance of a development permit to B. Bickford be authorized for the north part of Parcel A, District Lots 77 and 80, Malahat District, 36099I, permitting its subdivision into 40 lots.

**MOTION CARRIED**

**SR6** Staff Report from the Development Services Deputy Manager dated January 2, 2008 re: Development Permit Application No. 3-A-07DP (Mill Springs).

**08-014** It was moved and seconded:

1. That Resolution 07-769(8) from the Special Board meeting of October 24, 2007 be rescinded.
2. That Development Permit Application No. 3-A-07DP be approved and that the Planning Division be authorized to issue a Development Permit to UMA Engineering on behalf of 687033 BC Ltd. with respect to District Lot 46, Malahat District, Except Parts in Plans VIP68911, VIP78297, VIP82480 and Strata Plan VIS4795 (Phases 3, 5 and 6) (PID 009-355-723); and District Lot 60, Malahat District, except part in Plans VIP68911, VIP77770, VIP80853, VIP82480 and Strata Plan VIS4795 (Phases 2, 3, 4 5 and 6) (PID 009-355-740) that would allow the subject properties to be subdivided into 71 lots in accordance with the Mill Bay Development Permit Guidelines of Official Community Plan Bylaw No. 1890, subject to acceptance by the Ministry of Environment of the Riparian Areas Assessment report.

**MOTION CARRIED**

**SR7** Staff Report from the Corporate Secretary dated January 3, 2008 re: Funding Agreement Authorization.

**08-015** It was moved and seconded that the Chair and Corporate Secretary be authorized to sign the General Strategic Priorities Fund Agreement for the Cowichan River Floodplain Mapping and Integrated Flood Plan and the Regionally Significant Projects Fund Agreement for the Cowichan Valley Trail Construction and Improvement Project and the Recreation and Community Centre Energy Retrofits Projects.

**MOTION CARRIED**

**SR8** Staff Report from the Environment Manager dated January 9, 2008 re: Application for a Letter of Support for a *Potential Variance* to a Riparian Assessment Report (RAR) defined Streamside Protection and Enhancement Area (SPEA).

**7:02 pm** Director Hutchins left the Boardroom at 7:02 pm.

**08-016** It was moved and seconded:

1. That a letter of support for a *potential bending of SPEA* to incorporate road allowance be prepared for the Merdyn Proposal based on the CVRD staff review of the email of January 8, 2008 requesting a letter of support be provided to the Department of Fisheries and Oceans for a SPEA adjustment to facilitate subdivision of the property.
2. Staff supports the proposed bending of the SPEA as described in the letter of January 8, 2008, and agree that it would benefit the wetland and creek complex *if there are no other alternatives* as to its placement contingent upon a staff review yet to be carried out of the proposed lot layout and road locations or other associated RAR issues. The review process for the Development Permit will include a review of the draft RAR report, compensation plan and subsequent development proposal. It is expected that this adjustment would be designed in cooperation between the CVRD and the Department of Fisheries and Oceans prior to their subsequent approval.
3. Subdivision of the property will require Board approval of a Riparian Areas Development Permit. Environmental issues, including potential riparian impacts would have to be considered by the Board prior to its decision as to whether to approve the final development permit.

**MOTION CARRIED**

## **BYLAWS**

**B1**  
**08-017** It was moved and seconded that “CVRD Bylaw No. 2994 - Fern Ridge Water System Service Establishment Bylaw, 2007”, be adopted.

**MOTION CARRIED**

**B2**  
**08-018** It was moved and seconded that “CVRD Bylaw No. 2995 - Fern Ridge Water System Service Loan Authorization Bylaw, 2007”, be adopted.

**MOTION CARRIED**

**B3  
08-019**                      It was moved and seconded that “CVRD Bylaw No. 3013 - Cowichan Lake Senior Centre Grant-In-Aid Service Amendment Bylaw, 2007”, be adopted.

**MOTION CARRIED**

**B4  
08-020**                      It was moved and seconded that “CVRD Bylaw No. 3045 - Maple Hills Sewer System Service Amendment Bylaw, 2007”, be adopted.

**MOTION CARRIED**

**7:07 pm**                      Director Allan left the Boardroom at 7:07 pm.

**B5  
08-021**                      It was moved and seconded that “CVRD Bylaw No. 3034 - Lambourn Estates Water System Service Establishment Bylaw, 2008”, be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B6  
08-022**                      It was moved and seconded that “CVRD Bylaw No. 3062 - Lambourn Estates Water System Service Loan Authorization Bylaw, 2008”, be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B7  
08-023**                      It was moved and seconded that “CVRD Bylaw No. 3052 - Lambourn Estates Sewer System Service Establishment Bylaw, 2008”, be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B8  
08-024**                      It was moved and seconded that “CVRD Bylaw No. 3063 - Lambourn Estates Sewer System Service Loan Authorization Bylaw, 2008”, be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B9  
08-025**                      It was moved and seconded that “CVRD Bylaw No. 3031 - Animal Control Service Establishment Bylaw, 2007”, be adopted.

**MOTION CARRIED**

**7:09 pm**                      Director Allan returned to the Boardroom at 7:09 pm.

**B10  
08-026**                      It was moved and seconded that “CVRD Bylaw No. 3032 - Dog Regulation and Impounding Bylaw, 2007”, be adopted.

**MOTION CARRIED**



**B11  
08-027**                      It was moved and seconded that “CVRD Bylaw No. 3051 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Boundary Adjustment Regulation), 2008”, be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B12  
08-028**                      It was moved and seconded that “CVRD Bylaw No. 3059 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Hamilton), 2008”, be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B13  
08-029**                      It was moved and seconded that “CVRD Bylaw No. 3060 - Area I - Youbou/Meade Creek Zoning Amendment Bylaw (Hamilton), 2008”, be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**RESOLUTIONS**

**RES1  
08-030**                      It was moved and seconded that the following appointments to the Cowichan Lake Recreation Commission be approved:

*Term to expire November 30, 2008:*

**Sheila McFarlane  
Bill Peters  
Ray Wear  
Dave Darling**

**MOTION CARRIED**

**RES2  
08-031**                      It was moved and seconded that the following appointments to the Electoral Area C - Cobble Hill Advisory Planning Commission be approved:

*Term to expire November 30, 2008:*

**Rosemary Allen  
Robin Brett  
Rod de Paiva  
David Hart  
Ed Tomusiak  
Leslie Watt**

**MOTION CARRIED**

**7:13 pm**                      Director Hutchins returned to the Boardroom at 7:13 pm.

**NEW BUSINESS**

**NB1**  
**Sutton Creek**  
**Watershed**  
**Management**

Director Allan discussed the need and merit of a watershed management plan for Sutton Creek.

**08-032**

**It was moved and seconded that the CVRD set up a meeting with the appropriate federal and provincial ministries (Ministry of Forests & Range and Minister Responsible for Housing; Ministry of Environment; and Department of Fisheries and Oceans) requesting development, implementation and enforcement of a long-term Sutton Creek watershed management plan.**

**MOTION CARRIED**

**NB2**

Director Allan raised the issue concerning question periods at committee meetings.

**08-033**

**It was moved and seconded that the Committee Procedure bylaw be amended to include a question period.**

**MOTION CARRIED**

**RESOLVE INTO  
CLOSED  
SESSION**

**08-034**  
**7:28 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) (c).**

**MOTION CARRIED**

**RISE FROM  
CLOSED  
SESSION**

**It was moved and seconded that the Board rise without Report and return to the Regular portion of the meeting.**

**08-038**  
**7:40 pm**

**MOTION CARRIED**

**ADJOURNMENT**

**08-039**

**It was moved and seconded that the Regular Board meeting adjourn.**

**MOTION CARRIED**

The meeting adjourned at 7:40 pm.

Certified Correct:

\_\_\_\_\_  
Chair

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

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