



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DATE: Thursday, September 21, 2017

**TIME: REGULAR SESSION
1:30 PM**

PLACE: BOARD ROOM

175 INGRAM STREET

**Joe Barry
Corporate Secretary**



REGULAR BOARD MEETING AGENDA
THURSDAY, SEPTEMBER 21, 2017
1:30 PM - CVRD BOARD ROOM

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1.	<u>APPROVAL OF AGENDA</u>	
2.	<u>ADOPTION OF MINUTES</u>	
M1	Regular Board Meeting of September 13, 2017	1
	Recommendation That the minutes of the Regular Board meeting of September 13, 2017 be adopted.	
3.	<u>BUSINESS ARISING FROM THE MINUTES</u>	
4.	<u>DELEGATIONS</u>	
5.	<u>REPORT OF THE CHAIRPERSON</u>	
6.	<u>CORRESPONDENCE</u>	
7.	<u>INFORMATION</u>	
8.	<u>COMMITTEE/COMMISSION REPORTS</u>	
CR1	Report and Recommendations of the Electoral Area Services Committee Meeting of September 20, 2017 - Director Morrison	To Be Distributed
CR2	Report and Recommendations of the Regional Services Committee meeting of September 21, 2017 - Director Stone	To Be Distributed
9.	<u>DIRECTOR REPORTS</u>	
10.	<u>STAFF REPORTS</u>	
11.	<u>PUBLIC HEARINGS</u>	
12.	<u>BYLAWS</u>	
13.	<u>BYLAWS - ELECTORAL AREA DIRECTORS</u>	

BEA1 "CVRD Bylaw No. 4109 - Electoral Area D - Cowichan Bay Zoning Amendment Bylaw (Whippletree), 2017", be adopted. 9

14. RESOLUTIONS

15. UNFINISHED BUSINESS

16. NOTICE OF MOTION

17. NEW BUSINESS

NB1 "CVRD Bylaw No. 4150 - Bings Creek Solid Waste Management Complex Reserve Fund Expenditure (Meade Creek Skidsteer Replacement - \$70,000) Bylaw, 2017", be granted 1st, 2nd, and 3rd reading. 13

"CVRD Bylaw No. 4150 - Bings Creek Solid Waste Management Complex Reserve Fund Expenditure (Meade Creek Skidsteer Replacement - \$70,000) Bylaw, 2017", be adopted.

18. QUESTION PERIOD

19. CLOSED SESSION

Motion that the Closed Session Agenda be approved, and that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

CS M1 - Closed Session Minutes of August 23, 2017

CS CR1 - Closed Session Report and Recommendation of the Closed Session Cowichan 2018 BC Summer Games Nominating Subcommittee

- 1. Appointment {Sub (1)(a)}

CS UB1 - From the July 12, 2017 Closed Session Board Meeting

- 1. Land Disposal {Sub (1)(e)}

20. ADJOURNMENT

The next Regular Board meeting will be held Wednesday, October 11, 2017 at 6:30 PM, in the Board Room, 175 Ingram Street, Duncan, BC.

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, September 13, 2017 at 6:30 PM.

PRESENT Chair J. Lefebure
Director S. Acton
Director M. Clement <until 7:10 PM>
Director B. Day
Director K. Davis
Director M. Dorey
Director L. Iannidinardo
Director K. Kuhn
Director M. Marcotte
Director K. Marsh
Director I. Morrison
Director A. Nicholson
Director A. Stone
Alternate Director A. Siebring
Alternate Director P. Kent

ALSO PRESENT B. Carruthers, Chief Administrative Officer
J. Barry, Corporate Secretary
R. Conway, Manager, Development Services
S. Carlow, Legislative Assistant

ABSENT Director S. Jackson
Director T. Walker

APPROVAL OF AGENDA

17-374 It was moved and seconded that the agenda be amended with the addition of one New Business item:

NB1 Email and Correspondence from Alice Cheung, Regional Manager, Oceans Program, Ecosystems Management Branch, Fisheries and Oceans Canada Re: Appointment of Cowichan Valley Regional District Representative to the Offshore Pacific Area of Interest Advisory Committee; and

that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Board Meeting of August 23, 2017

17-375 It was moved and seconded that the minutes of the Regular Board meeting of August 23, 2017 be adopted.

MOTION CARRIED

REPORT OF THE CHAIRPERSON

RC1 The Chair invited Director Morrison to comment on a matter. Director Morrison advised he has been notified by Honeymoon Bay Fire Chief Raymond Wear that Brian Peters, Retired Deputy Chief, and previous member of local Parks and Advisory Planning Commissions, has passed away. There will be a service on Saturday, September 23, 2017 at the Honeymoon Bay Community Hall.

COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendations of the Corporate Services Committee meeting of August 9, 2017

17-376 It was moved and seconded that the Regular Part-Time Parks Operations Labour position within the Parks and Trails Division be converted to a regular full-time position.

MOTION CARRIED

CR2 Report and Recommendations of the Electoral Area Services Committee Meeting of September 6, 2017

17-377 It was moved and seconded:

1. That a Grant-in-Aid, Electoral Area G - Saltair/Gulf Islands, in the amount of \$344.74 be provided to Thetis Island Parents Association to support the purchase of a purple air sensor.
2. That the Building Compliance Policy – Required Professional Surveys attached to the Inspection & Enforcement Division’s August 24, 2017 Staff Report be approved.
3. That the Bylaw Enforcement and Compliance Policy attached to the Inspection & Enforcement Division’s August 25, 2017 Staff Report be approved.
4.
 1. That the Community Works Funds be allocated to the electoral area projects (No.1 to 3 & 6 to 13) as identified in Table 1.0 and is attached to the Engineering Services Department report dated August 15, 2017 with the exception of project No. 6 which will be reduced to \$151,334, for consideration in the 2018 budget.
 2. That the Community Works Funds be allocated to the Electoral Area B Shawnigan Lake projects No. 4 & 5, as identified in Table 1.0 for the 2017 budget as attached to the Engineering

Services Department report dated August 15, 2017 for the 2017 budget, thus requiring an amendment to the 2017 Five Year Financial Plan Bylaw.

3. That the Community Works Funds be allocated to the Electoral Area C Cobble Hill project - Geo Thermal Loop phase 2 for the amount of \$10,000 for the 2017 budget, and that the 2017 Five Year Financial Plan Bylaw be amended accordingly.
5.
 1. That the Certificate of Sufficiency confirming that sufficient petitions authorizing a boundary reduction and borrowing up to \$251,226 for capital improvements to the Mesachie Lake Sewer System Service Area, be received.
 2. That a Loan Authorization bylaw be established for the purpose of borrowing up to \$251,226 for capital improvements to the Mesachie Lake Sewer System Service.
 3. That "Mesachie Lake Sewerage Special Service Area Bylaw No 15", be amended to reduce the boundary to accurately reflect properties that are connected and to change the name from Mesachie Lake Sewerage Special Service Area to Mesachie Lake Sewer System Service Area.
 4. That the Mesachie Lake Sewer System Service Loan Authorization Bylaw and the Mesachie Lake Sewer System Service Area Amendment Bylaw be forwarded to the Board for consideration of three readings and, following provincial approval, adoption.
6. That a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$400.00 be provided to Cowichan Bay Seniors & Community Association / Cowichan Bay Wooden Boat Society to provide support for their “publicity plan”.
7. That the Saltair Community Society be permitted to install a new furnace in the Saltair Community Centre at their own cost.

MOTION CARRIED

17-378

It was moved and seconded:

8. That Development Variance Permit Application No. 01-I-17DP/VAR (8852 Meades Creek Road) be approved:
 1. Section 5.12(4) of Zoning Bylaw No. 2465 is varied from 7.5 metres to 3.5 metres for the front parcel line setback, and from 3.0 metres to 1.9 metres for the side interior parcel line setback.
 2. Section 5.12(5) of Zoning Bylaw No. 2465 is varied by increasing the maximum permitted height of an accessory building from 6 metres to 8.5 metres.
9.
 1. That the Seasonal Cabins Policy attached to the Inspection & Enforcement Division’s August 23, 2017 Staff Report be approved; and

2. That the July 8, 2009 Seasonal Cabins Policy be rescinded.

MOTION CARRIED

CR3 Report and Recommendations of the Corporate Services Committee meeting of September 13, 2017

17-379 It was moved and seconded:

- 1. That the Procurement Policy attached to the August 28, 2017 Corporate Services Department Staff Report be approved; and that the previous Purchasing Policy be repealed.**
- 2. That the Car Allowance for Elected Officials Policy attached to the August 31, 2017 Corporate Services Department Staff Report be approved; and that previous versions of the Car Allowance for Elected Officials Policy be repealed.**
- 3. That an amendment to Board Procedures Bylaw No. 2889 be prepared incorporating a public input period to the order of proceedings and business on the agenda.**
- 4. That an amendment to Committee and Commissions Procedures Bylaw No. 2922 be prepared incorporating a public input period to the order of proceedings and business on agendas for meetings that are comprised of 50% or greater of elected officials.**
- 5. That a Public Input Procedure Policy be prepared based on the conditions identified in the September 1, 2017 staff report from the Legislative Services Division.**

MOTION CARRIED

17-380 It was moved and seconded that the Conference/Seminars For Elected Officials Policy, attached to the September 13, 2017 Corporate Services Committee Report, be amended by:

- 1. Adding the word “annually” after the word “seminars” in the third paragraph;**
- 2. Adding the words “equal to or” after the word “cost” in the fourth paragraph; and**

that the policy, as amended, be approved.

Opposed: Directors Kent and Siebring

MOTION CARRIED

CR4 Report and Recommendations of the Transit Committee meeting of September 13, 2017

17-381 It was moved and seconded:

- 1. That an amendment to the 2017 function 106 (Commuter) budget to include \$30,000 in Provincial grant funding and to increase the**

bus stop maintenance expense account by \$30,000, be approved.

2. That a letter be sent to the Passenger Transportation Board of British Columbia in response to the Tofino Bus Service Incorporated's application number 233-17 specific to route 2, advising that the Cowichan Valley Regional District supports the application and requests the applicant to respond to the questions outlined in the response letter dated September 14, 2017.

MOTION CARRIED

STAFF REPORTS

SR1 Staff Report from the Recycling & Waste Management Division Re: Meade Creek Skidsteer Emergency Replacement

17-382 It was moved and seconded:

1. That the 2017 solid waste management budget (Function 520) be amended to include a capital purchase of \$70,000 for a replacement skidsteer at Meade Creek, funded by transfer from the capital reserve.
2. That a Capital Reserve Fund Expenditure Bylaw be prepared authorizing the expenditure of up to \$70,000 from "Solid Waste Management Facilities Reserve Fund Establishment Bylaw No. 2043, 1999", for the purpose of purchasing a replacement skidsteer for the Meade Creek Recycling Centre.

Director Siebring was absent for the vote.

MOTION CARRIED

BYLAWS

B1 It was moved and seconded that "CVRD Bylaw No. 4136 - Arbutus Mountain Estates Water System Management Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading.

Director Siebring was absent for the vote.

MOTION CARRIED

B1 It was moved and seconded that "CVRD Bylaw No. 4136 - Arbutus Mountain Estates Water System Management Amendment Bylaw, 2017" be adopted.

Director Siebring was absent for the vote.

MOTION CARRIED

**B2
17-385** It was moved and seconded that "CVRD Bylaw No. 4137 - Arbutus Mountain Estates Sewer System Management Amendment Bylaw, 2017" be granted 1st, 2nd and 3rd reading.

Director Siebring was absent for the vote.

MOTION CARRIED

**B2
17-386** It was moved and seconded that "CVRD Bylaw No. 4137 - Arbutus Mountain Estates Sewer System Management Amendment Bylaw, 2017", be adopted.

Director Siebring was absent for the vote.

MOTION CARRIED

**B3
17-387** It was moved and seconded that "CVRD Bylaw No. 4138 - Honeymoon Bay Water System Management Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading.

Director Siebring was absent for the vote.

MOTION CARRIED

**B3
17-388** It was moved and seconded that "CVRD Bylaw No. 4138 - Honeymoon Bay Water System Management Amendment Bylaw, 2017", be adopted.

Director Siebring was absent for the vote.

MOTION CARRIED

**B4
17-389** It was moved and seconded that "CVRD Bylaw No. 4144 - Cowichan Bay System Service Amendment Bylaw (004-490-227), 2017", be granted 1st, 2nd and 3rd reading.

Director Siebring was absent for the vote.

MOTION CARRIED

**B5
17-390** It was moved and seconded that "CVRD Bylaw No. 4146 - Arbutus Ridge Sewer System Service Loan Authorization (\$2,475,000) Bylaw, 2017", be granted 1st, 2nd and 3rd reading.

Director Siebring was absent for the vote.

MOTION CARRIED

NEW BUSINESS

NB1 Email and Correspondence from Alice Cheung, Regional Manager, Oceans Program, Ecosystems Management Branch, Fisheries and Oceans Canada Re: Appointment of Cowichan Valley Regional District Representative to the Offshore Pacific Area of Interest Advisory Committee

7:10 PM Director Clement left the meeting at 7:10 PM.

17-391 It was moved and seconded that the Chair contact Fisheries and Oceans Canada and request a representative seat for the Cowichan Valley Regional District on the Offshore Pacific Area of Interest Advisory Committee.

MOTION CARRIED

ADJOURNMENT

17-392 It was moved and seconded that the meeting be adjourned.
7:18 PM

MOTION CARRIED

The meeting adjourned at 7:18 PM.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4109

A Bylaw for the Purpose of Amending Zoning Bylaw No. 3705 Applicable to Electoral Area D – Cowichan Bay (Uplands)

WHEREAS the *Local Government Act*, hereafter referred to as the "Act", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area D – Cowichan Bay that being Zoning Bylaw No. 3705;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 3705;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4109 – Electoral Area D – Cowichan Bay Zoning Amendment Bylaw (Whippletree), 2017**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 3705, as amended from time to time, is hereby amended in the following manner:

- a) Part 7.0 is amended by adding a new Section 7.2 C-2A (Rural Commercial 2A Zone) and re-numbering subsequent sections.

7.2 C-2A – Rural Commercial 2A Zone

Subject to compliance with **Part 2** of this Bylaw, the following regulations apply in the C-2A Zone:

1. Permitted Uses

The following principal uses and no others are permitted:

- a) Agricultural and horticultural supply sales;
- b) Artist studio;
- c) Auction;
- d) Bakery;
- e) Building supply sales;

.../2

- f) Café;
- g) Catering service;
- h) Commercial recreation and entertainment;
- i) Distillery, brewery;
- j) Equipment repair;
- k) Financial institution;
- l) Food processing;
- m) Health studio;
- n) Market;
- o) Office;
- p) Personal service;
- q) Printing and publishing;
- r) Repair services;
- s) Restaurant;
- t) Retail sales;
- u) Veterinary services; and
- v) Wholesale sales.

The following accessory uses and no others are permitted:

- w) Dwelling; and
- x) Exterior storage.

2. Density

- a) Two dwellings per parcel accessory to a principal permitted use for parcels not served by a community water system; and
- b) One dwelling per 0.4 ha accessory to a principal permitted use for parcels served by a community water system.

3. Subdivision Regulation

The minimum parcel area for the purpose of subdivision is:

- a) 0.4 ha for parcels served by a community water system; and
- b) 2 ha for parcels not served by both a community water system and a community sewer system.

4. Development Regulations

- a) Impervious surface coverage shall not exceed 60%;
- b) Parcel coverage shall not exceed 50%;
- c) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

- d) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. Special Regulations

- a) All parcels less than 1 ha in area are required to be serviced by community water services; and
- b) Exterior storage is limited to 10% of the total gross floor area of the parcel.

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b) That Schedule B (Zoning Map) to Electoral Area D – Cowichan Bay Zoning Bylaw No. 3705 is further amended by rezoning Lot 1, Section 6, Range 2, Cowichan District, Plan 9697 Except Part in Plan 2844 RW; and Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, Except Part in Plan 29764, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-4109, from C-2 (Rural Commercial 2) to C-2A (Rural Commercial 2A).

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this 10th day of May, 2017.

READ A SECOND TIME this 10th day of May, 2017.

READ A THIRD TIME this 9th day of August, 2017.

ADOPTED this _____ day of _____, 2017.

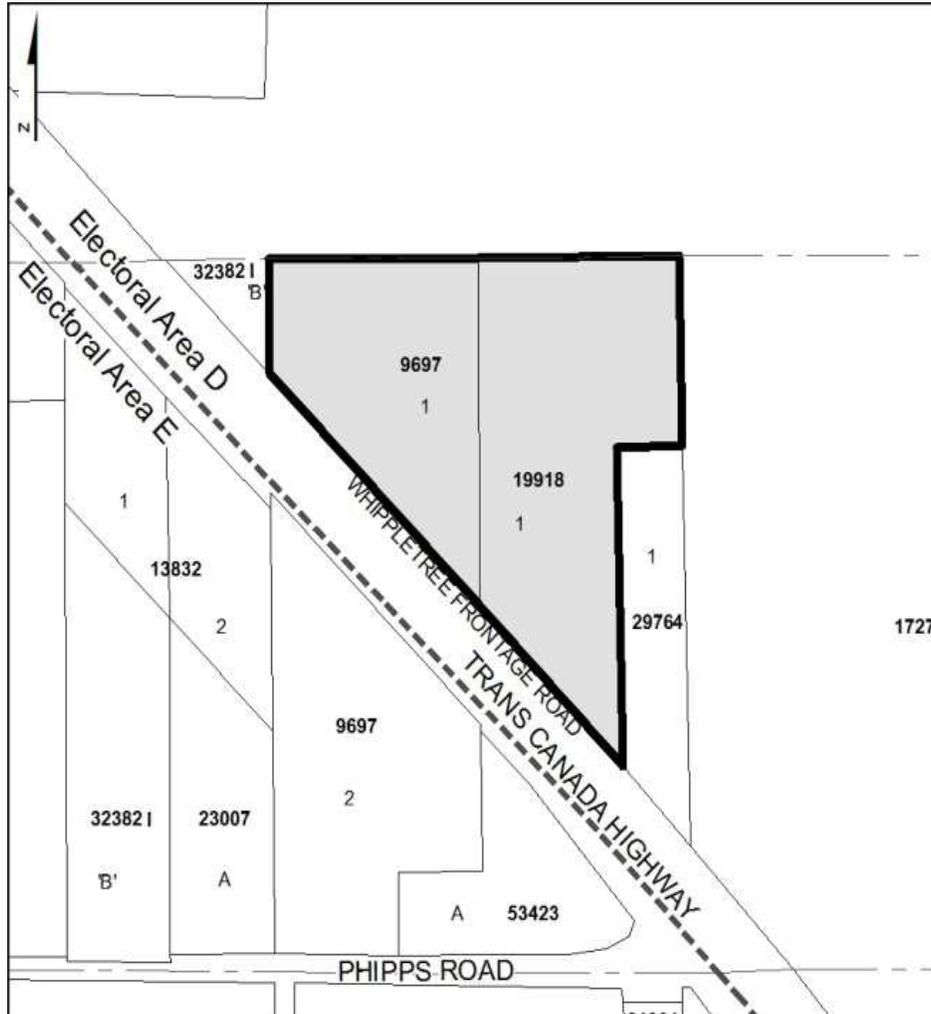
Chairperson

Corporate Secretary

PLAN NO. Z-4109

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. OF THE COWICHAN VALLEY REGIONAL DISTRICT

4109



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

C-2 (Rural Commercial 2) TO

C-2A (Rural Commercial 2A) APPLICABLE

TO ELECTORAL AREA D



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4150

A Bylaw Authorizing the Expenditure of Funds from the
Bings Creek Solid Waste Management Complex Reserve Fund
 Established Pursuant to CVRD Bylaw No. 2043

WHEREAS as of August 31, 2017, there is an unappropriated balance in the *Bings Creek Solid Waste Management Complex Reserve Fund* of One Hundred and Eleven Thousand Nine Hundred and Sixty-One Dollars (\$111,961) that has been calculated as follows:

BALANCE in Reserve Fund as at December 31, 2016:	\$335,178
ADD: Additions to the fund; Including interest earned for the current year to date.	<u>\$1,783</u>
DEDUCT: Commitments outstanding under bylaws previously adopted.	\$225,00
UNCOMMITTED BALANCE In Reserve Fund as at August 31, 2017:	<u>\$111,961.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than Seventy Thousand Dollars (\$70,000) of the said balance for the purpose of purchasing a replacement skidsteer for the Meade Creek Recycling Centre;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 4150 – Bings Creek Solid Waste Management Complex Reserve Fund Expenditure (Meade Creek Skidsteer Replacement - \$70,000) Bylaw, 2017**".

2. **SUM TO BE APPROPRIATED**

- a) An amount not exceeding the sum of Seventy Thousand Dollars (\$70,000) is hereby appropriated from the *Bings Creek Solid Waste Management Complex Reserve Fund* for the purpose of purchasing a replacement skidsteer for the Meade Creek Recycling Centre.

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b) The expenditure to be carried out by the monies hereby appropriated shall be as specified by Board Resolution No. 17-382-2.

3. **SUMS REMAINING**

Should any of the said sum of Seventy Thousand Dollars (\$70,000), remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

READ A FIRST TIME this _____ day of _____, 2017.

READ A SECOND TIME this _____ day of _____, 2017.

READ A THIRD TIME this _____ day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary