

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, located at 175 Ingram Street, Duncan BC, on Wednesday, March 27, 2024 at 1:34 PM

PRESENT:

Chair A. Stone
Director H. Abbott
Director S. Acton
Director K. Deck
Director R. Douglas
Director C. Istace
Director C. Justice*
Director B. Maartman
Director J. McClinton*
Director T. McGonigle
Director I. Morrison
Director A. Nicholson
Director K. Segall
Director M. Staples*
Director D. Toporowski*
Alternate Director D. Herriott

**ALSO
PRESENT:**

D. Myles Wilson, Chief Administrative Officer
P. Robins, Corporate Officer
C. Posting, Deputy CAO/General Manager, Strategic Services
B. Mohan, General Manager, Corporate Services*
J. Elzinga, General Manager Community Services
A. Kjerulf, General Manager, Land Use Services
D. Mooney, General Manager, Operations*
I. Paydli, A/General Manager, Corporate Services
T. Bowen, Chief Financial Officer*
M. Pressman, Manager, Development Services Division
L. Wright, Planning Coordinator, Community Planning Division
I. MacDonald, Senior Manager, Building Inspection & Bylaw Enforcement Division
A. Ferguson, Office Coordinator
R. Johnston, Legislative Assistant
C. Convery, Systems Support Technician

*Participated Electronically

ABSENT:

Director M. Wilson

APPROVAL OF AGENDA

24-142

It was moved and seconded that the agenda be approved.

MOTION CARRIED

ADOPTION OF THE MINUTES

M1

Regular Board Meeting of March 13, 2024

- 24-143** It was moved and seconded that the minutes of the Regular Board meeting of March 13, 2024, be adopted.

MOTION CARRIED

REPORT FROM THE CHAIRPERSON

The Chair spoke to Cowichan Weir funding and water security announcements, and that these announcements heralded an exciting time for the Valley.

CORRESPONDENCE

- C1** Correspondence from Councillor Trish Mandewo, UBCM President Re: Provincial Response to 2023 Resolutions was received for information.

- 24-144** It was moved and seconded that rural roadways issues be discussed at the next Electoral Area Services Committee; and a broader advocacy discussion, as it relates to the Corporate Strategic Plan, be held at the next Committee of the Whole prior to the AVICC meeting in April.

MOTION CARRIED

COMMITTEE/COMMISSION REPORTS

- CR1** Report and Recommendations of the Cowichan Core Recreation Commission meeting of March 13, 2024 of

- 24-145** It was moved and seconded:

1. That a letter be written to the Province, highlighting the security challenges associated with the temporary emergency warming centre at the Cowichan Community Centre, and requesting funding to assist in securing a more appropriate permanent emergency warming centre location.
2. That the Cowichan Valley Regional District apply to the Liquor and Cannabis Regulation Branch to amend the current Cowichan Community Centre Liquor Licence to include the Arena Press Pad space.

MOTION CARRIED

- CR2** Report and Recommendations of the Electoral Area Services Committee Meeting of March 20, 2024

- 24-146** **R6** It was moved and seconded that the 2024 Budget be amended to include a new function for the Shell Beach Water System Service for the remaining three quarters of the 2024 budget year.

MOTION CARRIED

Electoral Area Directors only vote on the following:

It was moved and seconded:

- R2
1. That the draft zoning amendment bylaws for all electoral areas for the purpose of increasing opportunities for suites in CVRD electoral areas, bylaw maintenance, and satisfying provincial legislative requirements, and amending the Works and Services Bylaw, be forwarded to the Board for consideration;
 2. That proposed Zoning Amendment Bylaw No. 4571 not include provisions for detached suites on lands that are located within the Agricultural Land Reserve within Electoral Area A – Mill Bay/Malahat;
 3. That proposed Zoning Amendment Bylaw No. 4571 not include provisions for detached suites on lands in the Agricultural Land Reserve within the Koksilah River Watershed within Electoral Area C – Cobble Hill;
 4. That improvement districts and private utilities within the areas affected by the proposed amendments be notified of (not referred to) the draft bylaw that applies in their service area;
 5. That amendment bylaws applicable to lands within 800 m of a Controlled Access Highway be referred to the Ministry of Transportation and Infrastructure; and
 6. That a public hearing not be held and that notice be provided in accordance with CVRD Bylaw No. 4483 – Development Application Procedures Bylaw, 2023.

24-147

It was moved and seconded that EASC recommendation R2 be amended to include the following:

7. **That proposed Zoning Amendment Bylaw No. 4574 include provisions for detached suites on lands that are located within the A1 zone within Electoral Area D – Cowichan Bay.**

Opposed: Director K. Segall and Director A. Nicholson

MOTION CARRIED

Voting resumed on the main motion as amended

24-148

It was moved and seconded:

- R2
1. That the draft zoning amendment bylaws for all electoral areas for the purpose of increasing opportunities for suites in CVRD electoral areas, bylaw maintenance, and satisfying provincial legislative requirements, and amending the Works and Services Bylaw, be forwarded to the Board for consideration;
 2. That proposed Zoning Amendment Bylaw No. 4571 not include provisions for detached suites on lands that are located within the Agricultural Land Reserve within Electoral Area A – Mill Bay/Malahat;

3. That proposed Zoning Amendment Bylaw No. 4571 not include provisions for detached suites on lands in the Agricultural Land Reserve within the Koksilah River Watershed within Electoral Area C – Cobble Hill;
4. That improvement districts and private utilities within the areas affected by the proposed amendments be notified of (not referred to) the draft bylaw that applies in their service area;
5. That amendment bylaws applicable to lands within 800 m of a Controlled Access Highway be referred to the Ministry of Transportation and Infrastructure; and
6. That a public hearing not be held and that notice be provided in accordance with CVRD Bylaw No. 4483 – Development Application Procedures Bylaw, 2023.
7. That proposed Zoning Amendment Bylaw No. 4574 include provisions for detached suites on lands that are located within the A1 zone within Electoral Area D – Cowichan Bay.

MOTION CARRIED

24-149

It was moved and seconded:

- R4**
1. That a Zoning Amendment Bylaw for Application No. RZ23A02 (855 Shawnigan-Mill Bay Road, PID: 000-278-122), to permit retail cannabis be forwarded to the Board for consideration of 1st and 2nd reading.
 2. That a public hearing be scheduled for Application No. RZ23A02 (855 Shawnigan-Mill Bay Road, PID: 000-278-122).

MOTION CARRIED

24-150

It was moved and seconded:

- R5**
- That “CVRD Bylaw No. 4545 - Development Approval Information Bylaw, 2024”, be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

2:05 PM

Director McClinton recused himself due to a perceived conflict of interest regarding EASC recommendations R1 and R3.

24-151

It was moved and seconded:

- R1**
1. That the Official Community Plan for the Electoral Areas be amended to designate electoral areas for short-term rental (STR) Temporary Use Permits, and that Zoning Bylaw No. 4485 be amended to include associated temporary use permit guidelines;
 2. That the Development Application Referral Policy be amended, to require any Temporary Use Permit applications for short-term rentals to be referred to the Advisory Planning Commission for the electoral area where the subject property is located; and

4. That staff host a public webinar to inform the public of the proposed approach to the short-term rentals' regulation.

Opposed: Director S. Acton and Director A. Nicholson

MOTION CARRIED

- R1 3. That the Cowichan Valley Regional District opt into the Principal Residence Requirement under Bill 35.

24-152

It was moved and seconded that the recommendation R1 3 be amended to exclude Electoral Area D – Cowichan Bay from the Principal Residence Requirement under Bill 35.

MOTION CARRIED

24-153

It was moved and seconded that the recommendation R1 3 be amended to exclude Electoral Area I – Youbou/Meade Creek from the Principal Residence Requirement under Bill 35.

MOTION CARRIED

24-154

It was moved and seconded that the recommendation R1 3 be amended to exclude Electoral Area I – Youbou/Meade Creek from the Principal Residence Requirement under Bill 35.

MOTION CARRIED

Voting resumed on the main motion as amended

24-155

It was moved and seconded:

- R1 3. That the Cowichan Valley Regional District opt into the Principal Residence Requirement under Bill 35 with the exclusion of Electoral Areas B – Shawnigan Lake, Area D – Cowichan Bay and Area I – Youbou/Meade Creek.

Opposed: Director S. Acton

MOTION CARRIED

2:34 PM

The Board agreed unanimously to recess at 2:34 PM

2:48 PM

The meeting reconvened at 2:48 PM

24-156

It was moved and seconded:

- R3 That staff investigate and report back on the process and costs associated with establishing a business licensing service for short-

term rentals and bed and breakfast accommodation in the electoral areas.

MOTION CARRIED

2:53 PM Director McClinton returned to the meeting at 2:53 PM.

STAFF REPORTS

SR1 Report from the A/General Manager, Corporate Services Re: Cowichan Housing Association Development Project Plan & Bridge Funding Request

24-157 It was moved and seconded that the Cowichan Valley Regional District (CVRD) enter into a two-year extension of the financial contribution agreement with the Cowichan Housing Association (CHA), for the period from January 1, 2024, to December 31, 2025.

MOTION CARRIED

BYLAWS

B1 CVRD Bylaw No. 4559 – Mill Springs Sewer System Service Amendment (Boundary Extension) Bylaw, 2024

24-158 It was moved and seconded that "CVRD Bylaw No. 4559 – Mill Springs Sewer System Service Amendment (Boundary Extension) Bylaw, 2024", be adopted.

MOTION CARRIED

ADJOURNMENT

24-159 It was moved and seconded that the meeting be adjourned.
3:07 PM

MOTION CARRIED

The meeting adjourned at 3:07 PM

Certified Correct:

Chairperson

Corporate Officer

Dated: _____