

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, May 14, 2008 at 6:03 p.m.

**PRESENT:** Chair W.J. (Jack) Peake  
Directors P. Kent, J. Lefebure, R. Hartmann,  
G. Seymour, R. Hutchins, M. Walker, K. Cossey,  
G. Giles, M. Tansley, L. Duncan, J. Allan, M. Dorey,  
M. Marcotte and B. Hodson

**ALSO**

**PRESENT:** Warren Jones, Administrator  
Joe Barry, Corporate Secretary  
Brian Farquhar, Manager, Parks  
Dan Derby, Manager, Protective Services  
Kate McIntosh, Manager, Human Resources

**APPROVAL OF  
AGENDA  
(08-306)**

**It was moved and seconded that the agenda be amended with the addition of Item No. NB1 – Letter of Support for BC Bike Race and that the agenda, as amended, be approved.**

**MOTION CARRIED**

**ADOPTION OF  
MINUTES  
(08-307)**

**It was moved and seconded that the minutes of the April 9, 2008 Regular Board meeting be adopted.**

**MOTION CARRIED**

The Corporate Secretary advised that the adoption of a portion of the March 5, 2008 Special Board minutes was not procedurally correct and that Resolution No. 08-217 needs to be rescinded. The Board must adopt the full minutes with any necessary corrections.

**(08-308)**

**It was moved and seconded that Board Resolution No. 08-217 be rescinded.**

**MOTION CARRIED**

**(08-309)**

**It was moved and seconded that consideration of adoption of the minutes of the March 5, 2008 Regular meeting of the Board be referred to the Board meeting scheduled for June 11, 2008.**

**MOTION CARRIED**

**BUSINESS  
ARISING FROM  
THE MINUTES**

No business arising

**DELEGATIONS****D1**

Alex Haddad, Bike to Work Cowichan  
Re: Promotion of Bike to Work Campaign

Alex Haddad and Warren Chapman, Bike to Work Cowichan, and Duncan Councillor Paul Fletcher were in attendance to provide a presentation on the benefits of biking to work. Councillor Fletcher advised that the City of Duncan has issued a challenge to other parties to participate in Bike to Work Week.

**REPORT OF  
CHAIRPERSON**

No report

**CORRESPON-  
DENCE****C1**

Email from Lisa Mitchell, Island Corridor Foundation Campaign Coordinator, April 29, 2008, re: request for support for upgrading the Island Railway Corridor on Vancouver Island was considered:

**(08-310)**

**It was moved and seconded that the CVRD send a letter of support, for upgrading the Island Railway Corridor on Vancouver Island, to the Island Corridor Foundation.**

**MOTION CARRIED**

**COMMITTEE  
REPORTS****CR1**

Report and recommendations of Regional Services Committee meeting of April 23, 2008, listing four items, were considered:

**(08-311)**

**It was moved and seconded:**

- 1. That the Board approve the CVRD Board Chair attending the Federation of Canadian Municipalities, Union of British Columbia Municipalities and the Association of Vancouver Island and Coastal Communities annual conventions in accordance with the cost sharing as recommended in the report of the Administrator dated March 26, 2008.**
- 2. That the Board provide its full support to the proposed lunch workshops to build capacity in the area of storm water management, and further that a request for full participation in the series be forwarded to local government staff within the**

**Cowichan Region.**

3. That the application to the Union of British Columbia Municipalities for a Community to Community Forum between the CVRD and Cowichan Tribes, regarding the mutual importance of fisheries resources, be supported.
4. That the Manager, Protective Services be directed to investigate the availability of suitable interim rental/lease facilities in the area for Search and Rescue, until such time as a permanent facility is created and report the results of the investigation to the CVRD Board, including the expected annual costs of rent/lease/hydro etc of possible facilities – for inclusion in the 2009 operating budget.

**MOTION CARRIED****CR2**

Report and recommendations of Electoral Area Services Committee meeting of April 15, 2008, listing nine items, were considered:

**(08-312)**

**It was moved and seconded:**

2. That the CVRD Board Chairperson forward a letter to Mr. Richard Hill, owner of Yellow Point Lodge, Electoral Area H, in recognition of his generosity in dedicating 68 acres of coastal old-growth forest lands (adjacent to the lodge) by signing a conservation covenant with The Land Conservancy of BC and Nanaimo and Area Land Trust for the protection of the lands from future logging or development.
3. That a grant-in-aid (Electoral Area D – Cowichan Bay) in the amount of \$3,000 be given to Cowichan Bay Maritime Centre to assist in funding the carving of the Coast Salish totem.
4. That a grant-in-aid (Electoral Area D – Cowichan Bay) in the amount of \$550 be given to Cowichan Bay Community Policing to assist in funding the completion of the building at 1721 Cowichan Bay Road.

**MOTION CARRIED****(08-313)**

**It was moved and seconded:**

*(Amended from original Committee recommendation):*

1. 1. That UBCM tourism program funding in the amount of

**\$154,051.30 be approved for the following electoral area projects:**

- Youbou sign (Area I) - \$10,000
- Glenora Trailhead Improvements (Area E) - \$10,000
- Cowichan Station Area Association – Signage (Area E) - \$1,500
- Bamberton Tourism Project (Area A) - \$15,000
- Shawnigan Lake Map and Database (Area B) - \$10,000
- Cobble Hill Town Square – Development Pgm (Area C) - \$40,000
- Spirit of Cowichan Days (Area D and Region) - \$8,000
- Spirit of Cowichan Legacy – (Region) - \$8,500
- Saltair – Road and Park signage (Area G) - \$5,000
- Cowichan Bay Legacy Pole-2008 (Area D) - \$5,000
- Cowichan Lake Radio (Area F&I) - \$17,051.30
- South Cowichan Chamber (Area A,B,C,D&E) - \$10,000
- Cowichan Lake Chamber (Area F & I) - \$10,000
- Boys Rd, Jacob Rd & Hwy 1 Signage (Area E) - \$4,000

**MOTION CARRIED**

**(08-314)**

**It was moved and seconded:**

1. 2. **That funding in the amount of \$3,000 be approved for the *Fresh from the Island Trails* project.**

**MOTION CARRIED**

It was moved and seconded:

1. 3. **That funding in the amount of \$20,000 be approved for the *Regional Visitor Services Centre* project.**

**(08-315)**

**It was moved and seconded that this matter be referred back to the Electoral Area Services Committee for further consideration.**

Opposed: Directors Hartmann, Tansley, Hutchins, Dorey, Lefebure,  
Giles, Kent and Walker

**MOTION DEFEATED**

**(08-316)**

**It was moved and seconded that the motion be amended by adding the words "subject to site confirmation, necessary approvals and funding by other partners".**

Opposed: Directors Lefebure, Seymour, Hartmann, Walker, Hutchins, Tansley, Cossey, and Giles

**MOTION DEFEATED**

Voting resumed on the main motion:

**(08-317)**

**It was moved and seconded**

- 1. 3. That funding in the amount of \$20,000 be approved for the *Regional Visitor Services Centre* project.**

Opposed: Directors Allan, Marcotte, Hodson, and Duncan

**MOTION CARRIED**

**7:05 p.m.**

Directors Kent, Lefebure, Hutchins, and Hartmann left the Board Room at 7:05 p.m.

**(08-318)**

**It was moved and seconded:**

- 5. That Application No. 4-E-07DVP by Eagle Heights Estates for a variance to Sections 8.4 (b)(4) and 8.4 (b)(6) of Zoning Bylaw No. 1840 be approved, to permit the following:**
  - construction of residential dwellings on strata lots 16, 17, 18, 19, and 20 with a maximum height of 10 metres;
  - construction of residential dwellings on strata lots 16, 17, 18, 19, and 20 with partial basements; and
  - construction of a residential dwelling on strata lot 18, 3.5 metres from the side interior parcel line on Lot A, Section 13, Range 6, Quamichan District, Plan VIP80762, Except Part In Plan VIS6201 (Phases 1-4).
- 6. That Development Permit Application No. 17-B-07DP be approved and that the Planning Division be authorized to issue a Development Permit to Ruth Ilnytzky with respect to Parcel G (DD 38800I) of Lot B, Section 31, Township 1, Malahat District, Plan 711, PID 007-825-269; Lot 1, Shawnigan Lake Suburban Lots, Malahat District, Plan 4714, PID 005-994-543; Lot 2, Shawnigan Lake Suburban Lots, Malahat District, Plan 4714, PID 005-994-594; and Lot 3, Shawnigan Lake Suburban Lots, Malahat District, Plan 4714, PID 002-078-856, that would require all development upon the lands to be completed in accordance with the permit.**
- 9. That the request by Girl Guides of Canada that the CVRD**

initiate a rezoning application to have their property (Camp Creina, Shaw Road) rezoned to permit recreational camp use be approved, and that the appropriate amendment bylaws be prepared.

**MOTION CARRIED**

**7:06 p.m.**

Director Cossey left the Board Room at 7:06 p.m.

**(08-319)**

**It was moved and seconded that:**

*(Amended from original Committee recommendation):*

7. 1. That Rezoning Application No. 2-C-07RS (Arbutus RV - Little), be approved to rezone Lot 1, Sections 10 and 11, Range 7, Shawnigan District, Plan 20128; and That part of the west 40 acres of Section 11, Range 8, Shawnigan District, lying to the south west of the Island Highway as said highway is shown on Plan 1288 O.S., Except part in Plan 46300, from C-4 and C-7 to new C-9 Mixed Use Commercial Zone; and that the appropriate amendment bylaws be prepared and forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
2. That a detailed site survey be drawn by a BCLS showing parcel boundaries, fence lines, building footprints and RV display area and submitted prior to September 1, 2008 following which a public hearing will be held with Directors Giles, Cossey and Tansley delegated to the hearing.
3. That the application be referred to the Ministries of Community Services, Transportation and Environment, the Vancouver Island Health Authority and the Mill Bay Improvement District (Volunteer Fire).

**MOTION CARRIED**

**7:08 p.m.**

Director Cossey returned to the Board Room at 7:08 p.m.

**(08-320)**

**It was moved and seconded:**

*(Amended from original Committee recommendation):*

8. That Application No. 2-F-07DVP by Danielle Burden and Darren Charles, to vary Sections 3.6 and 3.23 of Zoning

Bylaw No. 2600 by increasing the maximum height of fencing from 1.2 metres to 2 metres, and by eliminating the required “sight triangle” on Lot 8, Section 31, Renfrew Land District, Plan 22333, not be approved.

**MOTION CARRIED**

Report and recommendations of Electoral Area Services Committee meeting of May 6, 2008, listing twelve items, were considered:

**(08-321)**

**It was moved and seconded that:**

- 1. That a grant-in-aid (Electoral Area C – Cobble Hill) in the amount of \$750 be given to Brentwood College to assist in their Bard @ Brentwood production.**
- 2. That a grant-in-aid (Electoral Area B – Shawnigan Lake) in the amount of \$750 be given to Brentwood College to assist in their Bard @ Brentwood production.**
- 3. That a grant-in-aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$750 be given to Brentwood College to assist in their Bard @ Brentwood production.**
- 4. That the resignation of Lina Dabit Wilkinson from the Area C Advisory Planning Commission and from the South Cowichan OCP Steering Commission be accepted, and that a "Special" letter of appreciation be forwarded to Ms. Wilkinson.**
- 5. That interested Electoral Area Directors be approved to attend the "Electoral Area Directors Meeting" scheduled for June 12-13, 2008, at the Delta Vancouver Airport Hotel in Richmond, at a cost of \$157.50 each, plus expenses.**

**MOTION CARRIED**

**7:14 p.m.**

Director Seymour left the Board Room at 7:14 p.m.

**7:15 p.m.**

Directors Hartmann and Lefebure returned to the Board Room at 7:15 p.m.

**7:16 p.m.**

Director Hutchins returned to the Board Room at 7:16 p.m.

**(08-322)**

**It was moved and seconded:**

- 6. That Rezoning Application No. 6-B-07RS (Perrett) be approved and that the appropriate amendment bylaw be prepared and forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading; that a public hearing be arranged and that Directors Cossey, Walker and Giles be delegated to the hearing; and further, that the application be referred to the Ministry of Transportation, Ministry of Forests, Malahat Band, Shawnigan Lake VFD, and the Central Vancouver Island Health Authority.**
- 7. That Application No. 2-A-08DVP (John Koot/Jad Beckett) for a variance to Section 8.4.A(b)(2) of Zoning Bylaw No. 2000, by increasing the maximum permitted height of a single family dwelling from 7.5 metres (24.61') to 8.8 metres (28.87') on Lot 23, Sentinel Ridge (District Lot 80, Malahat District, Plan VIP83417), be denied.**
- 8. That Development Permit Application No. 1-E-08DP be approved, and that the Planning Division be authorized to issue a Development Permit to Balbir Parhar with respect to That Part of Lot 1, Section 14, Range 6, Quamichan District, Plan 4077 Shown outlined in Red on Plan 1500R, Except that part shown in red on Plan 1688 OS, and Except part in Plan 40941, in accordance with the Trans Canada Highway Development Permit Guidelines of Official Community Plan Bylaw No. 1490, subject to the following:**
  - a) Conformance with the Landscape Plan, Parking Plan, and Main Floor Plan from Ellins Architects Inc. dated February 25, 2008.**
  - b) Subsequent amendment of the Parking Plan which clearly indicates the location of parking stalls for the disabled in front of each of the buildings.**
  - c) Subsequent amendment to the Landscape and Parking Plans which incorporate garbage bins that are screened and located to the north side of the building along the property line.**
  - d) Approval of the sign by the Manager of Development Services in accordance with the provisions of CVRD Development Application Procedures and Fees Bylaw No. 2255.**
  - e) Receipt of an irrevocable Letter of Credit in a form suitable to the CVRD, equivalent to 120% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the CVRD Planning Department; and landscaping to be in accordance with the BC Society of Landscape Architecture Standards.**



9. That the request by Richard and Barb Jansen to release small suite Covenant ET41539 on property located at 2687 Courtney Way (Lot 2, Section 1, Range 5, Shawnigan District, Plan VIP71089), be approved.
10. That a letter be forwarded to the Liquor Control and Licensing Branch advising that the CVRD has no comment on the Application for a Structural Change (Patio Extension) at the Southside Inn (5325 Trans Canada Highway, Duncan) which would allow for an increase of 26 seats to the overall patio seating capacity of the present 32 seats.
11.
  1. That the request from S. Leslie Kleiman to remove the Big Leaf Maple tree located within Restricted Area 3 on Lot 34, Plan VIP83417, District Lot 80, Malahat District (Sentinel Ridge, Mill Bay), be approved, and that Restricted Area 3 on Covenant No. FB072886, be removed.
  2. That the tree replacement program as proposed in the letter from S. Leslie Kleiman dated April 13, 2008, which complies with the Ministry of Environment Tree Replacement Criteria, be approved, subject to confirmation that the trees will not hinder access to the adjacent lots along the statutory right of way; and subject to receipt of a Letter of Credit in the amount of 120 percent of the value of the replacement trees which will be held for two years to ensure that the trees take root in that location.
12. That the release of Restrictive Covenant EX25560 on 11 lots (PIDs 026-226-464, 026-226-472, 026-226-405, 026-226-413, 026-226-375, 026-226-383, 026-226-391, 026-226-324, 026-226-332, 026-226-341, 026-226-316) located within the Goldstream Heights subdivision, be approved, subject to registration of site specific geotechnical covenants.

**MOTION CARRIED****7:18 p.m.**

Directors Kent and Seymour returned to the Board Room.

**CR3**

Report and recommendations of Engineering Services Committee meeting of May 14, 2008, listing 11 items, were considered:

**(08-323)****It was moved and seconded:**

*(Amended from original Committee recommendation):*

1. That *critical location* streetlights be installed at the following locations in Electoral Area A – Mill Bay/Malahat:
  1. The corner of Shawnigan Lake-Mill Bay and Barry Roads, and
  2. The corner of Deloume and Lashburn Roads
2. That the CVRD pay capital and operation costs for lighting to be installed in a bus shelter located on the corner of Renfrew Road and Linden Lane in Shawnigan Lake.
3. That, subject to the following conditions, the CVRD grant approval in principle for takeover of the proposed water system for the Malahat Properties 104-lot development by tying it into the proposed Ocean Terrace Water System, as requested by J.E. Anderson and Associates, on behalf of the owner of Malahat properties, Cary Sangha. The development currently consisting of 12 residential lots described as:

**Parcel Identifiers**

- |               |               |               |
|---------------|---------------|---------------|
| • 003-700-925 | • 000-639-613 | • 002-790-831 |
| • 000-071-943 | • 000-639-621 | • 000-073-393 |
| • 000-639-664 | • 000-003-662 | • 002-790-891 |
| • 000-071-994 | • 000-639-591 | • 006-204-392 |

**Conditions:**

1. That the water system's preliminary concepts, detailed design and installation be approved by Engineering Services staff to ensure compliance with CVRD design standards and Subdivision Bylaw 1215;
2. That the water reservoir and treatment works have adequate fire flow capacity
3. That the water source and distribution have adequate capacity and have received approval from the Vancouver Island Health Authority.
4. That a Utility Transfer Agreement for the water system be executed between the CVRD and the owner/developer;
5. That the developer provide a two-year warranty on the completed works, backed by an irrevocable Letter of Credit;
6. That the developer provide suitable reserve funds to contribute to the water function;
7. That the developer be required to provide all water servicing infrastructure, including, but not limited to, pumps, reservoir, SCADA system, fire protection, controls and mainlines for the proposed subdivision;
8. 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;

9. That all requirements of the conditional re-zoning development agreement with respect to water be applied to the CVRD instead of Mill Bay Waterworks, including pipe sizing to accommodate Benko/Butterfield Road area residents, proper fire flows, water reservoir and well construction and a \$70,000 well impact bond.
  10. That a petition process be carried out to include both Ocean Terrace and Malahat Properties subdivisions as one service area;
4. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
    1. CVRD Bylaw No. 2997 – Arbutus Mountain Estates Sewer System Management Bylaw, 2008
    2. CVRD Bylaw No. 3108 - Arbutus Mountain Estates Sewer System Capital Reserve Fund Establishment Bylaw, 2008
    3. CVRD Bylaw No. 3107 - Arbutus Mountain Estates Sewer System Service Parcel Tax Roll Bylaw, 2008
  5. That the CVRD grant approval in principle for inclusion to Sentinel Ridge Sewer System of the sanitary sewer for a proposed Mill Bay subdivision, owned by Malahat Properties Ltd., consisting of 12 residential lots described as:

**Parcel Identifiers**

- |               |               |               |
|---------------|---------------|---------------|
| • 003-700-925 | • 000-639-613 | • 002-790-831 |
| • 000-071-943 | • 000-639-621 | • 000-073-393 |
| • 000-639-664 | • 000-003-662 | • 002-790-891 |
| • 000-071-994 | • 000-639-591 | • 006-204-392 |

as requested by the owner, Cary Sangha, subject to the following conditions:

1. The preliminary concepts, detailed design and installation must be approved by Engineering Services staff to ensure compliance with CVRD Design Standards, South Sector Liquid Waste Management Plan and Subdivision Bylaw 1215;
2. The developer must have a qualified professional prepare and submit the amendments to the Registration of Discharge form, Operation Plan and Environmental Impact Study, and all other necessary documentation, to the Ministry of Environment for the sewage treatment and disposal system;
3. A multi-user servicing agreement between the CVRD, Sentinel Ridge, Sangha, Bickford, and Mill Bay Marina developments for cost-sharing of the sewer treatment system capital infrastructure.

4. The developer undertakes to provide a two-year warranty on the completed sewer works, backed by a letter of credit;
5. 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;
6. All sewage disposal capacities must be confirmed by the qualified professional;
7. The developer is required to provide a suitable reserve fund to the sewer function;
8. The developer is required to provide all sewer servicing infrastructure, including Class "A" standard sewage treatment works and disposal system, pumps, controls, gensets, SCADA system and mainlines for the proposed development;
9. The developer shall contribute to costs associated with monitoring and sampling requirements for the sewer system for the initial intensive monitoring period;
10. A utility transfer agreement must be executed between the CVRD and the owner/developer.
11. Provision for sewage treatment and disposal capacity is to be provided for an additional 50 existing lots, adjacent to the proposed development;

and further that the Board receive the *Certificate of Sufficiency* confirming that the petition for inclusion in the Sentinel Ridge Sewer System Service Area is sufficient and bylaws be prepared to amend the Sentinel Ridge Sewer Service Area.

6. That CVRD Bylaw No. 3114 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2008 be forwarded to the Board for three readings and adoption.
7.
  1. That the Board accept the attached *Certificate of Sufficiency* for establishment of a Drainage System Service Area for a proposed 18-lot subdivision, including a park, on Shawnigan Lake Road (PID 006-325-378), and
  2. That Bylaw No. 3115 – Shawnigan Lake East Drainage Service Establishment Bylaw, 2008, be sent to the Board for consideration of three readings and, following provincial approval, adoption.
8. That the Board accept the Utility Transfer Agreement between the CVRD and Denny Williams, the owner of the Lambourn Estates Sewer and Water Systems; and further that the Chair and Corporate Secretary be authorized to sign

the Utility Transfer Agreement.

9. That the Board accept the Lambourn Utility Capital Works Agreement, as amended, between Double-H Developments, Royal Island Developments, 0740081 BC Ltd. (Wilcuma Lodge), Denny Williams, current owner of Lambourn Estates Sewer and Water Systems, and the CVRD; and further that the Board Chair and Corporate Secretary be authorized to sign the agreement.
10. That an alternative approval process be carried out in Electoral Areas A, B, C and D to create a study function for continued investigation of ground and surface water in the South Cowichan area, possibly culminating in a South Cowichan Water Plan.
11. That the existing contract with Central Landscaping to receive yard and garden waste at their facility on Fisher Road in Cobble Hill be expanded on a trial basis to include free drop off of yard and garden waste from South-end residents.

**MOTION CARRIED**

**CR4**

Report and recommendations of Parks Committee meeting of April 23, 2008, listing four items, were considered:

**(08-324)**

**It was moved and seconded:**

2. That the Board approve use of the section of the Cowichan Valley Trail between West Shawnigan Lake Provincial Park and the Kinsol Trestle and designated trails within the Cobble Hill Mountain Recreation Area for the Mind Over Mountain Adventure Race on Saturday, July 26, 2008, and that the events coordinator supply to the CVRD the following documentation:
  - A copy of the \$5,000,000 liability insurance that the company has to cover the event, which also identifies the CVRD as an additional insured.
  - A waiver for the portions of the race that take place on CVRD trails or parklands.
  - A damage deposit of \$500 must be provided to the CVRD for confirmation that the company will clean up all garbage and fix any damaged trails on the race route upon completion of the event and that all racers will stay on designated trails identified on CVRD parkland.

- Confirmation that approvals have been obtained from landowners along the proposed race route, which are adjacent to CVRD Parklands.
  - Confirmation that there will be volunteers at key locations along the course and the appropriate signage will be in place.
  - Confirmation that there will be flag persons at road crossings and that they have Ministry of Transportation approval for crossing these roads.
3. That the Board approve the use of the section of the Cowichan Valley Trail from the south end of the Kinsol Trestle to Renfrew Road on Sunday June 28, 08, for the BC Bike Race, inclusive of a race aid station on the trail next to the Kinsol Trestle and that the events coordinator supply to the CVRD the following documentation:
- A copy of the \$5,000,000 liability insurance that the company has to cover the event, which also identifies the CVRD as an additional insured.
  - A waiver for the portions of the race that take place on CVRD trails or parklands.
  - A damage deposit of \$500 must be provided to the CVRD for confirmation that the company will clean up all garbage and fix any damaged trails on the race route upon completion of the event and that all racers will stay on designated trails identified on CVRD parkland.
  - Confirmation that approvals have been obtained from landowners along the proposed race route, which are adjacent to CVRD Parklands.
  - Confirmation that there will be volunteers at key locations along the course and the appropriate signage will be in place.
  - Confirmation that there will be flag persons at road crossings and that they have Ministry of Transportation approval for crossing these roads.
4. That the Regional District proceed with the cancellation of the 50-year lease agreement with the Municipality of North Cowichan for Osborne Bay Park established through Bylaw No. 1795 passed in 1997, and furthermore, that a service agreement be established with the Municipality of North Cowichan to contract park operations and maintenance services from the municipality for Osborne Bay Regional Park at an annual cost not to exceed \$6,500, and that the service agreement be annually reviewed to determine

continuation of such services.

5. That the Board supports construction of the Bings Creek bridge and preliminary trail work on the Duncan to Lake Cowichan section of the Cowichan Valley Trail Route upon issuance of a Letter to Proceed from Island Corridor Foundation.

**MOTION CARRIED**

It was moved and seconded:

1. That a referendum be held throughout the entire Regional District to obtain the opinion of the electors regarding establishing a 10 year commitment to the Regional Parkland Acquisition Fund at a rate of \$5 per \$100,000 of net taxable value of land and improvements.

(08-325)

**It was moved and seconded that this matter be referred to the Regional Services Committee.**

Opposed: Directors Marcotte, Dorey, Duncan, Hodson and Kent

**MOTION CARRIED**

**CR5**

Report and recommendations of Transit Committee meeting of May 6, 2008, listing two items, were considered:

(08-326)

**It was moved and seconded:**

1. That the Chair and Corporate Secretary be authorized to sign the Cowichan Valley and Yubou 2008/09 Annual Operating Agreements; and
2. That the Chair and Corporate Secretary be authorized to sign the Cowichan Valley Paratransit 2008/09 Annual Operating Agreements.

**MOTION CARRIED**

**7:56 p.m.**

Director Allan left the Board Room at 7:56 p.m.

**7:57 p.m.**

Director Giles left the Board Room at 7:57 p.m.

**CR6**

Report and recommendations of Economic Development Commission meeting of April 11, 2008, listing three items, were considered:

(08-327) It was moved and seconded:

*(Amended from original Committee recommendation):*

3. That the following persons be appointed to the Economic Development Commission for a term to expire on December 31, 2009:

Maria Lauridsen  
Mike Kelly  
John Morris

and that staff be directed to clarify how many elected officials are permitted to be members on the Economic Development Commission in accordance with the Economic Development Commission Establishment Bylaw.

**MOTION CARRIED**

7:59 p.m. Directors Allan and Giles returned to the Board Room at 7:59 p.m.

(08-328) It was moved and seconded:

1. That the CVRD approves the holding of the Subaru Shawnigan Lake International Half Iron & Sprint Triathlon at Shawnigan Lake for the five year period from 2009 – 2013; and that the Chair and Corporate Secretary be authorized to sign a Memorandum of Understanding with Lifesport (Victoria).
2. That the Economic Development Commission Establishment Bylaw No. 2497 – Membership Section 3 be revised to increase public/community membership from seven to nine members.

**MOTION CARRIED**

## STAFF REPORTS

SR1 Staff Report dated April 11, 2008 from Deputy Corporate Secretary re: Saltair Water System Service Amendment – Notice of Alternative Approval Process and Elector Response Form was considered:

(08-329) It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for Bylaw No. 3044, be approved.

**MOTION CARRIED**



**SR2** Staff Report dated April 17, 2008 from Deputy Corporate Secretary re: Shawnigan Lake North Water System Service Amendment – Notice of Alternative Approval Process and Elector Response Form was considered:

**(08-330)** **It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for Bylaw No. 3043, be approved.**

**MOTION CARRIED**

**SR3** Staff Report dated May 5, 2008 from Deputy Manager, Cowichan Lake Recreation re: Extension of Liquor Primary Liquor License for Lake Days, Regatta and New Year's Eve 2008 was considered:

**(08-331)** **It was moved and seconded:**

- 1. That the extension of the liquor primary liquor license #163104 – Curling Club to cover the Annual Lake Days Dance of the arena dry floor on Saturday, June 7, 2008 be approved.**
- 2. That the CVRD Board recommends the extension of the liquor primary liquor license #300537 – Youbou Community Bowling Alley to cover the following two annual events in the Youbou Community mail hall:**
  - Youbou Regatta Adult Dance, Saturday, August 9, 2008 from 9 p.m. to 1 a.m.**
  - Youbou New Year's Eve Adult Dance, Wednesday, December 31, 2008 from 9 p.m. to 2 a.m.**
- 3. That the CVRD Board of Directors has considered the following as required by LCLB Licensing:**
  - The potential for noise if the application is approved,**
  - The impact on the community if the application is approved,**
  - Whether the extension will result in the establishment being operated in a manner that is contrary to its primary purpose,**
  - The views of the residents.**

**and makes the following comments:**

- These events involve the residents of the community**

- through participation and volunteer activities;
- The establishment will still be operating under a liquor primary liquor license for the purpose of these three events if the application is approved.

**MOTION CARRIED**

**SR4** Staff Report dated May 7, 2008 from Parks Manager re: Kinsol Trestle Restoration Feasibility Phase II Study was considered:

**(08-332)** It was moved and seconded that budget allocation from the existing 2008 Regional Parks budget for the Kinsol Trestle Restoration Feasibility Phase II Study be increased to \$60,000 and combined with a contribution of \$100,000 from the Ministry of Transportation to complete the \$160,000 expanded Phase II scope of work and that a revised contract be issued to Commonwealth Historic Resource Management to undertake this work as per their proposal dated May 6, 2008.

**MOTION CARRIED**

**SR5** Staff Report dated May 6, 2008 from Deputy Manager, Development Services re: Application No. 2-F-07DVP (Burden/Charles) was considered as information.

**BYLAWS**

**B1** It was moved and seconded that "CVRD Bylaw No. 2988 –  
**(08-333)** Arbutus Mountain Estates Sewer System Service Establishment Bylaw, 2007" be adopted.

**MOTION CARRIED**

**B2** It was moved and seconded that "CVRD Bylaw No. 2996 – Fern  
**(08-334)** Ridge Water System Management Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B2** It was moved and seconded that "CVRD Bylaw No. 2996 – Fern  
**(08-335)** Ridge Water System Management Bylaw, 2008" be adopted.

**MOTION CARRIED**

**B3** It was moved and seconded that "CVRD Bylaw No. 2997 –  
**(08-336)** Arbutus Mountain Estates Sewer System Management Bylaw,

**2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B3  
(08-337)                    It was moved and seconded that "CVRD Bylaw No. 2997 –  
Arbutus Mountain Estates Sewer System Management Bylaw,  
2008" be adopted.**

**MOTION CARRIED**

**B4  
(08-338)                    It was moved and seconded that "CVRD Bylaw No. 3078 – Lanes  
Road Drainage System Service Establishment Bylaw, 2008" be  
adopted.**

**MOTION CARRIED**

**B5  
(08-339)                    It was moved and seconded that "CVRD Bylaw No. 3107 –  
Arbutus Mountain Estates Sewer System Service Parcel Tax Roll  
Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B5  
(08-340)                    It was moved and seconded that "CVRD Bylaw No. 3107 –  
Arbutus Mountain Estates Sewer System Service Parcel Tax Roll  
Bylaw, 2008" be adopted.**

**MOTION CARRIED**

**B6  
(08-341)                    It was moved and seconded that "CVRD Bylaw No. 3108 –  
Arbutus Mountain Estates Sewer System Capital Reserve Fund  
Establishment Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B6  
(08-342)                    It was moved and seconded that "CVRD Bylaw No. 3108 –  
Arbutus Mountain Estates Sewer System Capital Reserve Fund  
Establishment Bylaw, 2008" be adopted.**

**MOTION CARRIED**

**B7  
(08-343)                    It was moved and seconded that "CVRD Bylaw No. 3109 –  
Shawnigan Beach Estates Sewer System Reserve Fund  
Expenditure Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B7  
(08-344)** It was moved and seconded that "CVRD Bylaw No. 3109 – Shawnigan Beach Estates Sewer System Reserve Fund Expenditure Bylaw, 2008" be adopted.

**MOTION CARRIED**

**B8  
(08-345)** It was moved and seconded that "CVRD Bylaw No. 3110 – Eagle Heights Sewer System Capital Reserve Fund Expenditure Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B8  
(08-346)** It was moved and seconded that "CVRD Bylaw No. 3110 – Eagle Heights Sewer System Capital Reserve Fund Expenditure Bylaw, 2008" be adopted.

**MOTION CARRIED**

**B9  
(08-347)** It was moved and seconded that "CVRD Bylaw No. 3111 – Satellite Park Water System Capital Reserve Fund Expenditure Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B9  
(08-348)** It was moved and seconded that "CVRD Bylaw No. 3111 – Satellite Park Water System Capital Reserve Fund Expenditure Bylaw, 2008" be adopted.

**MOTION CARRIED**

**B10  
(08-349)** It was moved and seconded that "CVRD Bylaw No. 3112 – Honeymoon Bay Water System Reserve Fund Expenditure Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B10  
(08-350)** It was moved and seconded that "CVRD Bylaw No. 3112 – Honeymoon Bay Water System Reserve Fund Expenditure Bylaw, 2008" be adopted.

**MOTION CARRIED**

**B11  
(08-351)** It was moved and seconded that "CVRD Bylaw No. 3113 – Lanes Road Drainage System Capital Reserve Fund Establishment Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B11  
(08-352)** It was moved and seconded that "CVRD Bylaw No. 3113 – Lanes Road Drainage System Capital Reserve Fund Establishment

**Bylaw, 2008" be adopted.**

**MOTION CARRIED**

**B12  
(08-353)** It was moved and seconded that "CVRD Bylaw No. 3115 – Shawnigan Lake East Drainage System Service Establishment Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

The Board agreed by consensus to vary the order of the agenda.

**B24  
(08-354)** It was moved and seconded that "CVRD Bylaw No. 2971 – North Oyster Fire Hall Debt Repayment Service Establishment Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B25  
(08-355)** It was moved and seconded that "CVRD Bylaw No. 2972 – North Oyster Fire Hall Construction Loan Authorization Bylaw, 2008" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B13  
(08-356)** It was moved and seconded that "CVRD Bylaw No. 3020 – Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Forestry Lot Size), 2007" be adopted.

**MOTION CARRIED**

**B14  
(2008-357)** It was moved and seconded that "CVRD Bylaw No. 3021 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (F-1 Lot Size), 2007" be adopted.

**MOTION CARRIED**

**B15  
(08-358)** It was moved and seconded that "CVRD Bylaw No. 3024 – Area C – Cobble Hill Official Community Plan Amendment Bylaw (Motherwell), 2007" be adopted.

**MOTION CARRIED**

**B16  
(08-359)** It was moved and seconded that "CVRD Bylaw No. 3028 – Area C – Cobble Hill Zoning Amendment Bylaw (Motherwell), 2007" be adopted.

**MOTION CARRIED**

**B17  
(08-360)** It was moved and seconded that "CVRD Bylaw No. 3074 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (School Sites), 2008" be adopted.

**MOTION CARRIED**

**B18  
(08-361)** It was moved and seconded that "CVRD Bylaw No. 3075 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Civic Use Definition), 2008" be adopted.

**MOTION CARRIED**

**B19  
(08-362)** It was moved and seconded that "CVRD Bylaw No. 3117 – Area B – Shawnigan Lake Official Community Plan Amendment Bylaw (Tim McCooley), 2008" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B20  
(08-363)** It was moved and seconded that "CVRD Bylaw No. 3118 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Tim McCooley), 2008" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B21  
(08-364)** It was moved and seconded that "CVRD Bylaw No. 3119 – Area C – Cobble Hill Official Community Plan Amendment Bylaw (C. Little/TCH Screening Guidelines), 2008" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B22  
(08-365)** It was moved and seconded that "CVRD Bylaw No. 3120 – Area C – Cobble Hill Zoning Amendment Bylaw (C. Little), 2008" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**B23  
(08-366)** It was moved and seconded that "CVRD Bylaw No. 3121 – Area B – Shawnigan Lake – Zoning Amendment Bylaw (Perrett), 2008" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

## **RESOLUTIONS**

**RES1  
(08-367)** It was moved and seconded that the following appointments to the Electoral Area I – Youbou/Meade Creek Parks Commission be approved:

*Appointed for a term to expire December 31, 2009:*

**Wayne Palliser**

*Appointed for a term to expire December 31, 2008:*

**Sheny Gregory**

**Chris Hess**

**MOTION CARRIED**

**RES2  
(08-368)**

**It was moved and seconded that the following appointment to the Electoral Area E – Cowichan Station/Sahtlam/Glenora Parks and Recreation Commission be approved:**

*Appointed for a term to expire November 30, 2008:*

**Jim Marsh**

**MOTION CARRIED**

**RES3  
(08-369)**

**It was moved and seconded that the following appointment to the Electoral Area C – Cobble Hill Parks and Recreation Commission be approved:**

*Appointed for a term to expire December 31, 2008:*

**Richard Shaw**

**MOTION CARRIED**

**RES4  
(08-370)**

**It was moved and seconded that the following appointment to the North Oyster Volunteer Fire Department Commission be approved:**

**Appointed for a term to expire November 30, 2008:**

**Grant Keefer**

**MOTION CARRIED**

**RES5  
(08-371)**

**It was moved and seconded that the following appointments to the CVRD Board of Variance be approved:**

**Appointed for a term to expire April 30, 2011:**

**Tom Earl**

**Kashmir Dasanjh**

**MOTION CARRIED**

**UNFINISHED  
BUSINESS**

No unfinished business

**NOTICE OF  
MOTION**

No notice of motion

**NEW BUSINESS**

**NB1**

Director Cossey requested that the Board provide a letter of support for the BC Bike Race on June 28<sup>th</sup> and request that the event occur annually in the Cowichan Valley.

**(08-372)**

**It was moved and seconded that the Board Chair write a letter in support of the BC Bike Race on June 28<sup>th</sup> and request that the event occur annually in the Cowichan Valley.**

**MOTION CARRIED**

**RESOLVE  
INTO  
CLOSED  
SESSION**

**(08-373)**

**8:26 p.m.**

**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, Subsections (1) (e), (2) (b) and (1) (c).**

**MOTION CARRIED**

**RISE FROM  
CLOSED  
SESSION**

**(08-378)**

**9:35 p.m.**

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

**MOTION CARRIED**

**ADJOURNMENT**

**(08-379)**

**9:35 p.m.**

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

**MOTION CARRIED**

The meeting adjourned at 9:35 p.m.

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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