

Minutes of the Regular meeting of the Electoral Area Services Committee of the Cowichan Valley Regional District, transmitted electronically, via 175 Ingram Street, Duncan, BC, on Wednesday, December 6, 2023, at 1:31 PM

**PRESENT:** Director I. Morrison, Chair  
Director B. Maartman  
Director H. Abbott  
Director S. Acton  
Director J. McClinton  
Director A. Nicholson  
Director K. Segall  
Director M. Wilson

**ALSO PRESENT:** A. Stone, Board Chair\*  
D. Myles Wilson, Chief Administrative Officer  
A. Boyd, A/Deputy Corporate Officer  
T. Bowen, A/Corporate Financial Officer  
A. Kjerulf, General Manager, Land Use Services Department\*  
B. Mohan, General Manager, Corporate Services Department  
D. Mooney, General Manager, Operations Department\*  
C. Postings, General Manager, Strategic Services Department  
J. Elzinga, General Manager, Community Services Department  
M. Tippet, Manager, Community Planning Division  
M. Pressman, Manager, Development Services Division  
I. MacDonald, Senior Manager, Inspections & Enforcement Division  
C. Breen, Manager, Planning-Strategic Initiatives Division\*  
V. Thomson, Manager, Utilities, Water Management Division  
I. Sarady, Manager, Recycling and Waste Management Division  
L. Wright, Planning Coordinator  
A. Garnett, Planning Coordinator  
K., Lawrence, Senior Environmental Analyst, Environmental Services  
L. Knodel-Joy, Senior Engineering Technologist  
S. Bryski, Chief Building Inspector  
R. Buchan, Planner III  
C. Boyle, Planner II  
J. Hughes, Recording Secretary

\* participated remotely

**ABSENT:** Director K. Deck

#### **APPROVAL OF AGENDA**

**It was moved and seconded that the agenda be approved.**

**MOTION CARRIED**

#### **ADOPTION OF MINUTES**

**M1** Electoral Area Services Committee Meeting of November 15, 2023

**It was moved and seconded that the minutes of the Electoral Area Services Committee meeting of November 15, 2023, be adopted.**

**MOTION CARRIED**

**1:56 PM** The Committee agreed by consensus to recess at 1:56 PM.

**2:02 PM** The Committee meeting resumed at 2:02 PM.

### **CORRESPONDENCE**

**C1** Grant-in-Aid Request, Electoral Area A – Mill Bay/Malahat Re: Mill Bay Nature School PAC

**2:03 PM** Director Segall declared a conflict of interest as her children attend the Mill Bay Nature School and she is a member of the PAC and she left the meeting at 2:03 PM.

**It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$1,000 be provided to the Mill Bay Nature School PAC to support Truth and Reconciliation work.**

**MOTION CARRIED**

**2:05 PM** Director Segall returned to the meeting at 2:05 PM.

**C2** Grant-in-Aid Request, Electoral Area A – Mill Bay/Malahat Re: CMS Food Bank

**It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area A - Mill Bay/Malahat, in the amount of \$1,000 be provided to CMS Food Bank to help provide food for local residents.**

**MOTION CARRIED**

**C3** Grant-in-Aid Request, Electoral Area C – Cobble Hill Re: Shawnigan Cobble Hill Farmers Institute & Agriculture Society

**It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$500 be provided to the Shawnigan Cobble Hill Farmers Institute & Agriculture Society to assist with the Cobble Hill Village Centre Community Christmas Activities.**

**MOTION CARRIED**

**C4** Grant-in-Aid Request, Electoral Area F – Cowichan Lake South/Skutz Falls Re: Cowichan Lake Community Services Society

**It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area F – Cowichan Lake South/Skutz Falls, in the amount of \$1,500 be provided to the Cowichan Lake Community Services Society to support the 2023 Christmas Hamper Program servicing the Cowichan Lake area.**

**MOTION CARRIED**

- C5** Grant-in-Aid Request, Electoral Area I – Youbou/Meade Creek Re: Cowichan Lake Arts & Cultural Society (CLAC)

**It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area I – Youbou/Meade Creek, in the amount of \$500 be provided to the Cowichan Lake Arts & Cultural Society (CLAC) to assist with the spring reprint of the brochure containing information on artists around the Cowichan Valley.**

**MOTION CARRIED**

## **INFORMATION**

- IN1** Electoral Area A – Mill Bay/Malahat Advisory Planning Commission Minutes – November 16, 2023, was received for information.

- IN2** The following Community Parks Advisory Commission Minutes were received for information:
1. Electoral Area C – Cobble Hill Community Parks Advisory Commission Minutes – November 6, 2023;
  2. Electoral Area G – Saltair/Gulf Islands Community Parks Advisory Commission Minutes – November 2, 2023; and
  3. Electoral Area H – North Oyster/Diamond Community Parks Advisory Commission Minutes – September 25, 2023.

## **REPORTS**

- R1** Report from the Development Services Division Re: Application No. 03-H-16RS (13271 Simpson Road/PID: 008-903-603)

**It was moved and seconded that it be recommended to the Board that Application No. 03-H-16RS (13271 Simpson Road), be denied.**

**MOTION DEFEATED**

**It was moved and seconded that it be recommended to the Board:**

1. That 1<sup>st</sup> and 2<sup>nd</sup> readings of “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
2. That “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4194 attached as Attachment A to this report dated November 23, 2023.
3. That CVRD Bylaw No. 4194, as revised this day, be referred to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
4. That 2<sup>nd</sup> reading of “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
5. That “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be revised as

set out in CVRD Bylaw No. 4195 attached as Attachment B to this report dated November 23, 2023.

6. That CVRD Bylaw No. 4195, as revised this day, be referred to the Board for consideration of 2<sup>nd</sup> reading.
7. That the applicants provide to the CVRD the following additional information at their expense for review by staff within 120 calendar days and consideration by the Board prior to a public hearing being scheduled for CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
  - a. An updated Environmental Management Plan (EMP) prepared by an appropriate professional, which shall include information on how the EMP addresses the protection of the Cassidy Aquifer, and updated spill response procedures, specifically addressing the scenario of contamination of the groundwater.
  - b. A Stormwater Management Plan (SWMP) prepared by an appropriate professional, which includes a stormwater management system designed to supplement works already constructed and to retain all precipitation on-site. The plan shall specify the design standard (10-year occurrence interval recommended) of the proposed system. The plan shall also include a maintenance and monitoring plan for the proposed system, with a requirement for regular maintenance intervals, and each maintenance event (typically a clearing of the oils from oil-water separators) to be reported to the CVRD within 30 calendar days.
  - c. A Conditions and Impact Assessment prepared by a Qualified Environmental Professional (QEP) to assess and determine if any streams (as defined by the Riparian Areas Protection Regulation) or environmentally sensitive areas are on, or adjacent to, the subject property and to determine any corresponding watercourse and/or environmentally sensitive area setbacks.
  - d. A Fire Protection Report prepared by an appropriate professional that addresses the impact of the development on the subject property on fire services, which shall include the installation of firefighting water tank(s) with a minimum total capacity of 66,000 gallons with a fire hydrant or other appropriate connection for fire protection and a system designed for the catchment to be able to handle fire suppression activities.
8. That a revised draft covenant in favour of the CVRD be agreed to in writing by the applicants and the landowners within 180 calendar days that addresses the following, to be registered on the subject property if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
  - a. The establishment of an area on the subject property at the entrance of the subject property for after-hours scrap metal drop-offs from the public. This area shall be fully enclosed and screened with a 1.8-metre high solid fence.
  - b. Existing groundwater monitoring wells BH15-03 and BH15-01 be tested by the applicant at least every 12 months, with annual reporting to the CVRD.
  - c. The securing of the proposed works and measures in the plans and reports required to be provided by the applicant to the CVRD as set out above, including the installation and maintenance of any works and monitoring, testing and reporting requirements, as applicable.

9. That all costs associated with the preparation and registration of the covenant be borne by the applicant and paid to the CVRD if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195.

It was moved and seconded that 8 b) be amended by changing “12 months” to “6 months”.

**3:03 PM**

The Committee agreed by consensus to recess at 3:03 PM.

**3:12 PM**

The Committee meeting resumed at 3:12 PM.

***Voting resumed on the amendment***

It was moved and seconded that 8 b) be amended by removing “12 months” and replacing it with “6 months”.

**MOTION CARRIED**

It was moved and seconded that the motion be further amended to include:

10. That an additional monitoring well be established on site through a statutory right-of-way agreement. Once established, groundwater monitoring shall take place at the new location in addition to monitoring at wells BH15-03 and BH15-01. Data from these three wells should be made accessible to the public.

**MOTION CARRIED**

***Voting resumed on the main motion, as amended two times***

It was moved and seconded that it be recommended to the Board:

1. That 1<sup>st</sup> and 2<sup>nd</sup> readings of “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
2. That “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4194 attached as Attachment A to this report dated November 23, 2023.
3. That CVRD Bylaw No. 4194, as revised this day, be referred to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
4. That 2<sup>nd</sup> reading of “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
5. That “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4195 attached as Attachment B to this report dated November 23, 2023.
6. That CVRD Bylaw No. 4195, as revised this day, be referred to the Board for consideration of 2<sup>nd</sup> reading.
7. That the applicants provide to the CVRD the following additional information at their expense for review by staff within 120 calendar days and consideration by the Board prior to a public hearing being scheduled for CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
  - a. An updated Environmental Management Plan (EMP) prepared by an appropriate professional, which shall include information on how the

EMP addresses the protection of the Cassidy Aquifer, and updated spill response procedures, specifically addressing the scenario of contamination of the groundwater.

- b. A Stormwater Management Plan (SWMP) prepared by an appropriate professional, which includes a stormwater management system designed to supplement works already constructed and to retain all precipitation on-site. The plan shall specify the design standard (10-year occurrence interval recommended) of the proposed system. The plan shall also include a maintenance and monitoring plan for the proposed system, with a requirement for regular maintenance intervals, and each maintenance event (typically a clearing of the oils from oil-water separators) to be reported to the CVRD within 30 calendar days.
        - c. A Conditions and Impact Assessment prepared by a Qualified Environmental Professional (QEP) to assess and determine if any streams (as defined by the Riparian Areas Protection Regulation) or environmentally sensitive areas are on, or adjacent to, the subject property and to determine any corresponding watercourse and/or environmentally sensitive area setbacks.
        - d. A Fire Protection Report prepared by an appropriate professional that addresses the impact of the development on the subject property on fire services, which shall include the installation of firefighting water tank(s) with a minimum total capacity of 66,000 gallons with a fire hydrant or other appropriate connection for fire protection and a system designed for the catchment to be able to handle fire suppression activities.
8. That a revised draft covenant in favour of the CVRD be agreed to in writing by the applicants and the landowners within 180 calendar days that addresses the following, to be registered on the subject property if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
  - a. The establishment of an area on the subject property at the entrance of the subject property for after-hours scrap metal drop-offs from the public. This area shall be fully enclosed and screened with a 1.8-metre high solid fence.
  - b. Existing groundwater monitoring wells BH15-03 and BH15-01 be tested by the applicant at least every 6 months, with annual reporting to the CVRD.
  - c. The securing of the proposed works and measures in the plans and reports required to be provided by the applicant to the CVRD as set out above, including the installation and maintenance of any works and monitoring, testing and reporting requirements, as applicable.
9. That all costs associated with the preparation and registration of the covenant be borne by the applicant and paid to the CVRD if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195.
10. That an additional monitoring well be established on site through a statutory right-of-way agreement. Once established, groundwater monitoring shall take place at the new location in addition to monitoring at wells BH15-03 and BH15-01. Data from these three wells should be made accessible to the public.

It was moved and seconded that it be recommended to the Board that Application No. 03-H-16RS (13271 Simpson Road/PID: 008-903-603), be referred to the next Electoral Area Services Committee meeting.

**MOTION DEFEATED**

*Voting resumed on the main motion, as amended two times*

It was moved and seconded that it be recommended to the Board:

1. That 1<sup>st</sup> and 2<sup>nd</sup> readings of “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
2. That “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4194 attached as Attachment A to this report dated November 23, 2023.
3. That CVRD Bylaw No. 4194, as revised this day, be referred to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
4. That 2<sup>nd</sup> reading of “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
5. That “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4195 attached as Attachment B to this report dated November 23, 2023.
6. That CVRD Bylaw No. 4195, as revised this day, be referred to the Board for consideration of 2<sup>nd</sup> reading.
7. That the applicants provide to the CVRD the following additional information at their expense for review by staff within 120 calendar days and consideration by the Board prior to a public hearing being scheduled for CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
  - a. An updated Environmental Management Plan (EMP) prepared by an appropriate professional, which shall include information on how the EMP addresses the protection of the Cassidy Aquifer, and updated spill response procedures, specifically addressing the scenario of contamination of the groundwater.
  - b. A Stormwater Management Plan (SWMP) prepared by an appropriate professional, which includes a stormwater management system designed to supplement works already constructed and to retain all precipitation on-site. The plan shall specify the design standard (10-year occurrence interval recommended) of the proposed system. The plan shall also include a maintenance and monitoring plan for the proposed system, with a requirement for regular maintenance intervals, and each maintenance event (typically a clearing of the oils from oil-water separators) to be reported to the CVRD within 30 calendar days.
  - c. A Conditions and Impact Assessment prepared by a Qualified Environmental Professional (QEP) to assess and determine if any streams (as defined by the Riparian Areas Protection Regulation) or environmentally sensitive areas are on, or adjacent to, the subject property and to determine any corresponding watercourse and/or environmentally sensitive area setbacks.
  - d. A Fire Protection Report prepared by an appropriate professional that addresses the impact of the development on the subject property on fire services, which shall include the installation of firefighting water tank(s) with a minimum total capacity of 66,000 gallons with a fire hydrant or other appropriate connection for fire protection and a

system designed for the catchment to be able to handle fire suppression activities.

8. That a revised draft covenant in favour of the CVRD be agreed to in writing by the applicants and the landowners within 180 calendar days that addresses the following, to be registered on the subject property if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
  - a. The establishment of an area on the subject property at the entrance of the subject property for after-hours scrap metal drop-offs from the public. This area shall be fully enclosed and screened with a 1.8-metre high solid fence.
  - b. Existing groundwater monitoring wells BH15-03 and BH15-01 be tested by the applicant at least every 6 months, with annual reporting to the CVRD.
  - c. The securing of the proposed works and measures in the plans and reports required to be provided by the applicant to the CVRD as set out above, including the installation and maintenance of any works and monitoring, testing and reporting requirements, as applicable.
9. That all costs associated with the preparation and registration of the covenant be borne by the applicant and paid to the CVRD if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195.
10. That an additional monitoring well be established on site through a statutory right-of-way agreement. Once established, groundwater monitoring shall take place at the new location in addition to monitoring at wells BH15-03 and BH15-01. Data from these three wells should be made accessible to the public.

It was moved and seconded that 8 b) be amended by removing “annual” to “semi-annual”.

**MOTION CARRIED**

*Voting resumed on the main motion, as amended*

It was moved and seconded that it be recommended to the Board:

1. That 1<sup>st</sup> and 2<sup>nd</sup> readings of “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
2. That “CVRD Bylaw No. 4194 – Electoral Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4194 attached as Attachment A to this report dated November 23, 2023.
3. That CVRD Bylaw No. 4194, as revised this day, be referred to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings.
4. That 2<sup>nd</sup> reading of “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be rescinded.
5. That “CVRD Bylaw No. 4195 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (13271 Simpson Road), 2018”, be revised as set out in CVRD Bylaw No. 4195 attached as Attachment B to this report dated November 23, 2023.
6. That CVRD Bylaw No. 4195, as revised this day, be referred to the Board for consideration of 2<sup>nd</sup> reading.
7. That the applicants provide to the CVRD the following additional information at their expense for review by staff within 120 calendar days



and consideration by the Board prior to a public hearing being scheduled for CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:

- a. An updated Environmental Management Plan (EMP) prepared by an appropriate professional, which shall include information on how the EMP addresses the protection of the Cassidy Aquifer, and updated spill response procedures, specifically addressing the scenario of contamination of the groundwater.
  - b. A Stormwater Management Plan (SWMP) prepared by an appropriate professional, which includes a stormwater management system designed to supplement works already constructed and to retain all precipitation on-site. The plan shall specify the design standard (10-year occurrence interval recommended) of the proposed system. The plan shall also include a maintenance and monitoring plan for the proposed system, with a requirement for regular maintenance intervals, and each maintenance event (typically a clearing of the oils from oil-water separators) to be reported to the CVRD within 30 calendar days.
  - c. A Conditions and Impact Assessment prepared by a Qualified Environmental Professional (QEP) to assess and determine if any streams (as defined by the Riparian Areas Protection Regulation) or environmentally sensitive areas are on, or adjacent to, the subject property and to determine any corresponding watercourse and/or environmentally sensitive area setbacks.
  - d. A Fire Protection Report prepared by an appropriate professional that addresses the impact of the development on the subject property on fire services, which shall include the installation of firefighting water tank(s) with a minimum total capacity of 66,000 gallons with a fire hydrant or other appropriate connection for fire protection and a system designed for the catchment to be able to handle fire suppression activities.
8. That a revised draft covenant in favour of the CVRD be agreed to in writing by the applicants and the landowners within 180 calendar days that addresses the following, to be registered on the subject property if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195:
- a. The establishment of an area on the subject property at the entrance of the subject property for after-hours scrap metal drop-offs from the public. This area shall be fully enclosed and screened with a 1.8-metre high solid fence.
  - b. Existing groundwater monitoring wells BH15-03 and BH15-01 be tested by the applicant at least every 6 months, with semi-annual reporting to the CVRD.
  - c. The securing of the proposed works and measures in the plans and reports required to be provided by the applicant to the CVRD as set out above, including the installation and maintenance of any works and monitoring, testing and reporting requirements, as applicable.
9. That all costs associated with the preparation and registration of the covenant be borne by the applicant and paid to the CVRD if the CVRD adopts CVRD Bylaw No. 4194 and CVRD Bylaw No. 4195.
10. That an additional monitoring well be established on site through a statutory right-of-way agreement. Once established, groundwater monitoring shall take place at the new location in addition to monitoring at wells BH15-03 and BH15-01. Data from these three wells should be made accessible to the public.

**MOTION CARRIED**

**3:40 PM** The Committee agreed by consensus to recess at 3:40 PM.

**3:41 PM** Director McClinton left the meeting at 3:41 PM.

**3:51 PM** The Committee meeting resumed at 3:51 PM.

**3:52 PM** Director McClinton entered the meeting at 3:52 PM.

**R2** Report from the Strategic Initiatives Division Re: Agricultural Policy and Planning

Presentation from Ione Smith, Upland Agricultural Consulting Re: Presenting the Report from the Regional Agriculture Meeting and Recommendations for Next Steps

Ms. Smith provided a PowerPoint presentation and overview on the Report from the Regional Agriculture Meeting and Recommendations for Next Steps and responded to questions from the Committee.

**It was moved and seconded that it be recommended to the Board that staff report in Q1 of 2024 a roll out and costs associated with the first three options in 2024 on the following:**

- 1. That the Agriculture Stakeholder meetings be convened on various agriculture specific topics, particularly as provincial regulations change, including those from the Agricultural Land Commission;**
- 2. That the CVRD Agricultural Advisory Committee be re-instated;**
- 3. That the CVRDs Agricultural Plan be updated in conjunction with the Municipality of North Cowichan in its initiative to update their Agricultural Plan;**

**And the fourth option in 2025:**

- 4. That a designated CVRD Agricultural Coordinator position be established.**

**MOTION CARRIED**

**R3** Report from the Development Services Division Re: Application No. SA21B10 (2006 Renfrew Road/PID: 003-924-637)

**It was moved and seconded that it be recommended to the Board that the minimum parcel frontage exemption request for Subdivision Application No. SA21B10 (2006 Renfrew Road, PID: 003-924-637), be denied.**

**It was moved and seconded that it be recommended to the Board that Application No. SA21B10 (2006 Renfrew Road/PID: 003-924-637), be referred to the Electoral Area B – Shawnigan Lake Advisory Planning Commission for comment.**

**MOTION CARRIED**

- R4** Report from the Development Services Division Re: Application No. RZ21A02 (Holker Place/PID: 002-062-364)

It was moved and seconded that it be recommended to the Board that the preliminary staff report for Application No. RZ21A02 (Holker Place/PID: 002-062-364), be referred back to staff for the following information, prior to further consideration:

1. A geotechnical assessment by a qualified geotechnical engineer that identifies a safe buildable area for each proposed strata lot as well as the common property access route;
2. Proof of sewer, water and drainage servicing capability on the subject property for the proposed light industrial uses, including water licensing authorization for the use of surface and/or groundwater;
3. Testing of fill to establish a baseline for the property (regarding possible level of contamination); and
4. An environmental inventory/impact assessment report from a qualified professional relating to the impact of development on the natural environment and compliance with the Provincial *Riparian Areas Protection Regulation (RAPR)*.

**MOTION CARRIED**

- R5** Report from the Development Services Division Re: Application No. RZ23E01 (Appaloosa Way, PID 009-845-119, PID: 009-849-637, and PID: 009-849-581)

It was moved and seconded that it be recommended to the Board

1. That the following information be provided to support Application No. RZ23E01 (Appaloosa Way, PID 009-845-119, PID: 009-849-637, and PID: 009-849-581):
  - a. A revised subdivision plan to demonstrate substantial compliance with DPA 1 (Riparian Protection), DPA 2 (Sensitive Ecosystem Protection) and DPA 4 (Aquifer Protection) design guidelines, including:
    - i. Modifications to minimize crossings of riparian areas and maximize the distance between roads and riparian areas.
    - ii. Modifications to minimize the number of proposed non-contiguous lots bisected by riparian areas.
    - iii. A revised map clearly differentiating TLC covenanted areas, P-2 Zoned Areas, Natural Boundaries of watercourses, Streamside Protection and Enhancement Areas (SPEAs), stream crossings, and proposed road networks.
    - iv. Setback information related to wells and septic discharge areas as set out in Island Health's Subdivisions Standards;
    - v. Confirmation from a qualified BC Land Surveyor (ABCLS) of the minimum lot sizes (1 ha) after removal of the SPEAs associated with wetlands, watercourses and streams;
  - b. Confirmation from a qualified environmental professional (QEP) that:
    - i. The revised subdivision plan would have no adverse effect on the natural features, functions and conditions that support fish life processes in the 30 m riparian assessment area (where a non-contiguous lot (bisected by riparian areas) is unavoidable, recommendations from a QEP shall be provided to ensure that the

- development will not harm natural features, functions and conditions in the riparian assessment area).
- ii. The revised subdivision plan will have no adverse effect on Western Toad Habitat.
  - c. Conceptual site plans showing building envelopes within allowable footprints, driveway access, sewerage & water infrastructure, and parking areas.
  - d. Details on proposed parkland dedication areas, including topographic and environmental constraints for the 2.8 ha of P-2 Zoned lands that are not within the covenant area.
  - e. Trail construction standards and locations within the proposed development to provide connectivity between subdivision blocks and the proposed park.
2. That following receipt of the information, Application No. RZ23E01 (Appaloosa Way, PID 009-845-119, PID: 009-849-637 and PID: 009-849-581), be referred to the following external agencies and First Nations:
- a. Cowichan Tribes;
  - b. Lake Cowichan First Nation;
  - c. Penelakut Tribe;
  - d. Halalt First Nation;
  - e. Lyackson First Nation;
  - f. Stz'uminus First Nation;
  - g. Ministry of Transportation & Infrastructure;
  - h. Ministry of Forests;
  - i. Ministry of Environment and Climate Change Strategy;
  - j. Electoral Area E – Parks Advisory Commission (PAC);
  - k. Ministry of Water, Land and Resource Stewardship;
  - l. BC Hydro;
  - m. Electoral Area E – Advisory Planning Commission (APC); and
  - n. The Land Conservancy.

**MOTION CARRIED**

**R6**

Report from the Development Services Division Re: Proposed Bylaw No. 4539 to Amend Section 5.18(m) of Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985

**It was moved and seconded that it be recommended to the Board:**

1. That CVRD Bylaw No. 4539 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Suite Covenant Amendment), 2023, be forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading.
2. That public notice be undertaken in accordance with the *Local Government Act* and CVRD Bylaw No. 4483 – Development Application Procedures Bylaw, 2023.

**MOTION CARRIED**

- R7** Report from the Development Services Division Re: Development Applications Procedures Bylaw Amendment Bylaw No. 4529

**It was moved and seconded that it be recommended to the Board that Development Applications Procedures Bylaw Amendment Bylaw No. 4529, 2023, be referred to the December 20, 2023, Electoral Area Services Committee meeting.**

**MOTION CARRIED**

- R8** Report from the Utilities Division Re: Amend Bylaw No. 3711 Mill Springs Sewer System Establishment

**It was moved and seconded that it be recommended to the Board:**

- 1. That CVRD Bylaw No. 3711 (Mill Springs Sewer Service Establishment Bylaw, 2013) be amended to include the properties described in the Mill Springs Sewer System Service Area Certificates of Sufficiency dated November 3, 6 and 7, 2023.**
- 2. That the amendment to Bylaw No. 3711 be forward to the Board for consideration of three readings and upon execution of the Mill Springs Extension Agreement and payment of the capacity connection fees, for adoption.**

**MOTION CARRIED**

- R9** Report from the Recycling & Waste Management Division Re: Amendment Bylaw No. 4527 – Curbside Collection Fee Adjustment

**It was moved and seconded that it be recommended to the Board that “CVRD Bylaw No. 4527 - Garbage and/or Recyclable Materials Collection Amendment Bylaw, 2023”, be forwarded to the Board for consideration of three readings and adoption.**

**MOTION CARRIED**

- R10** Report from the Inspection & Enforcement Division Re: Building Permit Fees

**It was moved and seconded that it be recommended to the Board that the Report from the Inspection & Enforcement Division Re: Building Permit Fees, be referred to the December 20, 2023, Electoral Area Services Committee meeting.**

**MOTION CARRIED**

- 5:26 PM** The Committee agreed by consensus to recess at 5:26 PM.

- 5:34 PM** The Committee meeting resumed at 5:34 PM.

**R11** Report from the Inspection & Enforcement Division Re: *Zero Carbon Step Code*

**It was moved and seconded that it be recommended to the Board that staff prepare amendments to CVRD Bylaw No. 3422 – Building Regulation Bylaw, 2011, and proposed CVRD Bylaw No. 4433 – Building Regulation Bylaw, 2023, to implement *Zero Carbon Step Code* Emission Level 3 immediately and Emission Level 4 on July 1, 2024.**

**MOTION CARRIED**

**R12** Report from the Inspection & Enforcement Division Re: CVRD Fireworks Sale and Discharge Regulation Bylaw No. 4514, 2023

**It was moved and seconded that it be recommended to the Board that staff revise proposed Bylaw No. 4514 – Fireworks Sale and Discharge Regulation Bylaw, 2023, to prohibit the sale and discharge of fireworks and forward the bylaw to the Board for consideration of three readings and adoption.**

**MOTION DEFEATED**

*(Amended from original Committee Recommendation)*

**It was moved and seconded that it be recommended to the Board that CVRD Bylaw No. 4514 – Fireworks Sale and Discharge Regulation Bylaw, 2023 be forwarded to the December 13, 2023 Board for consideration of three readings and adoption following the adoption of Bylaw No. 4509.**

**MOTION CARRIED**

**R13** Report from the Strategic Initiatives Division Re: Complete Communities Grant Request for Resolution

**It was moved and seconded that it be recommended to the Board that the Report from the Strategic Initiatives Division Re: Complete Communities Grant Request for Resolution, be referred to the December 20, 2023, Electoral Area Services Committee meeting.**

**MOTION CARRIED**

**R14** Report from the Strategic Initiatives Division Re: *Bill 44 Housing Statutes (Residential Development) Amendment Act, 2023; Bill 46 Housing Statutes (Development Financing) Amendment Act; and Bill 47 Housing Statutes (Transit-Oriented Areas) Amendment Act*

**It was moved and seconded that it be recommended to the Board that the Report from the Strategic Initiatives Division Re: *Bill 44 Housing Statutes (Residential Development) Amendment Act, 2023; Bill 46 Housing Statutes (Development Financing) Amendment Act; and Bill 47 Housing Statutes (Transit-Oriented Areas) Amendment Act*, be referred to the December 20, 2023, Electoral Area Services Committee meeting.**

**MOTION CARRIED**

**R15**

Report from the Finance Division Re: Growing Communities Funds Projects

It was moved and seconded that it be recommended to the Board on December 13, 2023, that the Growing Community Funds be allocated as follows:

- a. \$2.6 million for the Stocking Lake Dam replacement;
- b. \$50,000 to Initiate an Indigenous relations framework;
- c. \$50,000 to upgrade Cowichan Community Centre; and
- d. That the remaining \$1.299 million be allocated to projects outlined in Attachment A of the Finance Division's Staff Report dated November 25, 2023 including:
  - i) Boardroom renovation and expansions;
  - ii) Regional Growth Strategy;
  - iii) Cowichan Valley Trail – McGee Creek Trestle Replacement;
  - iv) Cowichan Valley Trail – Waters Road Bridge; and
  - v) Bings Creek Site Design.

**MOTION CARRIED****ADJOURNMENT****7:04 PM**

It was moved and seconded that the meeting be adjourned.

**MOTION CARRIED**

The meeting adjourned at 7:04 PM.

\_\_\_\_\_  
Chair\_\_\_\_\_  
Recording Secretary

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