

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held via electronic participation in the Board Room, located at 175 Ingram Street, Duncan BC, on Wednesday, March 23, 2022 at 1:31 PM.

**PRESENT** Chair S. Acton\*  
Director K. Kuhn\*  
Director B. Maartman\*  
Director T. McGonigle\*  
Director I. Morrison  
Director A. Nicholson\*  
Director A. Siebring  
Director L. Smith\*  
Director M. Staples\*  
Director A. Stone\*  
Director D. Toporowski\*  
Director M. Wilson\*  
Alternate Director H. Abbott  
Alternate Director B. Harrison\*  
Alternate Director C. Justice\*

**ALSO PRESENT** A. Legault, Corporate Officer  
B. Mohan, General Manager, Corporate Services\*  
J. Elzinga, General Manager, Community Services\*  
A. Kjerulf, General Manager, Land Use Services \*  
N. Wehner, Chief Financial Officer\*  
T. Bowen, Manager, Finance Operations\*  
C. Breen, Manager, Planning – Strategic Initiatives\*  
R. Barnhouse, Secretary III  
C. Convery, Systems Support Technician

\*participated electronically

**ABSENT** Director B. Salmon  
Director L. Iannidinaro  
Director K. Marsh

#### **APPROVAL OF AGENDA**

**22-219** It was moved and seconded that the agenda be approved as amended with the addition of a Closed Session New Business item: Verbal Report - Employee Relations {Sub (1)(c)}.

**MOTION CARRIED**

#### **ADOPTION OF MINUTES**

**M1** Regular Board Meeting of March 9, 2022

**22-220** It was moved and seconded that the minutes of the Regular Board meeting of March 9, 2022 be adopted.

**MOTION CARRIED**

**DELEGATIONS**

- D1** Richard Tarnoff and Deanna Wrate, Community Circles Restorative Justice Society Re: overview of the Society and support circle addressing conflicts with motorized vehicles on the Bush Creek Hatchery trail, was received for information.

**CORRESPONDENCE**

- C1** Correspondence from the Cowichan Housing Association regarding a request for a CVRD Appointed Liaison
- 22-221** **It was moved and seconded that the correspondence from Cowichan Housing Association be referred to staff and the Board Chair for clarification of the intent of the liaison conditions.**

**MOTION CARRIED**

**COMMITTEE/COMMISSION REPORTS**

- CR1** Report and Recommendations of the Special Electoral Area Services Committee Meeting of March 10, 2022
- 22-222** **It was moved and seconded that the CVRD proceed with the current consultation strategy that all CVRD led community circles and the Ideas Fair be held virtually in the Spring of 2022, and a combination of virtual and in-person community circles be added subsequent to consultation with the proposed Regional APC in the fall of 2022 or early 2023.**

Opposed: Director L. Smith, Director B. Maartman

**MOTION CARRIED**

- CR2** Report and Recommendations of the Cowichan Community Centre Commission of March 10, 2022
- 22-223** **It was moved and seconded that a 3-year Licence of Use Agreement with the Cowichan Valley Arts Council, effective July 1, 2022 to June 30, 2025, be approved.**

**MOTION CARRIED**

- CR3** Report and Recommendations of the Electoral Area Services Committee Meeting of March 16, 2022
- 22-224** **It was moved and seconded:**
- 1. That a Grant-in-Aid, Electoral Area B – Shawnigan Lake, in the amount of \$500 be provided to Frances Kelsey Dry Grad Committee to support the Class of 2022 Dry Grad Celebrations.**

2. That a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$800 be provided to Mill Bay & District Conservation Society to support the operation of the Society's COHO Salmon conservation projects and enhancements.
3. That a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$1,000 be provided to the RCMSAR34 Marine Rescue Society to support the Boat Lift-2022 and Fast Response Craft-2027 Replacements.
4. That "CVRD Bylaw No. 4416 – Water Systems Regulatory and Management Amendment Bylaw, 2022", as corrected, be forwarded to the Board for consideration of three readings and adoption.
5. That an agreement with Cowichan Bay Waterworks District to provide temporary operations services for the period of April 1, 2022 to June 30, 2022, be approved.

**MOTION CARRIED**

**22-225**

It was moved and seconded:

6. That the Liquor and Cannabis Regulation Branch be advised that the Cowichan Valley Regional District does not wish to provide comments or recommendations with regard to the application for Structural Changes to an Approved Lounge or Special Event Area (Capacity Increase) by Red Arrow Brewery Company located at 5255 Chaster Road (PID: 023-826-291) in Area D.
7.
  1. That "CVRD Bylaw No. 4360 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw, 2022" (High Water Mark & Height) be forwarded to the Board for consideration of 1st and 2nd reading.
  2. That a public hearing be scheduled for CVRD Bylaw No. 4360 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw, 2022" with the Directors from Electoral Areas B, A and F as delegates.
8.
  1. That "CVRD Bylaw No. 4408 – Advisory Planning Commission Establishment Bylaw, 2022", be forwarded to the Board for consideration of three readings and adoption.
  2. That "CVRD Bylaw No. 4373 – Official Community Plan for the Electoral Areas, 2022", be referred to the Electoral Area Advisory Planning Commissions.
9. That Lots 1 and 2 of the proposed subdivision of Application No. SA21I04 (9110 Marble Bay Road, PID: 002-999-405) be exempted from the requirement for a minimum 10% parcel frontage onto a road in accordance with Section 512 of the *Local Government Act*.
10. That Application No. RZ21B02 (4108 Mines Road, PID: 009-719-181), be denied.
12. That staff arrange, with the applicants of Application No. RZ19I01 (Laketown Ranch & Teleglobe Properties), a site visit for the Electoral Area Directors.

**MOTION CARRIED**

- 22-226** It was moved and seconded that prior to the public hearing, the CVRD host a public information meeting to explain and answer questions regarding the proposed Laketown Ranch Application No. RZ19I01 including the implications for the local area and the potential benefits and concerns.

Opposed: Director I. Morrison, Director K. Kuhn,  
Director B. Maartman, Director M. Wilson

**MOTION CARRIED**

- 22-227** It was moved and seconded:

11. 1. That Official Community Plan (Area I Local Area Plan) and Zoning Amendment Bylaws for Application No. RZ19I01 (Laketown Ranch & Teleglobe Properties) to:
  1. Modify the Area I Growth Containment Boundary to include the subject properties;
  2. Introduce a policy permitting this site to have another comprehensive development zone;
  3. Rezone a portion of the site from P-2 (Institutional) to I-1 (Industrial 1); and
  4. Rezone another portion of the site from CD-1 to CD-3, be prepared and forwarded to the Board for consideration of 1st and 2nd readings.
2. That the referrals to the Ts'uubaa-asatx Nation, Cowichan Tribes, Ditidaht First Nation and Pacheedaht First Nation, be accepted;
3. That the referrals to Island Health, Ministry of Transportation and Infrastructure, Lake Cowichan Volunteer Fire Department, and Town of Lake Cowichan, be accepted;
4. That a public hearing be scheduled on the proposed amendment bylaws with the Directors for Electoral Areas I, F and H as delegates;
5. That a covenant be prepared for Board consideration related to the future transfer of the proposed water and sewer systems prior to adoption;
6. That a housing agreement; corresponding covenant; and a housing agreement authorization bylaw be prepared and forwarded to the Board for consideration; and
7. That the housing agreement covenant be registered on title of the subject lands prior to adoption of the Official Community Plan and Zoning Amendment Bylaws.

**MOTION CARRIED**

## **STAFF REPORTS**

- SR1** Staff Report from the Finance Division Re: Five Year Financial Plan (2022-2026) Bylaw No. 4423, was received for information.
- SR2** Staff Report from the General Manager, Land Use Services Department Re: Board of Variance Bylaw No. 4391, was received for information.

**SR3** Staff Report from the General Manager, Land Use Services Department Re: CVRD Development Application Procedures Bylaw No. 4379, was received for information.

**SR4** Staff Report from the General Manager, Corporate Services Re: Professional Services Agreement with Island Health

**22-228** **It was moved and seconded that the Consulting/Professional Services agreement between the CVRD and Island Health, and an agreement with Our Cowichan Communities Health Network, to deliver the My Health My Community Survey, be approved.**

**MOTION CARRIED**

**2:48 PM** The Committee agreed by consensus to recess at 2:48 PM.

**3:00 PM** The meeting resumed at 3:00 PM

#### **BYLAWS**

**B1** **It was moved and seconded that “CVRD Bylaw No. 4423 - Five Year Financial**  
**22-229 Plan (2022 – 2026) Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings.**

Opposed: Director A. Siebring, Director L. Smith, Director M. Wilson,  
Director K. Kuhn

**MOTION CARRIED**

**B1** **It was moved and seconded that “CVRD Bylaw No. 4423 - Five Year Financial**  
**22-230 Plan (2022 – 2026) Bylaw, 2022”, be adopted.**

Opposed: Director Siebring, Director L. Smith, Director M. Wilson,  
Director K. Kuhn

**MOTION CARRIED**

**B2** **It was moved and seconded that “CVRD Bylaw No. 4417 – Malahat Fire**  
**22-231 Protection Service Amendment Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.**

**MOTION CARRIED**

**B3** **It was moved and seconded that “CVRD Bylaw No. 4410 – Mesachie Lake**  
**22-232 Sewer System Service Amendment (Boundary Extension), Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.**

**MOTION CARRIED**

**B4  
22-233** It was moved and seconded that “CVRD Bylaw No. 4419 – Lake Cowichan Fire Protection Service Amendment, (Boundary Extension), Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.

**MOTION CARRIED**

**B5  
22-234** It was moved and seconded that “CVRD Bylaw No. 4418 – Eagle Heights Fire Protection Service Amendment Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.

**MOTION CARRIED**

#### **BYLAWS – ELECTORAL AREA DIRECTORS**

**BEA1  
22-235** It was moved and seconded that “CVRD Bylaw No. 4391 – Board of Variance Establishment and Procedures Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.

**MOTION CARRIED**

**BEA2  
22-236** It was moved and seconded that “CVRD Bylaw No. 4425 – Electoral Areas Official Community Plan Amendment Bylaw, 2022”, be given 1<sup>st</sup> and 2<sup>nd</sup> readings.

**MOTION CARRIED**

**BEA3  
22-237** It was moved and seconded that “CVRD Bylaw No. 4426 – South Cowichan Zoning Amendment Bylaw (CD-5), 2022”, be given 1<sup>st</sup> and 2<sup>nd</sup> readings.

**MOTION CARRIED**

**BEA4  
22-238** It was moved and seconded that “CVRD Bylaw No. 4379 – Development Application Procedures Bylaw, 2022”, be given 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> readings.

**MOTION CARRIED**

#### **CLOSED SESSION**

**22-239  
3:05 PM** 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)(c) Employee Relations; (1)(f) Law Enforcement; (1)(g) Potential Litigation; 90(2)(b) Consideration of Information received and held in confidence relating to negotiations; and the Closed Session Regular Board minutes of March 9, 2022.

**MOTION CARRIED**

**RISE FROM CLOSED SESSION**

**22-243**            It was moved and seconded that the Board rise without report and return to  
**3:35 PM**            the Open portion of the meeting.

**MOTION CARRIED**

**ADJOURNMENT**

**22-244**            It was moved and seconded that the meeting be adjourned.  
**3:35 PM**

**MOTION CARRIED**

**The meeting adjourned at 3:35 PM.**

**Certified Correct:**

\_\_\_\_\_  
**Chairperson**

\_\_\_\_\_  
**Corporate Officer**

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