

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, November 25, 2009 at 6:04 pm

**PRESENT:** Chair G. Giles,  
Directors K. Cossey, M. Dorey, L. Duncan,  
B. Harrison, D. Haywood, R. Hutchins, L. Iannidinardo,  
K. Kuhn, M. Marcotte, T. McGonigle,  
I. Morrison, G. Seymour and  
Alternate Directors R. Cadorette and R. Hartmann

**ALSO PRESENT:** Warren Jones, Administrator  
Joe Barry, Corporate Secretary  
Mark Kueber, Treasurer  
Sharon Moss, Manager, Finance Division  
Steve Hurcombe, Budget Coordinator  
Sybille Saunderson, Acting General Manager Public Safety  
Ron Austen, General Manager, Parks Recreation & Culture  
Kate McIntosh, Human Resources Manager  
Brian Dennison, General Manager  
Engineering and Environmental Services  
Tom Anderson, General Manager  
Planning and Development  
Brian Farquhar, Manager, Parks & Trails Division  
Geoff Millar, Manager, Economic Development Division  
Dominique Beesley, Secretary I

**ABSENT:** Directors P. Kent and T. Walker

**APPROVAL OF  
AGENDA  
09-609**

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

- NBSR1 Staff Report from the Parks and Trails Manager  
Re: Kinsol Trestle Revitalization Grant Funding Status  
Update**
- NBRES1 Appointments to Area C - Cobble Hill Advisory Planning  
Commission**
- NBRES2 Appointments to Area I - Youbou/Meade Creek Advisory  
Planning Commission;**

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

**MOTION CARRIED**

**COMMITTEE REPORTS**

**CR1** The report and recommendations of the Electoral Area Services Committee meeting of November 17, 2009 listing 12 items were considered.

**09-610** It was moved and seconded:

1. Pursuant to the provisions of Section 73 of the Community Charter and the Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, IT IS HEREBY RESOLVED that the owners and occupiers of the respective premises set forth below are required to remedy the unsafe condition by demolishing the remains of the fire damaged house, and remove the accumulation thereon of the unsightly materials and rubbish specified or take such remedial measures as are specified:

**Property Description:** Lot 1, Section 3, Oyster District, Plan 14037, PID 004 502 299

**Location:** 10505 Maytree Road, Saltair (Area G), B.C.

**Unsafe Condition–Section 73 Community Charter:** Remaining structure is unsafe.

**Unsightly Accumulation – Section 725 Local Government Act and CVRD House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341:** Accumulation of rubbish and burnt down house and contents.

**Remedial measures:** Demolish and remove the remaining structure and clean up and remove remains of the house and its contents and all other rubbish down to grade.

AND BE IT FURTHER RESOLVED that the CVRD Bylaw Enforcement Official BE AND IS HEREBY AUTHORIZED in default of such demolition and removal or remedial measures being undertaken by the owners or occupiers, within thirty (30) days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner or occupier. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

2. That Doug Higginson be appointed to the South Cowichan Official

**Community Plan Steering Committee.**

3. That Tom Anderson be appointed to the Island Corridor Foundation Transportation Workshop Advisory Planning Commission.
4. That the resignation of Ron McKenzie from the Area F Parks Commission be accepted and that a letter of appreciation be forwarded to Mr. McKenzie.
5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$1000 be given to Frances Kelsey Secondary School, to provide a bursary to a deserving Shawnigan Lake graduating student.
6. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$975 be given to Cowichan Bay Improvement Association, to assist with costs for recycling bins and signage.
7. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$1000 be given to CMS Foodbank Society, to assist with local community needs.
8. That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School, to provide a bursary to a deserving Saltair graduating student.
9. That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation, to provide a Saltair Community Bursary.

**MOTION CARRIED**

**09-611**

**It was moved and seconded:**

10. That Development Permit Application No. 2-I-08DP by Jan and Gary Harvey for the expansion of a single family dwelling on Lot 1, Block 4, DL 72, Cowichan Lake District, Plan 16535, be approved, subject to compliance with the measures and recommendations outlined in RAR report No. 1011.
11. That Development Variance Permit Application No. 7-B-09DVP by Frank and Lynn Scott for a variance to Section 8.5(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to an exterior parcel line for an accessory building from 4.5 metres down to 3 metres on Lot 1, Shawnigan Suburban Lots, Shawnigan District,

Plan 25740, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.

**MOTION CARRIED**

**09-612**

**It was moved and seconded:**

- 12. That Rezoning Application No. 1-D-09RS (Kolenberg) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.**

Opposed: Directors Morrison, Dorey and Marcotte

**MOTION CARRIED**

**CR2**

The report and recommendations of the Parks Committee meeting of November 24, 2009 listing five items were considered.

**09-613**

**It was moved and seconded:**

- 1. That a letter of appreciation be sent to Cowichan Tribes acknowledging their efforts to bring together the working partnerships to successfully achieve approval of the Job Opportunities Program work crews and for administering a successful program.**
- 2. That a letter of appreciation be forwarded to Dan Brown, Parks Planning Technician (Trails) for his work with volunteer and the community on the Cleasby Bike Park and the Cobble Hill Mountain Regional Recreation Area.**

*(Amended from original Committee recommendation)*

- 3. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to secure access to the recently acquired Heart and Stocking Lake Regional Park property across adjoining crown lands legally described as Lot A, Blocks 1 and 731, District Lot 121, and Part of the Unnumbered part, Oyster District, Plan VIP78445 (PID 026-313-031); and that an Interim Management Plan be developed by staff.**
- 4. That the Board Chair and Corporate Secretary be authorized to execute the documents to secure Trail Access License Agreements across TimberWest's privately owned lands legally described as Lot 691, Block 5, Bright and Oyster Land Districts as well as the property Block 1242, Malahat Land District, VIP 78495 for segments of the Cowichan Valley Trail.**
- 5. That the Board Chair and Corporate Secretary be authorized to**

execute the necessary documents applicable to the approved Recreation Infrastructure Canada Program's \$650,000 funding assistance to the expansion and construction of major sections of the Cowichan Valley Trail.

**MOTION CARRIED**

**CR3** The report and recommendations of the Kinsol Trestle Revitalization Committee of November 24, 2009 listing three items were considered.

**09-614** It was moved and seconded:

1. That the Kinsol Trestle Rehabilitation Project be formally approved to proceed based on the \$5.671 million in funding secured to date for the project; and that the Board Chair and Corporate Secretary be authorized to execute the necessary documents to enter into a License Agreement with the Ministry of Transportation and Infrastructure for construction, operation and maintenance of the Cowichan Valley Trail within the former CNR railway corridor, inclusive of undertaking the full rehabilitation and ongoing maintenance of the historic Kinsol Trestle, for the sections of the former railway corridor between Sooke Lake Road and the eastern boundary of Cowichan River Provincial Park to the Pine Street intersection in the Town of Lake Cowichan.

**MOTION CARRIED**

**09-615** It was moved and seconded:

2. That a sole services contract in the amount of \$15,000 plus taxes and disbursements be awarded to Commonwealth Historic Resource Management to provide specialized heritage design and preservation consulting services to the historic Kinsol Trestle Rehabilitation Project.

**MOTION CARRIED**

**09-616** It was moved and seconded:

3. That a sole services contract in the amount of \$98,000 inclusive of taxes and disbursements be awarded to MMM Group Limited to provide the specialized services of Joost Meyboom, P. Eng., Regional Manager – Western Canada Project Delivery and Management for overall project management coordination of the historic Kinsol Trestle Rehabilitation Project.

**MOTION CARRIED**

## **BYLAWS**

**B1** It was moved and seconded that "CVRD Bylaw No. 3322 -

**09-617**                      **Landclearing Management Regulation Amendment Bylaw, 2009" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

Opposed: Director M. Marcotte

**MOTION CARRIED**

**B1**                              **It was moved and seconded that "CVRD Bylaw No. 3322 -**  
**09-618**                      **Landclearing Management Regulation Amendment Bylaw, 2009" be adopted.**

Opposed: Director M. Marcotte

**MOTION CARRIED**

**RESOLUTIONS**

**RES1**                              **It was moved and seconded that the following Commission**  
**RES2**                              **appointments be approved:**

**RES3**

**09-619**                              **Electoral Area B - Shawnigan Lake Advisory Planning Commission:**

*Term to expire November 30, 2011:*

**John Clark**  
**Cynara de Goutiere**  
**Rod Macintosh**  
**Carol Lane**  
**Sara Middleton**  
**Roger Painter**  
**Graham Ross-Smith**

**Electoral Area D - Cowichan Bay Advisory Planning Commission:**

*Term to expire November 30, 2011:*

**Hilary Abbott**  
**Cal Bellerive**  
**Dan Butler**  
**Brian Kosking**  
**Al Jones**  
**Kevin Maher**  
**Gordon Rutherford**  
**Calvin Slade**  
**David Slang**

**Electoral Area H - North Oyster Advisory Planning Commission:**

*Term to expire November 30, 2010:*

**Ben Cuthbert  
Mike Fall  
Chris Gerrand  
John Hawthorn  
Alison Heikes  
Jody Shupe  
Janice Tukham**

**MOTION CARRIED**

**NEW BUSINESS**

**NBSR1**                      The Staff Report from the Parks and Trails Manager dated November 25, 2009 re: Kinsol Trestle Revitalization Grant Funding Status Update was considered for information.

**NBRES1  
09-620**                      **It was moved and seconded that the following appointments to the Electoral Area C - Cobble Hill Advisory Planning Commission be approved:**

*Term to expire November 30, 2010:*

**Jens Liebgott  
Jerry Tomljenovic**

**MOTION CARRIED**

**NBRES2  
09-621**                      **It was moved and seconded that the following appointments to the Electoral Area I - Youbou/Meade Creek Advisory Planning Commission be approved as amended:**

*Term to expire November 30, 2010:*

**Jeffrey Abbott  
Shawn Carlow  
George deLure  
Erica Turner  
Mike Marrs  
Gerald Thom  
Patricia Weaver**

**MOTION CARRIED**

**ADJOURNMENT**

**09-622  
6:32 pm**

**It was moved and seconded that the Special Board meeting be adjourned.**

**MOTION CARRIED**

The meeting adjourned at 6:32 pm.

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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