

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, July 13, 2011 at 6:00 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
B. Harrison, L. Iannidinardo, P. Kent, K. Kuhn,
M. Marcotte, T. McGonigle,
I. Morrison, G. Seymour, T. Walker
and Alternate Directors D. Paterson and R. Hartmann

ALSO PRESENT: Warren Jones, Chief Administrative Officer
Joe Barry, Corporate Secretary
Mike Tippet, Manager, Community & Regional Planning
Brian Farquhar, Manager, Parks & Trails
Dan Brown, Parks & Trails Technician

ABSENT: Directors R. Hutchins and D. Haywood

APPROVAL OF AGENDA

11-342

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

**NB1 Director's Report – Electoral Area G – Saltair/Gulf Islands
Re: Proposed Rogers Cellular Tower in Saltair**

**NB2 Director's Report – Electoral Area A – Mill Bay/Malahat
Re: Mill Bay/Malahat Historical Society**

**NB3 Director's Report – Electoral Area I – Youbou/Meade Creek
Re: Protection of British Columbia Lakes and Rivers**

**NB4 Director's Report – Electoral Area H – North Oyster/Diamond
Re: North Oyster Fire Hall**

**NB5 Parks Committee – Director Dorey
Report and Recommendations of Meeting of July 13, 2011**

CSNB1 Land Acquisition {Sub (1) (e)}

CSNB2 Land Acquisition {Sub (1) (e)}

CSNB3 Land Acquisition {Sub (1) (e)};

and move SR1 and NB1 to follow Adoption of Minutes and move consideration of B18 to after B15;

and that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

11-343 It was moved and seconded that the minutes of the June 8, 2011 Special Board meeting be adopted.

MOTION CARRIED

11-344 It was moved and seconded that the minutes of the June 22, 2011 Special Board meeting be adopted.

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

There was no business arising.

STAFF REPORTS

SR1 The Staff Report from the Manager, Parks & Trails Division dated July 13, 2011 re: Cowichan Valley Trail Initiative and Historic Kinsol Trestle Rehabilitation was considered for information.

Brian Farquhar and Dan Brown presented a PowerPoint overview of the Cowichan Valley Trail and Kinsol Trestle projects.

NEW BUSINESS

NB1 The Director's Report – Electoral Area G – Saltair/Gulf Islands dated July 13, 2011 re: Proposed Rogers Cellular Tower in Saltair was considered.

It was moved and seconded that the CVRD write a letter to Rogers Communication, Standard Land Company and Industry Canada stating that the Board does not concur that 10638 Olsen Road in Saltair is a good site for a cell tower.

Director Dorey indicated that he would like Edna Whitamire to speak to the Board on behalf of the Saltair residents.

11-345 It was moved and seconded to refer voting on the motion until after the Speaker.

MOTION CARRIED

11-346 It was moved and seconded to allow Edna Whitamire to speak for four minutes.

MOTION CARRIED

11-347 It was moved and seconded that the Speaker's time be extended by two minutes.

MOTION CARRIED

11-348 **VOTING RESUMED ON THE ORIGINAL MOTION**

Motion restated for clarification:

It was moved and seconded that the CVRD write a letter to Rogers Communication, Standard Land Company and Industry Canada stating that the Board does not concur that 10638 Olsen Road in Saltair is a good site for a cell tower.

MOTION CARRIED

REPORT OF THE CHAIRPERSON

RC1 The Chair reported that the United Way is looking for volunteers for its fund raising Dunk Tank.

RC2 The Chair advised that Director Kuhn, Warren Jones and Jacob Ellis had met with Steve Thompson to discuss private managed forest lands.

COMMITTEE REPORTS

CR1 The report and recommendations of the Electoral Area Services Committee meeting of July 5, 2011 listing 14 items were considered.

11-349 It was moved and seconded:

1. That staff be directed to prepare covenants or development agreements to mitigate the environmental and public health and safety impacts associated with subdividing and developing the properties, proposed to be brought into the Lambourn Estates Sewer System, including:

- Lot 3, Section 4, Range 6, Cowichan District;
- Lot B, Section 5, Range 6, Cowichan District;
- Lot 1, Section 4, Range 7, Cowichan District;
- Lot 7, Section 4, Range 6, Cowichan District; and
- Lot 1, Section 5, Range 6, Cowichan District;

and that such covenants be referenced as conditions of approval of the respective servicing agreements to be established between the CVRD and owners of these properties.

2. 1) That the Cowichan Valley Starfinders Astronomy Club be permitted to pre-book for the next four (4) years in advance one (1) weekend per year at Bright Angel Park for their annual Star Party fundraising event which does not conflict with any other annual special events in the Park;
- 2) That the request for a booking fee waiver for the ball field and upper picnic shelter not be endorsed for this annual event;
- 3) Furthermore that the booking permit include overnight stays by registered Club member astronomers during the event.
3. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents related to granting an Interim License of Use and Occupation renewal for up to two years to Scout Properties (BC/Yukon) Ltd. for the scout camp located in CVRD's Bald Mountain Community Park in Electoral Area I.

4. That a letter be sent to the Ministry of Transportation & Infrastructure bringing their attention to the dangerous intersection at Handy Road in Mill Bay.
5. That BC Hydro representatives be invited to appear before the Regional Board with regard to the installation of smart meters and how it may pertain to serious health concerns in the CVRD and further that prior to that meeting occurring no smart meters be installed in the CVRD.
7. That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, be given to Caycuse Volunteer Firefighters Association, in the amount of \$3,500.00 to assist with equipment repair and associated expenses.

MOTION CARRIED

11-350

(Amended from original Committee recommendation):

It was moved and seconded:

6. That the UBCM be requested to hold a seminar/clinic with regard to the installation of smart meters.

MOTION CARRIED

7:10 pm

Director Marcotte declared a potential conflict of interest as she is a member of the North Oyster Community Hall society and left the Board Room at 7:10 pm.

11-351

It was moved and seconded:

8. That the subdivision application fee be waived for the North Oyster Community Hall.

MOTION CARRIED

7:11 pm

Director Marcotte returned to the Board Room at 7:11 pm.

11-352

It was moved and seconded:

9. That Application No. 6-A-10DP/RAR submitted by Mark Wyatt on behalf of Ocean Terrace Properties for subdivision for 203 residential lots, 3 multi-family designated areas, one mixed multi-family and commercial area, a lot dedicated for a school site, and designation of an area for subsequent strata subdivision (future 71 lots) on That Part of District Lot 77, Malahat District, Lying to the South of the South Boundaries of Parcel C (DD 43694¹) and Parcel D (DD 33154¹) of Said Lot and Except Those Parts in Plans 518RW, 50504 and VIP86314 (PID: 009-346-554), Parcel C (DD 43694¹) of District Lot 77, Malahat District (PID:009-346-511), Parcel D (DD33154¹) of District Lot 77, Malahat District (PID:009-346-520) be approved subject to:
 - a) Widening the highway buffer to a minimum 20 metres;
 - b) Connecting Roads E and F by a road connection to provide for a secondary access from Road F, in consultation with the Ministry of Transportation and Infrastructure;

- c) Rainwater management system to provide for on-site infiltration galleries on each single family lot;
- d) Sediment erosion and control plan be developed and implemented during construction to ensure runoff waters do not contribute sediment to any fish or amphibian-bearing streams and that the plan be provided to CVRD prior to each phase;
- e) Receipt of a tree assessment and retention plan prior to tree clearing in future phases in order to identify patches of trees/wildlife corridors that can be kept, and provide recommendations for mitigation from wind throw within park areas;
- f) Areas of natural forest be allowed to remain on residential lots, and building footprints located in a sensitive manner;
- g) Phasing to be generally in compliance with the June 9, 2011 Phasing Plan;
- h) Trails and emergency access connections to be constructed to CVRD standards;
- i) The single family lot on the northwest corner of central park be relocated and that this area be dedicated parkland;
- j) Implement a 7.5 m height restriction on the multi-family units between Sangster Road and the Trans Canada Highway;
- k) Provide a pre-emption light at the Butterfield Road and Trans Canada Highway intersection;
- l) A sprinkler system be installed, for safety purposes, in all the multi-family units;

And further that prior to issuance of the Development Permit:

- m) The site plan is revised in the manner noted above;
- n) A covenant be registered on title to secure the park dedication and park amenity commitments; and
- l) A covenant is registered on title that would assign density to the multi-family sites and secure other development permit requirements as necessary.

10. That Application No. 6-D-08DP/RAR submitted by Parhar Holdings for construction of the first phase of the Parhar Business Centre consisting of three buildings totalling approximately 4,200 m² on Lot 1, Section 13, Range 7, Quamichan District, Plan VIP88052 (PID: 028-237-765) be approved, subject to:

- a) Buildings constructed in accordance with the building elevations dated August 23, 2010;
- b) Installation of underground wiring;
- c) Oil/water separators be installed in the parking areas;

- d) Fencing along the Chaster Road frontage will be black or green chain link;
 - e) Submission of landscape construction drawings in accordance with the Phase 1 landscape plan dated February 2, 2011 prior to installation;
 - f) Landscaping installed in accordance with the plans dated February 2, 2011 to BCSLA standards, including an underground irrigation system;
 - g) Submission of a service area petition to enter into a service area for maintenance of the trees within the trail area;
 - h) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the February 2, 2011 Landscape Plan;
 - i) Confirmation from a landscape architect that landscaping has been installed in accordance with the approved plan. 50% of the landscaping security will be returned following successful installation of the landscaping and full construction of the pathway with the remaining 50% to be returned after successful completion of a 3 year maintenance period;
 - j) Refuse and recycling areas to be screened and contained within a solid fenced and gated compound(s);
 - k) Rainwater management system to be in accordance with Rainwater Management Plan dated December 01, 2010;
 - l) Any rooftop equipment will be screened;
 - m) Minimum 94 parking spaces required in Phase 1;
 - n) Sustainable building elements to include low water consumption plumbing fixtures and energy efficient windows and lighting;
 - o) Trail must be completed in consultation with the CVRD Parks and Recreation Department within 12 months of issuance of the development permit for Phase 1. If construction of the pathway is not complete to CVRD standards within this time frame, CVRD may draw on the landscape security funds to construct the pathway.
11. That Application No. 2-H-10DP/RAR submitted by Schon Timber Ltd. for subdivision of Lot A, District Lots 20 and 39G, Oyster District, Plan 49261 (PID: 014-945-291) be approved, subject to:
- a) Compliance with the recommendations of Riparian Areas Regulation Assessment No. 1844 which identifies a SPEA of 18.6 metres;
 - b) Landscaping installed in accordance with the proposed screening plan which includes installation of a new cypress hedge along a portion of the property and a new cedar fence;

- c) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the Proposed Screening Plan to be refunded after a successful one-year maintenance period;
 - d) Continued removal of hog fuel in the manner described in the applicant's proposal dated March 31, 2011.
12. That Development Permit Application No. 3-A-11DP be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for Phases 12 to 19 of Mill Springs, subsequent to the lands being serviced with Community Sewer as defined in Area A Zoning Bylaw No. 2000, and subject to the following conditions:
- a) All wiring to be installed underground;
 - b) Deloume Road West to be opened prior to subdivision of Phase 12;
 - c) Landscaping to be installed in the Phase 16 roadway median;
 - d) That the reserve field be dedicated to the CVRD at the time the sewer system is taken over by the CVRD.

MOTION CARRIED

7:14 pm

Director Cossey declared a potential conflict of interest due to his consideration of the issue from his employer's perspective. Director Cossey left the Board Room at 7:14 pm.

11-353

It was moved and seconded:

- 13.1. That second reading of OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511 (Bamberton Business Park/Industrial) be rescinded;
- 2. That Zoning Amendment Bylaw No. 3498, Schedule A map, be amended by adjusting the boundary of the I-3 Zone in accordance with the sketch prepared by Polaris Land Surveying;
- 3. That OCP Amendment Bylaw No. 3511 be amended by adding Figure 10A to include the same boundaries as Figure 2A in Bylaw 3497;
- 4. That the development permit sections of both OCP Amendment Bylaws 3497 and 3511 be amended by clarifying that only DP guidelines related to environmental protection, safety and the view protection from Saanich Inlet waters be applicable to areas that are zoned as I-2; and further
- 5. That OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511, as amended, be considered for second reading.

MOTION CARRIED

- 7:17 pm Director Cossey returned to the Board Room at 7:17 pm.
- Recommendation No. 14 no longer required as item NB1 dealt with the issue earlier in the meeting.
- CR2 The report and recommendations of the Engineering & Environmental Services Committee meeting of June 22, 2011 listing five items were considered.
- 7:17 pm Director Morrison left the Board Room at 7:17 pm.
- 11-354 It was moved and seconded:
1. That the Board authorize short-term borrowing for an amount not to exceed \$33,000 towards capital upgrades to the Shawnigan Beach Estates Sewer pump stations, to be paid back over five years, under the Liabilities Agreement Section 175 of the *Community Charter*.
 3. That the Board accept the Utility Transfer Agreement between the CVRD and CRC Canadian Retirement Corporation and The Owners, Strata Plan VIS1601 for CVRD takeover of the water, sewer and drainage systems for Arbutus Ridge in Electoral Area C, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
 4. 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Wilmot Road Drainage Service Area be received.
 2. That the boundaries of the Wilmot Road Drainage System area be amended to include "*PID 009-032-649, Parcel B (DD 47244I), Section 6, Range 4, Except parts in Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP 81664, Cowichan District and PID 005-167-841, Lot 1, Section 5, Range 4, Plan 10957 except that part of said lot shown outlined in red on plan 1659-R and parts in plans 15342, 16358, 18893 and VIP 81664*".
 3. That CVRD Bylaw 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011 be forwarded to the Board for consideration of 3 readings and adoption.
 5. That the Board receive the Brownfield Registry and associated maps for information purposes and that staff update the registry and associated database as additional information becomes available; and further, that the Brownfield Registry be provided to member municipalities for their information and tracking.
- MOTION CARRIED**
- 7:18 pm Director Morrison returned to the Board Room at 7:18 pm.

11-355

*(Amended from original Committee recommendation):***It was moved and seconded:**

2. That staff proceed with a public awareness campaign and consultation process in order to gain public comment regarding the draft South Cowichan Residential Backyard Burning Bylaw in Electoral Areas A, B, C and D and a draft bylaw for Electoral Area E that is similar to North Cowichan's Fire Protection Bylaw, and further that the Fire Chiefs for Electoral Areas A, B C and D be invited to comment prior to the public awareness campaign proceeding; and further that Fire chiefs from Duncan, Cowichan Bay, Sahtlam and North Cowichan be invited to comment on Electoral Area E's participation.

MOTION CARRIED

CR3

The report and recommendations of the Transit Committee meeting of June 22, 2011 listing two items were considered.

11-356

It was moved and seconded:

1. That the Board support BC Transit's recommendation to modify/improve the commuter schedule to better meet the documented demand for earlier return p.m. trips to Duncan; and further that a letter be written to the Province regarding the purchase of an additional bus and the required infrastructure (i.e. Park N Rides) for the Cowichan Valley Commuter Service.
2. That a letter be sent to the Province requesting that monies collected from the fuel surcharge increase effective July 1, 2011, be provided to Local Governments towards alternate transportation choices.

MOTION CARRIED

CR4

The report and recommendation of the Kerry Park Recreation Centre Commission meeting of June 20, 2011 listing one item was considered.

11-357

It was moved and seconded that a new Minolta photocopier Model #C452 be purchased for Kerry Park Recreation Centre with partial funding through a \$3,600 reduction in the 2011 Transfer to Reserve.

MOTION CARRIED

CR5

The report and recommendation of the Agricultural Advisory Committee meeting of June 28, 2011 listing one item was considered.

11-358

It was moved and seconded that "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

STAFF REPORTS

SR1 SR1 was dealt with earlier in the Agenda.

SR2 The Staff Report from the Deputy Corporate Secretary dated June 29, 2011 re: "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011"; and "CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011" – Results of Alternative Approval Process was considered.

11-359 **It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw Nos. 3474 and 3475, be received.**

MOTION CARRIED

SR3 The Staff Report from the Senior Planner dated July 6, 2011 re: Proposed Bylaw No. 3510 – South Cowichan Official Community Plan, applicable to Electoral Areas A (Mill Bay/Malahat), B (Shawnigan Lake) and C (Cobble Hill) was considered for information.

PUBLIC HEARINGS

PH1 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452 (Drader), applicable to Electoral Area A – Mill Bay/Malahat were considered.

11-360 **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452 (Drader), applicable to Electoral Area A – Mill Bay/Malahat be received.**

MOTION CARRIED

PH2 The Public Hearing Report and Minutes re: Official Community Plan Bylaw No. 3510, applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill were considered.

11-361 **It was moved and seconded that Public Hearing Report and Minutes re: Official Community Plan Bylaw No. 3510, applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill be received.**

MOTION CARRIED

BYLAWS

B1
11-362 **It was moved and seconded that "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011", be adopted.**

MOTION CARRIED

**B2
11-363** It was moved and seconded that "CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011", be adopted.

MOTION CARRIED

**B3
11-364** It was moved and seconded that "CVRD Bylaw No. 3495 – Lake Cowichan Fire Protection Service Amendment Bylaw, 2011", be adopted.

MOTION CARRIED

**B4
11-365** It was moved and seconded that "CVRD Bylaw No. 3500 – Arbutus Ridge Drainage Service Amendment Bylaw, 2011", be adopted.

MOTION CARRIED

**B5
11-366** It was moved and seconded that "CVRD Bylaw No. 3505 – Cowichan Bay Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B5
11-367** It was moved and seconded that "CVRD Bylaw No. 3505 – Cowichan Bay Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be adopted.

MOTION CARRIED

**B6
11-368** It was moved and seconded that "CVRD Bylaw No. 3506 – Eagle Heights Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B6
11-369** It was moved and seconded that "CVRD Bylaw No. 3506 – Eagle Heights Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be adopted.

MOTION CARRIED

**B7
11-370** It was moved and seconded that "CVRD Bylaw No. 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
11-371** It was moved and seconded that "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
11-372** It was moved and seconded that "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011", be adopted.

MOTION CARRIED

**B9
11-373** It was moved and seconded that "CVRD Bylaw No. 3517 – Electoral Area C Community Parks Capital Reserve Fund Expenditure (Quarry Park Washroom and Site Landscaping Improvements) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B9
11-374** It was moved and seconded that "CVRD Bylaw No. 3517 – Electoral Area C Community Parks Capital Reserve Fund Expenditure (Quarry Park Washroom and Site Landscaping Improvements) Bylaw, 2011", be adopted.

MOTION CARRIED

**B10
11-375** It was moved and seconded that "CVRD Bylaw No. 3534 – Electoral Area A Community Parks Capital Reserve Fund Expenditure (Mill Springs Park Landscaping Pathways and Sport Court) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B10
11-376** It was moved and seconded that "CVRD Bylaw No. 3534 – Electoral Area A Community Parks Capital Reserve Fund Expenditure (Mill Springs Park Landscaping Pathways and Sport Court) Bylaw, 2011", be adopted.

MOTION CARRIED

**B11
11-377** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3451 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Drader), 2010", be granted 3rd reading.

Opposed: Directors Harrison, Cossey, Giles, Iannidinardo, Duncan, Morrison, Dorey, Kuhn, and Marcotte

MOTION DEFEATED

**B12
11-378** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3452 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Drader), 2010", be granted 3rd reading.

Opposed: Directors Harrison, Cossey, Giles, Iannidinardo, Duncan, Morrison, Dorey, Kuhn, and Marcotte

MOTION DEFEATED

**B13
11-379** It was moved and seconded that "CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment (Wandering U Inc.), 2011", be adopted.

MOTION CARRIED

7:40 pm Director Duncan declared a potential conflict of interest as the proponent for Bylaw Nos. 3471 and 3472 is a personal acquaintance and Director Duncan left the Board Room at 7:40 pm.

**B14
11-380** It was moved and seconded that "CVRD Bylaw No. 3471 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Hignell), 2011", be adopted.

MOTION CARRIED

**B15
11-381** It was moved and seconded that "CVRD Bylaw No. 3472 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Hignell), 2011", be adopted.

MOTION CARRIED

7:41 pm Director Duncan returned to the Board Room at 7:41 pm.

**B18
11-382** It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill" be amended as noted in Agenda item SR3.

MOTION CARRIED

**B18
11-383** It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill", be granted 3rd reading as amended.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

**B18
11-384** It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill", be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

7:48 pm Director Cossey declared a potential conflict of interest due to his consideration of Bylaw Nos. 3497, 3498 and 3511 from his employer's perspective. Director Cossey left the Board Room at 7:48 pm.

**B16
11-385** It was moved and seconded that "CVRD Bylaw No. 3497 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", 2nd reading be rescinded.

MOTION CARRIED

**B16
11-386** It was moved and seconded that "CVRD Bylaw No. 3497 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be amended in accordance with Item CR1 recommendation 13.4 .

MOTION CARRIED

**B16
11-387** It was moved and seconded that "CVRD Bylaw No. 3497 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be granted 2nd reading as amended.

Opposed: Director Duncan

MOTION CARRIED

**B17
11-388** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", 2nd reading be rescinded.

MOTION CARRIED

**B17
11-389** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", amended in accordance with item CR1 recommendation 13.2.

MOTION CARRIED

**B17
11-390** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", be granted 2nd reading as amended.

Opposed: Director Duncan

MOTION CARRIED

**B19
11-391** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", 2nd reading be rescinded.

MOTION CARRIED

**B19
11-392** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", amended in accordance with item CR1 recommendations 13.3 and 13.4.

MOTION CARRIED

**B19
11-393** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be granted 2nd reading as amended.

Opposed: Director Duncan

MOTION CARRIED

8:12 pm Director Cossey returned to the Board Room at 8:12 pm.

B20
11-394 It was moved and seconded that "CVRD Bylaw No. 3535 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Alderlea Farm), 2011", be granted 1st and 2nd reading.

MOTION CARRIED

B21
11-395 It was moved and seconded that "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011", be granted 1st and 2nd reading.

MOTION CARRIED

NEW BUSINESS

NB1 NB1 was dealt with earlier in the Agenda.

NB2 The Director's Report dated July 13, 2011 re: Mill Bay/Malahat Historical Society was considered.

11-396 It was moved and seconded:

1. That an Annual Financial Contribution Service be created for the Mill Bay/Malahat Historical Society with a maximum annual requisition limit of \$15,000 for the purpose of assisting with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay/Malahat and the surrounding South Cowichan area.
2. That voter approval to establish the Mill Bay/Malahat Historical Society Annual Financial Contribution Service be obtained through a referendum.

MOTION CARRIED

NB3 The Director's Report dated July 13, 2011 re: Protection of British Columbia Lakes and Rivers was considered.

11-397 *(Amended from original recommendation):*

It was moved and seconded that the following resolution be forwarded to UBCM for consideration:

"WHEREAS the health of British Columbia lakes and rivers and estuaries is deteriorating due to increasing pollution, recreational use, development, and insufficient regulatory enforcement by senior levels of government;

AND WHEREAS local governments do not have adequate regulatory posers or the funding capacity to sufficiently protect lakes and rivers and estuaries;

THEREFORE BE IT RESOLVED that the Province of British Columbia restore funding and resources to provincial ministries to ensure the adequate protection of BC lakes and rivers and estuaries, or provide the regulatory authority and financial means to local governments to properly protect and manage lakes and rivers and estuaries at the local level.

MOTION CARRIED

NB4 The Director's Report dated July 13, 2011 re: North Oyster Fire Hall was considered.

11-398 It was moved and seconded that the necessary bylaws be prepared to proceed with two new Fire Halls in North Oyster with the annual requisition based on the parcel tax method and that voter approval to adopt the bylaws be obtained through a referendum.

MOTION CARRIED

NB5 The report and recommendations of the Parks Committee meeting of July 13, 2011 listing three items were considered.

11-399 It was moved and seconded:

1. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to renew the Trail License Agreement with Catalyst Paper, not to exceed five years, for use of portions of their fee-owned waterline corridor between the Cowichan Exhibition Grounds at Mays Road and Gibbins Road as the Cowichan Valley Trail.
2. That the Board Chair and Corporate Secretary be authorized to execute the necessary legal agreement documents as required to enter into an agreement with Chris Vale for Hay cutting at designated areas within the west side of Osborne Bay Regional Park for a maximum five year term.
3. That an application from the Ceevacs RoadRunners to use an approximately 4.0 kilometre section of the Cowichan Valley Trail, inclusive of crossing the historic Kinsol Trestle, for the 36th Annual Shawnigan-Kinsol Half Marathon running event on Sunday October 30, 2011, be approved subject to the following conditions:
 1. Proof of a minimum \$2.0 million liability insurance coverage be provided by the organizers which covers the event and which also includes the CVRD as an additional insured;
 2. A route plan is submitted to the CVRD for review and approval detailing the section(s) of the Cowichan Valley Trail proposed for use as part of the half marathon course;
 3. A Course Marshall Plan is submitted prior to the event for CVRD review and approval;
 4. Confirmation that there will be appropriate flag persons at all road crossings along sections of the Cowichan Valley Trail corridor used for the event;
 5. Confirmation that there will be notices of the event posted along the trail in advance of, and during the day of, the event that will advise other trail users of the race, with such notice wording and locations pre-approved the Regional District.

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

11-400 **It was moved and seconded that the meeting be closed to the public**
8:20 pm **in accordance with the Community Charter Part 4, Division 3,**
Section 90, Subsection (1) (e) Land Acquisition.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

11-403 **It was moved and seconded that the Board rise without report and**
8:55 pm **return to the Regular portion of the meeting.**

MOTION CARRIED

ADJOURNMENT

11-404 **It was moved and seconded that the Regular Board meeting be**
8:55 pm **adjourned.**

MOTION CARRIED

The meeting adjourned at 8:55 pm

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____