

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 12, 2012 at 6:00 pm.

**PRESENT:** Chair R. Hutchins  
Directors L. Iannidinardo M. Walker, B. Fraser,  
L. Duncan, I. Morrison, M. Dorey, M. Marcotte,  
P. Weaver, P. Kent, B. Lines, T. McGonigle, and  
Alternate Directors K. Marsh and J. Woike

**ALSO PRESENT:** Warren Jones, Chief Administrative Officer  
Joe Barry, Corporate Secretary  
Brian Dennison, General Manager,  
Engineering & Environmental  
Ron Austen, General Manager,  
Parks, Recreation and Culture  
John Elzinga, Manager,  
Island Savings Centre  
Kim Liddle, Manager,  
South Cowichan Recreation

**ABSENT:** Directors G. Giles, J. Lefebure, and R. Hartmann

## **APPROVAL OF AGENDA**

**12-416**

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

**NB1 "CVRD Bylaw No. 3633 – Fireworks Sale and Discharge Regulation Amendment Bylaw, 2012," 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading;**

**NB1 "CVRD Bylaw No. 3633 – Fireworks Sale and Discharge Regulation Amendment Bylaw, 2012," adoption;**

**NB2 Staff Report from Manager, Inspections & Enforcement re: Feast of Fields – Special Occasion Licence;**

**NB3 Staff report from Manager, Legislative Services re: Poll Results - Cowichan Sportsplex Annual Financial Contribution Poll;**

**CSCR2 Land Acquisition, Section 90 (1) (e);**

**CSSR3 Land Disposal, Section 90 (1)(e); and**

**that the agenda, as amended, be approved.**

**MOTION CARRIED**

**ADOPTION OF MINUTES**

**12-417** It was moved and seconded that the minutes of the August 1, 2012 Regular Board meeting be adopted.

**MOTION CARRIED**

**12-418** It was moved and seconded that the minutes of the August 8, 2012 Special Board meeting be adopted.

**MOTION CARRIED**

**DELEGATIONS**

**D1** Linden Collette, Executive Director of Social Planning Cowichan  
Re: Presentation of a proposed Affordable Housing Association and Strategic Plan, Homelessness Prevention Programs, and Homelessness Action Week.

Linden Collette and Jenn George provided an overview of Social Planning Cowichan's proposed new programs and services for the homeless. They indicated both the need and benefits to the community of such initiatives.

**12-419** It was moved and seconded that Social Planning Cowichan's presentation on proposed new programs and services for the homeless be referred to the Health Advisory Committee.

**MOTION CARRIED**

**D2** Shauna Benson, 2013 World Junior Hockey Challenge Bid Committee  
Re: Request for funding to host the 2013 Hockey Canada World Junior A Challenge.

Ms. Benson provided a PowerPoint presentation and an overview of the history and process surrounding the South Cowichan Chamber's bid to host the 2013 Hockey Canada World Junior A Challenge. She specifically requested the following assistance:

1. a letter of support;
2. funding in the amount of \$25,000.; and
3. that the CVRD agree to be one of the required 4 guarantors.

**12-420** It was moved and seconded that the South Cowichan Chamber Bid Committee's request for assistance in hosting the 2013 Hockey Canada World Junior A Challenge be referred to staff for a report reviewing proposed financial and logistical implications; and further, that staff obtain Economic Development Commission input and advice.

**MOTION CARRIED**

**COMMITTEE REPORTS**

**CR1** The report and recommendations from the Electoral Area Services meeting of September 4, 2012 listing nine items were considered.

12-421

It was moved and seconded:

1. That a letter be sent to the Imadene Foundation requesting an annual contribution to the Mesachie Lake Fire Protection equivalent to the taxes currently exempt on the following properties owned by the Imadene Foundation:  
PID 003-795-403 Roll Number 02602.000 Recreation Non Profit;  
PID 001-610-821 Roll Number 01268.000 Business Other;  
PID 001-610-902 Roll Number 02600.000 Business Other; and  
PID 001-610-651 Roll Number 01951.000 Business Other / Residential.
2. That proposed CVRD Bylaw No. 3633 - Fireworks Sale and Discharge Regulation Amendment Bylaw, 2012, be forwarded to the Board for consideration and three readings and adoption.
3. That the resignation of Bob Burden from the Area F Parks Commission, and the resignation of Shirley Burden from the Area F Advisory Planning Commission, be accepted and that a letter of appreciation be forwarded to Bob and Shirley Burden.

MOTION CARRIED

12-422

*(Amended from original Committee recommendation):*

It was moved and seconded:

4. That the Economic Development Commission bylaw be referred to the Regional Services Committee for review of its mandate and function.

MOTION CARRIED

12-423

It was moved and seconded:

6. That Application No. 3-I-12DP be approved, and that a development permit be issued to Greg and Laurie Allen to permit construction of a dwelling on Lot 35, District Lot 32, Cowichan Lake District, Plan 1003 except part in plan 1584RW (PID: 006-544-851), subject to:
  1. Compliance with the measures and recommendations outlined in RAR assessment report No. 2369 by Ted Burns, dated May 5, 2012.
  2. Narrowing of the footpath to 1.5 metres, in accordance with the Watercourse Protection Development Permit Area requirements of CVRD Bylaw No. 2650.
7. That Application No. 1-D-12DVP by Maureen McKenzie and Rod Kell to vary Section 8.1 (b)(3) of Zoning Bylaw No. 1015 by reducing the minimum setback from a rear parcel line from 4.5 metres to 1 metre on Lot B, Section 8, Range 3, Cowichan District, Plan VIP87075 (PID: 028-096-649), for the purpose of constructing a garage, be denied.
8. That Application No. 10-B-12DP be approved, and that a development permit be issued to Wayne Kozak and Lucinda Fothergill on Lot 2, Section 14, Ranges 2 & 3, Shawnigan District,

Plan 30904 (PID: 001-211-960) to permit subdivision of one new lot, subject to:

- a) Subdivision will be in substantial compliance with the approved plans and RAR report No. 2395; and
- b) Prior to issuance of a building permit on the new lot, a qualified professional provides advice on low-impact development techniques and recommendations to manage rainwater water on-site and in a manner that protects the natural environment.

9. That Application No. 1-A-10RS (Phillips for Jackson) be denied, a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275, and the file referred to the Inspections and Enforcement Division.

**MOTION CARRIED**

12-424

5. That a policy be established to allow short term rentals that are customarily incidental to residential use and that enforcement action be taken against vacation rentals for terms of less than one month.

**It was moved and seconded that item 5 be referred back to the EASC for further review.**

Opposed: Directors L. Duncan, M. Marcotte and M. Walker

**MOTION CARRIED**

CR2

The report and recommendations from the Parks Committee meeting of September 12, 2012 listing one item was considered.

12-425

**It was moved and seconded that Island Coastal Economic Trust (ICET) be requested to amend the Contribution Agreement signed with the Cowichan Valley Regional District dated April 15, 2008, to extend the Agreement to December 31, 2014, to allow for completion of projects funded by ICET under the terms of this Agreement; and further, that the Board Chair and Corporate Secretary be authorized to sign a Contribution Agreement Amendment with ICET to extend the Agreement up to and including December 31, 2014.**

**MOTION CARRIED**

SR1

The Staff Report from the General Manager, Corporate Services, re: Permissive Tax Exemption, was considered.

12-426

**It was moved and seconded that the Cowichan Valley Regional District provide tax exemption to the Capital Regional District for 2013.**

**MOTION CARRIED**

## **PUBLIC HEARINGS**

PH1

Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3599 and Zoning Amendment Bylaw No. 3600

(Sun Lotus), applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, was considered.

- 12-427**            **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3599 and Zoning Amendment Bylaw No. 3600 (Sun Lotus), applicable to Electoral Area F - Cowichan Lake South/Skutz Falls be received.**

**MOTION CARRIED**

- PH2**                Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3610 (Steve Hornick/Janice Anderson), applicable to Electoral Area B – Shawnigan Lake, was considered.

- 12-428**            **It was moved and seconded that the Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3610 (Steve Hornick/Janice Anderson), applicable to Electoral Area A – Mill Bay/Malahat be received.**

**MOTION CARRIED**

- PH3**                Public Hearing Report and Minutes, re: South Cowichan Official Community Plan Bylaw No. 3620 and Zoning Amendment Bylaw No. 3621 (Maxwell), applicable to Electoral Area A – Mill Bay/Malahat, was considered.

- 12-429**            **It was moved and seconded that the Public Hearing Report and Minutes re: South Cowichan Official Community Plan Bylaw No. 3620 and Zoning Amendment Bylaw No. 3621 (Maxwell), applicable to Electoral Area A – Mill Bay/Malahat be received.**

**MOTION CARRIED**

#### **BYLAWS**

- B1**  
**12-430**            **It was moved and seconded that "CVRD Bylaw No. 3538 – Cobble Hill Drainage System Service Merger Bylaw, 2012", be adopted.**

**MOTION CARRIED**

- B2**  
**12-431**            **It was moved and seconded that "CVRD Bylaw No. 3615 – Saltair Water System Service Amendment Bylaw, 2012", be adopted.**

**MOTION CARRIED**

- B3**  
**12-432**            **It was moved and seconded that "CVRD Bylaw No. 3626 – Lanes Road Drainage System Service Amendment Bylaw, 2012", be adopted.**

**MOTION CARRIED**

- B4**  
**12-433**            **It was moved and seconded that "CVRD Bylaw No. 3629 – Tax Exemption (Permissive) Bylaw, 2012", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B4  
12-434**                      It was moved and seconded that "CVRD Bylaw No. 3629 – Tax Exemption (Permissive) Bylaw, 2012", be adopted.

**MOTION CARRIED**

**B5  
12-435**                      It was moved and seconded that "CVRD Bylaw No. 3630 – Malahat Fire Protection Service Loan Authorization (Type 2 Fire Engine), Bylaw, 2012", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B6  
12-436**                      It was moved and seconded that "CVRD Bylaw No. 3634 – Electoral Area A – Mill Bay/Malahat Critical Location Streetlighting Service Amendment Bylaw, 2012", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B7  
12-437**                      It was moved and seconded that "CVRD Bylaw No. 3599 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Sun Lotus), 2012", be granted 3<sup>rd</sup> reading.

Opposed: Directors L. Iannidinardo, M. Walker,  
B. Fraser, L. Duncan, I. Morrison, M. Dorey,  
M. Marcotte, and P. Weaver

**MOTION DEFEATED**

**B8  
12-438**                      It was moved and seconded that "CVRD Bylaw No. 3600 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Sun Lotus), 2012", be granted 3<sup>rd</sup> reading.

Opposed: Directors L. Iannidinardo M. Walker,  
B. Fraser, L. Duncan, I. Morrison, M. Dorey,  
M. Marcotte, and P. Weaver

**MOTION DEFEATED**

**B9  
12-439**                      It was moved and seconded that "CVRD Bylaw No. 3610 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Hornick & Anderson), 2012", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B10  
12-440**                      It was moved and seconded that "CVRD Bylaw No. 3620 – South Cowichan Official Community Plan Amendment Bylaw (Maxwell), 2012", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B11  
12-441**                      It was moved and seconded that. "CVRD Bylaw No. 3621 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Maxwell), 2012", be granted 3<sup>rd</sup> reading.

**MOTION CARRIED**

**NEW BUSINESS**

**NB1** "CVRD Bylaw No. 3633 – Fireworks Discharge and Regulation Amendment Bylaw, 2012", was considered.

**12-442** It was moved and seconded that "CVRD Bylaw No. 3633 – Fireworks Discharge and Regulation Amendment Bylaw, 2012", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**12-443** It was moved and seconded that "CVRD Bylaw No. 3633 – Fireworks Discharge and Regulation Amendment Bylaw, 2012", be adopted.

**MOTION CARRIED**

**NB2** Staff report from Manager, Inspections and Enforcement re: Feast of Fields – Special Occasion Licence, was considered.

**12-444** It was moved and seconded that the Board approve the issuance of a Special Occasion Licence to Farm Folk/City Folk for the Feast of Fields event on Sunday, September 16, 2012, from 1:00 pm to 5:00 pm at Alderlea Farm in Glenora.

**MOTION CARRIED**

**NB3** Staff report from Manager, Legislative Services re: Cowichan Sportsplex, Proposed Annual Financial Contribution Poll Results, was considered.

**12-445** It was moved and seconded that staff prepare a report on possible funding options for the Cowichan Sportsplex, including but not limited to, a facility use model, a concentric circle model, and a Cowichan Theatre-based model.

Opposed: Directors M. Marcotte and M. Walker

**MOTION CARRIED**

**RESOLVING INTO  
CLOSED SESSION**

**12-446** It was moved and seconded that the meeting be closed to the public  
**7:25 pm** in accordance with the *Community Charter* Part 4, Division 3, Section 90, Subsections (1) (e) Land Acquisition and Disposal; (1) (g) Potential Litigation; (1) (f) Law Enforcement; and (1) (i) Legal Opinion.

**MOTION CARRIED**

**RISE FROM  
CLOSED SESSION**

**12-453** It was moved and seconded that the Board rise with report on item  
**9:20 pm** CSSR3, when appropriate, and return to the Regular portion of the meeting.

**MOTION CARRIED**

**ADJOURNMENT**

**12-454**                      **It was moved and seconded that the Regular Board meeting be adjourned.**

**9:20 pm**

**MOTION CARRIED**

The meeting adjourned at 9:20 pm

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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