

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, January 10, 2024 at 12:00 PM

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

ALSO PRESENT D. Myles Wilson, Chief Administrative Officer
P. Robins, Corporate Officer
A. Boyd*, Acting Deputy Corporate Officer
T. Bowen, Acting Chief Financial Officer
C. Posting, General Manager, Strategic Services, Deputy CAO
A. Kjerulf, General Manager, Corporate Services
J. Elzinga, General Manager, Community Services
D. Mooney, General Manager, Operations
I. Paydli, Acting General Manager, Corporate Services
I. MacDonald, Manager, Building Inspection & Bylaw
R. Williams, Manager, Cowichan Community Centre Division
B. Coleman, Manager, Facility Operations
P. LeBlanc, Manager, Arts & Culture Division
M. McCooey, Administration & Booking Facility Coordinator
M. Pressman, Manager, Development Services Division
M. Tippett, Manager, Community Planning Division
L. Wright, Planning Coordinator, Community Planning Division
R. Wainwright, Manager, Emergency Management Division
A. Ferguson, Office Coordinator
R. Johnston, Legislative Assistant
C. Convery, Systems Support Technician

*Participated Electronically

CLOSED SESSION

24-001 It was moved and seconded that the meeting be closed to the public in
12:00 PM accordance with the *Community Charter* Part 4, Division 3, Section 90(1)(g) Solicitor/Client Privilege; Section 90(1)(c) Labour Relations, Section 90(1)(a) – Appointments.

MOTION CARRIED

RISE FROM CLOSED SESSION

1:18 PM The Closed Session Board meeting recessed until the conclusion of the Regular Board session.

1:46 PM The Regular Session Board meeting reconvened at 1:46 PM

APPROVAL OF AGENDA

24-004 It was moved and seconded that the agenda be amended as follows:
1. BA1 - Reconsideration of Resolution No. 23-621 from the December 13, 2023 Regular Board Meeting and BA2 potential reconsideration of Resolution 23-620 from the December 13, 2023 Regular Session Board Meeting;
2. D1 - Delegation request from Schnitzer Steel to address their rezoning application be approved;
and that the agenda be approved as amended.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Board Meeting of December 13, 2023

24-005 It was moved and seconded that the minutes of the Regular Board meeting of December 13, 2023 be adopted.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

BA1 Business Arising from Regular Board meeting minutes of December 13, 2023 Re: Resolution 23-621 {Application No. 03-H-16RS (13271 Simpson Road/PID:008-903-603)} – Pursuant to *Local Government Act* s. 217 the Chair allow the Board to reconsider this item.

BA2 Correspondence from McCarthy Tetrault Re: Request for Reconsideration – Application No. 02-H-16RS (PID: 008-903-603 / Schnitzer Steel) was received for direction.

24-006 It was moved and seconded that agenda items BA 1 and BA2 be tabled.

MOTION CARRIED

PUBLIC INPUT PERIOD

24-007 It was moved and seconded that the Public Input Period time period allowed be extended by an additional 15 minutes.

MOTION CARRIED

DELEGATION

24-008 It was moved and seconded that the Delegation time period be extended to 20 minutes.

MOTION CARRIED

Verbal presentation by Jack Shepherd, Regional Director, Nures Kara, Senior Environmental Manager and Project Manager and Linda Shaffer, Environmental Operations Director from Schnitzer Steel re: Schnitzer Steel application No. 03-H-16RS (PID: 008-903-603) was received for information.

BUSINESS ARISING FROM THE MINUTES

BA1 Business Arising from Regular Board meeting minutes of December 13, 2023 Re: Resolution 23-621 {Application No. 03-H-16RS (13271 Simpson Road/PID:008-903-603)} – Pursuant to *Local Government Act* s. 217 the Chair allow the Board to reconsider this item.

RECONSIDER RESOLUTION 23-621 by Electoral Area Directors Only

It was moved and seconded that Application No. 03-H-16RS (13271 Simpson Road/PID: 008-903-603), be denied.

24-009 It was moved and seconded that Application No. 03-H-16RS (13271 Simpson Road/PID: 008-903-603), be denied.

Opposed: Director S. Acton, Director I. Morrison, and Director M. Wilson

MOTION CARRIED

2:56 PM The Board recessed at 2:56 PM.

3:10 PM The Board reconvened at 3:10 PM.

REPORT OF THE CHAIRPERSON

The Chair provided a compassionate endorsement of the work done in 2023 by the Directors and staff and the difficult issues that they address within the scope of their powers and wished all a Happy New Year and could not work with a better group of people.

CORRESPONDENCE

C1 Correspondence from the Cowichan Valley Minor Hockey Association Re: Emergency Warming Centre was considered for direction.

24-010 It was moved and seconded that the discussion on agenda item SR1 - Report from the General Manager, Community Services Department be brought forward and considered in conjunction with agenda item C1 - Correspondence from the Cowichan Valley Minor Hockey Association.

MOTION CARRIED

Chair will personally respond to the Cowichan Valley Minor Hockey Association with assistance from staff.

SR1 Report from the General Manager, Community Services Department Re: Cowichan Community Centre Emergency Warming Centre Update was considered for information

It was moved and seconded that the Board direct staff to investigate the lease of a commercially available space until March 31, 2024, for use as a regional warming centre to mitigate impacts to the CCC; and that the Board direct staff to provide a cost/benefit analysis for this option.

Amendment to the original motion

It was moved and seconded that the Board direct staff to investigate the lease of a commercially available space until March 31, 2024, for use as a regional warming centre to mitigate impacts to the CCC; and that the Board direct staff to provide a cost/benefit analysis for this option;

It was moved and seconded that the original motion be amended with the addition of “as well as contracting additional security every day to maintain safety; and further, that a permanent home for an emergency warming centre in the Cowichan region be identified by June 30, 2024”.

MOTION CARRIED

24-011 It was moved and seconded that the Board direct staff to investigate the lease of a commercially available space until March 31, 2024, for use as a regional warming centre to mitigate impacts to the CCC; and that the Board direct staff to provide a cost/benefit analysis for this option as well as contracting additional security every day to maintain safety; and further, that a permanent home for an emergency warming centre in the Cowichan region be identified by June 30, 2024.

MOTION CARRIED

COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendations of the Committee of the Whole Meeting of December 13, 2023

24-012 It was moved and seconded:

R1 That the proposed South Cowichan Local Area Transit Plan (2023) be endorsed.

R7 That the Cowichan Valley Regional District enter into the Mill Springs Sewer System Extension Agreement with the following owners based upon the following allocated system capacity units (the “Equivalent Units”) within the Mill Springs Sewer System:

1. Brentwood College School - 150 Equivalent units
2. Bayview – 30 Equivalent Units
3. Peninsula Co-Op – 20 Equivalent Units
4. Cove Strata VIS 5068 – 24 Equivalent Units
5. Limona and Stonebridge Development affiliated companies –325 Equivalent Units
6. Mill Bay Synergy Mall Properties – 32 Equivalent Units
7. Mill Bay Marine Group – 25 Equivalent Units
8. Shell – 40 Equivalent Units

R8 1. That the Shawnigan Basin Society (SBS) become a Strategic Partner for 2024 under the Drinking Water and Watershed Protection Program Partnership Policy with a contribution of \$10,000.

2. That staff review existing CVRD functions that are aligned with and can be better funded through the Drinking Water and Watershed Protection Program and bring forward any associated bylaws that could be repealed.

R9 That Emergency and Disaster Debt Management be added to the advocacy item to the CVRD Strategic Plan, of 6.5

R11. That the CVRD apply for a grant from the Union of BC Municipalities (UBCM's) Asset Management Planning Program to support and enhance the CVRD's Asset Management Program.

MOTION CARRIED

CR2 Report and Recommendations of the Electoral Area Services Committee Meeting of December 20, 2023.

24-013 It was moved and seconded:

C1 That a Grant-in-Aid, Electoral Area B – Shawnigan Lake, in the amount of \$1,000 be provided to the Sunrise Waldorf Parent Association (SWPA) to assist with funding of an elementary school climbing structure.

C2 That a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$500 be provided to the Cowichan Bay Improvement Association (CBIA) to assist in funding for new garbage/recycle receptacles for the Village core.

R2 1. That the CVRD apply for a grant, receive and manage from the Union of BC Municipalities to develop a Complete Community Assessment for all CVRD electoral areas as outlined in this staff report dated November 23, 2023, to the December 6, 2023, Electoral Area Services Committee; and

2. That the 2024 budget for function 325 (Community Planning) be amended, subject to grant approval to:

- a. Increase grants by \$150,000;**

- b. Increase expense (Strategic Initiatives – Consultants) by \$75,000; and
- c. Increase expense (Strategic Initiatives – Public Engagement) by \$75,000.

- R6**
1. That the review for possible inclusion for Strata 5772, Cottages at Marble Bay to join Bald Mountain Water system proceed in fall of 2024;
 2. That the grant application to the Provincial Infrastructure Planning Grant Program be prepared for the water system feasibility study; and if successful be funded by \$10,000 grant and remainder by Strata system funds; and
 3. If grant is unsuccessful, be funded by up to \$10,000 from Electoral Area Feasibility Function 130 with the remainder by Strata system funds.
- R7**
1. That CVRD Bylaw No. 3711 – Mill Springs Sewer System Establishment bylaw, 2013, be amended to increase the maximum annual requisition limit from \$137,000 to the greater of \$171,250, or an amount that equals the amount raised by applying the property value tax rate of \$0.53718 per \$1,000 to the net taxable value of land and improvements in the service area
 2. That CVRD Bylaw No. 4205 – Cobble Hill Village Sewer System Establishment bylaw, 2018 be amended to increase the maximum annual requisition limit from \$160,000 to the greater of \$200,000, or an amount that equals the amount raised by applying the property value tax rate of \$1.11553 per \$1,000 to the net taxable value of land and improvements in the service area.
 3. That CVRD Bylaw No. 3052 – Lambourn Estates Sewer System Establishment bylaw, 2008 be amended to increase the maximum annual requisition limit from \$39,000 to the greater of \$48,750, or an amount that equals the amount raised by applying the property value tax rate of \$0.29697 per \$1,000 to the net taxable value of land and improvements in the service area.
- R8**
1. That CVRD Bylaw No. 3034 – Lambourn Estates Water System Establishment bylaw, 2008, be amended to increase the maximum annual requisition limit from \$51,500 to the greater of \$64,375, or an amount that equals the amount raised by applying the property value tax rate of \$0.36400 per \$1,000 to the net taxable value of land and improvements in the service area.
 2. That CVRD Bylaw No. 2987 – Arbutus Mountain Estates Water System Establishment bylaw, 2007, be amended to increase the maximum annual requisition limit from \$112,410 to the greater of \$140,512 or an amount that equals the amount raised by applying the property value tax rate of \$1.39085 per \$1,000 to the net taxable value of land and improvements in the service area.

3. That CVRD Bylaw No. 3707 – Burnum Water System Establishment bylaw, 2013, be amended to increase the maximum annual requisition limit from \$59,000 to the greater of \$73,750, or an amount that equals the amount raised by applying the property value tax rate of \$0.61874 per \$1,000 to the net taxable value of land and improvements in the service area.

MOTION CARRIED

Electoral Area Directors only vote on the following:

24-014 It was moved and seconded that:

- R1** 1. That the draft Zoning Amendment Bylaw and Official Community Plan Amendment Bylaw for Application No. RZ23C02 (1441 Fisher Road, PID: 006-831-231), be prepared by staff and forwarded to the Board for consideration; and
2. That Application No. RZ23C02 (1441 Fisher Road, PID: 006-831-231), be forwarded to the following external agencies:
- a. Electoral Area C – Cobble Hill Advisory Planning Commission;
 - b. Electoral Area C – Cobble Hill Community Parks Advisory Commission;
 - c. Cobble Hill Improvement District;
 - d. Mill Bay Improvement District;
 - e. BC Transit;
 - f. Ministry of Transportation;
 - g. School District No. 79;
 - h. Cowichan Tribes; and
 - i. Malahat First Nation.
- R5** That Development Applications Procedures Amendment Bylaw No. 4529, 2024, be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

STAFF REPORTS

- SR1** Report from the General Manager Community Services Department Re: CCC Emergency Warming Centre Update was dealt with agenda item C1.
- SR2** Report from the Finance Division Re: 2024 Revenue Anticipation Borrowing Bylaw No. 4541, was received for information.

BYLAWS

- B1** CVRD Bylaw No. 4505 – Cowichan Bay Critical Location Streetlighting Service Amendment (Requisition Limit Increase), 2023

24-015 It was moved and seconded that "CVRD Bylaw No. 4505 – Cowichan Bay Critical Location Streetlighting Service Amendment (Requisition Limit Increase) Bylaw, 2023", be rescinded.

MOTION CARRIED

24-016 It was moved and seconded that "CVRD Bylaw No. 4505 – Cowichan Bay Critical Location Streetlighting Service Amendment (Requisition Limit Increase) Bylaw, 2023", be granted 3rd reading as amended.

MOTION CARRIED

B2 CVRD Bylaw No. 4527 – Recycling and Garbage Collection Rates Amendment Bylaw, 2024

24-017 It was moved and seconded that "CVRD Bylaw No. 4527 – Recycling and Garbage Collection Rates Amendment Bylaw, 2024", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

24-018 It was moved and seconded that "CVRD Bylaw No. 4527 – Recycling and Garbage Collection Rates Amendment Bylaw, 2024", be adopted.

MOTION CARRIED

B3 CVRD Bylaw No. 4541 – 2024 Revenue Anticipation Borrowing Bylaw, 2024

24-019 It was moved and seconded that "CVRD Bylaw No. 4541 – 2024 Revenue Anticipation Borrowing Bylaw, 2024", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

24-020 It was moved and seconded that "CVRD Bylaw No. 4541 – 2024 Revenue Anticipation Borrowing Bylaw, 2024", be adopted.

MOTION CARRIED

BYLAWS – ELECTORAL AREA DIRECTORS

BEA1 CVRD Bylaw No. 4529 – Development Application Procedures Bylaw Amendment Bylaw, 2023

24-021 It was moved and seconded that " CVRD Bylaw No. 4529 – Development Application Procedures Bylaw Amendment Bylaw, 2023" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

24-022 It was moved and seconded that " CVRD Bylaw No. 4529 – Development Application Procedures Bylaw Amendment Bylaw, 2023" be adopted.

MOTION CARRIED

BEA2 CVRD Bylaw No. 4497 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (7531 Cowichan Lake Road / PID: 012-490-920), 2023

24-023 It was moved and seconded that " CVRD Bylaw No. 4497 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (7531 Cowichan Lake Road / PID: 012-490-920), 2023", be granted 3rd reading.

MOTION CARRIED

CLOSED SESSION

24-024 It was moved and seconded that the meeting be closed to the public in accordance with the *Community Charter Part 4, Division 3, Section 90(1)(g) Solicitor/Client Privilege; Section 90(1)(c) Labour Relations, Section 90(1)(a) – Appointments.*
4:03 PM

MOTION CARRIED

RISE FROM CLOSED SESSION

24-028 It was moved and seconded that the Board rise with report on Items CSRES1, CSRES2, and CSRES3 and return to the Open portion of the meeting.
4:20 PM

MOTION CARRIED

CSRES1 Verbal report from the Manager, Human Resources Division, Corporate Services Department re: Corporate Services Department Appointment

24-025 It was moved and seconded that Tracy Bowen be appointed as Chief Financial Officer for the Cowichan Valley Regional District.

MOTION CARRIED

CSRES2 Report from the Manager, Arts and Culture Division re: Arts and Culture Grant Committee Appointments was considered.

24-026 It was moved and seconded that the following individuals be appointed to the Arts and Culture Grant Committee for terms as noted:

1. That Sharon Klein from Cowichan Lake Arts Council be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
2. That Loretta Puckrin from Cowichan Lake Arts Council be appointed to the Arts and Culture Grant Committee for a term expiring December 21, 2025.
3. That Cam Russell from Cowichan Valley Arts Council be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
4. That Brenda Isaak Takao from Cowichan Valley Arts Council be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
5. That Kathy Holmes from Arts Council of Ladysmith and District be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
6. That Delie Lawley from Arts Council of Ladysmith and District be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
7. That Diana Durrand from Chemainus Valley Cultural Arts Society be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
8. That Karen Doiron from Chemainus Valley Cultural Arts Society be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
9. That Roger Jackson from South Cowichan Arts Guild be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.
10. That David Goatley from South Cowichan Arts Guild be appointed to the Arts and Culture Grant Committee for a term expiring December 31, 2025.

MOTION CARRIED

CSRES3 Report from Director Wilson Re: Appointment to the Electoral Area C – Cobble Hill Community Parks Advisory Commission

24-027 It was moved and seconded that Norma Boyd be appointed to the eleven-member Electoral Area C – Cobble Hill – Community Parks Advisory Commission for a term expiring December 31, 2024

MOTION CARRIED

ADJOURNMENT

24-029 **It was moved and seconded that the meeting be adjourned.**
4:21 PM

MOTION CARRIED

The meeting adjourned at 4:21 PM.

Certified Correct:

Chairperson

Corporate Officer

Dated: _____