

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, October 11, 2023 at 1:33 PM.

PRESENT Chair A. Stone
Director H. Abbott
Director S. Acton
Director K. Deck
Director R. Douglas
Director B. Maartman
Director T. Manhas
Director J. McClinton<after 136 pm>
Director T. McGonigle
Director I. Morrison
Director A. Nicholson
Director K. Segall
Director M. Staples*
Director D. Toporowski
Director M. Wilson
Alternate Director C. Istace

ALSO PRESENT D. Myles Wilson, Chief Administrative Officer
A. Boyd, Deputy Corporate Officer
J. Elzinga, General Manager Community Services Department
C. Posting, General Manager, Strategic Services
B. Mohan, General Manager, Corporate Services
A. Kjerulf, General Manager, Land Use Services Department*
C. Breen, Manager, Planning - Strategic Initiatives*
M. Pressman, Manager, Development Services
T. Bowen, Acting Chief Financial Officer
A. Garnett, Planner 3 - Development Services*
R. Barnhouse, Legislative Assistant
C. Convery, Systems Support Technician*

*Participated Electronically

ABSENT Director C. Justice

APPROVAL OF AGENDA

23-490 It was moved and seconded that the October 11, 2023 CVRD Board agenda be approved, as amended to include the addition of items:

- **CR4 Report to Board from the October 11, 2023 Committee of the Whole meeting;**
- **BEA1 Bylaw No. 4424, for adoption;**
- **NB1 Discussion Re: COTW/Board October 25, 2023 meeting;**

- Closed Session item CSSR6 be moved to CSSR7; and
- Closed session item CSSR6 Report to close under *Community Charter* Section 90(1)(c) Employee Relations.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Board Meeting of September 27, 2023

23-491 It was moved and seconded that the minutes of the Regular Board meeting of September 27, 2023 be adopted.

REPORT FROM THE CHAIRPERSON

RC1 Report from Chair Stone Re: Update on the Annual General Meeting of the Island Corridor Foundation.

CORRESPONDENCE

C1 Correspondence from the Cowichan Valley Primary Care Society Re: Letter of Support

23-492 It was moved and seconded that the Board direct staff to provide a letter of support for the Cowichan Valley Primary Care Society as they continue to explore funding options to create a network of community-driven team based primary care clinics within the Cowichan region.

MOTION CARRIED

COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendations of the Committee of the Whole Meeting of September 27, 2023

23-493 It was moved and seconded:

- D1.** That it be recommended to the Board that the funding request from Cowichan Green Community be referred to staff.
- R1.** That the 2023 CVRD Regional Active Transportation Plan be referred to the Electoral Area Services Committee for further discussion.
- R6.** That the CVRD enter into a further Licence of Use agreement with School District No. 79 for a portion of land legally described as Lot 1, Section 19, Range 4, Quamichan District, Plan 19244 (PID: 003-716-775), for an additional 10-year term, with the option for an automatic renewal for a further 10-year term.

MOTION CARRIED

CR2 Report and Recommendations of the Electoral Area Services Committee Meeting of October 4, 2023

23-494 It was moved and seconded:

- C1** That a Grant-in-Aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$1,000 be provided to the Cowichan Missing and Murdered Women, Men and Children Society to support the fundraising gala “Lifting Spirits/Honouring Lives”.
- C2** That a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$500 be provided to the Cowichan Missing and Murdered Women, Men and Children Society to support the fundraising gala “Lifting Spirits/Honouring Lives”.
- C3** That a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$1,700 be provided to the Cowichan Estuary Restoration & Conservation Association to assist in covering the cost of Phase II of a Post Doctoral Study of Microplastic Accumulation in the Cowichan Estuary.
- C4** That a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$1,000 be provided to the Cowichan Valley Primary Care Society to support the creation of a non-profit primary health care service to partners within our community.
- C5** That a Grant-in-Aid, Electoral Area E – Cowichan Station/Sahtlam/Glenora, in the amount of \$1,000 be provided to the Cowichan Estuary Restoration & Conservation Association to assist in covering the cost of Phase II of a Post Doctoral Study on Microplastic Accumulation in the Cowichan Estuary.
- NB1** That a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$1,000 be provided to the Cowichan Missing and Murdered Women, Men and Children Society to support the fundraising gala “Lifting Spirits/Honouring Lives”.
- R5** That the 2023 Budget for Function 325, be amended to:
 - 1. Decrease Strategic Initiatives Development Permits by \$10,000;
 - 2. Decrease Strategic Initiatives Legal by \$15,000;
 - 3. Decrease Community Planning Consultants \$6,000; and
 - 4. Increase Strategic Initiatives Public Engagement by \$31,000.
- R6** That the 2023 Budget for Function 325 Community Planning be amended in order to purchase a new large format copier/scanner/printer by:
 - 1. Increasing Capital Expenses by \$18,500; and
 - 2. Decreasing Operating Expenses by \$18,500.

MOTION CARRIED

23-495 It was moved and seconded:

Electoral Area Directors only vote on the following:

- R1
1. That Covenant CA1648147 be amended or replaced to substitute the requirement for the construction of fire protection facilities at the development site with an equivalent financial contribution, adjusted for inflation, to be deposited in a reserve fund for future Malahat Volunteer Fire Department fire protection facilities.
 2. That, for the purposes of determining the equivalent financial contribution to satisfy Covenant CA1648147, staff engage a BC Quantity Surveyor and Professional Appraiser to determine the current value of the land where fire protection facilities were to be constructed, and current cost to construct the fire protection facilities.
 3. That Covenant CA1648144/CA1648145 be amended or replaced to substitute the requirement for the construction of parks facilities adjacent to the development site with a requirement to construct equivalent facilities at the Stebbings Road Cowichan Valley Trail trailhead.
 4. That, prior to the registration of new or amended covenants, the applicant pays all legal and professional costs incurred by the CVRD in relation to Application No. COV21B02.
- R2 That proposed Lots A and B in Subdivision Application No. SA23A01 (2530 Mill Bay Road, PID: 023-004-193), be exempted from the minimum parcel frontage requirement in accordance with Section 512 of the Local Government Act.
- R3
1. That a public hearing not be held for Application No. RZ23F01 (7510 Cowichan Lake Road, PID: 005-316-502), and that notice be undertaken in accordance with the Local Government Act; and
 2. That the draft Zoning Amendment Bylaw for Application No. RZ23F01 (7510 Cowichan Lake Road, PID: 005-316-502), be prepared by staff and forwarded to the Board for consideration of 1st and 2nd reading.
- R4 That a report outlining potential zoning bylaw amendments for secondary dwellings be referred to the Advisory Planning Commissions for Electoral Areas D, E, F, G, H and I.
- R7
1. That public hearings be held in the CVRD Board Room and that where possible, hearings be held in a hybrid format with provision for members of the public to attend either in person or via electronic means, except where the Board has resolved to hold a public hearing in a different venue or format.
 2. That public hearings be delegated to all Electoral Area Directors.
 3. That public hearings be chaired by the Chair of the Electoral Area Services Committee or their designate.
 4. That, prior to consideration of the Board, the public hearing record be certified as correct by the Public Hearing Chairperson and Recording Secretary.

MOTION CARRIED

- CR3** Report and Recommendations of the Special Electoral Area Services Committee Meeting of October 5, 2023

It was moved and seconded that the Function 250 – Electoral Area Services 2024 Core Budget Values, as identified in Column G of Attachment A (Function 250 Detailed Financial Report), be approved, minus \$80,000 Commitment for Geographic Information System Light Detection and Ranging.

- 23-496** It was moved and seconded that the Function 250 – Electoral Area Services 2024 Core Budget Values, as identified in Column G of Attachment A (Function 250 Detailed Financial Report), be referred to staff for further discussion.

Opposed: Director A. Nicholson, Director H. Abbott, Director S. Acton,
Director J. McClinton, Director I. Morrison, Director K. Segall

MOTION DEFEATED

- 23-497** It was moved and seconded that the Function 250 – Electoral Area Services 2024 Core Budget Values, as identified in Column G of Attachment A (Function 250 Detailed Financial Report), be approved, minus \$80,000 Commitment for Geographic Information System Light Detection and Ranging.

Opposed: Director K. Deck, Director B. Maartman, Director M. Wilson

MOTION CARRIED

- CR4** Report and Recommendations of the Committee of the Whole Meeting of October 11, 2023

- 23-498** It was moved and seconded:

- C1.** That the Board direct staff to provide a letter of support for the Cowichan Housing Association to accompany their regional application for a Community Gaming Grant (Human and Social Services 2024/2025) for Cowichan Ending Homelessness Coalition coordinator and supporting work.
- R2** That a grant application in the amount of up to \$300,000 be submitted to the Union of British Columbia Municipalities Community Emergency Preparedness Fund for disaster risk reduction and climate adaptation.
- R3** That a grant application for up to \$800,000 be submitted to the Union of BC Municipalities (UBCM) Community Resiliency Investment Program - FireSmart Community Funding and Supports, with the CVRD as the administrator that will apply for, receive and manage the grant funding for the two (2) applicants: The City of Duncan and the Town of Ladysmith.

MOTION CARRIED

STAFF REPORTS

SR1 Report from the Development Services Division Re: Bylaw Nos. 4494 and 4495, received for information.

BYLAWS - ELECTORAL AREA DIRECTORS

BEA1 23-499 It was moved and seconded that “CVRD Bylaw No. 4424 - Development Permit Area Amendment Bylaw, 2023”, be granted 3rd reading.

MOTION CARRIED

BEA1 23-500 It was moved and seconded that “CVRD Bylaw No. 4424 – Development Permit Area Amendment Bylaw, 2023”, be adopted.

MOTION CARRIED

BEA2 23-501 It was moved and seconded that “CVRD Bylaw No. 4484 - Official Community Plan Amendment Bylaw, 2023”, be granted 3rd reading.

MOTION CARRIED

BEA2 23-502 It was moved and seconded that “CVRD Bylaw No. 4484 - Official Community Plan Amendment Bylaw, 2023”, be adopted.

MOTION CARRIED

BEA3 23-503 It was moved and seconded that “CVRD Bylaw No. 4485 - Zoning Bylaw for the Electoral Areas (Development Permit Exemptions and Guidelines), 2023”, be granted 3rd reading.

MOTION CARRIED

BEA3 23-504 It was moved and seconded that “CVRD Bylaw No. 4485 - Zoning Bylaw for the Electoral Areas (Development Permit Exemptions and Guidelines), 2023”, be adopted.

MOTION CARRIED

BEA5 23-505 It was moved and seconded that "CVRD Bylaw No. 4494 – Electoral Areas Works and Servicing Bylaw Amendment (Community Water System Definition), 2023", be granted 1st and 2nd readings.

MOTION CARRIED

BEA6 23-506 It was moved and seconded that "CVRD Bylaw No. 4495 – Area H – North Oyster/Diamond Zoning Amendment Bylaw (Community Water System Definition), 2023", be granted 1st and 2nd readings.

MOTION CARRIED

NEW BUSINESS ITEM

NB1 October 25th, 2023 Committee of the Whole and Board Meeting Schedule Conflict

23-507 It was moved and seconded that the October 25th , 2023 Regular Board and Committee of the Whole meetings be cancelled.

MOTION CARRIED

23-508 It was moved and seconded that the CVRD Board approve Director Acton to attend the Vancouver Island Economic Alliance Conference on October 25, 2023.

MOTION CARRIED

CLOSED SESSION

23-509 It was moved and seconded that the meeting be closed to the public in accordance
2:03 PM with the *Community Charter* Part 4, Division 3, Section 90(1)(a) Appointments, Personal Information and Section 90(1)(c) Employee Relations.

MOTION CARRIED

RISE FROM CLOSED SESSION

23-516 It was moved and seconded that the Board rise with report on items CSSR1, CSSR2,
3:09 PM CSSR3, CSSR4 and return to the Open portion of the meeting.

MOTION CARRIED

CSSR1

23-517 It was moved and seconded that the CVRD Board appoint the following as Members of the Cowichan South Recreation Commission, for a term expiring on December 31, 2026:

- Kate Segall (Director, Electoral Area A – Mill Bay/Malahat)
- Sierra Acton (Director, Electoral Area B – Shawnigan Lake)
- Mike Wilson (Director, Electoral Area C – Cobble Hill)
- Hilary Abbott (Director, Electoral Area D – Cowichan Bay)
- Rob Douglas (Mayor, Municipality of North Cowichan)
- Brian Harrison (Community Member, Electoral Area A – Mill Bay/Malahat)
- Mark Champ (Community Member, Electoral Area B – Shawnigan Lake)

MOTION CARRIED

CSSR2

- 23-518** It was moved and seconded that the CVRD Board appoint the following as Members of the Cowichan North Recreation Commission, for a term expiring on December 31, 2026:

- Alison Nicholson (Director, Electoral Area E – Cowichan Station/Sahtlam/Glenora)
- Jesse McClinton (Director, Electoral Area G – Saltair/Gulf Islands)
- Ben Maartman (Director, Electoral Area H – North Oyster/Diamond)
- Duck Paterson (Councillor, Town of Ladysmith)
- Marsh Stevens (Councillor, Town of Ladysmith)
- Chris Istace (Councillor, Municipality of North Cowichan)
- Debra Toporowski (Councillor, Municipality of North Cowichan)

MOTION CARRIED

CSSR3

- 23-519** It was moved and seconded that the CVRD appoint the following as Members of the Cowichan Core Recreation Commission, for a term expiring on December 31, 2026:

- Sierra Action (Director, Electoral Area B – Shawnigan Lake)
- Mike Wilson (Director, Electoral Area C – Cobble Hill)
- Hilary Abbott (Director, Electoral Area D – Cowichan Bay)
- Alison Nicholson (Director, Electoral Area E – Cowichan Station/Sahtlam/Glenora)
- Tom Duncan (Councillor, City of Duncan)
- Bruce Findlay (Councillor, Municipality of North Cowichan)
- Christopher Justice (Councillor, Municipality of North Cowichan)
- Calvin Swustus Jr. (Councillor, Cowichan Tribes)

MOTION CARRIED

CSSR4

- 23-520** It was moved and seconded that the CVRD Board appoint the following as Members of the Cowichan Lake Recreation Commission, for a term expiring on December 31, 2026:

- Ian Morrison (Director, Electoral Area F – Cowichan Lake South/Skutz Falls)
- Karen Deck (Director, Electoral Area I – Youbou/Meade Creek)
- Kristine Sandhu (Councillor, Town of Lake Cowichan)
- Aaron Frisby (Councillor, Town of Lake Cowichan)
- Tek Manhas (Councillor, Municipality of North Cowichan)
- Mike Caljouw (Councillor, Municipality of North Cowichan)

MOTION CARRIED

ADJOURNMENT

- 23-521** It was moved and seconded that the meeting be adjourned at 3:09 PM.

MOTION CARRIED

Certified Correct:

Chairperson

Corporate Officer

Dated: _____