C·V·R·D

ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
March 5, 2013
Regional District Board Room
175 Ingram Street, Duncan, BC

3:00 p.m.

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8. **NEW BUSINESS**

9. **PUBLIC/PRESS QUESTIONS**

10. **CLOSED SESSION**

Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90(1), subsections as noted in accordance with each agenda item.

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11. **ADJOURNMENT**

NOTE: A copy of the full agenda package is available at the CVRD website www.cvrd.bc.ca

Director L. Iannidinardo, Chair
Director M. Walker
Director B. Fraser
Director I. Morrison
Director M. Marcotte
Director G. Giles
Director M. Dorey
Director P. Weaver
Director L. Duncan

M 1

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, February 5, 2013 at 3:00 p.m. in the Regional District Board Room, 175 Ingram Street, Duncan, B.C.

PRESENT

Director L. Iannidinardo, Chair
Director M. Walker
Director I. Morrison
Director M. Marcotte
Director M. Dorey
Director P. Weaver
Director B. Fraser
Director L. Duncan
Director G. Giles
Director R. Hutchins, Board Chair

ALSO PRESENT

Tom Anderson, General Manager
Mike Tippett, Manager
Warren Jones, Administrator
Rob Conway, Manager
Brian Duncan, Manager
Sybille Sanderson, A/General Manager
Brian Farquhar, Manager
Alison Garnett, Planner I
Ann Kjerulf, Senior Planner
Nino Morano, Bylaw Enforcement Officer
Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding six items of listed New Business, two items of additional New Business, three additional items of Closed Session New Business and that agenda item R1 be moved to come after D3.

It was Moved and Seconded
That the Agenda as amended be approved.

MOTION CARRIED

MINUTES

It was Moved and Seconded
That the minutes of the January 15, 2013 EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Budding

Paul Budding was present regarding his objection to the CV Trap and Skeet Club's request for extra shoots. Mr. Budding reviewed and distributed correspondence dated February 5, 2013, which contained further information to his presentation at the January 15th EASC. He requested that the court order be enforced and that special event shoots not be approved.

D2 - Pakulak

Andrew Pakulak was present regarding Cowichan Lake Road gun club. Mr. Pakulak provided further information to his presentation made at the January 15th EASC meeting. He stated that he is not against the club but has concerns with two shoots in a row and would like to see it spread out and be reasonable. Mr. Pakulak stated that he would like to see more discussion happen.

D3 - Buck

Richard Buck was present on behalf of the Cowichan Valley Trap and Skeet Club to clarify the club's request for special event shoots and to advise of recent developments. Mr. Buck reviewed new information dated February 5, 2013 (included within agenda item R1). He stated that the Club is willing to discuss their request and any concerns at a public meeting.

The Committee directed questions to Mr. Buck.

STAFF REPORT
R1 – CV Trap & Skeet Club

Nino Morano, Bylaw Enforcement Officer, reviewed staff report dated January 31, 2013, regarding CV Trap and Skeet Club special event shoots 2013. Mr. Morano noted that he had no new information to add other than what is attached to his staff report.

The Committee directed questions to staff.

It was Moved and Seconded
That the CVRD host a community meeting to receive public input prior to considering a request by the Cowichan Valley Trap & Skeet Club for approval of two special event shoots in 2013, and that a record/minutes of the community meeting along with a further staff report be forwarded to the EASC for direction.

MOTION CARRIED

DELEGATION
D4 - Siegler

Dorothea Siegler was present regarding concerns about the increase in density of microwave radiation from cell towers. Ms. Siegler distributed and reviewed further information (letter dated February 5, 2013) regarding three proposed cell towers in the CVRD.

Ms. Siegler offered to provide a presentation by Katharina Gustavs, Building Biology Environmental Consultant, to get a better understanding of the nature of radiofrequency radiation.

Dr. Stephen Faulkner also spoke respecting health concerns of radiofrequency radiation from cell towers.

The Committee directed questions to delegates and staff.

The Chair thanked the delegates for appearing.

STAFF REPORTS

R2 – Meyland

Alison Garnett, Planner I, reviewed staff report dated January 29, 2013, regarding Application No. 1-B-13DP (Meyland) to allow subdivision of one new lot at 1632 Wilmot Avenue.

It was Moved and Seconded
That Application No. 1-B-13DP submitted by John and Janet Meyland on Lot 33, Section 2, Range 5, Shawnigan District, Plan 47154 (PID 011 851 074) for subdivision of one new lot be approved subject to:

a) Subdivision will be in substantial compliance with the approved plans;
b) Prior to issuance of a building permit on the new lot, a qualified professional provides advice on low-impact development techniques and recommendations to maintain post development flows to predevelopment flow rates and volumes.

MOTION CARRIED

R3 – Cowichan Bay OCP

Ann Kjerulf, Senior Planner, reviewed staff report dated January 30, 2013, regarding proposed Cowichan Bay Official Community Plan.

Ms. Kjerulf introduced members of the OCP Steering Committee who were present. The Chair of the OCP Steering Committee provided further information to the OCP process.

Ms. Kjerulf stated that they are ready and eager to begin the public meeting/hearing process.

The Committee members provided positive comments towards the process and directed questions to staff.

It was Moved and Seconded

1. That Area D – Cowichan Bay Official Community Plan Bylaw 3605 be forwarded to the CVRD Board for consideration of first and second readings.
2. That Area D – Cowichan Bay Official Community Plan Bylaw 3605 has been considered and found to be consistent with:
   a. the CVRD Financial Plan; and
   b. the CVRD Solid Waste Management Plan;
3. That Area D – Cowichan Bay Official Community Plan Bylaw 3605 be referred to the Provincial Agricultural Land Commission in accordance with the *Local Government Act*;
4. That a public hearing be held on proposed Area D – Cowichan Bay Official Community Plan Bylaw 3605 in accordance with the *Local Government Act*; and
5. That the CVRD Board delegate the holding of the public hearing in accordance with the *Local Government Act* to CVRD Electoral Area Directors Iannidinardo, Duncan, and Giles.

MOTION CARRIED

R4 – Bill 27, Area E

Alison Garnett, Planner I, reviewed staff report dated January 30, 2013, regarding Area E Zoning and OCP Bylaw amendments (Bill 27; Conservation Species at Risk & Social Sustainability; Parkland, wetland & trail acquisition).

It was Moved and Seconded
That OCP Amendment Bylaws No. 3680 and 3681 and Zoning Amendment Bylaw No. 3862 (Bill 27 and housekeeping amendments, Area E) be referred back to staff until the Area F APC reviews the proposed OCP amendments.

MOTION CARRIED

R5 – Cell Towers

Rob Conway, Manager, reviewed staff report dated January 31, 2013, regarding request for letters of concurrence for proposed telecommunication towers.

Kiersten Enemark, Director, Land & Municipal Affairs for Standard Land Company Inc., agent for TELUS was present and provided a powerpoint presentation respecting local demand for wireless services and reviewed three proposed sites for telecommunication towers in the Regional District along with TELUS requests for letters of concurrence for the proposed sites.

Brian Gregg, Senior Real Estate and Government Affairs Manager, and Ray Lawson, General Manager for TELUS, were also present.

Committee members directed questions to TELUS representatives and staff.

R6 – Cell Tower (Rona)

It was Moved and Seconded
That agenda item R6 (proposed telecommunications tower at 3730 TCH/Rona) be tabled.

MOTION CARRIED

It was Moved and Seconded
That further to a proposal by TELUS to locate a telecommunication tower at 3730 Trans Canada Highway, that TELUS be requested to undertake an investigation into locating the proposed tower in the recreation area on Cobble Hill Mountain, and further, that the matter be referred to the Regional Parks Committee for review.

MOTION CARRIED

It was Moved and Seconded
That the letter dated February 1, 2013 from TELUS regarding amenities/community giving program, be forwarded to a future EASC for further discussion.

MOTION CARRIED

R7 – Cell Tower (Eagles Hall)

R8 – Cell Tower (John Deere)

It was Moved and Seconded
With due respect for significant and strong objections from a segment of the community deemed affected or who believe themselves to be affected by the installation of telecommunication towers, that the CVRD provide a Letter of Concurrence for a TELUS telecommunications tower to be installed at 2965 Boys Road and at 4650 Trans Canada Highway; and further, that a summary of information/concerns received be forwarded to Industry Canada.

MOTION CARRIED

R9 – Release of Easement (Elise Holdings Ltd.)

It was Moved and Seconded

1. That the appropriate documents be executed to release Easement EE13450 over lot 2, Block 180, Plan VIP78710, Cowichan Lake District specifically identified as Area C on Plan 47216, as this portion will be included in the new Lot 7 that will be transferred in fee simple to the CVRD for park purposes at the time of subdivision approval and will no longer be required; and
2. That the appropriate documents be executed to register an easement over the new Lot 7 (Park) and Lot 2, Plan VIP51966 (existing Marble Bay Park) in favour of the Cowichan Valley Regional District for public access to Lot 3, Plan VIP51966 (existing Marble Bay Park) as required by the Land Titles office.

MOTION CARRIED

R10 – Parks Capital Funds

It was Moved and Seconded
That the CVRD Purchasing Policy be waived to allow the Quarry Nature Park Washroom Capital Project to proceed prior to the adoption of the CVRD 2013 Budget.

MOTION CARRIED

R11 – Air Compressor purchase

It was Moved and Seconded
That the CVRD Purchasing Policy be waived, and, that prior to approval of the 2013 budget, the capital expenditure of a used Bauer Mariner Compressor System for the Honeymoon Bay Fire Rescue be authorized.

MOTION CARRIED

R12 – Vacation Rentals

It was Moved and Seconded
That an amendment to the Area I OCP to enable the issuance of temporary use permits for vacation rentals be included in the next update of the Area I OCP and Zoning Bylaw.

MOTION CARRIED

It was Moved and Seconded
That an amendment to the Area F OCP respecting the issuance of temporary use permits for vacation rentals be referred to staff for consideration and discussion with the Area F APC when the Area F OCP is reviewed.

MOTION CARRIED

CORRESPONDENCE

C1 – AVICC resolutions

It was Moved and Seconded
That the memo dated January 15, 2013 from AVICC regarding the February 25, 2013 resolutions deadline be received and filed.

MOTION CARRIED

C2 to C4 – Grants in Aid

It was Moved and Seconded
That the following grant in aid requests be approved:

That a grant in aid, Area B – Shawnigan Lake, in the amount of $500 be given to Malahat Lions to assist with Shawnigan Cemetery maintenance.

That a grant in aid, Area C – Cobble Hill, in the amount of $500 be given to Malahat Lions to assist with Shawnigan Cemetery improvements.

That a grant in aid, Area D – Cowichan Bay, in the amount of $500 be given to Ecostravaganza to support the Ecole Mill Bay School event.

MOTION CARRIED

INFORMATION

IN1 to IN5 - Minutes

It was Moved and Seconded
That the following minutes be received and filed:

- Minutes of Area C APC meeting of January 17, 2013
- Minutes of Area D Parks meeting of January 21, 2013
- Minutes of Area C Parks meeting of January 24, 2013
- Minutes of Area A Parks meeting of November 12, 2012
- Minutes of Area G Parks meeting of January 7, 2013

MOTION CARRIED

NEW BUSINESS

NB1 – R5 add-on material

It was Moved and Seconded
That the email dated February 2, 2013, from Gar Clapham regarding agenda item R5 (telecommunication towers) be received and filed.

MOTION CARRIED

NB2 – R12 add-on material

It was Moved and Seconded
That the letter dated February 4, 2013, from Lisa and John Merrett regarding agenda item R12 (temporary use permits for vacation rentals) be received and filed.

MOTION CARRIED

NB3 to NB6 – grants in aid

It was Moved and Seconded
That the following grants in aid be approved:

That a grant in aid, Area E – Cowichan Station/Sahtlam/Glenora, in the amount of $500 be given to Volunteer Cowichan to support Leaders of Tomorrow Awards event.

That a grant in aid, Area A – Mill Bay/Malahat, in the amount of $2000 be given to Francis Kelsey School to provide four bursaries (4x$500) for Area A students.

That a grant in aid, Area A – Mill Bay/Malahat, in the amount of $500 be given to Ecostravaganza to support the Ecole Mill Bay School event.

That a grant in aid, Area A – Mill Bay/Malahat, in the amount of $500 be given to Malahat Lions to assist with Shawnigan Cemetery maintenance.

MOTION CARRIED

NB7 – Next EASC meeting

Mr. Anderson noted that there is a conflict with some Director's schedules and the regular February 19th EASC meeting date and suggested that the meeting be cancelled but that a special budget only meeting be held on February 25th .

It was Moved and Seconded
That the February 19, 2013 regular EASC meeting be cancelled and that a Special EASC budget only meeting be scheduled for Monday, February 25, 2013 at 3:00 pm in the CVRD Board Room.

MOTION CARRIED

NB8 – Cell tower policy

Director Giles stated that she is interested in the CVRD looking further into adopting a cell tower policy, but would like to receive more information.

Director Walker suggested that staff could request a copy of the City of Vancouver's policy and include those findings in a future staff report to EASC.

It was Moved and Seconded
That staff be directed to contact the City of Vancouver to request a copy of their policy respecting cell tower protocol, and that their policy, along with previous samples acquired from various other local government jurisdictions, be included in a staff report to an upcoming EASC meeting for discussion.

MOTION CARRIED

CLOSED SESSION

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), subsections as noted in accordance with each agenda item.

MOTION CARRIED

The Committee moved into closed session at 7:05 p.m.

RISE The Committee rose without report.

ADJOURNMENT It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:30 p.m.

Chair

Recording Secretary

R1

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STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 26, 2013	**FILE NO:**	18-B-12 DP
FROM:	Maddy Koch, Planning Technician	**BYLAW NO:**	3510
SUBJECT:	Application No. 18-B-12DP/RAR (Carole Bokrossy)		

Recommendation/Action:

1. That Application No. 18-B-12 DP/RAR by Carole Bokrossy on behalf of owners Maureen Jaeger and Victor Bokrossy, for a Shawnigan Village Development Permit for Parcel G, Section 2, Range 5, Shawnigan District, Plan 1101 except part lying to the north of the road to Mill Bay and except Plan VIP56665, **be approved** subject to:
   - Ongoing removal of Scotch Broom, Himalayan Blackberry and any other invasive plants from the subject property;
   - Permanent marking of the 10 metre Stream Side Protection and Enhancement Area, by way of strategically-placed signage, in accordance with the recommendation within RAR report No. 2687, prepared by Justin Lange;
   - Any new driveways to be constructed using pervious surfacing such as gravel;
   - Retention of, and compliance with, a report prepared by a qualified professional, which makes detailed rainwater management recommendations, at the time of any future building permit application for the subject property and;
   - Reasonable retention of trees and vegetation.

2. That the Regional Board authorize the release of Covenant No. FB436100 concurrently with subdivision registration, upon all conditions of subdivision approval being met.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*

Background:

Location of Subject Property: 1548 Shawnigan Mill Bay Road

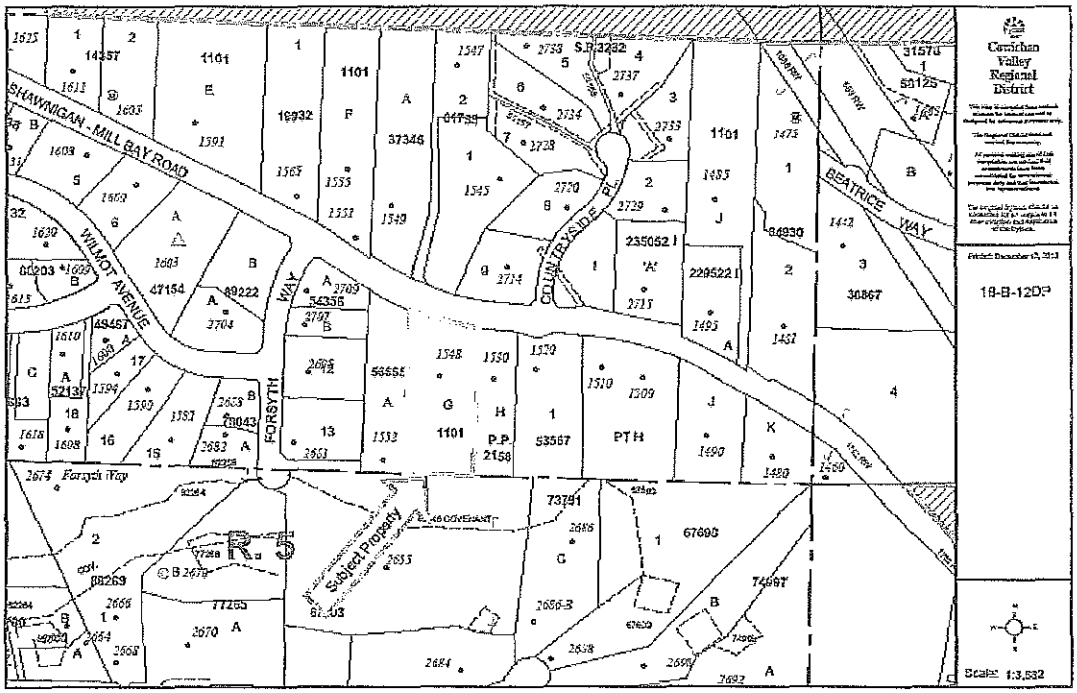
Legal Description: Lot G, Section 2, Range 5, Shawnigan District, Plan 1101 except part lying to the north of the road to Mill Bay and except Plan VIP56665

Date Application and Complete Documentation Received: December 13, 2012

Owner: Maureen Jaeger & Victor Bokrossy

Applicant: Carole Bokrossy

Size of Parcel: Approximately 0.87 hectares



Zoning: R-2 (Suburban Residential)

Existing Plan Designation: Suburban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: Residential (R-2)
South: Residential (R-2)
East: Residential (R-2)
West: Residential (R-2)

Services:

Road Access: Shawnigan- Mill Bay Road

Water: Currently the lot uses ground water. An application has been made to expand the Lidstech Holdings water service area to include the subject property. Lidstech Holdings has indicated that they "believe water service can be provided to [the] land" subject to conditions.

Sewage Disposal: Onsite septic.

Agricultural Land Reserve Status: Out

Village Containment Boundary: Within the Shawnigan Village Containment Boundary

Environmentally Sensitive Areas: A tributary to Hollings Creek runs through the property

Archaeological Site: None Identified

Proposal
The applicant has applied for a Shawnigan Village Development Permit, for the purpose of subdividing the ±0.87 ha subject property into a ±0.4183 ha lot and a ±0.4538 ha lot. In this case, the proposal triggers the General Guidelines, as well as the guidelines for: Landscaping, Rainwater Management and Environmental Protection; Subdivision; and Riparian Protection (Freshwater), in accordance with the Shawnigan Village Development Permit Area Guidelines of CVRD Bylaw No. 3510.

Property Context:
The subject property is ±0.87 hectares in size, zoned R-2 and located within the Shawnigan Village Containment Boundary. The rectangular lot slopes up towards the middle of the property, where the dwelling and a small suite are located, then it slopes down towards a ravine which runs parallel to the rear property line. Within the ravine is a seasonal, unnamed tributary to Hollings Creek which has been deemed subject to the Riparian Areas Regulation (RAR) by a Qualified Environmental Professional. Several accessory structures, including a shed and a BMX half pipe, are located on the subject property. A number of these may need to be removed or relocated to ensure compliance with setbacks.

The subject property has significant tree cover, and few invasive plants were observed during staff's site visit. RAR Report No. 2687 notes the presence of some Himalayan Blackberry and Scottish Broom.

The lot is currently serviced by well water. Soon the lot should be included in, and serviced by, the Lidstech Holdings community water service area, as required by CVRD Bylaw No.985 in order to subdivide to a minimum lot size of 0.4 hectares. It will not be possible to subdivide the property until it is connected to the community water system.

Policy Context:
The subject property is within the Shawnigan Village Development Permit Area, within which all subdivision applications require a development permit for the purpose of addressing: the Landscaping, Rainwater Management and Environmental Protection guidelines; the Subdivision guidelines; and the General guidelines of the development permit area. As a tributary to Hollings Creek is located on the subject property, the development permit must also address the Riparian Protection (Freshwater) Guidelines.

The following is a summary of the applicable guidelines and a description as to how the applicant is proposing to address each. Please note that the complete development permit area guidelines are attached to this report.

Landscaping, Rainwater Management and Environmental Protection
Guideline summary: The applicable guidelines for rainwater management suggest: that pervious surfaces should predominate sites, that watershed features should be protected, and that sites should remain in a natural state, with minimal tree and vegetation removal taking place.

Proposed measures to address guidelines: The current application is simply for subdivision of the lot. Dwellings already exist on each of the proposed new lots, so no house construction is anticipated. Following subdivision, each lot will be eligible for small suite construction- though the current owners do not have plans to develop the lots further. Because there is the potential for further residential development of the proposed lots, the applicants are proposing to undertake a detailed rainwater management study in conjunction with any future building permit application. If this is made a condition of the development permit, it would be applicable whether the current owners or future owners pursue further lot development.

A new driveway is likely to be required as a part of the subdivision application, and the applicant has indicated that they would prefer to develop a pervious driveway, like the existing gravel driveway.

Some tree removal is likely to be required as a part of driveway development, but vegetation on the rest of the property, including the area surrounding the seasonal creek, is proposed to remain untouched.

Subdivision Guidelines
Guideline Summary: Similarly to the above-described guidelines, the Subdivision guidelines encourage vegetation and tree retention.

Proposed measures to address guidelines: Described above.

General Guidelines
Guideline Summary: The applicable General guidelines suggest that eradication of invasive weeds should be a requirement of all development permits.

Proposed measures to address guidelines: The applicant indicated that ongoing broom removal has taken place on the property, and that this has been effective in managing the species. RAR report No. 2687 notes the presence of Himalayan Blackberry, as well as scotch broom. The applicant has indicated that they plan to continue removing invasive plants from the property.

Riparian Area (Freshwater) Guidelines
Guideline Summary: The Riparian Area (Freshwater) Guidelines are designed based on the Provincial Riparian Areas Regulation. When subdivision of a lot which contains a watercourse subject to the Riparian Areas Regulation is proposed, applicants must obtain the services of a Qualified Environmental Professional, for the purpose of preparing a Riparian Areas Regulation Assessment Report. These reports identify a Streamside Protection and Enhancement Area (SPEA), and outline measures to protect it.

Proposed measures to address guideline: The applicant retained the services of QEP Justin Lange, who prepared RAR report No. 2687. The report states that, while the seasonal watercourse does not support fish life, it contributes water and nutrients to Hollings Creek-which is known fish habitat, and is therefore subject to the Riparian Areas Regulation. The report identifies a 10 metre SPEA.

Because the proposed development does not involve any physical alterations to the land within the Riparian Assessment Area, limited protection measures are recommended in the RAR report. It does, however, suggest that "it would be beneficial to have a form of permanent marking to delineate the 10m SPEA" and recommends using "[strategically placed] signage" to accomplish this.

Zoning
Pursuant to CVRD Bylaw No. 985, the subject property is within the R-2 zone, which permits subdivision to a minimum lot size of 0.4 hectares for lots serviced by a community water system.
Section 219 Covenant
As per Section 5.18(m) of Bylaw No. 985, a Section 219 covenant was registered to the property upon development of the small suite in 2011. The covenant states:

"The Grantor (the owner) *covenants and agrees that the Land is not to be subdivided under either the Land Title Act or the Strata Property Act or any similar or successor legislation, nor shall a strata plan of any type pursuant to the Strata Property Act, be registered on the Land, except with the written consent of the Grantee* (the CVRD)."

The primary intention of this covenant is to prevent unauthorized strata subdivision. Given that the lot has fee-simple subdivision potential, based on the 0.4 hectare minimum lot size, staff recommend that the Regional Board authorize release of the covenant concurrently with registration of the subdivision, subject to all subdivision conditions being met.

Planning Division Comments:

The proposed development appears to comply with the applicable guidelines of the Shawnigan Village Development Permit Area, based on the proposed tree/ vegetation retention, use of pervious driveway surface, continued management of invasive plants, and rainwater management study in association with future building permits. The development is also supported by RAR report No. 2687. Therefore, staff recommend approval of the development permit application, subject to conditions. Furthermore, as stated above, it is recommended that the Regional Board pass a motion authorizing the release of Section 219 covenant No.FB436100, concurrently with subdivision registration, subject to all conditions of subdivision approval being met.

Option A:

1. That Application No. 18-B-12 DP/RAR by Carole Bokrossy on behalf of owners Maureen Jaeger and Victor Bokrossy, for a Shawnigan Village Development Permit for Parcel G, Section 2, Range 5, Shawnigan District, Plan 1101 except part lying to the north of the road to Mill Bay and except Plan VIP56665, **be approved** subject to:
    - Ongoing removal of Scotch Broom, Himalayan Blackberry and any other invasive plants from the subject property;
    - Permanent marking of the 10 metre Stream Side Protection and Enhancement Area, by way of strategically-placed signage, in accordance with the recommendation within RAR report No. 2687, prepared by Justin Lange;
    - Any new driveways to be constructed using pervious surfacing such as gravel;
    - Retention of, and compliance with, a report prepared by a qualified professional, which makes detailed rainwater management recommendations, at the time of any future building permit application for the subject property;
    - Reasonable retention of trees and vegetation.

2. That Application No. 18-B-12 DP/RAR by Carole Bokrossy on behalf of owners Maureen Jaeger and Victor Bokrossy, for a Shawnigan Village Development Permit for Parcel G, Section 2, Range 5, Shawnigan District, Plan 1101 except part lying to the north of the road to Mill Bay and except Plan VIP56665, **not be approved** until the application has been adjusted to comply with applicable development permit area guidelines.

Option B:

1. That the Regional Board authorize the release of Covenant No. FB436100 concurrently with subdivision registration, upon all conditions of subdivision approval being met.

Both Option A (1) and Option B (1) are recommended.

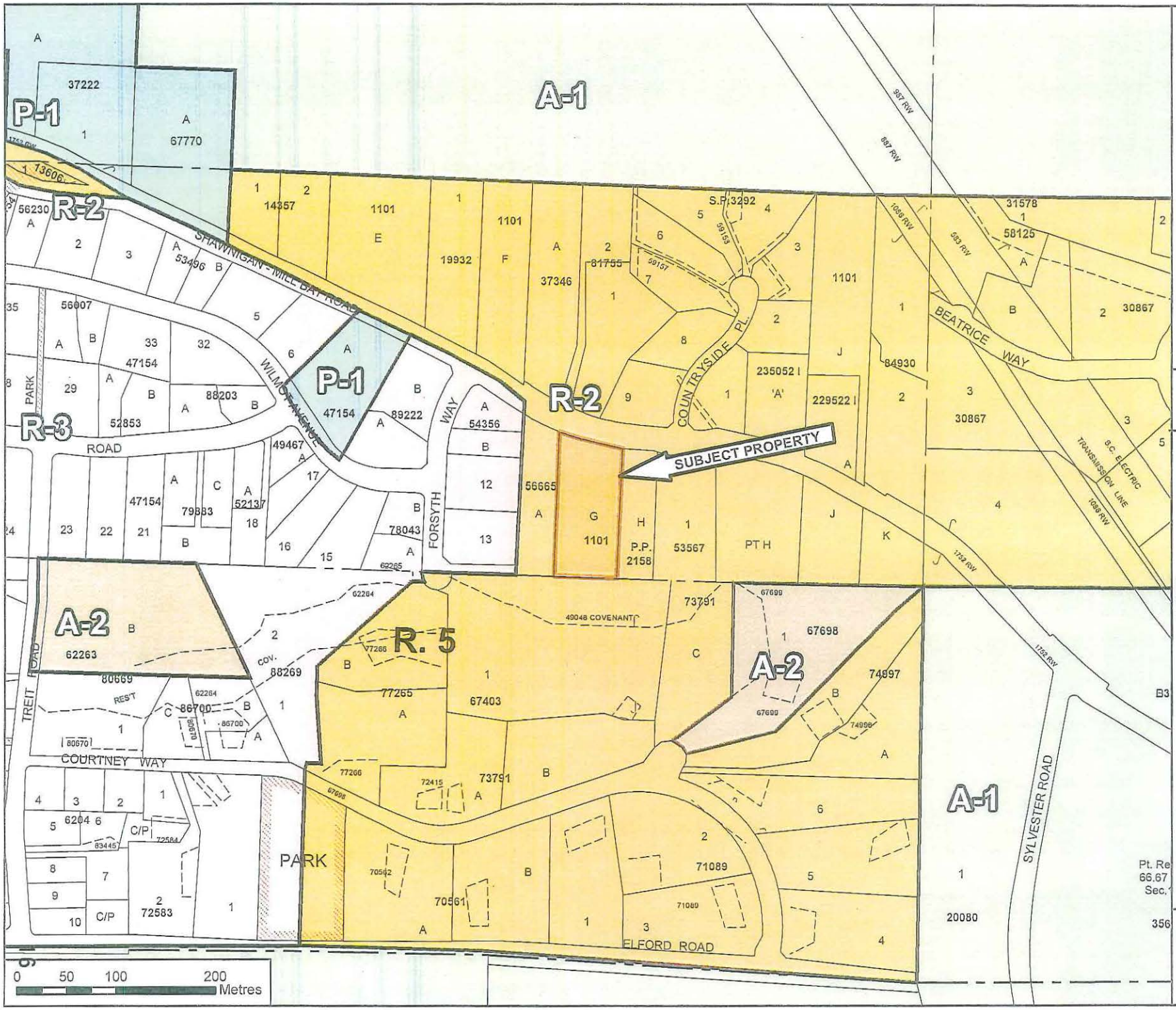
Submitted by,

Maddy Koch

Maddy Koch
Planning Technician
Development Services Division
Planning & Development Department

Reviewed by:
Division Manager:
Approved by:
General Manager:

MK/ca



C·V·R·D

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Cowichan Valley Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for all purposes of interpretation and applicaton of the Bylaws.

File: 18-B-12-DP

ZONING

Legend

- Subject Property
- Zoning B

N W E S

December 12, 2012

To: CVRD

Re: 1548 Shawnigan Mill Bay Road, Shawnigan Lake, BC

We are writing this to give you a bit of back ground on the property.

The property is just over 2 acres, and has two dwellings on it.

One has been there since the 80's and the second property we built 1 ½ years ago with CVRD approval.

We built the second property to be able to care of my dying father, who has recently passed of cancer.

We have to sub-divide the property and make each house free standing on its own to satisfy our bank and mortgage requirements now that my dad has passed away.

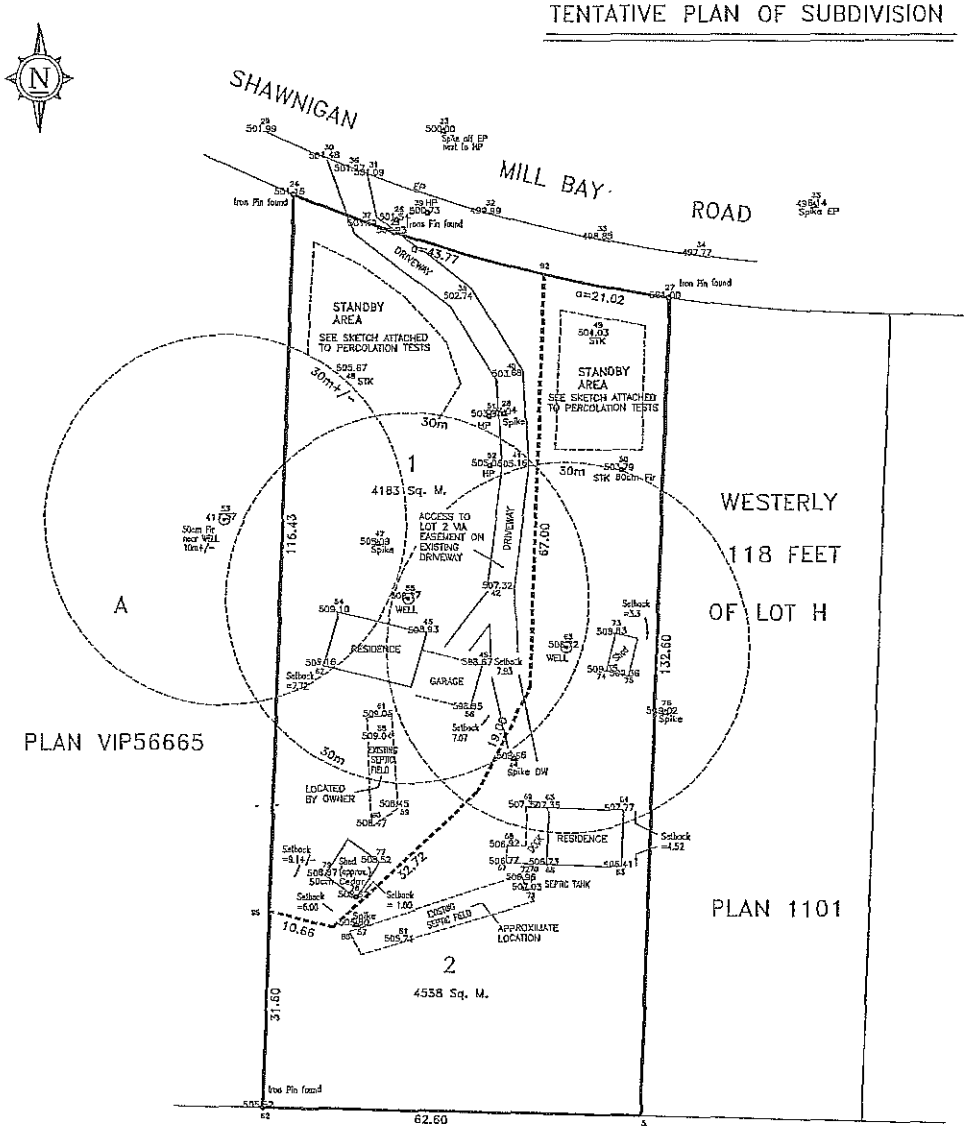
There is no new building happening, no trees to come down or landscaping to change. Everything has already been done when we built the second house. We just simply have to divide the property into two parcels.

There is no new driveway, no change to traffic pattern, no increase in population. We simply have to divide to satisfy the mortgage.

Thank you in advance for considering our request.

Respectfully,
Carole Bokrossy
250-743-1620

TENTATIVE PLAN OF SUBDIVISION



REMAINDER 1

PLAN VIP67403

J. E. Anderson and Associates

SURVEYORS ENGINEERS

VICTORIA NANAIMO

SITE PLAN	
AT 1548 SHAWNIGAN MILL BAY ROAD	
LEGAL :	LOT G, SECTION 2, RANGE 5, SHAWNIGAN DISTRICT, PLAN 1101 EXCEPT PART LYING TO THE NORTH OF THE ROAD TO MILL BAY AND EXCEPT PLAN VIP56665
DRAWN BY : DBL	PROJECT SURVEYOR : D.R. CARRIER
SCALE : 1 : 500	DATE : OCT. 3, 2012.
CLIENT :	CAROLE BOKROSSY
OUR FILE : 27752	REVISION : OCT. 23, 2012.

NOTES ADDED FOR APPLICATION

DEC. 19, 2012 AREAS AND LOT LINE AMENDED
DEC. 20, 2012 AREAS AND LOT LINE AMENDED

NOTE : ELEVATIONS ARE TO ASSUMED DATUM

THE DECIMAL POINT OF THE ELEVATION DENOTES THE LOCATION OF THE SHOT TAKEN UNLESS OTHERWISE NOTED

BUILDING SETBACKS ARE CALCULATED TO EXTERIOR OF SIDING

LOT DIMENSIONS ARE FROM CURRENT LEGAL FIELD SURVEY. AND EXISTING SURVEY RECORDS

STK DENOTES 1"X2" NUMBERED STAKE

Z:\DAN_1_ACAD2000_SERVER\27752SITE.DWG DBL

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date 2013-02-14

I. Primary QEP Information

First Name	Justin	Middle Name	
Last Name	Lange		
Designation	R.P.Bio.	Company	Madrone Environmental Services Ltd.
Registration #	2406	Email	justin.lange@madrone.ca
Address	1081 Canada Avenue		
City	Duncan	Postal/Zip V9L 1V2	Phone # 250 746 5545
Prov/state	BC	Country Canada	

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	Phone #
Prov/state		Country	

III. Developer Information

First Name	Carole	Middle Name	
Last Name	Bokrossy		
Company	N/A		
Phone #	(250) 743-1620	Email	bokrossy@shaw.ca
Address	1548 Shawnigan Mill Bay Road		
City	Shawnigan Lake	Postal/Zip	V0R 2W2
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Subdivision		
Area of Development (ha)	0.4	Riparian Length (m)	64
Lot Area (ha)	0.8	Nature of Development	New
Proposed Start Date	2013-02-15	Proposed End Date	2013-12-31

V. Location of Proposed Development

Street Address (or nearest town)	1548 Shawnigan Mill Bay Road						
Local Government	Cowichan Valley Regional District			City	Shawnigan Lake		
Stream Name	Unnamed Tributary to Hollings Creek						
Legal Description (PID)	007-989-385			Region	1		
Stream/River Type	Stream			DFO Area	South Island		
Watershed Code	920-235800-01800						
Latitude	48°	39'	2.9"	Longitude	123°	36'	26.3"

Table of Contents for Assessment Report

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3. Slope Stability	8
4. Protection of Trees	9
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6. Sediment and Erosion Control	10
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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

Nature of Development/Specific Activities:

Recently, the owner of 1548 Shawnigan Mill Bay Road has proposed to subdivide the 1.2 hectare property into two equal sized (0.6 ha) lots. Under the provincial Riparian Areas Regulations (RAR) process, subdivision is considered to be a form of "development". An assessment was triggered as the subdivision will take place within the 30 m Riparian Assessment Area (RAA) of an un-named drainage, which is a first order tributary to Hollings Creek.

Description of Riparian Area/Connectivity/Fish Habitat:

The subject drainage originates to the west from a series of roadside ditches and flows east through a corrugated steel culvert under Forsythe Way. The drainage continues flowing east through a series of residential properties before entering Hollings Creek. Hollings Creek then flows into Shawnigan Creek, approximately 350 m upstream of Mill Bay.

Throughout the study area, channel definition is lacking and there is a mix of alluvial (*i.e.* small gravel) and organic (*i.e.* decomposed leaves) substrate. The majority of the alluvial substrate is contained in the western half of the study area, likely a result of the manmade pond that was constructed on the adjacent property. The pond collects water from the roadside ditch network to the west and once maximum capacity is reached, water flows over a series of rock ledges onto the subject property (refer to photos). The velocity of water at the outlet of the pond appears to be high due to the scour observed.

Throughout the assessment area, the gradient of the drainage is low with a slope of 3-4%. Obtaining an average channel with was difficult due to the lack of channel definition; however widths were taken where possible and ranged between 0.8 m and 2.3 m. Five measurements were obtained due to lack of channel definition.

At the time of the assessment, the focus drainage was mostly dry, however a pool of water was observed near the eastern boundary of the property. Water was noted to be seeping through a soil berm at the outlet of the pool. Downstream of the subject property the drainage becomes morphologically consistent with that of a riffle-pool system. The drainage is confined within a defined channel and gravel/cobble substrate dominates.

In the focal study area, it was noted that functioning riparian vegetation is intact. Tree growth consists of a mixture of coniferous and deciduous species, including; Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*), bigleaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*) and arbutus (*Arbutus menziesii*). The shrub layer is composed mainly of dull Oregon-grape (*Mahonia nervosa*), salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*) and salmonberry (*Rubus spectabilis*). The understory herbaceous layer is dense and dominated by sword fern (*Polystichum munitum*) and bracken fern (*Pteridium aquilinum*) Also, invasive plant growth was

observed, including Himalayan blackberry (*Rubus discolor*) and scotch broom (*Cytisus scoparius*).

Fisheries Resource Values:

The subject drainage is classified as a seasonal drainage as it only contains water during periods of heavy rainfall and therefore lacks qualities necessary for supporting a population of fish. Although the focus drainage does not support fish, it does contribute to known downstream fish habitat (i.e. Hollings Creek and Shawnigan Creek) by providing nutrients and a source of water.

Both Hollings Creek and Shawnigan Creek possess diverse habitat attributes necessary for all fish life processes (e.g. adequate spawning gravel, security habitat and perennial flow). Anadromous salmonids known to occur downstream include Coho Salmon (*Oncorhynchus kisutch*) and Chum Salmon (*Oncorhynchus keta*). It should be noted that resident forms of both Rainbow (*Oncorhynchus mykiss*) and Cutthroat Trout (*Oncorhynchus clarkii clarkii*) also exist in these creeks and tributary streams.

Section 2. Results of Riparian Assessment (SPEA width)

Attach or insert the Form 3 or Form 4 assessment form(s). Use enough duplicates of the form to produce a complete riparian area assessment for the proposed development

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2013-02-14

Description of Water bodies involved (number, type): Unnamed Tributary to Hollings Creek

Stream	X
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)		Gradient (%)
starting point	0.8		3
upstream	2.0		
	1.3		
downstream	1.0		5
	2.3		
Total: minus high /low			
mean	1.48		
	R/P	C/P	S/P
Channel Type	X		

I, Justin Lange, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the Fish Protection Act;
b) I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Justin Lange, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Polygon No: [ ]

	LC	SH	TR
SPVT Type			X

Method employed if other than TR

Polygon No: [ ]

Method employed if other than TR

	LC	SH	TR	
SPVT Type				

Polygon No:				Method employed if other than TR
SPVT Type				

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	4.44	South bank	Yes		No	X	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes	X	No		If non-fish bearing insert no fish bearing status report		
SPEA maximum	**10 m**	(For ditch use table3-7)					

I, Justin Lange, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

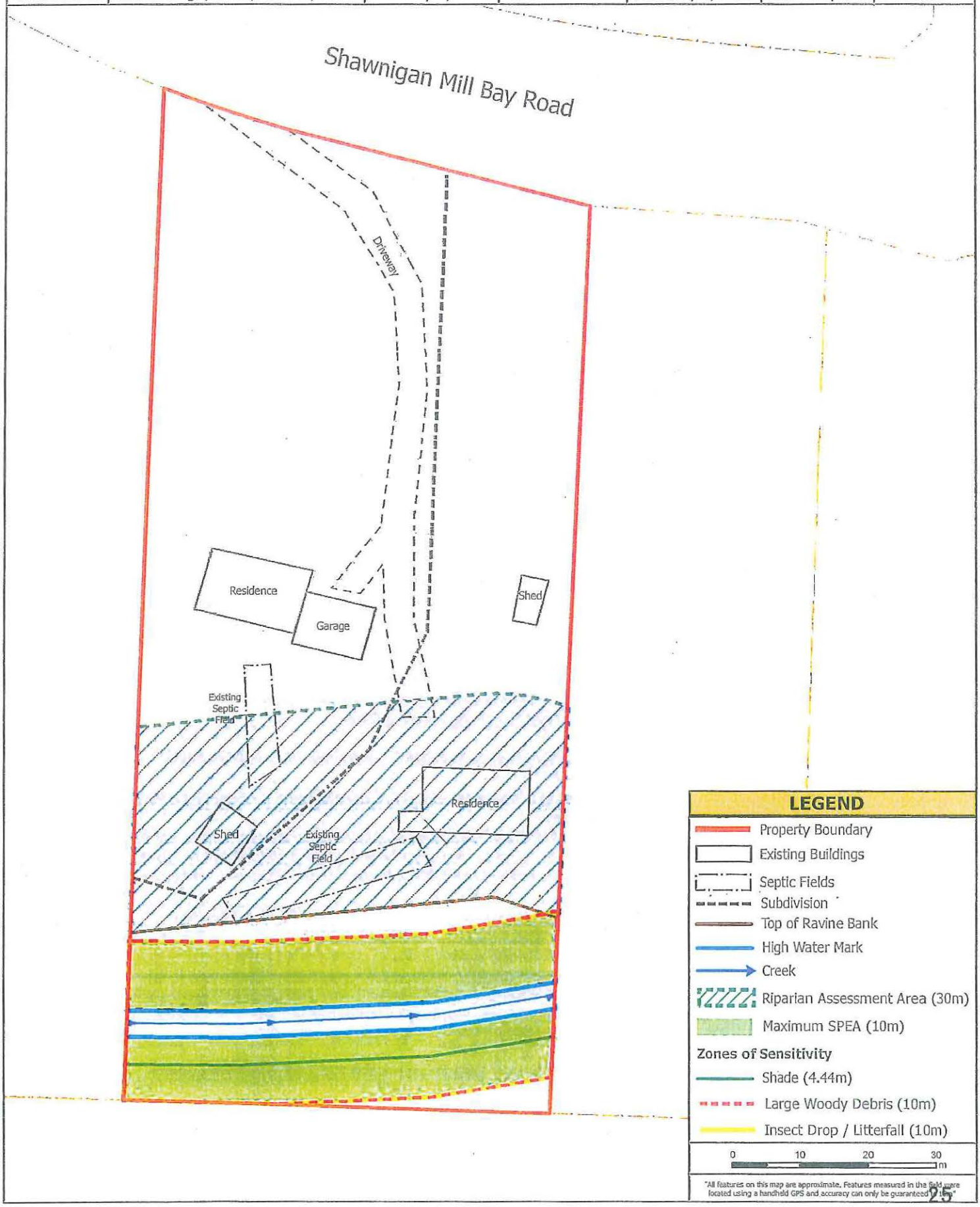
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

This assessment was triggered as the proponent is submitting an application for subdivision at 1548 Shawnigan Mill Bay Road. In this case it was determined that the SPEA (no development zone) is 10 m, measured at a horizontal distance from the high water mark of the drainage. However, it should be noted that in some instances the Cowichan Valley Regional District (CVRD) will enforce a 15 m no development zone adjacent to watercourses as per zoning bylaws. The property is located within Electoral Area B of the Cowichan Valley Regional District. Under the Zoning Bylaws of Electoral Area B no dwelling shall be constructed within 15 m of a watercourse. Due to the fact the only proposed form of "development" is subdivision, the 10 m SPEA will enforced.

PROJECT: RAR Assessment 1548 Shawnigan Mill Bay Road		LOCATION: Shawnigan Lake	CLIENT: Carole Bokrossy	DOSSIER NO: 13.0014	N W E S
ASSESSED BY: Justin Lange, B.Sc., R.P.Bio, Asc.T.	FIELD VISIT: February 1, 2013	MAP SCALE: 1:700	MAPPING DATE: February 4, 2013	DRAWN BY: Erin Philip	

MADRONE environmental services ltd



Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF *before* inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	There are currently no concerns related to danger trees on the subject property. The SPEA is composed of a mixed stand of second growth coniferous and deciduous trees, all of which appeared to be healthy. Any trees or limbs that fall will be contained within the ravine and must remain on the ground. Large woody debris (LWD) contributes to the overall health of the ecosystem by providing microhabitats for various invertebrate and vertebrate species.
I, Justin Lange, hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*; f) I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Windthrow is typically the result of creating exposed forest "edges" by removing large areas of trees. Newly created forest "edges" are not windfirm and are prone to being blown over as they are vulnerable to increased wind velocities. At the time of the assessment it was noted that the majority of the trees within the SPEA are contained within the ravine. Presently, there are no concerns related to windthrow as this assessment was conducted for the purpose of a subdivision application. In addition, the client explained that no future development will be taking place onsite and there will be no requirement to remove any trees, including from the RAA.
I, Justin Lange, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	Currently there are no issues related to slope stability onsite. Although the slope leading down to the ravine is of moderate grade (30-35%) there are no plans to develop within the RAA beyond the top of the embankment. The only form of "development" being proposed at this time is subdivision. Beyond the top of ravine bank, the topography including the RAA is subdued (2-5% grade).
I, Justin Lange, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation	

made under the *Fish Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	During construction there is potential to negatively impact trees that exist within both the RAA and SPEA either directly or indirectly. In most cases the root systems are the most susceptible to damage. Digging during excavating (*i.e.* foundations), which cuts through the roots is of particular concern. However, there is potential for root systems to become compacted when machinery is mobile. In addition, damage to the limbs and the protective bark of trees can also occur through inadvertent collisions with heavy machinery (*i.e.* excavators). In this particular case, there is no concern that any trees within the RAA or SPEA will incur any damage as this assessment was triggered by subdivision.
I, Justin Lange, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	The client is aware that all existing land uses onsite are "grand-parented", or legally non-conforming and the property can continue to be used as it was prior to the implementation of the RAR process. However, during the assessment the client was made aware that under no circumstances can any of the following "development" activities take place within the SPEA unless appropriate protocols are followed (e.g. Section 9 process or removal of Danger Trees under the direction of a suitably qualified professional): - Removal, alteration, disruption or destruction of vegetation; - Disturbance of soils; - Construction or erection of buildings and structures; - Creation of non-structural impervious or semi-impervious surfaces; - Flood protection works; - Construction of roads, trails, docks, wharves and bridges; - Provision and maintenance of sewer and water services; - Development of drainage systems; - Development of utility corridors; and - Subdivision, as defined in section 872 of the Local Government Act. Although there are no future plans for development onsite it

	would be beneficial to have a form of permanent marking to delineate the 10 m SPEA. In this case the SPEA falls entirely within a well vegetated ravine, therefore strategic placement of signage is recommended.
I, Justin Lange, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the property owner Bokrossy; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	As this is assessment report is being completed for the purpose of subdivision, there is currently no requirement for a detailed erosion and sediment control (ESC) plan at this time.
I, Justin Lange, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Stormwater Management	Typically, stormwater management measures are recommended to deal with an increase in surface water run-off as a result of constructing impervious surfaces (*i.e.* rooftops or paved driveways). Development activities generally include removing vegetated areas (permeable surfaces) that promote natural infiltration of stormwater into natural hydrological pathways. By inhibiting natural infiltration, watercourses become subjected to sudden increases in water flow, which can have negative impacts. Of particular concern is scour and bank stability, which can lead to an increased sediment load being introduced into the watercourse. For the purpose of this assessment, no recommendations related to stormwater management have been introduced as the proponent is an application for subdivision. At the present time there are no plans for construction onsite.
8. Floodplain Concerns (highly mobile channel)	Due to the fact the subject drainage is confined within a deep ravine, there are no concerns related to flooding. It is also important to note that this drainage only contains water for short periods of time (i.e. after heavy rainfall) and is void of water for most of the year.
I, Justin Lange, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the property owner Carole Bokrossy; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Typically, environmental monitoring is required when a proposed "development" involves construction within the 30 m RAA. Monitoring is carried out at different stages of construction to ensure that all of the recommended measures are implemented and they remain in place over the duration of any and all construction activities, as the goal is to protect the functionality of the SPEA.

Presently, subdivision is the only proposed "development" for this property; therefore there is no requirement for extensive monitoring at this time. Due to the present layout of the existing construction footprints within the RAA, it is unlikely any future development will take place on site. However, if any development plans in the form of construction are proposed in the future a more detailed assessment must be completed; including development of detailed measures for SPEA protection. As both the RAA and SPEA have been identified, the local government (CVRD) can assess any future development applications associated with the subject drainage.

Section 6. Photos

Photo 1. The pond and weir system as seen from the western boundary of the subject property. It should be noted that water only cascades over the weir once the pond has reached its maximum holding capacity.

Photo 2. Looking east from the manmade pond. Note the lack of scour and channel definition associated with the drainage.

Photo 3. Looking north at the ravine and existing single family house.

Photo 4. A portion of the drainage that exhibits scour, indicating high velocity water flow. It is likely that water only flows during periods of extreme rain fall.

Photo 5. Looking west at the drainage as it flows through the south-central portion of the property.

Photo 6. Looking west from the eastern boundary of the property. Note the depression, which acts as a collection area for water.

Photo 7. Looking north at the berm, which is positioned along the eastern boundary of the subject property. Note the black pvc pipe, likely put in place to drain water during moderate to high flows.

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date 2013-02-14

1. I Justin Lange, B.Sc., R.P.Bio., A.Sc.T.

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
b) I am qualified to carry out the assessment of the proposal made by the property owner (Sol Sante Club), which proposal is described in section 3 of this Assessment Report (the "development proposal"),
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As a qualified environmental professional, I hereby provide my professional opinion that:

a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, OR

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: **"qualified environmental professional"** means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
(c) the individual is acting within that individual's area of expertise.

8.3 R-2 ZONE - SUBURBAN RESIDENTIAL

(a) Permitted Uses

The following uses and no others are permitted in an R-2 Zone:

(1) single family dwelling or mobile home;
(2) agriculture horticulture;
(3) home occupation – domestic industry;
(4) bed and breakfast accommodation;
(5) daycare nursery school accessory to a residential use; and
(6) small suite or secondary suite.

(b) Conditions of Use

For any parcel in an R-2 Zone:

(1) the parcel coverage shall not exceed 30 percent for all buildings and structures;

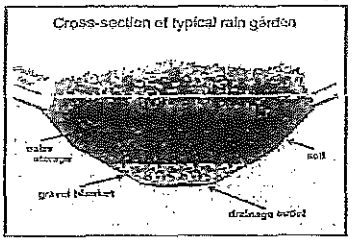
(2) the height of all buildings and structures shall not exceed 10 metres except for auxiliary buildings which shall not exceed a height of 7.5 metres; and

(3) the minimum setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column III and IV:

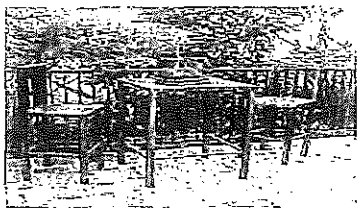
COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Agricultural & Accessory Use	COLUMN IV Accessory Residential Use
Front	7.5 metres	30 metres	7.5 metres
Side (Interior)	10% of the parcel width or 3 metres whichever is less	15 metres	10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	15 metres	4.5 metres
Rear	4.5 metres	15 metres	4.5 metres

7.4.5 A: Landscaping, Rainwater Management and Environmental Protection Guidelines

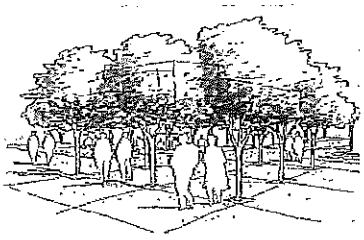
The Landscaping/Rainwater Management/Environmental Protection Guidelines apply to the subdivision of land, and to commercial, mixed use, multiple family residential and intensive residential development and their accessory uses.



1. Preparation of a landscaping plan by a British Columbia Society of Landscape Architects (BCSLA) or BC Landscape and Nursery Association (BCNTA)-certified landscape architect is preferred. Any landscaping plan submitted with an application for a development permit, whether professionally prepared or not, will be assessed by the CVRD according to BCSLA/BCNTA guidelines.



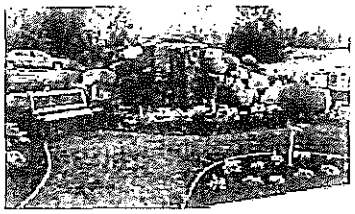
2. All required landscaping plans should be integrated with a rainwater management plan, which should favour natural solutions to drainage such as rain gardens and bio-swales, and should contain measures to limit impervious surfaces. The rainwater management plan must be prepared by a professional engineer with experience in drainage and submitted with the application for any commercial, mixed use or multiple family residential development proposal. The aim of the plan is to eliminate the potential for runoff into adjacent areas, and protect lake quality.



3. Runoff from the development must be strictly limited to prevent rainwater flows from damaging roads, surrounding properties and sensitive watershed features. Pervious surfaces should predominate, to encourage infiltration of water. The removal of trees should only be allowed where necessary and where alternate vegetation and water retention measures can be achieved.

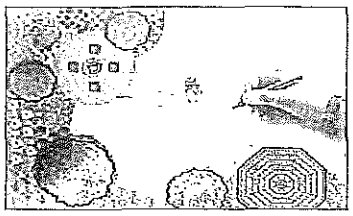
4. All public areas should be landscaped, including entrances, building peripheries, parking and pedestrian areas, and open space areas, in a way that is complementary to both the site and surrounding lands.

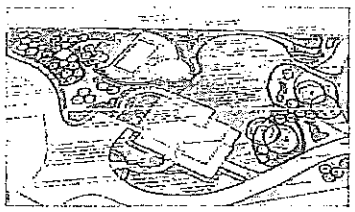
5. Streetscape design should incorporate treatments that enhance the pedestrian experience and create a sense of local identity. Public streetscape amenities including benches, planters, and bike racks should have a high quality of design.

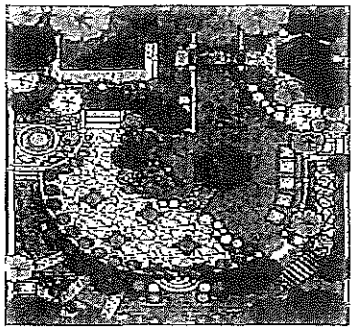


6. The appearance of large buildings should be enhanced using plants, shrubs and trees, and where necessary, hard landscaping treatments such as terraced retaining walls, planters, gardens, courtyards or fountains, outdoor seating and decorative paving and lighting.

7. Where appropriate, trees should be planted along street







frontages to create a mature treed "boulevard" streetscape. Tree species that provide high quality bird habitat and do not grow to a size that would detract from the architecture are preferred.

8. Developments should incorporate and emphasize native landscape materials, and use drought resistant plants to reduce irrigation needs.
9. The provision open space areas, pedestrian oriented street furniture and, for multiple family developments, the allocation of space for residents to garden and grow edible plants is encouraged, where feasible.
10. Commercial and multiple family developments visible from major network roads should be screened and landscaped, including entrances, building peripheries, parking and pedestrian areas, and open space areas. The landscaping should consist of a mix of coniferous and deciduous vegetation, with low plantings and taller tree species at intervals.
11. Sites should not be dominated by areas of bark mulch, gravel or other similar materials.
12. Walkways or trails must be developed to encourage walking and cycling and to connect the development with surrounding commercial, mixed use, and residential areas.

7.4.5 B Landscaping, Rainwater Management and Environmental Protection Guideline Exemptions

The Landscaping, Rainwater Management, and Environmental Protection Guidelines do not apply to the construction of single family residential dwellings, or to single family residential subdivision where it is located within a drainage control area.

7.4.11 A Subdivision Guidelines

The Subdivision Guidelines apply to the subdivision of land, regardless of the land designation.

1. A trail system should link neighbourhoods to amenities and, where possible, provide corridors of native vegetation that can provide for groundwater infiltration.
2. The removal of trees should only be allowed where necessary and where alternate vegetation and water retention measures can be achieved.
3. If a subdivision proposal is received in an area identified for major road network connection or improvement in the Transportation section of this OCP, any development permit issued should accommodate major road network and intersection improvements that have been identified.

7.4.11 B Subdivision Guideline Exemptions

The Subdivision Guidelines do not apply to proposed boundary adjustments between two or more parcels of land.

7.4 SHAWNIGAN VILLAGE DEVELOPMENT PERMIT AREA: GUIDELINES AND EXEMPTIONS

Prior to commencing any development, including subdivision, construction or land clearing, on lands within the Shawnigan Village Development Permit Area, the owner will submit information that demonstrates how the proposed development meets the guidelines in the following sections.

7.4.1A General Guidelines

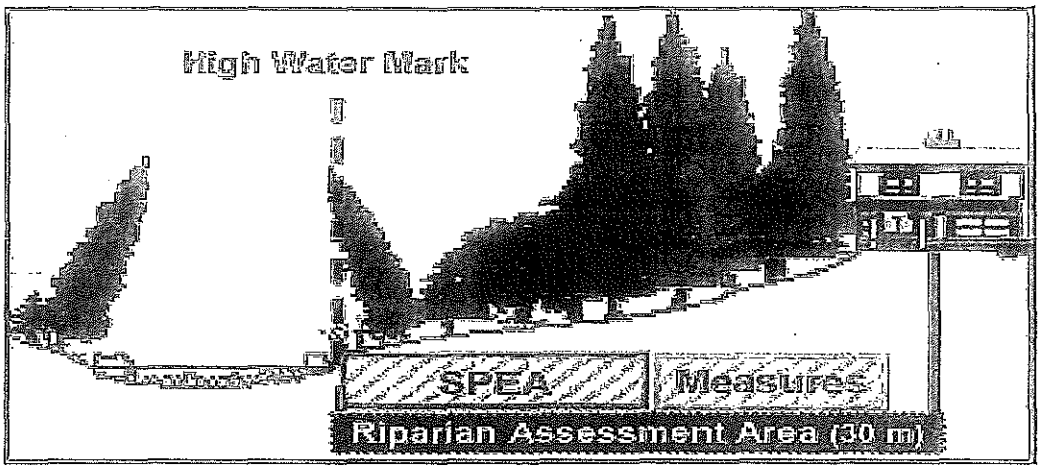
1. In all cases where a development permit is required, the eradication of invasive weeds, such as English Ivy, Scotch Broom, Gorse, Himalayan Blackberry, Morning Glory and Purple Loosestrife, and other non-native invasive weeds listed by the Coastal Invasive Plant Committee and the BC Landscape and Nursery Association, will be a requirement of the development permit.
2. In all cases where a development permit is required, the best management practices within the Ministry of Environment's *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* will be encouraged.
3. Where the Regional District considers that construction would be on land that is subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrent, erosion, landslide, rock falls, subsidence or avalanche, the applicant may be required to provide a report certified by a professional engineer with experience in geo-technical engineering indicating that the development will not result in property damage or the loss of life on the site or in the surrounding area.

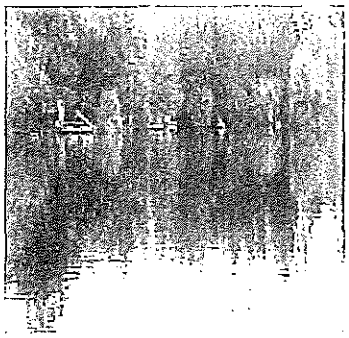
7.4.1B General Guideline Exemptions

The General Guidelines do not apply to development that does not require a develop permit under Sections 7.4.2 through 7.4.11.

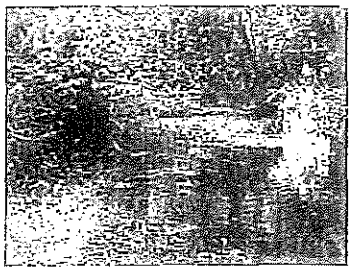
7.4.8 A Riparian Protection Guidelines (Freshwater)

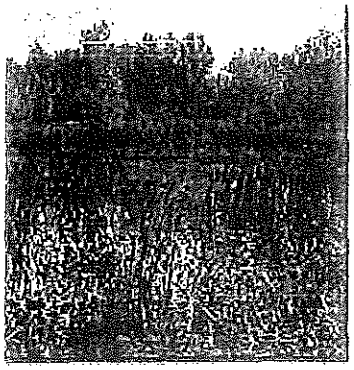
The Riparian Protection Guidelines apply to lands within 30 metres of a watercourse, including a seasonal watercourse or wetland.

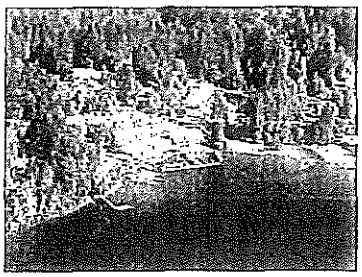




1. For lands within 30 metres of a fish-bearing watercourse, or a watercourse that is connected by surface water to a fresh-water, fish-bearing watercourse, a qualified environmental professional (QEP) will be retained at the expense of the applicant, for the purpose of preparing a Riparian Area Report pursuant to Section 4 of the *Riparian Areas Regulation.* The Report will examine the Riparian Assessment Area – RAA – generally 30 metres from a watercourse, wetland or body of freshwater, and determine the Streamside Protection and Enhancement Area – SPEA – and any measures that must be taken in the RAA to protect the SPEA. The Riparian Assessment Report will be registered to the Ministry of Environment website and when the CVRD receives notification from senior government that registration has been completed and we are able to issue a development permit, this will be done, with the Riparian Assessment Report forming a part of the permit. All works within a Riparian Assessment Area must comply with the provisions of the Riparian Assessment Report.
2. For development located within 30 metres of a watercourse, including a seasonal watercourse that does not contain water at all times, development should be located away from and should not contribute to changes in the riparian area through loss of trees and vegetation or alteration of natural processes. These changes may diminish the ability of the riparian area to function as a water storage and purification area and to help prevent hazardous flooding and erosion conditions. Developers may be required to provide restoration to







riparian areas that have already been damaged.

3. Runoff from the development should be strictly limited to prevent storm flows from damaging property, roads and downstream areas. This shall be accomplished partially by limiting impervious surfaces to the minimum through appropriate building design and providing pervious surfaces in landscaping and driveway design that can absorb runoff. Applicants shall submit figures for total site imperviousness. The Board may specify maximum site imperviousness in a development permit.

4. Proposed lots that within or adjacent to riparian areas should be large enough to contain a building site and driveway that does not require a Streamside Protection and Enhancement Area (SPEA) to be encroached. There should be a usable yard area between the proposed building envelope and the edge of a SPEA, a minimum of 7.5 metres in depth, measured perpendicularly from the edge of the building envelope.

5. Road, trail and utility crossings of watercourse and riparian areas must be kept to a minimum, and crossing points should be chosen for low impact, in particular to avoid critical habitats of sensitive species.

6. Pedestrian/cycle and road crossings of watercourses must have a low impact design; i.e., boardwalk or bridge.

7. Construction of docks on Shawnigan Lake should be undertaken in a manner that mitigates disturbance of fish habitat and related environmental values. A report by a registered professional biologist may be required.

8. Recommendations in the Ministry of Environment's *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* should be applied

7.4.8 B Riparian Protection Guideline Exemptions (Freshwater)

The Riparian Protection Guidelines do not apply to:

a. Development, including vegetation clearing and soil removal or deposit and subdivision, if the subject parcel is located more than 30 metres from the natural boundary or top of bank as defined in the *Riparian Areas Regulation*;

b. Renovations, repairs and maintenance to existing buildings that are subject to Section 911 of the *Local Government Act*;

c. Minor interior and exterior renovations to existing buildings, excluding any additions or increases in building volume, provided the work is above existing foundations;

d. Non-chemical removal of invasive non-native vegetation such as Gorse, Scotch Broom, and its immediate replacement with native vegetation;

e. Creation of a passage or trail not more than 1.5 metres in width cleared of vegetation, which does not involve the removal of any tree greater than 5 metres in height or with a diameter at breast height (DBH) of 10 centimetres, to allow for passage to the water on foot.

f. Provincially issued water licenses, where any disturbance to habitat is minimized and mitigated;

g. Trimming of trees in the development permit area, provided that the trees are not eventually killed as a result of the trimming.

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COWICHAN VALLEY REGIONAL DISTRICT

DRAFT DEVELOPMENT PERMIT

FILE NO: 18-B-12DP

DATE: FEBRUARY 25, 2013

REGISTERED PROPERTY OWNER(S):

MAUREEN C. JAEGER & VICTOR BOKROSSY

1548 SHAWNIGAN MILL BAY ROAD

SHAWNIGAN LAKE, BC V0R 2W2

1. This Development Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands within the Regional District described below (legal description):

   Lot G, Section 2, Range 5, Shawnigan District, Plan 1101, except part lying to the north of the road to Mill Bay and except Plan VIP56665
3. Authorization is hereby given for subdivision of the subject property in accordance with the conditions listed in Section 4, below.
4. The development shall be carried out subject to the following condition(s):

   - Ongoing removal of Scotch Broom, Himalayan Blackberry and any other invasive plants from the subject property;
   - Compliance with the recommendations of RAR report No. 2687;
   - Any new driveways to be constructed using pervious surfacing such as gravel;
   - Retention of, and compliance with, a report prepared by a qualified professional, which makes detailed rainwater management recommendations, at the time of any future building permit application for the subject property;
   - Reasonable retention of trees and vegetation and;
   - Removal of Covenant No. FB436100 concurrently with subdivision registration.

5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.

6. The following Schedules are attached:

   Schedule A – RAR Report No. 2687, prepared by Justin Lange
   Schedule D – Subdivision Plan

7. This Permit is not a Building Permit or subdivision approval. No certificate of final completion or recommendation of subdivision approval shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Planning and Development Department.

   ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. XX-XXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE XX DAY OF XXXX

Tom Anderson, MCIP, General Manager
Planning and Development Department

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any construction within 2 years of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Cowichan Valley Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with MAUREEN JAEGER AND VICTOR BOKROSSY, other than those contained in this Permit.

Owner/Agent (signature)	Witness (signature)
Print Name	Print Name
Date	Date

R2

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

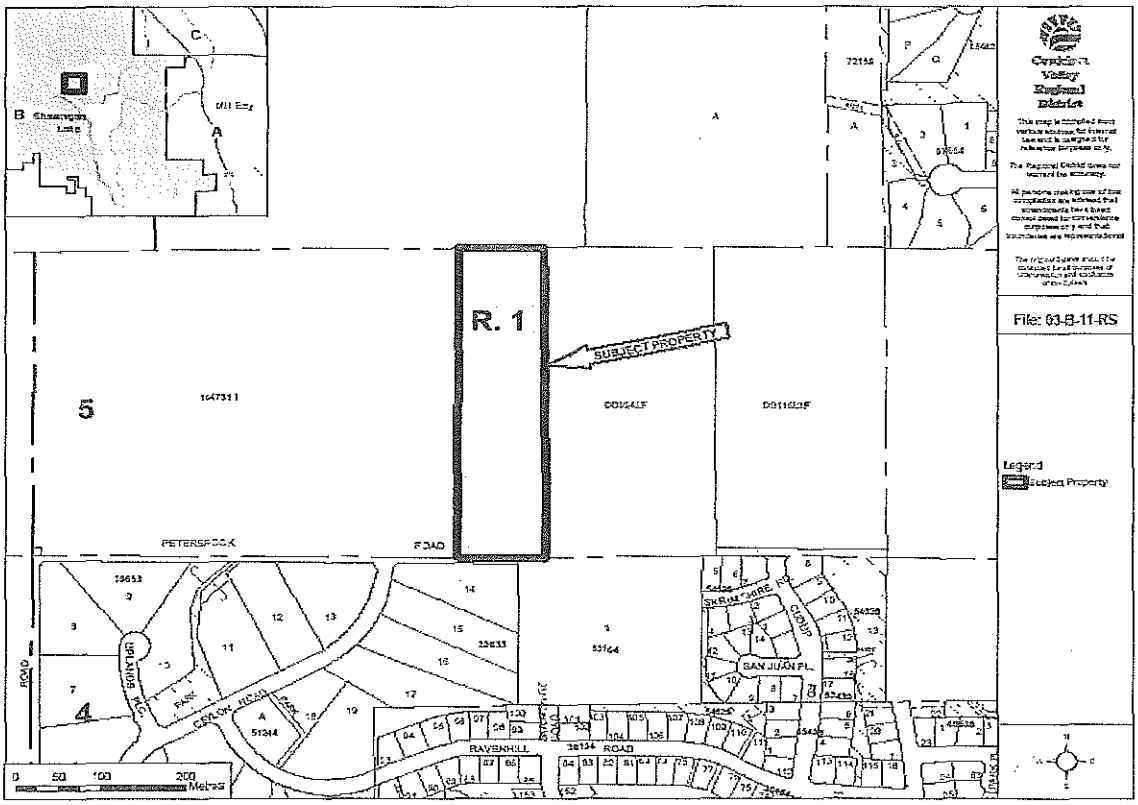
DATE:	February 27, 2013	**FILE NO:**	3-B-11RS
FROM:	Dana Leitch, Planner II	**BYLAW NO:**	985 and 3510
SUBJECT:	Rezoning Application 3-B-11RS (Steve and Alexandra McLeod)		

Recommendation/Action:
Direction of the Committee is requested.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*

Location Map:



Background:

An application to amend the Zoning and Official Community Plan designation for a 3.94 ha (9.74 ac.) property located at 2373 Peterbrook Road in Electoral Area B Area B was received in July, 2011. The application proposed to amend the zoning of the property from Primary Forestry (F-1) to Suburban Residential (R-2) to permit a 7 lot residential subdivision and .74 acres of park dedication.

This application was presented to the Electoral Area Services Committee (EASC) on September 18, 2012. At that time, the EASC recommended that the rezoning application and the draft amendment bylaws be presented at a public meeting and that further the application and public meeting minutes be reviewed at a future EASC meeting.

A public meeting for the application was held on November 22, 2012 and the meeting minutes were reviewed by the EASC at their January 15, 2013 meeting.

At the January 15, 2013 EASC meeting the Committee recommended that:

"Application 3-B-11 RS be referred back to the EASC when the following conditions have been met:

a) That a Wildland Urban Interface Hazard Assessment for the property be drafted and submitted by the applicant.

b) That draft Zoning and OCP Amendment bylaws for the property be drafted by Planning Staff."

Planning staff has received the draft Wildland Urban Interface Hazard Assessment from the applicant and have drafted the Zoning Amendment and Official Community Plan Amendment Bylaws. The assessment and the bylaws have been attached to this report for your reference.

Since the Committee meeting in January 2013 the applicant has submitted a revised conceptual subdivision plan. The revised plan suggests that the proposed park land dedication will be approximately 1.0 acre (as opposed to .74 acres as indicated in the November, 2012 concept plan). The revised plan also indicates that the land will be subdivided into 6 parcels instead of 7 parcels. The 6 parcels proposed will range in size from 1.05 acres to 1.22 acres. The previous concept plan from November 2012 illustrated 7 parcels ranging in size from 1.01 acre to 1.25 acres. Please find attached a copy of the previous conceptual subdivision plan from November 2012 and a copy of the recently revised conceptual subdivision plan from February 2013.

Options:

Option 1:

a) That the Zoning and OCP amendment bylaws for Application No. 3-B-011RS (Steve and Alexandra McLeod) be forwarded to the Board for consideration of 1st and 2nd reading.

b) That a public hearing be scheduled with Directors Fraser, Giles, and Morrison as delegates, subject to the submission of a draft parks covenant acceptable to the CVRD.

c) That prior to final adoption of the amendment bylaws that the applicants provide written confirmation to the CVRD that the subject property has been included in the Shawnigan Lake Fire Protection Improvement District.

d) That the Board Chair and Corporate Secretary be authorized to sign a Section 219 covenant to secure park land dedication, with the cost of preparing the covenant borne by the applicants.

Option 2:
That Application No. 3-B-11RS (Steve and Alexandra McLeod) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Submitted by,

Dana Leitch
Planner II
Development Services Division
Planning & Development Department

DL/ca

Reviewed by:
Division Manager:

Approved by:
General Manager:

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DRAFT

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. XXXX

A Bylaw for the Purpose of Amending South Cowichan Zoning Bylaw No. 3520, Applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill, that being South Cowichan Zoning Bylaw No. 3520;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 3520;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. XXXX – South Cowichan Zoning Amendment Bylaw (Steve & Alexandra McLeod), 2013"**.

2. **AMENDMENTS**

   Cowichan Valley Regional District Zoning Bylaw No. 3520, as amended from time to time, is hereby amended in the following manner:

   a) That Schedule A (Zoning Map) to the South Cowichan Zoning Bylaw No. 3520 be amended by rezoning The West 5 Chains of Section 5, Range 1, Shawnigan District as shown outlined in black and shaded in gray on Schedule A, Plan Z-XXXX, attached hereto and forming part of this bylaw, from RUR-1 Zone (Rural Resource 1 Zone) to RR-3 Zone (Rural Residential 3 Zone).

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____ , 2013.

READ A SECOND TIME this _____ day of _____ , 2013.

READ A THIRD TIME this _____ day of _____ , 2013.

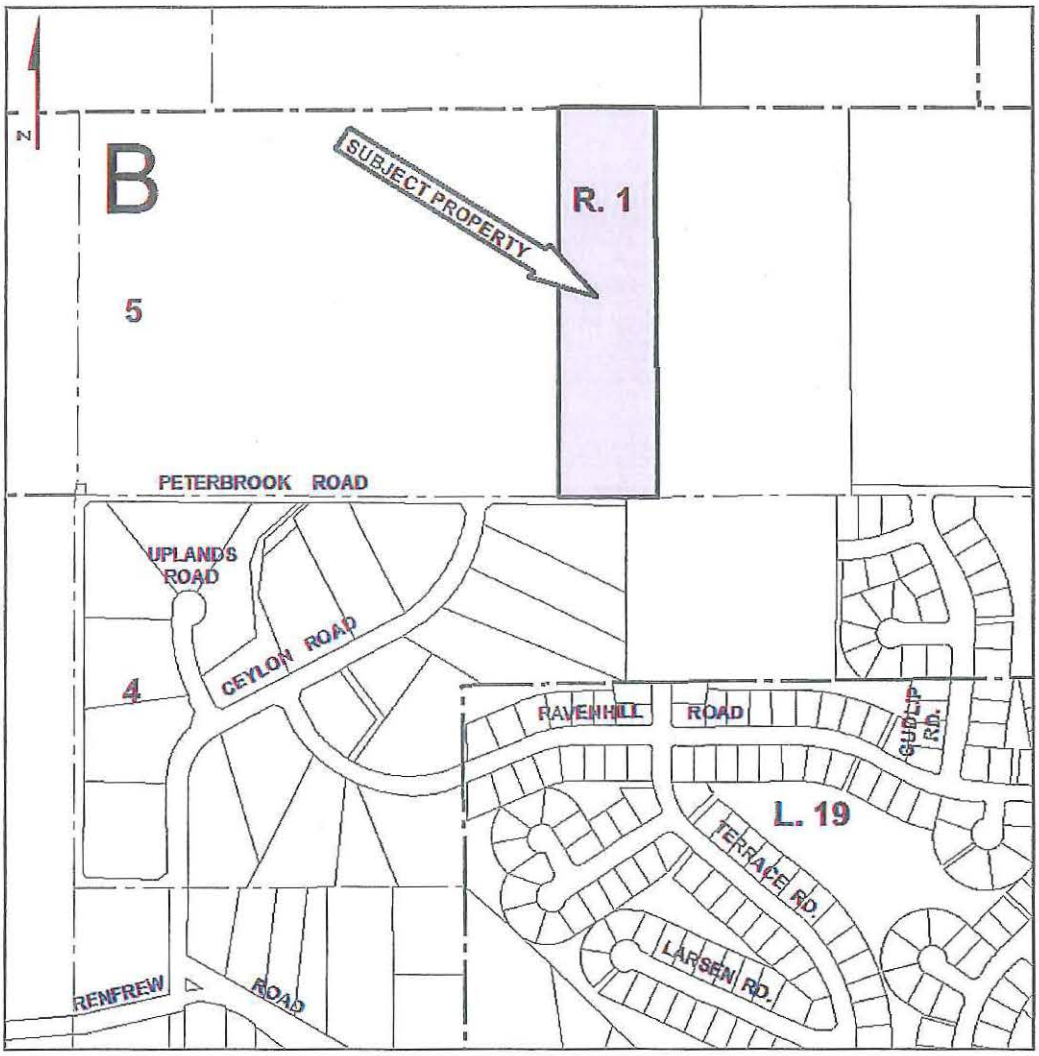
ADOPTED this _____ day of _____ , 2013.

_____ _____

Chairperson Secretary

PLAN NO. Z-XXXX

SCHEDULE "B" TO ZONING AMENDMENT BYLAW NO. XXXX
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

RUR-1 Zone (Rural Resource 1 Zone) TO

RR-3- Zone (Rural Residential 3 Zone) APPLICABLE

TO ELECTORAL AREA B

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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. XXXX

A Bylaw for the Purpose of Amending Zoning Bylaw No. 985 Applicable to Electoral Area B – Shawnigan Lake

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area B – Shawnigan Lake, that being Zoning Bylaw No. 985;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 985;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. XXXX - Area B – Shawnigan Lake Zoning Amendment Bylaw (Steve & Alexandra McLeod), 2013".**

2. **AMENDMENTS**

   Cowichan Valley Regional District Zoning Bylaw No. 985, as amended from time to time, is hereby amended in the following manner:

   a) That Schedule A (Zoning Map) to Electoral Area B – Shawnigan Lake No. 985 be amended by rezoning The West 5 Chains of Section 5, Range 1, Shawnigan District as shown outlined in black and shaded in gray on Schedule A, Plan Z-XXXX, attached hereto and forming part of this bylaw, from F-1 Zone (Primary Forestry) to R-2 Zone (Suburban Residential).

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____, 2013.

READ A SECOND TIME this _____ day of _____, 2013.

READ A THIRD TIME this _____ day of _____, 2013.

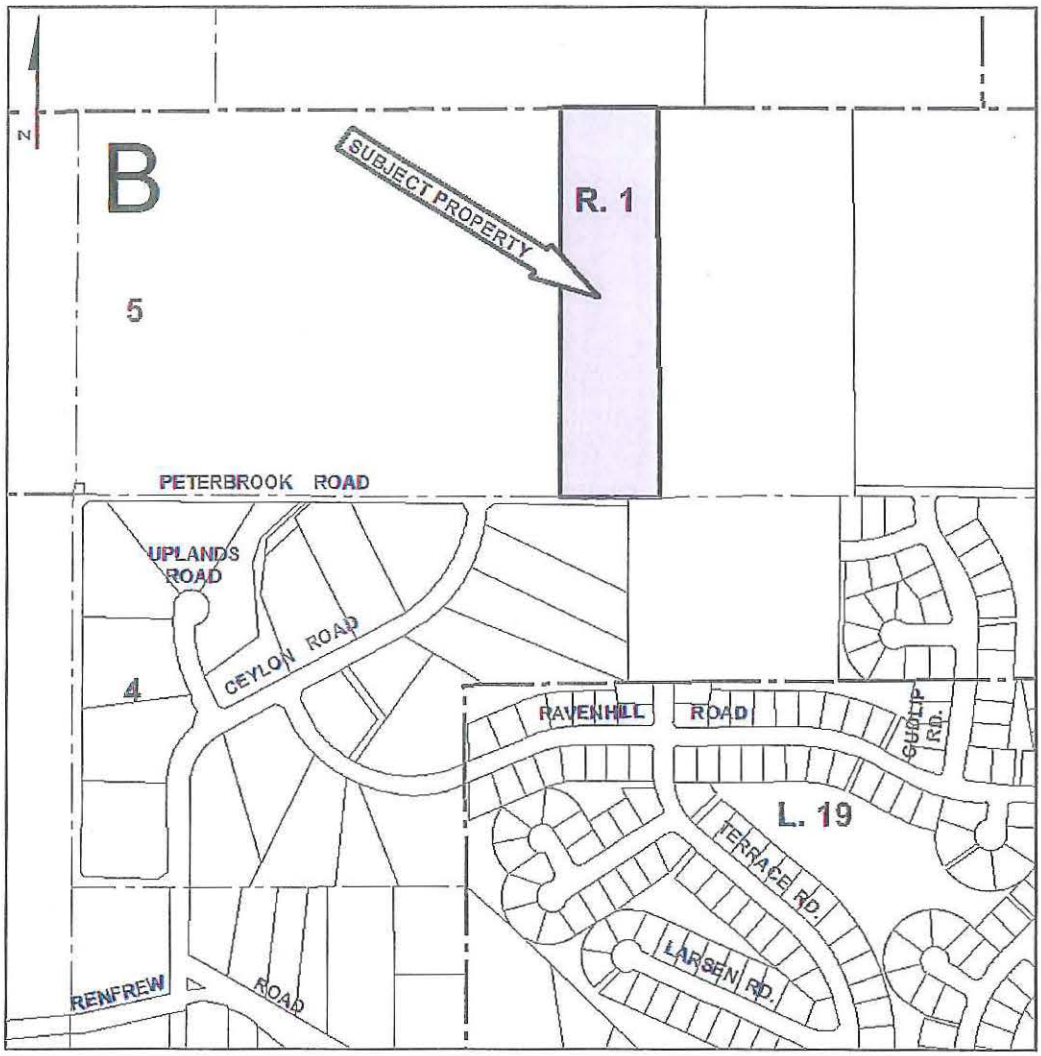
ADOPTED this _____ day of _____, 2013.

_____ _____

Chairperson Secretary

PLAN NO. Z-XXXX

SCHEDULE "B" TO ZONING AMENDMENT BYLAW NO. XXXX
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

F-1 Zone (Primary Forestry) TO

R-2- Zone (Suburban Residential) APPLICABLE

TO ELECTORAL AREA B

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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. XXXX

A Bylaw for the Purpose of Amending South Cowichan Official Community Plan Bylaw No. 3510, Applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend official community plan bylaws;

AND WHEREAS the Regional District has adopted an Official Community Plan bylaw for Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill, that being South Cowichan Official Community Plan Bylaw No. 3510;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 3510;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. XXXX – South Cowichan Official Community Plan Amendment Bylaw (Steve & Alexandra McLeod), 2013"**.

2. **AMENDMENTS**

   South Cowichan Official Community Plan Bylaw No. 3510, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

   This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

READ A FIRST TIME this _____ day of _____ , 2013.

READ A SECOND TIME this _____ day of _____ , 2013.

READ A THIRD TIME this _____ day of _____ , 2013.

ADOPTED this _____ day of _____ , 2013.

_____ _____

Chairperson Corporate Secretary

C·V·R·D

SCHEDULE "A"

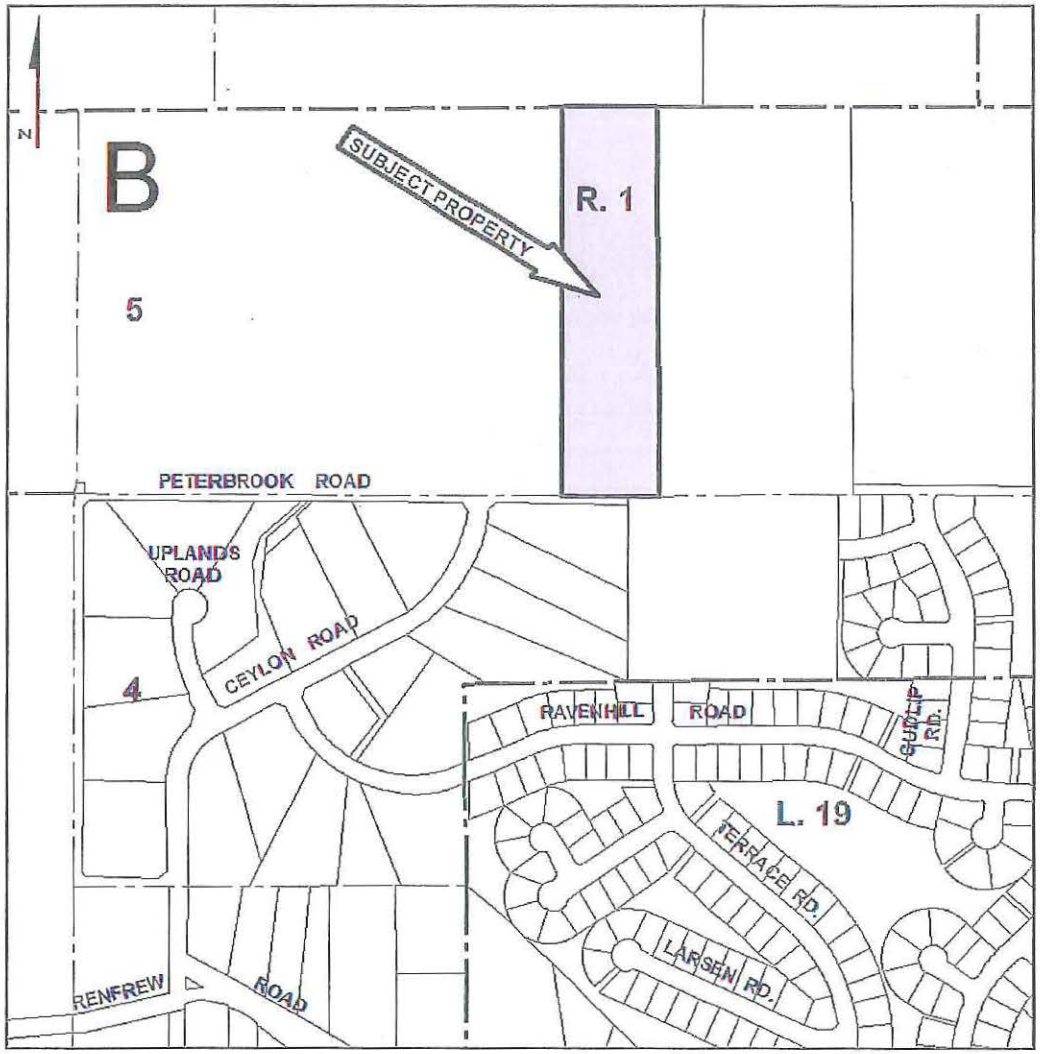
To CVRD Bylaw No. XXXX

That Official Community Plan Bylaw No. 3510, is hereby amended as follows:

1. That Schedule B to the South Cowichan Official Community Plan – the Plan Map - is amended by redesignating The West 5 Chains of Section 5, Range 1, Shawnigan District, as shown outlined in black and shaded in gray on Schedule Z-XXXX attached hereto and forming part of this Bylaw, from Rural Resource to Suburban Residential.

PLAN NO. Z-XXXX

SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO. XXXX
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE AND SHADED IN GREY IS REDESIGNATED FROM

Rural Resource TO

Suburban Residential APPLICABLE

TO ELECTORAL AREA B

Department, and Malahat First Nation, be accepted; and

c) That a public hearing be scheduled with Directors Fraser, Walker and Dorey appointed as delegates of the Board.

MOTION CARRIED

R6 – Shawnigan Lake Investment

That Amended Application No. 2-B-11RS (Shawnigan Lake Investments) be referred to a future EASC meeting after the following conditions have been met:

a) Referral of the amended application to the Electoral Area B Planning Commission and the Joint Advisory Planning Commission;
b) Referral of the amended application to the Electoral Area B Parks and Recreation Commission for comment;
c) Referral of the amended application to CVRD Departments and External Government Agencies for comment; and
d) That draft Zoning and OCP amendment bylaws be prepared by Planning staff and presented at a public meeting.

MOTION CARRIED

RECESS

The Committee adjourned for a 5 minute recess.

R7 - McLeod

Dana Leitch, Planner II, reviewed staff report dated January 9, 2013, regarding Application No. 3-B-11RS (Steve and Alexandra McLeod) to rezone property located at 2373 Peterbrook Road from F-1 to R-2 to permit a 7 lot residential subdivision.

There were no questions to the applicant or staff from Committee members.

It was Moved and Seconded
That Application No. 3-B-11RS be referred back to EASC when the following conditions have been met:

a) That a Wildland Urban Interface Fire Hazard Assessment for the property be drafted and submitted by the applicant.
b) That draft Zoning and OCP Amendment Bylaws for the property be drafted by Planning Staff.

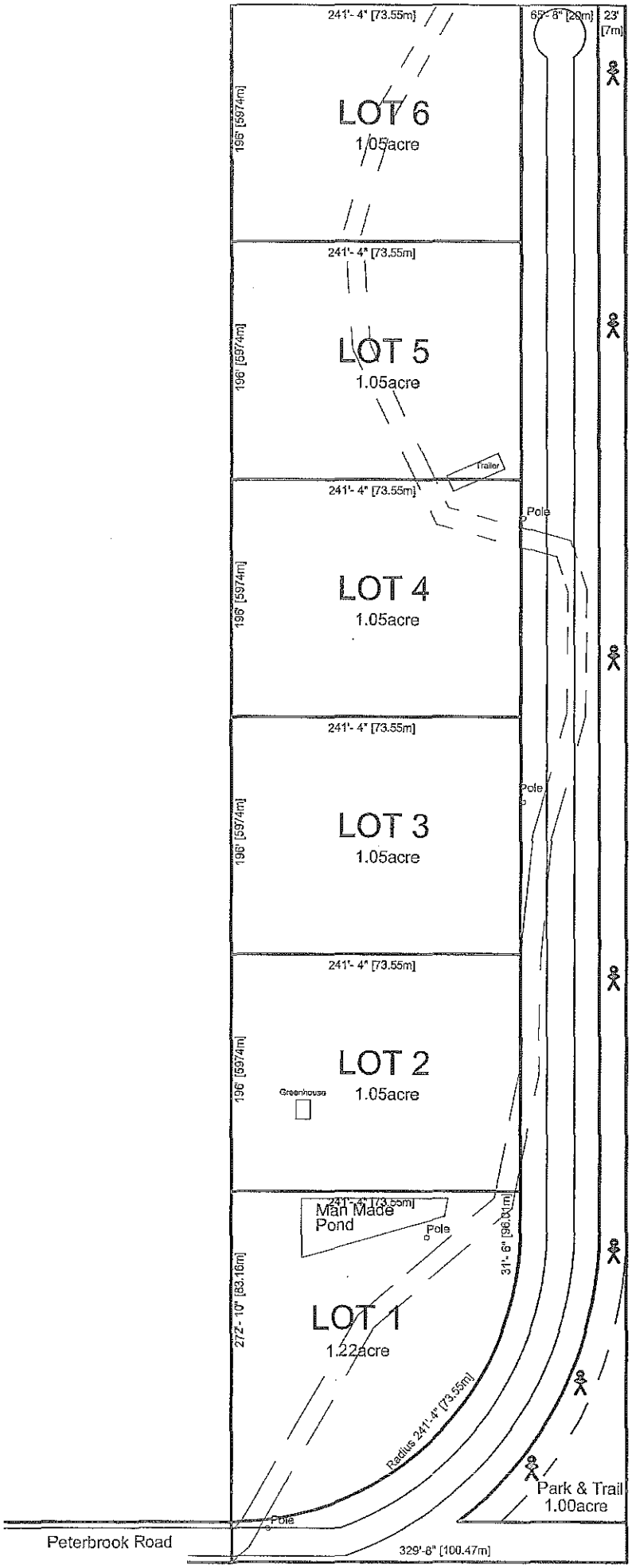
MOTION CARRIED

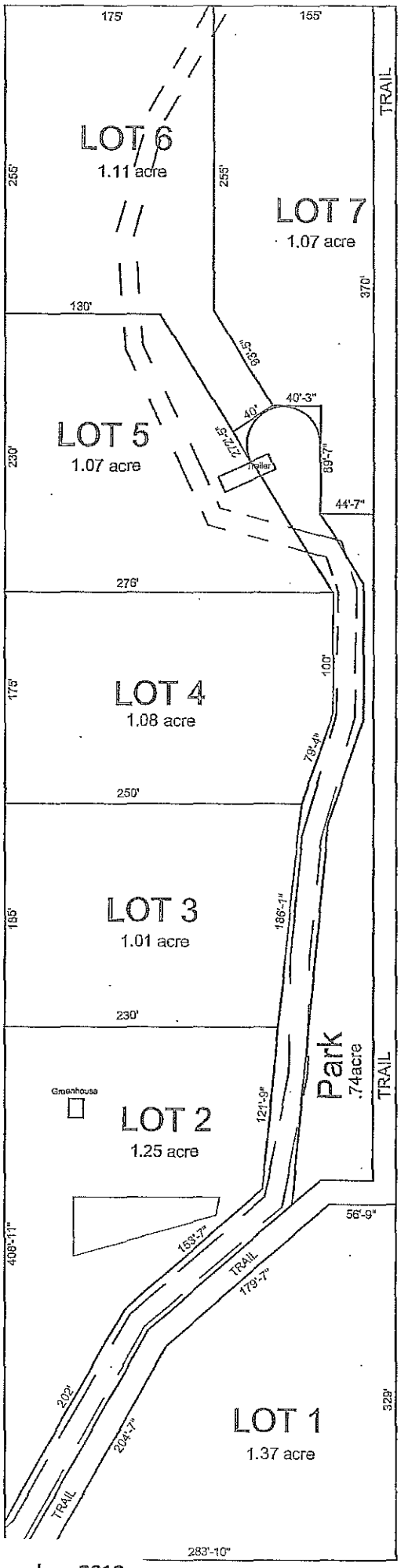
Note: Director Marcotte left the meeting at this point.

R8 – Van Isle Dev. Corp.

It was Moved and Seconded
That Application No. 1-I-09RS (Van Isle Waterfront Development Corporation) be referred back to staff for further clarification.

MOTION CARRIED


241'- 4" [73.55m]
65'- 8" [20m]
23' [7m]
196' [5974m]
LOT 6
1.05acre
LOT 5
1.05acre
Trailer
Pole
LOT 4
1.05acre
LOT 3
1.05acre
LOT 2
1.05acre
Greenhouse
Man Made Pond
31'- 6" [96.0m]
272'- 10" [83.16m]
LOT 1
1.22acre
Radius 241'-4" [73.55m]
Park & Trail
1.00acre
Peterbrook Road
329'-8" [100.47m]



Amended Conceptual Subdivision Plan November, 2012

WILDLAND INTERFACE FIRE HAZARD ASSESSMENT:
2373 Peterbrook Road

Strathcona Forestry Consulting

Prepared for:
Steve McLeod
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As a Requirement for:
The Cowichan Valley Regional District

Prepared by:
Strathcona Forestry Consulting

CfBC Member

February 18, 2013

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1.0 EXECUTIVE SUMMARY

In accordance with Cowichan Valley Regional District guidelines for development in the wildfire interface zone, Steve McLeod, manager, Earthboundhomes, retained Strathcona Forestry Consulting to conduct an interface hazard assessment of a property currently proposed for rezoning for a six-lot residential subdivision off Peterbrook Road at the north end of Ceylon Road in the Shawnigan Beach Estates.

Assessment criteria were based on the FireSmart Program, the HomeOwners FireSmart Manual, and Development Permit Guidelines in South Cowichan's Official Community Plan. Application of standard fire behavior modeling and risk assessment analyses determined that the current wildfire threat rating at the subject property is "high". The provincial Wildfire Threat Rating system accords an unacceptable status to high and extreme ratings. Ratings must fall into low or moderate classes in order for an area or property to be considered safe.

A combination of factors, including moderate to high fuel loading, continuity of coniferous fuel types, and lack of current fireflow, contribute to the elevated wildfire threat at the subject property. FireSmart mitigative measures are necessary to reduce the threat to acceptable standards. This report provides mitigative measures that target vegetation management, construction options, and local infrastructure improvements. Implementation of these measures, both at the design and planning stages of the subdivision, and on an ongoing basis, are essential to ensuring the safety of the intended development.

2.0 INTRODUCTION

2.0 Introduction

In accordance with Cowichan Valley Regional District Area B guidelines for development in the wildfire interface zone, Steve McLeod, manager of Earthboundhomes, retained Strathcona Forestry Consulting to prepare an interface fire hazard assessment of a property currently proposed for rezoning from a Primary Forestry (F-1) zone to a Suburban Residential (R-2) zone. Rural Residential designation is necessary in order to subdivide the land. A six-lot residential subdivision is proposed at this property, which is currently accessed off Peterbrook Road at the north end of Ceylon Road at Shawnigan Lake's Beach Estates subdivision.

2.2 The Wildland Interface

The interface (wildland urban interface, or "wui") describes any area where combustible wildland fuels (i.e., trees, shrubs, grasslands) are located next to homes or other buildings. Fuels may occur at the interface, where development and wildland vegetation meet at a well-defined boundary, or, as is the case in many areas of Shawnigan Lake, in the intermix, where development and wildland fuels intermingle with no clearly defined boundary.

This report describes the vegetation, terrain, and local infrastructure on and around the subject property, and provides recommendations that will assist the client to reduce the risk of wildfire. Assessment criteria are based on FireSmart (FireSmart, www.partnersinprotection.ca), the Home Owners FireSmart Manual (BC Edition) http://www.pssg.gov.bc.ca/firecom/pdf/homeowner-firesmart.pdf, the Official Community Plan for CVRD's Area B, and the CVRD Community Wildfire Protection Plan update (2012). Standard fire behavior and hazard assessment models used in the methodology include the Canadian Forest Fire Danger Rating System (CFFDRS), and Ministry of Forests and Lands and Natural Resource Operations (MFLNRO) Wildfire Threat Analysis customized for the southeast coast of Vancouver Island. Fuel Types listed in this assessment are modeled after generic CFFDRS Fuel Types list for applicability to south coastal BC. This assessment conforms to fire hazard planning authorized by Section 3(2) of the BC Fire Services Act http://www.bclaws.ca/EPLibraries/bclaws.

Effective hazard mitigation to reduce the risk of wildfire in the interface zone can be incorporated into design and planning stages if local government, developers, and property owners are made aware of issues inherent in a selected site or in building or infrastructure plans.

2.3 Location and Description of Proposed Development

The subject property, which has been partially developed over the last decade, is approximately 3.94 ha, and occupies a long rectangle 100 m wide by slightly more than 390 m long (see map page 5). An existing driveway extending the full length of the

property connects to Gregory road, a gravel service road originating from the Beach Estates. To the north of the property is a large parcel of Crown land, part of which was previously used for municipal sewage treatment. Immediately to the east is a 15 ha (approximate) parcel of Crown land, beyond which lies the Shawnigan Beach Estates, (R-3 subdivision). To the west is a 15 ha (approximate) parcel of privately owned F-1 property which holds the municipal water supply tower. To the south is R-2 zoned subdivision on Ceylon Road. An existing, artificial pond located at the lower portion of the property does not connect to any waterbodies. A moblile home and small greenhouse currently occupy the subject property. The mobile home is scheduled for removal; the greenhouse will remain or be moved.

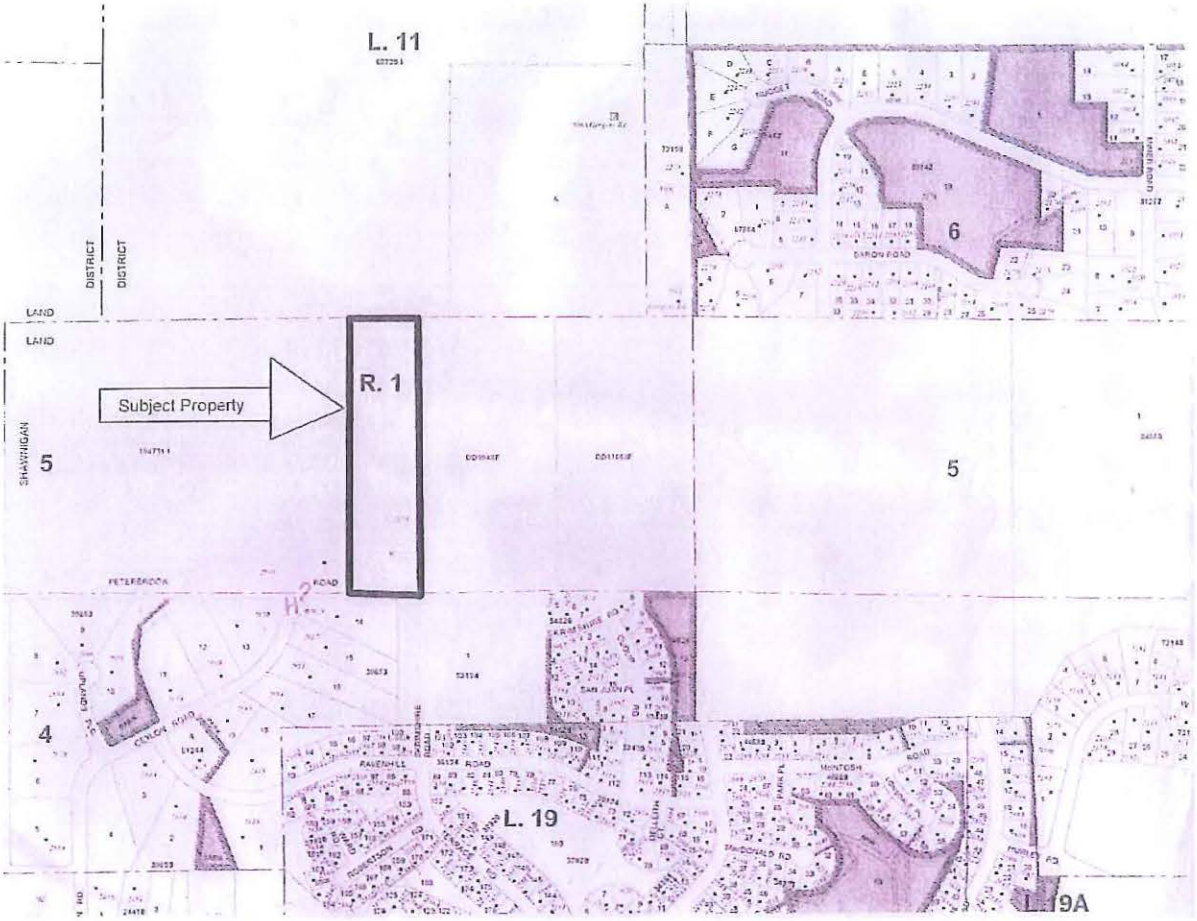
The proposed subdivision includes six lots. Lots 2-6 are 1.05 acre in size; Lot 1, at the southern end of the subdivision, is proposed at 1.22 acre.

The municipal (CVRD) water supply runs along the northern border of the subject property. This connection allows for 1 acre size parcels in an R-2 zoned area. Electrical servicing is currently provided at the property by 7 power poles.

2.4 Field Assessment

Field investigation entails a detailed analysis of the interface fire hazard that the property is exposed to, from the perspective of the general area, local site, and proposed and existing structures in the general vicinity. Field assessment took place on January 31, 2013. Mr. Steve McLeod was present during the assessment.

Consultation with the Shawnigan Lake Volunteer Fire Department and the provincial Wildfire Management Branch were used to determine suppression capabilities and local fire weather history.



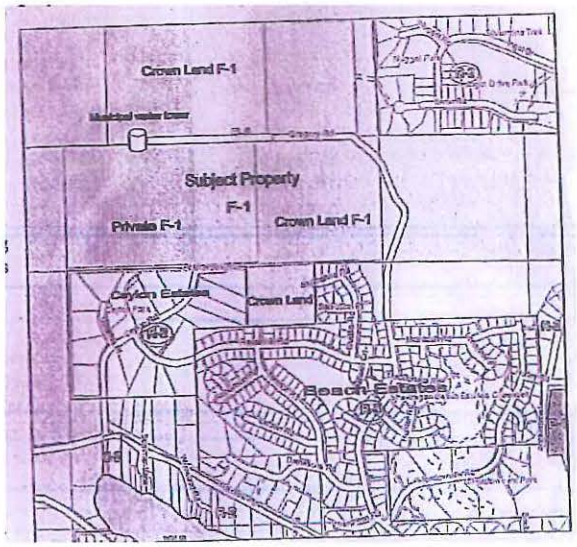


Figure 1. Location maps: proposed subdivision property, 2713 Peterbrook Road.

3.0 Biophysical Description

3.1 Biogeoclimatic Classification

Biogeoclimatic Ecosystem Classification (BEC) is a system that groups similar segments of the landscape (ecosystems) into categories of a hierarchical classification system (MoF, Land Management Handbook 28. 2004). Climate is the most important factor influencing the development of forest ecosystems.

The subject property is located in the very dry Coastal Western Hemlock (CWHxm) biogeoclimatic subzone, transitional to the moist maritime Coastal Douglas-fir subzone (CDFmm). Summers are generally warm and dry, while winters are wet and mild. Growing seasons are very long, and often feature pronounced water deficits on zonal (average) and drier sites. Long periods of drought are not uncommon during the fire season (April to October). The CWHxm and CDFmm have the mildest climates in Canada.

Prevailing weather systems in summer can vary from moderately moist to windy and excessively dry patterns. Prevailing winds are generally southeasterly, but seasonal variations are not uncommon. Net radiation values are generally high. Moisture deficits are common in summer.

3.2 Physiographic Features

Physical characteristics of a site impact fire behaviour. Landforms influence fire behavior by affecting ignition potential and the rate of fire spread. Fire behavior, in turn, is governed by weather, topography, and fuel.

The subject property occupies a midslope position on moderately to strongly rolling terrain. Elevation ranges between approximately 165 m (above sea level = asl) at the southern end of the property, to approximately 180 m at the northern border. Primary aspect is southerly, with minor variations. Shawnigan soils are dominant in the area; these soils developed in deep, gravelly sandy morainal (till) deposits, and are well drained (MOE Technical Report 17, Soils of Southern Vancouver Island, Victoria, BC. 1985). An exception is the small depression occupied by the artificial pond in the lower portion of the property, where Arrowsmith soils are generally saturated. Here, free water is common at or near the soil surface for most of the year.

The usual taxonomic classification for Shawnigan soils is Duric Dystric Brunisol (hard pan layer present at moderately shallow depths); the usual taxonomic classification for Arrowsmith soils is Terric Mesisol.

Rolling, forested topography can present various challenges to fire suppression capabilities, including mobility constraints.

3.3 Vegetation

Fire behavior predicts how forest and wildland fuels (vegetation) will burn under different conditions. Benchmark vegetative fuel types developed by the Canadian Forest Fire Danger Rating System Fire Behavior System (CFFDRS) are used to forecast how a wildfire will react (http://cwfis.cfs.nrcan.gc.ca/en) (Appendix 2). A vegetative fuel type is defined as an identifiable association of fuel elements of distinctive species, form, size, arrangement, and continuity that will exhibit characteristic fire behavior under defined burning conditions. There are five major fuel classes: coniferous stands, deciduous stands, mixed wood stands, slash, and grass.

Fuel types are described qualitatively, rather than quantitatively, using terms describing stand structure and composition, surface and ladder fuels, and the forest floor cover and organic (duff) layer. Vegetation (fuel) management is a key tenet of interface management; of the elements affecting fire behavior (topography, weather, and fuel), only fuel can be managed.

Composition and distribution of fuel types at and near the forest floor - lower tree branches, shrub, herb/moss layers, and both standing and downed woody debris - are important factors in determination of fire behavior. Ground fires often smoulder for a long time in duff (organic soil) and decaying woody material. Surface fires burn needles, cones, twigs, branches, and lower leaves of standing trees. Ladder fuels provide vertical continuity between strata, allowing fire to carry from surface fuels into the crowns of trees or shrubs with relative ease.

Vegetation at the subject property is characterized by human disturbance. Forest cover is dominated by fragmented, uneven-aged stands of second-growth Douglas-fir (Fuel Types C-3, C-4, C-5). Minor components of western redcedar, grand fir, and white pine are present. A small pocket of red alder/broadleaf maple/shrubbery (mixed deciduous fuel type: M-2) surrounds the artificial pond. Continuous coniferous fuel types (C-4, C-5) at adjacent properties extend east and west, and north from the subject property. In addition, there is extensive broom (modified Fuel Type C-2) at the property to the north. Small pockets of broom, and larger areas of tall matted grass are present at the subject property. Younger trees at the subject property have tree crowns extending to the ground, whereas there is generally separation between crowns and the ground at older trees . Separation between tree crowns and the forest floor is important factor in preventing fires from "laddering" into the upper canopies.

Composition and distribution of shrub and herb/moss layers are important factors in fuel loading. The forest understorey at the subject property is variably comprised of a discontinuous to continuous, sparse to densely matted shrub layer (salal, Oregon-grape, trailing blackberry, sword fern, invasive grasses), and a discontinuous herb/moss layer (tall matted grass, *Kindbergia oregana*, *Rhytidiadelphus oregana*). Moderate amounts of invasive Scotch broom were observed. Fire behaviour dictates a fire (generally) burns uphill. Sufficient surface and ground fuels currently exist at the subject property to carry a surface fire uphill through the property. Under extreme weather conditions, high winds

could also blow embers from a fire start east or west of the subject property to surrounding forest fuels.

A moderate to high degree of surface and ladder fuel loading, combined with the continuity of combustible fuels on rolling topography surrounding the property to the east and west, contribute to a (moderate)-high wildfire threat at this property.

Fuel Type Characteristics – 2373 Peterbrook Road

Fuel Types (Appendix 1)*	*Description: Ecosystem Assn/ Tree Species/ Stand (Fuel) Type*	*Terrain*	*Slope %/ Aspect*	*Fire Behaviour (Surface fuels; **Ladder fuels; Total fuel loading)*	*Wildfire Threat Rating/ Approximate Proportion of Subject Property*
C-2 C-3 C-4 C-5	CDFmm 01 04 / CWHxm 01 04 03 Fd Cw Bg Pw	Moderately to strongly rolling	15-35%/ southerly	Moderate fuel loading. Moderate to high fire intensity and rate of spread	High/>90%
M-2	CDFmm 04 / CHWxm 06/ Fd Cw Dr Mb	Moderately rolling	10-20%/ southerly	Low to moderate fuel loading. Low fire behaviour. Shaded, moist soils generally prevent fire spread. An exception would be during extreme, late summer fire weather, when leaves are branches very dry	Moderate/<5%
Disturbed Sites – mobile home/ greenhouse/ driveway	N/A	Moderately to strongly rolling	15-35%/ southerly	Variable: - moderate encroachment from invasive species (i.e., broom, grasses) - assorted debris surrounding mobile home and scattered throughout property represents a fire hazard	Moderate - High/5%

** Tree species: Fd: Douglas-fir; Cw: Western redcedar; Dr: Red alder; Ra: Arbutus; Bg: Grand fir; Pw: Western White Pine; Mb: Big-leaf Maple; Dr: Red Alder.

** Ladder Fuels: woody fuels above the top litter layer; includes herbs, shrubs, and also tree crowns if they extend to the ground or nearly to the ground. Ladder fuels help to carry a surface fire up into tree crowns.

1

2

3

4

5

6

Photos. Fuel Types at Peterbrook Road property.

1. C-5: Moderately well-stocked mature stand with moderate dense understorey – upper portion of property;
2 C-2: Moderately well-stocked pole sapling [immature] stands – upper portion of property;
3. C-2/C-5: Moderately open, mature stands interspersed with regen – upper portion of property;
4. C-2/C-5: Moderately open, immature stand at subject property borders mature stand on private property to west;
5: Man-made fuels surround existing mobile home;
6: M-2: Mixed deciduous with scattered coniferous fuels surround artificial pond.

4.0 Fire Protection

Fire Department. The Shawnigan Improvement District (SID) Volunteer Fire Department is a volunteer department comprised of approximately 30 members. Pagers alert the members when there is an emergency call day or night. The fire fighters muster to two fire stations (main hall on Shawnigan-Mill Bay Road, and second hall on West Shawnigan Lake Road), and a fire/rescue boathouse where they respond with the appropriate apparatus. The department derives authority to operate from a bylaw enacted by the Shawnigan Lake Improvement District to establish and operate a fire department within the boundaries of the Shawnigan Lake Improvement District.

The subject property is located well within 8 km from a firehall. Response time to the subject property is approximately 6-8 minutes from the time the pager sounds, but "could be longer" (discussion with SLVFD Fire Chief, Feb.13, 2013). Fire department response time is the elapsed time, in minutes, from when the first firefighting unit is dispatched to when the first firefighting unit arrives at the emergency scene. As with any volunteer fire department, response is very time dependent. Response times vary from day to evening, and from weekday to weekend. Response times are generally better on evenings and weekends.

Recent changes have been made to the BC Building Code regarding fire department time and travel distances to residential subdivisions, and the requirement for interior sprinkling. The proposed development is within a 10 minute response time; interior sprinkling for single-family units is not required.

Mutual Aid. Shawnigan's Volunteer Fire Department operates under a mutual aid agreement with fire departments from neighbouring jurisdictions (i.e., Mill Bay).

Wildfires. Local fire departments automatically respond to structure fires and small, easily accessible bush fires. Assistance from the Ministry of Forests Lands and Natural Resource Operations (MFLNRO) Wildfire Management Branch (WMB) would normally be requested when larger brush fires occur within fire protection areas.

Fireflow (Water Supply for Fire Suppression). An adequate and reliable water supply for firefighting is an essential part of a community's fire protection system. The BC Building Code states all structures (proposed and existing) within interface areas should have a water supply for firefighting purposes that meets requirements of either the FUS (Fire Underwriters Survey)(http://www.fireunderwriters.ca) or the National Fire Protection Association (NFPA) (http://www.fireunderwriters.ca).

In fire protection areas served by a community water system, water supply for fire protection generally consists of a piped system in common with domestic potable water. A minimum fireflow of 1,000 L/min for 2 hours is recommended for single-family

structures. The subject property is currently not serviced by community piped water and hydrants. At present, there is no source of water on the property sufficient to support any meaningful suppression efforts.

A key element to this subdivision proposal is an existing letter of approval from the CVRD allowing the water line to be extended into the proposed subdivision from the Municipal water supply that runs along the northern border of the property. According to the CVRD, two hydrants must be installed no more than 200 m apart for fire protection of the subdivision. Hydrant specifications must meet Fire Underwriters requirements.

Infrastructure, Access, and Response Time. FireSmart infrastructure and access increase the resident and firefighter safety, and facilitate quick response by firefighters. All developments should have sufficient access for emergency vehicles, including 2-way road access in and out of any site, and safe driveway accesses. Local government standards for roads and driveways generally follow the Geometric Design Guide for Canadian Roads (www.tac-atc).

An early aggressive and offensive primary interior attack on a working fire is usually the most effective strategy to reduce the loss of lives and property damage. FireSmart infrastructure and access can increase the probability of structural survival. All development should have access routes suitable for emergency vehicles. Two-way access routes should be provided to provide safe simultaneous access for emergency vehicles and public evacuations.

Access into the subdivision will be public road. Waterline infrastructure will be placed along the road. Through access (to the Gregory gravel road) at the north end of the property is to be controlled through a locking gate (keys supplied to fire department).

5.0 Fire Disturbance History

BC's Wildfire Management Branch maintains a database of human-caused and lightning-caused wildfires that have occurred in the last fifty years on southeastern Vancouver Island. (Lightening typically accounts for very few wildfires on the coast.) In the last 4 decades over 100 "wildfires" have occurred within a 10 km radius of the subject site. Most of these fires were less than 0.5 ha. The vast majority of wildfires in the Coastal Fire Zone continue to be human-caused.

6.0 Hazard Assessment

Fire danger = risk of wildfire starting + what kind of fire behavior may result.

Fire hazard = likelihood of fire starting + values at risk + types of fuel surrounding the area + fuels and topography. Fire hazard is very site specific, and relates to fuel evaluations, risk of ignition, and Fire Smarting.

Hazard assessment methodology was based on standard fire danger and hazard assessment models:

The **Canadian Forest Fire Behaviour Prediction (FBP) System** incorporates fuel types in fire behaviour modeling to provide a description of the fire, including estimates of fire area, perimeter, perimeter growth rate, flank and back fire behaviour, fuel consumption, and fire intensity.

The **Hazard, Impact, Risk and Vulnerability (HIRV) model** is a community risk assessment incorporating Hazard Identification, Risk Analysis, Vulnerability Assessment, Impact Analysis, and Risk Management.

The **FireSmart Interface Community Fire Hazard analysis** provides a quantitative procedure for assessing the interface fire hazard based on 23 risk factors. Hazard categories are low, moderate, high, and extreme. An interface area, site, or structure is not considered to be "fire safe" unless it obtains a low or moderate assessment score. Mitigative measures are necessary to reduce the fire threat at areas rated with high and extreme ratings, but may also be applied as an extra precaution at locations with moderate ratings.

Table 2. Wildland-Urban Interface (WUI) WildfireThreat Ratings

Low – urban, suburban, and farm areas with modified forest fuels, generally flat terrain; no readily combustible vegetation; low risk to adjacent development.

Moderate – partially modified forest fuels; scattered mixed forest in suburban areas; moderate to good water availability; homes and structures may be threatened.

High – areas with little or no fuel modification; continuous ground fuels; sloping terrain with/without gullies present; moderate to low availability of water; some areas hard to access.

Extreme – areas with little or no fuel modification, continuous ground fuels; rolling and gullied terrain; rock outcrops may be present; low water availability; some inaccessible terrain; may or may not be heavy use areas; direct threat to homes/structures/values.

7.0 RESULTS

Fire Behaviour Modeling.

Current Wildfire Threat Rating Results from fire behavior modeling indicate the **current** wildfire threat rating at the subject property is **High**. In accordance with the Ministry of Forests Lands and Natural Resource Management Wildfire rating system, ratings of High and Extreme are unacceptable. Rankings must be Low and Moderate to be considered safe. Scoring is summarized below:

0-55	Low Wildfire Threat Rating
56-70	Moderate Wildfire Threat Rating
71-85	**High Wildfire Threat Rating**
86+	Extreme Wildfire Threat Rating

Table. Wildfire Threat Rating Classes (current ranking)
Total tally - Community Description, Fire Suppression Capabilities, and Other Factors = **High**

Projected Wildfire Threat Rating. If recommended mitigation is implemented, the wildfire threat rating can be expected to decrease to Moderate.

0-55	Low Wildfire Threat Rating
56-70	**Moderate Wildfire Threat Rating**
71-85	High Wildfire Threat Rating
86+	Extreme Wildfire Threat Rating

Table. Wildfire Threat Rating Classes (projected ranking at build-out)
Total tally - Community Description, Fire Suppression Capabilities, and Other Factors = **Mod-High.**

Risk of Ignition. The current risk of ignition at the subject property is moderate to high. Ignition risk could come during the construction phase of the development, or from present/future homeowners in the general area.

Post-development, the risk of ignition can be anticipated to decrease to moderate.

HIRV Modeling. Results from HIRV modeling indicate that the current hazard is High-Extreme. The hazard can be reduced through carefully planned development.

Fire Behaviour Prediction (current)

Fire Behaviour	Risk of Ignition	Structures at Risk	Suppression Constraints	Wildfire Hazard
H	M-H	M-H	H	H

L = Low; M = Moderate; H = High; E = Extreme

Fire Behaviour Prediction (projected upon completion of development)

Fire Behaviour	Risk of Ignition	Structures at Risk	Suppression Constraints	Wildfire Hazard
M-H	M	M-H	M	M-(H)

L = Low; M = Moderate; H = High; E = Extreme

Hazard, Impact, Risk and Vulnerability (HIRV)

Hazard Impact Risk and Vulnerability Model. Current Wildfire Hazard - Midsummer

Hazard	Risk Rating	Certainty	Vulner-ability Rating	Certainty	Impact Analysis*	Certainty	Risk and Vulnerability Analysis
Wildfire Hazard - *Cantech Construction*	High-Extreme	Data is well established	High	Data is well establish'd	Env=3 Soc=2 Econ=1 Pol=2	Data is well established	Risk= High Vulnerability= High

* Env=Environmental Soc=Social Econ=Economic Pol=Political Ratings: 1=Low, 2=Moderate, 3=High, 4=Extreme

Hazard Impact Risk and Vulnerability Model. Wildfire Hazard at Build-Out - Midsummer

Hazard	Risk Rating	Certainty	Vulnerability Rating	Certainty	Impact Analysis*	Certainty	Risk and Vulnerability Analysis
Wildfire Hazard - *Cantech Construction*	Mod-High	Data is well established	Mod-High	Data is well establish'd	Env=3 Soc=2 Econ= 2 Pol=2	Data is well established	Risk=Mod(High) Vulnerability= Mod(High)

* Env=Environmental Soc=Social Econ=Economic Pol=Political Ratings: 1=Low, 2=Moderate, 3=High, 4=Extreme

HIVR Interpretation*		
Impact	**Examples**	**Rating**
Social	-possible injuries -possible deaths -loss of housing -disruption of family life -critical facilities lost	Low - Minor disruption of society Medium - Possible injuries and small-scale disruption of family life High - Serious injuries; large-scale community disruption Extreme - Multiple fatalities; major disruption of community life and loss of critical facilities
Political	-coerced risks -catastrophic risks -unresponsive process -memorable events -industrial risks	Low - Minor opposition Moderate - low level of political backlash – intervention may be required High - significant event embroils government - major actions required Extreme - Significant intervention required from all levels of government In the event of a major catastrophe government declares "Disaster Area"
Environ-mental	-quality of life -water quality -destruction of natural resources	Low - Minimal environmental impact at area of effect Moderate - Regional environmental damage High - Long-term recovery. Requires significant after action Extreme - Severe long-term effects on biodiversity
Econ-omic	-structural; non-structural damage -loss of services; jobs -loss of revenue	Low - Economic impact minimal Moderate - Loss of business High - Regional long term loss Extreme - Chronic long-term economic downturn

Assessment Summary. The overall **current** wildfire threat rating at the subject property is HIGH. This rating is not acceptable. A combination of factors contributes to the elevated rating:

- Rolling, forested terrain
- Current limited access to entire property
- Continuity of coniferous fuel types
- Wildfire could impact:
  - air quality (to Beach Estates subdivision)
  - public safety (wildfire would jeopardize safety of local residents and firefighters)

If the property is rezoned and developed as a subdivision, a MODERATE wildfire threat rating can be achieved – IF mitigative measures are incorporated into the design, planning, and ongoing maintenance of the subdivision.

An acceptable rating includes:

- adequate fireflow (community piped water and hydrants)
- sufficient access that accommodates both ingress and emergency egress
- FireSmart vegetation management
- fire-retardant construction materials

Mitigative measures are required to reduce the fire threat to life, property, and wildlands.

8.0 RECOMMENDATIONS

The following recommendations, developed in consultation with Shawnigan Improvement District Volunteer Fire Department, will reduce the wildfire threat (currently assessed at high) at the proposed subdivision. Adherence to these recommendations, at rezoning, and through the design and planning stages of the subdivision, is vital to achievement of an acceptable wildfire threat rating (moderate or less). Ongoing implementation of mitigative measures is essential to ensure protection for life, property, public safety, and ecological wellbeing in Shawnigan Lake's interface zone.

Awareness

1. Via appropriate signage and onsite work meetings, ensure all workers and visitors are made aware of the risk of fire in the interface zone, especially during a dry summer season.

Vegetation Management

2. In compliance with the South Cowichan Official Community Plan (2011), the CVRD CWPP Update (2012), and FireSmart guidelines (Appendix 1), establish and maintain a **FireSmart Priority Zone 1 0-10 m** around all structures. The purpose of a FireSmart Priority Zone 1 is to help prevent fire spread from structures to surrounding vegetation, and vice versa.

   In FireSmart Priority Zones, reduction of the fire threat must target removal/conversion/ reduction of combustible vegetation (surface & ladder fuels):

   Priority Zone 1 Treatment Guidelines (concentric zone 0-10 m around structures):
   ⇨ Conduct a Hazard Tree assessment to ensure the safety and stability of retained trees.
   ⇨ Where tree cover is to be maintained, and is safe to do so, aim to retain healthy, well-spaced coniferous and deciduous trees with at least 3 m separation between crowns and/or well-spaced clumps of pruned trees.
   ⇨ Prune trees up to a height of 3-5 m from the ground to remove ladder fuels.
   ⇨ Reduce dense brush pockets, but retain well-spaced clumps of snowberry and ocean-spray (to provide habitat and forage for birds).
   ⇨ Remove fuels on an ongoing basis (downed branches, dry arbutus leaves).
   ⇨ Wherever possible, minimize disturbance to Garry oak woodlands.
   ⇨ Limit the use of coniferous hedges and wooden fences, as they may act as a conduit for fire. Low wooden fences are acceptable, providing there is a separation of at least 3 m between the fence and any structure.

   Additionally, due to rolling topography and high fuel loading in the general area, establish and maintain **FireSmart Fuel Management Zones 2** out to 30 m (or to property boundary, whichever is less).
   (FireSmart Fuel Management Zones 2 is required when fuel treatment in Priority Zone 1 alone may not be sufficient to protect development.)

Priority Zones 2 Treatment Guidelines (10-30 m around structures):

⇨ Aim to retain healthy, well-spaced coniferous and deciduous trees with at least 3 m separation between crowns and/or well-spaced clumps of brush and pruned trees.
⇨ Prune trees up to a height of 3-5 m from the ground to remove ladder fuels.
⇨ Reduce dense brush pockets, but retain clumps of snowberry and ocean-spray (to provide habitat and forage for birds).
⇨ Remove heavy concentrations of ground and surface fuels on an ongoing basis.
⇨ Wherever possible, minimize disturbance to Garry oak woodlands.

3. Due to the current high wildfire threat rating at the parkland dedication, cooperate with CVRD Parks Dept. to ensure appropriate fuel management treatment is conducted at the trail corridor prior to dedication, and is scheduled on an ongoing basis. Ensure woody fuels are reduced up to 5 m on either side of trail corridor. Well-managed, frequently used trails can increase fire protection through prompt detection. Trails also improve access for fire suppression.

4. Ensure landscaping plans for the subdivision development incorporate fire-resistive vegetation. See FireSmart Landscaping on Southeastern Vancouver Island (brochure),
Strathcona Forestry Consulting, 2004.
http://www.cityoflangford.ca/documents/brochures/FireSmartLandscaping.pdf

5. Remove invasive plant species (i.e., broom) on an ongoing basis. Regular maintenance is important to ensure that broom, a highly combustible invasive species, does not spread to newly disturbed areas. Ensure any new areas with soil disturbance are promptly landscaped with fire resistive materials.

Construction

6. Use fire-retardant roof covering assemblies rated Class A, B, or C (i.e., metal, tile, ULC- rated asphalt) and non-combustible siding materials (i.e., stucco, metal siding, brick, cement shingles or cementitious materials, poured concrete, or ULC-rated wood siding) **http://www.partnersinprotection.ab.ca**

7. Follow FireSmart guidelines for design, construction, and maintenance of window and door glazing, eaves and vents, and decking.

Access

8. All developments must provide access routes capable of accommodating two-way traffic. As is planned, develop Peterbrook Road as a fully serviceable public road, and provide a secure through-connection to Gregory gravel road (emergency access).

9. Ensure all access routes meet minimum Canadian Geometric Road Design Guidelines (*www.tac-atc)* for gradient and overhead clearance. Turnarounds must provide adequate clearance for emergency vehicles.

10. Ensure lot numbers and building numbers (during construction phase) are clearly evident from roadway. Ensure all street addresses are clearly visible. Letters, numbers, and symbols should be at least 10 cm high, with a 12 mm stroke, contrast with the background colour of the sign, and be reflective.

Fire Protection

11. Consult with CVRD and Ministry of Highways and Transportation to ensure hydrant distribution and spacing complies with required standards of FUS.

12. Ensure new structures and access routes are mapped on SID VFD fire plan "pre-org" (fire planning) maps.

13. Develop an Emergency Fire Plan to be implemented during the construction phase of the development. The plan should outline emergency procedures in case of fire: all workers on site should be familiar with the plan, as should visitors (realtors, professionals, salesmen, prospective buyers, and insurance agents).

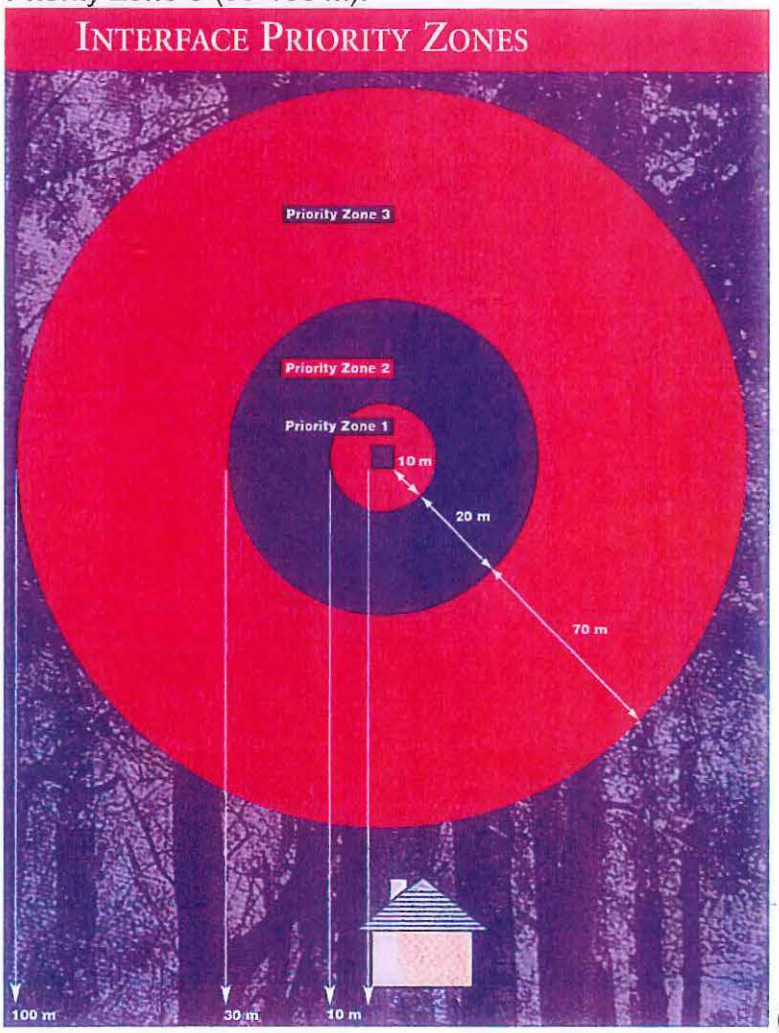
Regulatory Provisions

14. In liaison with CVRD staff, incorporate a bylaw and covenant for the annual maintenance of the development property, in order to maintain compliance with FireSmart principles.

15. A follow-up interface assessment should be conducted at Building Permit to ensure appropriate mitigative measures are being implemented.

APPENDIX 1. FIRESMART INTERFACE PRIORITY ZONES

In interface areas, FireSmart advocates the establishment and maintenance of Fuel Management Zones* extending outward from structures and along access routes:
Priority Zone 1 (0-10 m).
Priority Zone 2 (10-30 m).
Priority Zone 3 (30-100 m).



(FireSmart, 2003)

Priority Zone 1 (0-10 m): The main objective of vegetation management is to create an environment that will not support fire. Vegetation management focuses on fuel removal, conversion, and reduction.

Priority Zone 2 (10-30 m): Where treatment in PZ 1 is not sufficient to significantly reduce the fire hazard due to fuel loading, extend the fuel modified area with a variety of thinning and pruning actions.

Priority Zone 3 (30-100 m): Where fuel modification in PZ1 and PZ2 is insufficient to protect structures and/or property, FireSmart advocates treatment in Priority Zone 3 with a variety of thinning and pruning actions in order to create an environment that will not support high-intensity crown fires.

*Setback Zone distances may be extended depending on aspect, slope, fuel loading, etc.

APPENDIX 2. CFFDRS FUEL TYPES

Generic Fuel Types (adopted from CFFDRS).

Fuel Type	Description	Wildfire Behaviour Under High Wildfire Danger
Coniferous:		
C1	Terrestrial herbaceous ecosystem: mossy rock outcroppings	High potential for surface fire, especially if high moss/lichen
C2	Dense regeneration to pole-sapling (immature) forest with crowns almost to ground	High potential for crown fires; low to very high fire intensity and rate of spread
C3	Fully stocked, mature forest, crowns separated from ground; sparse understorey	Surface and crown fire, low to very high fire intensity and rate of spread
C4	Dense, pole-sapling (immature) forest, heavy standing dead and down, dead woody fuel; continuous needle litter; continuous vertical crown fuel continuity	High potential for crown fires, high to very high fire intensity and rate of spread
C5	Moderately well-stocked, mature forest, moderate dense understorey crowns well separated from ground; continuous needle litter	Low to moderately fast-spreading, low to moderate intensity surface fire
C6	Fully stocked conifer plantation; absent understorey; tree crowns separated from ground; continuous needle litter	Surface fire may spread rapidly to become high intensity fire with high rate of spread
C7	Open, mature coniferous stand; uneven-aged; discontinuous understorey; tree crowns mostly separated from ground	Surface, torching, rarely crowning (except on steeper slopes), moderate to high intensity and rate of spread
D (Deciduous)	Moderately well-stocked deciduous stands; moderate medium to tall shrubs and herb layers D-1 Leafless D-2 In leaf	Typically a surface fire; low to moderate rate of spread and fire intensity
M (Mixed Forest)	Moderately well-stocked mixed stand of conifers and deciduous tree species; moderate shrub understorey; conifer crowns extend nearly to ground M-1 Leafless M-2 in Leaf	Surface, torching and crowning; moderate to very high intensity and spread rate (varies with slope and % vegetation cover) Fine fuel % and cedar foliage retention will result in faster ignition and spread
S (Slash)	Slash from logging and land clearing	Rapid spreading, moderate to high intensity surface fire
01-Long	Continuous standing grass – fuel loading is 0.3 kg/m2; scattered trees 01-a Matted 01-b Tall	The taller, and more cured the grass, the more rapid spread; low to moderate intensity surface fire
01-Short	Continuous human modified short grass	Typically low rate and spread and low fire intensity.

LIMITATIONS

This report provides an assessment of WUI hazard and risk. Evaluation is based on professional judgment. The investigation involved a field observation. Recommended treatment pertains only to the particular site as disclosed at the time of inspection. The report was prepared considering site-specific circumstances and conditions. It is intended only for use by the client for the purpose for which it was commissioned and for use by local government regulating the activities to which it pertains.

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STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

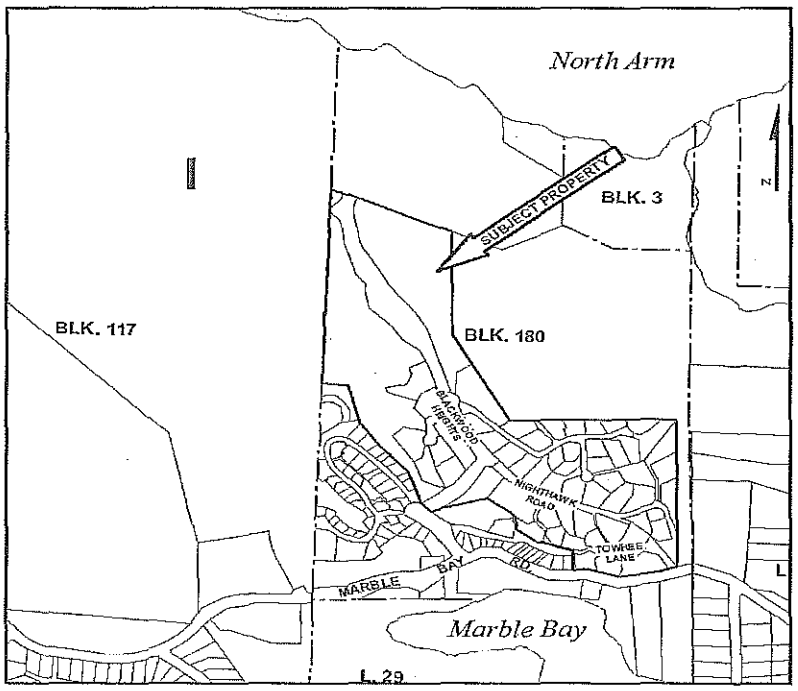
DATE:	February 27, 2013	**FILE NO:**	1-I-09RS
FROM:	Dana Leitch, Planner II	**BYLAW NO:**	2465 & 2650
SUBJECT:	OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 (Van Isle Waterfront Development Corporation)		

Recommendation/Action:
Direction from the Committee is requested.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: (Reviewed by Finance Division: see paragraph 3 on page 3)

Background:
A public hearing was held for Bylaw No. 3564 and 3565 on October 18, 2012. The bylaws would rezone "The Cottages at Marble Bay", shown on the map below, from C-4 (Tourist Commercial 4 Zone) to a new LR-11 (Lakeview Residential 11) Zone. The new zone would remove the restriction that limits the occupancy of the cottages by an individual or family to a maximum of 22 weeks in a calendar year. It also requires that any future development be connected to a community water and community sewer system.



At the public hearing there were a number of comments and concerns expressed about the safety of the Youbou/Meades Creek Road intersection and the capacity of Meades Creek Road to handle additional traffic from the Cottages at Marble Bay and the Woodland Shores development.

At the Board meeting on December 12, 2012 the Regional Board received the public hearing minutes and passed the following resolution:

> *"That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 (Van Isle Waterfront Development Corp.) be considered at a future meeting, and that staff be directed to prepare a report for the Electoral Area Services Committee regarding options for addressing road and intersection issues raised by the public at the October 18, 2012 public hearing."*

Comments from Ministry of Transportation and Infrastructure

On December 17, 2012 CVRD Planning staff met onsite with representatives from the Ministry of Transportation and Infrastructure (MoTI). The purpose of the site visit was to review the safety of the Youbou/Meades Creek Road intersection and discuss the capacity of the roads leading to the Cottages at Marble Bay and Woodland Shores development sites.

During the site visit, staff from the Ministry indicated that the current Youbou/Meades Creek Road intersection meets MoTI's safety standards. Ministry staff further stated that even though the existing intersection meets MoTI safety standards, the intersection does warrant some improvements. The suggested improvements included: raising the intersection to the south to improve sight lines and sight distances; the creation of a left hand turn lane in a westbound direction and acquiring additional road r-o-w on the northwest side of Meades Creek Road for the creation of a pedestrian pathway and bicycle lane.

Ministry staff said that it would be beneficial to have a proper transportation study completed when the next major development in the area occurs so that Ministry staff is better informed about the specific improvements that need to be completed at this intersection.

It is the opinion of Ministry staff that no larger scale developments in this immediate area should be approved until the intersection is improved. MoTI defines a large scale development as a development that would generate approximately 150-200 vehicle trips per day.

MoTI staff does not consider the proposed development at the Cottages at Marble Bay to be a large scale development. Ministry staff does not feel that the 7 or 8 additional cottages that would be permitted in the LR-11 Zone on the upland portion of the subject lands would have any significant impact on the performance of the intersection. MoTI staff have confirmed that their interests are unaffected by the rezoning application.

Woodland Shores Development

During the Woodland Shores rezoning process in 2006 and 2007, the developer assessed the safety and performance of the Youbou Road/Meades Creek Road intersection. Although it was determined that there was no safety or "level of service" issues that would result from the proposed development, a commitment was made to undertake any off site road network upgrades deemed necessary by MoTI. Improvements to the Youbou Road and Meades Creek Road intersection was not required with the first phase of the subdivision for Woodland Shores, but it is expected that the Ministry will monitor the safety and adequacy of the road network when applications for future subdivision are received and will require upgrades if necessary.

The Woodland Shores developer has recently applied for a zoning amendment and it is expected that the zoning process will provide an opportunity for road network issues to be revisited.

Road Network Improvement Contribution

Although the subject zoning amendment would not add any significant traffic to the road network that services the Cottages at Marble Bay, some of the public who attended the hearing expressed an opinion that no further development in the Marble Bay/Bald Mountain Peninsula area should occur until road network improvements are completed. While it is not economically feasible for the developer of the Cottages at Marble Bay to fully fund all of the offsite road network upgrades, the developer has confirmed he is prepared to contribute to future road improvements. If this option is pursued, it is expected that the contribution would be made prior to any further subdivision, and that it would be secured through a covenant registered against the undeveloped subject lands.

Electoral Area Services Committee Meeting January 15, 2013

This rezoning application was placed on the agenda for the Committee on January 15, 2013 and at that time the Committee recommended that *"Application No. 1-I-09RS (Van Isle Waterfront Development Corporation) be referred back to staff for further clarification."*

At the request of the Electoral Area I Director Planning Staff obtained a legal opinion with regards to securing a $50,000 contribution offered by a developer for future road and intersection improvements. The reason this legal opinion was sought was because Planning Staff were informed by the CVRD Finance Department that we could not accept a monetary contribution for a service the CVRD does not provide, in this case, intersection and road improvements.

The CVRD's lawyer indicated that it would be possible to have a covenant registered against the undeveloped subject lands that would obligate the developer to spend up to $50,000 for improvements to the Youbou Road/ Meades Creek Road intersection, or other road or pedestrian safety upgrades in the area as a prerequisite to subdividing the lands. The lawyer further suggested that this could be accomplished without the CVRD actually accepting the $50,0000 for intersection improvements.

Alternatively, if the CVRD wanted to accept the $50,000 directly, the funds would have to be directed towards an existing function of the Regional District, for example, the parks function.

Meeting with Ministry of Environment Representative

Planning staff had the opportunity to meet with representatives from the Ministry of Environment with regards to the proposed Zoning Amendment and Official Community Plan Amendment Bylaws. The staff from the Ministry indicated they had no objections to the proposed bylaw changes and that they did not affect the current status of the sewer or water utility operating at the Cottages at Marble Bay.

Options:

Option 1:

a) That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be included on the next Board agenda for consideration of third reading;
b) That a contribution of $50,000 from Van Isle Waterfront Development Corporation towards improvements to the Youbou/Meades Creek Road intersection and associated road network be accepted as a condition of adoption of OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565; and

c) That prior to consideration of adoption of OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565, a covenant be registered against (Lot 1, Block 180, Cowichan District Plan VIP78710, Except Part in Strata Plan VIS5772 Phases 1, 2, 3, 4, and 5) to secure payment of $50,000 for road network or pedestrian safety improvements prior to any subdivision of the land.

Option 2:
That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be included on the next Board agenda for consideration of third reading.

Option 3:
That OCP Amendment Bylaw No. 3564 and Zoning Amendment Bylaw No. 3565 be referred to a new public hearing to receive public input on the proposed $50,000 road network and pedestrian safety improvement contribution, with Director's Weaver, Morrison and Dorey appointed as delegates.

Option 4:
That Application No. 1-I-09RS (Van Isle Waterfront Development Corporation) be denied.

Submitted by,

Reviewed by:
Division Manager:

Approved by:
General Manager:

Dana Leitch, Planner II
Development Services Division
Planning & Development Department

DL/ca

Department, and Malahat First Nation, be accepted; and

c) That a public hearing be scheduled with Directors Fraser, Walker and Dorey appointed as delegates of the Board.

MOTION CARRIED

R6 – Shawnigan Lake Investment

That Amended Application No. 2-B-11RS (Shawnigan Lake Investments) be referred to a future EASC meeting after the following conditions have been met:

a) Referral of the amended application to the Electoral Area B Planning Commission and the Joint Advisory Planning Commission;
b) Referral of the amended application to the Electoral Area B Parks and Recreation Commission for comment;
c) Referral of the amended application to CVRD Departments and External Government Agencies for comment; and
d) That draft Zoning and OCP amendment bylaws be prepared by Planning staff and presented at a public meeting.

MOTION CARRIED

RECESS

The Committee adjourned for a 5 minute recess.

R7 - McLeod

Dana Leitch, Planner II, reviewed staff report dated January 9, 2013, regarding Application No. 3-B-11RS (Steve and Alexandra McLeod) to rezone property located at 2373 Peterbrook Road from F-1 to R-2 to permit a 7 lot residential subdivision.

There were no questions to the applicant or staff from Committee members.

It was Moved and Seconded
That Application No. 3-B-11RS be referred back to EASC when the following conditions have been met:

a) That a Wildland Urban Interface Fire Hazard Assessment for the property be drafted and submitted by the applicant.
b) That draft Zoning and OCP Amendment Bylaws for the property be drafted by Planning Staff.

MOTION CARRIED

Note: Director Marcotte left the meeting at this point.

R8 – Van Isle Dev. Corp.

It was Moved and Seconded
That Application No. 1-I-09RS (Van Isle Waterfront Development Corporation) be referred back to staff for further clarification.

MOTION CARRIED

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

STEWART McDANNOLD STUART
BARRISTERS & SOLICITORS
2nd FLOOR - 837 BURDETT AVENUE
VICTORIA BC V8W 1B3

Tel.: 250 380-7744 Fax.: 250 380-3008

File No.: 130 348 PJ/lg

Deduct LTSA Fees? Yes ☑

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

026-276-861 **LOT 1, BLOCK 180, COWICHAN LAKE DISTRICT, PLAN VIP78710, EXCEPT PART IN STRATA PLAN VIS5772 (PHASES 1, 2, 3, 4 AND 5)**

STC? YES ☐

3. NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No. (b) ☑ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

SEE SCHEDULE

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

COWICHAN VALLEY REGIONAL DISTRICT

175 INGRAM STREET
DUNCAN BRITISH COLUMBIA
V9L 1N8 CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)	Execution Date Y	M	D	Transferor(s) Signature(s)
	13			VAN ISLE WATERFRONT DEVELOPMENT CORP. by its authorized signatory(ies):
				Name:
				Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D
EXECUTIONS CONTINUED

Officer Signature(s)	Execution Date Y	M	D	Transferor / Borrower / Party Signature(s)
	13			COWICHAN VALLEY REGIONAL DISTRICT by its authorized signatories:
				Rob Hutchins, Chair
				Joe Barry, Corporate Secretary
(as to both signatures)				

OFFICER CERTIFICATION:
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

Officer Signature(s)	Execution Date Y	M	D	Transferor / Borrower / Party Signature(s)
	13			(as to priority) COAST CAPITAL SAVINGS CREDIT UNION by its authorized signatories: Name:
(as to both signatures)				Name:

OFFICER CERTIFICATION:
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

Officer Signature(s)	Execution Date Y	M	D	Transferor / Borrower / Party Signature(s)
	13			(as to priority) SEABOARD MORTGAGE CORPORATION by its authorized signatories: Name: Name:
(as to both signatures)				

OFFICER CERTIFICATION:
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM E

SCHEDULE

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Covenant		Section 219 Covenant; entire document except paragraphs 19, 20 and 21, page 10

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Priority Agreement		Granting the Section 219 Covenant with one registration number less than this priority agreement priority over Rent Charge EX44075, paragraph 19, page 10; Mortgage FB109434, Assignment of Rents FB109435, paragraph 20, page 10; and Mortgage FB321335, paragraph 21, page 10.

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

5. TRANSFEROR:

VAN ISLE WATERFRONT DEVELOPMENT CORP. (INC. NO. BC0222889)

VAN ISLE WATERFRONT DEVELOPMENT CORP. (INC. NO. BC0222889) (AS TO PRIORITY)
COAST CAPITAL SAVINGS CREDIT UNION (AS TO PRIORITY)
SEABOARD MORTGAGE CORPORATION (INC. NO. BC0390204) (AS TO PRIORITY)

TERMS OF INSTRUMENT - PART 2

WHEREAS:

A. The Transferor is the registered owner in fee-simple of those lands and premises located within the Nanaimo/Cowichan Assessment Area, in the Province of British Columbia, more particularly described as :

PID 026-276-861

Lot 1, Block 180, Cowichan Lake District, Plan VIP78710, except part in Strata Plan VIS5772 (Phases 1, 2, 3, 4 and 5)

(the "**Lands**")

B. The Transferee is the Cowichan Valley Regional District;

C. The Transferor acknowledges that it is in the public interest that the development and use of the Lands be limited and wishes to grant this covenant to the Transferee;

D. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, or that land is to be built on in accordance with the covenant, or that land is not to be built on or subdivided except in accordance with the covenant, or that land is not to be used, built on or subdivided, may be granted in favour of the Transferee and may be registered as a charge against the title to that land.

NOW THEREFORE THIS AGREEMENT WITNESSES that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE ($1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the Transferee (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

1. The Transferor covenants and agrees with the Transferee that it shall not use or permit the use of the Lands or any building on the Lands for any purpose, construct any building on the Lands or subdivide the Lands except in strict accordance with this Agreement.

2. The Transferor shall not subdivide the Lands until it has:

   (a) expended FIFTY THOUSAND ($50,000.00) DOLLARS on improvements to the intersection of Youbou Road and Meades Creek Road, or to other road or pedestrian safety upgrades to the highways that provide access to or serve the

Lands and surrounding area, provided such improvements are considered necessary by, and are to the satisfaction of, the Approving Officer;

(b) alternatively, if the Approving Officer considers that the highway upgrades and improvements referred to in section 2 (a) are not necessary or desirable, until the Transferor has contributed FIFTY THOUSAND ($50,000.00) DOLLARS to a Cowichan Valley Regional District Parks Acquisition Reserve Fund.

3. The Transferor shall indemnify and save harmless the Transferee from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which anyone has or may have against the Transferee or which the Transferee incurs as a result of any loss or damage or injury, including economic loss, arising out of or connected with:

(a) the breach of any covenant in this Agreement;

(b) the use of the Lands contemplated under this Agreement; and

(c) restrictions or requirements under this Agreement.

4. The Transferor hereby releases and forever discharges the Transferee of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which the Transferor can or may have against the Transferee for any loss or damage or injury, including economic loss, that the Transferor may sustain or suffer arising out of or connected with:

(a) the breach of any covenant in this Agreement;

(b) the use of the Lands contemplated under this Agreement; and

(c) restrictions or requirements under this Agreement.

5. At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.

6. Nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if the Agreement had not been executed and delivered by the Transferor. Nothing contained or implied in this Agreement shall relieve the Transferor from any other obligation or requirement applicable to the subdivision of the Lands, whether imposed or arising under a bylaw of the Transferee, or as required by the Approving Officer, or under any other statute or regulation.

7. Time is of the essence of this Agreement.

8. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions

set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.

9. It is mutually understood, acknowledged and agreed by the parties hereto that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.

10. The Transferor shall pay the legal fees of the Transferee in connection with the preparation and registration of this Agreement. This is a personal covenant between the parties.

11. The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.

12. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

13. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

14. The enforcement of this Agreement shall be entirely within the discretion of the Transferee and the execution and registration of the Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the Transferee to the Transferor or to any other person to enforce any provision of the breach of any provision of this Agreement.

15. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Transferee as a first charge against the Lands.

16. The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.

17. If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.

18. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

19. Van Isle Waterfront Development Corp. (Inc. No. BC0222889), the registered holder of a charge by way of Rent Charge against the Lands and registered under No. EX44075 (the "**Charge**") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One ($1.00) Dollar paid by the Transferee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the Charge in the same manner and to the same effect as if it had been dated and registered prior to the Charge.

20. Coast Capital Savings Credit Union, the registered holder of charges by way of Mortgage and Assignment of Rents against the Lands and registered under No.'s FB109434 and FB109435, respectively (the "**Charges**") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One ($1.00) Dollar paid by the Transferee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the Charges in the same manner and to the same effect as if it had been dated and registered prior to the Charges.

21. Seaboard Mortgage Corporation (Inc. No. BC0390204), the registered holder of a charge by way of Mortgage against the Lands and registered under No. FB321335 (the "**Charge**") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One ($1.00) Dollar paid by the Transferee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the Charge in the same manner and to the same effect as if it had been dated and registered prior to the Charge.

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1, 2, 3 and 4) attached hereto.

R4

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE: February 26, 2013 **FILE NO:** 1-E-13ALR

FROM: Rob Conway, RPP
Manager, Development Services Division
Planning and Development Department

BYLAW NO:

SUBJECT: Application for Non-Farm Use in the ALR and Request for Special Occasions License (David Godfrey/Rock of the Woods)

Recommendation/Action:

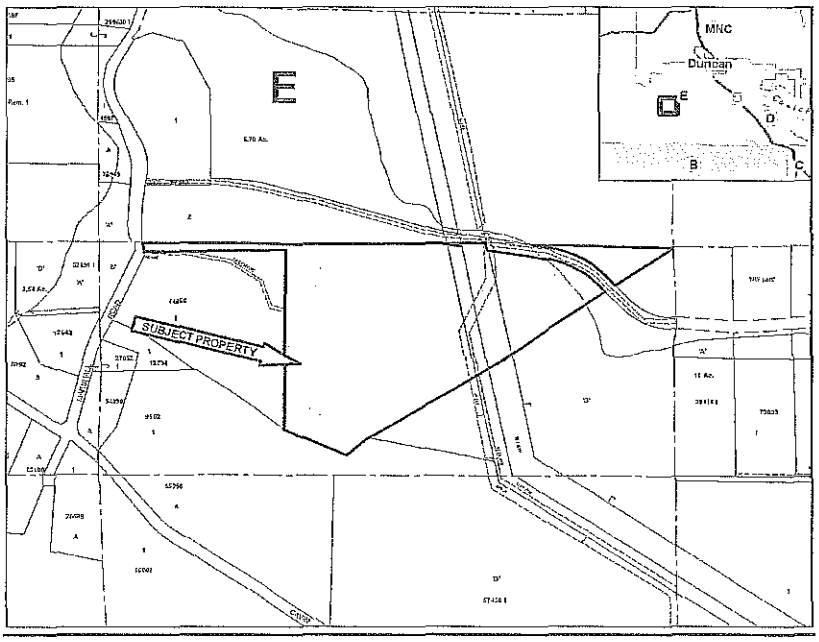
1. That Application No 1-E-13ALR, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to host an annual three day music event at 4911 Marshal Road in Glenora, be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

2. That staff be directed to approve a Special Occasions License for a three day music event at 4911 Marshal Road, from July 26 to July 28, 2013, provided the per day attendance does not exceed 500.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: (Reviewed by Finance Division: N/A)

Location:



Background:
The applicant is proposing to host a three day music event at the Godfrey Brownell Winery property at 4911 Marshal Road in Glenora. The Rock of the Woods music festival was hosted at Glenora Farm in 2012 and the event organizer would like to move this year's event to the Godfrey Brownell Winery. Because the property is in the Agricultural Land Reserve, approval from the Agricultural Land Commission for a non-farm use is required. The proponent has also requested CVRD approval for a Special Occasions License application, so that liquor can be served at the event.

Event Overview:
Rock of the Woods is a community-oriented music festival that is intended for residents of Glenora as well as those living outside the community. It is an all-ages event that includes entertainment for children and families. It will feature both international and local musicians. The event promotes arts and culture, environmental sustainability and local agriculture. In order to keep the event manageable, it will be limited to a maximum of 500 attendees per day. This year's event is planned for the weekend of July 26-28th, but the organizers are requesting permission to hold the event annually.

Property Context:
The subject property is approximately 24.3 hectares (60 ac.). The property is partially developed as vineyard, with the remainder comprised mainly of pasture and forest. A wide hydro Right of Way crosses the property.

Surrounding land uses are primarily agricultural and rural. The subject property and surrounding area are designated Agricultural in the Area E OCP, are zoned Primary Agricultural (A-1) and are in the ALR.

Agricultural Considerations:
The music festival is planned to occur mostly on the hydro right of way and on part of the pasture area on the north side of the driveway (see attached plan). It is expected that a hay crop will be removed before the event occurs, so there will be little or no loss of agricultural productivity. All facilities associated with the event are temporary, so the agricultural capability of the land will be maintained.

The proponents will be contacting adjacent property owners prior to the event to inform them and to try and address any concerns that are raised.

Staff Comments:
The Rock of the Woods music festival appears to be a very well organized event. The proponents have provided a detailed information package that explains the event and how various issues will be addressed. The CVRD did not receive public complaints about the 2012 event that was held at Glenora Farm and we are not anticipating issues with the 2013 event that is proposed at the Godfrey Brownell Winery.

Staff consider the winery property to be an appropriate location for the music festival. The property is already oriented to agri-tourism and like most vineyards and wineries in the region, it derives a portion of income from non-agricultural use. As a transient use that will only occur one weekend a year, the event is not expected to negatively impact agriculture.

A potential concern with is that the property could evolve into a more permanent home for music festivals and other large gatherings. However, as the current application is for a specific event, any additional festivals or events on the property beyond what ALC regulation permits will require further approval. Staff would advise against authorization of any permanent structures associated with the music festival.

Staff recommend that the application be forwarded to the ALC with a recommendation to approve it. As CVRD endorsement of the organizers' Special Occasion License application is also necessary, the recommended resolution includes direction for staff to sign-off on the license application. The local RCMP detachment has already signed-off on the license application.

Options:

Option 1:

1. That Application No 1-E-13ALR, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to host an annual three day music event at 4911 Marshal Road in Glenora, be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

2. That staff be directed to approve a Special Occasions License for a three day music event at 4911 Marshal Road, from July 26 to July 28, 2013, provided the per day attendance does not exceed 500.

Option 2:

1. That Application No 1-E-13ALR, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to host an annual three day music event at 4911 Marshal Road in Glenora, be forwarded to the Agricultural Land Commission with no recommendation.

2. That should the Agricultural Land Commission approve application No. 1-E-13ALR, that staff be directed to approve a Special Occasions License for a three day music event at 4911 Marshal Road, from July 26 to July 28, 2013, provided the per day attendance does not exceed 500.

Option 3:

That Application No 1-E-13ALR, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to host an annual three day music event at 4911 Marshal Road in Glenora be forwarded to the Agricultural Land Commission with a recommendation to deny the application.

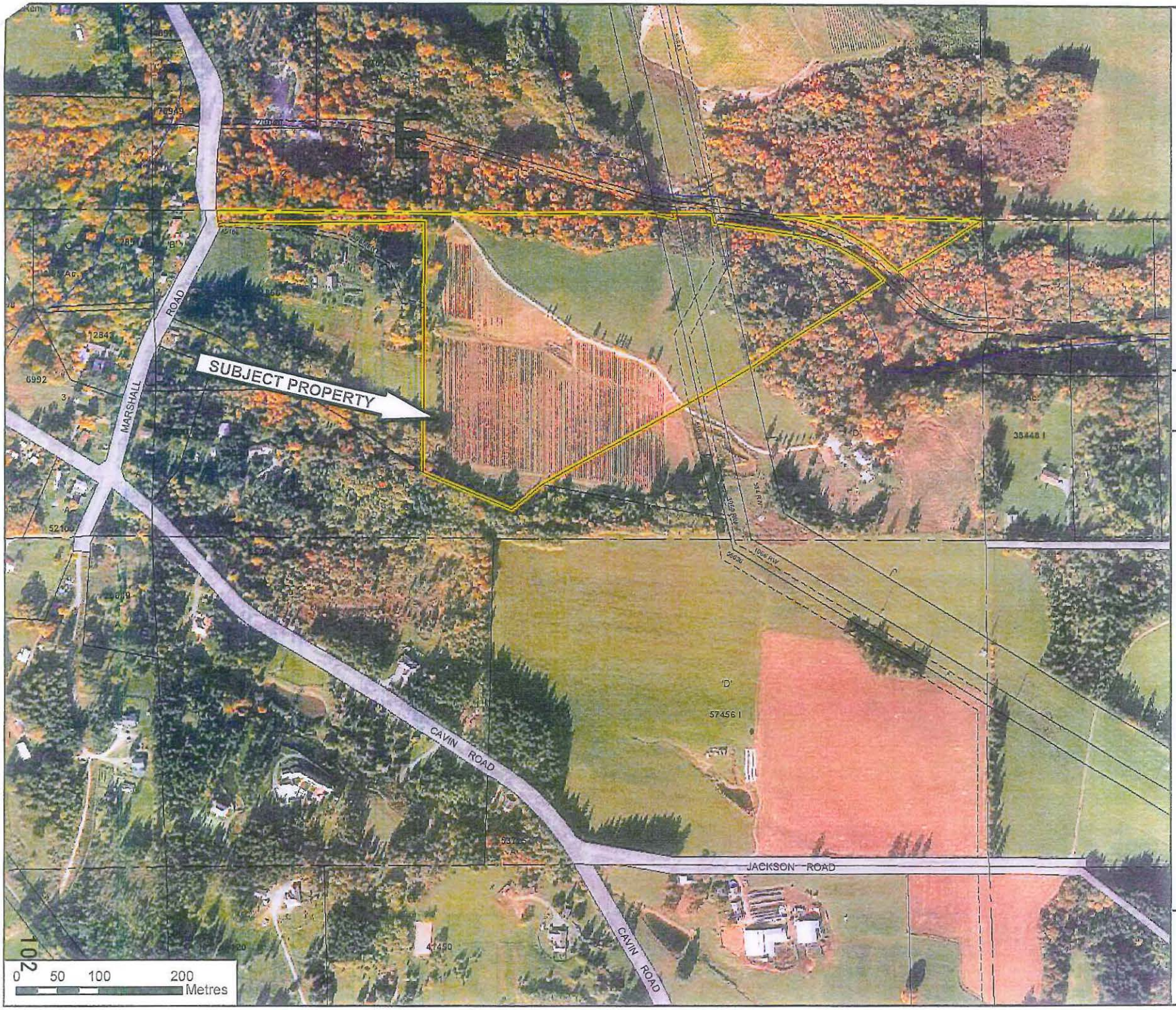
Option 1 is recommended.

Submitted by,

Rob Conway, RPP
Manager, Development Services Division
Planning and Development Department

Approved by:
General Manager

RC/ca



C·V·R·D

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Cowichan Valley Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for all purposes of interpretation and applicaton of the Bylaws.

File:01-E-13-ALR

Orthophoto (2010)

Legend

Subject Property

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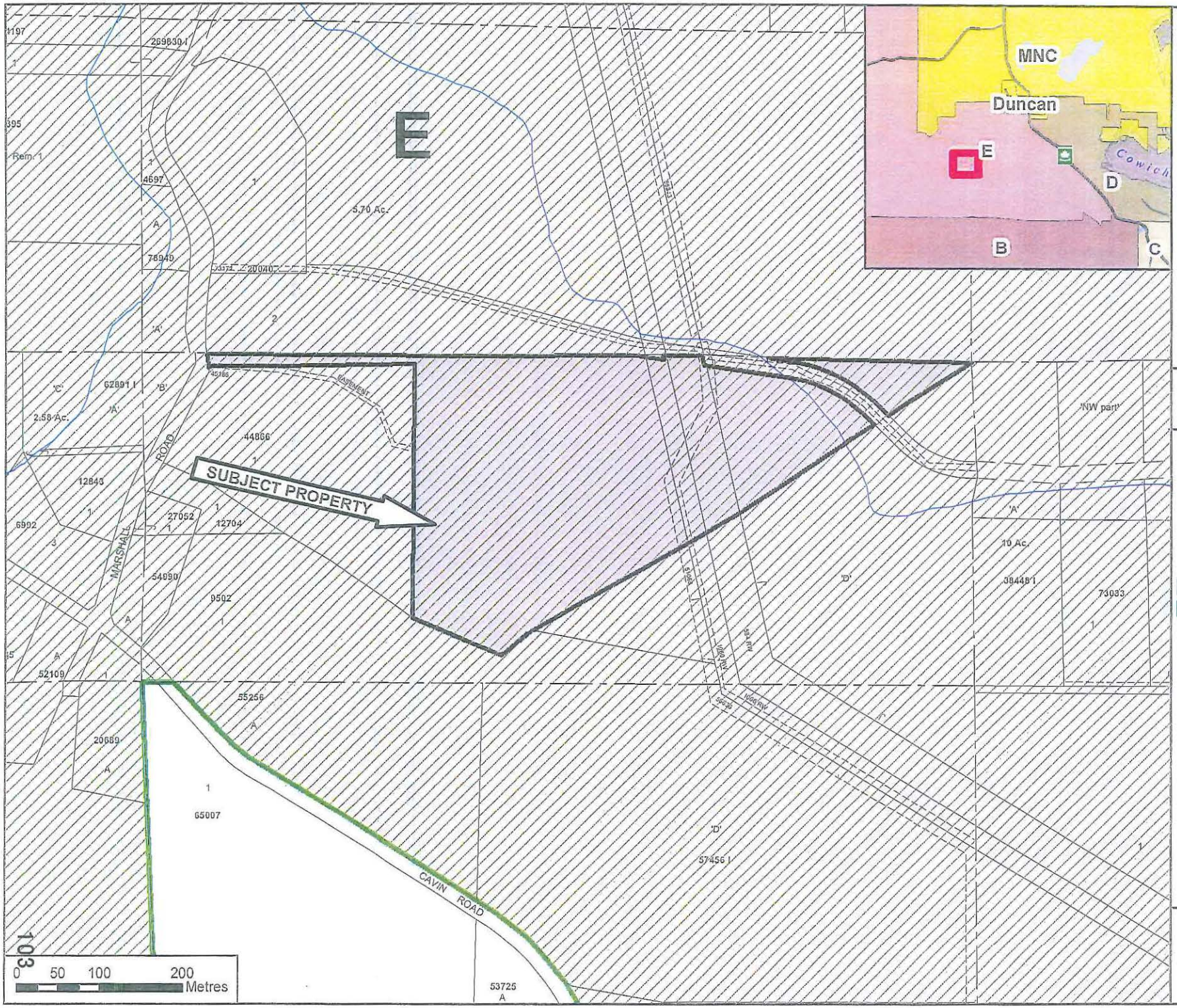
S



CVRD

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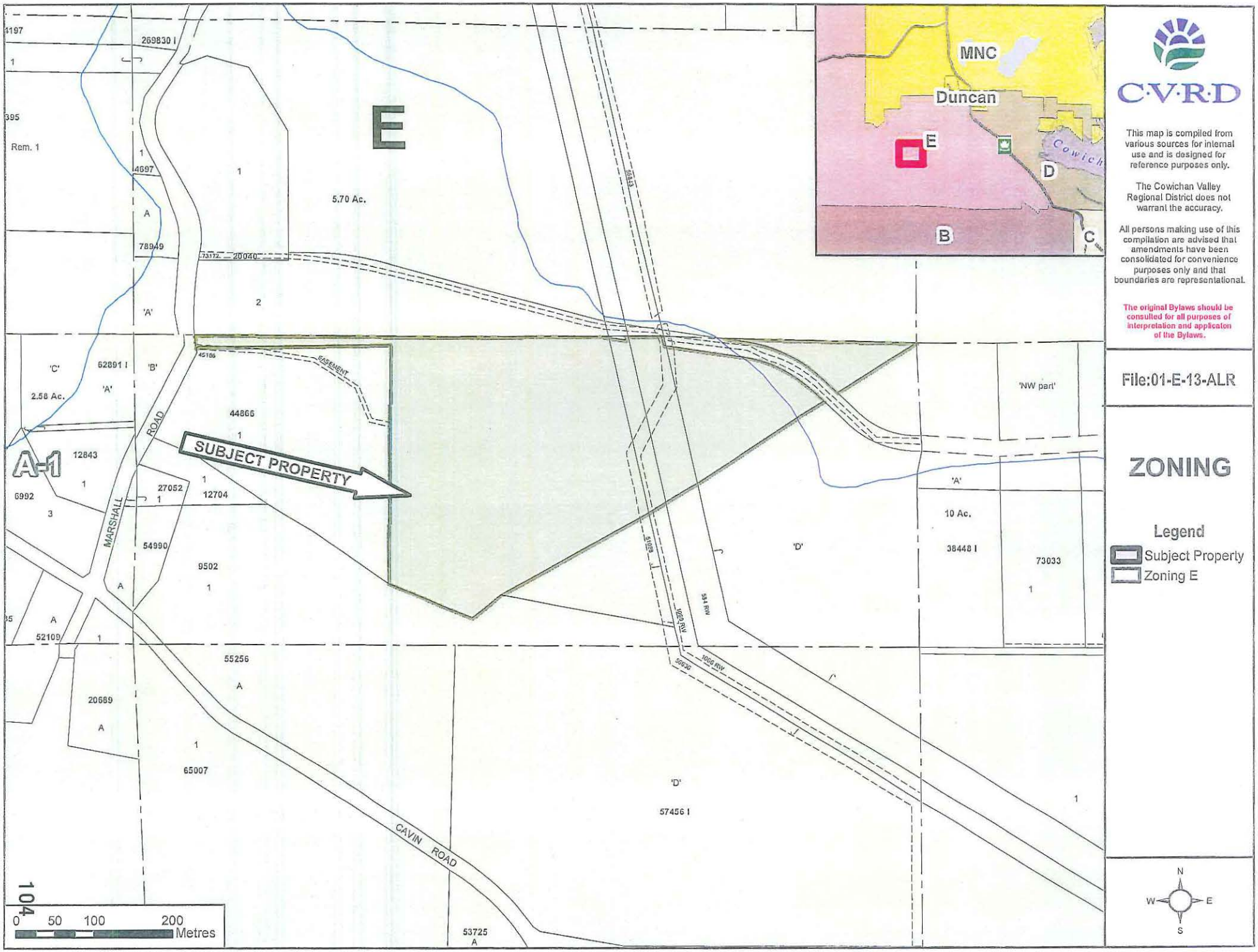
File:01-E-13-ALR

ALR

Legend

- Subject Property
- ALR E


E
5.70 Ac.
SUBJECT PROPERTY
A-1
MARSHALL ROAD
CAVIN ROAD
EASEMENT
'NW part'
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C·V·R·D
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File:01-E-13-ALR
ZONING
Legend
Subject Property
Zoning E
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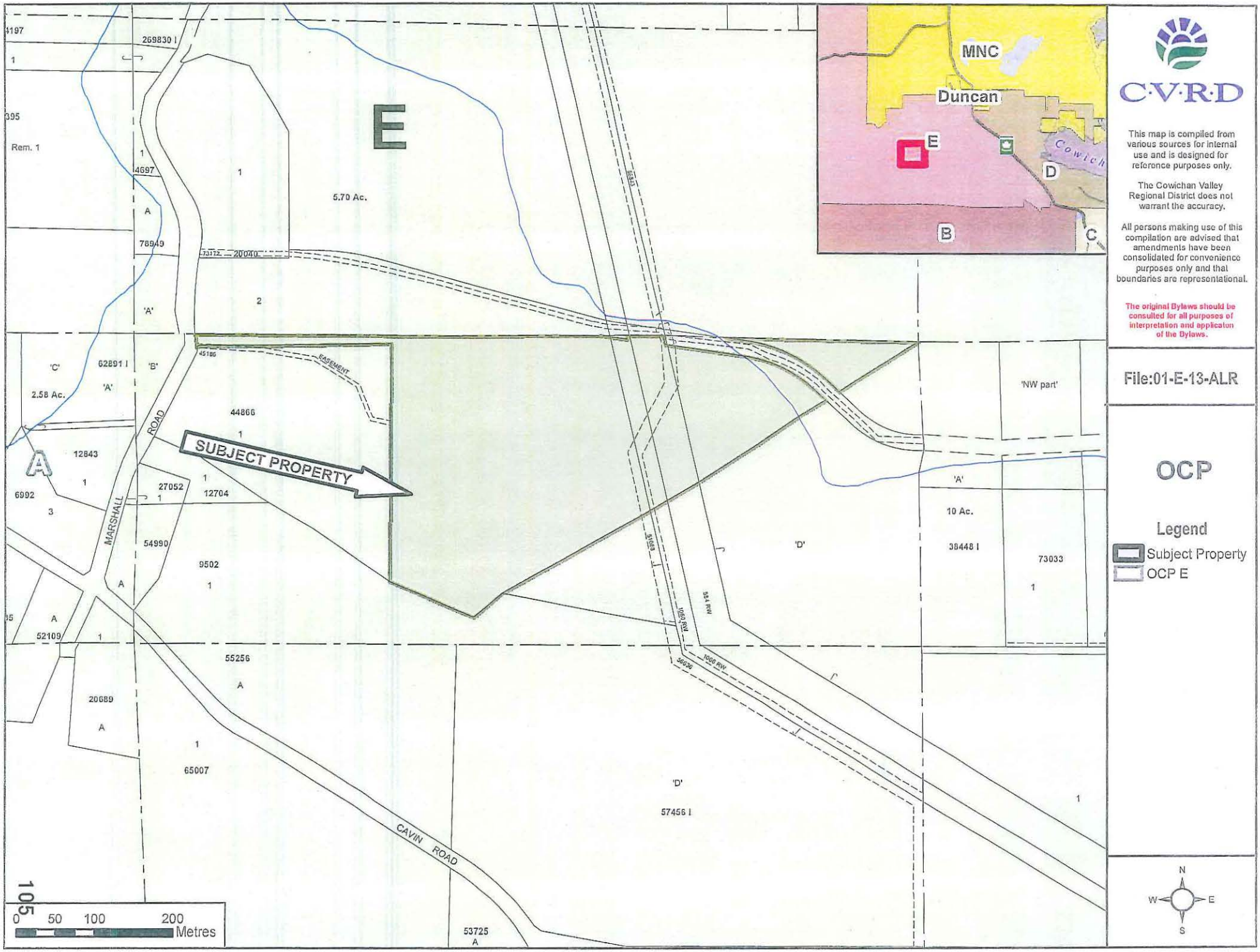
E
5.70 Ac.
SUBJECT PROPERTY
MARSHALL ROAD
CAVIN ROAD
EASEMENT
'NW part'
10 Ac.
'D'
MNC
Duncan
Cowichan
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CVRD
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File:01-E-13-ALR
OCP
Legend
Subject Property
OCP E
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S

APPLICATION BY A LAND OWNER

under the Agricultural Land Commission Act to

- exclude land from the ALR
- include land in the ALR
- subdivide land in the ALR
- use land in the ALR for non-farm purposes

The *Applicant's Information Package* contains useful information for preparing your application. Before you begin, review this information, particularly the factors the Commission does and does not consider in making its decision and the sample of the plan or sketch required to accompany your application.

Your plan or sketch must identify individual parcels by legal description and must specify the dimensions of each parcel. If you do not have a plan of your property, your local government office may be able to provide one for you.

To avoid delays in processing your application, please ensure that all parts of the form are completed and that all additional documentation and fees are enclosed.

The information required by this form and the documents you provide with it are collected to process an application under the *Agricultural Land Commission Act* and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Commission and ask for the staff member handling the application.

Provincial Agricultural Land Commission
Room 133, 4940 Canada Way, Burnaby, BC V5G 4K6
Telephone: (604) 660-7000 Fax: (604) 660-7033
www.alc.gov.bc.ca

APPLICATION BY LAND OWNER

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

TYPE OF APPLICATION *(Check appropriate box)*

- [ ] EXCLUSION under Sec. 30(1) of the Agricultural Land Commission Act
- [ ] SUBDIVISION in the ALR under Sec. 21(2) of the Agricultural Land Commission Act
- [ ] INCLUSION under Sec. 17(3) of the Agricultural Land Commission Act
- [x] Non-farm USE in the ALR under Sec. 20(3) of the Agricultural Land Commission Act

APPLICANT

Registered Owner: William David Godfrey	Agent:
Address: 4911 Marshall Road	Address:
Duncan BC	
Postal Code V9L 6Y1	Postal Code
Tel. (home) (250) 477 2817 (work) (250) 715-0504 Fax ( )	Tel. ( ) Fax ( )
E-mail dgwine@gmail.com	E-mail

LOCAL GOVERNMENT JURISDICTION *(Indicate name of Regional District or Municipality)*

Cowichan Valley Regional District

LAND UNDER APPLICATION *(Show land on plan or sketch)*

Title Number	Size of Each Parcel (Ha.)	Date of Purchase Month	Year
EN 4547	2.403	January	1999

Section 8 Range 3 except Parcel B and except parts in 9502, 627 RW and 44866

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY
(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): 6560 NORTH ROAD PID: 002-844-290
18.6 HECTARES

PROPOSAL *(Please describe and show on plan or sketch)*

Please see attached documents for overview.

CURRENT USE OF LAND *(Show information on plan or sketch)*

List all existing uses on the parcel(s) and describe all buildings

USES ON ADJACENT LOTS *(Show information on plan or sketch)*

North 20944 · Vineyard + Forest. 9569 · GRAVEL EXTRACTION
East 029872 · Residential + casual farming
South 102112 + 100593 · DAIRY FARM
West 44866 · Residential + casual farming
9502 · Residential

DECLARATION NORTH 20.86 acres HALL ROAD · GRAVEL + RESIDENTIAL

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the *Agricultural Land Commission Act* and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

Jan 25.2013		W. D. Godfrey
Date	*Signature of Owner or Agent*	*Print Name*
Date	*Signature of Owner or Agent*	*Print Name*
Date	*Signature of Owner or Agent*	*Print Name*

Please ensure the following documents are enclosed with your application:

- ☐ Application fee payable to the Local Government
- ☐ Certificate of Title or Title Search Print
- ☐ Agent authorization (if using agent)
- ☐ Map or sketch showing proposal & adjacent uses
- ☐ Proof of Notice of Application *(See instructions)
- ☐ Photographs (optional)

Agricultural Land Commission Non-Farm Use Proposal

Reference: 4911 Marshal Road, Glenora BC
For: Rock of the Woods Music Festival

To Whom It May Concern:

Proposal – To host a three day music event at 4199 Marshal Road in Glenora, Cowichan Valley, BC on July 26th-28th. Rock of the Woods Music Festival is an environmentally friendly music event that offers a family friendly environment with folk/rock oriented genres of music. The event will have a capacity 500 people. The attached documents will give details on key aspects of the event that are requested to use as reference in the non-farm use application.

In this document package you will find the following documents:

- Operational Plan
- Environmental Plan
- Information Package
- Site Maps (Festival Map, Current Land Operations Overview, & Zoning Map)
- Non-Farm Use Application
- Close proximity Neighbours overview
- Current Land Use Overview

If you have any questions upon reviewing these documents, please call or email David Bain:

Telephone: 250.715.7781
Email: dave@rockofthewoods.com

Legend

- Wine Grapes
- Power Lines
- Parking
- Concert Grounds
- Camping
- Security
- Fencing

Rock of the Woods 2013

Operations Plan

ROCK of the WOODS

JULY 27-29 · 2012

GLENORA FARM

© Rock of the Woods

The Purpose

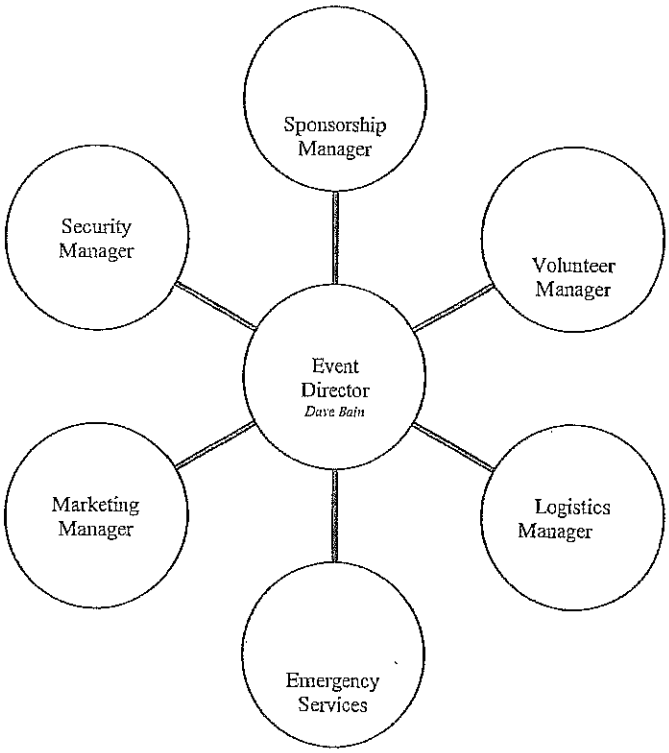
The Rock of the Woods (ROTW) Music Festival presents an opportunity to bring a dynamic summer arts and cultural experience to the Cowichan Valley and foster arts and culture development in the area. ROTW will host an exciting combination of local and international performers, all directed at creating a warm environment for families. The festival will also have a large emphasis on sustainability, with benchmarks in place to keep the festival "footprint" to a minimum. This document will highlight the benefits of hosting the ROTW music festival in the Cowichan Valley. As such, any and all aspects of the festival are open for discussion. Our intention in 2013 is the same as lasts year's. We will work with the RCMP, Fire Department, and Local Government to make sure all of the Cowichan Valley's governing bodies are happy with the festival. It is our hope that this festival can continue for many years to come, and increase arts in the Cowichan Valley.

Festival Overview

The festival is planned to take place the weekend of July 27th-29th, between 4pm and 12am, and has a planned draw of approximately 480 people. Musical genres will range from surf/folk rock to indie and electronic music. Main acts will be targeted to attract generation Y (born: 1979-2000) and X (born: 1961-1979) audiences of music and art lovers. The festival will be all-ages, and there will also be afternoon entertainment for children and families. The festival has already secured some exciting, prominent touring artists and will also feature emerging talent from the surrounding community. The combination of international musicians mixed with the community spirit will make this event talked about for years to come.

Event Personnel

Event Director: David Bain
Sponsorship Manager: Nathan Patten
Security Manager: Mark Tuttle
Marketing Manager: Matt Longpre
Logistics Manager: Cassidy Quaite
Volunteer Manager: Ohmichu De Faye
Emergency Services: Pat Dunkely



Event Safety Overview

Toilets Facilities – The festival will have a total of fifteen portable washrooms including one handicap washroom. All washrooms will be equipped with hand sanitizer and be checked and documented for cleanliness every two hours . These washrooms are rented from Coast Portable Toilets located in Duncan BC.

Fluid/Food Supply – During the festival, water will be served at the bar and via vendors at a cost of two dollars. As well as water, pop and tea will be served at the vendors. During the heat of the day, free water will be handed out. All backstage passes will have free access to water. A total of 2,000 bottles of water will be bought to be allocated to the crowd. Bottled water will be a secondary source of water. A recycling program will have a one-time-fee for water that can be that can be refilled. Attendees will have access to a total of three food vendors all specializing in healthy, local produce. Volunteers, Staff, and Musicians will be given vouchers for free food during the festival.

Garbage Control – Litter bins will be placed strategically around the grounds to account for litter control during the festival. These bins will be checked every 30 minutes by a garbage team made up of four volunteers. Garbage will then be taken and placed in an area to be deposited in the dump during regular hours. A garbage walk-through will be done each morning by the ROTW team, who. will pick up any excess garbage. The team will be also responsible for cleaning stationary items on the grounds as well as any landscaping that may need maintenance. After the festival a garbage team will scale the grounds to remove any waste that may be left over.

Emergency Medical Facilities – during the festival a three person first-responder team will be on hand with a first aid area and transfer vehicle. In the event of a medical issue, the medical team will handle it. This team will work directly with the attendees to ensure a safe environment. All matters will be document and left as an open source to overseeing bodies.

Traffic Control – During the festival, traffic will be managed by the entrance security team. To get into the grounds, drivers will pass through a gated area in which they will be provided with a mandatory wrist band that states they are the designated driver of the night. This wrist band will mean they cannot drink. Drivers who want to park their vehicle will be met by a parking coordinator that directs them to site parking. To control drinking and driving, Rock of the Woods has made taking a bus service cheaper than driving. This bus service will be controlled by a posted schedule. Festival attendees can use this bus service to travel to and from Victoria or Nanaimo with stops along the way. It will be requested that the RCMP staff have a road block the night of. This cost to the RCMP can be reimbursed by Rock of the Woods if required. Parking will be broken into two sections; three-day festival attendees and one-day attendees. One-day attendees will be allowed to leave at anytime but will be monitored by the security team.

Site Security – The site will have a total of seven security members that are all BST certified. These members will be strategically stationed throughout the site. These members are backed by volunteers that are designated as "peace makers." These volunteer members will scout the grounds and have direct contact with the security manager should an issue arise. If an issue does arise, Rock of the Woods will have a on-site shuttle bus that can take attendees anywhere on the island at the request of security. The security will be downsized to three members from 1am-11am to manage the overnight camping.

Fire Safety – The ROTW team will have a three-member wildfire control team on site for the duration of the festival. This team will be designed as a prevention practice. Their main duties will be to control the attendees' smoking. Smoking during the event will be restricted to a designated area near the bathrooms on the festival grounds (please see site map for location details). The smoking area with have containers filled with gravel and sand for cigarette butts. This area will be roped off and clearly marked. This event is a no open flame event. This means that we ask attendees to have no open flames during the festival (no bbq etc). Fire extinguishers will be held on stage and in strategic areas around the site to ensure any fires will be put out quickly. The site will also have a mobile water truck that can deliver water to any event that arises. The fire team will be in white Rock of the Woods t-shirts with the label Emergency Services on the back. These members along with the festival director will have access to a mobile first aid all-terrain vehicle that will be equipped with a fire extinguisher. Prior to the event, the fire team and the site manager will review areas that are dry. As the festival is primarily on waste grass, the grass will be cut to a lower level to mitigate fire. Areas located near forest terrain will be swathed and a fire control perimeter will be created. These areas will be known to both the emergency services team and the security team to allow for easy communication via radio contact.

Liquor Control – The festival is has a no-tolerance policy to liquor outside the designated beer garden. This will be enforced by security patrols that are done every 15 minutes. If liquor is found at the festival, it will be dumped out. The festival, with the approval of the RCMP, will have a designated beer garden. This area will be fenced off with snow fencing and have one entry and one exit. The fencing will be doubled up to create a moat effect that will inhibit patrons from passing drinks outside of the beer garden area. The beer garden will run at the time limits set by Liquor Control and the RCMP. Patrons will be asked for two pieces of government I.D. upon entry. This will be reviewed by the security member to allow entry. The security member will then put a stamp on the inside of the patron's arm that will mean the patron has been approved to buy drinks. Attendees that have the designated driver wrist band will be stopped at the first entry point and not allowed into the beer garden. All servers at the festival will have Serving it Right and follow the standards laid out by the organization. The servers will be hand-picked from the Victoria bar industry to ensure the best quality of service and experience.

Environmental Plan

ROCK of the WOODS

JULY 27-29 · 2012

GLENORA FARM

Overview

Rock of the Woods' primary focus is to create a music festival that is off the grid and has little to no impact on the environment. ROTW plans to counteract conditions that impact the environment to allow for a "green" festival. This document will highlight the strategy that ROTW implements during the festival as well review past successes.

Rock of the Woods 2012 Environmental Recap

In 2012 Rock of the Woods was held at the Glenora Farm. This event was held over 3 days and included approximately 400 attendees. We were very proud of how green last year's festival was. Our key environmental successes were:

- Only 352 bottles of water were recycled due to the free water program with reusable containers
- After going through each bag of garbage on the property, a total of 70 pounds was brought to the land fill
- Nearly 700 pounds of compost was created
- Solar lighting reduced power consumption and gave light to key areas along walk ways
- 20% of the total fuel used was bio-diesel. A total of 120 litres of diesel was used.

Environmental Strategy 2013

Power

The festival's primary power source will be generators. One generator will run the stage and a second will act as a secondary power source. The stage power will be run independently from the secondary power needs. As each generator is rented, a total of 20% bio-diesel is a maximum allowance per diesel burned due to insurance restrictions. The generators will each be placed in areas on the property that are not accessible by the public and will be placed on a ground covering to prevent any damage to the land from spills.

Water

As plastic water bottles account for the largest amount of waste at music festivals we will be limiting the amount on site. Water on Wheels will provide free water for attendees that bring reusable water bottles. Reusable water bottles will also be for sale at a minimal cost to the attendees. Water bottles that are left on site will proceed through our recycling program.

Land

Part of the festival's mandate is to keep the land in its original state. This will be done by a site survey that takes note of how the land was before the festival started. After the festival has taken place, the site will be brought back to the state it was in state during the original survey. In the event of toxic spills, an environmental consultant will be brought in to assess how to restore the land to its original state.

Traffic

Traffic control will be done in a three part system:

1. Cars – during the festival cars will be placed in an area of the land that does not account for any farm production. Car drivers will be rewarded for two or more passengers with a discounted parking fee. Once they have parked, the car will be placed in a camping or one day zone.
2. Bussing – as an alternative to driving, bus services will be offered based on demand. This will be done by an outside company and busses will not be held within the property. Bus drops will take place at the end of the driveway.
3. Green Alternatives – any "green" alternatives will be rewarded with free parking. This will be allocated in an exposed area of the land to "show-off" the green users. We hope this will assist in creating future green alternative users.

Waste Management

The festival waste will be allocated to areas that have three bins located in strategic areas across the grounds. These bins will represent composting, recycling, and garbage. Composting will be provided by ReFuse recycling and picked up after the festival. The recycling will be sorted into types of recycling and processed at the local recycling plant. All waste will be reviewed for compost waste, and recycling to make sure the festival takes as little waste to the landfill as possible.

In the months leading up to the music festival, the Rock of the Woods team will continue to review and look for new ways to lessen our impact on the environment.

ROCK of the WOODS

"Music, culture, art and youth breathe life into every community"

Information Package 2013

ROCK of WOODS

The Purpose

The purpose of Rock of the Woods is to bring arts, culture & awareness to the community of the Cowichan Valley. The Rock of the Woods (ROTW) Music Festival presents an opportunity to bring a dynamic summer arts & cultural experience to the Cowichan Valley. Moreover, ROTW is an opportunity to foster arts & culture development in the area. ROTW will host an exciting combination of local and international performers, all directed at creating a warm environment for families. In addition the festival will have a large emphasis on sustainability, with benchmarks in place to keep the festival "footprint" to a minimum. ROTW plans highlight the area's sustainable farm/winery pratices by including their technics in our approach to sustainability.

This document will highlight the benefits of hosting the ROTW music festival in the Cowichan Valley. As such, any and all aspects of the festival are open for discussion. Our intention in 2013 is the same as lasts year's. We will work with the RCMP, Fire Department, and Local Government to make sure every element of the Cowichan Valley governing bodies are happy with the festival. It is our hope that this festival can continue for many years to come, and increase arts in the Cowichan Valley.

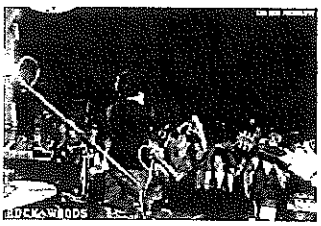
Festival Overview

The festival is planned to take place the weekend of July 26th-28th between 4pm and 12am and has a planned draw of approximately 450 people. Musical genres will range from surf/ folk rock to indie and electronic music. Main acts will be targeted to attract generation Y (born: 1979-2000) and X (born: 1961-1979) audiences of music and art lovers. The festival will be all-ages, and there will also be afternoon entertainment for children & families. The festival has already secured some exciting, prominent touring artists and will also feature emerging talent from the surrounding community. The combination of international musicians mixed with the community spirit will make this event talked about for years to come.

For the past 100 years festivals have been an essential branch in connecting the community. Currently Vancouver Island is a hub of artists all wanting to show off their talent, the Island plays host to over 20 different music festivals.

Rock of the Woods 2011 (Plants & Animals)

Rock of the Woods 2010 (Midnight Son)

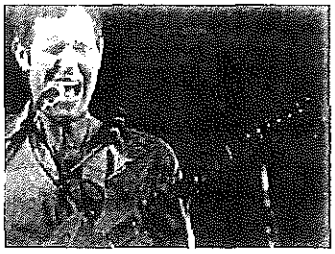


Rock of the Woods 2012 (Pickwick)

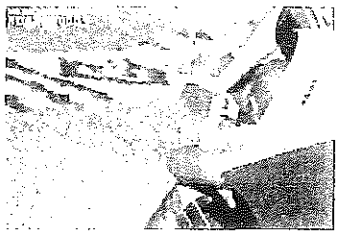
Benefits to the Community

The Rock of the Woods music festival is intended to make a positive contribution to the surrounding community on every level. It is the intention of the organizers that the community will not only benefit from the economic impacts, but also become a proud partner in the event for years to come. The following is a small list of ways the Cowichan Valley community will see direct benefits from ROTW:

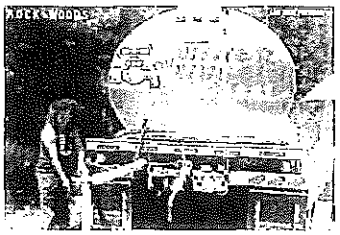
- Direct economic growth (Hotels, produce, local buying etc)
- A community event that boosts a sense of togetherness reflective of the area
- Continued future economic growth by creating awarness of what the community has to offer
- The creation of a branding strategy that focuses on the world-class wineries offered in the Valley
- Enhancement of the art and culture scene within Cowichan Valley
- A community event relfects the clean and enviromentally friendly causes of the Cowichan Valley.
- Financially risk free event for both the community and the land owners
- A direct donation back into the community as guided by the contributing officials (2012 raised $5500 for the Glenora Farm non-profit)
- A scholarship that helps grow culture and arts via the local high-schools



Rock of the Woods 2011 (Chad VanGaalen)



Rock of the Woods 2012



Water Recycling Program

Waste recycling program

Pickwick

Going Green

In keeping with the sustainability targets of the South Cowichan region, the Rock of the Woods music festival has set the following benchmarks for 'Greening' the festival:

- 100% Recyclable cups, and t-shirts
- Waste stream sorting, with recycling & composting bins
- Powered by bio-diesel energy
- Running LED lighting system to conserve energy
- Re-useable bottle program for water distribution
- Bussing service to and from locations
- Use of local food vendors and local organic produce
- Carbon footprint surcharges to driven vehicles
- Farm production utilization program

CURRENT USE OF LAND

The property is 60 acres (24.3 hectares approximately). Close to half the property is timbered; much of this is in one large block but there are other boundary areas that are also forested.

As shown in the CVRD map, there are a number of Right of Way's that dissect the property.

There are two active vineyards on the property. The west vineyard has 14,500 vines: Foch, Gamay Noir, Pinot Noir, Pinot Grigio, Chardonnay and Bacchus. The east vineyard has 3,900 vines: Foch, Malbec, Merlot, Viognier, Petit Syrah and Cabernet Sauvingon. These are planted at a distribution of approximately 1,200 vines per acre.

Much of the forest land is very steep and gullied. It is in a plan for perpetual harvesting at a very low rate and for old forest restoration.

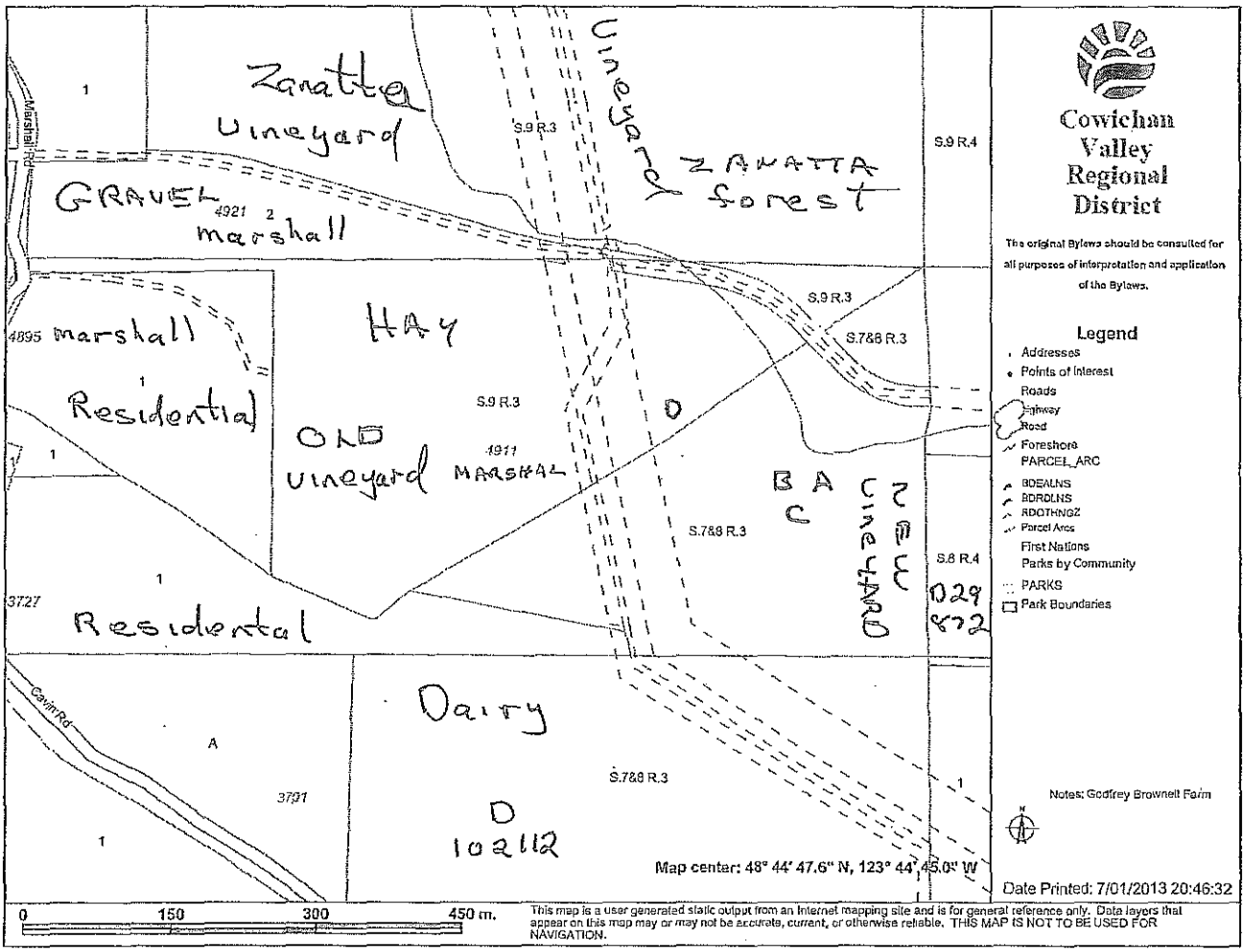
Some vegetables and ornamentals are also grown. From 7 to 9 acres are harvested for hay annually, depending on the season. We have a plan to add some cattle to obtain our own manure for the vineyards.

There are four buildings on the property.

A) A new winery building for storing barrels is being completed. 1,600 square feet.
B) Next to it is the old winery of 1800 square feet, to be used for tanks (mainly white wine) and bottling once the new building is fully operational.
C) The original house now serves partly as residential space and partly as the wine store. Total square footage is 2,400. These three building are clustered together near the east vineyard.
D) A cattle shelter has been constructed on the edge of the Hydro right of way, within the forest. It will shelter up to 8 cows.

The hay lands were last tilled and reseeded in 1998. They are not irrigated artificially. They have produced a steady crop from 1999 to 2012. When we have cattle, we will build fences and perhaps add some nutrients that meet organic standards.

FARM USES
General Map + BLDGS



A winery · cave
B winery - tanks
C house + wine store
D · cattle shelter

ADJACENT USES

TO the south, there is a large dairy farm. The adjacent parcel is used for hay with a corn rotation approximately every four years.

TO the south and west there is also a residential property (9502) which is entirely forested where it adjoins our farm.

TO the west there is another residential property (44866), with some casual farming. This contains the original Brownell homestead house.

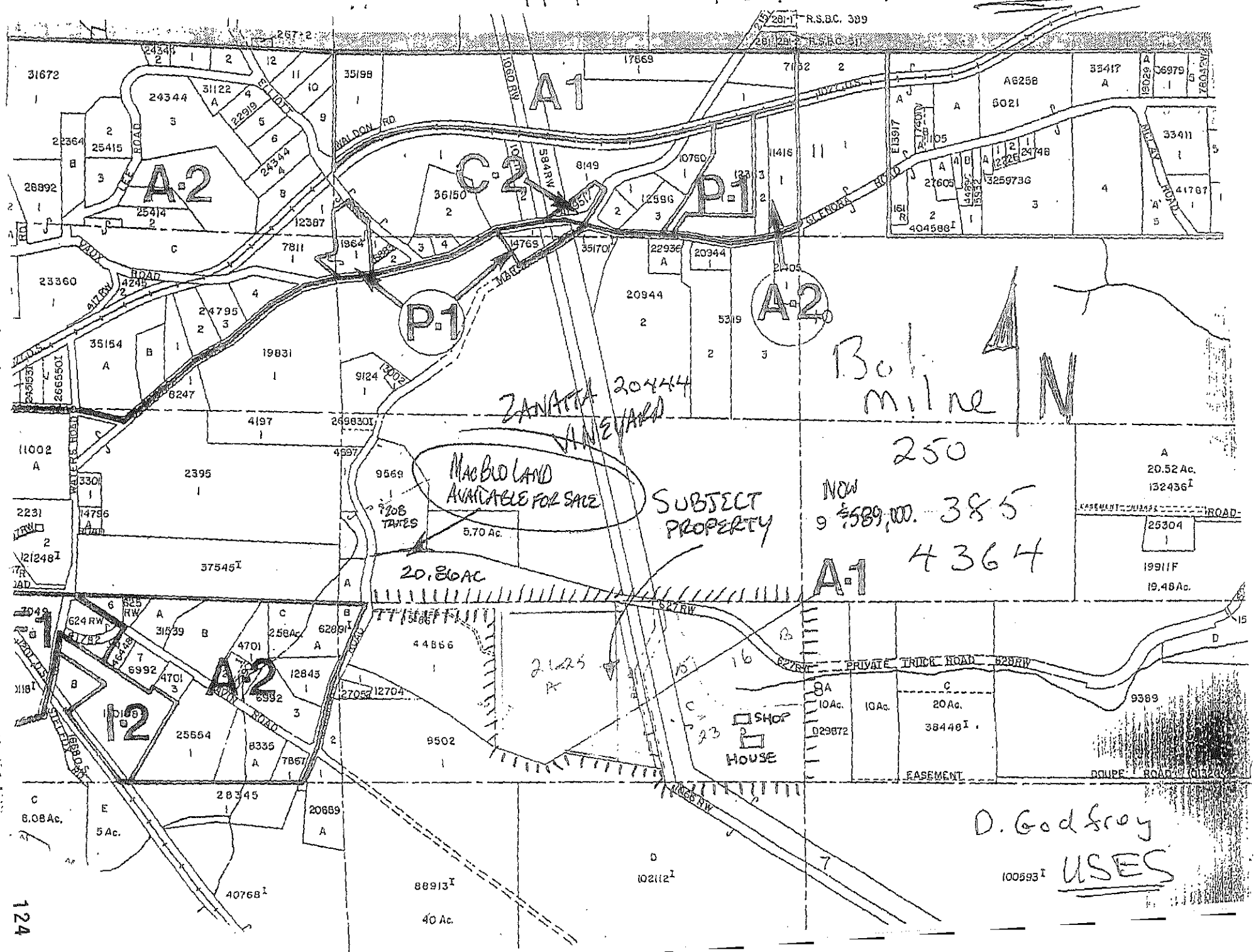
TO the north, there are two properties. 9569 is odd-shaped and mainly forested. It is being used for gravel extraction with the promise that eventually it will be restored for agricultural purposes. The owner has recently built a house here—which is for sale. Most of the gravel has been extracted.

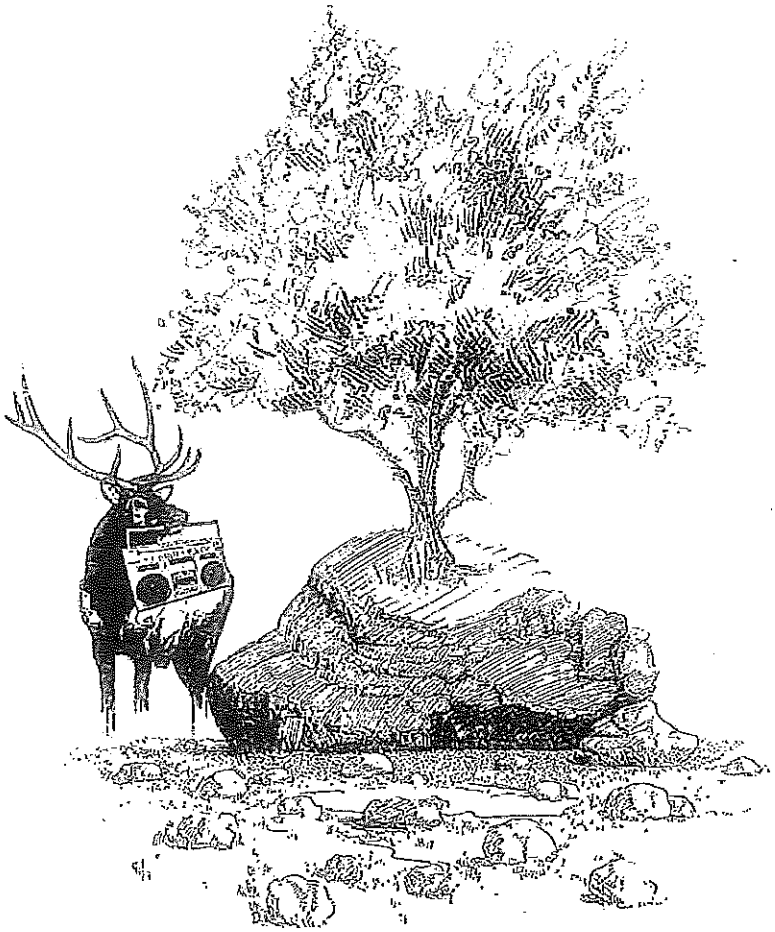
East of that is a portion of the Zanatta Vineyards (20944), in hay or forest rather than grapes.

TO the east (directly) is D29872 on which there are two residences. Again, some casual farming is done on this property, usually hay.

Except for a chunk of the boundary between our farm and the dairy farm (South: about 120 metres in total) there are timbered lands along all boundary lands with all these adjacent properties.

ADJACENT USES





ROCK of the WOODS

"Music, culture, art and youth breathe life into every community"

Community Strategy 2013

2012 Recap & Review

Rock of the Woods is built on the concept of creating a community. The festival achieved this last year by attaching itself to principals and concepts that align with that of Glenora, such as keeping the festival environmentally friendly and donating directly to the community of Glenora via the non-profit the Glenora Farm.

After taking a few months to debrief, the festival learned that it once again needed to find new land. During this time, the festival was encouraged by the support of the Glenora community, as it received numerous offers of posssible venues within the region. These offers came from both young and old residents that felt the festival was good to the community. After taking many site tours with residents of Glenora, Rock of the Woods 2013 settled on the Godfrey Brownwell Winery.

Unlike most festivals, Rock of the Woods prides itself on making sure its surrounding stakeholders are happy with the festival. Last year the following steps where taken to make sure the festival was supported:

Notice Posters – one month prior to the festivals announcement, a notice to Glenora residents was posted in key areas to inform the public of its concept and open communication with anyone that had concerns.

Letters of Notice – three weeks prior to the Rock of the Woods, areas that where going to be affected by the festival where given direct notices of the festival via mail. These letters communicated the intent of the festival.

2013 Approach:

With the success of last years community strategy, Rock of the Woods will focus on keeping it the same. The following will be done to ensure that the community of Glenora has opportunity to open discussion about the festival and any concerns that may arise.

Notice of Intent
Two months before to the event, a notice to the residents of Glenora will be posted in key areas around town. This notice will declare the festivals intent as well as have contact information.

A letter of intent will also be hand-delivered by members of the Rock of the Woods team two months before the festival. This letter will be delivered to the following areas:

- Marshall Road
- Calvin Road
- Hankins Road
- Doupe Road
- Mclays Road (End)

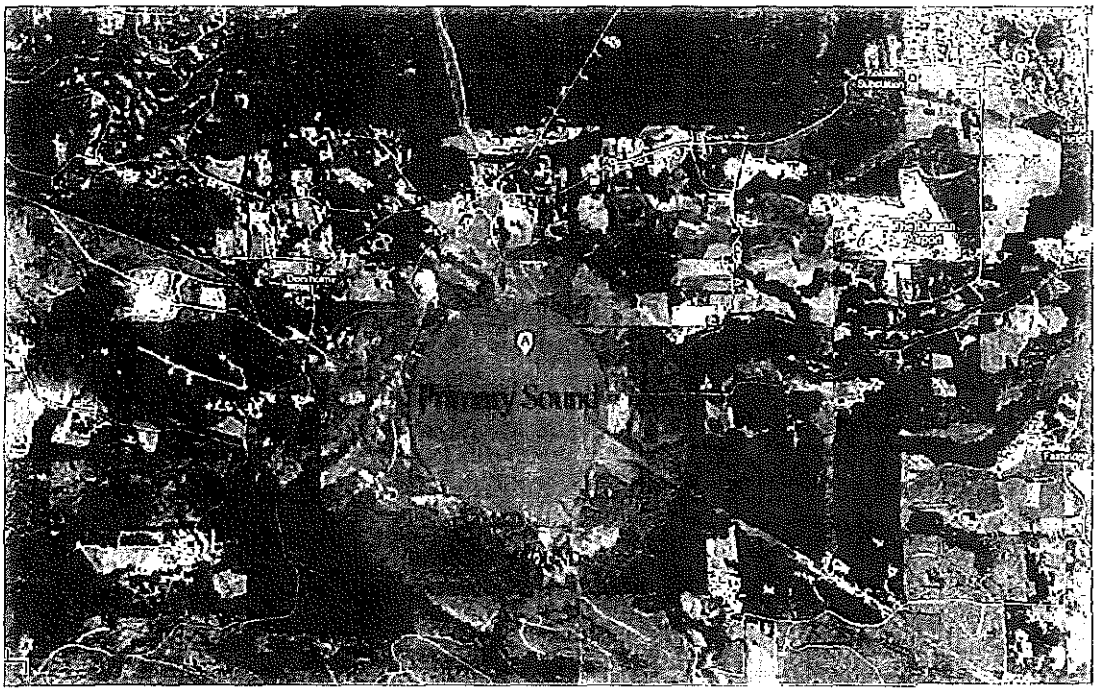
**Key neighbours will be invited to the festival free of charge. This will be determined on reaction to the festival and location.*

Sound overview:

Rock of the Woods focuses on controlling the sound travel from the festival. This enables the festival to keep its neighbours aware of the levels of sound that can be expected for the three-day festival. The following map highlights the sound in two areas:

Primary Sound: Areas within this circle can expect to hear the festival. Sound will only be able to be heard by the nearby residents if they are outside of their house or have windows open that point in the festival's direction. This sound will not be able to be heard within the house.

Secondary Sound: Areas within the green shaded circle will be able to hear the festival outside of their residence, though it's estimated that it will be very faint and dependent on the air pressure during the festival.



Attached Documents:

- **2013 letter of intent to the community of Glenora**
- **2013 poster of intent to be posted in the town of Glenora**

ROCK of the WOODS

Dear the Community of Glenora,

From July 26th-28th the Rock of the Woods Music Festival will be held at the Godfery Brownwell Winery located at 4911 Marshal Road. This festival is a small community oriented event that reflects the community of Glenora. As the festival producer I wanted to inform you of the event and acknowledge you as a stakeholder in the festival. I grew up in the Cowichan Valley and it has always been a life dream to create a festival that showcases the natural beauty and cultural scene the Cowichan Valley has to offer. I have spent the last eight years working on hundreds of events and festivals. The Rock of the Woods Music Festival is meant to engage and allow all publics to enjoy the surrounding and the festivals entertainment.

Things you can expect from the festival:

- All Ages
- Family Friendly (kids under 10 years of age are free)
- Community oriented (we will be highlighting the farm)
- Folk/Rock/Indie oriented music
- The festival is planned to be a green event (recycling program, car share program, bio-diesel power, water program)
- Exciting local and international artists
- Experienced festival security, management, and safety teams

The festival will maintain a safe environment for the attendees and its neighbours. The festival is in it third successful year. We are very excited to be working with the Glenora Farm and hope you will be able to attend. Thank you for taking the time to review this letter. Please feel free to shoot any questions or comments you may have about the festival to: dave@rockofthewoods.com .

Cheers,

Dave Bain
Director of Rock of the Woods

Residents of Glenora

ROCK of the WOODS

Rock of the Woods is a community oriented music festival held at the Godfery Brownwell Winery from July 26th-28th

The festival showcases both local and international talent. We would love to see you out! Here are some quick facts:

The festival is enviromentally friendly (recycling, carshare, bio-diesel powered, & much more)

The festival highlights folk/rock/indie genres

The festival is all ages and family friendly (kids under 10 years of age are free!)

The festival is expected to have 450 attendees

Please visit www.rockofthewoods.com for more information

APPLICATION FOR SPECIAL OCCASION LICENCE POLICY EXEMPTIONS

BRITISH COLUMBIA
The Best Place on Earth

Liquor Control and Licensing Form LCLB 031

INSTRUCTIONS:

- Complete all applicable fields, attach required documents and submit with payment as outlined in Part 7.
- Please read the instructions for each section of the form. The sections you need to complete depend on what exemptions you are requesting. **For some exemptions you must obtain approval from the local government/First Nation and local police in order to complete this application.**
- You may complete this application on a computer, then print the number of copies you need. **Note: You will not be able to save the information you put in the form.** If you are completing this application by hand, please print clearly using dark ink.
- Send the completed application by mail or fax to the Liquor Control and Licensing Branch along with the $100.00 fee.
- If the application is complete, the Branch will consider your request and you will be notified as to whether your application has been approved. **Note: Unless you indicate otherwise, you will be notified of the decision by e-mail.**
- The application must be received at least **four weeks** prior to the event in order to allow sufficient time for processing. Completed applications received less than four weeks prior to an event may not be approved. Remember that you need this application approved before you go to a liquor store to apply for your special occasion licence and it may take some time to process that application.
- Additional information can be found in the Special Occasion Licence Booklet which is available from Government Liquor Stores or online at www.bcliquorstores.com/special-occasion-licence. If you have any questions call the Branch toll-free at 1-866-209-2111 (BC only) or 250-952-5787.
- LCLB forms and materials referred to in this document can be found at: http://www.pssg.gov.bc.ca/lclb/forms_fees/index.htm
- **NOTE:** The applicant for the special occasion licence ("SOL") must be the organization hosting the event or an individual who is hosting a family event. The person applying for an exemption to policy must be the same as the individual applying for the SOL.
- **NOTE:** Professional event organizers and promoters are not eligible to apply for an exemption or a special occasion licence.

Exemptions

Branch use only ☐ Approved ☐ Not Approved Job No:_____

Check (☑) the exemption(s) for which you are applying:

- ☒ Extend the hours for your event beyond 10:00 pm for outdoor events or 2:00 a.m. for indoor events
  Note: Requires local government/First Nations and local police approval - see Part 4
- ☐ Sell hard liquor at a public special event
  Note: Requires local government/First Nations and local police approval - see Part 4
- ☐ Charge more for drinks than the prices specified in the "Special Occasion Licence – Liquor Price Schedule" (LCLB031a)
  Note: Only permitted if the event is to raise funds for charity
- ☐ Hold more than two Special Occasion Licences per month or hold more than 24 per year
- ☐ Applicant is not a Canadian citizen or a permanent resident of Canada
- ☐ Licence fee adjustment for limited hours of liquor service
  Note: See the SOL Policy Manual on the LCLB website
- ☐ Other (please describe):

Date of Event

First day of event: July 26th 2013

Last day of event: July 28th 2013

PART 1: Applicant and Organization Information

Section A: Private SOL for a family occasion

If you are applying for a Private SOL to celebrate a family occasion, complete this section. (The person applying for the exemption must be the same as the person who will apply for the SOL.) For all other types of SOL, please see Section B.

Your name: _____ (last / first / middle) Daytime Phone: _____

Applicant E-mail: _____

Mailing Address: _____ Street _____ City _____ Province _____ Postal Code

Section B: All other types of SOL

If you are applying for any other type of SOL, complete this section. (The person completing this appilcation for exemption must be the same as the person who will complete the SOL application.)

Applicant Name: Oswego Arts and Cultural Society
society, organization, company, etc. applying for the SOL

If the organization is a registered society, please provide the registration number: 800824658 RC0001 / S-0086883

Address of Organization: #101-215 Oswego St. (Street) Victoira (City) BC (Province) V8V2B5 (Postal Code)

Name and contact information of person completing this application:

Contact Name: Bain / David / Selthun (last / first / middle) Daytime Phone: 2507157781

Contact E-mail: baindave@gmail.com

Contact Address: #101-215 Oswego St. (Street) Victoria (City) BC (Province) V8V2B5 (Postal Code)

Applicant's position in organization: Chair

PART 2: Event Information

1. Please choose the event type below:

☒ Public event *or* ☐ Private event *or* ☐ Both public and private event (*e.g. a public beer garden at a ball tournament with a private dance*)

A **public event** is a community or public celebration, such as a community festival or outdoor concert. It can be held in a place that is open to, or in view of, the public such as a park, open room in a community centre, a business open to the public or an outdoor location. Anyone can attend.

A **private event** is an event where attendance is limited to invited guests, advance ticket holders, or an organization's members and staff. Entry tickets for a private event must be sold, reserved or given away prior to the event commencing. A private event may be social, cultural, recreational, religious, sporting or community oriented.

2. The event is a ....

☒ Community event ☐ Family event ☐ Business host event (private; no-sale) ☐ Liquor tasting

Please describe your event below:

This exemption is for Rock of the Woods Music Festival which benefits the community by creating scholarships for the two highschools within the CVRD via the Oswego Arts and Cultural Society. The event is a folk/rock genre themed.

Part 2 continued on next page...

3. Location(s) of event

Is the event being held: ☐ Indoors ☒ Outdoors ☐ On a motor vessel

Name of the facility where event is being held: Godfrey Brownwell Winery

Address of facility: 4911 Marshal Road (Street) | Duncan (City) | BC (Province) | V9L 6T3 (Postal Code)

Area of the facility where liquor will be consumed:

Beer Garden ** Please see attached map

Total number of attendees for event per day: 499 Total number of minors (under 19): 200

Total number of attendees for beer garden/licensed area, if applicable: 250

4. Security Plan

If the total number of people (all ages) expected to attend the event **is 500 or more**, you must include the following with this application:

☒ A copy of your security plan which details:
- How you will control crowds and prevent over-consumption
- The number of security staff on site
- If minors will be present, how will you ensure they do not access liquor
- The number of serving staff on site

☒ A site map of the proposed location indicating where fencing and/or barriers will enclose indoor and outdoor licensed areas

☒ The name, title, phone number, cell phone and/or pager and email of a person who will be available to a Liquor Inspector for further information if required

You can see a **sample security plan** on our website at http://www.pssg.gov.bc.ca/lclb/forms_fees/index.htm

Door security: Door staff who will be responsible for preventing the entrance of unruly or disruptive persons and for removing persons who become unruly or disruptive, or who present a safety risk to others are considered to be "security workers" and are required to be licensed. Servers, bartenders or other individuals checking identification or counting patrons to ensure that the event is not over-crowded who are not expected to perform tasks associated with the security of the event are not considered to be security workers. Further information about licensing requirements for door staff can be found at: www.pssg.gov.bc.ca/securityindustry/legislation/docs/licensingpolicy.pdf.

5. Date and times of the event

Please list the proposed days and hours of the event and liquor service:

Date (Day/Month/Year)	Event starts at	Event ends at	Liquor service begins at	Liquor service ends at
26/07/2013	4 ☐ a.m. ☒ p.m.	2 ☒ a.m. ☐ p.m.	6 ☐ a.m. ☒ p.m.	12 ☒ a.m. ☐ p.m.
27/07/2013	11 ☒ a.m. ☐ p.m.	2 ☒ a.m. ☐ p.m.	11 ☒ a.m. ☐ p.m.	12 ☒ a.m. ☐ p.m.
28/07/2013	11 ☒ a.m. ☐ p.m.	8 ☐ a.m. ☒ p.m.	11 ☒ a.m. ☐ p.m.	8 ☐ a.m. ☒ p.m.

PART 3: Special Occasion Licence Policy Exemption

Please explain why you are asking for the policy exemption(s) you selected on the first page of this form (If you selected a request to charge more for liquor than allowed by the Liquor Price Schedule, please see Part 5 of this form.)

We are asking for this time extention because we saw 80% of our sales in the previous year happen in the last hour of our license (9-10pm). We have yet to see the festival turn a profit, and think with this extension we could see the creation of a large scholarship fund. This exention will also help us mitigate drinking in campsites by containing consumers to the beer gardens.

PART 4: Local Government / First Nations and Police Approval

Both police and Local Government/First Nations approval are required if you are requesting an exemption to allow for:

- an extension to hours for an outdoor event beyond 10:00pm; and/or
- sale of hard liquor (spirits or liqueurs) at a public event

Police Approval:

Local Police Jurisdiction: S/Sgt. Jack MacNeill

Name of Official: NCO I/C Operations North Cowichan/Duncan Detachment (last / first / middle) Position title:

Email of official: jack.macneill@rcmp-grc.gc.ca

☑ Approved ☐ Not Approved

Comments:

Signature of official: Date: 2013.02.18

Local Government / First Nations Approval:

Local Government / First Nations Jurisdiction:

Name of Official: (last / first / middle) Position title:

Email of official:

☐ Approved ☐ Not Approved

Comments:

Signature of official: Date:

PART 5: Liquor Price Exemption

If you are requesting a liquor price exemption permitting you to charge a higher price for liquor than allowed by the Liquor Price Schedule because the event is to raise funds for a charitable purpose, indicate how your cause meets the definition of a charitable purpose:

1. The charitable purpose of the event for which this exemption application has been submitted is for:

☐ The relief of poverty

or the advancement of:

☐ education
☐ religion
☐ recreation
☐ sports or athletics
☐ aid to the disabled and handicapped
☐ culture
☐ youth or senior citizens
☐ other purpose beneficial to the community (please describe below):

2. In the space below, describe how the profits from this event will be used. For example, 'the profits of this event will go to the ABC Society to purchase an x-ray machine' or 'the profits will be used to run a children's sports camp.'

NOTE: You must donate your **total profits** from the entire event, not just profits from the bar, and you must provide proof of your donation within 60 days of the event. This proof must include a financial statement that addresses the event's revenues and expenses and any documentation indicating that the charity received the profits such as a letter of thanks.

3. What types of liquor do you want to serve and what do you want to charge? (please check (☑) and fill in requested price*)

☐ Spirits, including liqueurs (1 oz or 28 ml)	Requested price: $
☐ Spirits, including liqueurs (1.5 oz or 43 ml)	Requested price: $
☐ Coolers (can, bottle or serving 12 oz or 340 ml)	Requested price: $
☐ Bottled or canned cider (12 oz or 340 ml)	Requested price: $
☐ Draught cider (12 oz or 340 ml)	Requested price: $
☐ Draught beer (12 oz or 340 ml)	Requested price: $
☐ Bottled or canned beer (12 oz or 340 ml)	Requested price: $
☐ Wine (5 oz glass or full bottle)	Requested percentage mark-up: %

(*Price includes HST if applicable.)

PART 6: Declaration

My signature (the applicant's) below indicates I understand and acknowledge that all of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

Name : Bain/David/Selthun (last / first / middle)

Date: 28/01/2013 (Day/Month/Year)

Signature: _____

PART 7: Application Fees - Payment Options

Fees may be paid by cheque, money order, debit or credit card and are non-refundable. Debit transactions can only be made in person at the Victoria Head Office. Submit the payment with the application form. Do not mail cash.

Application for Exemption to SOL Policy Fee: $100 **TOTAL FEE Submitted: $** _____

Fee: (non-refundable):

Payment is by (check (☑) one):

- ☐ cheque, payable to Minister of Finance (if cheque is returned, non-sufficient funds, a $20 fee will be charged)
- ☐ money order, payable to Minister of Finance
- ☐ VISA ☐ MasterCard ☐ AMEX

If paying by credit card, please provide credit card details below . . .

Credit card Number: _____ Expiry Date: _____ / _____

Name of cardholder (as it appears on card): _____

Signature of cardholder: _____

Or you may send in the application without credit card information, but you must telephone LCLB Head Office directly to provide the credit card number details. If so, please confirm by checking the box below:

☐ I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 to provide credit card information and understand that *no action can proceed with my application until the application fee is paid in full*.

Submit fee and application form to Victoria office only:

Ministry of Public Safety and Solicitor General
Liquor Control and Licensing Branch
Location: 4th floor, 3350 Douglas St., Victoria
For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8
Phone: 250 952-5787 **Fax:** 250 952-7066 **Web:** www.pssg.gov.bc.ca/lclb **E-mail:** liquor.licensing@gov.bc.ca

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066

BRITISH COLUMBIA
The Best Place on Earth

Security Plan for Large Events with a Special Occasion Licence

Liquor Control and Licensing Form LCLB098

Information and Instructions:

- A security plan is required for any special event licensed to sell or serve liquor if **500 or more** people are expected to attend, **or if required by local police.**
- Special Occasion Licence (SOL) applicants may use this form for the security plan or provide similar information in a different format.
- An adequate security plan must describe how the licensee will:
  - ensure that minors do not buy or consume liquor;
  - ensure that only liquor purchased under the licence is available or consumed at the event;
  - prevent over service or service to intoxicated patrons;
  - prevent disturbances and accidents at the event;
  - prevent unreasonable disturbance of the immediate neighbourhood, and
  - ensure sale and service of liquor is kept within the licensed area.
- To submit your security plan, please contact the Liquor Control and Licensing Branch office which is closest to where the event will be held to confirm how to submit the security plan for review and approval. (See http://www.pssg.gov.bc.ca/lclb/branch/contact for a list of branch offices.)
- If you are also applying for an Exemption to SOL Policy, send your security plan to LCLB Headquarters by mail (P.O. Box 9292, Stn Prov Govt, Victoria, BC V8W 9J8), email (liquor.licensing@gov.bc.ca) or fax (250 952-7066).
- Additional information can be found in the Special Occasion Licence Booklet which is available from Government Liquor Stores or online at www.bcliquorstores.com/special-occasion-licence. If you have any questions call the branch toll-free at 1-866-209-2111 (BC only) or 250-952-5787.

PART 1: Applicant and Organization Information

Section A: Private SOL for a family occasion

If you are applying for a Private SOL to celebrate a family occasion, complete this section. For all other types of SOL, please see Section B.

Your name: _____ (last / first / middle) Daytime Phone: _____

Applicant E-mail: _____ Evening Phone: _____

Mailing Address: _____ Street _____ City _____ Province _____ Postal Code

Section B: All other types of SOL

Applicant Name: Oswego Arts and Cultural Society (society, organization, company, etc. applying for the SOL)

Address of Organization: #101-215 Oswego St (Street) | Victoria (City) | BC (Province) | V8V 2B5 (Postal Code)

Name and contact information of person completing this application:

Contact Name: Bain/David/Selthun (last / first / middle) Daytime Phone: 2507157781

Contact E-mail: baindave@gmail.com Evening Phone: _____

Contact Address: #101-215 Oswego St. (Street) | Victoria (City) | BC (Province) | V8V2B5 (Postal Code)

Relationship to the applicant organization: Chair (e.g. board member, staff member, etc.)

Part 1, Section B continued on next page...

If you are hiring a security company to look after your security needs, please provide the following information:

Security company name:

Name of company official assigned to your event:

Address of security company:

Street	City	Province	Postal Code

Phone: Email:

PART 2: Event Information

Please choose the event type below:

☒ Public event *or* ☐ Private event *or* ☐ Both public and private event (*e.g. a public beer garden at a ball tournament with a private dance)*

A **public event** is a community or public celebration, such as a community festival or outdoor concert. It can be held in a place that is open to, or in view of, the public such as a park, open room in a community centre, a business open to the public or an outdoor location. Anyone can attend.

A **private event** is an event where attendance is limited to invited guests, advance ticket holders, or an organization's members and staff. Entry tickets for a private event must be sold, reserved or given away prior to the event commencing. A private event may be social, cultural, recreational, religious, sporting or community oriented.

Please describe your event below:
(e.g., family event such as a wedding or birthday party, concert, baseball tournament, staff party, club event, etc.)

Rock of the Woods Music Festival

Location of event:

Location of event:

Street	City	Province	Postal Code
4911 Marshal Road	Duncan	BC	V9L6T3

Please describe the areas where liquor will be consumed:

Beer Garden **Please see attached map**

If the event is indoors, what is the occupant load for the area where liquor will be served and consumed?:

Estimated number of attendees for event: 499 Estimatednumber of minors (under 19):

Date and times of the event
Please list the proposed days and hours of the event:

Date: (Day/Month/Year) Event starts at: ☐ a.m. ☐ p.m. Event ends at: ☐ a.m. ☐ p.m.

PART 3: Staffing for Event Security

Note: Paid and unpaid "door security staff" must be licensed under the BC *Security Services Act*. Other paid or unpaid staff who are not responsible for the security of the event, such as ticket takers and people checking identification at the door, do not need to be licensed. (See Section 8.7 of the SOL Manual for definitions of door security staff and a link to the BC Security Industry and Licensing website.)

The special occasion licence is issued for the event as a whole. Liquor service and consumption often takes place in only a part of the whole event area. The licensee is responsible for security in the whole event area and the immediately adjacent area as well as the liquor service area.

Security Staff

1. Please select one or more categories below and indicate how many people from each category below will be responsible for the security, compliance with liquor laws and safety at your event? (if the numbers will change during the event provide details of how many will be on duty during what hours):

Police (contracted for this event): TBA

Volunteers: 10

Part 3 continued on next page...

Licensed security company: N/A

Individuals hired by the licensee: 12

Bartenders and Serving Staff

Please provide specific information about the number of bartenders and servers.

Note: All managers responsible for liquor service and all paid bartenders and servers must complete the Serving It Right (SIR) training course before they begin working. (See Section 5 of the Special Occasion Licence Policy Manual.)

1. How many people will be managing the liquor service, i.e. directing service workers, checking liquor supplies, supervising sales records, etc.? (If the numbers will vary, indicate how many during which hours):

3

2. How many people will be bartending, i.e. pouring drinks and opening bottles? (If the numbers will vary, indicate how many during which hours):

2

3. How many people will be servers - taking liquor to customers? (If the numbers will vary, indicate how many during which hours):

0

4. If the bartenders and servers are unpaid volunteers how many will have SIR training? 3

5. What training or orientation will bartenders and servers without SIR be given in responsible liquor service?

N/A all will have SIR

PART 4: Location and Capacity

At all events, the liquor service areas must be clearly identified. If the event is indoors, liquor service should be contained within one or more rooms. If it is outdoors, the liquor service areas must be clearly marked with barriers which are sufficient to ensure people enter and exit at approved locations. All entrances and exits must be monitored. In addition to other reasonable security features, the entrance area where ID is checked must be well lit.

1. Describe the physical barriers (i.e., fencing, barricading, rooms, etc.) which will be in place to control and limit access to and from areas where alcohol is being sold or served?

The beer garden will have a 8ft (X) 10ft sectional metal fencing at the back and sides. The front area around the entrance and stage will have snow fencing. Around the snow fencing a 3ft moat created by rope and fencing pols. This will create a barrier for liquor consumers to pass drinks into the crowd.

2. Attach a sketch of the event site which identifies the area(s) where liquor will be served and consumed, the estimated number of participants in each area and the locations of the entrances and exits. If the event is indoors, indicate the occupant load for each area where liquor will be served or consumed. (See example on page 4 of this form.)

3. How will the entrances to the liquor service area be supervised?

There will be one entrance with two BST ceftified security over seeing IDing and bag searches. A attendee will present ID, get stamp and given a braclet to identifiy them within the beer garden as approved.

Please see next page for Part 5...

PART 5: Prevention of Over Service, Intoxication and Service to Minors

This section deals your plans for preventing over service, ensuring intoxicated persons are not served and are removed from the licensed area, and preventing service to minors.

1. Minors - Describe what measures will be put in place to prevent minors from consuming alcohol. (For example, describe procedures for checking identification to confirm the age of patrons, placing signs about the requirements for proof of age, use of wrist bands to identify minor patrons, etc.)

Each attendee of age that has entered the beer garden will have a stamp and braclet to identifiy them amongst the rest of the crowd. The security manager will be doing walk throughs the festival and camping site to make sure minors are not consuming acholo.

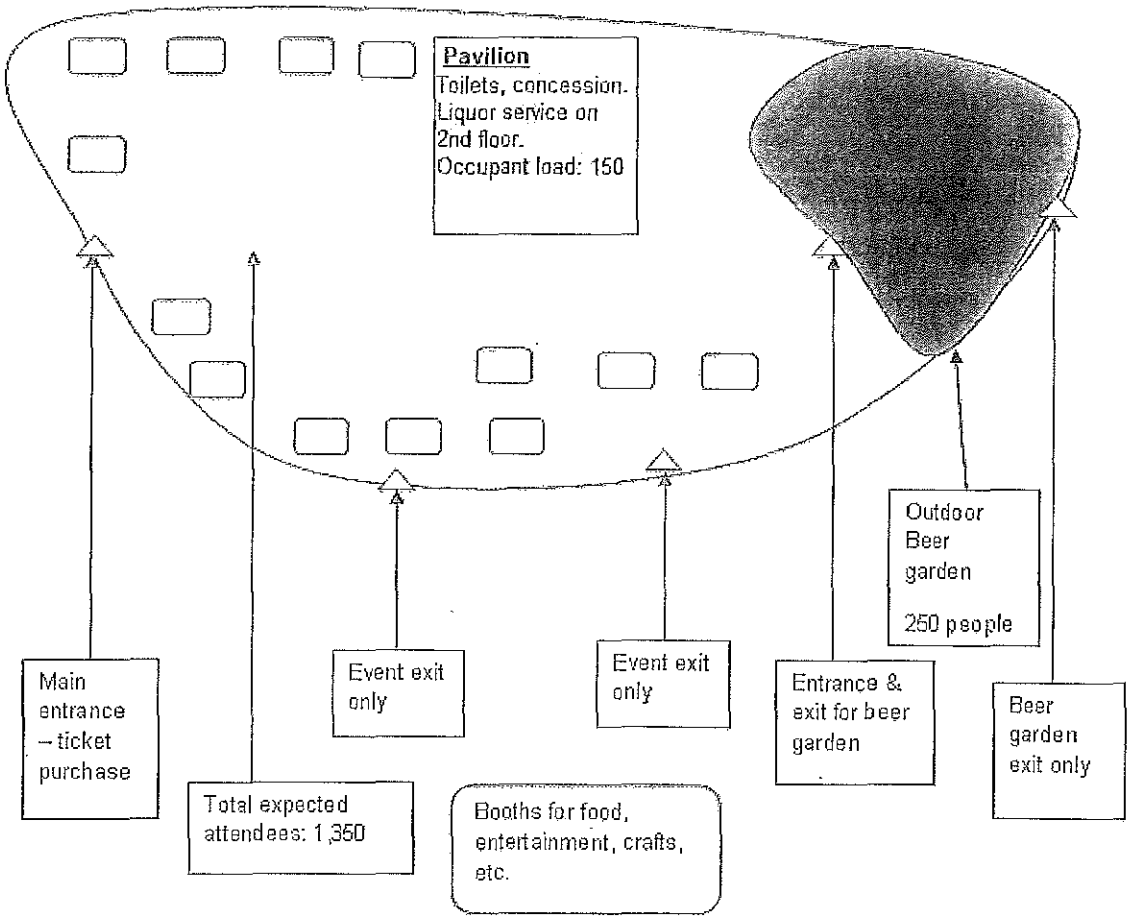
2. Removal of intoxicated patrons - You must not permit intoxicated patrons to remain in the licensed area. What arrangements will you make to ensure that intoxicated patrons are removed from the event and get to a safe location?

Removal of intoxicated patrons will be done in a friendly manner. Security will approach and ask the patron to chat with them outside of the beer gardens. Once the patron has been removed they be asked to return to their campsite. If the patron is to intoxicated to be on festival grounds we will provide a shuttle service to his/her home.

3. Respect for neighbours - What actions will you take to ensure participants do not unduly disturb the neighbourhood when the event ends?

All neighbours will be informed of the event, and invited to attend free of cost. Due to the location of the festival there are very few neighbours. All have been supportive of the festival.

PART 6: Sample Sketch of Event



BRITISH COLUMBIA
The Best Place on Earth

Liquor Control and Licensing Branch

SPECIAL OCCASION LICENCE APPLICATION

A. APPLICANT INFORMATION

Name of the Applicant: (society, organization, company) Oswego Arts & Culture Society

Mailing Address: #101 – 215 Oswego St. City: Victoria Postal Code: V8V2B5

Name of Person Completing this Application: (photo ID may be required) David Bain

Mailing Address: (if different from above) City: Postal Code: V8V2B5

Daytime Phone: (250) 743-7781 Evening Phone: ( ) Email: bainfamily@gmail.com

Your Position in the Applicant Organization: Chair Your Serving It Right number: C94190058
(You may be asked for documentation.)

B. EVENT INFORMATION

Private or Public: ☐ Private ☒ Public Type of Event (check one): ☐ Community Event ☐ Business-Host Event ☐ Liquor Tasting

Please describe your event (e.g., concert, baseball tournament, staff party, club event): Rock of the Woods Music Festival - Community Festival, Focusing on Roots/Rock genres

Event address: City: Duncan

Area(s) where liquor will be consumed: Beer Garden

Date of Event: July 27th, 2015 Time of Event – From: 11am To: 12 AM

Total Number of Attendees: 499 Total Number of People 19 Years or Older: 350

Security Plan (see over): Security plan is required and has been approved by the Liquor Control and Licensing Branch: ☐ Yes ☒ No

C. LIQUOR QUANTITIES AND SELLING PRICES

Or check here: ☐ Liquor will not be sold

	QUANTITY	SELLING PRICE	
Packaged Beer		$	per bottle/can
Draught Beer		$	per 12 oz (340 ml) glass
Packaged Cooler/Cider		$	per bottle/can
Draught Cider		$	per 12 oz (340 ml) glass
Wine		$	per 750 ml bottle
Wine		$	per 4 oz (115 ml) glass
Spirits		$	per oz (28 ml)

Quantities are the maximum permitted. Selling prices are subject to legal maximums.

HOW MUCH DO YOU NEED?

Please see the SOL booklet to determine how much liquor you will need at your event and the maximum price at which it can be sold.

All liquor for this event must be purchased from a Government Liquor Store or other approved outlet.

UBrew / UVin / homemade beers and wines are not permitted.

D. DECLARATION

I, David Bain, certify that all of the information given is true and complete to the best of my knowledge. I have read the terms & conditions of the licence on the reverse of this form, and, if this application is approved, the applicant named above will be the licensee and be responsible for liquor service at the event.

Signature: Date (mm/dd/yy): Feb/27/2015

E. POLICE COMMENTS/ENDORSEMENT

S/Sgt. Jack MacNeill
NCO i/c Operations

F. LOCAL GOVERNMENT/FIRST NATIONS COMMENTS/ENDORSEMENT:

G. GOVERNMENT LIQUOR STORE MANAGER COMMENTS:

Licence No:

Store name Store # Manager Phone # ( )

THIS APPLICATION MUST BE POSTED WITH THE LICENCE IN A VISIBLE LOCATION DURING EVENT HOURS

WHITE: APPLICANT *PINK: LIQUOR STORE MANAGER* *YELLOW: POLICE*

AA050 (2011/03) 7530941506 (25/pak)

R5

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

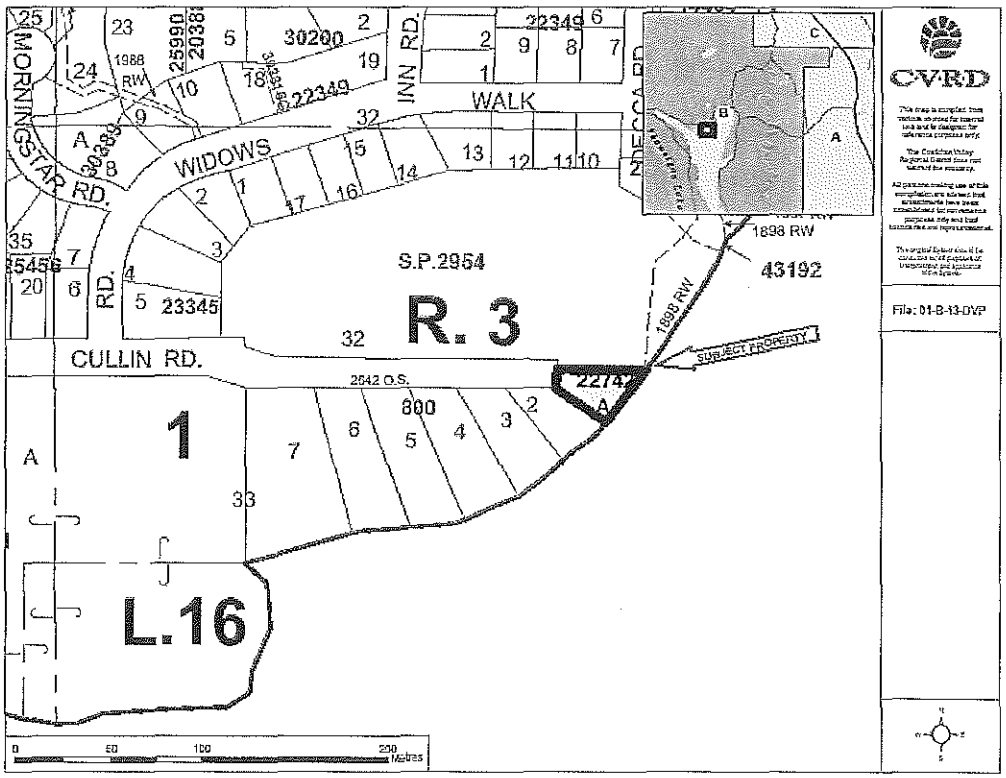
DATE:	February 27, 2013	**FILE NO:**	1-B-13 DVP
FROM:	Rachelle Rondeau, MCIP Planner I	**BYLAW NO:**	
SUBJECT:	Application No. 1-B-13DVP (Ramina and Gin Dhillon)		

Recommendation/Action:
That Application No. 1-B-13 DVP by Inveresk Design Build Inc. on behalf of owner Ramina Dhillon for a variance to Section 8.5(b)(3) of Bylaw No. 985 to reduce the required setback from the front parcel line 7.5 metres down to 6.33 metres on Lot A, Shawnigan Lake Suburban Lots, Plan 22742 (PID: 000-105-759) **be approved.**

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*

Background:



Location of Subject Property: 2024 Cullin Road

Legal Description: Lot A, Shawnigan Lake Suburban Lots, Plan 22742 (PID: 000-105-759)

Date Application and Complete Documentation Received: January 17, 2013

Owner: Ramina Dhillon

Applicant: Inveresk Design Build Inc.

Size of Parcel: 0.08 ha (9018 sq. ft)

Zoning: R-3 (Urban Residential)

Existing Plan Designation: Commercial

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North:	Shawnigan Lake Beach Resort (C-4)
South:	Residential (R-3)
East:	Shawnigan Lake (W-1)
West:	Cullin Road/Residential (R-3)

Services:

Road Access:	Cullin Road
Water:	Provided from the lake
Sewage Disposal:	Septic system

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: The proposed new residence is within 30 metres of Shawnigan Lake, which is within the Riparian Areas Regulation Assessment area. There is an existing cabin, which will be removed and riparian area restored. Development Permit No. 2-B-09 DP/VAR authorized construction of the new dwelling 9.8 metres from Shawnigan Lake.

Archaeological Site: None Identified

Proposal

To consider an application to permit a corner of the proposed dwelling to encroach within the minimum front parcel line setback by 1.17 m (3'10").

The subject property is located at 2024 Cullin Road. An existing cabin and deck will be removed from the property, and the owners have been issued a Development Permit to build a new house within the Riparian Areas Regulation Assessment area, 9.8 metres from Shawnigan Lake. This Development Permit was issued October 28, 2010.

Since the Development Permit was first issued, the footprint of the dwelling has been altered such that a corner of the dwelling encroaches into the 7.5 metre front yard setback. The applicant has indicated that the change in layout came from a more detailed analysis of the client's building needs, which would maintain the residence at a single story. The proposed dwelling is a 134.95 m^2 (1452 sq. ft) single-story structure.

Cullin Road dead ends at this property, and is a less developed public road serving approximately seven dwellings.

Property Context:
As noted above, the subject property is entirely within the Riparian Areas Regulation (RAR) Assessment area. The property is on the north shore of Shawnigan Lake, and like many has been altered by recreational and residential use, with a large portion of the subject property being lawn. The applicants have installed a new septic system, and have committed to restoration of the riparian area as approved in the previous development permit.

Policy Context:
South Cowichan Rural Development Permit Area
In accordance with the guidelines and the RAR, the applicant has engaged the services of a Qualified Environmental Professional (QEP) to conduct a report and outline measures to protect the SPEA. The Development Permit with Variance authorizes development 9.8 metres from the lake.

Zoning
The front parcel line setback is 7.5 metres, and a corner of the proposed building will encroach into this setback area.

Surrounding Property Owner Notification and Response:
A total of 5 letters were mailed-out or hand delivered, including to the Shawnigan Lake Beach Resort, as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 3275. The notification letter described the purpose of this application and requested comments regarding this variance within a recommended time frame. To date, no letters have been received.

Planning Division Comments:
This is a minor variance request, which would accommodate development substantially in compliance with the Development Permit that was issued.

The Planning and Development Department support this variance request. The existing cabin and extensive deck are located entirely within the setback to the watercourse and SPEA. The landscaping plan will be implemented upon removal of the existing structure (cabin and deck) and will follow the recommendations provided in the RAR report. The applicant is required to provide a post-development report, completed and signed-off by a Qualified Environmental Professional, to verify compliance with the landscaping plan prior to release of the letter of credit. As the applicants are proposing to construct a single-story, modest-sized home, are removing the existing cabin and decking, and will be restoring a portion of the subject property, staff believe that this application will achieve an environmental benefit and is recommending approval of the Development Variance Permit.

Options:

1. That Application No. 1-B-13 DVP by Inveresk Design Build Inc. on behalf of owner Ramina Dhillon for a variance to Section 8.5(b)(3) of Bylaw No. 985 to reduce the required setback from the front parcel line 7.5 metres down to 6.33 metres on Lot A, Shawnigan Lake Suburban Lots, Plan 22742 (PID: 000-105-759) **be approved.**

2. That Application No. 1-B-13 DVP by Inveresk Design Build Inc. on behalf of owner Ramina Dhillon for a variance to Section 8.5(b)(3) of Bylaw No. 985 to reduce the required setback from the front parcel line 7.5 metres down to 6.33 metres on Lot A, Shawnigan Lake Suburban Lots, Plan 22742 (PID: 000-105-759) **be denied.**

Option 1 is recommended.

Submitted by,

Rachelle Rondeau, MCIP
Planner I
Development Services Division
Planning & Development Department

RR/ca

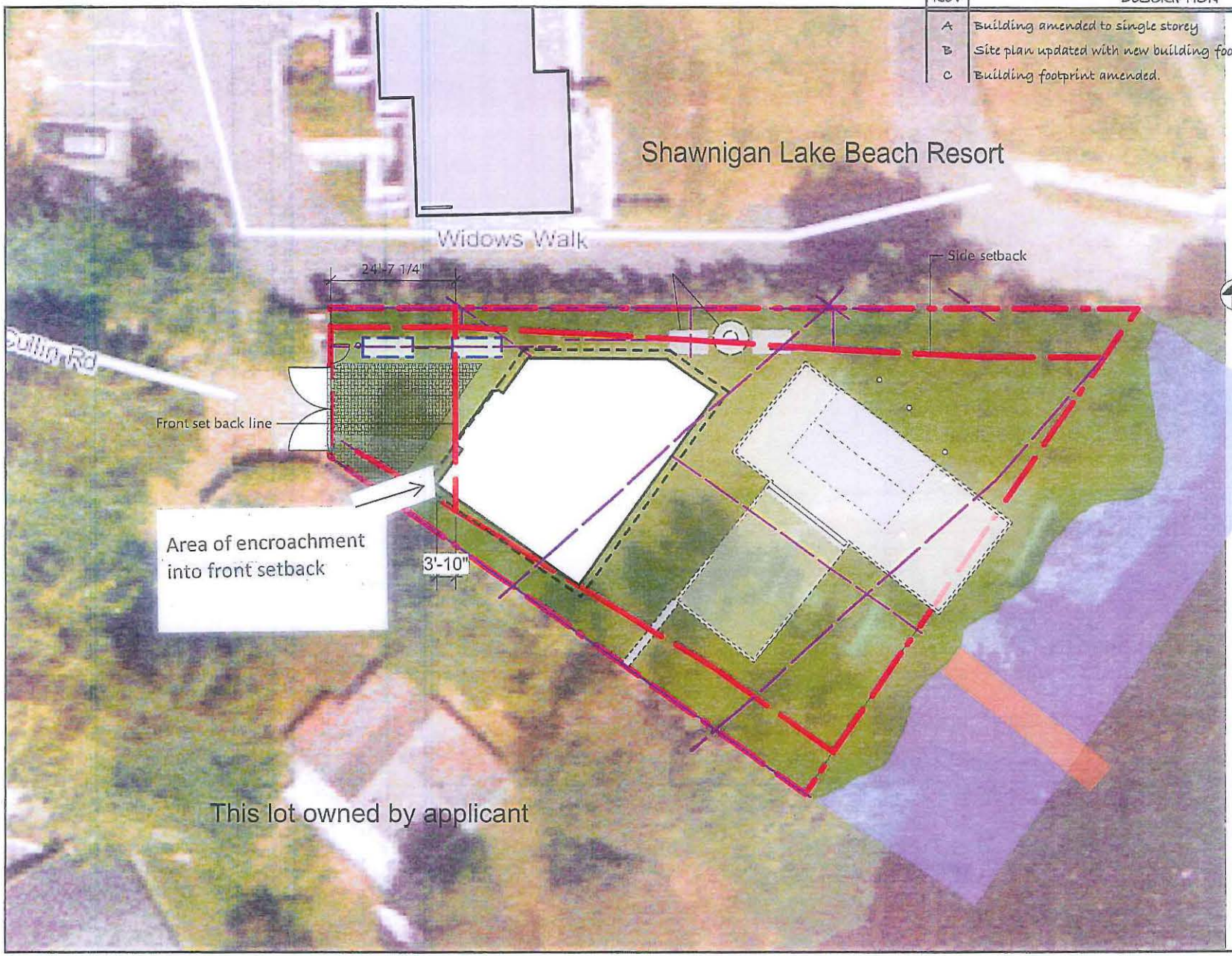
Reviewed by:
Division Manager:

Approved by:
General Manager:

1 | 2 | 3

REVISION HISTORY

REV	DESCRIPTION	DATE
A	Building amended to single storey	2/14/12
B	Site plan updated with new building footprint	1/3/13
C	Building footprint amended.	1/3/13



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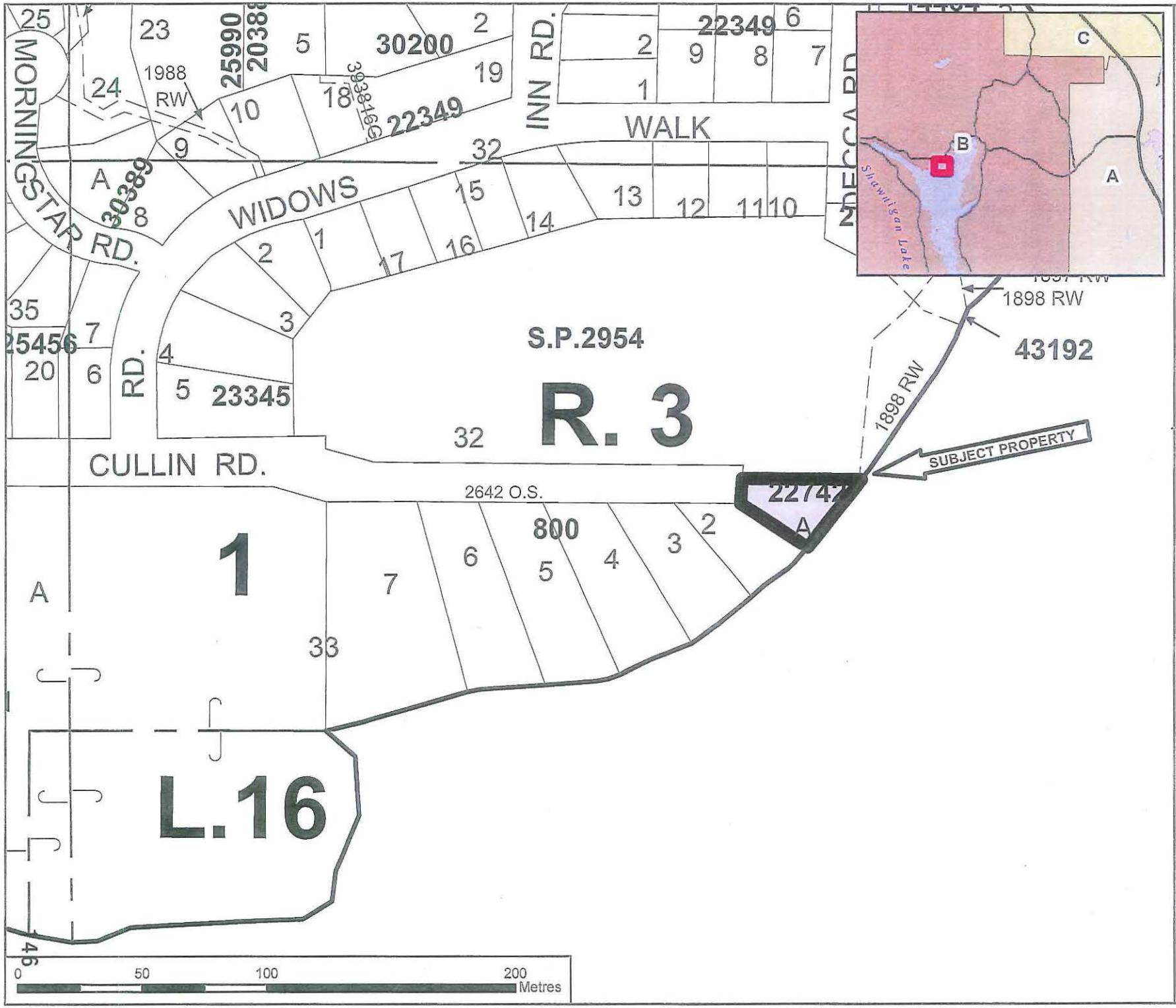

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The Cowichan Valley Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for all purposes of interpretation and applicaton of the Bylaws.

File: 01-B-13-DVP

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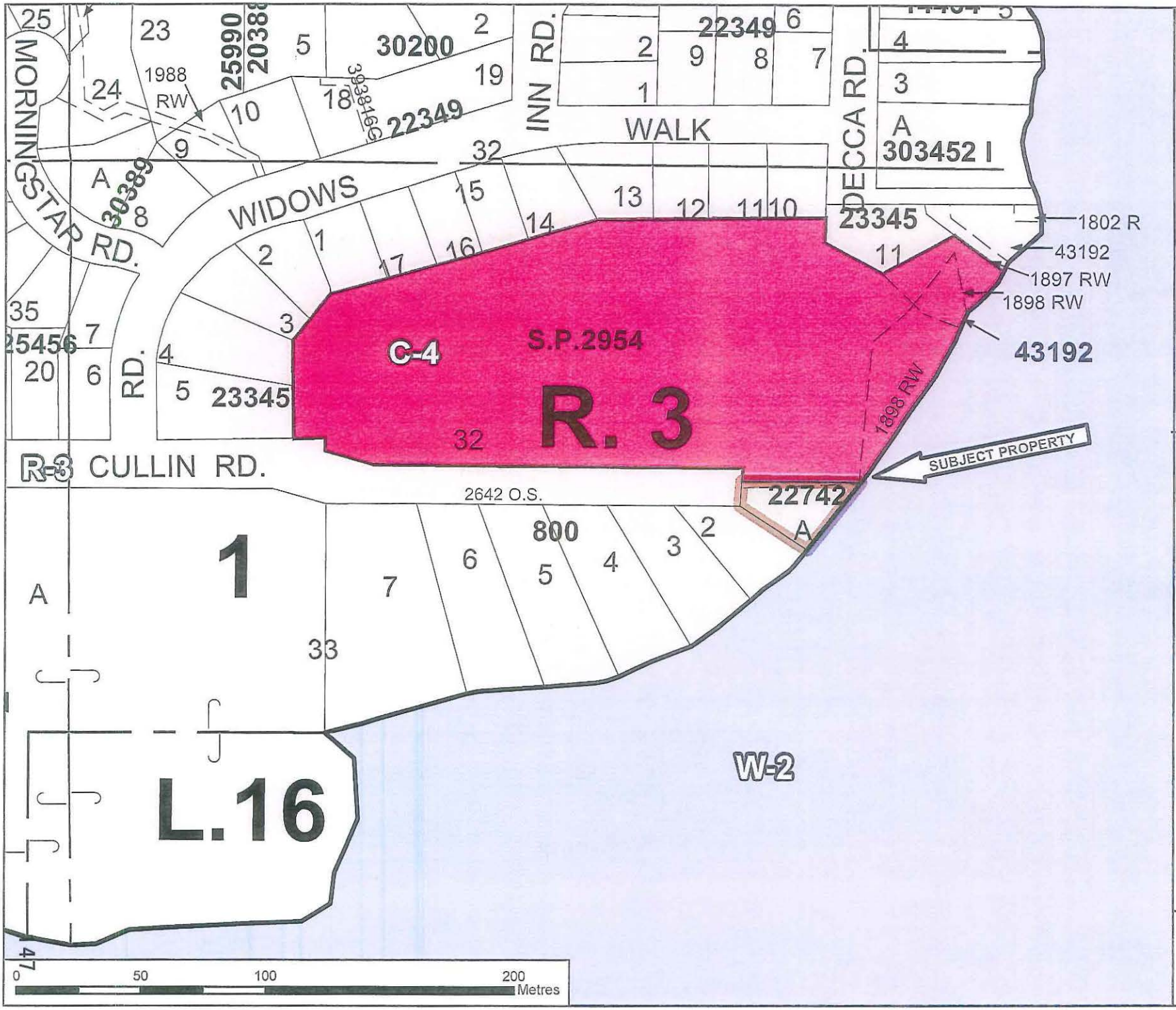

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File: 01-B-13-DVP

ZONING

Legend

- Subject_Property
- Zoning B

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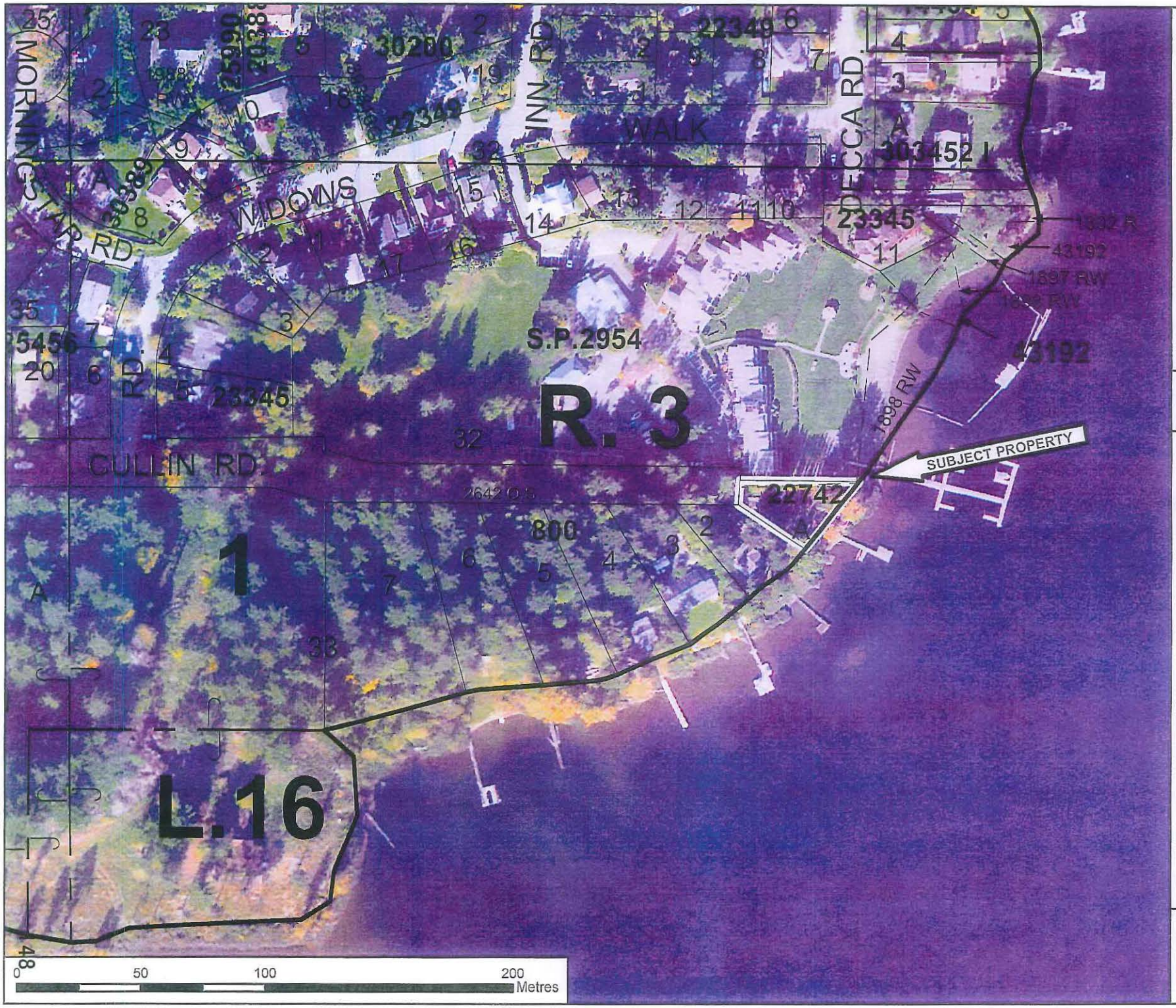

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File: 01-B-13-DVP

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C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

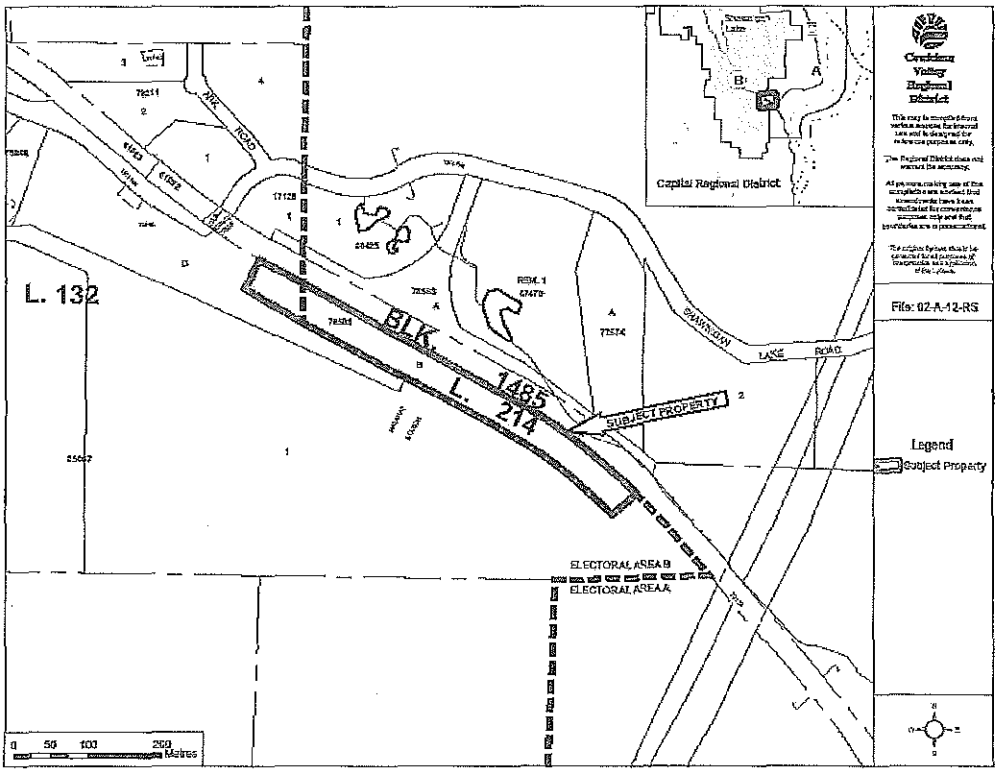
DATE:	February 27, 2013	**FILE NO:**	2-A-12RS
FROM:	Rachelle Rondeau, MCIP, Planner I	**BYLAW NO:**	2000, 985, 3520
SUBJECT:	Application No. 2-A-12RS (Parshel Holdings Ltd.)		

Recommendation/Action:
That Official Community Plan and Zoning Amendment Bylaws 3685, 3686, 3687, and 3688 Parshel Holdings Ltd. Be forwarded to the Board for consideration of First and Second reading.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*

Background:
See report of January 15, 2013 for complete background information.



Planning Division Comments

At the Board meeting of February 13, 2013 the following resolution was approved:

a) *That Official Community Plan and Zoning Amendment Bylaws for Application No. 2-A-12 RS (Parshel Holdings Ltd.) be drafted and forwarded to the Board for consideration of first and second reading;*
b) *That the application referrals to the Ministry of Transportation and Infrastructure, Vancouver Island Health Authority, Malahat Volunteer Fire Department, and Malahat First Nation be accepted;*
c) *That a public hearing be scheduled with Directors Fraser, Walker and Dorey appointed as delegates of the Board.*

As this property is split by the boundary between Electoral Areas A and B, two separate zoning amendment bylaws are required. Additionally, as the proposed South Cowichan Zoning Bylaw has received first and second reading, staff have also drafted an amendment bylaw that would amend proposed Bylaw No. 3520 (South Cowichan Zoning Bylaw). These will be forwarded to the Board for consideration of First and Second reading, after which a public hearing will be scheduled.

For the Committee's reference, please see the draft amendment bylaws. If these are acceptable, they will be forwarded to the Board for First and Second reading, after which a public hearing can be scheduled. If there are changes proposed by the Committee, direction is required.

Option 1 is recommended.

Options:

1: That Official Community Plan and Zoning Amendment Bylaws 3685, 3686, 3687, and 3688 be forwarded to the Board for consideration of first and second reading;

2: That draft amendment Bylaws No. 3685, 3686 and 3687 and 3688, be revised and forwarded to the Board for First and Second reading.

Submitted by,

Rachelle Rondeau, MCIP
Planner I
Development Services Division
Planning & Development Department

Reviewed by:
Division Manager:

Approved by:
General Manager:

RR/ca

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3685

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 3510, Applicable To Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend official community plan bylaws;

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill, that being Official Community Plan Bylaw No. 3510;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 3510;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3685 – South Cowichan Official Community Plan Amendment Bylaw (Parshel Holdings Ltd), 2013".**

2. **AMENDMENTS**

   Cowichan Valley Regional District Official Community Plan Bylaw No. 3510, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

   This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

READ A FIRST TIME this _____ day of _____, 2013.

READ A SECOND TIME this _____ day of _____, 2013.

. . . /2

READ A THIRD TIME this _____ day of _____ , 2013.

ADOPTED this _____ day of _____ , 2013.

_____ _____

Chairperson Secretary

C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3685

Schedule B to Official Community Plan Bylaw No. 3510, is hereby amended as follows:

1. That portion of Lot B, District Lot 214, Malahat District, Plan VIP78588 as shown outlined in a solid black line on Plan number Z-XXX attached hereto and forming Schedule B of this bylaw:
    a. Be redesignated from Rural Resource to Industrial; and

that Schedule B to Official Community Plan Bylaw No. 3510 be amended accordingly.

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3686

A Bylaw For The Purpose Of Amending Zoning Bylaw No. 2000 Applicable To Electoral Area A – Mill Bay/Malahat

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area A – Mill Bay/Malahat, that being Zoning Bylaw No. 2000;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 2000;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3686 - Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Parshel Holdings Ltd.), 2013."**

2. **AMENDMENTS**

   Cowichan Valley Regional District Zoning Bylaw No. 2000, as amended from time to time, is hereby amended in the following manner:

   a) Schedule B (Zoning Map) to Zoning Bylaw No. 2000 is amended by rezoning Lot B, District Lot 214, Malahat District, Plan VIP78588 – which is identified by shading on Schedule Z-XXXX attached hereto and forming part of this Bylaw, from F-1 (Primary Forestry) to I-1C (Rural Transition Light Industrial).

   b) Part 11 Industrial Zones of Bylaw No. 2000 is amended by adding a new Section 11.3 I-1C (Rural Transition Light Industrial), and that the following sections be renumbered.

   c) Appendix One Minimum Parcel Size Summary is amended by inserting the following into the table:

Zone	Parcels Neither Served by Community Water	Parcels Served by Community Water System Only	Parcels Served by Community Water and Community

	Nor Sewer		Sewer System
I-1C			

I-1C – Rural Transition Light Industrial

Subject to compliance with the general regulations set out in Part 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1C Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the I-1C Zone:

a. Auto workshop, auto service shop excluding auto wrecking;
b. Contractor's workshop, yard and storage;
c. Equipment rental, repair and storage;
d. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
e. Gardening and landscaping supplies and sales;
f. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair treatment, distribution and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building;
g. Laboratory;
h. Offices;
i. Research and development, high technology centre, education centre;
j. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood lathe particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
k. Warehouse, including mini-warehouse, freight handling and storage, excluding outdoor storage of vehicles, recreational vehicles, and boats;
l. Welding shop;

The following accessory uses and no others are permitted in the I-1C Zone:

m. Retails sales;
n. Fuel storage ;
o. One single family dwelling per parcel of land.

2. Impervious Surfaces and Parcel Coverage Limit
Impervious surface coverage of a parcel in the I-1C Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

3. Height
The height of all buildings and structures in the I-1C Zone shall not exceed 10 metres.

4. Setbacks
The following minimum setbacks for buildings and structures apply in the I-1C Zone:

Type of parcel line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

5. Minimum Parcel Size

The minimum parcel size in the I-1C Zone is:

a. 0.2 hectares for parcels connected to a community water and sewer system;
b. 0.4 hectares for parcels connected to a community water system only;
c. 0.8 hectares for parcels connected to neither a community water system nor a community sewer system.

6. Special Regulation

a. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.
b. Machinery and equipment shall be screened from view from any street or adjoining property with landscaping and/or fencing.
c. Outdoor storage shall be screened from view of any street or adjoining property utilizing opaque fencing and landscaping materials which are consistent with the overall site development.
d. Outdoor storage ancillary to a permitted use shall not exceed in area the building are used by the business on the property to perform its operations.
e. There shall be no outdoor storage of toxic, noxious, explosive, odorous or radioactive materials.

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____ , 2013.

READ A SECOND TIME this _____ day of _____ , 2013.

READ A THIRD TIME this _____ day of _____ , 2013.

ADOPTED this _____ day of _____ , 2013.

_____ _____

Chairperson Secretary

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3687

A Bylaw For The Purpose Of Amending Zoning Bylaw No. 985 Applicable To Electoral Area B – Shawnigan Lake

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area B – Shawnigan Lake, that being Zoning Bylaw No. 985;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 985;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3687 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Parshel Holdings Ltd.), 2013."**

2. **AMENDMENTS**

   Cowichan Valley Regional District Zoning Bylaw No. 985, as amended from time to time, is hereby amended in the following manner:

   a) Schedule B (Zoning Map) to Zoning Bylaw No. 985 is amended by rezoning Lot B, District Lot 214, Malahat District, Plan VIP78588 – which is outlined in a solid black line on Schedule A attached hereto and forming part of this Bylaw numbered Z-3687, from F-1 (Primary Forestry) to I-1D (Rural Transition Light Industrial).

   b) Part 14 Area, Shape and Dimensions of Parcels is amended by inserting the following into the table of Section 14.1:

Zoning Classification under Zoning Bylaw	Parcels Served by Community Water and Sewer Systems	Parcels Served by Community Water Only	Parcels Neither Served by Community Water or Sewer
I-1D (Rural Transition Industrial)	0.2 ha	0.4 ha	0.8 ha

c) Part 11 Industrial Zones is amended by adding a new Section 11.5 I-1D (Rural Transition Light Industrial), and subsequent sections are renumbered.

I-1D – Rural Transition Light Industrial

Subject to compliance with the general regulations set out in Part 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1D Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the I-1D Zone:

a. Auto workshop, auto service shop excluding auto wrecking;
b. Contractor's workshop, yard and storage;
c. Equipment rental, repair and storage;
d. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
e. Gardening and landscaping supplies and sales;
f. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair treatment, distribution and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building;
g. Laboratory;
h. Offices;
i. Research and development, high technology centre, education centre;
j. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood lathe particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
k. Warehouse, including mini-warehouse, freight handling and storage, excluding outdoor storage of vehicles, recreational vehicles, and boats;
l. Welding shop;

The following accessory uses and no others are permitted in the I-1D Zone:

m. Retail sales;
n. Fuel storage ;
o. One single family dwelling per parcel of land.

2. Impervious Surfaces and Parcel Coverage Limit

Impervious surface coverage of a parcel in the I-1D Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

3. Height

The height of all buildings and structures in the I-1D Zone shall not exceed 10 metres.

4. Setbacks

The following minimum setbacks for buildings and structures apply in the I-1D Zone:

Type of parcel line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres
Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

5. **Minimum Parcel Size**
The minimum parcel size in the I-1D Zone is:

a. 0.2 hectares for parcels connected to a community water and sewer system;
b. 0.4 hectares for parcels connected to a community water system only;
c. 0.8 hectares for parcels connected to neither a community water system nor a community sewer system.

6. **Special Regulation**

a. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.
b. Machinery and equipment shall be screened from view from any street or adjoining property with landscaping and/or fencing.
c. Outdoor storage shall be screened from view of any street or adjoining property utilizing opaque fencing and landscaping materials which are consistent with the overall site development.
d. Outdoor storage ancillary to a permitted use shall not exceed in area of the building used by the business on the property to perform its operations.
e. There shall be no outdoor storage of toxic, noxious, explosive, odorous or radioactive materials.

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____ , 2013.

READ A SECOND TIME this _____ day of _____ , 2013.

READ A THIRD TIME this _____ day of _____ , 2013.

ADOPTED this _____ day of _____ , 2013.

_____ _____
Chairperson Secretary

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3688

A Bylaw For The Purpose Of Amending Zoning Bylaw No. 3520 Applicable To Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill that being Zoning Bylaw No. 3520;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 3520;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3688 – South Cowichan Zoning Amendment Bylaw (Parshel Holdings Ltd.), 2013."**

2. **AMENDMENTS**

   Cowichan Valley Regional District Zoning Bylaw No. 3520, as amended from time to time, is hereby amended in the following manner:

   a) Schedule B (Zoning Map) to Zoning Bylaw No. 3520 is amended by rezoning Lot B, District Lot 214, Malahat District, Plan VIP78588 – which is identified by shading on Schedule Z-XXXX attached hereto and forming part of this Bylaw, from I-1 (Light Industrial 1) and RUR-1 (Rural Resource 1) to I-1F (Rural Transition Light Industrial).

   b) Part 11 Industrial Zones of Bylaw No. 2000 is amended by adding a new Section 13.7 I-1F (Rural Transition Light Industrial), and that the following sections be renumbered.

      I-1F – Rural Transition Light Industrial

      Subject to compliance with the general regulations set out in Part 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the I-1F Zone:

1. **Permitted Uses**

The following principal uses and no others are permitted in the I-1F Zone:

a. Auto workshop, auto service shop excluding auto wrecking;
b. Contractor's workshop, yard and storage;
c. Equipment rental, repair and storage;
d. Food and beverage manufacturing, preparation, catering, processing, packaging, distribution and storage, bakery, production bakery, brewery, culinary education, all excluding fish cannery and abattoir;
e. Gardening and landscaping supplies and sales;
f. Manufacturing, processing, fabricating, assembling, testing, packaging, servicing, repair treatment, distribution and storage of products, materials, fabric, substances or compounds, provided all manufacturing occurs within a wholly enclosed building;
g. Laboratory;
h. Offices;
i. Research and development, high technology centre, education centre;
j. Secondary processing and manufacturing of wood products, including cabinet and furniture manufacturing, the making of plywood lathe particleboard, and similar products, excluding sawmills, pulp and paper mills and log storage and sorting;
k. Warehouse, including mini-warehouse, freight handling and storage, excluding outdoor storage of vehicles, recreational vehicles, and boats;
l. Welding shop;

The following accessory uses and no others are permitted in the I-1F Zone:

m. Retails sales;
n. Fuel storage ;
o. One single family dwelling per parcel of land.

2. **Impervious Surfaces and Parcel Coverage Limit**
Impervious surface coverage of a parcel in the I-1F Zone shall not exceed 60%, of which not more than 50% may be parcel coverage.

3. **Height**
The height of all buildings and structures in the I-1F Zone shall not exceed 10 metres.

4. **Setbacks**
The following minimum setbacks for buildings and structures apply in the I-1F Zone:

Type of parcel line	For all uses, where the adjacent parcel is zoned other than Industrial	For all uses, where the adjacent parcel is zoned Industrial
Front parcel line	7.5 metres	7.5 metres
Interior side parcel line	7.5 metres	0 metres

Exterior side parcel line	4.5 metres	4.5 metres
Rear parcel line	9 metres	0 metres

5. **Minimum Parcel Size**
The minimum parcel size in the I-1F Zone is:

a. 0.2 hectares for parcels connected to a community water and sewer system;
b. 0.4 hectares for parcels connected to a community water system only;
c. 0.8 hectares for parcels connected to neither a community water system nor a community sewer system.

6. **Special Regulation**

a. No uses are permitted which carry out their operations such that there would be a nuisance arising from noise, odour, earthborne vibrations, heat, high brightness light sources, glare, dust, created or apparent outside an enclosed building, or other emissions.
b. Machinery and equipment shall be screened from view from any street or adjoining property with landscaping and/or fencing.
c. Outdoor storage shall be screened from view of any street or adjoining property utilizing opaque fencing and landscaping materials which are consistent with the overall site development.
d. Outdoor storage ancillary to a permitted use shall not exceed in area the building are used by the business on the property to perform its operations.
e. There shall be no outdoor storage of toxic, noxious, explosive, odorous or radioactive materials.

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____ , 2013.

READ A SECOND TIME this _____ day of _____ , 2013.

READ A THIRD TIME this _____ day of _____ , 2013.

ADOPTED this _____ day of _____ , 2013.

_____ _____
Chairperson Secretary

C·V·R·D

R7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 27, 2013	FILE NO:	3-I-12DVP
FROM:	Alison Garnett, Planner I	BYLAW NO:	2465
SUBJECT:	Application No. 3-I-12DVP (Warburton & Young Mackenzie)		

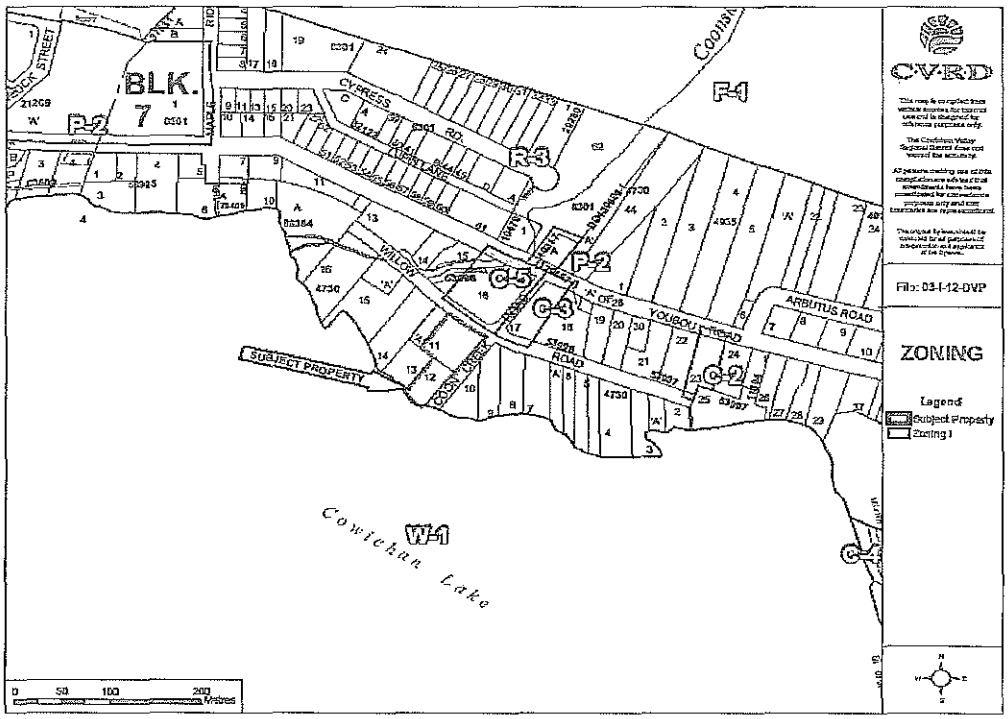
Recommendation/Action:
That application 3-I-12 DVP (Warburton & Mackenzie), for a variance to Section 5.13(4) of Bylaw No. 2465, to reduce the interior line setbacks from 3 metres to 1.5 metres (dwelling A) and from 3 metres to 2.1 metres (dwelling B) in order to permit a boundary adjustment between Lots 11 and 12, Block 7, Cowichan Lake District, Plan 4730, **be approved**, subject to a survey confirming compliance with the reduced setbacks prior to final subdivision approval.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*

Background:

Location of Subject Properties:	10554 & 10556 Willow Road 10550 & 10552 Coon Creek Road
Legal Descriptions:	Lot 11 and Lot 12, Block 7, Cowichan Lake District, Plan 4730 (PID 000-831-760 and 000-231-401)
Date Application Received:	December 12, 2012
Owners and Applicants:	Rebecca and William Warburton Isobel Mackenzie and John Geoffrey Young
Size of Parcels:	Lot 11 is approximately 0.2 hectares (±0.5 acres) Lot 12 is approximately 0.15 hectares (±0.3 acres)
Zoning:	R-3 (Urban Residential 3)
Minimum lot size R-3 zone:	0.2 hectares if connected to community water



Existing Plan Designation:	Urban Residential
Existing Use of Properties:	Residential
Use of Surrounding Properties:	Residential
Road Access:	Coon Creek and Willow Roads
Water:	Youbou Water System
Sewage Disposal:	Shared onsite system
Agricultural Land Reserve:	N/A
Environmentally Sensitive Areas:	Lot 12 fronts onto Lake Cowichan. No other environmentally sensitive areas are identified.
Archaeological Site:	None Identified

Background

The applicants co-own two adjacent parcels in Youbou. Lot 12 is approximately 0.15 hectares in size and has frontage along Cowichan Lake. Lot 11 is slightly larger (0.2 hectares), has no lake frontage, and is located at the corner of Coon Creek Road and Willow Road. The lots share one septic disposal system, which is currently located on Lot 11. A registered easement provides legal access to the septic system from Lot 12 to Lot 11.

There are two single family residences and a garage on each lot. The R-3 zone permits one single family home per parcel, therefore one residence per lot is considered legal non-conforming.

The applicants are proposing to adjust the common property line between lots 12 and 11, and have submitted an application to the Ministry of Transportation and Infrastructure (MOT) for subdivision. The purpose of the application is to create two lots of approximately equal value. The attached site plan demonstrates the proposed new common property line, which basically divides the parcels east-west rather than north-south.

Applications for boundary adjustment are exempt from the minimum parcel size requirements of the particular zone. However, Section 3.14 of Zoning Bylaw No. 2465 provides specific criteria where such applications can be considered.

Section 3.14 allows for parcel realignments subject to:

a) *The subject parcels are adjoining;*
b) *No additional lots are created;*
c) *Where the parcels involved are all under 10 hectares, the resulting parcels may be of any size provided that a required area for a sewage disposal field and reserve field area and a reasonable building envelope are available on each proposed parcel, and that any existing buildings and structures are set back the required minimum distance from proposed lot lines;*
d) *Where one or more of the parcels involved are greater than 10 hectares in area, the boundary change shall not result in the reduction of any parcel's area by greater than 20% of its original size.*

This application complies with both a) and b). Criterion d) is not applicable. With regards to c), the Vancouver Island Health Authority is ultimately responsible for approving septic disposal. However, Planning staff have worked with the applicants to ensure that vehicles can navigate around the septic disposal field to access the garage and lakefront residence on the proposed western lot (identified as buildings C and A). We also note that the existing easement for the shared septic disposal system will have to be modified concurrent with subdivision approval. The applicants are aware of this requirement, and will work with the VIHA and Ministry of Transportation and Infrastructure to accomplish this requirement.

The primary consideration in this application is the building envelope and setbacks to the proposed property line. The applicants have requested a relaxation of the interior side setback for the two waterfront residences in order to accommodate the boundary adjustment. The setback required in the R-3 zone is 3 metres to an interior property line. This application requests a relaxation of 1.5 metres for the residence identified as dwelling A, and 0.9 metres for the residence identified as dwelling B.

A careful look at the site plan shows that dwelling B, building C and the dwelling located closest to Willow Road do not comply with the setbacks to existing property lines. In reviewing subdivision proposals, the Planning Department typically requires compliance to setback to new property lines, but does not require compliance for existing buildings to unchanged property lines. With respect to the non-conforming dwellings on the properties, Planning staff have determined that the extent of the non-conformity is not increased as a result of this proposal since each lot will continue to have one legal non-conforming dwelling. We do not object to this application based on either of these issues.

Finally, we note that boundary adjustments are exempt from the Watercourse Protection Development Permit Area, therefore completion of a Riparian Areas Regulation assessment was not required.

Surrounding Property Owner Notification and Response:
A total of 21 letters were mailed-out or hand delivered, as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 3275. The notification letter described the purpose of this application and requested comments regarding this variance within a recommended time frame. Two letters have been received, one of which supports the application. The second letter raises concerns about the siting of garage building C, as it encroaches on the adjacent property lot. This letter does not object to the application, but identifies insurance issues and concerns about rebuilding. Planning staff have discussed these concerns with the letter writer, and explained that while insurance is not an issue in which the CVRD would be involved, the rebuilding of the garage would have to comply with current zoning regulation setbacks.

Staff Comments:
As this application requests a setback relaxation to the proposed common property line, the primary interests potentially affected are those of the current property owners. No objectionable concerns were raised by adjacent property owners.

The interior setback relaxation of 1.5 metres and 0.9 metres is a relatively minor request, and Planning staff do not see any negative impacts. The applicants have been cooperative in adjusting their application from what was originally proposed, and the current proposal is in a form that Planning staff recommend for approval.

Options:
Option 1 is recommended

1. That application 3-I-12 DVP (Warburton & Mackenzie), for a variance to Section 3.13(4) of Bylaw No. 2465, to reduce the interior line setbacks from 3 metres to 1.5 metres (dwelling A) and from 3 metres to 2.1 metres (dwelling B) in order to permit a boundary adjustment between Lots 11 and 12, Block 7, Cowichan Lake District, Plan 4730, **be approved**, subject to a survey confirming compliance with the reduced setbacks prior to final subdivision approval.

2. That application 3-I-12 DVP (Warburton & Mackenzie), for a variance to Section 3.13(4) of Bylaw No. 2465, to reduce the interior line setbacks from 3 metres to 1.5 metres (dwelling A) and from 3 metres to 2.1 metres (dwelling B) in order to permit a boundary adjustment between lot 11 and lot 12, Block 7, Cowichan Lake District, Plan 4730, **be denied.**

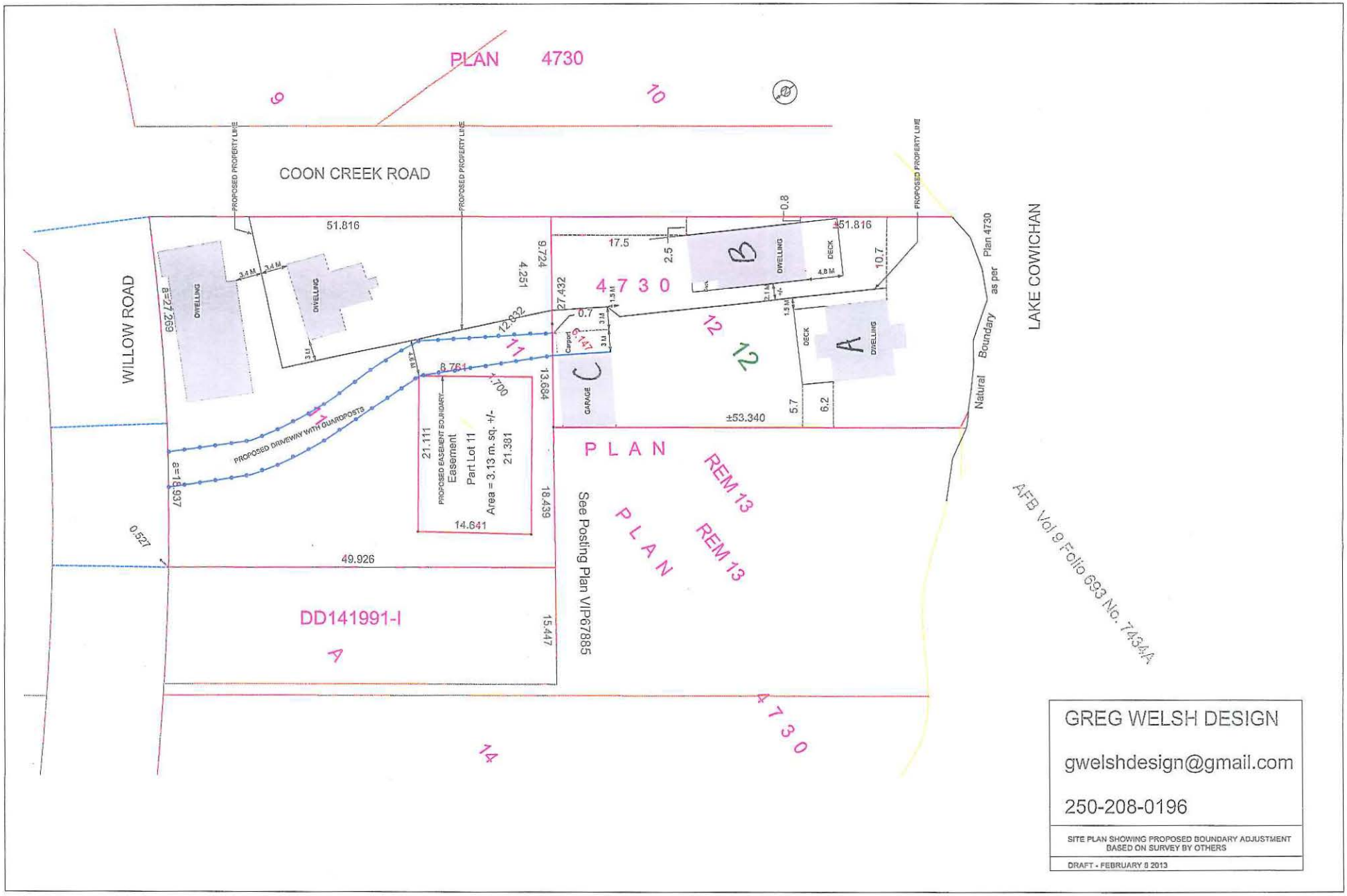
Submitted by,

Alison Garnett
Planner I
Development Services Division
Planning & Development Department

AG/ca

Reviewed by:
Division Manager:

Approved by:
General Manager:



GREG WELSH DESIGN

gwelshdesign@gmail.com

250-208-0196

SITE PLAN SHOWING PROPOSED BOUNDARY ADJUSTMENT BASED ON SURVEY BY OTHERS

DRAFT - FEBRUARY 8 2013

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

FILE NO: 3-I-12 DVP

DATE: February 25, 2013

REGISTERED PROPERTY OWNER(S):
Isobel Mackenzie & John Young
1224 Oxford St Victoria BC

Rebecca and William Warburton

1370 Oliver St Victoria BC

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.

2. This Development Variance Permit applies to and only to those lands within the Regional District described below:

   Lot 11 and Lot 12, Block 7, Cowichan Lake District, Plan 4730

   (PID 000-831-760 and 000-231-401)

3. Zoning Bylaw No. 2465, applicable to Section 5.13(4), is varied as follows: the interior line setback is reduced from 3 metres to 1.5 metres (dwelling A on Lot 11) and from 3 metres to 2.1 metres (dwelling B on Lot 12), subject to a survey confirming compliance with the reduced setbacks prior to final subdivision approval.

4. The following plans and specifications are attached to and form a part of this permit.

   - Schedule A – Site Plan showing setbacks and proposed boundary adjustment

5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.

6. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Development Services Department.

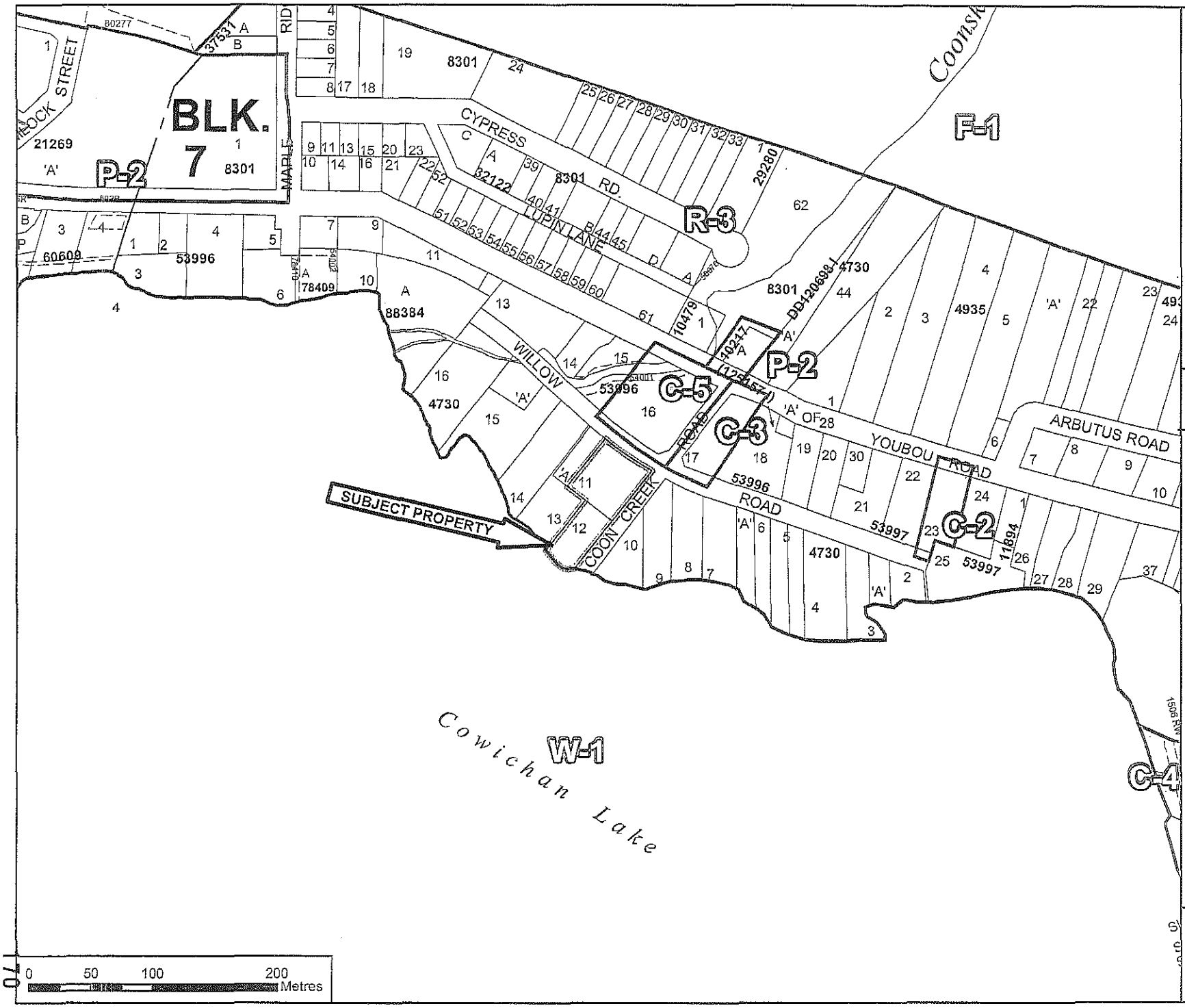
AUTHORIZING RESOLUTION NO. *[from Board Minutes]* PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE *[day]* DAY OF *[month]* 2009.

Tom Anderson, MCIP, General Manager
Planning and Development Department

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any construction within 2 years of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Cowichan Valley Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with *[name on title]* other than those contained in this Permit.

Owner/Agent (signature)	Witness (signature)
Print Name	Print Name
Date	Date



C·V·R·D

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Cowichan Valley Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 03-I-12-DVP

ZONING

Legend

- Subject Property
- Zoning I

N W E S

Alison Garnett

From: Planning and Development
Sent: Thursday, February 14, 2013 9:01 AM
To: Alison Garnett
Subject: FW: 3-I-12DVP(Warburton)

Jessica Lendrum
Administrative Assistant, Planning & Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC, V9L 1N8
E-mail: jlendrum@cvrd.bc.ca
Tel: 250-746-2620 Toll Free: 1.800.665.3955 Fax: 250-746-2621

From: Barbara Shaw [mailto:barbarashaw6@gmail.com]
Sent: Wednesday, February 13, 2013 9:46 PM
To: Planning and Development
Cc: John Shaw
Subject: 3-I-12DVP(Warburton)

Dear Sir or Madame,

We are writing with regards to the Development Variance Permit application that has been made by Rebecca and William Warburton with regards to 10554 & 10556 Willow Road, and 10550 & 10552 Coon Creek Road, Youbou BC. We are in support of the application for subdivision. We believe the applicants are good neighbours and we have seen the improvements they have made to the property during their ownership.

Regards,

Barbara and John Shaw

10578 Willow Road
Youbou BC
V0R3E1

Alison Garnett

From: Planning and Development
Sent: Thursday, January 31, 2013 11:19 AM
To: Alison Garnett
Subject: FW: Attn: Alison - File #3-I-12DVP Warburton

Jessica Lendrum
Secretary, Planning & Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC, V9L 1N8
E-mail: jlendrum@cvrd.bc.ca
Tel: 250-746-2620 Toll Free: 1.800.665.3955 Fax: 250-746-2621

From: rdavits@shaw.ca [mailto:rdavits@shaw.ca]
Sent: Thursday, January 31, 2013 11:17 AM
To: Planning and Development
Subject: Attn: Alison - File #3-I-12DVP Warburton

Hi Alison,

With regard to the Development Variance Permit application by Rebecca and William Warburton, we have only two concerns pertaining to the building C that encroaches on our property at 10562 Willow Road.

The first being an insurance issue. How do we insure the property owners carry proper insurance in case of fire or damage to our building?

Also how do we insure that the building C will not be rebuilt in that location and must adhere to the 3 meter setback?

As it stands now we have TWO buildings (garages) that are encroaching on our property, one on each side of our property.

Just to clarify, we have no objection to the proposed new property line.

Sincerely,
John & Rosalyn Davits
10562 Willow Road
Youbo, B. C.

5.13 R-3 URBAN RESIDENTIAL 3 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-3 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the R-3 Zone:

a. Single family dwelling;

The following accessory uses are permitted in the R-3 Zone:

b. Bed and breakfast accommodation;
c. Buildings and structures accessory to a principal permitted use;
d. Home occupation;
e. Horticulture
f. Secondary dwelling unit or secondary suite.

2. Minimum Parcel Size

The minimum parcel size in the R-3 Zone is:

a. 1600 m^2 if connected to a community water system and a community sewer system;
b. 0.2 hectares if connected to a community water system;
c. 2 hectares if not connected to a community water system.

3. Number of Dwellings

In the R-3 Zone, not more than one dwelling is permitted on a parcel, under 0.4 ha in area. For parcels 0.4 ha or more in area, one additional secondary dwelling or secondary suite is permitted.

4. Setbacks

The following minimum setbacks apply in the R-3 Zone:

Type of Parcel Line	Residential (including Accessory Buildings and Structures)
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres
Exterior side parcel line	4.5 metres
Rear parcel line	3.0 metres

5. Height

In the R-3 Zone, the height of all principal buildings and structures must not exceed 7.5 metres, and the height of all accessory buildings must not exceed 6 metres, except in accordance with Section 3.8 of this Bylaw.

6. Parcel Coverage

The parcel coverage in the R-3 Zone must not exceed 25 percent for all buildings and structures.

7. Parking

Off-street parking spaces in the R-3 Zone must be provided in accordance with Section 3.13 of this Bylaw.

C·V·R·D

R8

STAFF REPORT

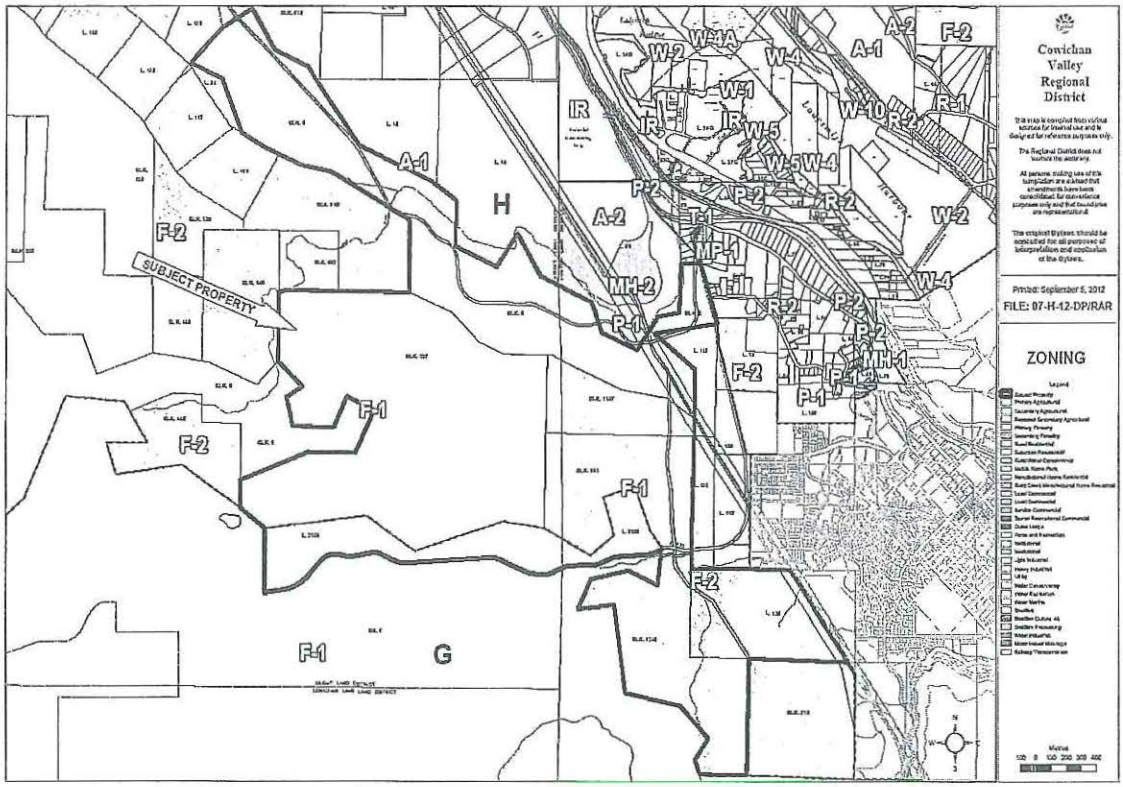
ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 27, 2013	**FILE NO:**	7-H-12 DP
FROM:	Alison Garnett, Planner I	**BYLAW NO:**	1497
SUBJECT:	Application No. 7-H-12 DP (McElhanney for Timberwest Forest 1 Ltd.)		

Recommendation/Action:
That application No. 7-H-12DP submitted by Timberwest Forest 1 Ltd., to permit the subdivision of one new lot and boundary adjustments between 10 lots, be approved subject to the subdivision proceeding in compliance with the Well Water Supply and Environmental Impacts reports by Lowen Hydrogeology Consulting Ltd, and Riparian Areas Regulation Assessment No. 2613.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*



Background:

Location of Subject Property:	2km west of Ladysmith
Legal Description and parcel size:	◦ Parcel A, Block 5, Bright and Oyster District, Plan 691 (PID: 000-878-090) **165 hectares** ◦ Part of Block 5, Bright and Oyster District, Plan 691 included in Plan 271 RW (PID: 000-877-824) Block 1397, Oyster District (PID: 009-432-230) **25 hectares** ◦ Block 381, Oyster District (PID: 000-878-006) **50 hectares** ◦ Block 337, Oyster District (PID: 000-878-448) **226 hectares** ◦ District Lot 2000, Bright and Oyster District (PID: 023-294-639) **42 hectares** ◦ Part of Block 1, Bright District, Plan 691, included in Plan 272 RS (PID: 000-877-883) no parcel size available ◦ Block 1398, Oyster District, shown on Plan 38265 (PID: 009-432-175) **192 hectares** ◦ District lot 137, Oyster District (PID: 000-879-207) no parcel size available ◦ District lot 126, Oyster District, except part in plan VIP 731132 (PID: 000-878-049) no parcel size available
Date Application Received:	August 24th, 2012
Owner and Applicant:	McElhanney Associates for Timberest Forest 1 Ltd.
Size of Parcels:	+ 500 hectares
Existing Zoning:	A-1 (12 hectare minimum lot size) F-1 (80 hectare minimum lot size) F-2 (20 hectare minimum lot size)
Existing Plan Designation:	Agricultural and Forestry
Existing Use of Property:	Forestry

Existing Use of Surrounding Properties:

North:	Agricultural
South:	Forestry
East:	Residential (Town of Ladysmith)
West:	Forestry

Road Access:	Most lots do not have legal road access
Water:	No existing supply
Sewage Disposal:	No existing system
Agricultural Land Reserve:	The property is partially located in the ALR
Environmentally Sensitive Areas:	Bush Creek and Tyee Creek, as well as various sensitive ecosystem inventory polygons (see attached mapping)
Fire Protection	Properties are not within a fire protection area.
Archaeological Site:	We do not have record of any archaeological sites on the subject property.

The Proposal:
This application affects a large land base owned by Timberwest Forest, and is part of a long term proposal to incorporate proposed lots A, B, C, D and E within the boundaries of the Town of Ladysmith.

The subject properties include a total of ten parcels within Electoral Area G and H, and across a mix of zones (A-1, F-1 and F-2). The subdivision proposal involves boundary adjustments between the ten parent parcels (resulting in 4 new lots and 6 remainder lots) and also proposes to create one entirely new lot.

The application complies with the subdivision and boundary adjustment criteria of Area G Zoning Bylaw No. 2524 and Area H Zoning Bylaw No. 1020. The application also appears to comply with the Agricultural Land Reserve (ALR) Use Subdivision and Procedures Regulation, as it establishes a legal property boundary consistent with the ALR boundary.

The subdivision application is subject to the Riparian Areas Regulation (RAR) Development Permit guidelines of the Area G Official Community Plan Bylaw No. 2500, and the RAR and Bush Creek Development Permit Area guidelines of Area H Official Community Plan Bylaw No.1497. The review and approval of development permit applications made strictly pursuant to the RAR guidelines in both Electoral Areas is delegated by the CVRD Board to the General Manager of Planning and Development (Procedures and Fees Bylaw No. 3275).

Only one parent parcel is located within the Bush Creek DPA, and that is Parcel A of Block 5. Following boundary adjustment, two parcels would be located within the DPA: the entire new lot A which is a 27 hectare parcel, and the eastern portion of a remainder lot with a total area of 130 ha. The applicants have indicated that no physical development (including building construction, residential or commercial development) is currently proposed on the sites. Under the current zoning, agriculture or forestry use, and single family residential use would be permitted per lot in accordance with the specific zone.

The Bush Creek DPA guidelines of Bylaw No. 1497 are outlined below, and should be used to assess this application:
Policy 3.5.3 Prior to commencing any subdivision or construction, an owner of property contained within the Cassidy or Bush Creek Aquifer Development Permit Area shall obtain a development permit which shall be issued in accordance with the following:

a) *In any area that the development permit designates as having unstable soil or water laden lands which is subject to degradation, the permit may require that no septic tank, storage tank, drainage, irrigation or water systems shall be constructed.*
b) *Notwithstanding guidelines (a) above, an area that the development permit designates as having unstable soil or water which is subject to degradation, the development permit may allow individual, domestic and low density septic disposal systems provided there is adequate investigation and monitoring to assess the effects of the proposal on the groundwater regime and steps taken to minimize degradation.*
c) *A development permit may require watercourses to be preserved and the alteration of the natural drainage pattern is minimized.*
d) *A development permit may require such other works to be performed as may be deemed appropriate to preserve or enhance natural watercourses.*
e) *A development permit may specify areas of land that are located above the natural boundary of watercourses remains free of development except with any conditions contained in the permit.*

f) *A development permit may impose conditions for the sequence and timing of construction on land described in the permit.*
g) *The removal of vegetation from the banks of a creek ravine shall be discouraged unless carried out in a manner which will not impact on slope stability or the quality of the watercourse.*

To address the above noted guidelines, the applicant has submitted three professional reports regarding environmental impacts, well water supply and watercourse mapping. The Environmental Impacts report by Lowen Hydrogeology Consulting Ltd. (attached) directly addresses the Bush Creek DP guidelines, in that it provides assurance that the proposed subdivision will not negatively impact the local environment. The report identifies three aquifers in the subject area, Bush Creek, bedrock aquifer #168 and Island Plutonic Suite, as well as two streams, Bush Creek and Tyee Creek. The report took new lots A, B, C, D and E into account in its review. The remainder lots were not reviewed as part of these reports; however only a small portion of one remainder lot is located within the Bush Creek DPA.

The Environmental Impacts report lists two potential risks posed by development, which are sewage disposal and an increase in rain and stormwater runoff. Recommendations for mitigating these risks are provided. The report concludes by providing the following comments:

1. The proposed development is feasible in respect to the protection of the local environment.
2. The proposed development lies over soils excellent for renovation of sewage effluent. New Lot A and the north of New Lot B are located on marginal soils but are feasible for development with the large lot sizes considered.
3. Due to the large area of the property (232 ha), the percentage of built area likely to increase the volume of runoff will be limited. Implementations of the solutions described in the report can limit this issue.

The Well Water Supply report, also by Lowen Hydrogeology, addresses the requirements during subdivision to prove that new lots are capable of meeting the CVRD's water quantity and quality requirements in accordance with Subdivision Bylaw No. 1215. The conclusions of this report are that the proposed eleven lots will meet the CVRD's standards as outlined in the bylaw.

In addition, a Riparian Areas Regulation Assessment report has also been submitted, and demonstrates compliance with the RAR DP guidelines of Area H OCP Bylaw No. 1497 and Area G OCP Bylaw No. 2500.

Advisory Planning Commission Comments:
The Area H APC reviewed this application and passed the following motion:

That we recommend the Development Permit to be approved.

Planning Division Comments:
Staff consider the submission of the Lowen Hydrogeology Environmental Impacts report, and RAR report 2613, to substantially address the Bush Creek and Riparian Areas Regulation Development Permit guidelines. Staff recommend that the application be approved, subject to compliance with these professional reports.

Options:

Option 1 is recommended.

1. That application No. 7-H-12DP submitted by Timberwest Forest 1 Ltd., to permit the subdivision of one new lot and boundary adjustments between 10 lots, be approved subject to the subdivision proceeding in compliance with the Well Water Supply and Environmental Impacts reports by Lowen Hydrogeology Consulting Ltd, and Riparian Areas Regulation Assessment No. 2613.
2. That application NO. 7-H-12 DP be revised.

Submitted by,

Alison Garnett, Planner I
Development Services Division
Planning & Development Department

AG/ca

Reviewed by:
Division Manager:

Approved by:
General Manager:

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

FILE NO: 7-H-12DP

DATE: February 12, 2013

REGISTERED PROPERTY OWNER(S):

TimberWest Forest 1 LTD

3rd Floor, 856 Homer Street

Vancouver BC V6B 2W5

1. This Development Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.

2. This Development Permit applies to and only to those lands within the Regional District described below (legal description):
   - *Lot 126, Oyster District except Part in Plan VIP73132*
   - *Parcel A (DD 34630N) Block 5, Bright and Oyster Districts, Plan 691*
   - *That Part of Block 5 of Bright and Oyster Districts, Plan 691, included in Plan 271RW and containing 42.95 Acres more or less*
   - *District Lot 137, Oyster District*
   - *Block 337 Bright District*
   - *Block 1398, Oyster District shown on Plan 38265*
   - *That part of Block 1, Bright District, Plan 691, included in Plan 272RW & containing 21.46 Acres more or less*
   - *District Lot 2000, Bright & Oyster Districts*
   - *Block 381, Oyster District*
   - Block 1397, Oyster District

3. Authorization is hereby given for subdivision, in accordance with the conditions listed in Section 4, below.

4. The development shall be carried out subject to the subdivision proceeding in compliance with the Well Water Supply and Environmental Impacts reports by Lowen Hydrogeology Consulting Ltd, and Riparian Areas Regulation Assessment No. 2613.

5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.

6. The following Schedule is attached:

   Schedule A – Plan of Proposed Subdivision prepared by McElhanney Consulting Services, January 10th 2012

   Schedule B-Well Water Supply report by Lowen Hydrogeology Consulting Ltd, dated August 3, 2012

   Schedule C- Environmental Impacts report by Lowen Hydrogeology Consulting Ltd., dated August 7, 2012

   Schedule D- Riparian Areas Regulation Assessment Report No. 2613 by Pottinger Gaherty Environmental, dated November 26, 2012

7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Planning and Development Department.

   ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. *[fill in Board Resolution No.]* PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE *[day]* DAY OF *[month]* MAY *[year]*.

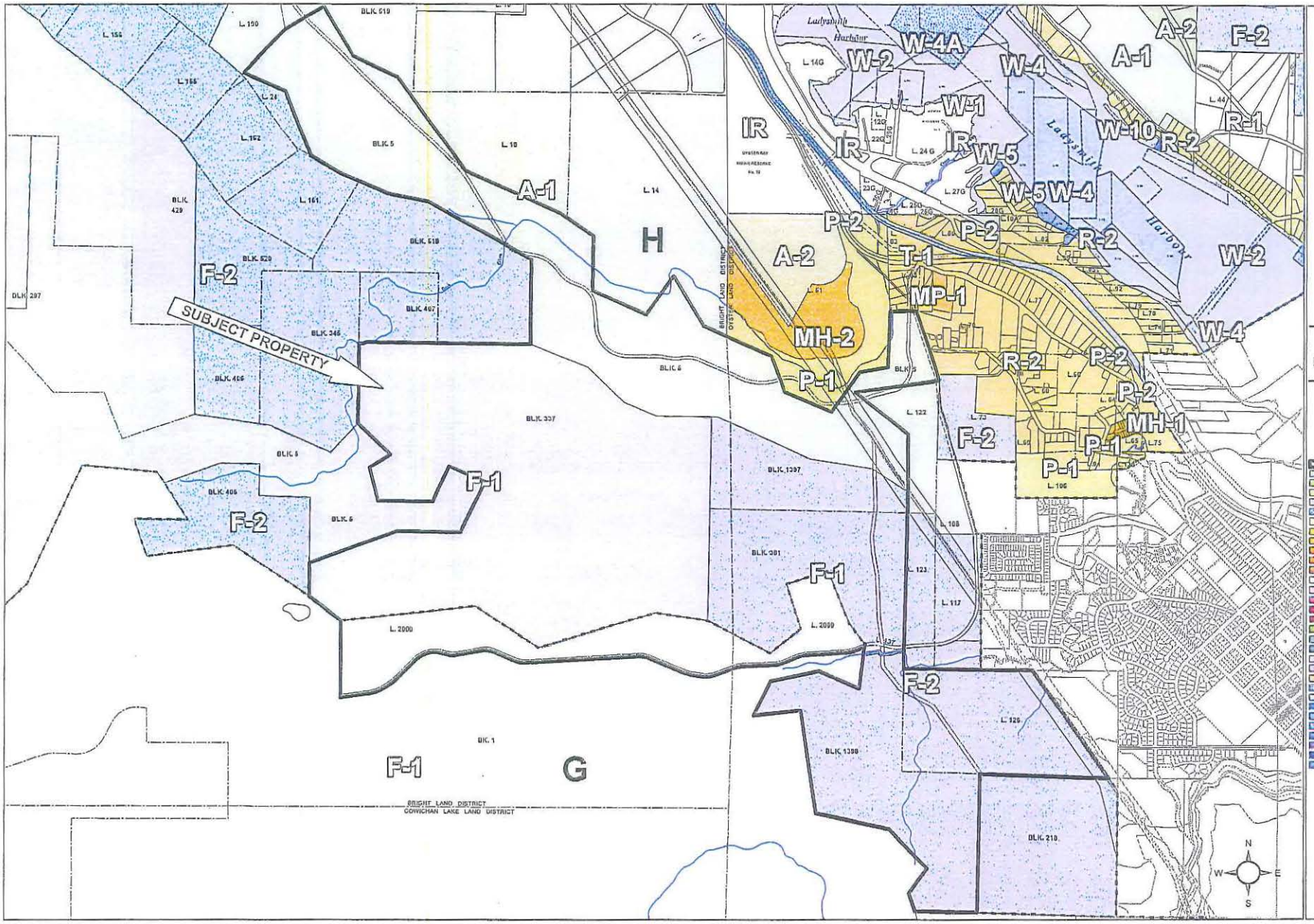
_____

Tom Anderson, MCIP, General Manager
Planning and Development Department

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any construction within 2 years of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Cowichan Valley Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with XXXX other than those contained in this Permit.

Owner/Agent (signature)	Witness (signature)
Print Name	Print Name
Date	Date



Cowichan Valley Regional District

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for all purposes of interpretation and applicaton of the Bylaws.

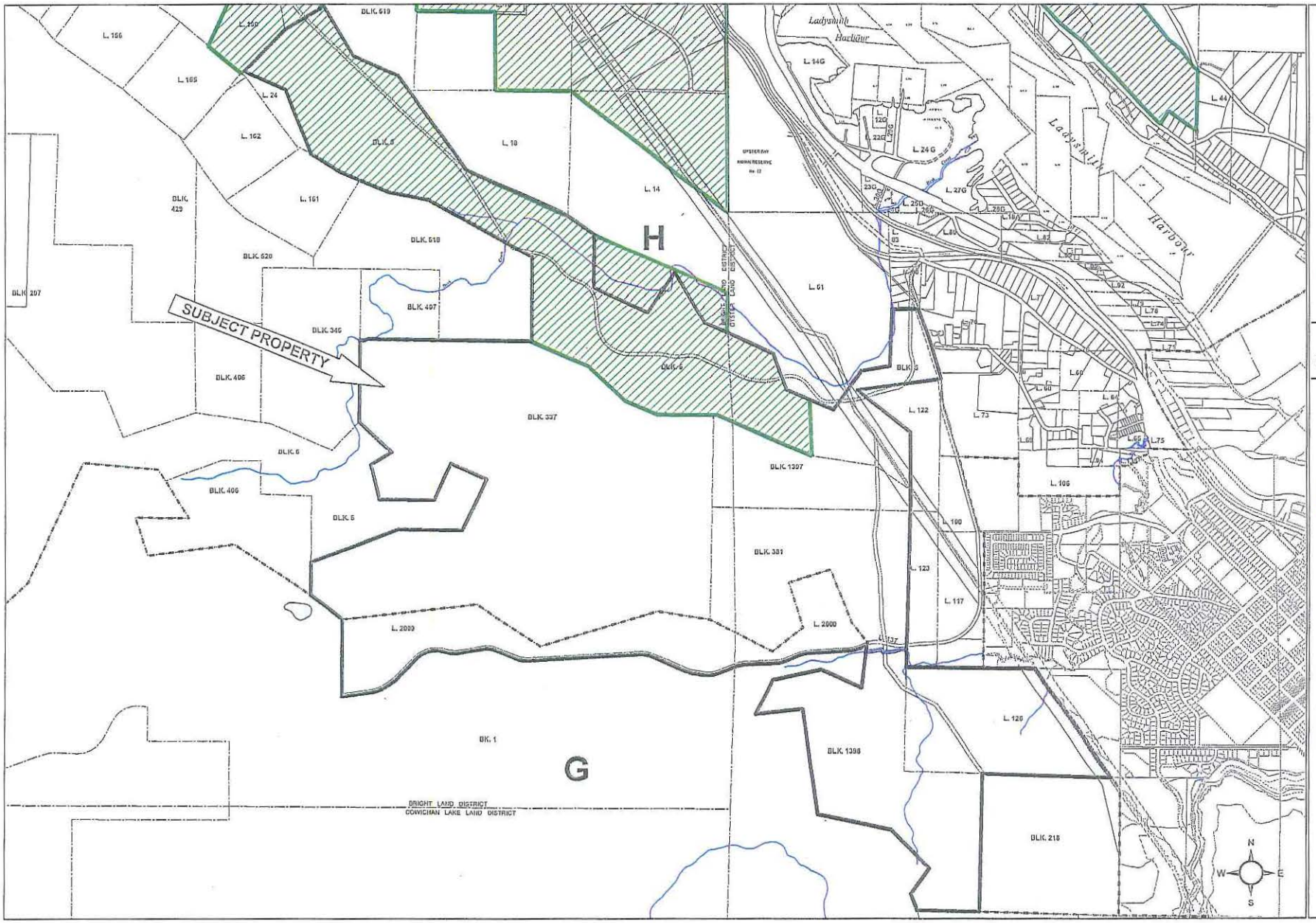
Printed: September 5, 2012

FILE: 07-H-12-DP/RAR

ZONING

Legend

- Subject Property
- Primary Agricultural
- Secondary Agricultural
- Restricted Secondary Agricultural
- Primary Forestry
- Secondary Forestry
- Rural Residential
- Suburban Residential
- Rural Water Conservancy
- Mobile Home Park
- Manufactured Home Residential
- Bush Creek Manufactured Home Residential
- Local Commercial
- Local Commercial
- Service Commercial
- Tourist Recreational Commercial
- Guest Lodge
- Parks and Recreation
- Institutional
- Institutional
- Light Industrial
- Heavy Industrial
- Utility
- Water Conservancy
- Water Recreation
- Water Marina
- Shellfish
- Shellfish Culture 4A
- Shellfish Processing
- Water Industrial
- Motor Vessel Moorage
- Railway Transportation



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Printed: September 5, 2012

FILE: 07-H-12-DP/RAR

ALR

Legend

- Subject Property
- H_ALR

Metres

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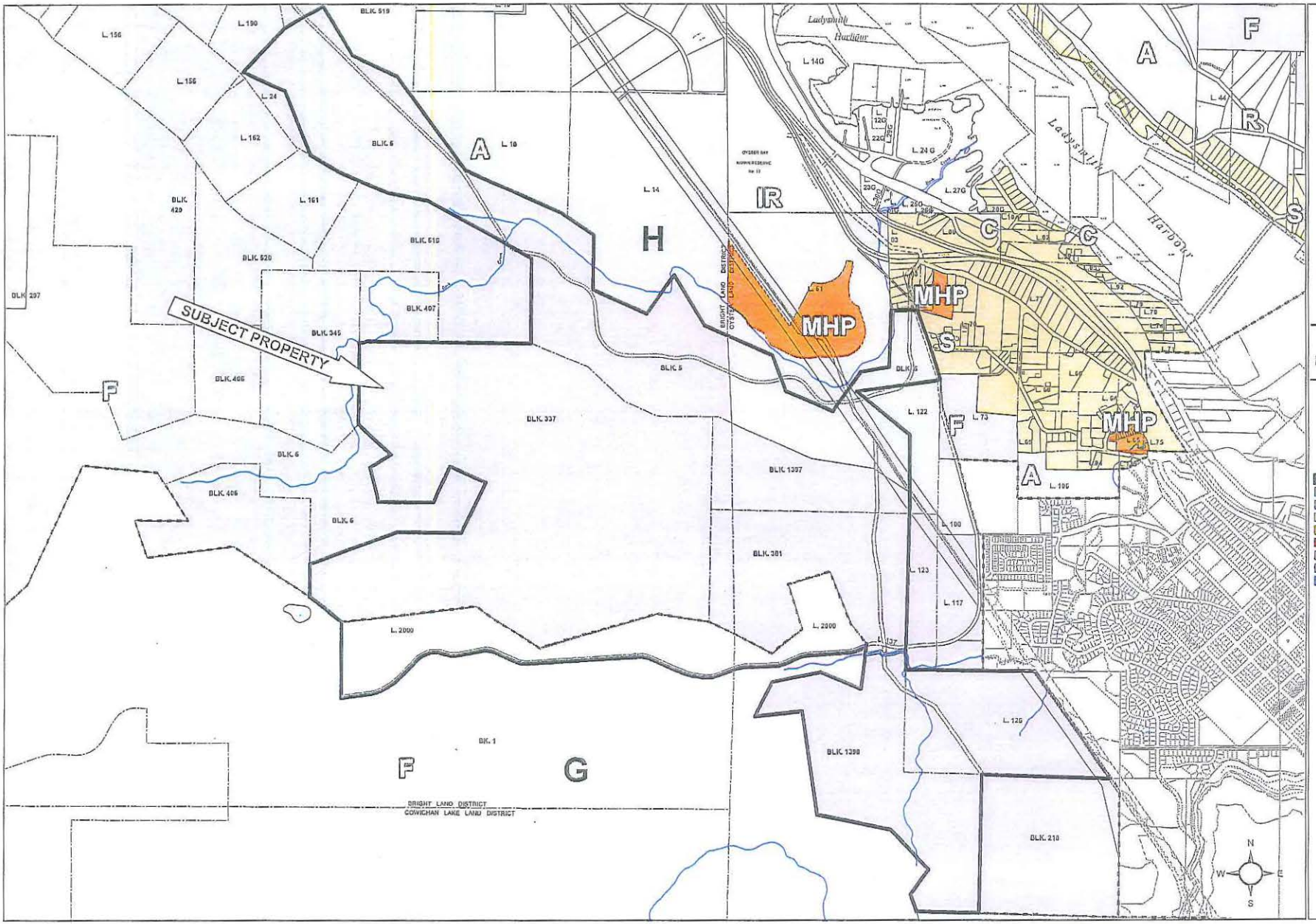

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Printed: September 5, 2012

FILE: 07-H-12-DP/RAR

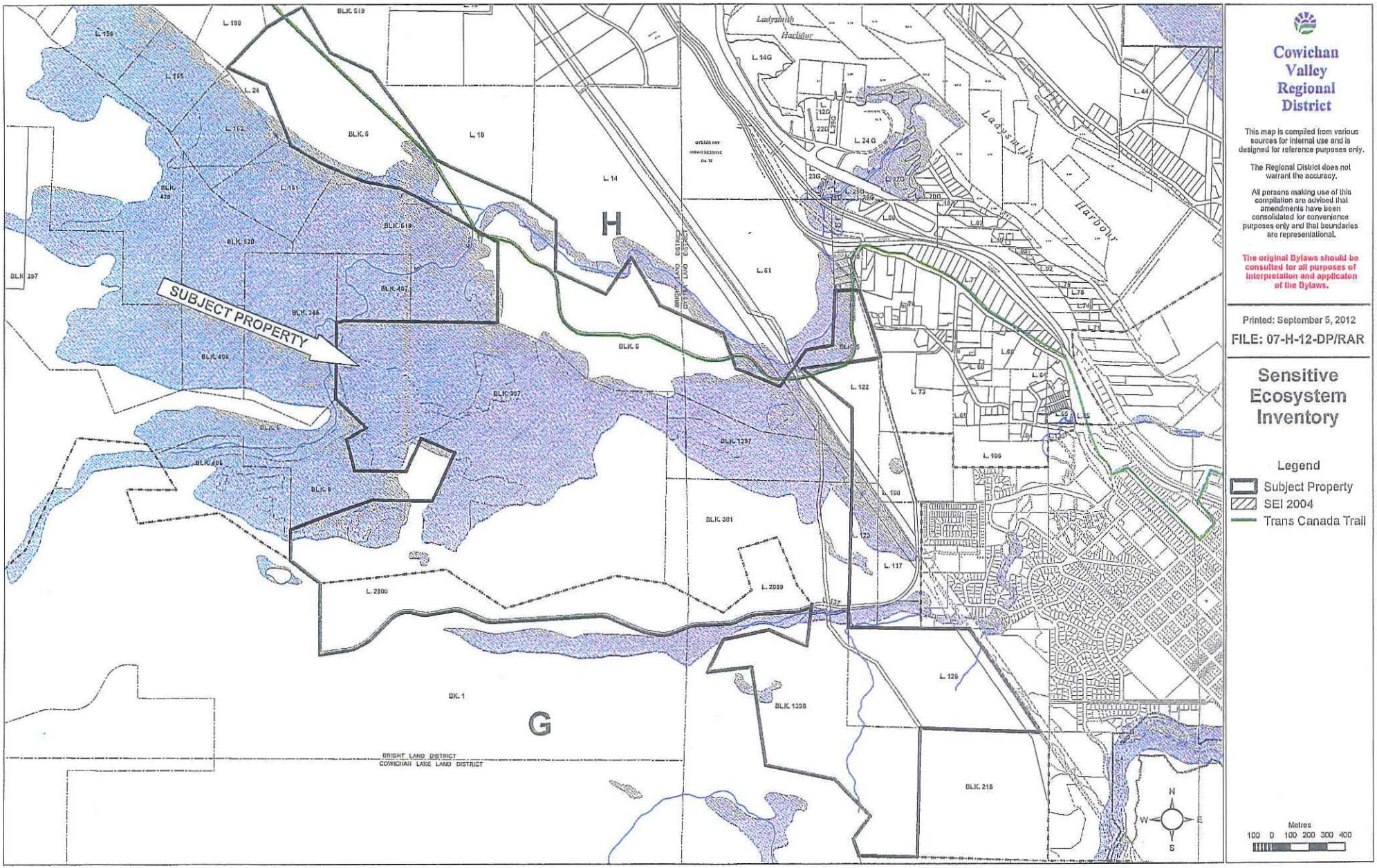
OCP

Legend

- Subject Property
- A - Agriculture
- F - Forestry
- R - Rural Residential
- S - Suburban Residential
- MHP - Mobile Home Park
- C - Commercial
- I - Industrial
- RW - Rural Water Conservancy

Metres

100 0 100 200 300 400


Cowichan Valley Regional District
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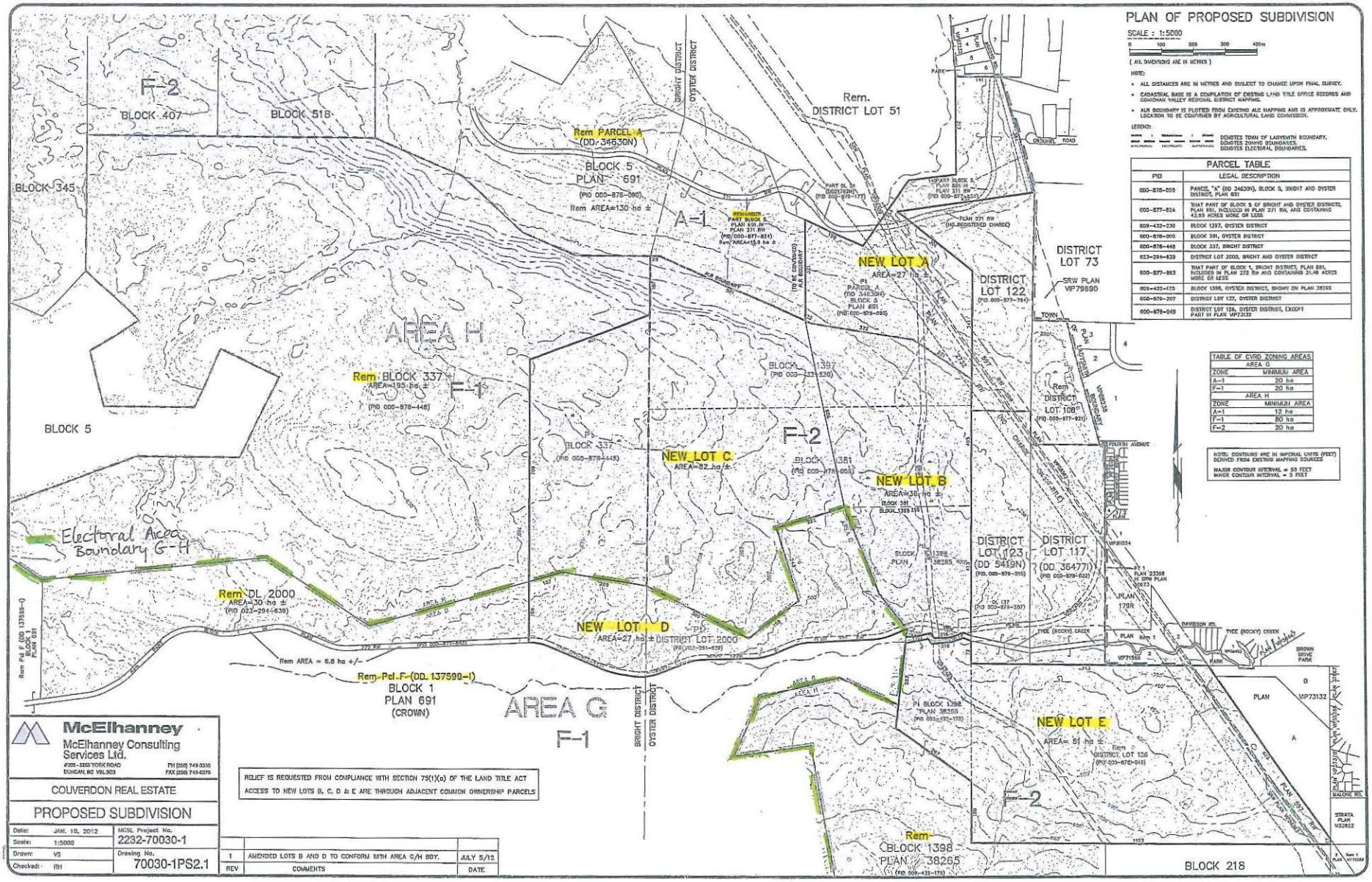
Printed: September 5, 2012
FILE: 07-H-12-DP/RAR
Sensitive Ecosystem Inventory
Legend
Subject Property
SEI 2004
Trans Canada Trail
Metres
100 0 100 200 300 400
SUBJECT PROPERTY
H
G
Ladysmith Harbour
BRIGHT LAND DISTRICT
COWICHAN LAKE LAND DISTRICT
N
S
E
W


PLAN OF PROPOSED SUBDIVISION
SCALE : 1:5000
0 100 200 300 400m
(ALL DIMENSIONS ARE IN METRES)
NOTE:
• ALL DISTANCES ARE IN METRES AND SUBJECT TO CHANGE UPON FINAL SURVEY.
• CADASTRAL BASE IS A COMPILATION OF EXISTING LAND TITLE OFFICE RECORDS AND COWICHAN VALLEY REGIONAL DISTRICT MAPPING.
• ALR BOUNDARY IS PLOTTED FROM EXISTING ALC MAPPING AND IS APPROXIMATE ONLY. LOCATION TO BE CONFIRMED BY AGRICULTURAL LAND COMMISSION.
LEGEND:
DENOTES TOWN OF LADYSMITH BOUNDARY.
DENOTES ZONING BOUNDARIES.
DENOTES ELECTORAL BOUNDARIES.
PARCEL TABLE
PID | LEGAL DESCRIPTION
000-876-009 | PARCEL "A" (DD 34630N), BLOCK 5, BRIGHT AND OYSTER DISTRICT, PLAN 691
000-877-824 | THAT PART OF BLOCK 5 OF BRIGHT AND OYSTER DISTRICTS, PLAN 691, INCLUDED IN PLAN 271 RW, AND CONTAINING 42.53 ACRES MORE OR LESS
009-432-230 | BLOCK 1397, OYSTER DISTRICT
000-878-005 | BLOCK 381, OYSTER DISTRICT
000-878-448 | BLOCK 337, BRIGHT DISTRICT
023-294-639 | DISTRICT LOT 2000, BRIGHT AND OYSTER DISTRICT
000-877-863 | THAT PART OF BLOCK 1, BRIGHT DISTRICT, PLAN 691, INCLUDED IN PLAN 272 RW AND CONTAINING 21.48 ACRES MORE OR LESS
009-432-173 | BLOCK 1398, OYSTER DISTRICT, SHOWN ON PLAN 38265
000-879-207 | DISTRICT LOT 127, OYSTER DISTRICT
000-879-049 | DISTRICT LOT 126, OYSTER DISTRICT, EXCEPT PART IN PLAN VIP73132
TABLE OF CVRD ZONING AREAS
AREA G
ZONE | MINIMUM AREA
A-1 | 20 ha
F-1 | 20 ha
AREA H
ZONE | MINIMUM AREA
A-1 | 12 ha
F-1 | 80 ha
F-2 | 20 ha
NOTE: CONTOURS ARE IN IMPERIAL UNITS (FEET) DERIVED FROM EXISTING MAPPING SOURCES
MAJOR CONTOUR INTERVAL = 50 FEET
MINOR CONTOUR INTERVAL = 5 FEET
F-2
BLOCK 407
BLOCK 518
BLOCK 345
BLOCK 5
Rem PARCEL A (DD 34630N)
BLOCK 5 PLAN 691
(PID 000-876-009)
Rem AREA=130 ha ±
A-1
Rem. DISTRICT LOT 51
BRIGHT DISTRICT
OYSTER DISTRICT
NEW LOT A
AREA=27 ha ±
DISTRICT LOT 122
DISTRICT LOT 73
SRW PLAN VIP79590
AREA H
Rem BLOCK 337
AREA=195 ha ±
(PID 000-878-448)
F-1
BLOCK 1397
(PID 009-432-230)
F-2
NEW LOT C
AREA=82 ha ±
NEW LOT B
AREA=36 ha ±
Rem DISTRICT LOT 108
(PID 000-877-921)
DISTRICT LOT 123 (DD 54198N)
DISTRICT LOT 117 (DD 36477N)
Electoral Area Boundary G-H
Rem DL 2000
AREA=30 ha ±
(PID 023-294-639)
NEW LOT D
AREA=27 ha ± DISTRICT LOT 2000
Rem AREA = 5.8 ha +/-
Rem-Pcl F-(DD 137599-I)
BLOCK 1
PLAN 691
(CROWN)
AREA G
F-1
NEW LOT E
AREA= 81 ha ±
Rem DISTRICT LOT 126
(PID 000-879-049)
Rem BLOCK 1398 PLAN 38265
(PID 009-432-173)
BLOCK 218
McElhanney
McElhanney Consulting Services Ltd.
#202 - 5655 YORK ROAD
DUNCAN, BC V9L 3E3
PH (250) 749-3335
FAX (250) 749-6379
COUVERDON REAL ESTATE
PROPOSED SUBDIVISION
Date: JAN. 18, 2012
Scale: 1:5000
Drawn: VS
Checked: RH
MCSL Project No. 2232-70030-1
Drawing No. 70030-1PS2.1
RELIEF IS REQUESTED FROM COMPLIANCE WITH SECTION 75(1)(a) OF THE LAND TITLE ACT
ACCESS TO NEW LOTS B, C, D & E ARE THROUGH ADJACENT COMMON OWNERSHIP PARCELS
REV | COMMENTS | DATE
1 | AMENDED LOTS B AND D TO CONFORM WITH AREA G/H BDY. | JULY 5/12

Lowen Hydrogeology
Consulting Ltd.

August 3, 2012
LHC Project File: 1216

Couverdon Real Estate
3-1890 Rutherford Road
Nanaimo, BC
V9T 4Z4

Attention: Mr. Frank Limshue, MCIP

Re: **Well Water Supply - New Lot A** (Bk.5, Pl.691), **New Lot B** (E Bk.1397 & Bk.1398), **New Lot C** (W Bk.1397, W Bk.3841, E Bk.337), **New Lot D** (E DL.2000), **New Lot E** (DL.126 & NE Bk.1398) **Ladysmith, B.C.**

Following our proposal of July 19, 2012, we have assessed the potential for well water supplies on the above described property, west of Ladysmith, in Oyster and Bright Districts. Our findings are presented in the following sections. See Figure 1 for a site plan.

PHYSICAL SETTINGS

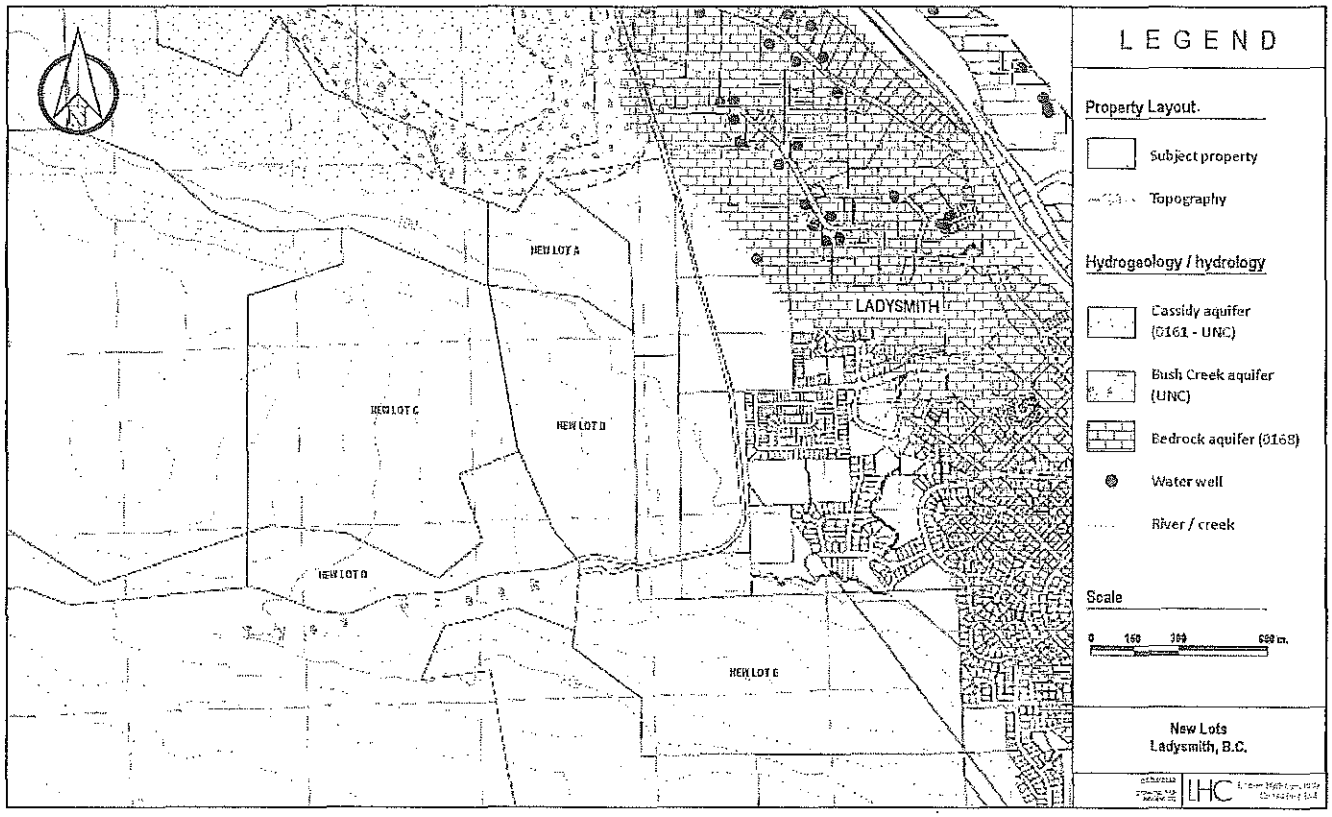
Topography

The property elevations range from 40 to 240 m. ASL. The topography is complex with slopes qualified as undulating to strongly rolling (2 to 30%). The north of the property slopes down to the North-East towards Bush Creek. The central part slopes to the East and the southern part slopes down to the South-East, towards Tyee creek. The new Lot E is located south of the Tyee creek and therefore slopes down to the North-East (see Figure 1).

Soils

The subject lots lie over many different soil types. Fluvial deposits (*Qualicum* and *Quamichan*) are found along the two main streams, Bush and Tyee Creeks. These soils are very gravelly with loam/sand and are well to rapidly drained. The new Lots C, D and E lie mainly over colluviums deposits (*Squally* soil unit), composed of gravelly loam sand and rapidly drained. The new Lots A and B lie mainly over marine deposits (*Finlayson* soil unit), composed of silty clay and imperfectly drained. Some rock outcrops occur as the bedrock is shallow in the area.

Figure 1 - Location Plan



Geology

The area of study is underlain by two bedrock formations. Most of the New Lot A on the North part of the property is located over the sedimentary rocks of the Nanaimo Group *(Era: Mesozoic; Period: Cretaceous - 65 to 97 Ma)*. This bedrock formation was deformed by compression during the Eocene period, leading to a fold and thrust belt. The faulted system was reported to be particularly developed in the area of study (P.S. Mustard, 1994). This formation is mostly composed of shale and sandstone deposited in a large basin.

Most of the property is however lying over the igneous rocks of the Island Plutonic Suite *(Era: Mesozoic; Period: Jurassic - 170 to 185 Ma)*. This intrusion is composed of granodiorite and quartz diorite and is usually well fractured.

The bedrock formations are partially covered by Capilano sediments (Period: Quaternary), composed of sand, gravel, silt and clay. Capilano sediments are glacio-marine and glacial-fluvial sediments deposited along the coastal lowlands during deglaciation of the Strait of Georgia (15,000 to 13,000 years BP). This unconsolidated layer is expected to vary in thickness over bedrock (Ingimundson, 1995).

HYDROGEOLOGY

Three aquifers are mapped in the vicinity of the subject development (see Figure 1). The two sand and gravel aquifers are the Cassidy aquifer (#161) and the Bush Creek aquifer, both mapped north of the property. The bedrock aquifer #168 is mapped East of the property. The lack of drilled wells west of this aquifer justifies the present boundary (see Figure 1). The subject property may therefore either lie over an extension of the aquifer #168, or over another bedrock aquifer that has not been mapped yet at this date. It is likely that the wells drilled at the subject property would tap into an aquifer of the Island Plutonic Suite. These rocks are usually well faulted and have proven in other parts of the Island to host very productive developed aquifers (#608 - Saanich Peninsula).

Only the North of the New Lot A lies over the Bush Creek aquifer. One well for this lot may therefore be developed in this aquifer. This aquifer was mapped in 2005 and contains 3 wells. This aquifer has great possibilities for water wells and shows an average yield of 65 USgpm (see Table 1A). Most of the recharge is provided by precipitation where water percolates to the saturated zone and moves through shallow local flow systems until discharging into streams or creeks as baseflow or discharging as small springs (LHC, 2005). Groundwater flow is likely to follow the Bush Creek flow direction.

The future wells for the subject development may be drilled in the following aquifers:

1) The wells located north of New Lot A can tap into the Bush Creek aquifer. If the wells are not successful in the shallow formation, the well may be drilled deeper into the underlying bedrock aquifer, likely the Nanaimo Group and potentially an extension of the bedrock aquifer #168 (see Table 1B for statistics).

2) All the other new Lots must tap into the bedrock. Due to a contact zone between two types of bedrocks, the aquifer #168 may not be extended to the subject property (lying over a different formation). The wells would therefore tap into an unmapped aquifer likely in the Island Plutonic Suite.

Table 1A - Statistics for the Bush Creek Aquifer

BUSH CREEK AQUIFER (Unconsolidated)							
WELL TAG NO.	WELL DEPTH		WELL YIELD	BEDROCK DEPTH		STATIC WATER LEVEL	
	m	ft	USgpm	m	ft	m	ft
87155	33	108	100	unk	unk	unk	unk
7154	8	27	unk	unk	unk	6	19
Well at Lot 51	58	190	30	55	181	unk	unk

STATISTICS

Number of wells	3		2	1		1	
Minimum	8	27	30	55	55	6	19
Maximum	58	190	100	55	55	6	19
Average	33	108	65	N/A		N/A	
Geometric Mean	25	82	55				

Table 1B - Statistics for the Bedrock Aquifer

BEDROCK AQUIFER (0168)							
WELL TAG NO.	WELL DEPTH		WELL YIELD	BEDROCK DEPTH		STATIC WATER LEVEL	
	m	ft	USgpm	m	ft	m	ft
41758	120	392	6	60	196	54	178
70342	101	330	unk	59	192	unk	unk
41718	89	292	20	33	108	30	100
30668	124	407	2	50	163	38	125
7121	13	45	unk	7	24	unk	unk
3386	24	60	1.5	0	0	10	33
13897	18	60	unk	unk	unk	unk	unk
96300	32	105	60	14	46	4	12
7113	4	14	unk	0	0	2	8
7115	8	27	unk	7	23	6	21
7116	6	20	unk	0	0	5	15
3366	21	70	1	1	4	5	15
16352	22	71	unk	19	61	unk	unk
16667	15	50	10	8	25	9	29
7128	6	20	unk	unk	unk	unk	unk

STATISTICS

Number of wells	15		7	13		10	
Minimum	4	10	1	0	0	2	8
Maximum	124	407	60	60	196	54	178
Average	40	131	14	20	65	16	54
Geometric Mean	23	65	6	5	12	9	31

POTENTIAL SUPPLY VS. DEMAND IN THE REGION

Wells which must supply single residences in the CVRD must be capable of producing 2 Igpm or 2.4 USgpm (winter testing) or 1 Igpm or 1.2 USgpm (summer testing). The Bush Creek aquifer and bedrock aquifer #168 give and average yield of respectively 65 and 14 USgpm, these two water-bearing formations are more than adequate to supply the proposed New Lot A.

All the other Lots will tap into the Island Plutonic Suite bedrock formation. The aquifer #608 in the Saanich Peninsula occurs in this same bedrock formation and has been well studied. The groundwater is transported via joints and fractures and productivity of the wells is expected to increase with depth, as more fractures may be encountered. The aquifer #608 has shown the greatest yields occurring at depths between 130 and 260 ft. (40 and 80 m.) (Johanson, 1981, Ronneseth, 1986). The deepest well reported is 1,000 ft. or 305 m. deep. The Island Plutonic Suite at the subject property is covered by thin colluviums surficial deposits that are well drained. This facilitates the infiltration of water from precipitation towards the fractures in the bedrock. The undeveloped character of the land west and upstream from the subject property allows the following statements: the subject property may benefit from a well fractured bedrock aquifer, not likely to be polluted from human activity, with a good recharge from surface. This potential water-bearing formation is suitable to supply the proposed development.

WELL DRAWDOWN INTERFERENCE

As is always the case, the water levels of the aquifer in the subdivision will be drawn down by the production wells and consequently this drawdown effect on adjacent or nearby wells must be considered in the assessment. The subject development encompasses the creation of 11 new lots, divided from a total area of 232 ha. Each new lot will therefore be on average 21 ha, which allows the wells to be drilled at a reasonable distance from each other. The anticipated transmissivity of the Island Plutonic Suite aquifer is approximately 1.5 m/day, and 0.7 m/day for the Nanaimo Group bedrock aquifer. The drawdown effect from local production wells will be acceptable beyond 100 m. radial offset distance. This would be a recommended separation distance between the proposed new wells.

ANTICIPATED WELL WATER QUALITY

The Bush Creek aquifer has been identified as moderately vulnerable to contamination from surface, due to imperfect confining coverage. However, no water quality issues have been reported for the wells developed in this aquifer (District Lot 51 north and adjacent to the subject property).

The potential Island Plutonic Suite aquifer would be located under an undeveloped area, and therefore, no polluting activities are reported. Due to the non-confining coverage above bedrock, potential deep fractures and low level of development, the aquifer vulnerability would be considered as moderate according to the standards of the Ministry of Environment. The aquifer #608 developed in the same bedrock formation has reported *isolated quality concerns* over 1,383 wells. The water quality is expected to be suitable for domestic wells.

CONCLUSIONS

1. The required well capacities, CVRD standard of 2 Igpm in winter and 1 Igpm in summer can very likely be obtained on the proposed 11 subdivided Lots of the development site.
2. All wells in this area are expected to produce potable water suitable for domestic use, in both the Bush Creek aquifer and the Island Plutonic Suite potential aquifer.
3. The proposed subdivision is feasible with respect to water supply.

CLOSURE

This report has been prepared in accordance with generally accepted groundwater engineering practices. The opinions expressed herein are considered valid at the time of writing. Changes in site conditions can occur, however, whether due to natural events (e.g. climate change, earthquakes) or to human activities (e.g. recharge area modification, or blasting on this or adjacent properties). These changes may in turn impact well yields and / or water quality. In addition, changes in regulations and standards may occur, whether they result from legislation or the broadening of knowledge. This report is therefore subject to review and revision as changed conditions are identified.

In formulating our analysis, we have relied on information provided by others; well drilling and pumping test contractors and a certified water testing laboratory. The information provided by others is believed to be accurate but cannot be guaranteed by Lowen Hydrogeology Consulting Ltd.

Furthermore, if the recommendations in this report are not implemented, the undersigned assumes no responsibility for any adverse consequences that may occur.

If you have any questions or require further information please contact the undersigned.

Respectfully submitted,

LOWEN HYDROGEOLOGY CONSULTING LTD.

Dennis Lowen

PROFESSIONAL PROVINCE OF D. A. LOWEN BRITISH COLUMBIA GEOSCIENTIST

PROFESSIONAL PROVINCE OF D. A. LOWEN BRITISH COLUMBIA ENGINEER

Dennis A. Lowen, P. Eng. P. Geo.
DL/MD/hr

Lowen Hydrogeology
Consulting Ltd.

August 7, 2012
LHC Project File: 1216

Couverdon Real Estate
3-1890 Rutherford Road
Nanaimo, BC
V9T 4Z4

Attention: Mr. Frank Limshue, MCIP

Re: **Environmental Impacts - New Lot A** (Bk.5, Pl.691), **New Lot B** (E Bk.1397 & Bk.1398), **New Lot C** (W Bk.1397, W Bk.3841, E Bk.337), **New Lot D** (E DL.2000), **New Lot E** (DL.126 & NE Bk.1398) **Ladysmith, B.C.**

Following our proposal of July 19, 2012, we have assessed the environmental impacts of the above described proposed Lot boundary adjustments, west of Ladysmith, in Oyster and Bright Districts. Our findings are presented in the following sections. See Figure 1 for a site plan.

PHYSICAL SETTINGS

Topography

The property elevations range from 40 to 240 m. ASL. The topography is complex with slopes qualified as undulating to strongly rolling (2 to 30%). The north of the property slopes down to the North-East towards Bush Creek. The central part slopes to the East and the southern part slopes down to the South-East, towards Tyee creek. The new Lot E is located south of the Tyee creek and therefore slopes down to the North-East (see Figure 1).

Soils

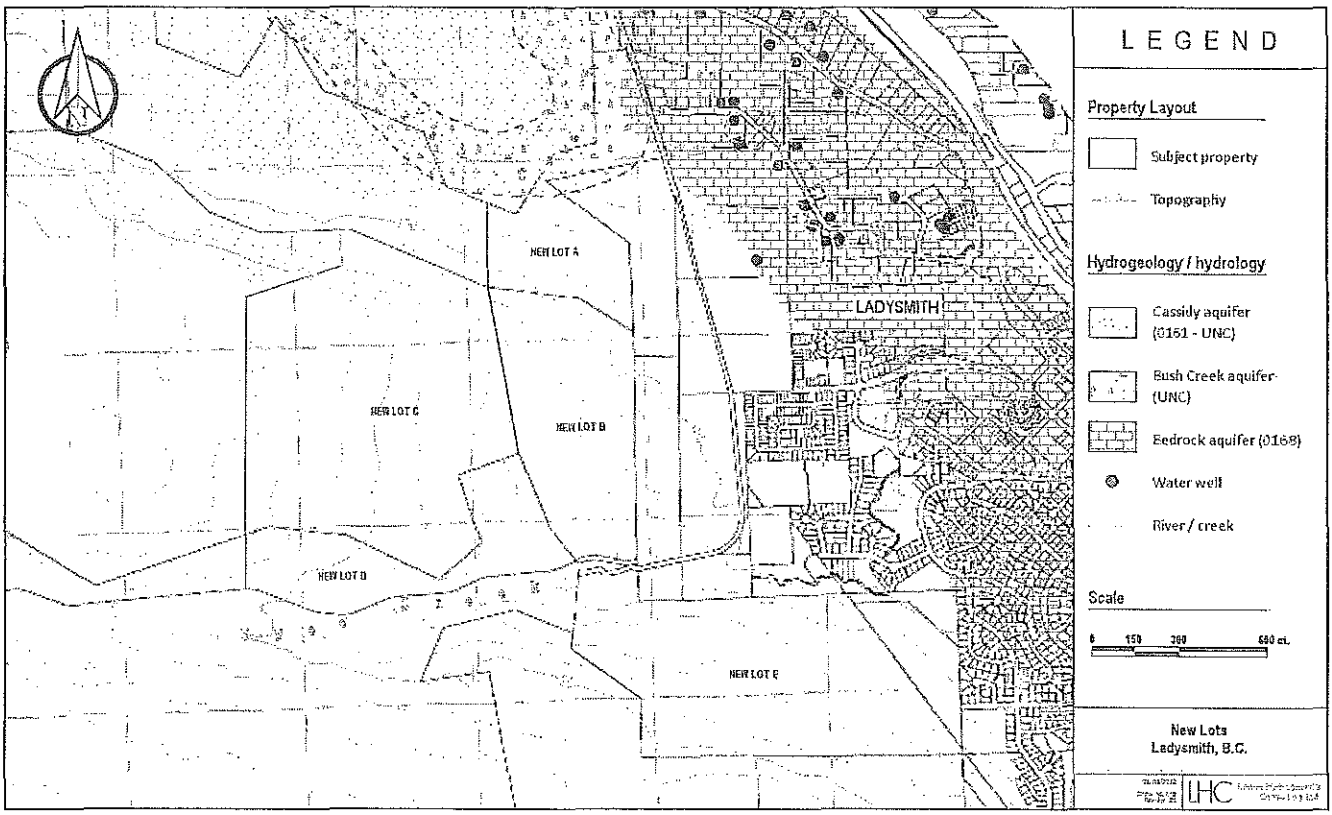
The subject lots lie over many different soil types. Fluvial deposits (*Qualicum* and *Quamichan*) are found along the two main streams, Bush and Tyee Creeks. These soils are very gravelly with loam/sand and are well to rapidly drained. The new Lots C, D and E lie mainly over colluviums deposits (*Squally* soil unit), composed of gravelly loam sand and rapidly drained. The new Lots A and B lie mainly over marine deposits (*Finlayson* soil unit), composed of silty clay and imperfectly drained. Some rock outcrops occur as the bedrock is shallow in the area. See Figure 2 for soil mapping.

Geology

The area of study is underlain by two bedrock formations. Most of the New Lot A on the North part of the property is located over the sedimentary rocks of the Nanaimo Group *(Era: Mesozoic; Period: Cretaceous - 65 to 97 Ma)*. This bedrock formation was deformed by compression during the Eocene period, leading to a fold and thrust belt. The faulted system was reported to be particularly developed in the area of study (P.S. Mustard, 1994). This formation is mostly composed of shale and sandstone deposited in a large basin.

Most of the property is however lying over the igneous rocks of the Island Plutonic Suite *(Era: Mesozoic; Period: Jurassic - 170 to 185 Ma)*. This intrusion is composed of granodiorite and quartz diorite and is usually well fractured.

Figure 1 - Location Plan



The bedrock formations are partially covered by Capilano sediments (Period: Quaternary), composed of sand, gravel, silt and clay. Capilano sediments are glacio-marine and glacial-fluvial sediments deposited along the coastal lowlands during deglaciation of the Strait of Georgia (15,000 to 13,000 years BP). This unconsolidated layer is expected to vary in thickness over bedrock (Ingimundson, 1995).

HYDROGEOLOGY / HYDROLOGY

The subject development may impact 3 aquifers:

- The surficial sand and gravel Bush Creek aquifer, moderately vulnerable to contamination from surface and with low development/demand.
- The sedimentary bedrock aquifer #168, moderately vulnerable to contamination from surface and with low demand.
- A potential aquifer within the Island Plutonic Suite, likely moderately vulnerable to contamination from surface and undeveloped at this date.

(See our Letter Report Well Water Supply, dated August 2, 2012 for further information on the hydrogeology).

Two main streams are mapped on the subject development:

- Bush Creek, north of the property across New Lot A;
- Tyee creek, south of the property, along the southern boundary of New Lots D and B.

POTENTIAL ISSUES CAUSED BY DEVELOPMENT

The subject development, although located on a very large area may have some negative impact on the local environment if some elements are not handled carefully. The two potential points of concerns are:

1) The sewage disposal, where the major negative impacts are caused by bacteria and nutrients (mainly nitrate and phosphorous). These elements may be introduced in the local environment because of the following contributing factors:
   - Septic system failure due to lack of maintenance;
   - Close proximity of the septic systems to the rivers and water wells;
   - Marginal or poor soils conditions in which dispersal fields were built.
2) The increase of runoff from rainwater, due to the development. In fact, a development involves the creation of impervious features such as roofs and driveways that prevent water from precipitation to naturally infiltrate the soils and recharge the aquifers. Increase of runoff also leads to soil compaction and a greater input of turbid water to the local surface water bodies such as the rivers.

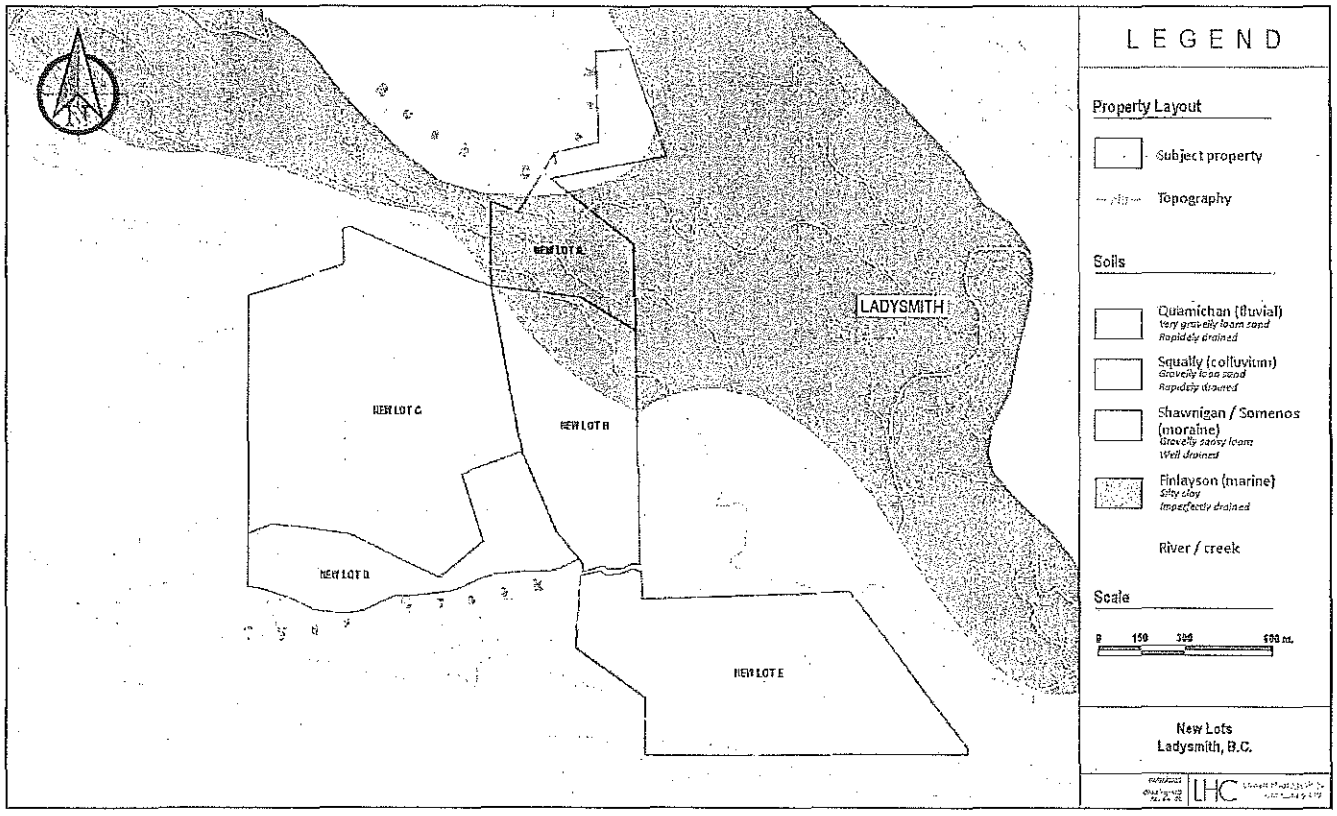
PROPOSED MITIGATION STRATEGIES

On-site sewage disposal systems

The development of on-site sewage disposal systems is feasible in respect to the protection of the local environment for the following reasons:

- The large areas available will allow each dispersal field to respect the minimum offset setback distance from any rivers/creeks, water wells, property boundaries, dwelling lines, etc.
- The *Squally* soils (colluviums), *Shawnigan/Somenos* soils (moraine) and *Quamichan* soils (fluvial) are coarse soils, rapidly to well drained and are ideal for the construction of efficient dispersal fields (see Figure 2 for soils locations).

Figure 2 - Soils Map



- The poorly drained Finlayson soil unit is marginal for sewage disposal but is limited to the North of the property. The large lot areas proposed (minimum lot size 12 ha.) will mitigate this issue.
- All the potential contaminants will meet or exceed MOE standards 30 m downstream from the dispersal fields. See Table 1 below for a summary of wastewater effects on surface water.

Table 1 - Effect of Sewage Disposal on Local Surface Waters

		Estimated Concentrations of Treated Effluent		MOE Standards	
	Effluent Type 1	At Water Table	30 m. D/S	Drinking Water*	Aquatic Life
BOD (mg/L)	150	<10	0	N/A	N/A
TSS (mg/L)	60	<10	0	N/A	10
FC (MPN/10 mL)	10^4	$<10^2$	0	0	14
pH	7.1 - 8.3	7.0 - 8.0	7.0 - 8.0	6.5 - 8.5	6.5 - 9.0
Total Nitrogen (mg/L)	70	<70	<10**	N/A	20
Nitrate (mg/L)	35	<35	<5**	10	40
Turbidity (NTU)	20	<5	0	1	8
Phosphorous (mg/L)	20	<20	Background***	N/A	0.005 - 0.015

* *Guidelines for Canadian Drinking Water Quality (2008)*

***Dilution with natural flow and removal in soils*

****Phosphorus Removal Reference*

Percolation through natural soil materials is a very effective method of removing Phosphorus (P) from wastewater. P removal processes in the subsurface include vegetation uptake, other biological processes, absorption and precipitation. Of these adsorption is the most important. Scientific studies (Natural Treatment Systems for Waste Management and Treatment; Reed, Crites, Middlebrooks; 1995) have shown P removal of 99% with application rates from 2.0 to 9.0 mg/L P, and travel distances greater than 30 m.

Abbrev:

D/S - Downstream
MOE - Ministry of Environment
BOD - Biological Oxygen Demand
TSS - Total Suspended Solids
FC - Fecal Coliform
N/A - Not Applicable or No Standard Set

Ref:

Crites and Tchobanoglous, *MOH Sewage System Standard Practice Manual, Vers. 2, 2007.Type 1 System - Septic Tank with Bio-Filter*

Rainwater control design

Numerous solutions can be implemented to reduce runoff from rainwater within the development and even create a positive impact on the surface/groundwater flows of the local environment. These solutions allow the rainwater to be re-infiltrated directly on-site, contributing to the replenishment of the local aquifers and limiting the soil compaction due to excess of runoff. Some of the possible solutions are noted below:

- Creation of rock pit in the vicinity of the dwellings in order to collect the rainwater from the roofs via gutters;
- Construction of bio-swales along the driveways to collect the runoff water.
- Construction of pervious driveways;
- Development of rain gardens, etc.

Due to the large extent of the property, the percentage of built area will remain low; therefore no major issues concerning excess runoff is expected.

Refer to the following publication for more information:
Lanarc Consultants Ltd.; Kerr Wood Leidal Associates Ltd.; Goya Ngan - (2005) *Stormwater Source Control Design Guidelines 2005* (Greater Vancouver Regional District)

CONCLUSIONS

1. The proposed development is feasible in respect to the protection of the local environment.

2. The proposed development lies over soils excellent for renovation of sewage effluent. New Lot A and the north of New Lot B are located over marginal soils but are feasible for development with the large Lot sizes considered.

3. Due to the large area of the property (232 ha), the percentage of built area likely to increase the runoff will be limited. Solutions described in this letter report can easily be implemented to limit this issue.

CLOSURE

This report has been prepared in accordance with generally accepted groundwater engineering practices. The opinions expressed herein are considered valid at the time of writing. Changes in site conditions can occur, however, whether due to natural events (e.g. climate change, earthquakes) or to human activities (e.g. recharge area modification, or blasting on this or adjacent properties). In addition, changes in regulations and standards may occur, whether they result from legislation or the broadening of knowledge. This report is therefore subject to review and revision as changed conditions are identified.

In formulating our analysis, we have relied on information provided by others; geology maps, etc. The information provided by others is believed to be accurate but cannot be guaranteed by Lowen Hydrogeology Consulting Ltd.

If you have any questions or require further information please contact the undersigned.

Respectfully submitted,

LOWEN HYDROGEOLOGY CONSULTING LTD.

Dennis Lowen

PROFESSIONAL PROVINCE OF D. A. LOWEN BRITISH COLUMBIA GEOSCIENTIST

PROFESSIONAL PROVINCE OF D. A. LOWEN BRITISH COLUMBIA ENGINEER

Dennis A. Lowen, P. Eng. P. Geo.
DL/MD/hr

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date November 26, 2012

RAR# 2613

I. Primary QEP Information

First Name	Stephanie Louie	Middle Name			
Last Name	Louie				
Designation	R.P.Bio.	Company Pottinger Gaherty Environmental			
Registration #	2235	Email slouie@pggroup.com			
Address	1200 – 1185 West Georgia Street				
City	Vancouver	Postal/Zip	V6E 4E6	Phone #	604.682.3707
Prov/state	BC	Country	Canada		

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name	Keven	Middle Name			
Last Name	Goodearle				
Designation	R.P.Bio.	Company Pottinger Gaherty Environmental			
Registration #	1829	Email kgoodearle@pggroup.com			
Address	1200 – 1185 West Georgia Street				
City	Vancouver	Postal/Zip	V6E 4E6	Phone #	604.682.3707
Prov/state	BC	Country	Canada		

III. Developer Information

First Name	Frank	Middle Name	
Last Name	Limshue		
Company	Couverdon Real Estate		
Phone #	250.729.3626	Email frank.limshue@couverdon.com	
Address	3 Rutherford Road		
City	Nanaimo	Postal/Zip	V9T 4Z4
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Construction: Residential/Commercial		
Area of Development (ha)	104	Riparian Length (m)	LS-CRK01 = 1120; LS-CRK02 = 2095; LS-CRK03 (Tyee or Rocky Creek) = 5770; LS-CRK05 = 580; LS-Crk04=900m
Lot Area (ha)	287	Nature of Development	Greenfield site
Proposed Start Date	Unknown	Proposed End Date	Unknown

V. Location of Proposed Development

Street Address (or nearest town)	West of the Town of Ladysmith		
Local Government	Cowichan Valley Regional District	City	West of Ladysmith
Stream Name	Tyee Creek (Rocky Creek) and unnamed tributaries, Bush Creek and unnamed tributaries.		
Legal Description (PID)	000-878-090, 000-877-824, 009-432-230, 000-878-006, 000-878-448, 023-294-639, 000-877-883, 009-432-175, 000-879-207, 000-878-049.	Region	Vancouver Island Region
Stream/River Type	Stream, wetlands	DFO Area	17
Watershed Code	Tyee Creek (Rocky Creek) 920-325000, Bush Creek 920-327900		

Latitude	48	59	51	Longitude	123	51	24

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed. Insert that form immediately after this page.

Table of Contents for Assessment Report

Page Number

1. Description of Fisheries Resources Values 3
2. Results of Riparian Assessment (SPEA width) 4
3. Site Plan 5
4. Environmental Monitoring 6
5. Photos 7
6. Assessment Report Professional Opinion 8

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

Couverdon Real Estate is a business unit of TimberWest Forest Corp., and owns the subject property located to the west of the current boundary of the Town of Ladysmith and identified in the attached site plan. Historically, TimberWest has used the lands for timber harvesting operations, but forestry use has ceased with the intention of examining the potential for a mixed-use, comprehensive development program.

Couverdon Real Estate is in the process of preparing a Neighbourhood Plan for its Ladysmith property which is expected to be a part of the Town of Ladysmith following an annexation process. Specific timelines and activities associated with development are currently unknown as this project is still in the early stages of development planning. Some land uses under consideration include combinations of a variety of housing types, village commercial centres, community parks, low-impact recreational areas, and conservation areas.

In general, the environment of the subject property has been highly altered through past forestry activities, and the construction of a transmission line, gas line, and unpaved access roads.

The Ladysmith property is within the Vancouver Island (East) Rivers major watershed and is located east of the Holland Community Watershed. Tyee Creek (Rocky Creek) is a significant creek flowing through the Ladysmith property and ultimately into marine waters east of the Town of Ladysmith.

Rocky Creek flows through the south portion of the property and continues east through the Town of Ladysmith. Tributaries also flow and connect to Rocky Creek within the property. Bush Creek is located just outside the northern edge of the property boundary; however, tributaries from Bush Creek flow within the property.

Rocky Creek is known to support cutthroat trout (*Oncorhynchus clarki clarki*), coho salmon (*Oncorhynchus kisutch*), and chum salmon (*Oncorhynchus keta*). Bush Creek supports chum salmon, rainbow trout (*Oncorhynchus mykiss*), steelhead (*Oncorhynchus mykiss*), threespine stickleback (*Gasterosteus aculeatus*), cutthroat trout, and coho salmon (Fisheries Information Summary System [FISS], 2012). None of the FISS observations of anadromous species are shown as occurring as far upstream as the Ladysmith property. The FISS data indicates that the furthest point of migration for anadromous species is 0.3km up Rocky Creek from the Pacific Ocean and approximately 1.2km east of the Ladysmith property boundary. Fish passage is obstructed in Bush Creek by 3.6m high falls located west of the transmission line crossing that is immediately north of the Ladysmith property.

Riparian vegetation communities on the Ladysmith Property consist of a mixture of conifer and mixed forest communities typical of the Coastal Western Hemlock Biogeoclimatic Zone; and shrub communities in areas that have been altered by other land uses.

Fish Information Summary System (FISS), 2012. Accessed online at http://www.env.gov.bc.ca/fish/fiss/index.html, June 2012.

Section 2. Results of Simple Riparian Assessment

Refer to Chapter 2 and Appendix of the Assessment Methods.
Duplicate this form as needed for each assessment report.

Date: November 26, 2012

Stream	x
Wetland	x
Lake	
Area	

Potential Riparian Width(m)

	30
	30
	30
	30
	30
	30
	30
	30
	30
	30
	30
Average	**30**

I, Stephanie Louie, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
b) I am qualified to carry out this part of assessment of the development proposal made by the developer Couverdon Real Estate;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Existing or Potential Vegetation Category 1

	Yes	No**
Fish bearing	x	

**If non fish-bearing, insert non-fish bearing status report

I, Stephanie Louie, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Couverdon Real Estate;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Stream Flow	Permanent	Non Permanent*
	x	

*If non permanent flow, indicate how this was determined?

I, Stephanie Louie, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Couverdon Real Estate;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

SPEA Width (m) 30

Comments

This Simple Riparian Assessment Form applies to the RAR applicable streams and wetlands on the Ladysmith annexation property including LS-CRK01, LS-CRK02, LS-CRK03 (Rocky Creek/Tyee Creek), LS-CRK04, LS-CRK05 (refer to site plan). This assessment also applies to Bush Creek which although is located north of and outside the property boundary it is within 30m of the property. The property is currently undeveloped with no above ground permanent structures (i.e. buildings with foundations) therefore the average potential riparian width for Bush Creek and the RAR applicable streams and wetlands within the Ladysmith property was determined through the simple assessment to be greater than 15m and classified as Vegetation Category 1.

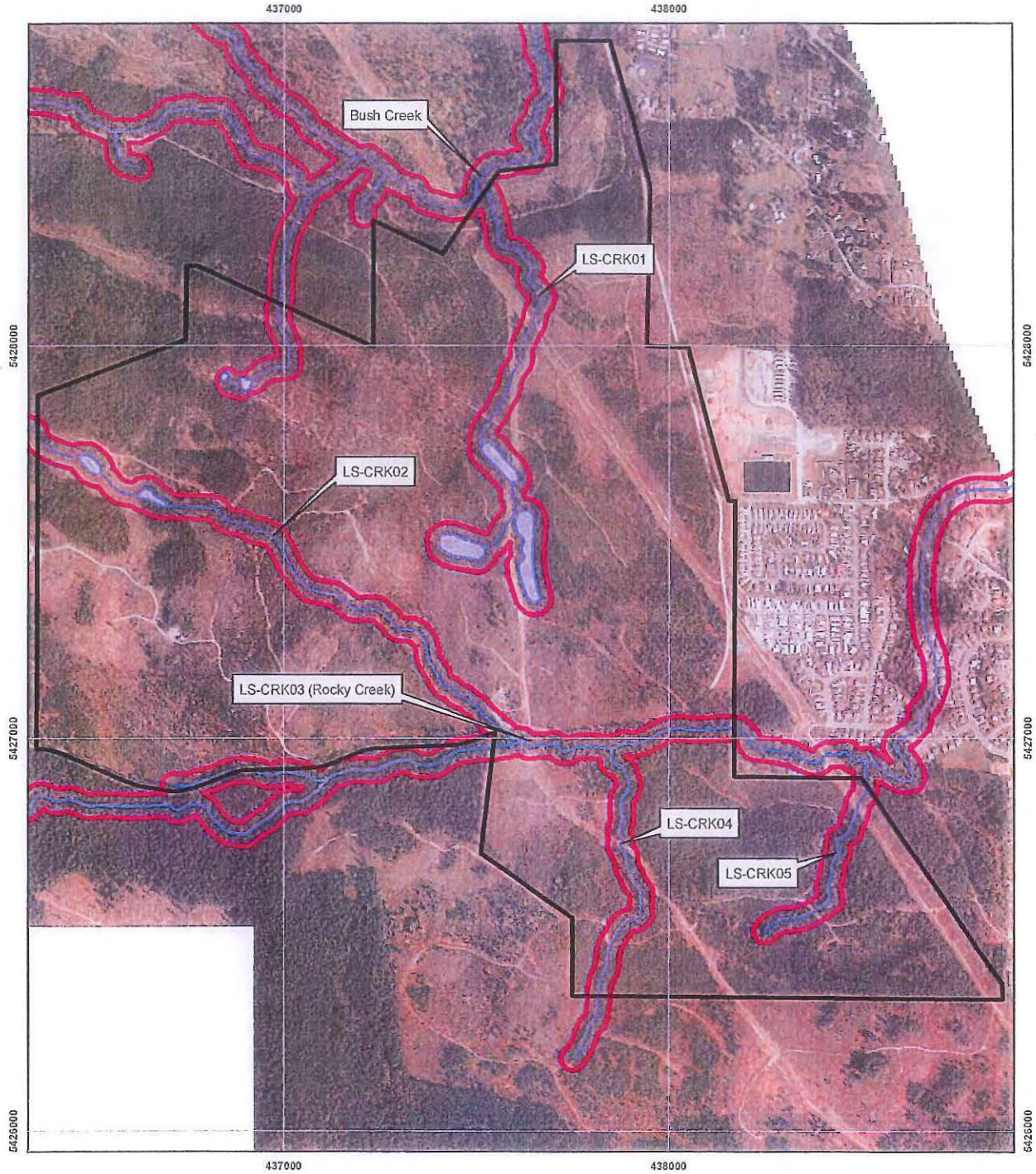
Based on the Simple Riparian Assessment the SPEA for RAR applicable streams and wetlands on the Ladysmith Property is 30m. If future development is proposed within this SPEA a Detailed Riparian Assessment will be completed.

Orthophoto showing assessment area

Attach JPG file of air/orthophoto (scale less than 3,000) outlining the elements in chapter 2 of Assessment Methods.

Please refer to site plan.

Due to the lack of permanent structures on the property a Vegetation Category of 1 was assumed and based on the simple assessment a 30m SPEA width was applied.



SITE PLAN

LADYSMITH, BC

0 250 500 1,000 1,500 Meters

Subject Property | 30m Riparian Assessment Area | RAR Applicable Waterbody

PGL FILE No.: 3840-02.02

DATE: November 2012

PGL MAP No.: 38400202 RAR& NON-RAR Applicable Waterbodies 1.1-TAB.mxd

PGL Pottinger Gaherty Environmental Consultants Ltd.

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report.
Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

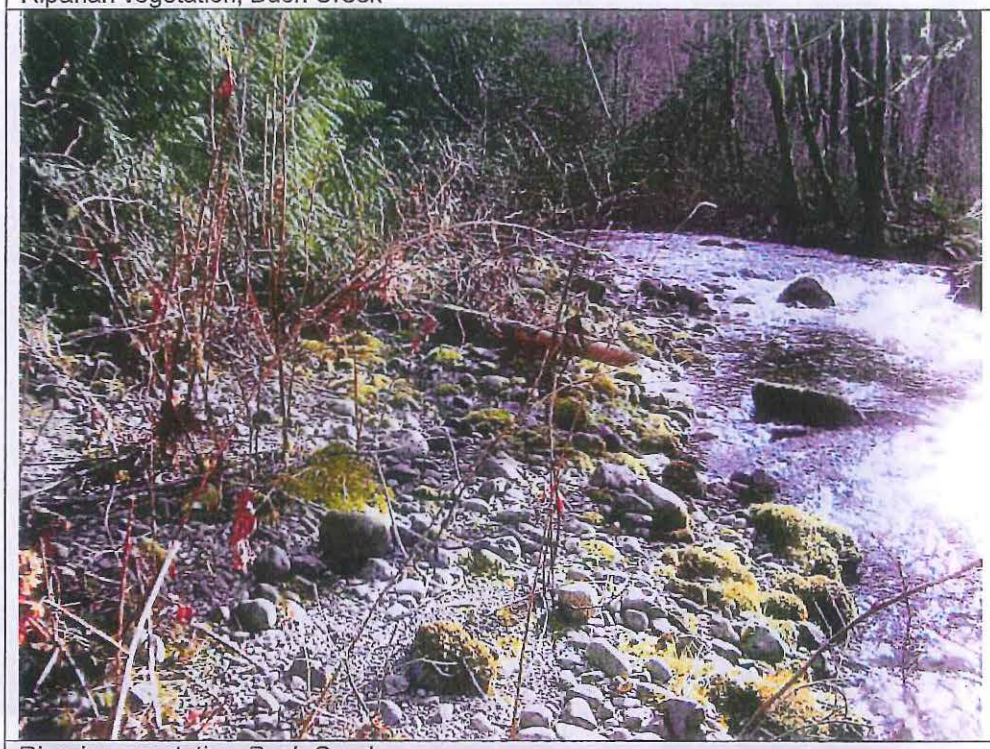
All site construction works will be monitored by a qualified Environmental Monitor (EM) to ensure that the works follow the results of this RAR assessment or future detailed RAR assessments and that the Best Management Practices are followed.

The monitor will be onsite as needed when construction works are being conducted in or around environmentally sensitive areas. All environmental concerns will be communicated to the construction supervisor and landowner.

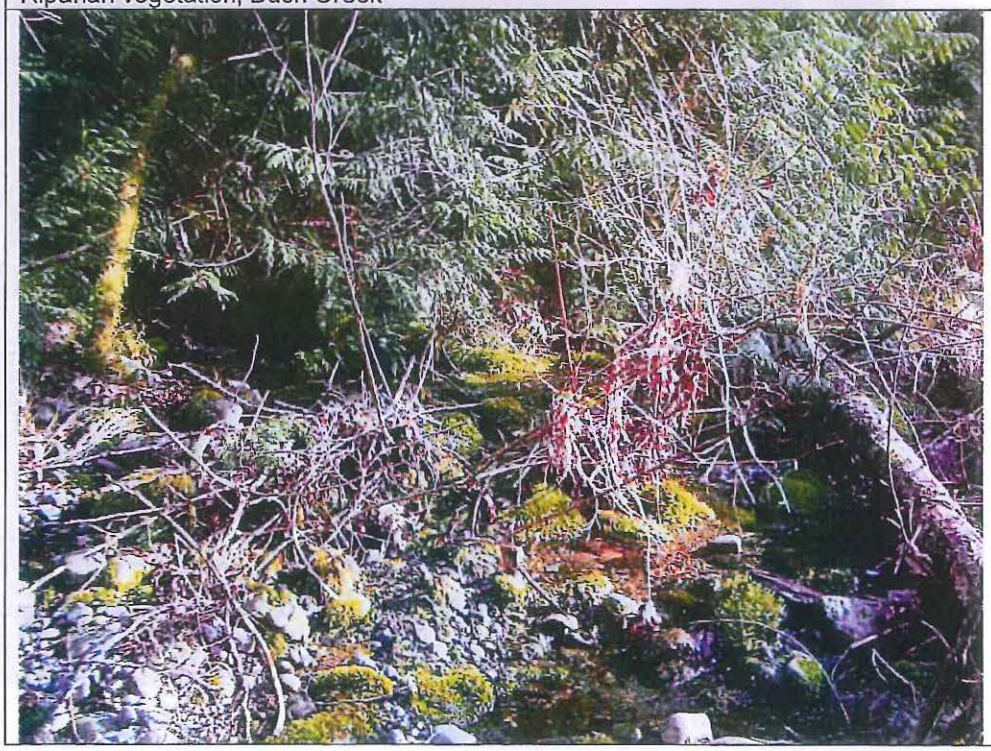
Upon completion of the works, a Post-development Environmental Monitoring report will be sent to the applicable regulatory agencies. This report will assess whether the developer followed the guidelines of this RAR or future detailed RAR assessments, as well as outlining any environmental concerns resulting from the construction activities.

Photos

Label Riparian vegetation, Bush Creek



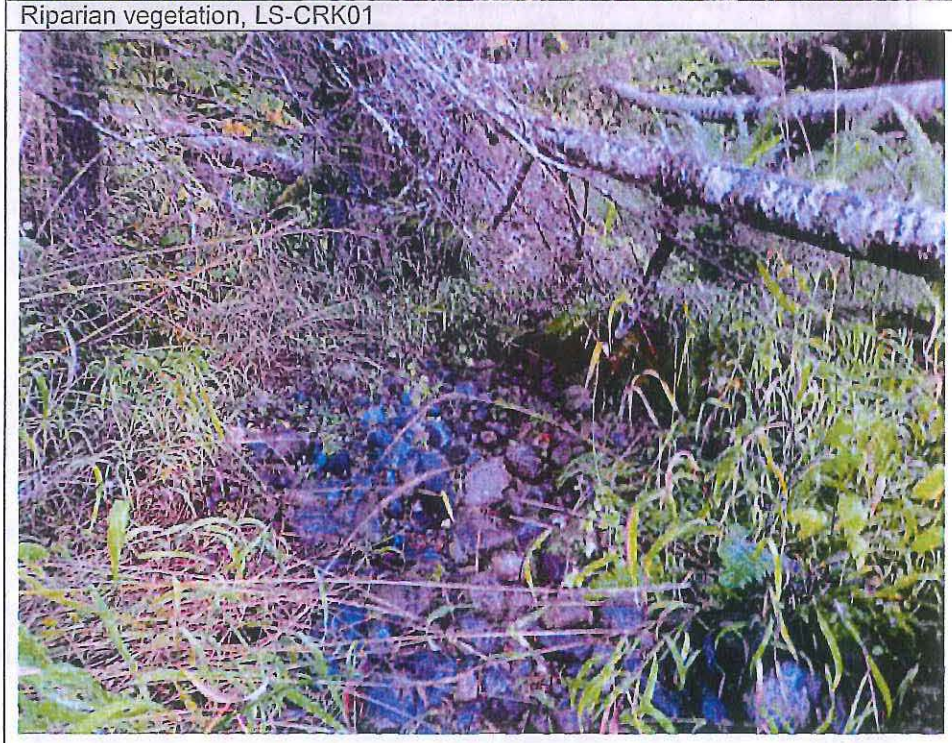
Label Riparian vegetation, Bush Creek



Photos

Label Riparian vegetation, LS-CRK01

Label Riparian vegetation, LS-CRK01



Photos

Label Riparian vegetation, LS-CRK02

Label Riparian vegetation, LS-CRK02

Photos

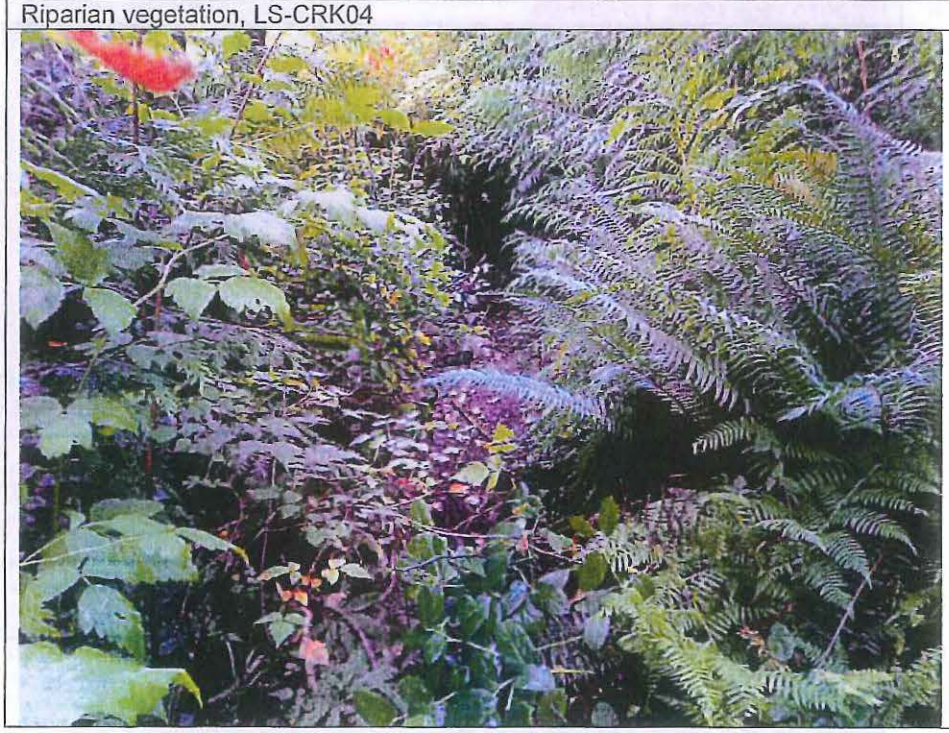
Label | Riparian vegetation, LS-CRK03 Tyee or Rocky Creek

Label | Riparian vegetation, LS-CRK03 Tyee or Rocky Creek

Photos

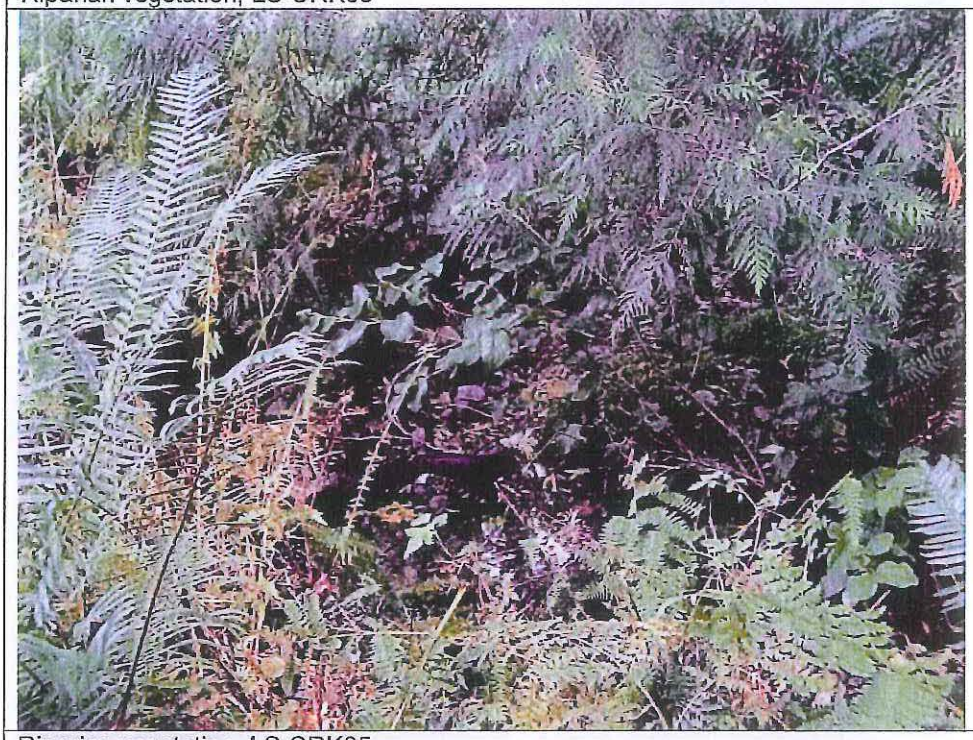
Label Riparian vegetation, LS-CRK04

Label Riparian vegetation, LS-CRK04



Photos

Label Riparian vegetation, LS-CRK05



Label Riparian vegetation, LS-CRK05

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date November 26, 2012

1. I/We Stephanie Louie R.P.Bio.

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
b) I am/We are qualified to carry out the assessment of the proposal made by the developer Couverdon Real Estate, which proposal is described in section 3 of this Assessment Report (the "development proposal"),
c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: **"qualified environmental professional"** means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if
(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
(c) the individual is acting within that individual's area of expertise.]

Submission Instructions
Riparian Areas Regulation – Qualified Environmental Professional – Assessment Report
RAR-QEP-AR

Forms you will need to complete are

- Form 1 which has the database information, the description of the fisheries resources, development site plan, measures to protect and maintain the SPEA, and environmental monitoring.
- Form 2, if more QEPs are part of the project team.
- Either Form 3 the detailed assessment form(s) or Form 4 simple assessment form(s) which is for the results of the riparian assessment (SPEA width). Use enough copies of the form to complete the assessment of the site.
- Form 5 is the photo form(s). Duplicate for additional photos.

NB: See the Guidelines and the Assessment Methods for detailed instructions on the information required for completing the Assessment Report.

A complete Riparian Assessment Report based on the template forms must be converted to a *single* Portable Document Format PDF file prior to uploading onto the Notification System.

The Assessment Report must be complete, by submitting the information specified, and posted to provide notification to the local government, Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans Canada.

Tips for working with MS Word Template Forms

Using the forms

- Before beginning, print a hard copy of the form and the guidance files for reference
- Open the template
- Enter data into the shaded fields on the form
- Use TAB to move from one field to another; SHIFT-TAB to go in reverse
- Text and digital photos may be inserted from other applications
- The amount of text that can be entered in each box is limited and cannot be changed by the user; boxes with date information, for example, require input like: yyyy-mm-dd.

Saving the completed form

- Assign name to the completed form
- Save a word document (*.doc file)
- Do not overwrite the Template (*.dot file) with your completed form
- If you do overwrite the template, you can download a new copy from this web site

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C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 26, 2013	FILE NO:	Area E Bill 27 & Housekeeping
FROM:	Alison Garnett, Planner I	BYLAW NO:	3680, 3681, 3682

SUBJECT: Electoral Area E Zoning and OCP Bylaw Amendments (Bill 27; Conservation, Species at Risk & Social Sustainability; Parkland, Wetland & Trail Acquisition)

Recommendation/Action:

a. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E, be forwarded to the Board for 1st and 2nd reading;
b. That a Public Hearing be scheduled with Directors Duncan, Iannidinardo and Fraser appointed as delegates;
c. That a public information meeting be scheduled one hour prior to the start of the Public Hearing to provide an opportunity for informal explanation and discussion of the bylaws.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*
The cost of advertising and holding a public hearing and/or meeting.

Update:
At the EASC meeting on February 5th 2013, the Committee passed a motion to refer these bylaw amendments to the Electoral Area F Advisory Planning Commission (APC). The Area F APC met February 18th, 2013 to review the two Official Community Plan (OCP) amendments (draft bylaws 3680 and 3681) in terms of how they impact the portion of Electoral Area F that is covered by the Area E OCP (see attached map).

The meeting minutes are attached to this report and provide a summary of the general comments. One particular motion was passed:

> *The Area F APC requests that the Area E "Social Sustainability" Policies not apply to that portion of Area F that is in question.*

With regards to this motion, the Social Sustainability section of amendment bylaw 3681 has been adjusted to clarify that those policies will only apply to Electoral Area E.

The minutes also contained a general recommendation:

> *The negativity contained in both amendments (3680 and 3681) seems to be very restrictive in nature and could be improved by changing all negative wording to positive terminology that would be more inviting to future development proposals,*

otherwise prospective future opportunities could be lost by "first impressions" created by the negative restrictions currently depicted in these proposed amendments.

This is a challenging recommendation to accommodate, as it suggests a fundamental disagreement with the intent of the current Area E OCP and the policies proposed in the amendment bylaws. Therefore staff have not made any changes to the draft bylaws that would address this general recommendation.

Background:

This package of amendments to the Area E Official Community Plan and Zoning Bylaw was initiated by the Planning and Development Department as a response to Bill 27, the *Local Government Statutes Amendment Act.* Bill 27 requires local governments to implement policies, actions and targets for reducing greenhouse gas emissions in all Official Community Plans (OCP).

All other CVRD Electoral Area OCPs have been amended and comply with the provincial requirements. Various approaches were taken in each area, reflecting the diversity of feedback from the individual APC's as well as the specific character of the Electoral Area.

A slightly different approach was taken in Electoral E, as Bill 27 was seen as an opportunity to update the OCP and implementing Zoning Bylaw with stronger environmental protection and energy efficiency policies. OCP Amendment Bylaw No. 3680 (Bill 27) will bring the Electoral Area E into compliance with Bill 27.

The two other attached bylaws, OCP Bylaw No. 3681 and Zoning Amendment Bylaw No. 3862, are essentially housekeeping amendments. Authorization was given by the EASC in October 2010 to proceed in drafting these housekeeping amendments, following a report by the Manager of Community and Regional Planning on general bylaw maintenance for all Electoral Areas.

Finally, we also note that Electoral Area E is scheduled for a complete OCP review beginning in 2013, and the remaining housekeeping amendments not dealt with in this package will be addressed at that time.

Summary of Proposed Changes:

For ease of reference, a summary of the proposed changes is provided below for each amendment bylaw.

OCP Amendment Bylaw – Bill 27

1. This bylaw provides background information on climate change and an inventory of locally produced greenhouse gas emissions, in a new section "Climate Change, Land, Resources and Energy Efficiency".
2. Polices, targets and actions for reducing greenhouse gas emissions are integrated throughout various sections of the OCP such as Agriculture, Residential, Forestry.
3. The Wetland Protection Development Permit Area is introduced, which would require a development permit when a wetland is located on a parcel of land proposed for subdivision. This DPA forms part of the Bill 27 amendment bylaw because wetlands function as storage for greenhouse gases, in addition to providing numerous other ecological functions. This DPA will require a qualified environmental professional to identify wetlands and incorporate the location of wetlands into a proposed subdivision layout. An amendment to the Development Application, Procedures and Fees Bylaw No.

3275 will be required to delegate approval authority for this DPA to the General Manager of Planning and Development.

OCP Amendment Bylaw – Conservation, Species at Risk & Social Sustainability

1. This bylaw amends the existing "Environmentally Sensitive Areas and Hazard Lands", "Forestry" and "Parks and Institutional" sections of the OCP, to include policies that are supportive of a regional conservation strategy, watershed planning, flood protection, species at risk and biodiversity protection, etc.
2. Draws attention to the significance of Wake Lake, and introduces criteria for rezoning land within 1000 metres of Wake Lake from Forestry to Rural Residential/Forestry Conservation designation, to assist in the conservation of the surrounding wetland systems.
3. Proposes a new land designation and zone near Chemainus River Park, for the purpose of allowing a caretaker's residence to oversee the park.
4. Introduces a new section "Social Sustainability", with the purpose of clarifying the expectation and process whereby new development contributes to the existing community through amenity contributions. This section is modeled after policies in the South Cowichan and draft Cowichan Bay OCPs.

Zoning Amendment Bylaw – Parkland, Wetlands & Trail Acquisition

1. Increase the minimum lot size in the R-2 zone for lots served by a community water system, from 0.4 hectares to 0.8 hectares.
2. Include a bylaw provision that would allow subdivision along the boundary created by a park or trail dedication to the CVRD, subject to specific criteria. Land eligible for subdivision along a dedicated trail or road must be identified in an appendix to the Zoning Bylaw.
3. Remove wetlands and watercourses from the land area eligible for use in calculating minimum parcel size requirements (applicable to subdivision applications).
4. Rezone public parks at Wake Lake and Busy Place Creek to P-2 River Corridor Conservation, to reflect the current public park use.

Consultation:

- *Advisory Planning Commission*

Consultation on these proposed changes began with three separate meetings of the Electoral Area E Advisory Planning Commission. All three of these meetings focused on an earlier iteration of the bylaws that included a zoning regulation that would have required all single family homes (new construction or renovation) to be equipped with a heat pump as the primary heat source.

The APC was not supportive of the heat pump regulation. After significant time and research, it was determined that the current tools available to a regional district are not appropriate for enabling bylaws that specify heating types, despite the provincial government mandate that local governments establish and respond to greenhouse gas reduction targets. Education, incentives and the BC Building Code (which is expected to be revised in 2013) are believed to be more appropriate approaches to improving energy efficiency in residential housing stock.

Generally, the Area E Advisory Planning Commission was supportive of the policies proposed in the attached amendment bylaws. Minutes from their August 9th, 2012 meeting are attached.

- *CVRD Environment and Regional Agricultural Advisory Commissions*

Early versions of the bylaws were also presented to the Environment Commission and Regional Agricultural Advisory Commission. The AAC was generally supportive of the proposals.

The Environment Commission created a working group that met with Planning staff to review the proposed bylaws in more detail. A summary of their review is attached to this report. A considerable amount of their feedback was incorporated into the bylaws presented today.

Referral Agency Comments:

Referrals to local governments, internal departments and agencies were sent December 5th, 2012. The comments we received are noted below. In some cases, Planning Staff have made note (in parentheses) of how feedback was incorporated into the amendment bylaws or deferred until the full OCP review.

- Cowichan Tribes - At a meeting with Helen Reid on January 15, 2013 to discuss bylaw amendments, Ms. Reid stated that Cowichan Tribes would have no concerns with the proposal.

- District of North Cowichan - Approval recommended subject to advising the Board of the CVRD that the North Cowichan Council has no objections to the Board's proposed official community plan amendment and zoning amendment bylaws, but would ask that the bylaws contain some provisions for aquifer protection. (*Aquifer protection is outside the scope of these amendments, but may be considered in the full OCP review.)*

- City of Duncan - Approval recommended for reasons outlined in the attached letter.

- Ministry of Agriculture - Approval recommended subject to concerns with the proposed changes to Policy 4.1.7 and 4.1.18, as they both have potential for increasing the population in the ALR. This in turn can contribute to conflicts between farming and residential uses. (*Policies 4.1.7 and 4.1.18 have since been removed from the draft bylaws)*

- Ministry of Transportation and Infrastructure - Interests unaffected

- Agricultural Land Commission - Interests not affected.

- CVRD Engineering and Environment Department, Water Management Division - Approval recommended subject to suggesting that CVRD owned water and sewer systems be defined as community systems regardless of the number of units. (*The recommendation to redefine community systems will be deferred until the Area E OCP review in 2013)*

- CVRD Public Safety Department - Comments included: 1) Amenities should include consideration for fire protection services; 2) Sustainability to include consideration of natural and man-made hazards; and 3) Areas with water resources should include consideration for fire department access to those water resource fighting areas. (*Specific suggestions from Public Safety Department staff have been incorporated into the attached draft bylaws.)*

- Economic Development Division - No effect to the Economic Development Division.

- Parks and Trails Division - No issues noted that adversely affect local parks programs.

No responses were received from the following agencies: Ministry of Environment, Ministry of Forests, Lands and Natural Resource Operations and Ministry of Community, Sport and Cultural Development.

Planning Department Comments:

Substantial staff time, as well as consultation with APCs and Commissions, has been devoted on the preparation of these proposed amendment bylaws. The Planning Department considers them to be ready for review by the community at a public hearing. Bylaw 3680 (Bill 27) will bring the Area E OCP into compliance with provincial government legislation, along with the other CVRD Electoral Area OCPs.

Due to the length and complexity of the amendments, we recommend that time for an open house be allocated prior to the start of a public hearing. The open house will provide an informal opportunity for the public to ask questions and receive clarification from staff and the Area Director. However, the second option presented below is to proceed directly with a Public Hearing without an open house. A third option is to schedule a public information open house and report back to the EASC prior to the scheduling of a public hearing.

Options:

1.
   a. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E, be forwarded to the Board for 1st and 2nd reading;
   b. That a Public Hearing be scheduled with Directors Duncan, Iannidinardo and Fraser appointed as delegates;
   c. That a public meeting begin one hour prior to the start of the Public Hearing to provide an opportunity for informal explanation and discussion of the bylaws.

2.
   a. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E, be forwarded to the Board for 1st and 2nd reading;
   b. That a Public Hearing be scheduled with Directors Duncan, Iannidinardo and Fraser appointed as delegates.

3.
   a. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E, be sent to a Public Meeting.

Submitted by,

Alison Garnett
Planner I
Development Services Division
Planning & Development Department

Reviewed by:
Division Manager:

Approved by:
General Manager:

AG/ca

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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3680

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 1490, Applicable To Electoral Area E and Part of F – Cowichan-Koksilah

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WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend official community plan bylaws;

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Official Community Plan Bylaw No. 1490;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1490;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3680 - Area E – Cowichan Koksilah Official Community Plan Amendment Bylaw (Bill 27), 2013."**.

2. **AMENDMENTS**

   Cowichan Valley Regional District Official Community Plan Bylaw No. 1490, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

   This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

READ A FIRST TIME this _____ day of _____, 2013.

READ A SECOND TIME this _____ day of _____, 2013.

READ A THIRD TIME this _____ day of _____, 2013.

ADOPTED this _____ day of _____, 2013.

_____ _____

Chairperson Secretary

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SCHEDULE "A"

To CVRD Bylaw No. 3680

Schedule A to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

1. The following is inserted into Section 2.2.1 **Natural Environmental Objectives:**

(e) Encourage the reduction and mitigation of carbon emissions in the Plan Area to protect the community from adverse effects and consequences of climate change.
(f) Encourage and support climate adaptation responses at a community level to be more resilient to changes to hydrology and ecosystems, and impacts to infrastructure.

2. The following is inserted into Section 2.2.10 **Transportation Objectives**:

(c) Work with other levels of government to ensure that transportation networks and design take into consideration the reduction of greenhouse gas emissions and quality of life objectives noted in this Plan.

3. The following is inserted as Section 3.2 **Climate Change, Land, Resources and Energy Efficiency,** and is added to the Table of Contents.

3.2 Climate Change, Land, Resources and Energy Efficiency

The Province of BC has developed a target of reducing greenhouse gas (GHG) emissions by 33% from 2007 levels by 2020 and a reduction by 80% from 2007 levels by 2050. The Province of BC, through Bill 27, the *Local Government Statutes Amendment Act* (2008), requires that all local governments develop targets and energy policies for reducing greenhouse gas emissions, as well as actions and frameworks designed to achieve the targets. The Regional District and the Plan area propose to assist in achieving those targets by developing strategic responses to the underlying cause of GHG emissions in the areas in which they have jurisdiction or influence, namely land use, the built form, economic development, infrastructure and relationships with other levels of government. While acknowledging the important role local governments play in land use decisions, which are integrally connected to greenhouse gas production, this Plan highlights the importance of collaborating with senior levels of government, businesses, and neighboring jurisdictions to meaningfully respond to climate change. A strong foundation of communication and partnership between all players is necessary to increase our resiliency, and to prepare adaptation and mitigation strategies for our communities which are appropriate for their unique situations. Clearly these strategies will change over the Plan life, therefore an adaptive response will be developed that takes into consideration new opportunities and lessons learned.

An inventory of greenhouse gas emissions conducted for the Regional District[1] estimated 77.9% of GHG emissions produced in 2007 were produced from transportation, as a result of driving to work, schools and other daily activities. Building related emissions account for 20.9% of our emissions in 2007, while solid waste sources contribute 1.2%. Given the proportion of transportation related emissions, the CVRD will increasingly take this into consideration in land use decisions and working relationships with other provincial entities that have direct control over transportation planning by way of road networks and public transit provision. Land use planning, which determines the location of homes, workplaces, schools, and rural lands, directly relies on this important infrastructure, and in turn affects the community's production of associated GHGs.

This Plan emphasizes the numerous community benefits and potential reductions to GHG emissions that are possible by increasing the efficiency of both land and energy use. Communities that concentrate and combine land uses in well-defined areas, and preserve rural lands, will reduce GHG emissions, but also improve health, decrease the costs of infrastructure and servicing, and promote the Plan area's high quality of life.

To reflect the complex nature of climate change, an integrated response is required. This response deals both with the reduction of activities that produce GHG emissions, and the need to address the complexities of climate adaptation. Therefore policies designed to increase land and energy efficiency are incorporated throughout multiple sections in this OCP, including the Residential, Agricultural, Environmentally Sensitive Areas and Transportation sections. The Regional District is currently in the process of developing a Regional Energy framework as well as a climate change action plan; both of these policy documents will inform the next comprehensive Plan revision. This integrated effort is intended to meet the Province's greenhouse gas reduction targets, which the CVRD has committed to.

Policy 3.2.1
The CVRD Board recognizes the importance of reporting and measuring greenhouse gas emissions, and will set new refined targets as our knowledge on emissions and inventories improves.

4. The following is inserted as Section 4.2 **Agriculture and Sustainability,** and is added to the Table of Contents:

4.2 Agriculture and Sustainability

Much of the Plan area is characterized by a rural residential landscape and productive agricultural lands. Communities such as Cowichan Station, Sahtlam and Glenora contribute to the rural ambiance, and provide a high quality of life in the Plan area. According to the CVRD's Community Energy and Emissions Inventory, the region as a whole has 18,998 hectares of land in the ALR as of 2007, which comprises 5.4% of the land base. Retaining agricultural land, increasing farming, local food production and processing capabilities will be necessary to increase regional food security and enhance community sustainability.

The CVRD's State of the Environment Report found that the Cowichan Region currently produces approximately 18% of its total food needs. In addition to promoting health and the

[1] Province of BC, Cowichan Valley Regional District Community Updated Community Energy and Emissions Inventory: 2007 (2010)

local economy, increased production and consumption of locally grown farm products can be a significant source of GHG reductions. Therefore the Board establishes the following targets:

A. To increase food production within Electoral Area E to 40% of our total food needs by 2020.

B. To allow no net loss of land in the Agricultural Land Reserve from 2007 levels, and no net reduction in the quality of soil classes for land in the Agricultural Land Reserve.

Policy 4.2.1
The ongoing and increased support to agriculture is of prime importance to climate mitigation and community adaptation responses. Therefore the CVRD will preserve the agricultural land base of the Plan area by protecting agriculture from inappropriate adjacent residential development, by viewing all lands as having agricultural potential at a range of scales, and by supporting agricultural uses throughout the Plan area as long as nuisance issues are abated.

Policy 4.2.2
To increase food self-sufficiency, the CVRD will consider permitting limited agriculture in all residential zones, and community gardens will be encouraged in appropriate locations in the Plan area.

Policy 4.2.3
To support the objectives of agricultural resilience and sustainable economic development, small scale production and redistribution systems shall be supported where properties can lease or sell produce to a third party, regardless of individual home based business regulations.

5. Within Section 5.1 **Forestry**, the following is added:

Policy 5.1.14
Forestry lands will be increasingly important for the continued sequestration of carbon emissions in the Plan area, and the CVRD will strive to protect and enhance forestry lands in partnership with the provincial government and private landowners.

Policy 5.1.15
Regardless of the land tenure and the important role of forestry to our community and economy, the Regional District will develop appropriate watershed drinking water plans where necessary and as resources permit, and will work with the appropriate agencies to implement. This will be increasingly important as a climate adaptation mechanism to protect long term water needs for developed communities.

Policy 5.1.16
Given the uncertainties related to climate change impacts, consideration of urban wildfire interfaces should be considered, which take into account forestry objectives, biodiversity and public safety in a holistic and strategic way.

6. Section 6.0 is renamed **Mineral, Aggregate, Hydrocarbon Resources, and Alternative Energy Generation**, and the following is added after Policy 6.1.7:

Policy 6.1.8
Where alternative energy resource zones are identified, the Regional District may specify development criteria in order to achieve the climate and GHG mitigation targets.

7. The following is inserted as Section 7.10 **Residential Development, Climate Change, Land and Energy Efficiency**

7.10 Policies: Residential Development, Climate Change, Land and Energy Efficiency

The rural character of the Plan area is undeniably one of its defining features, worthy of protection for its visual beauty, contribution to the economy, and enjoyment of the residents. Protection of the rural land base supports other meaningful objectives as well, including helping to reduce locally produced greenhouse gas emissions, and conserving natural areas that provide ecological functions and assist in climate change adaptation. The ecological functions of natural systems will provide buffering capabilities for the area residents, from anticipated effects of climate change such as heating and cooling impacts, to changing drought and flooding patterns. Natural systems also allow for natural migration shifts in both ecological and wildlife needs.

To realize the goal of protecting the rural land base, future residential growth areas must be identified. Suitable locations for residential and mixed use development are where water and sewer infrastructure exists, community services and facilities are accessible, and people can travel recreationally and for commuting purposes by bicycle, walking, transit or carpooling. By purposefully accommodating new residents in such areas, the rural, agricultural, ecological and forestry land base of the Plan area can be protected from sprawling development impacts, and the land base will be used more efficiently.

Improving the energy efficiency in existing and new construction is another meaningful way to reduce greenhouse gas emissions, and help residents pay less to heat and operate their homes. Based on 2006 census data, 90% of the Area's residents live in single family homes. These homes are increasing in size relative to the number of occupants, and increasing technological tools are changing our associated energy dependency. If we are to achieve the greenhouse gas reduction targets, we must reduce our relative energy footprint and emissions by either making reductions or increasing efficiency.

Policy 7.10.1
In a future OCP review, the community and Board will consider the following initiatives:

i. Establish village containment boundaries in the Plan area, where a combination of residential, commercial and institutional uses will be focused.

ii. Permit semi-detached residences in the Urban Residential designation, if connection to community water and sewer is available. Improvements to pedestrian routes will be considered in association with increases in density.

iii. Revise the home occupation regulations, to permit an increase in cottage industry/home based business operations, without negatively impacting the existing character of the Plan area.

Policy 7.10.2
The Board will consider greenhouse gas reduction targets when making decisions on land use change applications, as they in turn affect the production of transportation related greenhouse gas emissions. All development proposals should take into consideration opportunities for enhanced use of public transportation or non-vehicle alternatives.

Policy 7.10.3
In order to achieve the Plan's greenhouse gas reduction targets, residential development should be built to take into consideration increasing performance standards related to energy consumption, efficiency and energy resilience. The implementing zoning bylaw may require the highest standard of non-fossil fuel based energy conservation systems, such as heat pumps and other emerging technology, water efficient plumbing fixtures and systems such as on-demand hot water, and passive solar design principles as mandatory components of single family dwellings.

Policy 7.10.4
In order to transform the built form to achieve the greenhouse gas reduction targets, while recognizing the pace at which new development or replacement development is occurring, the Board will take two approaches:

i. All new development will achieve increased energy performance requirements or integration of alternative energy resiliency as set out by the Board to achieve greenhouse gas reduction and energy policy targets. The BC Building Code will continue to set out minimum safety requirements.

ii. Existing development will be expected to increase energy performance as a condition of permitting based on assessment in order to reduce greenhouse gas emissions.

Policy 7.10.5
Applications for rezoning for residential use will be evaluated based on the objective of achieving the highest energy efficiency and green building standards in new developments. Minimum standards may be legally secured by bylaw, development agreements and/or restrictive covenants. Nothing in this policy precludes expectations for amenities as part of a rezoning application package, as outlined in Section 7.11.

8. Within Section 11.1 **Parks and Institutional Uses**, Policy 11.1.15 is deleted and replaced with the following:

Policy 11.1.15
A walkway/bikeway/bridle path network should be considered to connect parkland to residential neighbourhoods and commercial areas. To support the regions greenhouse gas reductions targets, linear park connections should also take into consideration the increasing need for alternative transportation modes for commuting purposes. Appropriate park and ride facilities should be considered as components of this infrastructure.

9. The following is added after Policy 11.1.17

Policy 11.1.18
Within CVRD operated buildings, infrastructure, local parks and ongoing programming, the Board will undertake educational initiatives, to generate broader community knowledge of climate change issues, clean and sustainable water resources, clean air initiatives, watershed functions, local ecosystems and local biodiversity, as well as the threats posed by habitat degradation and invasive plant and animal species.

10. The following is inserted as Section 13.2 **Transportation, Climate Change, Land and Energy Efficiency**, and is added to the Table of Contents:

13.2 Transportation, Climate Change, Land and Energy Efficiency

Vehicle related transportation is by far the largest contributor to overall emissions in this region. It represented an estimated 77.9% of GHG emissions produced in 2007[2], as a result of driving to work, schools and other daily activities. In addition to the distribution of homes, workplaces and schools throughout our communities, the method of transportation and efficiency of vehicles has a large effect on GHG production.

Based on 2006 census data, 83% of commuters travel to work by car, truck or van as a driver, while 10% carpool and 5% commute by transit, walking or cycling. To meet the Province's greenhouse gas reduction targets, and build a more sustainable community, the CVRD establishes the following target: To increase the percentage of commuters using transit, cycling or walking from 15% of Area E residents in the workforce in 2006, to 30% by the 2021 census. The following policies will support achievement of this target.

Policy 13.2.1
The CVRD Board will pursue funding opportunities and amenity contributions through rezoning applications, to expand and improve transit infrastructure, cycling and walking paths.

Policy 13.2.2
The Board will consider transportation and GHG targets in land use change decisions, understanding that land use plays a central role in determining the transportation options available to individuals.

Policy 13.2.3
The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions, because public transit is a critical component in reducing the area's GHG contribution. Furthermore, the CVRD will continue to pursue opportunities to make the Cowichan Valley Regional Transit System a viable transportation option in the region.

[2] Province of BC, Cowichan Valley Regional District Community Updated Community Energy and Emissions Inventory: 2007 (2010)

Policy 13.2.4
Connectivity is highly encouraged within the Plan area, to encourage non-motorized transportation between neighbourhoods, community services and facilities, urban centers and other community nodes. Opportunities to build and improve bicycle and pedestrian infrastructure will be pursued, in collaboration with the Ministry of Transportation and Infrastructure and adjacent jurisdictions.

11. The following is inserted as Section 14.12, and added to the Table of Contents:

14.12 Wetland Protection Development Permit Area

14.12.1 CATEGORY
The Wetland Protection Development Permit Area is designated pursuant to Section 919.1(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity; and for the establishment of objectives to promote the reduction of greenhouse gas emissions.

14.12.2 DEFINITIONS
For the purposes of this Development Permit Area, the terms "wetland", "qualified environmental professional" and "riparian area" have the same meaning that they do under the Riparian Areas Regulation (BC Reg.376/2004), as of the date of adoption of this bylaw.

14.12.3 JUSTIFICATION
Wetlands and riparian areas function as natural water storage and purifying systems, and provide safe corridors for wildlife movement. Wetlands need to remain in a largely undisturbed state in order to protect habitat, mitigate flooding, control erosion, reduce sedimentation, store greenhouse gases and recharge groundwater. The simplest method of protecting wetlands is identification and complete avoidance from the impacts of development.

Wetlands are areas of land that characteristically have wet or saturated soils and are dominated by water-loving plants. They provide a specialized habitat for diverse and unique sets of species assemblages and are a vital link between upland and open-water aquatic environments. Wetlands perform a number of essential and varied natural functions that are significant in maintaining local biodiversity. Classes of wetlands that exist in the Plan Area include marshes, bogs, fens, swamps, and wet meadows. Wetlands are sensitive and important because they exhibit high biodiversity, specialized habitat and functions, and connectivity. The ecological functions and rarity of wetlands justifies the preservation of all remaining wetlands in Electoral Area E, and restoration of previously damaged wetlands.

This development permit area is utilized at the subdivision stage, to ensure that impacts on wetlands will be avoided in all future stages of development. Subdivision layouts will demonstrate that proposed lots have a viable and useable area of land, exclusive of a wetland area. The importance of wetland mapping by qualified environmental professionals is essential to the preservation of these sensitive natural areas and the ability to make sound development decisions. Finally, this development permit area is intended to provide protection to wetlands, as they are not typically protected under the *Riparian Areas Regulation.*

14.12.4 APPLICABILITY

The Wetland Protection Development Permit Area applies to all land in Electoral Area E.
A development permit must be applied for, and issued by the Cowichan Valley Regional District, prior to the subdivision of land as defined in section 872 of the *Local Government Act*, regardless of the Zone or Plan designation, if a wetland is located on the subject property, or is located within 30 metres of the subject property. All determinations as to whether an area is a wetland or former wetland and as to the boundaries of riparian protection areas shall be made by a qualified environmental professional at the time of application for a development permit authorizing the subdivision.

14.12.5 GUIDELINES

No person shall subdivide land in the Wetland Protection Development Permit Area, prior to the owners receiving a development permit from the CVRD, which adapts the proposed development to ecosystem conditions and establishes protective buffers around wetlands. An application for development permit will sufficiently address the following guidelines:

a) A qualified environmental professional (QEP) shall be retained at the expense of the applicant, for the purpose of preparing an assessment of land that is the subject of a subdivision application, in order to identify wetland(s) on the subject property.

b) The QEP assessment will include wetlands that have been previously disturbed or filled in, and in such cases, will provide recommendations for restoration. The assessment should also note historic high flood levels and any existing artificial restraints (dams, etc.), as appropriate.

c) If a wetland, whether previously disturbed or not, is located on the property, the QEP's assessment will include a map that accurately identifies the wetland. The assessment will describe and identify appropriate riparian protection areas (also known as setbacks or buffer strips) in relation to a wetland or in relation to a wetland on an adjacent parcel.

d) The proposed plan of subdivision will incorporate wetland(s) and riparian protection areas. Minimum lot sizes will be met exclusive of the wetland area, as required under the implementing Zoning Bylaw. Applicants are encouraged to consider various proposed subdivision layouts that demonstrate how development of property could proceed with complete avoidance of wetlands and riparian protection areas.

e) Road, trail and utility crossings of a wetland or riparian protection area must be constructed so as not to affect surface and subsurface hydrology. Clear-span bridges, oversized culverts, or other methods should be considered where necessary.

f) Proposed lots that are part of or adjacent to a wetland should be large enough to accommodate a reasonable usable yard between the proposed building envelope and the edge of a wetland riparian protection area, a minimum width of 7.5 metres.

g) No development activities (such as grading, clearing, trenching, installation of pipes, sewer or water infrastructure, etc.) relating to the creation of lots or provision of services for those lots shall occur in the wetland or riparian protection area.

h) Prior to preliminary subdivision approval, the boundaries of the riparian protection area will be clearly marked with high visibility temporary fencing, which will remain in place throughout site preparation, construction or any other form of disturbance. A follow up report by a qualified environmental professional may be required.

i) In all situations where a wetland or other significant environmental feature is located on a property, the owners will be encouraged to provide long term protection of the wetland and riparian protection area, either through gifting to a nature protection organization or the CVRD, or by registering a Section 219 conservation covenant confirming the long term preservation of the wetland.

j) The QEP's assessment will identify, describe and make recommendations for protecting any species at risk occurrences, based on species identified by federal and provincial legislation, as it emerges. Species at risk occurrence information will be provided to the BC Conservation Data Centre.

k) Where invasive plant and animal species are located on land that is subject to subdivision, the qualified environmental professional should provide recommendations for appropriate removal and disposal of invasive species.

14.12.6 Application Requirements

Before issuing a development permit for subdivision, the Cowichan Valley Regional District requires that the following information be submitted along with the application form and fee:

1. A site plan drawn to scale, indicating existing and proposed parcel lines, the location of sensitive environmental features, wetlands and riparian protection areas. A written description may accompany the plan.
2. The location of existing and proposed buildings and structures, septic tanks or sewage systems, existing and proposed driveways, pedestrian and bike trails, parking areas and yards.
3. Proposed lot sizes and lot dimensions, and setbacks to wetlands and riparian protection areas.
4. A report by a qualified environmental professional, which identifies wetlands and other sensitive environmental features, assesses potential impacts of the project and provides recommendations for protection and mitigation.
5. A landscaping plan, identifying existing and proposed plant species, areas of sensitive native plant communities and areas to be cleared or planted.

14.12.7 Exemptions

A Wetland Protection Development Permit is not required where a qualified environmental professional provides written confirmation that a wetland is not located on or within 30 metres of the subject lands, or other proof of the absence of wetlands on a subject property is provided, to the satisfaction of the General Manager of Planning and Development.

14.12.8 Concurrent Development Permit Areas

Where more than one development permit area applies to land in the Wetland Protection Development Permit Area, a single development permit may be issued.

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3681

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 1490, Applicable To Electoral Area E and part of F – Cowichan-Koksilah

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WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend official community plan bylaws;

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Official Community Plan Bylaw No. 1490;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1490;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3681 - Area E – Cowichan Koksilah Official Community Plan Amendment Bylaw (Conservation, Species at Risk & Social Sustainability), 2013".**

2. **AMENDMENTS**

   Cowichan Valley Regional District Official Community Plan Bylaw No. 1490, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

   This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

READ A FIRST TIME this _____ day of _____ , 2013.

READ A SECOND TIME this _____ day of _____ , 2013.

READ A THIRD TIME this _____ day of _____ , 2013.

ADOPTED this _____ day of _____ , 2013.

_____ _____

Chairperson Secretary

C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3681

Schedule A to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

1. Section 3.0 **Environmentally Sensitive Areas and Hazard Lands,** introductory paragraphs are deleted and replaced with the following:

Watercourses and wetlands in the Cowichan/Koksilah Plan Area are a vital natural resource worthy of careful land use planning. The Plan area includes the following three major rivers; Cowichan River, Koksilah River and Chemainus River. Numerous streams, lakes and marshlands are also included, as are Keating Lake, Wake Lake, and other marsh and bog areas that act as staging areas for waterfowl and provide valuable habitat for various species.

The coastal lowlands of the Plan area are ecologically unique within Canada. A diversity of plants, plant communities and animals - many of them rare - thrive in the area's climate and long growing season. Sensitive ecosystems are in need of additional protective measures, not only for their own intrinsic values, but for the significant role they play in creating healthy and attractive communities for people and their important natural capital values.

Wetlands purify drinking water and help provide protection from flooding. Forests clean the air and provide visual relief from urban settings. Riparian forests are cool, moist havens during hot, dry summers. Open hilltop meadows - especially when carpeted with spring flowers - present spectacular views and resting places.

Environmentally sensitive areas in the Plan Area include riparian areas (watercourses, springs and surrounding areas), rocky bluffs and inland cliffs, natural terrestrial herbaceous areas (natural grasslands and grass/moss covered outcrops), wetlands (bogs, fens, marshes, swamps, wet meadows, or shallow water wetlands), woodlands (including Garry oak stands, mixed Douglas-fir/Garry oak, Arbutus/Garry oak, and Arbutus/Douglas-fir), older forests (average tree age of 100 years), older second growth forests (60-100 years in age0 and acting as important biological buffers, and seasonally flooded agricultural fields (providing critical flood attenuation and important winter bird habitat). These areas may be vulnerable to degradation due to various uses of land. As well, environmentally sensitive areas often include hazardous lands which may be subject to flooding, erosion, wildfire or landslides.

Identification of special natural features is an ongoing process and it is recognized that there may be many areas of significance which are not yet well known. Additional resources and information are currently being updated by way of mapping and conservation planning.

2. Policy 3.1.1 is deleted and replaced with the following:

All environmentally sensitive areas identified on current sensitive ecosystem mapping have been identified for inclusion in the Plan Area as Environmentally Sensitive Areas as contained in Figure 2. Other sensitive ecological areas exist that will require identification and protection in the future.

3. The following is added as Policy 3.1.2:

The CVRD Board may develop a regional conservation strategy to identify ecological principles and conservation goals, and actions that will maintain and enhance the biological diversity of the Region and protect and/or restore ecologically significant areas. A regional conservation strategy will provide a science based approach to land use planning, as well as identify land management and acquisition priorities. A regional conservation strategy would be beneficial in conjunction with a Regional Growth Strategy.

4. Policy 3.1.4 is amended by adding the following after "high fish bearing capabilities":

...and ecologically significant areas, habitats and features.

5. Policy 3.1.6 is deleted and replaced with the following:

Development shall be prohibited in areas prone to flooding or river-based erosion. Floodplain mapping by Ministry of Environment, as well as the CVRD Cowichan Koksilah integrated flood management updates, will be utilized where possible. If mapping is unavailable, a qualified professional's assessment will be required to determine the probability of flooding, excessive erosion or adverse impacts elsewhere in the Plan Area as a consequence of development.

6. Policy 3.1.7 is deleted and replaced with the following:
In evaluating subdivision proposals within the Plan Area where there may be some potential deleterious impact on neighbouring watercourses, and other sensitive habitats, that it be recommended to the approving officer that the prospective developer shall be required to:

i. Provide details of the anticipated increase in runoff as a result of land clearing and site development, by way of a water balance model or other appropriate mechanism as determined by the CVRD;
ii. Outline a program of rainwater retention by which this potential increase in site runoff may be prevented or minimized and water quantity and quality improved; and
iii. Undertake any other environmental impact assessments as may be required by the CVRD. This may include providing a report by an appropriately qualified professional which outlines the environmentally sensitive features of the site and provides appropriate protective management strategies for its ecological values and functions.

7. Policy 3.1.9 is deleted and replaced with the following:

Sites offering good potential for fish habitat or providing other valuable ecological function, as determined by the CVRD Board, should be identified and protected. Where degradation has occurred habitat areas should be rehabilitated.

8. Policy 3.1.10 is deleted and replaced with the following:

Stream channelization, dredging and stream bank diking are unacceptable means of flood protection in the Plan Area. Instead, setback diking should be used when required. In addition, flood attenuation shall not be impacted by infilling of flood ways and watercourses.

9. Policy 3.1.11 is deleted and replaced with the following:

The Regional District will not support any major water consuming use should the user's rate of water consumption jeopardize the fish bearing capability of watercourses in the Plan Area. Water users are encouraged to develop appropriate water storage and catchment features as part of their developments to reduce the impact on natural systems during low flow periods. Large proposals that have groundwater extraction should take into consideration the avoidance of groundwater/surface water interactions.

10. Policy 3.1.12 is deleted and replaced with the following:

The Regional District supports the Ministry of Environment's effort to develop and adopt a Watershed Development Plan for the major watercourses which pass through the Plan Area. The Plan Area will as much as possible take into consideration watershed based approaches where possible to support such plans.

11. Policy 3.1.17 is deleted and replaced with the following:

In order to encourage the protection of wetlands, creeks, lakes, old growth trees and other special natural features, parks or amenities, as noted in Section 3.1.1, the Regional Board may provide for density bonusing in a zoning bylaw. Such bonuses must be predicated on the permanent and irrevocable dedication or protection of such amenities by the owner of the land for which the bonus is provided.

12. The following is added after Section 3.1.19:

Policy 3.1.20
The CVRD Board will rely on the internationally recognized "Precautionary Principle" when making decisions affecting the Plan Area. The Precautionary Principle is an integral principle of sustainable development, and essentially states that where there are serious threats to the natural environment, a lack of full scientific certainty shall not be used as a reason for delaying action to prevent environmental degradation.

Policy 3.1.21
The CVRD Board recognizes that wetlands and adjacent riparian areas within the Plan Area are places of high biological diversity, supporting a wide variety of animal and plant species that are valued by the local, national and international community. Wetlands are also highly vulnerable to disturbance and therefore the CVRD Board will support land use decisions that prioritize the conservation of these important areas.

Policy 3.1.22
The CVRD Board will endeavor to protect species at risk as identified by the federal and provincial species at risk legislation as it emerges, and the ecosystems upon which they depend. The CVRD Board will undertake to expand the Sensitive Ecosystems Inventory as well as red- and blue-listed species at risk occurrences within the Plan Area and region, and provide updated information to the BC Conservation Data Centre.

Policy 3.1.23
The CVRD Board may establish a development permit area for the protection of wetlands and other sensitive wildlife habitats. Identification and protection of known species at risk occurrences, sensitive ecosystems and all wetlands will be an essential component of development permit guidelines.

Policy 3.1.24
In order to avoid negative effects upon environmentally sensitive areas, the implementing zoning bylaw may provide regulations to ensure environmentally sensitive areas are identified on a proposed development, and minimum parcel size requirements will be met without the benefit of calculating environmentally sensitive areas as part of the parcel area.

13. Section 5.1 **Forestry**, Policy 5.1.5 is deleted and replaced with the following:

Ministry of Forests crown land and private forest land holders governed under the *Forest and Range Practices Act* are encouraged to manage their lands so that they do not:

i. Pose a threat to the quality of fresh water within the drainage system of the Cowichan, Koksilah or Chemainus Rivers;
ii. Alter the aesthetic appeal and visual quality of the landscape;
iii. Disturb areas of unique vegetation or wildlife habitat;
iv. Make soil subject to erosion;
v. Alter natural hydrologic regimes;
vi. Increase the risk of slope destabilization.

14. The following is added following Policy 5.1.10

Policy 5.1.11
Where lands identified as environmentally sensitive in Section 3.1.1 fall within Forestry zoned lands, the Regional District will work with the Province and private landowners to protect ecological values to the highest extent possible.

Policy 5.1.12
Wake Lake is classified as a lake with characteristics of a Labrador Tea/bog laurel/peatmoss bog, which is extremely rare in the coastal lowlands of southeast Vancouver Island. Numerous other marsh, shrub and treed swamp and upland forest occur around the lake. Wake Lake is the largest breeding ground within the CVRD for the Western Toad, a species in need of conservation, and the Red Legged Frog, a blue-listed species. The migratory routes of both amphibian species extend beyond Wake Lake, to adjacent forests, wetlands and the Cowichan River corridor. Therefore, notwithstanding policies 5.1.2 and 5.1.8, the Board may consider Primary Forestry lands within a 1000 metre radius of Wake Lake to be eligible for the Rural Residential/Forestry Conservation designation, noted in Policy 7.5 of this plan.

Policy 5.1.13
An application for rezoning to Rural Residential/Forestry Conservation (RRFC) will be accompanied by an assessment of the land by a qualified professional, which identifies areas of high ecological value, and demonstrates the costs and benefits of developing resource based forestry lands for mixed private residential/public conservation uses. The CVRD Board will evaluate whether the conversion of the land to the RRFC designation supports the conservation goals noted in this Plan, as well as a regional conservation strategy, as developed. Nothing in this policy precludes expectations for amenities as part of a rezoning application package, as outlined in Section 7.11.

15. Section 7.3 **Suburban Residential**, Policy 7.3.2 is amended by replacing the Suburban Residential Development Standards table with the following:

Suburban Residential Development Standards	
Services Provided	Maximum Density
No Services	2.0 ha per parcel
Community Water	0.8 ha per parcel
Community Water, Sewer	0.4 ha per parcel

16. Within Section 11.1 **Parks and Institutional Uses,** the following is added after Policy 11.1.17 and 11.1.18:

Policy 11.1.19
The CVRD Board will pursue partnerships with the Ministry of Transportation and Infrastructure, Ministry of Environment, non-governmental organizations, and community groups, to fund and implement habitat conservation and communication projects. Projects include, but are not limited to, fisheries restoration, amphibian and ungulate protection corridors and connected riparian waterways and wetlands (green infrastructure). A particular focus will be on:

i. Busy Place Creek fisheries enhancement, integrated riparian waterways, educational development and green flood buffering infrastructure.
ii. The construction of safe passage routes for amphibians in the vicinity of Wake Lake. Projects may include use of signage and temporary road closures during spring breeding season (March to April), when amphibian road mortality is highest.
iii. Enhanced communication and outreach in parks adjacent to Cowichan and Koksilah Rivers.
iv. Enhanced protection of the Chemainus River Park and river corridor.
v. Development of ecological management plans for key parks in the Plan Area to guide future management as well as protect ecosystems and species at risk.
vi. Invasive plant and animal species education.

Policy 11.1.20
Wake is the largest breeding ground within the CVRD for the Western Toad, a species in need of conservation, and the Red Legged Frog, a blue-listed species. The migratory routes of both amphibian species extend beyond Wake Lake, to adjacent forests, wetlands and the Cowichan River corridor. The CVRD will continue to actively pursue public land acquisition around Wake Lake, for the purpose of habitat conservation.

Policy 11.1.21

In support of the above habitat conservation and acquisition objectives and policy 3.1.17, the CVRD Board may consider land within a 1000 metre radius of Wake Lake to be eligible for the Rural Residential/Forestry Conservation designation, subject to the criteria noted in polices 5.1.13 and 7.5.

Policy 11.1.22
CVRD owned parcels near Wake Lake and public land located on Busy Place Creek shall be zoned P-2 River Corridor Conservation.

Policy 11.1.23
In the interest of protecting Chemainus River Park and managing access and wildfire risks, the Regional Board may consider designating land at strategic locations along Hillcrest Road to a combination of Parks and Institutional and Rural Residential/Forestry Conservation. The purpose is to allow two lots of equal size, one of which is for a park caretakers' residence and the other lot for regular residential use.

17. The following is inserted after Section 2.2.11:

2.2.12 Social Sustainability Objectives
It is the objective of the Regional Board to:
Ensure that new development enhances the lives of community members and contributes toward necessary community infrastructure and assets.

18. The following is inserted after Section 7.10, and is added to the Table of Contents

7.11 Policies: Social Sustainability

The policies in the following section 7 are applicable to all lands in Electoral Area E.

Policy 7.11.1
Recognizing that all developments, large and small, have cumulative impacts on the community, rezoning applications involving an increase in development potential will be encouraged to contribute community amenities, irrespective of their size, scope or location.

Policy 7.11.2
Community amenities may include, but are not be limited to the following:

i. Dedication of parkland to the Regional District exclusive of S. 941 *Local Government Act* requirements for parkland dedication. Parkland may include trails, environmentally sensitive areas, and significant natural areas;
ii. Dedication of land or a building or part thereof for public institutional uses such as daycare, community centre or gathering place, seniors centre, youth centre, arts or cultural centre; health centre, fire hall and equipment for firefighting, library, community garden, community policing office, police station, or emergency shelter;
iii. The provision of rental, market or non-market affordable housing (subject to a Housing Agreement under S.905 of the *Local Government Act*);
iv. Contribution of lands or funds to support transportation infrastructure improvements, including but not limited to roadside paths or trails, intercept parking lots, transit shelters, or cycling lanes;
v. A cash contribution towards the capital reserve fund of a defined CVRD service or function.

Policy 7.11.3
Site specific conditions, as well as the scope and scale of the project, will indicate the desired community amenity contributions associated with each rezoning application. Criteria for determining priority among possible amenities will include:

i. Site characteristics, including environmentally sensitive natural features, heritage or recreational value, or wildfire risks;
ii. Needs of the surrounding community for schools, transit facilities, community gathering spaces or other amenities;
iii. Affordable housing potential and need and relative compatibility with the character of the proposed development; and
iv. The size, location and character of the proposed development, projected population increases, and the potential impacts of the development on existing community infrastructure.

Policy 7.11.4
The CVRD Board may apply amenity zoning, in accordance with S. 904 of the *Local Government Act*, whereby the land density, in the form of additional lots or dwelling units, may be increased relative to the community amenity provided.

Policy 7.11.5
Through amenity zoning, the CVRD may accept:

i. The provision of community amenity on the subject property or within the Plan Area; or
ii. Cash-in-lieu, to be held in a reserve fund for the eventual provision of community amenities within the Plan Area.

Policy 7.11.6
Where a community amenity is to be provided to a third party for operation and maintenance, the application should be accompanied by a written agreement from that party to accept and maintain the amenity for the intended use. Covenants, housing agreements, or other tools should be used to ensure the amenity is used as intended. Parties chosen to hold an amenity should be public bodies or well-established non-profit organizations with a mandate consistent with the amenity provided.

Policy 7.11.7
When an amenity is provided in exchange for additional density, the amenity must be provided or legally guaranteed prior to adoption of the zoning bylaw amendment.

Policy 7.11.8
Where appropriate, plaques should be used to acknowledge voluntary amenity contributions.

Policy 7.11.9
The CVRD Board may adopt a Community Amenity Contribution Policy for the purpose of establishing a clear, consistent and fair methodology to determine the value of the community amenity or amenities to be provided in association with a rezoning application, where additional development potential is granted in the form of additional parcels or dwelling units, irrespective of the size or location of the proposal.

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT
BYLAW NO. 3682 (PARKLAND, WETLAND, TRAIL ACQUISITION)

A Bylaw For The Purpose Of Amending Zoning Bylaw No. 1840 Applicable To Electoral Area E – Cowichan Station/Sahtlam/Glenora

---

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Zoning Bylaw No. 1840;

AND WHEREAS the Regional Board voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken, as required by the *Act*;

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1840;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 3682 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (PARKLAND, WETLAND, TRAIL ACQUISITION), 2013".**

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1840, as amended from time to time, is hereby amended in the following manner:

a) The following replaces Section 8.2(c) Minimum Parcel Size, relevant to the R-2 Zone:

Subject to Part 12, the minimum *parcel* size shall be as follows:
1) 0.4 Ha. for *parcels* served by a *community water* and *sewer system*;
2) 0.8 Ha. for *parcels* served by a *community water system* only;
3) 2.0 Ha. for *parcels* served neither by a *community water* or *sewer system.*

b) The following is inserted as Section 12.7, and the remaining sections are renumbered accordingly:

12.7 **Subdivision following Dedication of a Road, Park or Trail**
The minimum parcel size provisions of this Section do not apply in the case of a subdivision of a parent parcel into two parcels, when that parcel becomes separated by

a road, park or trail corridor that has been dedicated to the Regional District, provided that:

i. The parent parcel is identified in Section 13.2 Appendices;
ii. The minimum width of a dedicated road is 20 metres, or the minimum width of a dedicated trail corridor is 10 metres;
iii. The parcels created by the plan comply with Section 944 of the *Local Government Act*;
iv. The requirements of this bylaw respecting siting of buildings and structures is complied with;
v. The parcels created by the plan are an absolute minimum of one hectare where the parcel is not serviced with community water, and 2000 m^2 where the parcel is serviced by community water.

c) The following is inserted as Section 12.12:

12.12 Subdivision of Parcels Containing a Water Body, Watercourse or Wetland
Where a parcel contains all or part of a water body, watercourse or wetland, the area of the water body, watercourse or wetland shall not be included in the area of the parcel for the purposes of calculating the permitted number of parcels. The area of the natural water body, watercourse or wetland shall be determined by a BC Land Surveyor, where the water feature is not subject to the *Riparian Areas Regulation,* and a Qualified Environmental Professional where the water feature is subject to the *Riparian Areas Regulation.*

d) Part Thirteen Appendices is amended by adding the following:

13.2 Identification of Road, Trail or Parkland Acquisitions Priorities

1) The CVRD considers it within the public interest to acquire road dedication through Section 7, Range 8, Sahtlam District, except parts in Plan VIP80873, for the purpose of connecting the public road network west of the subject property (Hanks Road) with Riverbottom Road and Barnjum Road to the east.
(*Refer to Figure 1 for illustration- area shown in grey*)

e) Schedule B (Zoning Map) to Zoning Bylaw No. 1840 is amended by rezoning Lot A, Section 7, Range 9, Sahtlam District, Plan VIP 88170, and Lot 1, Section 7, Range 9, Sahtlam District, Plan 83485, as shown outlined with a thick black line on Plan Z-XXXX attached hereto and forming Schedule A of this Bylaw, from R-2 (Suburban Residential) to P-2 (River Corridor Conservation).
(*Refer to Figure 1- subject property outlined in black near Wake Lake*)

f) Schedule B (Zoning Map) to Zoning Bylaw No. 1840 is amended by rezoning Legal Lot Poly 15927 VIP 64839 as shown outlined with a thick black line on Plan Z-XXXX attached hereto and forming Schedule A of this Bylaw, from I-1 (Light Industrial) to P-2 (River Corridor Conservation).
(*Refer to Figure 2 - Subject property outlined in black near Busy Place Creek*)

3. **FORCE AND EFFECT**
This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this	_____	day of	_____, 2013
READ A SECOND TIME this	_____	day of	_____, 2013
READ A THIRD TIME this	_____	day of	_____, 2013

Figure 1

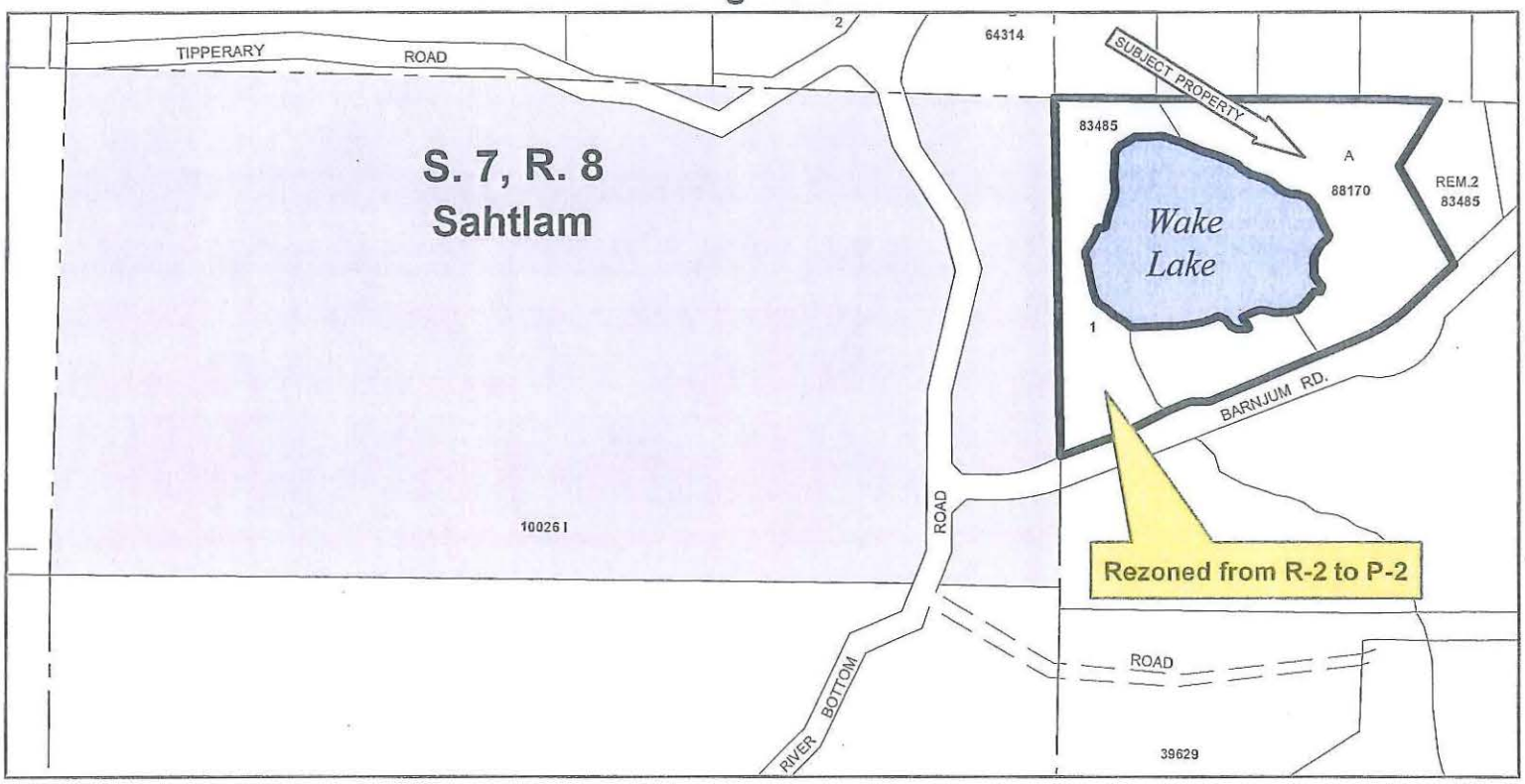
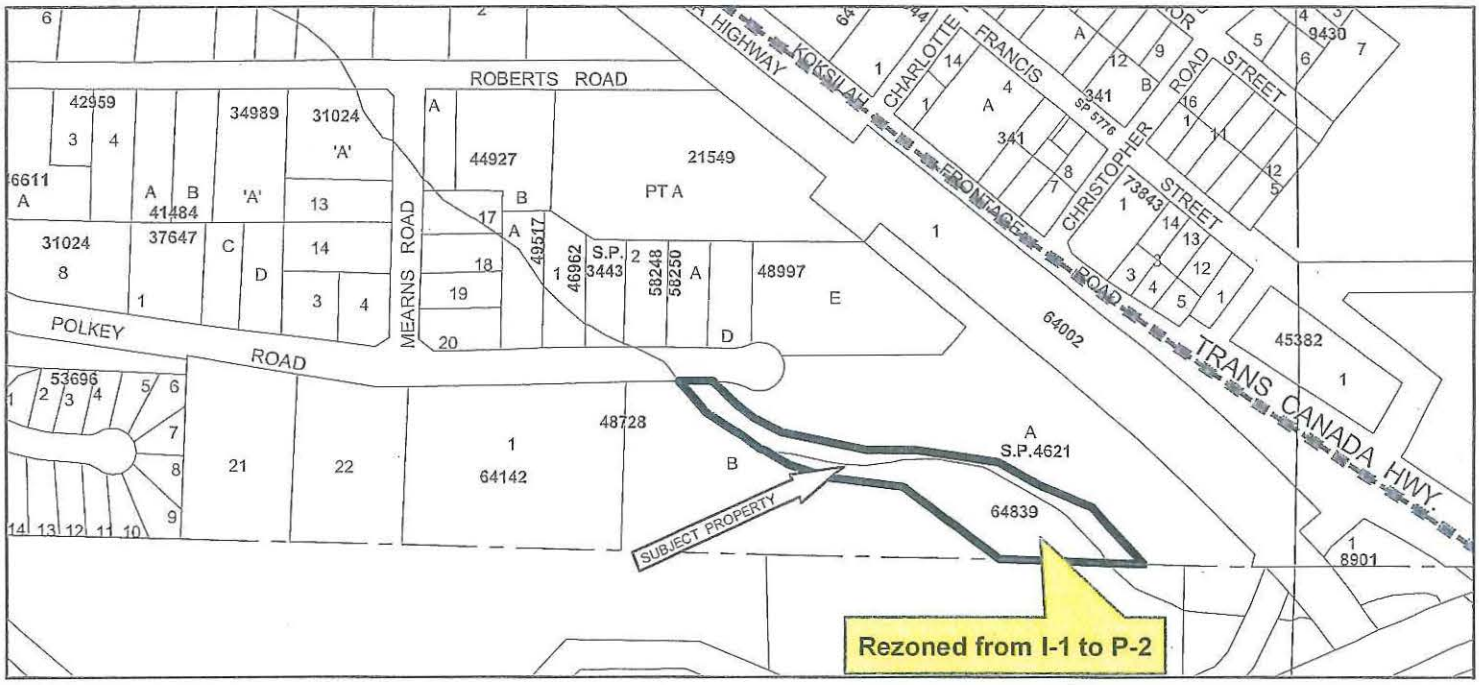
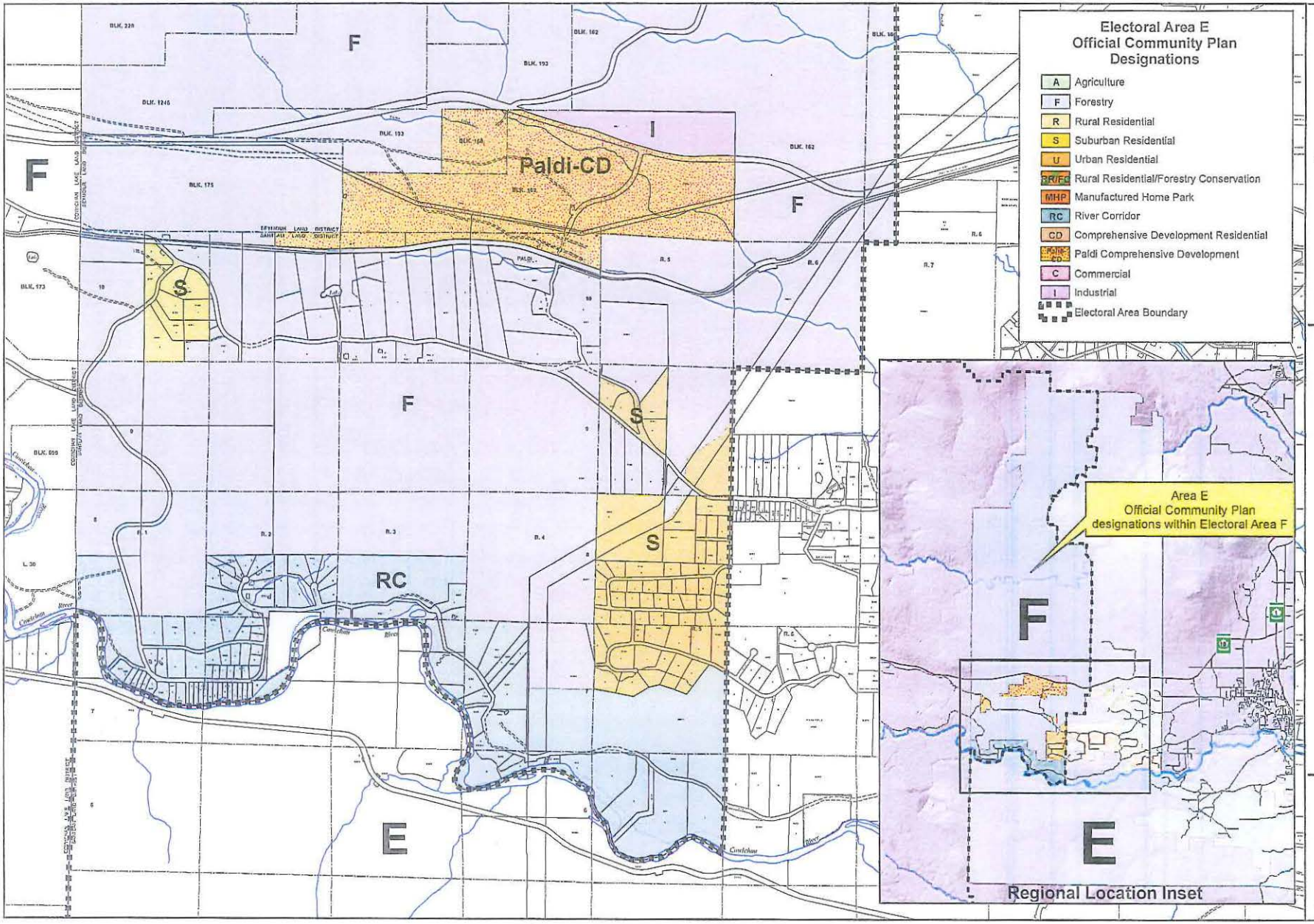


Figure 2





Electoral Area E Official Community Plan Designations

- A Agriculture
- F Forestry
- R Rural Residential
- S Suburban Residential
- U Urban Residential
- RR/FC Rural Residential/Forestry Conservation
- MHP Manufactured Home Park
- RC River Corridor
- CD Comprehensive Development Residential
- PALDI-CD Paldi Comprehensive Development
- C Commercial
- I Industrial
- Electoral Area Boundary

Cowichan Valley Regional District

This map is compiled from various sources for internal use and is designed for reference purposes only.

The Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

The original Bylaws should be consulted for all purposes of interpretation and applicaton of the Bylaws.

Printed: February 18, 2013

N W E S

Scale: 1:21,499

Area F APC Minutes

Date: 18 Feb 2013
Time: 7 PM

MINUTES of the Electoral Area F Advisory Planning Commission held on the above noted date and time at Honeymoon Bay Community Centre Meeting Room (aka Dining Room)

PRESENT:
Chairperson: Sharon Devana
Vice-Chairperson: Joe Allan
Secretary: TBD
Members: Phil Archbold, Bill Bakkan, Peter Devana, Mary Lowther & Susan Restall

ALSO present:
Director: Not available
Alternate Director - Dave Darling
Guests: Alison Garnett CVRD Staff - Planning Dept.

Absent – Bob Restall

The Chair, Sharon Devana called the meeting to order at 7:04 PM

ACCEPTANCE OF MINUTES:

It was Moved and Seconded that the minutes of the Area F APC meeting of 25 June 2012 be accepted.

Motion carried

ORDER OF BUSINESS:

Item 1 – Election of new Area F APC Officers

In the absence of Area F Director Ian Morrison, Alternate Director Dave Darling called for nominations for Area F APC Chairperson.
Joe Allen nominated Sharon Devana, Phil Archbold seconded. There were no further nominations and **Sharon Devana was acclaimed Chairperson until the next election.**

Dave Darling then called for nominations for Vice Chairperson.
Peter Devana nominated Joe Allan seconded by Phil Archbold. There were no further nominations and **Joe Allan was acclaimed Vice Chairperson until the next election.**

Dave Darling called for nominations for Secretary.
Mary Lowther nominated Peter Devana seconded by Joe Allan. There were no further nominations and **Peter Devana was acclaimed Secretary until the next election.**

Item 2 – Area E Proposed Revisions for their OCP 1490 amending bylaws 3680 & 3681 - Area F APC Comments & Recommendations

Note: Prior to this discussion Alison Garnett was asked to clarify certain things:

1.Why are we being asked to comment on these amendments to the Area E OCP 1490?
Answer- Because the north eastern corner of Area F is included in the Area E OCP and therefore may be affected by these new Bylaws.
2.What is the status of this part of Area E/F?
Answer – It is in Area F but is also included in the Area E OCP.
3. Do you want us to comment on the entire Bylaw 3680 & 3681 or just specific clauses?
Answer – The specific clauses and policies that apply to this part of Area F.
4. Do you want general or specific comments.
Answer – Both

With those clarifications resolved, Alison explained to all, with the use of small scale maps, the area of concern (thereafter referred to as the "Sliver") and the potential concerns to Area F.

She wanted to determine if we were supportive of these amendments as to how they might effect Area F.

Discussion

Joe Allan initiated the discussion by questioning whether Wet Land Development Permits (Bylaw 3680 Policy 14.12) would apply to Area F, even this "Sliver," which is defined as the common area in question. Answer was NO.

Joe then queried about the proposed Caretaker building that is being planned for the Chemainus River Park, which has been a victim of vandalism. If it is in Area F, are we in agreement to allowing the cabin to be built? The consensus was YES as long as it's built in the correct area closest to the problem. If the logical location for the caretaker's cabin is in Area F we would agree to the required rezoning for this purpose.

Joe next raised the question of Social Sustainability and Amenities
(Bylaw 3681 Policy 7.11).

After a lengthy discussion by all members the following Motion was made and seconded:

Motion : Area F APC requests that the Area E "Social Sustainability" Policies NOT apply to that portion of Area F that is in question ie "The Sliver"

Carried

Amendment 3680 Discussion

The entire Amendment was discussed with comments made on:
* Policy 4.2.1 –it doesn't apply to the "Sliver" area in question;
* Policy 7.10 – it doesn't apply now but will if the Paldi proposal goes through;
* Policy 13.2 Does apply to Area F "Sliver";and
* Policy 14.12 does NOT apply to Area F.

Amendment 3681 Discussion

The entire amendment was discussed in detail.

No specific concerns or comments were made with this "house keeping" amendment, however; Area F members came to a general consensus and recommendation that:

The negativity contained in both amendments (3680 & 3681) seems to be very restrictive in nature and could be improved by changing all negative wording to positive terminology that would be more inviting to future development proposals, other-wise prospective future opportunities could be lost by "first impressions" created by the negative restrictions currently depicted in these proposed amendments.

Respectfully submitted for your consideration and further action.

New Business

Item 1 - Need for more Area F APC members

Sharon informed attendees that since several people have recently tendered their resignations we need to consider recruiting new members in regions of Area F where we don't currently have representation.
It was agreed by the members that if we found any possible recruits we should forward their names to our Director for his further action, possible approval, and appointment.

Adjournment

There being no further business a motion was made for adjournment and seconded.

Carried
Meeting adjourned at 9:04 PM

Signed (Certified Authentic),
Peter N Devana
Secretary

Copies to:

Area F APC members
Electoral Area Services committee ds@cvrd.bc.ca

cc to CVRD Planner Alison Garnett
cc to Area F Director Ian Morrison
cc to Alternate Director Dave Darling

Minutes Area "E" APC, Glenora Hall, August 9, 2012
Bill 27 OCP & APC amendment bylaws

Present: Frank McCorkell(chair), Michele Young, Dave Ferguson, Dave Tattam
Darin George, Keith Williams

Also present: Chairman Rob Hutchins, Alternate Director Mike Lees,
Director Loren Duncan

APC discussion ensued for the third time on the proposed bylaws.
Legal advice from Bill Buholzer(July 25) was considered.
Concerns were expressed on the restrictive nature of the heat pump requirements, while support was shown for the concept, the lack of flexibility for other non-fossil fuel alternatives heat sources was revisited.
Legal advice was considered in regards.
All other bylaw components were viewed favorably.

Comments below from members in regards to the heat pump component:

Dave Tattam: Implementation??
Darin George: Public comment needed.
Michele Young: Okay, approves.
Dan Ferguson: Does not permit alternatives.
Keith Williams: Heat pumps chosen because they are low hanging fruit.
Frank McCorkell: Wording…nearly there…regulatory.

Mike Lees: Hypercritical to reduce fossil fuel usage in Area "E" while
B.C. exporting carbon based fossil fuels.

Adjournment

CITY of DUNCAN

January 15, 2013

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Attention: Alison Garnett, Development Services Division

Re: Electoral Area E – Official Community Plan and Zoning Bylaw Amendments

The City of Duncan is pleased to be provided an opportunity to review and comment on the amendments to the Electoral Area E Official Community Plan and Zoning Bylaws.

Our review and comments focus primarily on areas of common interest: reducing greenhouse gas emissions, watercourse and watershed protection.

OCP Amendment Bylaw – Bill 27, Conservation & Social Sustainability

The City applauds the CVRD and Electoral Area E's support of the Bill 27 targets to reduce greenhouse gas (GHG) emissions. New policies to report on GHG emissions, increase local food production, protect forestry lands and develop watershed drinking water plans, support the development of alternative energy, and consider greenhouse gas reduction targets when making land use decisions should lead to GHG reductions in the Regional District.

- While Policy 11.1.15 supports the creation of a network of walkway/bikeway/bridle paths, Policy 13.2.4 should be expanded to read "Opportunities to build and improve *bicycle and pedestrian infrastructure* will be pursued...", instead of just "*dedicated cycling lanes*".

OCP Amendment Bylaw – Conservation & Species at Risk and Zoning Amendment Bylaw - Parkland, Wetlands & Trails Acquisition

As land use affects plant and animal species, water bodies and drinking water quality, the City appreciates new policies to protect these natural resources and will work with the Regional District wherever necessary in their implementation.

Conclusion

Overall the City is very pleased with the progressive nature of the proposed amendments and believes that the implementation of the new policies will also benefit the City of Duncan and the entire region. The City hopes that the proposed new policies

for the OCP will be updated and refined with the upcoming comprehensive review of the Electoral Area E OCP, and that corresponding programs and regulations are developed by the CVRD to implement these proposed policies.

Should you have and further questions regarding the above comments, please do not hesitate to contact me.

Sincerely,

Michelle Geneau
Planner

Environment Commission Working Group Review of Area E OCP and Zoning Amendments

October 2012

R. Hart, J. Lefebure, S. Roberge, and J. Straker

Preamble

We wish to offer our sincere appreciation to Director Duncan for the opportunity to provide comment on the various proposed amendments, and to CVRD staff, particularly planner Alison Garnett, for her time in helping us familiarize ourselves with the content of these amendments. We hope that our responses are useful to these individuals and to the CVRD in its consideration of these amendments.

OCP Amendment "Bill 27 & Social Sustainability"

Overall, we applaud the thought that has gone into this document and the detailed way in which Bill-27 and social-sustainability considerations have been addressed. The Environment Commission particularly supports language around identification of "future residential growth areas" (Section 7.10), and establishment of "village containment boundaries" in a future OCP review (Policy 7.10.4). We strongly encourage the community and Board to consider establishing these boundaries at the earliest available opportunity.

OCP Amendment "Conservation & Species at Risk"

The Environment Commission supports the objectives of this OCP amendment, and the inclusion of a number of provisions to try to increase protection of important individual conservation areas and species at risk. In addition to this support, we note that an overarching land-use plan for both the electoral area and regional district is necessary to demonstrate how key ecological values and processes will be protected. In the absence of such a plan, individual conservation measures could succeed at the parcel scale, and yet fail in aggregate to meet ecological goals at a regional scale. We strongly encourage the Director and CVRD Board and staff to include language on such a plan in the amendment and in other appropriate work and documents pertaining to Area E and the CVRD (and would be more than willing to help craft such language if so requested). If the appropriate vehicle for such planning within Electoral Area E is the Official Community Plan, then we strongly encourage that developing a regional land-use plan, including area-wide planning of conservation areas, play a central role in the next OCP review.

Additional comments on specific Sections/Policies:

- Policy 3.1.20 – we strongly support the active recognition of the "precautionary principle" in this OCP amendment, and urge the Board to give this principle serious and due consideration in their deliberations.
- Policy 11.1.21 – further to our opening comment on this amendment, in our opinion the application of RRFC designation to the Wake Lake area is an example of an individual strategy that, taken in isolation or without the context of an overarching land-use plan, may not contribute to adequate protection of environmental goals at a regional level. Although such designation might be effective at acquiring additional conservation lands for public ownership, we note the following cautions:
    - Neither Policy 11.1.21 nor the cited Policy 7.5 in the OCP is specific about the balance of conservation versus development areas in the RRFC designation. Without understanding that balance, it is very difficult to evaluate the benefits and costs of proposed Policy 11.1.21.
    - The sizes of the individual conservation areas achieved through RRFC designation, although potentially effective at protecting habitat for very small species with limited ranges, may be inadequate for protecting a larger suite of ecosystem goods and services, which require connectivity of non-developed areas across a broader landscape.
    - Without a regional and cumulative assessment of ecological requirements and the positive and negative effects of land-use decisions, it is not possible to know

whether additional land-use footprint can be supported, either generically or in this specific example. So we do not know really understand the consequences of both:

- Continually adding a mix of minimum-size new parcels in combination with associated conservation areas across the electoral area; or
- Creating additional parcels in combination with an undisclosed proportion of conservation land in the specific Wake Lake case.

- Ecosystem-based forest management may be as or more protective of ecosystem goods and services than a mixture of residential units and conservation areas, particularly when the proportion of conservation areas is undetermined, and the size of the conservation areas is small. Again, a regional, cumulative analysis of the effects of current and plausible future land uses within the electoral area and regional district is required to evaluate whether the RRFC designation is effective at achieving conservation goals in the electoral area, and whether it would be an effective mechanism to achieve goals in the Wake Lake example.

- Section 14.12.5
  - (a) this section introduces the concept of collection of information by a "qualified environmental professional", or "QEP". We suggest that this language be used consistently, rather than interchangeably with the term "biologist", as they may not be equivalent.
  - (e) this clause states that lots that are part of or adjacent to a wetland should be located to minimize infrastructure crossings of the wetland; however, due to patterns of surface and shallow-subsurface water flow, even a single road can substantially disrupt wetland hydrology and cause significant changes to ecosystems on both sides of the road. We suggest that the language of this clause be modified to emphasize intended outcomes, e.g., "road, trail, and utility crossings of a wetland or riparian protection area must be constructed so as not to affect surface and subsurface hydrology, e.g., through use of clear-span bridges, oversized culverts, or other methods as appropriate."

Zoning Amendment "Heat Pump and Parkland"

- Heat pumps – it is our understanding that this amendment is intended to mandate installation of heat pumps in all new residential construction in the electoral area, in order to increase energy efficiency of residential heating. While the Environment Commission supports all efforts, including specific prescriptions, to decrease energy use in the regional district, we offer the following cautions with respect to this approach:
  - It appears that the effect of the amendment would be to make all existing residences (former "dwelling units") without heat pumps non-compliant with the new definition of "dwelling unit". As there is no language in the amendment which discusses the retroactive application of this definition, we are unsure as to the implications to existing residences within electoral area E. These implications need to be carefully considered prior to adoption of this amendment.
  - The amendment approach could be defined as "process-based" or "prescriptive", rather than "results-based". There are at least three potential drawbacks to this approach:
    1. As it does not focus on desired end results (i.e., decreased energy use), but instead on a single method to achieve these results, it may not in fact achieve the results intended. Over-sized heat pumps, prevalent uses of "secondary" heating systems, or incorporation of other energy-inefficient

design elements may in fact result in increased overall energy use in new residential development.

2. It provides no incentive for developers or builders to apply a suite of techniques to achieve increasing energy efficiency through the most appropriate means. Instead, it simply prescribes a single approach to energy reduction, which may detract from other, equally valid approaches (e.g., passive solar heating, solar water heating). This effect of "process-based" or prescriptive approaches is often referred to as "stifling innovation".

3. Because the amendment is prescriptive, it places responsibility for success on the prescribing entity, i.e., on the CVRD. As developers/builders have no input into the implementation of this amendment, they have no responsibility for its achieving intended results. This responsibility rests solely with the CVRD.

4. Home owners should be responsible for choosing energy efficient heating sources and incentives should be provided to avoid driving home owners to do renovations without permits.

5. With respect, the Environment Commission suggests that the Director and Board consider other (less prescriptive and/or appropriate incentive) mechanisms to achieve increased energy efficiency in residential buildings. For instance, the language of the "Bill-27" OCP amendment includes clauses (Policies 7.10.2 and 7.10.5) intended to increase residential energy efficiency, both new and existing, through a variety system improvements. We suggest that the Director and Board consider an incentive/penalty approach to implementing these clauses (a "results-based" approach), rather than the prescriptive approach currently proposed by the zoning amendment.

- Parkland, Section 12.7 – it is our understanding that this Section, combined with proposed amendments to Section 13.2, Appendices, has the effect of:
  - Generally removing minimum-size restrictions on parcels subdivided by a road, park, or trail corridor dedicated to the regional district; and
  - Specifically targeting dedication of a road in the vicinity of Riverbottom/Barnjum roads on the east and a public road network on the west.

In the general case, we note the caution expressed in our opening comment under OCP Amendment "Conservation and Species at Risk", above: that is, without an overarching plan and an analysis of the cumulative effects of land-use decisions on socio-economic and environmental benefits and liabilities, it is impossible to evaluate whether trading dedications for higher-density development on otherwise-zoned lands is a sound policy decision. In addition, we note that in the area identified in Section 13.2, there appear to be a number of conflicting objectives:

1. Trading dedication of a public road corridor for increased parcel density on subdivided land;
2. Use of the RRFC designation to trade acquisition of an undetermined location or proportion of conservation area for increased parcel density; and
3. Protection of critical wetland and wildlife habitat in the vicinity of Wake Lake.

Without a clearer articulation of objectives for this area, and a balanced evaluation of whether these objectives can be achieved through the various proposed mechanisms, it is extremely difficult to know whether these mechanisms are likely to be effective, extremely ineffective and potentially damaging, or both at once. However, on the

surface, it seems that increasing land-use density, traffic, and road access in the vicinity of an identified conservation area is, at the least, potentially counter-productive.

- Parkland, Section 12.12 – we support the clause altering calculation of minimum lot sizes to exclude waterbodies and wetlands, as a mechanism to promoting conservation of these ecologically important areas.

R10

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 27, 2013	**FILE NO:**	Green Building Rezoning/Private Sector Rebate Policies
FROM:	Rachelle Rondeau, MCIP Planner I	**BYLAW NO:**	

SUBJECT: Green Building Rezoning and Private Sector Green Building Policies

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Recommendation/Action:
For information.

Relation to the Corporate Strategic Plan: Under Sustainable Land Use and Healthy Environment, the CVRD Corporate Strategic Plan has identified the following strategic actions:

- Develop a green building strategy/policy that supports environmentally friendly building practices;
- Review existing CVRD Bylaws and make recommendations for incorporating sustainable elements, and where needed, create new standards.

Financial Impact: *(Reviewed by Finance Division: N/A)*
The financial impact will depend upon the uptake of the program and the level of rebate being achieved. Building permit fees are collected through the Building and Bylaw Enforcement Division of the Planning and Development Department, and any rebates on building permit fees would be lost revenue from the Building Inspection Division.

An average building permit fee for a new home is approximately $2,500-3,000, based on a permit fee of 1% of construction costs. It is not known currently how many residential buildings within the CVRD Electoral Areas are built to a higher environmental standard, as there is currently no method in place for tracking these. To date, it is not thought that there are many.

Background:
The Electoral Area Services Committee directed development of a green building strategy with the following resolution:

That, in consultation with the Environment and Economic Development Commissions, and a stakeholder committee, a private sector green building strategy be developed that would:

a) Provide financial incentives and recognition to builders/developers who build green, or establish a disincentive for non-green buildings, according to an established rating scheme or EnerGuide rating (e.g. 80 or above);
b) Establish higher standards for proposed development through a rezoning policy and Official Community Plan policies;
c) Continue integrating green building policies within planning documents.

The following sections and attached policies indicate what is being proposed for each element of the overall green building strategy.

(a) Financial Incentives/Disincentives:

The attached draft policy outlines a proposed rebate on building permit fees for new and renovated residential buildings that achieve a higher level of environmental performance and/or energy efficiency than that specified in the BC Building Code.

In setting the fees for building permits, these typically reflect the actual costs of processing the application and cannot be used to penalize or provide a disincentive for buildings that are meeting the building code standard.

Under the policy, applicants would submit the regular building permit fees and following receipt of certification that the building meets the eligibility standards, will receive the corresponding rebate.

Following adoption of the policy, CVRD should begin tracking applications that are proposed BuiltGreen, LEED or higher energy efficiency (e.g EnerGuide 80 and above) for recording purposes in order to identify how many are proposed, what rating system is proposed, and how many result in achieving the rebate.

(b) Higher standards for proposed development through rezoning and Official Community Plan Policies:

The attached draft rezoning policy is proposed to communicate environmental objectives and expectations in a consistent manner to applicants who apply to rezone or amend the OCP designation on their property.

Currently, green building policies or sustainability considerations at the time of rezoning are not treated consistently in all Electoral Area Official Community Plans. Some areas include specific policies addressing green buildings and specifying requirements to consider in reviewing applications. As a result, the CVRD reviews and negotiates amenities or higher environmental standards on a case by case basis. The proposed green building rezoning policy would formalize the objectives, standards and additional information to be requested of applicants for rezoning or Official Community Plan amendments. As a standalone rezoning policy, it would apply to all electoral areas and could be amended more easily than green building and rezoning policies within the OCPs.

The OCPs would continue to provide the primary consideration and policy guidance for reviewing applications on land use change, as well as growth and development.

Additionally, the rezoning policy is not intended to encourage higher environmental performance as a replacement for community amenities that are sometimes offered in rezoning applications through such policies as 8.1 if the South Cowichan Official Community Plan, which may include park dedication or other amenities.

(c) Continue integrating green building policies within planning documents:

The CVRD Planning and Development Department has incorporated green building within several planning documents:

- Sustainability checklist in use since 2010;
  This checklist is submitted with all applications for rezoning and development permits. It is designed to direct builders and developers to address a range of sustainable building issues such as designing green buildings, preserving and encouraging the protection of ecosystems, water conservation and protection and rainwater management.

- Official Community Plan amendments for Bill 27 – Greenhouse Gas Emissions; All Electoral Area Official Community Plans are being or have already been amended to comply with the Bill 27 – Green Communities legislation.
- Development Permit Area guidelines that include green building, protection of sensitive ecosystems, and rainwater management guidelines. However, green building design guidelines within the DPA do not apply to single family dwellings.
- South Cowichan and proposed Cowichan Bay Official Community Plans – as new OCPs are drafted, they include policies about green building, solar orientation of new development, energy efficiency and rainwater management.

Interdepartmental/Agency Implications:

The draft green building rebate and rezoning policies are currently being reviewed by the Environment and Economic Development Commissions. A workshop has been scheduled at the end of March with CityGreen Solutions[1] for local builders, developers, designers and others in order to provide an overview of various new home construction energy labeling programs and the financial incentives and rebates that are available for new homes built to a higher energy efficiency. At the workshop, CVRD will introduce the proposed green building policies, and provide time for discussion with stakeholders.

Planning Division Comments:

The proposed Green Building Rebate and Rezoning policies are part of the overall strategy to encourage green building within the private sector and increase sustainable development in the CVRD Electoral Areas. The CVRD Planning and Development Department is also continuously researching and updating latest standards to improve environmental performance and prepare better guidelines.

In the future, as part of an overall green building program, CVRD can also work on promoting other programs (e.g. from other agencies) as well as pursue funding to conduct pilot projects or programs.

The proposed policies will encourage green building through building permit rebates, as well as by requiring higher environmental standards in new development, and accessing better information about energy efficiency and environmental standards through rezoning or OCP amendment applications.

Following stakeholder feedback, final draft policies will be forwarded to the Electoral Area Services Committee for review and consideration of adoption.

Submitted by,

Rachelle Rondeau, MCIP
Planner I
Development Services Division
Planning & Development Department

Reviewed by:
Division Manager:

Approved by:
General Manager:

RR/ca

[1]CityGreen Solutions is a non-profit organization that offers programs for improving energy efficiency in homes and buildings. They also work with local governments on programs.

Private Sector Green Building Policy

Applicability: Planning & Development

Effective Date: April 10, 2013

PURPOSE:

The purpose of the Cowichan Valley Regional District (CVRD) Green Building Policy is to improve the environmental performance of private sector development by encouraging new development to build certified green and with a higher level of energy efficiency, reducing the environmental impact of new construction.

BACKGROUND:

This policy defines green buildings as those that are energy efficient, have reduced greenhouse gas emissions, conserve water, use materials sensibly and reduce construction waste, and are certified through a green building rating system. The benefits of certified green buildings include better performance, reduced environmental impacts, lower operating costs, increased occupant health, and a smaller ecological footprint.

Scope:
This policy applies to all new private sector single family and multi-family residential development and renovations to residential buildings.

While this policy applies to development within the CVRD Electoral Areas only, the CVRD will work cooperatively with other organizations and the broader community to encourage similar green building policies within the participating municipalities to make a region-wide impact and standardize green building guidelines.

Commercial, industrial and institutional development is encouraged to adhere to a green building rating system. Existing Official Community Plan and development guidelines encourage development to incorporate green building features that would minimize environmental impacts and promote sustainability.

POLICY:

Objectives:
The BC Building Code regulates the standard of construction for buildings, and local governments cannot impose different or more stringent restrictions than those specified in the code. However, the CVRD is joining other local governments by finding ways to reduce the environmental impact of new development by improving energy efficiency, water conservation, waste diversion and onsite rainwater management.

The objectives of the policy are to:

- Increase the number of certified green buildings within the CVRD[1];
- Facilitate builders in the CVRD to access utility financial incentives for building energy efficient homes;
- Decrease energy requirements and associated greenhouse gas emissions of dwellings;
- Through careful location, design, construction and site rehabilitation, preserve natural function of the site and benefit from the natural attributes such as shading and solar orientation;
- Manage rainwater on site by incorporating low-impact development techniques such as absorbent landscaping, bioswales, and raingardens to protect natural drainage patterns;
- Increase the amount of energy supplied by local renewable resources;
- Reduce the total volume of water used for buildings and landscaping;
- Conserve materials through efficient design and recycle materials to reduce construction waste;
- Increase the application of renewable, recycled and locally-sourced materials (within 800 km);
- Improve indoor air quality by minimizing chemical emissions from materials used in buildings and provide excellent ventilation and air filtering.

Procedure:

1. To encourage and expedite the transition to green buildings, the CVRD is offering a rebate on building permit fees for new residential development that is certified green through an approved green building rating system and that achieves a high level of energy efficiency.

2. Buildings that are renovated such that they achieve the levels noted in Figure 1 and 2 are also eligible for the building permit rebate.

3. Rebates on building permit fees will be provided to applicants whose building project is certified by one of the following programs BuiltGreen, LEED, R-2000, Energy Star for New Homes, Power Smart for New Homes and who attain an EnerGuide rating of 80 or above.

4. To encourage higher energy efficiency in new development, rebates on building permit fees will be provided to applicants whose building project achieves EnerGuide 80 or above.

5. The rebate levels are noted in Figures 1 and 2 below:

[1] Currently, there is no tracking or notation of buildings that include green features. In order to evaluate the success of this rebate program, CVRD will begin recording certified green buildings (and/or EnerGuide level).

Figure 1

Value of Building Permit Rebate	Green Building Certification achieved	Corresponding Minimum EnerGuide Rating
30%	Built Green Gold/Platinum LEED R-2000 (minimum EG 86)	80
20%	Power Smart New Homes Energy Star for New Homes Built Green Silver	80
10%	Built Green Bronze	80

Figure 2

Value of Building Permit Rebate	EnerGuide Rating
30%	85
20%	80

6. On the application form for building permit, applicants will declare their intention to build BuiltGreen or to the higher EnerGuide rating, and are required to submit the regular permit fee. Following successful completion of certification, applicants will submit the documentation noted below to obtain the rebate.

7. To achieve the rebate, 3rd party certification for Built Green and a completed EnerGuide certificate by a qualified Certified Energy Advisor(CEA) is required depending on the rebate being applied.

8. Built Green Gold, Silver or Bronze are only eligible if they also receive an EnerGuide rating of EnerGuide 80 or more.

Consideration of other rating systems:
There are several green building rating systems that are also available to residential development. However the rating system currently most widely understood and acknowledged by the building industry, and supported by the Canadian Home Builder's Association is the BuiltGreen, rating system. The benefit of choosing an established rating system is that it is consistent, and third-party verified. The EnerGuide Rating System is the Natural Resources Canada approved and administered program and is the basis for all energy rating systems.

Documentation:
In order to obtain the building permit rebate, evidence of compliance with the green building rating system and/or EnerGuide certificate is required from a certified professional within 12 months of occupancy.

To encourage continuous improvement in green building, the rebate level provided will be evaluated and adapted as green building and energy efficiency standards are improved over time. With wider adoption of green building and higher EnerGuide standards, levels of rebates will be modified to stay relevant and achieve the objectives to encourage and reward green innovation.

DRAFT POLICY

Approved by: Choose an item. Approval date: Click here to enter a date. Amended date: Click here to enter a date.

CVRD

Policies & Procedures

FOR OFFICE USE ONLY: POLICY APPROVAL TRACKING SHEET

Initiated by: Click here to enter name & position

Applicability: Planning & Development

Effective Date: Choose a date

Approval History:

To Be Approved by:

All policies pertaining to money must be pre-approved by the Finance Division.

Approval Required?		Date Approved:	Signature or Resolution/Page Number: *(attach staff reports and minutes)*
Choose	Finance Division		
Choose	Enter name Committee		
Choose	CVRD Board		
Choose	Corporate Leadership Team		
Choose	Administrator		

DRAFT

Green Building Rezoning Policy

Applicability: Planning & Development

Effective Date: April 10, 2013

PURPOSE:

The purpose of the Cowichan Valley Regional District (CVRD) Green Building Rezoning Policy is to evaluate the impact of proposed development on community greenhouse gas emissions, to set higher standards for new development reflecting community expectations, and improve the environmental performance of private sector development by encouraging new development to build green and expand the use of green infrastructure.

Green buildings are those that operate with increased energy efficiency, reduce greenhouse gas emissions, conserve water, use materials sensibly and reduce construction waste. For the purposes of this policy, green building refers to a building that is certified through a 3rd party rating system such as LEED or BuiltGreen. Green infrastructure includes elements of development that preserve the natural function of the site including trees, native vegetation, rain gardens and bioswales.

BACKGROUND:

CVRD Official Community Plan policies and objectives provide direction on land use and growth patterns, and aim to reduce the environmental impact associated with new development. This rezoning policy will further outline measures and criteria that the CVRD Board will use when evaluating rezoning applications.

The range of environmental impacts that will be considered when rezoning applications are reviewed include the following:

- Building energy use;
- Transportation energy use;
- Water consumption;
- Volume and quality of wastewater;
- Solid waste output and management;
- GHG emissions; and
- Development footprint (e.g impervious surfaces, land clearing)

The benefits of building to a higher environmental standard include reduced environmental impact, lower operating costs, increased occupant health, and a smaller ecological footprint

Scope:
This policy applies to applications for rezoning or Official Community Plan amendments in all CVRD Electoral Areas.

POLICY:

Goal:
The goal of this policy is to communicate a consistent expectation for rezoning or Official Community Plan amendment applications that will encourage improved environmental performance and reduce the energy footprint of new development.

Procedure:

1) Applications for residential rezoning are strongly encouraged to exceed the standards of energy efficiency specified by the BC Building Code and to incorporate green building and green infrastructure in new development.

2) Energy consumption, impact on greenhouse gas emission reduction targets and environmental performance of proposed development shall be a fundamental consideration in future land use decisions made by the CVRD Board.

3) The Board will consider greenhouse gas reduction targets when making decisions on land use change applications, as they in turn affect the production of transportation related greenhouse gas emissions. All development proposals should take into consideration neighbourhood connectivity, proximity to village areas, and opportunities for enhanced use of public transportation or non-vehicular alternatives.

4) To assist the Board in its review, report(s)/information from a qualified professional may be required indicating how the development will achieve the following objectives:

- Improve energy efficiency and include certified green buildings, indicating to what standard;
- Reduce greenhouse gas emissions;
- Through careful location, design, construction and site rehabilitation, minimize disturbance to natural habitat and vegetation to preserve natural function of the site, and benefit from the natural attributes such as shading and solar orientation;
- Manage rainwater on site by incorporating low-impact development techniques such as bioswales, absorbent landscaping, and raingardens to protect natural drainage patterns;
- Increase the amount of energy supplied by locally generated renewable resources including but not limited to solar hot water, heat pumps and others;
- Consideration of a district energy system for new subdivisions;
- Reduce the total volume of water used for buildings and landscaping;
- Conserve materials through efficient design and recycle materials to lower total volume of construction waste;
- Increase the application of renewable, recycled and regionally-sourced materials (within 800 km).

5) The Regional Board has discretion in the approval of rezoning or OCP amendment applications, and the policies within Official Community Plans are the primary consideration for development applications and applications for land use change. Applications are expected to comply with the green building rezoning policy, but compliance will not necessarily guarantee approval.

6) Compliance with this policy and corresponding green building and green infrastructure measures may be secured by bylaw, development agreement, restrictive covenant or by other means deemed appropriate by the CVRD Board.

DRAFT POLICY

Approved by: Choose an item. Approval date: Click here to enter a date. Amended date: Click here to enter a date.

CVRD

Policies & Procedures

FOR OFFICE USE ONLY: POLICY APPROVAL TRACKING SHEET

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Choose	Administrator		

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STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 27, 2013	**FILE NO:**	3360-01-D/CB/FLO
FROM:	Ann Kjerulf, MCIP, RPP, Senior Planner Community and Regional Planning Division	**BYLAW NO:**	N/A
SUBJECT:	Cowichan Bay Float Homes Study		

Recommendation/Action:
That the Hemmera report concerning Cowichan Bay Float Homes and Live-aboards be received as information; and
That CVRD staff proceed with regulatory bylaws respecting the recommendations provided within the report.

Relation to the Corporate Strategic Plan:
The Corporate Strategic Plan, under the broad topic of Healthy Environment, includes an objective to "protect the environment from harm" and a strategic action to "develop policies and guidelines to protect sensitive areas".

Financial Impact: (Reviewed by Finance Division: N/A)
$8,000 was previously allocated to complete an environmental study in support of developing regulations for Cowichan Bay float homes.

Background/Discussion:
Staff previously reported to the EASC on October 16, 2012 that Hemmera, an environmental consulting firm, had been selected to undertake an environmental study to determine how to minimize the impacts of float homes on the estuarine environment. The consultant has completed its study and provided a report to the CVRD (attached). Based on the consultant's recommendations, staff would like to proceed with the development of regulatory bylaws forthwith. CVRD Engineering staff are currently undertaking a feasibility study concerning liquid waste management options for the Cowichan Bay Village marinas.

Submitted by,

Ann Kjerulf, MCIP, RPP
Senior Planner, Community and Regional Planning Division
Planning and Development Department

AK/ca
attachment

Reviewed by:
Division Manager:

Approved by:
General Manager:

FINAL REPORT

Cowichan Bay Float Homes and Live-aboards

Prepared for:
Cowichan Valley Regional District
Community and Regional Planning Division

Prepared by:
Hemmera
250 – 1380 Burrard Street
Vancouver, BC V6Z 2H3

File: 1123-002.01
February 2013

HEMMERA

HEMMERA

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hemmera.com

February 15, 2013
File: 1123-002.01

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V6C 3S4

Attn: Ann Kjerulf, Senior Planner

Dear Ms. Kjerulf,

Re: Cowichan Bay Float Home Guidelines

Hemmera is pleased to provide you with this electronic copy of the Cowichan Bay Float Homes report.

We have appreciated the opportunity to work with you on this project and trust that this report meets your requirements. Please feel free to contact the undersigned by phone or email regarding any questions or further information that you may require.

Regards,
Hemmera

Joe Truscott, R.P.Bio
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Scott Northrup, B.Sc.
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1.0 INTRODUCTION

Many float homes in Cowichan Bay, British Columbia currently discharge untreated domestic sewage as both black and grey water to Cowichan Bay (verbal communication CVRD 2012). This is a concern to the Cowichan Valley Regional District (CVRD) which is updating the Cowichan Bay Official Community Plan (OCP). Cowichan Bay is located at the southeastern corner of Vancouver Island, near Duncan, British Columbia (Figure 1).

The draft OCP (2013), which includes the Cowichan Bay Area, identifies the health of the Cowichan Estuary as a primary concern due to threats to environmental quality and human health. CVRD contracted Hemmera to prepare this report to help inform development of OCP policies and corresponding land use regulations that address environmental issues related to float homes in Cowichan Bay.

The 1986 Cowichan Estuary Environmental Management Plan (CEEMP) recognizes that establishing high water quality is critical for maintaining and enhancing Cowichan estuary productivity. Cowichan Bay Village is designated as an industrial/commercial area under the CEEMP (Lambertson 1987).

Float home living is a lifestyle choice which is regaining popularity along the coast of British Columbia (Altin 1998). Although float homes are becoming more common, float home regulations vary with local government jurisdiction. In many communities, including Cowichan Bay, clear policy and regulations are needed to guide management and enforcement of float home location and domestic sewage disposal. The discharge of untreated human waste into estuaries and coastal bays is known to influence organic and pollutant loading, as well as benthic community and trophic structure (Weston 1990, Diaz 1995). The disposal of raw sewage into surface waters is adverse to human health; worldwide, research has linked recreational use of water contaminated by faecal material to health problems such as eye infections, gastrointestinal symptoms, skin irritations, respiratory illness, as well as ear, nose and throat infections (Prüss 1998, Zmirou et al. 2003, Soller et al. 2010).

Cowichan Bay float home owners' methods of domestic sewage disposal range from directly discharging untreated sewage into surrounding waters, to connection to the regional sewage treatment system via existing hook-up facilities (verbal communication CVRD 2012). To date, only two floating homes are documented as being connected to CVRD sewer facilities (verbal communication CVRD 2012).

The CVRD wishes to manage marine float home use in Cowichan Bay Village by means of an amended OCP and land use regulation in order to address potential effects to the environment, human health, public perception and infrastructure planning requirements. CVRD has initiated this project to evaluate the current status and issues associated with float home siting and usage in Cowichan Bay, the recommendations from which will be considered in the development and implementation of a

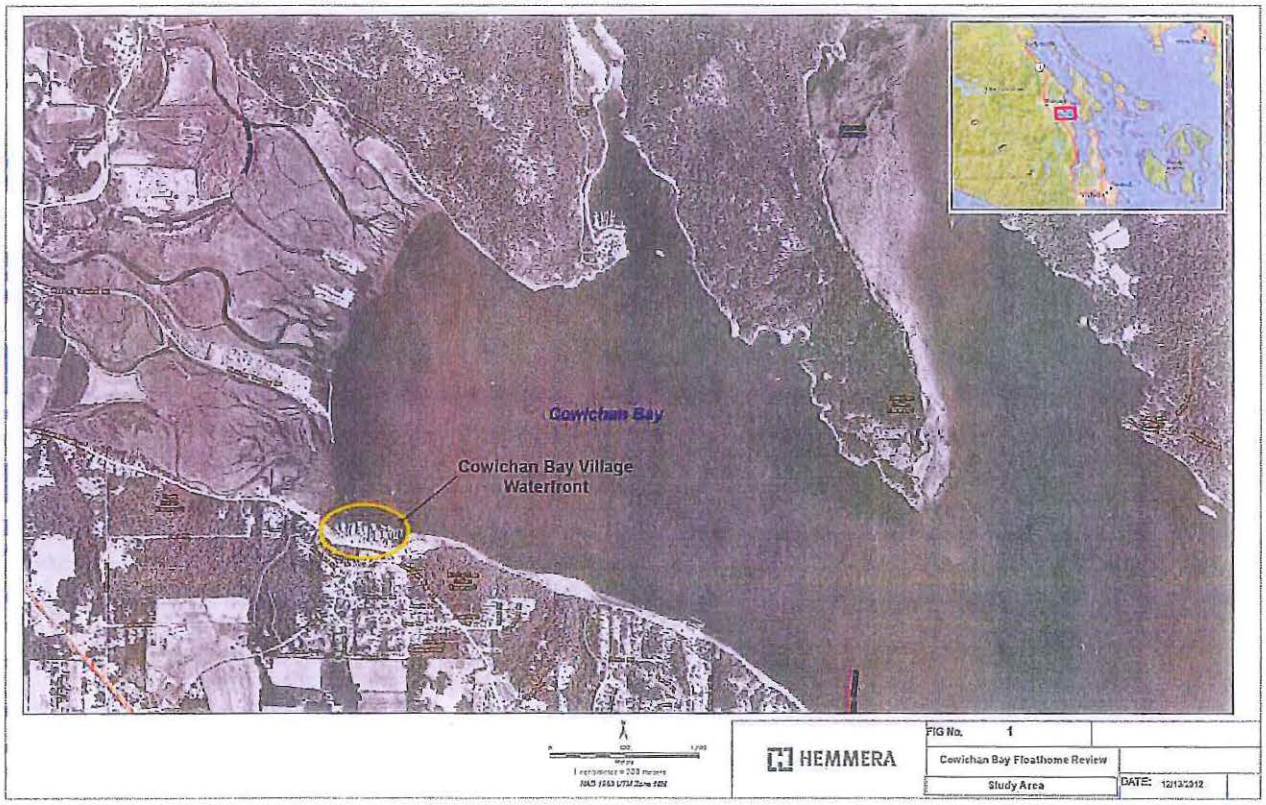
management strategy that is consistent with long term environmental protection and sustainability goals. In addition, the CVRD, Cowichan Tribes, Department of Fisheries and Oceans, Transport Canada, RCMP, Living Rivers, and BC Wildlife Federation are seeking to establish Vessel Operation Restriction Regulations (VORR) in order to designate specific areas as off-limits to motorized vessels in order to protect eelgrass habitat in Cowichan Bay (CVRD 2012).

1.1 WHAT IS A FLOAT HOME?

The province of BC defines a float home as a structure built on a flotation system and used as a residence (British Columbia Float-home Standards 1998). It is not intended for navigation or use as a navigable craft. Float homes are held to standards set by the provincial and federal governments and are regulated by local government (Greater Victoria Harbour Authority website).

Live-aboards are typically boats or small yachts (either power or sail boats) that are used as a primary residence. The sewage management issues common to float homes are also associated with live-aboards. In sections 6.0 and 7.0 of this report, water quality and sewage management issues associated with float homes and live-aboards are dealt with as one issue common to both types of infrastructure.

Figure 1 Cowichan Bay, British Columbia



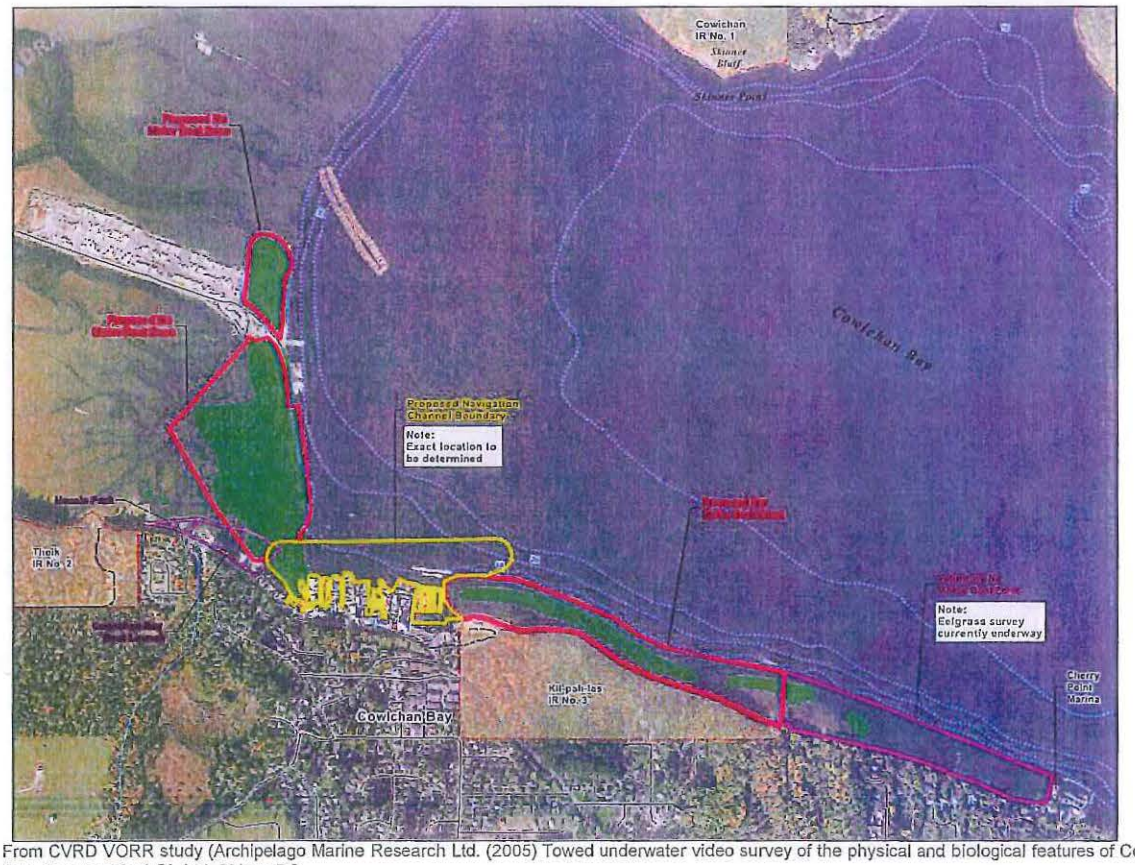
1.2 BACKGROUND

Wetland ecosystems, including estuaries, deliver a host of ecological services that are invaluable to society (Costanza et al. 1997). Estuarine ecosystems are considered among the most biologically productive areas on the planet and play an important role in shoreline erosion control; floodwater retention and control; heavy metal storage; food-web support; human recreation; water quality; and nutrient cycling. Additionally these areas provide critical habitat functions for birds, fish and other wildlife (Short et al. 2000, Meyer 2002).

The Cowichan Estuary was recently ranked as the 8th most important estuary in BC (Ducks Unlimited Canada 2008). The Cowichan River, which discharges to the estuary, is listed as a Canadian Heritage river due to its extensive lowland floodplain which is vitally important for various salmon species and up to 220 species of migrant shorebirds and waterfowl (BC Parks 2005). This designation is partially a result of the highly valued habitats of the Cowichan estuary, including: tidal marshes, mudflats, eelgrass beds, and marine riparian habitats.

A key habitat in the Cowichan Estuary is eelgrass (*Zostera marina).* Eelgrass beds are critical habitat for commercially and ecologically important organisms such as juvenile Pacific salmon and Dungeness crab (*Metacarcinus magister*) (Gunderson et al. 1990). Eelgrass beds provide refuge from predators, cover from desiccation during low tide, offer three dimensional habitat, and are an indirect and direct food source for a variety of species (Wyllie-Escheverria 2003). A map of eelgrass beds present in Cowichan Bay is shown in Figure 2 (Community Mapping Network data).

Figure 2 Eelgrass Distribution in Cowichan Bay (green polygons)



Note: From CVRD VORR study (Archipelago Marine Research Ltd. (2005) Towed underwater video survey of the physical and biological features of Cowichan Bay. Prepared for LGL Ltd, Sidney BC.

1.3 OBJECTIVES

The purpose of this project was to undertake a desk top study to assess the adverse effects of float homes and live-aboards to the environmental characteristics of Cowichan Bay and to provide recommendations for their management. This includes:

- Describing the current biophysical condition of marine foreshore habitat in the Cowichan Bay Village area;
- Evaluating the suitability of the marine foreshore area to support indigenous marine species typical of the local area;
- Recommending guidelines for float home location, operation, and sewage disposal in the village area.

2.0 METHODS

A desktop study was undertaken to gather and review both biophysical and water quality information related to the fish and wildlife habitats of the project area. An evaluation of the suitability of the marine foreshore habitats to support indigenous marine species typical of the local area was also conducted. The suitability analysis included key habitat types and the important species that rely on them and areas where native habitat has been lost due to development. Data on float home status were acquired directly from the CVRD staff. Biophysical, water quality, and float home status information was evaluated in context with existing ecosystem information available for Cowichan Bay. These data were used to assess whether adverse effects are likely to be occurring from float home usage in the area as a basis for recommendations in this report regarding float home management within Cowichan Bay.

2.1 INFORMATION SOURCES

Background information was obtained from a variety of sources, including:

- Published and unpublished government reports for the area, including previous environmental assessments;
- Published scientific reports for the area;
- Community Mapping Network;
- BC Conservation Data Centre (CDC) Species and Ecosystem Explorer;
- BC Coastal Sensitive Area mapping;
- Provincial Coastal Resource Information Management System (CRIMS database);
- Cowichan Watershed Board website (www.cowichanwatershedboard.ca);
- Provincial FishWizard;
- Freshwater Fisheries Society of BC;
- Cowichan Estuary Environmental Management Plan (CEEMP);
- iMapBC;
- British Columbia Marine Ecological Classification (BCMEC) system.

In addition, Hemmera's team members have extensive local knowledge of the local area. To supplement this local knowledge, the project team interviewed key government agency personnel that have experience in Cowichan Bay including CVRD staff and CEEMC members. Other relevant sources of information included the Seachange Conservation Society, the Cowichan Bay Nature Centre, and the Khoyatan Marine Laboratory (previously moored in Cowichan Bay).

Available habitat mapping (from the Community Mapping Network), orthophotos and bathymetric maps from the Canadian Hydrographic Service were reviewed and included in the analysis of existing marine environmental conditions in the village. Sensitive, productive, or highly valued habitat and ecosystem types were identified based on available data. Areas of low habitat value were also identified.

3.0 CURRENT FLOAT HOME STATUS AND UNDERSTANDING

3.1 FLOAT HOME INVENTORY

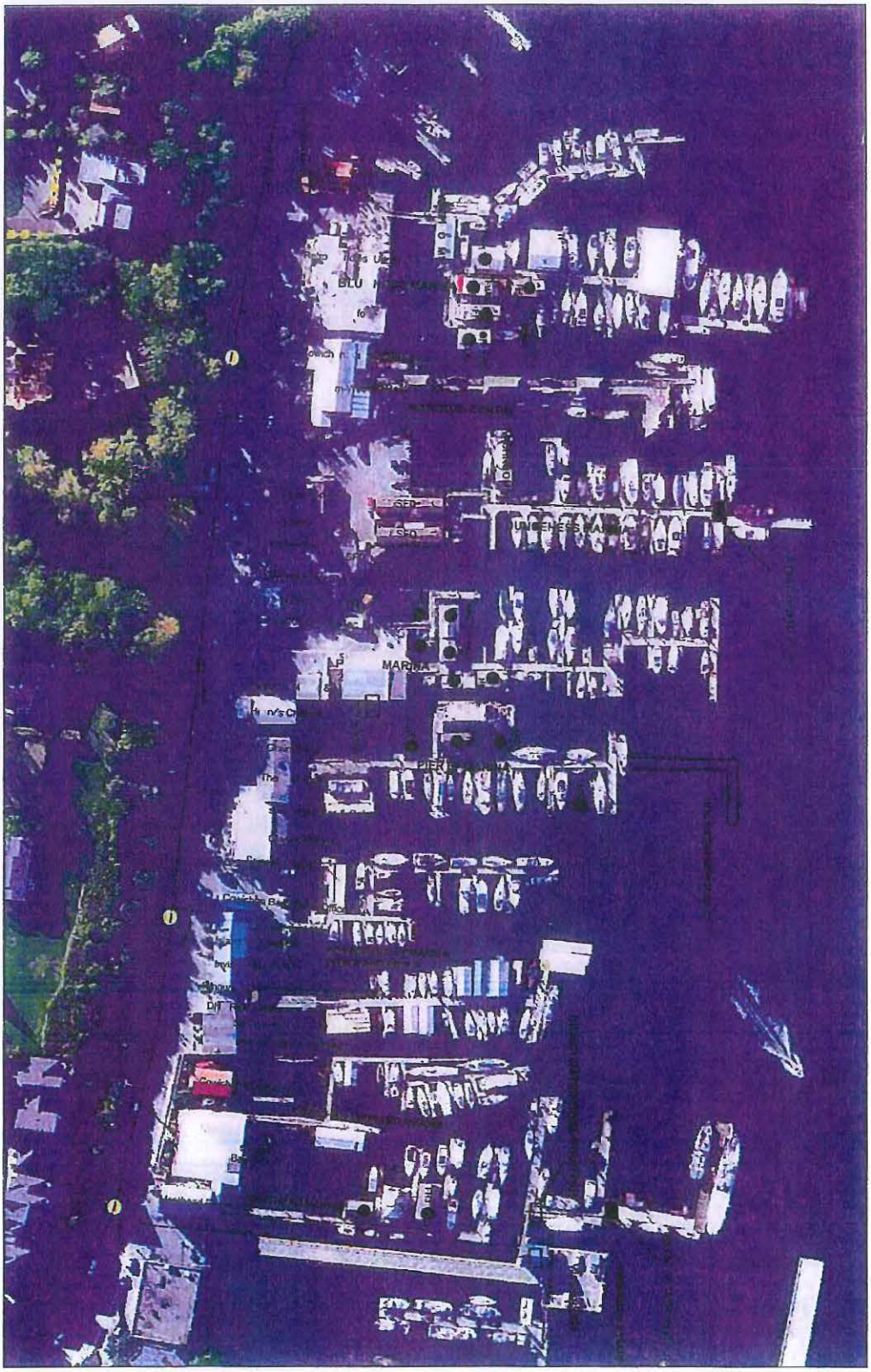
The CVRD recently conducted a float home inventory of the village (September 21, 2012 Engineering & Environmental Services Department of CVRD). Table 1 presents the inventory results and describes the moorage location, sewer units present and number of homes that have been connected to the regional sewage treatment system (more detailed information on existing float home sewage discharge is presented in Appendix A). No live-aboards have purchased or made connections. Figure 3 illustrates the location of existing float homes and live-aboards in the village area.

Table 1 Float Homes in Cowichan Bay

Marina	Sewer Units Purchased	Existing Float Homes	Float Homes Connected	Pump Outs	Comments
Ocean Suites at Cowichan Bay	0	0	0	0	• Marina used by hotel guests
Fishermen's Wharf	0	0	0	2	• One pump out is deactivated. The other collects sewage from the marina and the office
Masthead Marina	2	3	2	0	• 1 float home not connected but unoccupied
Cowichan Shipyard Marina	1	0	0	0	
Cowichan Bay Marina Pier A and B	2	0	0	0	
Pier 67 Marina (former Pier C of CB Marina)	3(3)*	5	0	0	• Docks extended into the bay to connect to Pier 66
Pier 66 Marina	0	6	0	0	• Owner willing to connect but no sewer available
Dungeness Marina	2	0	0	1	• Washroom on dock for customers • 30 pump outs per year • Upland residences present
Cowichan Bay Maritime Centre	0	0	0	0	
Bluenose Marina	0	6	3**		• Washroom for customers • 3 float homes connected to a pipe that runs to the upland – sewer hook up is unconfirmed.

Note: * Three purchased and three more requested.
** Information needs confirmation/further investigation.

Figure 3 Cowichan Bay Village Marina Area



3.2 SUMMARY OF REGULATIONS, POLICIES AND STANDARDS RELATING TO FLOAT HOMES

The British Columbia Float Home Standards (1998), as outlined by the BC Ministry of Energy and Mines, state that:

> "Float homes shall have, or be connected to, an approved sewage disposal system. Sewage disposal systems shall comply with the Sewerage System Regulation or the Municipal Sewage Regulation".

The Sewerage System Regulations (BC regulation 326/2004) under the *Public Health Act*, BC Ministry of Health) states:

> "The owner of every parcel on which a structure is constructed or located must ensure that all domestic sewage originating from the structure is discharged into a public sewer, a holding tank, or a sewerage system, and does not cause a health hazard."

However, the Sewerage System Regulations also state that "a person may discharge domestic sewage or effluent into waters if authorized under another enactment".

While they do not apply to Cowichan Bay, Bylaws and standards pertaining to Float homes have been established in a number of nearby municipalities. For example, according to the Standards for Float Homes and Live-Aboard Vessels in Victoria Harbour (Transport Canada 2001), Sewage Disposal (sections 3.2.4 and 4.3.2) requirements include:

a. Float Homes/Live-Aboard Vessels shall have an approved on-board sewage disposal system.
b. No discharge of sewage into the waters of Victoria and Esquimalt Harbours is permissible.
c. Sewage holding tanks shall comply with the Pleasure Craft Sewage Pollution Prevention Regulations.
d. Marine sanitation devices certified as Type III devices by the United States Coast Guard are acceptable.

These standards are applicable to all marinas and public port facilities in Victoria Harbour under federal jurisdiction and may be augmented by additional requirements established by the marina or port operator.

According to Bylaw numbers 3116 and 3216, contained within The Corporation of the District of North Cowichan Bylaw No. 3015 (Float Home Standards Bylaw 1999),

> "The float home must be connected to a sewage disposal system approved under applicable provincial or federal laws concerning sewage disposal (when such a system becomes available for existing float homes), or have installed a composting or Lectra/San toilet."

Furthermore, it is noted in Part 3 (Marina Standards) of Bylaw No. 3015 that the moorage site plan must include an on-site sewer system. This bylaw is consolidated under section 139 of the Community Charter and applies to all areas of land and water within the territorial area of the North Cowichan and, for certainty, extends 1000 feet beyond the foreshore high water mark.

The Crown Land Use Operational Policy, Commercial – General (Land Act, Ch. 245, R.S.B.C., 1996) indicates that for marina sites where there is a known or high risk of contamination or environmental impact due to current, past or future activities, an environmental schedule (a specific set of environmental terms and conditions) or additional insurance requirements may be warranted when processing new or replacement tenures. For circumstances where additional requirements are warranted, regional staff are to contact Crown Land Authorizations (Ministry of Forests, Lands and Natural Resource Operations), who will work with Ministry of Attorney General to prepare a customized environmental schedule.

4.0 BIOPHYSICAL CONDITIONS OF MARINE FORESHORE

Under the BC Marine Ecological Classification System, Cowichan Bay occurs within the Strait of Georgia ecosection of the Georgia Basin ecoregion, which is in the Georgia-Puget Basin ecoprovince of the broader Pacific Ecozone (BCMEC 2012). The Strait of Georgia marine ecosection is characterized by a broad, shallow basin surrounded by coastal lowlands (Georgia Depression). The coastal waters of this ecosection are largely protected, warm in summer months, and seasonally stratified, with significant freshwater input and high turbidity. Biologically this ecosection is a known nursery area for salmon and herring and possesses abundant shellfish resources.

4.1 WATERSHED CONDITIONS

The Cowichan estuary receives discharges from the Cowichan and Koksilah rivers whose watersheds encompass 939 km^2 and 302 km^2, respectively (Westland Resource Group Inc. 2007). Both rivers are characterized by elevated winter flows, resulting from high winter precipitation, and low summer flows. Water quality within both watersheds is influenced by non-point source impacts of logging, agriculture, and urbanization (Dessouki 2010, Obee 2011). Additionally, the Cowichan watershed receives point source discharges from multiple sewerage works and the pulp and paper industry (Dessouki 2010).

4.2 MARINE CONDITIONS

A site visit was conducted of Cowichan Bay Village to confirm the current biophysical conditions of the marine foreshore and to inform the development of Best Practices for regulating float homes and live-aboards. The shoreline was traversed from the western end of the village (commencing at the boat launch) to the eastern end of the village (near the Ocean Suites hotel) and the foreshore was accessed where available. An underwater viewer was used to supplement observations from available walkways and floats.

Existing infrastructure development along the shoreline is restricting development of the marine riparian zone in the village area. The high intertidal zone has been subject to urban and commercial development near Cowichan Bay Road. This zone includes small patches of erosion protection (rip rap); pile supported residences and businesses; timber and concrete bulkheads, foreshore fill, boatways and other overwater structures. Encrusting invertebrates (barnacles; mussels) and attached algae (seaweeds) occur occasionally on these man-made structures.

Sediments throughout the intertidal zone are typified by the presence of fine sands and silts. Anthropogenic debris is common with some observed patches of wood waste.

Pilings and floats in the mid- to lower intertidal zone sustain mussels, barnacles and rockweed.

A small sand and gravel pocket beach is present fronting the Oceanfront Suites hotel. This may be suitable habitat for forage fish rearing and spawning. Whether spawning forage fish use this pocket beach needs to be confirmed in the field.

Small, remnant patches of eelgrass (*Zostera marina*) are present in the lower intertidal to shallow subtidal zone particularly towards the eastern end of the village adjacent to the Small Craft Harbour.

4.3 Fish and Wildlife Habitat Suitability

Estuaries typically sustain highly productive habitat for fish and wildlife, particularly birds (Short et al. 2000, Meyer 2002). Industrial, commercial and residential developments have resulted in marked habitat losses in the estuaries of southern BC including the Cowichan estuary (Campbell Prentice & Boyd 1988). The management focus on these estuaries has typically been to preserve and enhance remaining habitats and to restore habitats that have been removed or degraded.

Highly valuable habitats typical of the Cowichan estuary include tidal marshes, mudflats, eelgrass beds, bivalve shellfish beds and marine riparian habitats. These habitats support a myriad of fish and wildlife species including, but not limited to; Pacific salmon, cutthroat trout, great blue heron, diving ducks, shorebirds and raptors (Cowichan Land Trust 2012).

Estuarine habitats are defined by a number of key physical features including, but not limited to:

- Elevation;
- Exposure;
- Substrate;
- Slope.

Under the BC MEC the Cowichan Bay benthic ecounit ID 5591 is classified by:

- Low wave exposure;
- Mud and sandy mud substrate;
- 'Low' seabed relief consisting of a gently undulating topography with a small elevation range;
- A 5-20% sloping nearshore seabed;
- A warm temperature range (9-15°C during summer months);
- A mean photic depth of 20 to 50 metres;
- And relatively low (<3 knot) currents (AXYS Environmental Consulting Ltd. 2001; BCMEC 2012).

The presence of vegetation and other biota is determined in part by these features. As a result of infrastructure development, species composition and distribution is often altered. For example, in the case of eelgrass (*Zostera marina*), shoot density, biomass and cover are influenced by light intensity, disturbance, and nutrient concentrations (Keddy 1987, Burdick and Short 1999). While the elevation and substrates common to Cowichan Bay are ideal for eelgrass in the absence of overwater structures and physical disturbance, eelgrass distribution is currently inhibited by existing land and water uses in the village, including areas used by float homes (Burdick and Short 1999). Based on this the same may be true for Live-aboards as well. Eelgrass has a limited elevation range in the low intertidal and shallow subtidal zone on the south coast of British Columbia. The focus of recent restoration initiatives has been to conserve this critical ecosystem within Cowichan Bay (Cowichan Land Trust, 2012).

Based on the benthic unit characteristics in Cowichan Bay village a number of habitat and species were likely abundant prior to development. Remnants of these features in areas not currently affected by development can be observed now and include:

- Marine riparian habitats;
- Clam beds;
- Eelgrass beds;
- Forage fish spawning habitats;
- Tidal marshes.

In this area the marine riparian zone, tidal marsh zone and forage fish spawning habitat zone are now occupied by Cowichan Bay Road, waterfront piling and fill-supported buildings. Given the relative permanency of these structures, the likelihood of re-establishing these habitat types significantly in the village is low.

Bivalve shellfish beds can sustain commercial and recreational fisheries and are of great importance to First Nations. Substrates present in the village may support bivalve shellfish but they are not ideal for key intertidal species such as Manila clams.

Eelgrass beds occur at lower intertidal and upper subtidal elevations. Substrates in the village are suitable for eelgrass establishment. Remnant patches of eelgrass occur in the village area where light penetration is not impaired by overwater structures such as walkways, floats and float homes.

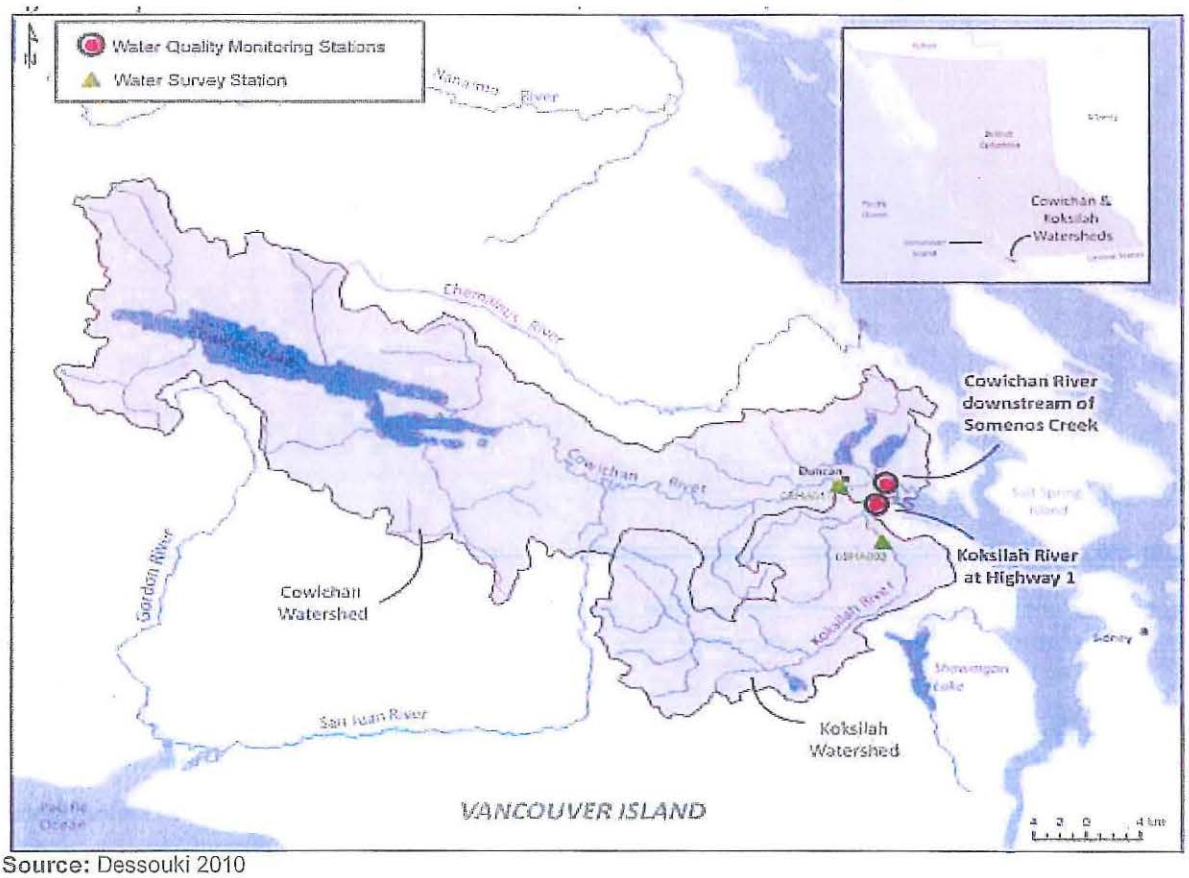
5.0 WATER QUALITY

The Cowichan Estuary Management Plan (1987) highlights the importance of maintaining and improving the productivity of the Cowichan estuary. Water quality in Cowichan Bay is strongly influenced by watershed and marine conditions. Following is a description of the water quality in the Cowichan and Koksilah watersheds, as well as a discussion of marine bacteriological conditions.

5.1 COWICHAN AND KOKSILAH WATERSHEDS

The Cowichan and Koksilah rivers are influenced by non-point source (logging, agriculture, urban development) and point source (Duncan-North Cowichan Joint Utilities Sewage Treatment Lagoons, the Town of Lake Cowichan sewage treatment plant, and Catalyst Paper) inputs (Dessouki 2010, Obee 2011). Water quality monitoring stations are located one kilometre upstream of the Cowichan estuary in both rivers (**Figure 3**; Obee 2011).

Figure 4 Water Quality Stations on the Cowichan and Koksilah Rivers



Source: Dessouki 2010

During the past ten years, established water quality objectives (Appendix A) are often not met in regards to dissolved oxygen and bacteriological parameters (fecal coliforms, i.e. *E. coli*) and occasionally not met for turbidity and suspended solids (Obee 2011; Table 2).

The Cowichan Watershed Board (CWB) intends to address a number of negative water quality indicators in the Cowichan Watershed Partnership Project (Cowichan Watershed Board 2012). In particular, the following indicators of poor water quality are a top priority:

- General water quality issues related to adverse cumulative effects of turbidity, nutrients and bacteriological contamination - particularly in the lower Cowichan and Koksilah rivers.
- Shellfish harvesting in the Cowichan estuary has been closed since 1973 as a result of fecal contamination and given that float homes are discharging raw sewage to Cowichan Bay this activity is likely exacerbating the bacterial contamination problem in this area;
- There have been significant fish kills (juvenile salmon) in portions of the lower watershed.

As a result of population growth, sewage effluent volumes have increased at facilities discharging into the Cowichan River and disinfection processes have recently been adapted (Obee 2011). As even small concentrations of fecal coliforms can indicate an increase in pathogens that are adverse to human health, fecal indicator bacteria are commonly used to assess water quality (Soller et al. 2010). BC guidelines for fecal coliforms have been set for various human related uses (drinking water, shellfish harvesting and recreation) and are reported as the number of colony forming units (CFU) in a 100mL sample volume. Historically, the Cowichan and Koksilah rivers have exceeded a number of these guidelines (Table 2; Appendix A).

Table 2 Fecal Coliform Measurements (CFU) from Water Quality Stations on the Cowichan and Koksilah Rivers

Year	Cowichan River	Koksilah River
2000	11	19
2001	65	83
2002	174	218
2003	18	17
2004	62	138
2005	70	49
2006	35	189
2007	70	125
2008	95	n/a

Source: Dessouki 2010
Note: Shaded boxes represent values that exceed British Columbia Aquatic Life Criteria (less than or equal to 43/100 mL 90th percentile).

5.2 MARINE/ESTUARINE CONDITIONS

Fecal contamination occurs in the Cowichan estuary in part as watershed inputs, marine life and marina activities. Variability in fecal coliform levels occur throughout Cowichan Bay as a result of water flow and water circulation (higher values are noted after large storm events due to increased runoff), proximately to seal colonies, and human sewage discharges (McLaren, unpublished report 2006).

Bacteriological water quality testing has recently been completed within the Cowichan Estuary. During the de-commissioning of the Cowichan Bay sewage treatment plant in 2005, fecal coliform levels were closely monitored throughout the year, and in November 2012 the Ministry of Environment completed fecal coliform testing at numerous sites, including some within the Cowichan Bay marina area (Appendix E, Sample Location Map).

Marine bacteriological data for Cowichan Bay rarely meet established Provincial criteria in regards to fecal coliform levels (Appendix E). The British Columbia Ministry of Environment, Environmental Protection division has stated that recreational fecal coliform counts should not exceed 200 CFU, in fresh or marine waters, while aquatic life criteria are less than 43 CFU. Monitoring of CFU at Cowichan Bay was recently undertaken at four sites within the marina area (Appendix E). Recreational guidelines were not met at 3 out of 4 locations in 2012, and aquatic guidelines were not met at 4 out of 4 locations. Consequently, given the existence of multiple raw sewage discharges to the bay from float homes and live-aboards these water quality data, indicate that sewage discharges from float homes and live-aboards are likely a significant factor adversely affecting water quality at Cowichan Bay.

5.2.1 Shellfish

Fecal coliform guidelines (Appendix E) are not being met within Cowichan Bay; the Cowichan and Koksilah rivers have rarely met fecal coliform guidelines within the past 10 years and almost all marine sites exceeded guidelines in both 2005 and 2012 (Tables 2&3). A permanent sanitary closure for bivalve shellfish is in place for Cowichan Bay (DFO area 18-8). Commercial shellfish harvesting has been closed in Cowichan estuary since 1973. However, in May 2012 the Cowichan Watershed Board received $370,000 of government funding to undertake projects to help make shellfish edible (Cowichan Watershed Board 2012), with plans to re-open a fishery 2020. Reducing fecal coliform levels is paramount to re-establishing this fishery.

5.2.2 Fish

The Cowichan estuary and its associated watersheds boast an array of freshwater and anadromous fish species that support a variety of commercial, recreational, and First Nations fisheries (Appendix D). Low summer water flows within the rivers, exacerbated by poor water quality, has resulted in low dissolved oxygen conditions that threaten important salmon species (particularly Chinook salmon).

Fish that utilize the village marina area could include rearing juvenile salmon; pile and surf perch that are often associated with docks and pilings; flatfish; forage fish (Pacific sandlance and surf smelt) and other non-commercial species. Efforts to find specific published studies detailing fish use of the village area were unsuccessful.

Marinas and harbours typically suffer from poor water quality as a result of sewage, grey water, and oily bilge water. Bacteriological testing in the village area (Table X) demonstrated that E. coli, an indicator of sewage contamination, is occurring. Antifouling paints, used to treat boats, as well as wood preserved with chemicals (e.g. creosote) can also be a source of water contamination. Oil and gas pollution is usually high at marinas with fuel docks.

6.0 DISCUSSION AND CONCLUSIONS

6.1 WATER QUALITY

Water quality from the Cowichan and Koksilah rivers exceeds BC guidelines for fecal coliform concentrations and therefore freshwater inputs are very likely influencing fecal coliform levels in Cowichan Bay. Regardless, bacteriological testing of waters within Cowichan Bay, particularly in the marina area demonstrates significantly higher concentrations of fecal coliforms than found in watersheds discharging to the marine area. Consequently raw sewage discharges from float homes and live-aboard are significantly contributing to poor water quality in Cowichan Bay from a bacteriological perspective. Fecal coliforms have the potential to be pathogenic to humans but are also indicators that other pathogenic organisms may be present. Consequently, due to the tendency for shellfish to concentrate pathogenic organisms, harvesting has remained closed in Cowichan Bay resulting from high fecal coliform levels in the water. Water quality improvements can be realized, and human and environmental health improved, through programs aimed at zero waste discharge in the village. For this to happen it is desirable to manage water quality in all sources of bacterial contamination entering Cowichan Bay. An important place to start is with an equal requirement for all float homes and live-aboards to connect to the regional sewage system, for both black and grey water, given that these infrastructure units are a major contributing factor to poor water quality in Cowichan Bay.

Cowichan Tribes has keen interest in harvesting shellfish in Cowichan Bay. Consequently, improving water quality in the village, through sewage discharge regulation, would contribute to this goal. However, water quality-related closures and regulated closures due to the presence of marinas may continue to prevent harvesting of adult shellfish near the village, under the Contaminated Fisheries Regulations (DFO 1990) which state that:

> "Shellfish shall not be harvested from prohibited areas for any purpose, with the exception of harvesting for seed, spat, bait and for scientific purposes, all of which may be collected under special license.
>
> 1. The following areas shall be defined as prohibited areas:
> a. the area within a minimum 300 metre radius around industrial, and sanitary sewage outfalls;
> b. the area within a minimum 125 metre radius around marinas;
> c. areas where, due to the degree of contamination in the growing waters (i.e., waters having excessive concentrations of fecal material or other poisonous or deleterious substances), it may not be possible to adequately depurate or naturally purify the shellfish."

6.2 FISH HABITAT

Based on the potential of the area to support eelgrass and therefore fish habitat, it is evident that overwater structures located in areas with eelgrass capability are restricting the environment's ability to sustain that habitat. Creating the physical conditions necessary for eelgrass growth would be possible through implementation of community plans for Cowichan Bay village that are carefully focussed on managing overwater structure location to restore and sustain eelgrass habitat.

Fish and fish habitat are managed by Fisheries and Oceans Canada (DFO). A number of readily available Best Practices and Operational Statements can be used to guide works that may affect fish habitat. Periods of least risk for nearshore marine activities should be adhered to for significant construction projects. The Work Window or period of least risk, is a mitigation measure which ensure that activities take place when they have the least likelihood of affect fish during sensitive life history stages. Typical sensitive life history stages include emerging juvenile salmonids, which occupy estuaries and shallow shorelines in the spring and spawning Pacific herring, that use shallow shoreline habitats in late winter and early spring. Approved work windows for Cowichan Bay are:

- **Summer Window:** July 1 – October 1
- **Winter Window:** December 1 – February 15

The summer work window does generally not apply to estuaries. DFO should be contacted for works planned for the summer time period.

6.3 OTHER GUIDELINES

Within the United States and Canada, zoning regulations may prohibit float homes at the provincial, state or local government level. Additionally, standards are often put in place to govern siting, spacing, setbacks, densities, sewage discharge and pump-out requirements. In BC, jurisdictions such as Victoria, North Cowichan, and Vancouver have created Float home bylaws and standards to supplement the BC Float Home Standards (1998) and exercise more control over these parameters. Numerous state governments (California, Georgia, Idaho, Maryland, Washington, New York, Oregon, Florida and Washington DC) maintain policies governing the zoning of float homes and these states allow local government to exercise zoning authority most often pertaining to anchoring, mooring, sewage discharges and pump-out requirements. Commonly, many districts maintain 'no-discharge' zones within marina areas, requiring float home users to connect to sewage treatment facilities in order to legally reside at a marina. In environmentally sensitive areas, such as Chesapeake Bay, these 'no-discharge' zones may even be mandated by the state.

Many of these existing guidelines were examined to determine a "best fit" for Cowichan Bay. Not all existing guidelines are suitable for float home use or the stated goals for Cowichan Bay. Those examined and selected were adopted, modified or used as guidance for proposed Cowichan Bay recommendations.

An example of the variety of existing guidance is presented below for sewage treatment:

- **Victoria:** No sewage discharge permitted.
- **Alberni-Clayquot Regional District:** Permitted float homes must have sewage dump available.
- **Tennessee Valley Authority:** All approved non-navigable houseboats with toilets must be equipped with a properly installed and operating Marine Sanitation Device (MSD) or Sewage Holding Tank and pump-out capability
- **City of Seattle:** Municipal code on float homes doesn't specify sewage discharge information.
- **Municipality of North Cowichan:** Float homes must be connected to approved sewage treatment system.
- **Village of Amityville, NY:** In the FH Floating Home District, all floating homes shall be provided with electricity, municipal water service and municipal sewage disposal facilities in accordance with the Suffolk County Sanitary Code.
- **Port Metro Vancouver:** Where municipal sewer is available, the municipal connection and the individual connections to each residential unit have been completed in accordance with accepted best practices.

  Where municipal sewer is not available, a Port Metro Vancouver approved sewage treatment system has been installed, capacity for connections to all residential units exist, and the system is operational.

7.0 RECOMMENDATIONS

In general, local government is responsible for serving the public interest. In Cowichan Bay, the CVRD is committed to its role in maintaining the health and safety of the public and the health of the environment. The proposed guidelines and recommendations presented in this section are intended to address water quality, human health as well as fish and wildlife habitat issues that exist as a result float home and live-aboards located in Cowichan Bay. The recommendations presented below are intended to be used as a tool guide development of a float home management strategy for Cowichan Bay Village.

The goal of these recommendations is to assist in the development of strategies to enhance ecological functions that are currently impaired, while accommodating permitted uses in a well-managed local area.

7.1 OCP POLICY RELATED RECOMMENDATIONS

- The OCP should create a zone for authorized float home use within Cowichan Bay;
- Float homes should only be authorized to occupy space in areas zoned for float homes;
- Float homes should be allowed only if they are connected to a sewage collection and disposal system or employ an alternate sewage treatment and disposal system that has been approved by the local health authority (a zero waste discharge management strategy).

7.2 RECOMMENDED STRATEGIES FOR MANAGEMENT OF FLOAT HOMES AND LIVE-ABOARDS

- The number of float homes located in Cowichan Bay at any given time should be restricted to the number of sewage hook-ups available;
- Live-aboard moorage spaces should be limited to those areas with a marina specifically identified on approved project plans for this use and the allotted area should not exceed 10 percent of overall moorage space for float homes and live-aboard vessels;
- Where possible, float homes should be sited in areas that minimize shading effects on eelgrass and other sensitive ecosystems;
- Allocate appropriately trained staff and resources to enforce provisions of the OCP and subsequent land use regulations as they pertain to float home usage in Cowichan Bay;
- Put into effect a public education program including signage and brochures informing the public as well as float home and live-aboard owners of the need to maintain environmental quality and health standards in the Bay through acceptable management of sewage discharges, including observation of a zero discharge of domestic sewage to Bay waters;
- Live-aboard units should be connected to an approved sanitary sewer or other approved upland waste disposal system with demonstrated capacity to serve the number of units proposed. All greywater must also be discharged into such a system;
- Live-aboard units should be connected to an approved potable water supply with demonstrated capacity to serve the number of units proposed;

- All construction, operation or maintenance activities in water or on intertidal areas must be timed to occur within reduced risk work windows, in order to avoid or limit adverse effects on protected species and forage fish during sensitive life history phases (e.g., reproduction, migration). Construction, operation, or maintenance activities above water or in near-shore areas should also be considered for reduced risk work windows to prevent or reduce adverse effects on terrestrial species that use the aquatic environment or where activities occur in proximity to nesting or foraging habitat.

7.3 Recommended Spacing and Setbacks

Spacing recommendations from existing guidelines and bylaws primarily address fire and human safety. Such recommendations include spacing between buildings (e.g. 3 m minimum), access to open water of a specific width and minimum access widths. For the purposes of this exercise, these spacing and setback considerations would be employed to address the direct and indirect effects of overwater structures on the fish and wildlife attributes of the village area.

7.4 Conclusions Regarding Effects of Overwater Structures on Habitat

Overwater structures, such as float homes, can adversely affect estuarine habitat components including light, wave energy, substrates and water quality. Some of the effects include, but are not limited to:

- Salmon fry avoid travel under overwater structures during daylight. As they move away from the shore (further offshore), they are exposed to larger predators that typically stay in deeper waters;
- The amount of light affects salmon feeding; with less light, they eat less;
- With less light, there are fewer prey species available for salmon;
- Reductions in light affect the growth of eelgrass, benthic macro-algae and benthic microalgae which provide a myriad of habitat structures and functions;
- The presence of piles can result in changes to substrates. Pilings take up space, reducing habitat; cast shade, affecting light; catch floating debris, affecting light and habitat. Pilings also develop into a pile community, resulting in shell hash (debris from attached shellfish and barnacles that dislodge and drop to the seabed) that can alter benthic habitats;
- Invasive species have been found to settle out on, and attach to, floats and supporting structures;
- The movement of sediment along marine shorelines (littoral drift) is affected by placement of overwater structures. Changes in sediment movement limit the availability of substrate for spawning forage fish and the sand available to down-drift beaches (Hass et al. 2002).

7.4.1 Recommended Guidelines to Mitigate the Effects of Overwater Structures

Guidelines to mitigate the indirect effects of overwater structures on habitats may include:

- Plan installation and construction for periods of least risk (Summer: July 1 – October 1; Winter: December 1 – February 15);
- Use a north-south pier-dock orientation if possible;
- Place overwater structures in deep water to avoid adverse effects to eelgrass and other light sensitive habitats;

- Overwater structures should be 8 meters from native aquatic vegetation or the distance that the structure will cast shade, whichever is greater;
- The portions of piers, elevated docks, and gangways that are over the nearshore/littoral area should incorporate the use of grating, glass inserts or reflective panels to increase the penetration of light to the seafloor. All grating material should have at least 60% functional open space[1];
- Consider using artificial lighting under structures in daylight hours;
- Artificial night lighting should be minimized by focusing the light on the dock surface, and using shades that minimize illumination of the surrounding environment;
- Minimize the number of pilings;
- Use light reflective piling materials;
- Prohibit the use of skirting on overwater structures.

The direct effects of overwaters structures are related primarily to the physical grounding of the structure. Proposed recommendations include:

- Floating structures should not rest on the substrate. Overwater structures should be located in water sufficiently deep to prevent the structure from grounding at the lowest low water, and the bottom of the structure should be a minimum 2.0 metres above the level of the substrate during the lowest tides;
- New structures should be designed and located so no new bulkheads or shoreline armour is necessary.

7.5 Water Quality Related Recommendations

Fecal contamination within Cowichan Bay is a concern for human health. Results of fecal coliform monitoring on the Cowichan and Koksilah rivers, which discharge into Cowichan Bay, indicate that fecal coliform measurements are high enough to warrant a closure on the shellfish fishery. Protecting Cowichan Bay from further contamination requires that all preventable sewage discharges are avoided. Besides controlling sewage discharges, additional measures can be implemented to protect the water quality of Cowichan Bay.

- No discharge of grey or blackwater should be permitted into Cowichan Bay and all float homes should be connected to the sewage collection system;
- Wood treated with toxic compounds should not be used for decking, pilings or other in-water components;
- Tires should not be used as fenders;
- Foam material should be encapsulated so it cannot break up and be released into water;
- Treated wood should be prohibited in the water;
- Materials used in the maintenance of houseboats moored at the marina should not result in contaminants or debris entering the water.

[1] "Functional open space" in this context refers to the "space" portion of the metal grating. If 60% is "open space", 40% of the grate would be comprised of metal.

7.6 BEST MANAGEMENT PRACTICES BROCHURE

The Seattle Floating Homes Association has developed a Best Management Practices brochure targeting float home tenants, managers and contractors. It is recommended that a similar brochure, focused on Cowichan Bay Village, be published with the intent of educating float home and live-aboard owners, marina owners, managers and municipal staff. An example of this brochure is presented in Appendix C.

7.7 RECOMMENDED FURTHER STUDY

7.7.1 Bathymetric Survey

Nearshore fish habitat features in the Pacific Northwest, including Cowichan Bay, are restricted to specific elevations. A detailed bathymetric survey of the village area would inform habitat suitability plans and proposed recommendations for siting of overwater structures. A detailed study of the village has likely now been conducted for some time.

7.7.2 Habitat Inventory

To fully understand the effects of float homes and other overwater structures on the Cowichan estuary ecosystem, a detailed habitat inventory should be undertaken. In particular, a detailed account of eelgrass distribution should be performed. While the BCMCA and the Community Mapping Network do provide eelgrass mapping data, these data do not clearly illustrate eelgrass distribution within the village.

The rationale for focussing on eelgrass is twofold: a) eelgrass is an important habitat type for fish and wildlife on the BC coast; and, b) with long term vision and guidance, eelgrass meadows could return to the village area.

The value of eelgrass has been outlined previously. Potential eelgrass restoration in the village area would require mitigation of shading and grounding effects through strategic walkway, float, float home and gangway placement. This would be a long term vision for restoration of this iconic habitat type.

The village has developed over time in an unregulated manner. Removal of overwater structures and grounding structures in the elevation range that would support eelgrass could be accomplished with strategic long term planning. Eelgrass beds occur at lower intertidal and upper subtidal elevations and their shoot density, biomass and cover are influenced by light intensity, disturbance and nutrient concentrations. The shoreline area with its multitude of bulkheads, erosion protection and pile supported buildings would be more difficult to change. Shellfish resources could be promoted, but regardless of the water quality of the village, *Fisheries Act* regulations prevent harvest near the myriad of docks and floats.

7.7.3 Water Quality Study

It is important to improve local water quality in Cowichan Bay Village and recommendations for float home use and siting should help improve the conditions. It is unknown however, the degree to which discharges originating in the village exacerbate contaminant levels originating from the river.

Detailed water quality information is available for both river systems that flow into Cowichan Bay. More recently (November 2012), fecal coliform has been monitored within Cowichan Bay. It would be informative to develop and implement a water quality monitoring program in the village for comparative purposes, in order to establish a baseline of fecal coliform counts for the village.

We sincerely appreciate the opportunity to have assisted you with this project and if there are any questions, please do not hesitate to contact the undersigned by phone at 604.669.0424.

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Hemmera

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8.0 STATEMENT OF LIMITATIONS

This report was prepared by Hemmera, for the sole benefit and exclusive use of the Cowichan Valley Regional District. The material in it reflects Hemmera's best judgment in light of the information available to it at the time of preparing this Report. Any use that a third party makes of this Report, or any reliance on or decision made based on it, is the responsibility of such third parties. Hemmera accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions taken based on this Report.

Hemmera has performed the work as described above and made the findings and conclusions set out in this Report in a manner consistent with the level of care and skill normally exercised by members of the environmental science profession practicing under similar conditions at the time the work was performed.

This Report represents a reasonable review of the information available to Hemmera within the established Scope, work schedule and budgetary constraints. It is possible that the levels of contamination or hazardous materials may vary across the Site, and hence currently unrecognised contamination or potentially hazardous materials may exist at the Site. No warranty, expressed or implied, is given concerning the presence or level of contamination on the Site, except as specifically noted in this Report. The conclusions and recommendations contained in this Report are based upon applicable legislation existing at the time the Report was drafted. Any changes in the legislation may alter the conclusions and/or recommendations contained in the Report. Regulatory implications discussed in this Report were based on the applicable legislation existing at the time this Report was written.

In preparing this Report, Hemmera has relied in good faith on information provided by others as noted in this Report, and has assumed that the information provided by those individuals is both factual and accurate. Hemmera accepts no responsibility for any deficiency, misstatement or inaccuracy in this Report resulting from the information provided by those individuals.

The liability of Hemmera to the CVRD shall be limited to injury or loss caused by the negligent acts of Hemmera. The total aggregate liability of Hemmera related to this agreement shall not exceed the lesser of the actual damages incurred, or the total fee of Hemmera for services rendered on this project.

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PHOTOGRAPHS

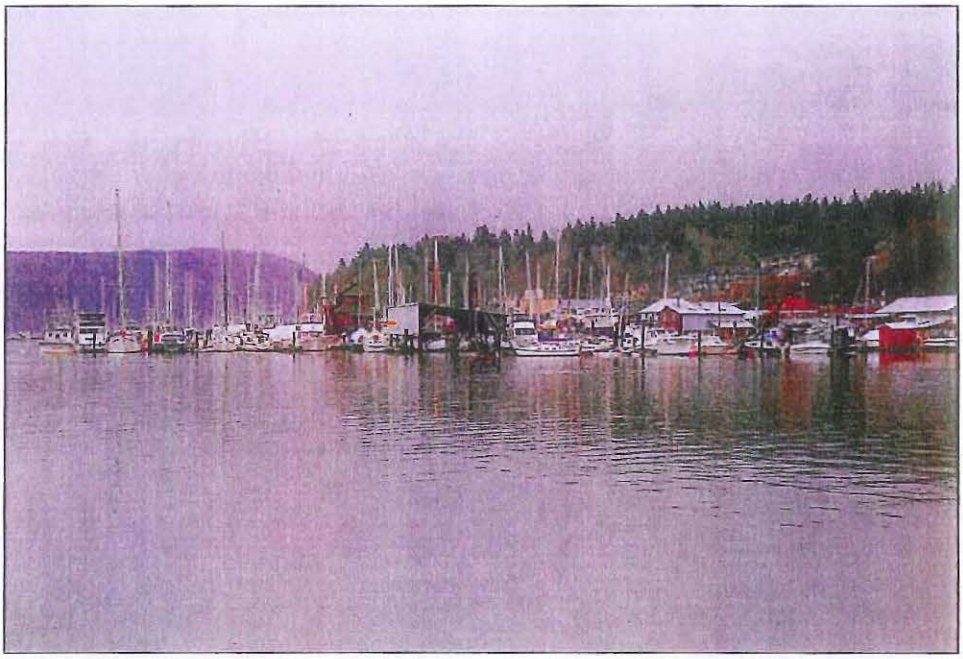


Photo 1: Cowichan Bay Village

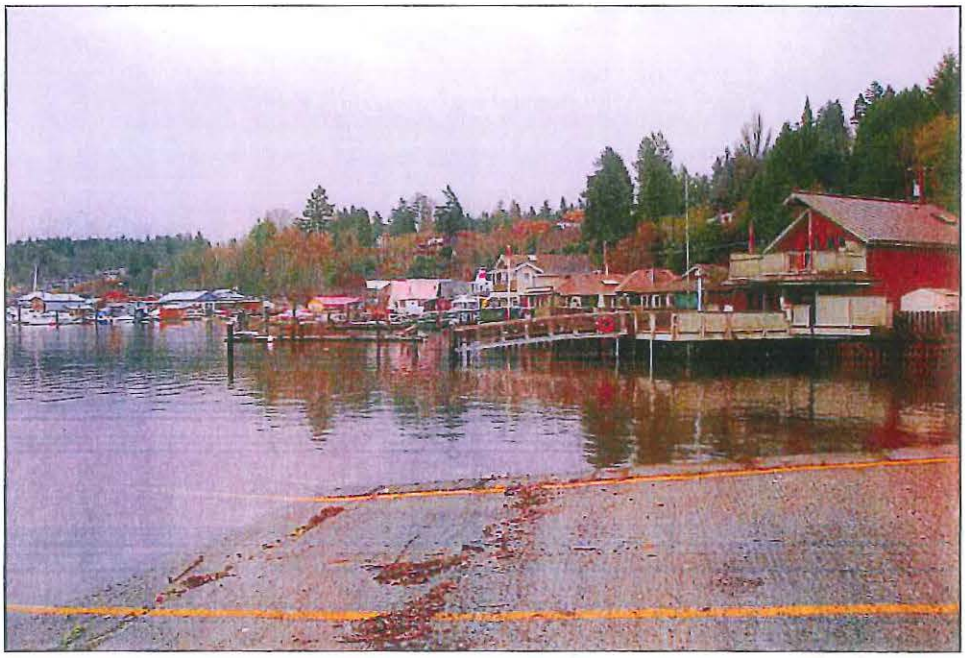


Photo 2: View east from Boat Launch

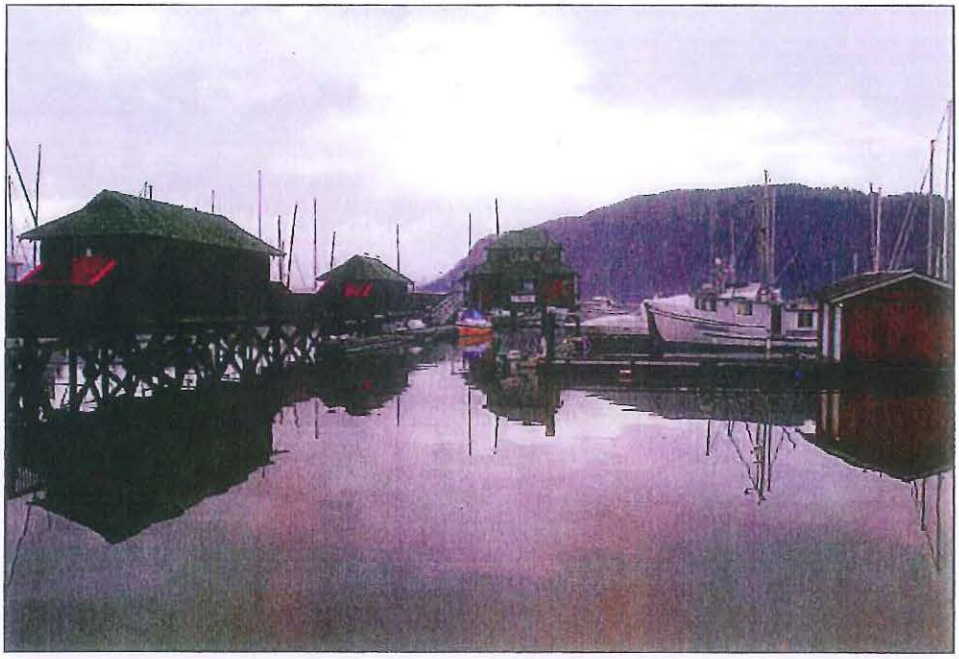


Photo 3: Pile supported structure: Wooden Boat Society

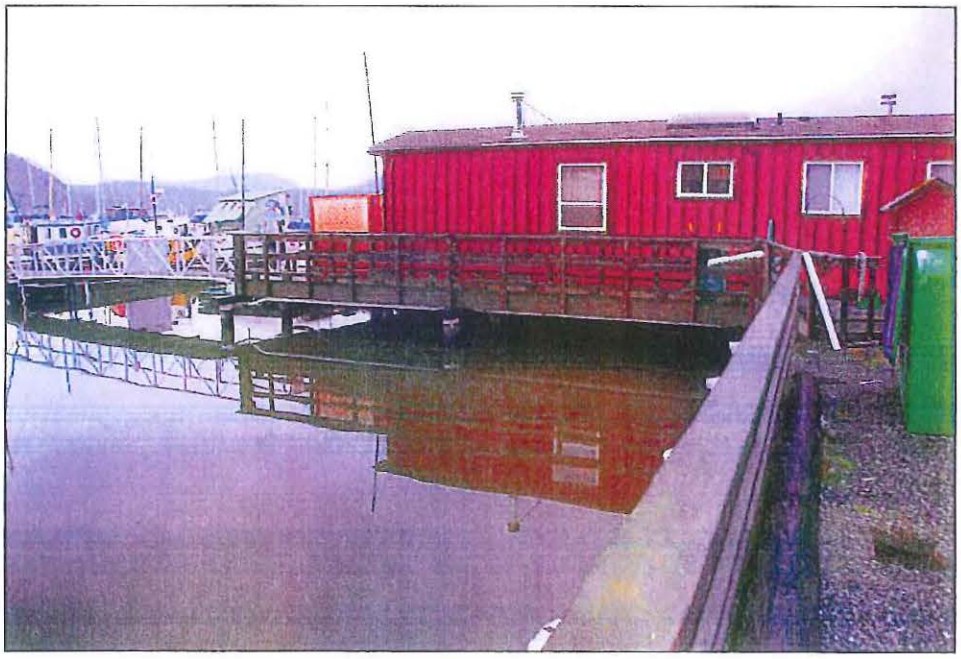


Photo 4: Overwater structure

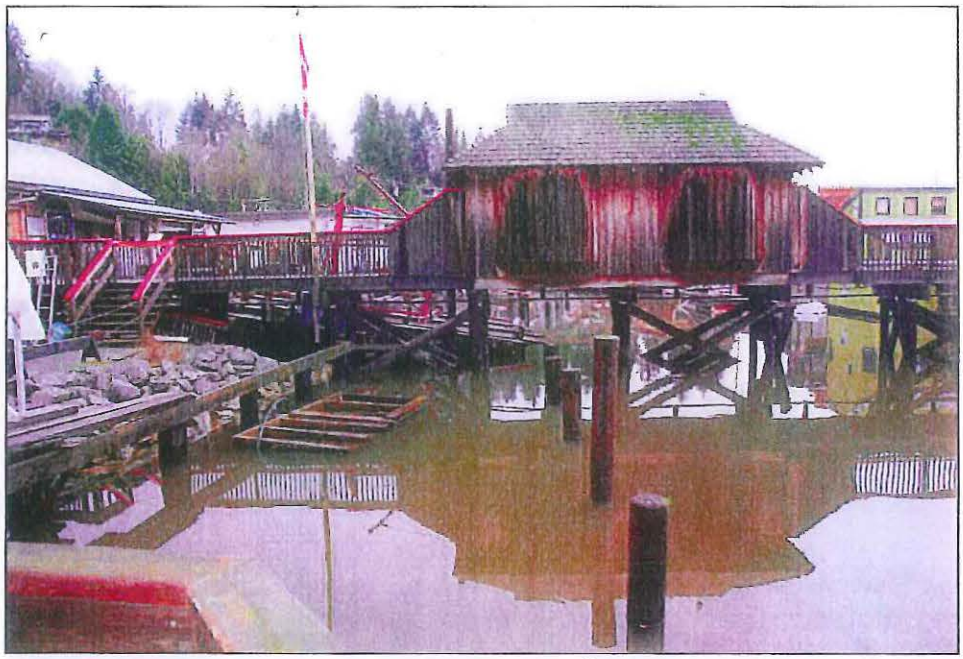


Photo 5: Rip rap shorline

Photo 6: Boat sheds

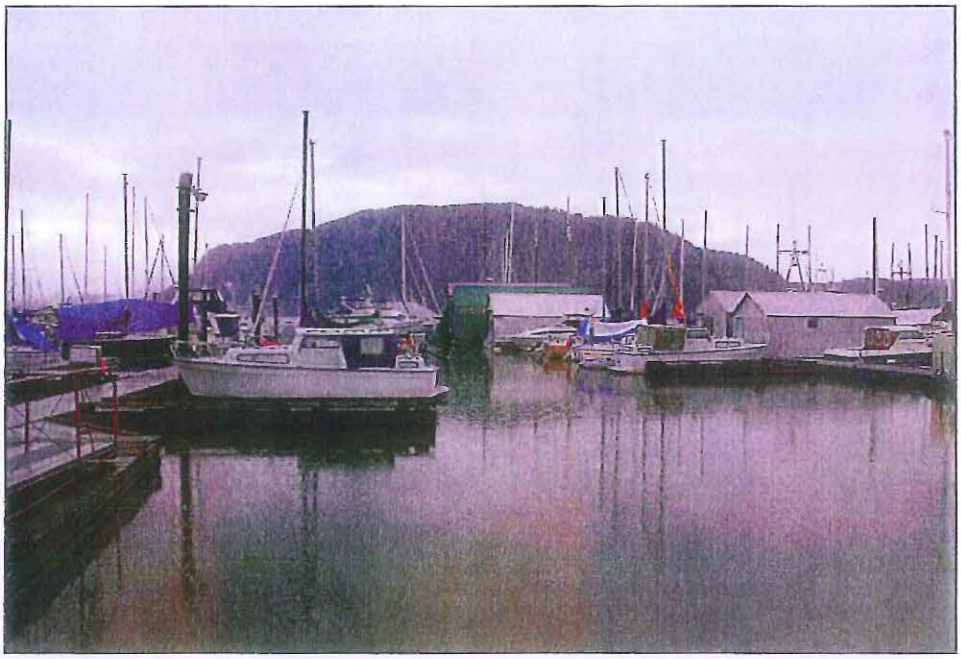


Photo 7: Boat sheds

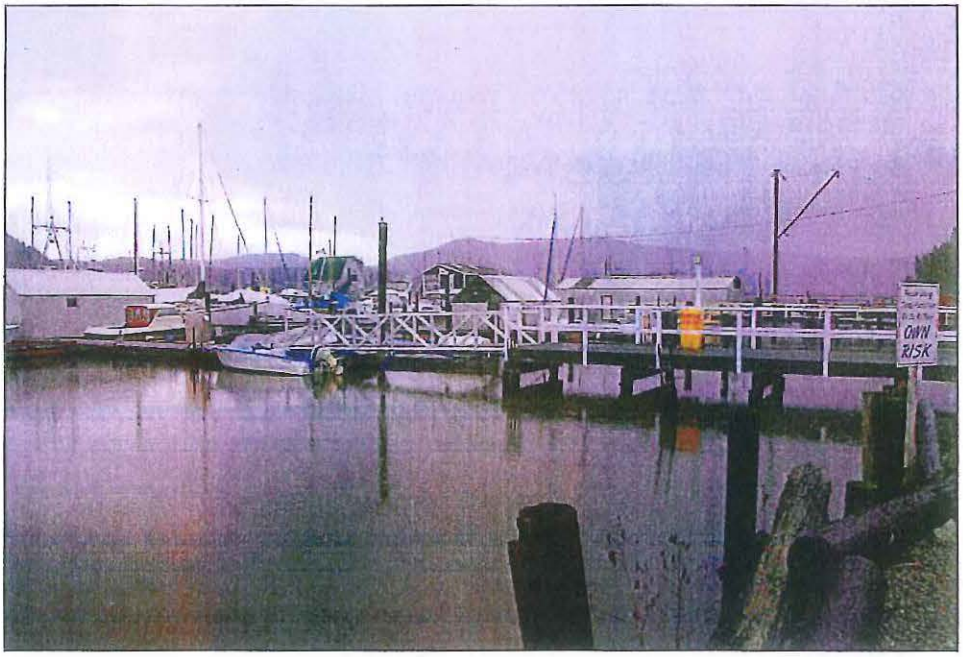


Photo 8: Pile supported walkway and boatsheds

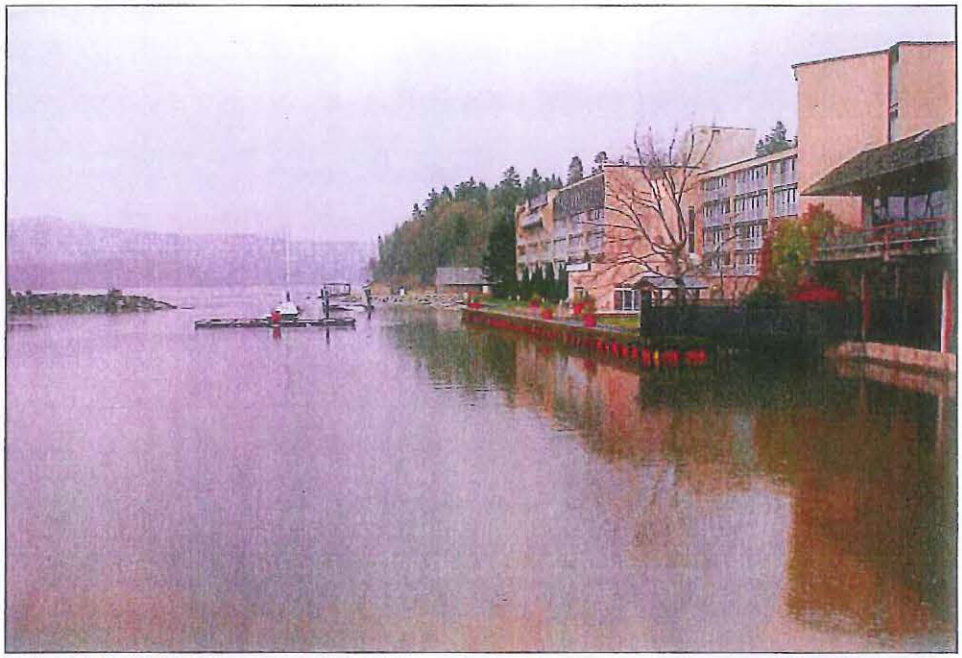


Photo 9: View east and Oceanfront Suites

Photo 10: Floating residence near government wharf

APPENDIX A

Water Quality Assessment and Objectives for the Cowichan and Koksilah Rivers (Obee 2011)

Variable	Original Objectives (1989)		Revised Objectives (2011)	
	Site	Objective	Site	Objective
Fecal coliforms	All but C5	≤ 10 cells/100 mL*	none	
	C5	none		
Escherichia coli	All but C5	≤ 10 cells/100 mL*	All but C5	≤ 10 CFU/100 mL*
	C5	≤ 385 cells/100 mL*	C5	≤ 77 CFU/100 mL**
enterococci	All but C5	≤ 3 cells/100 mL*	none	
	C5	≤ 100 cells/100 mL*		
Dissolved Oxygen	All (Oct to May)	≥ 11.2 mg/L	All (Oct to May)	≥ 11.2 mg/L
	All (June to Sept)	≥ 8 mg/L	All (June to Sept)	≥ 8 mg/L
Non-filterable Residue (Total Suspended Solids)	All	≤ 10 mg/L increase (when background ≤ 100 mg/L) ≤ 10% increase (when background > 100 mg/L)	All	≤ 27 mg/L (max) ≤ 7 mg/L (mean)
Turbidity	All	≤ 5 NTU increase (when background ≤ 50 NTU) ≤ 10% increase (when background > 50 NTU)	All (Oct to Apr)	≤ 5 NTU (max)
			All (May to Sept)	≤ 2 NTU (max)
Ammonia	All	see ammonia tables	All (Oct to Apr)	≤ 1.31 mg/L (mean) ≤ 6.83 mg/L (max)
			All (May to Sept)	≤ 0.49 mg/L (mean) ≤ 3.61 mg/L (max)
Total Phosphorus	none		All (May to Sept)	≤ 5 µg/L (mean) ≤ 7 µg/L (max)
Chlorophyll *a*	d/s of PE-247 and PE-1497	≤ 5.0 µg/m^2	d/s of PE-247 and PE-1497	≤ 5.0 µg/m^2
Total Copper***	All	≤ 2 µg/L (mean) ≤ 4 µg/L (max)	All	≤ 2 µg/L (mean) ≤ 4 µg/L (max)
Total Lead***	All	≤ 3 µg/L (mean) ≤ 8 µg/L (max)	All	≤ 4 µg/L (mean) ≤ 11 µg/L (max)
Total Zinc***	All	≤ 30 µg/L (mean) ≤ 180 µg/L (max)	All	≤ 7.5 µg/L (mean) ≤ 33 µg/L (max)
Temperature	none		All	≤ 17 °C (weekly mean)
total chlorine residual	All	≤ 0.002 mg/L (max)	none	
copper-8-Quinolinolate	All	≤ 0.5 µg/L (max)	none	

Note: * 90th percentile
** Geometric mean
*** Original objective was set for dissolved metal.
All calculations are based on five samples in 30 days.

APPENDIX B

Cowichan Bay Float Home and Marina Sewer Service Verification (Unpublished Report by the CVRD)

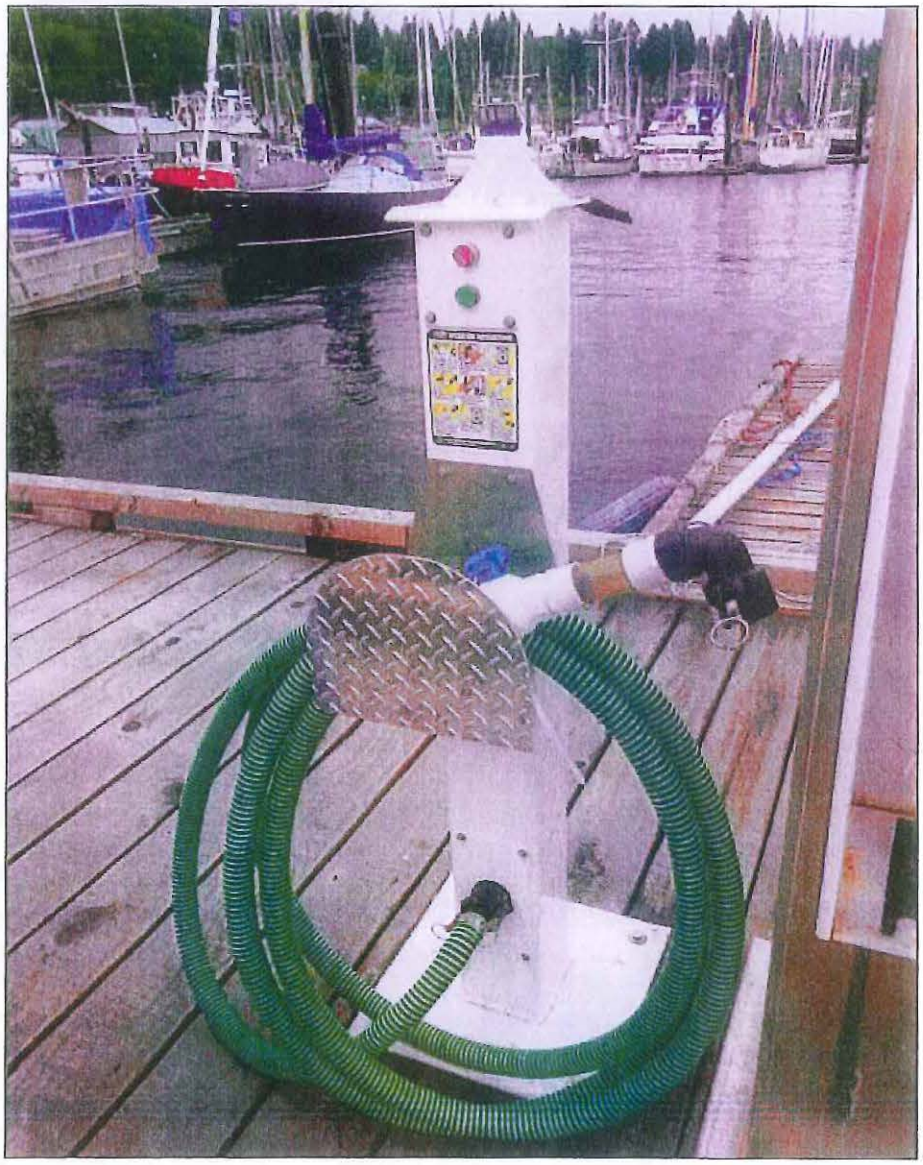
COWICHAN BAY FLOAT HOME AND MARINA SEWER SERVICE VERIFICATION

The following is a summary of a preliminary assessment conducted by CVRD Engineering staff for the Foreshore Sewage Management Systems and Float Home Sewer Service Connections of the various Marina's located within Electoral Area D, Cowichan Bay.

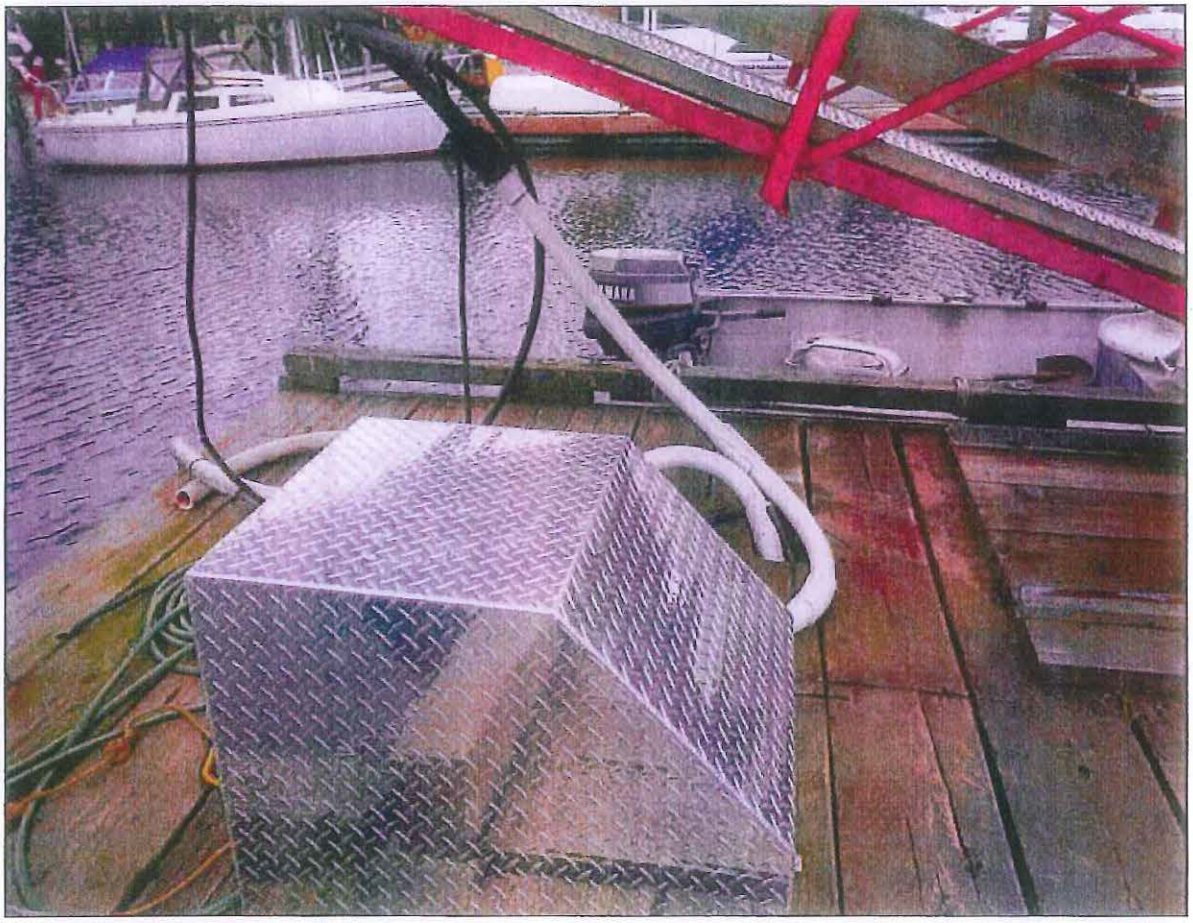
- It should be noted that the information below was conducted as a visual inventory and may require confirmation by notice for further inspection at owners consent.

FISHERMAN'S WHARF

- The Fisherman's Wharf Sewage Management System (SMS) consists of a recently upgraded infrastructure. Starting at the end of the North finger of the dock with a Boat Sanitation Dump.



- The sewage is transferred from the Boat Sanitation Dump through butt fused HDPE 50mm(High Density Polyethylene) pipe located just beneath the decking by the suction side of a pump located at the bottom of the ramp in a secure aluminum box.



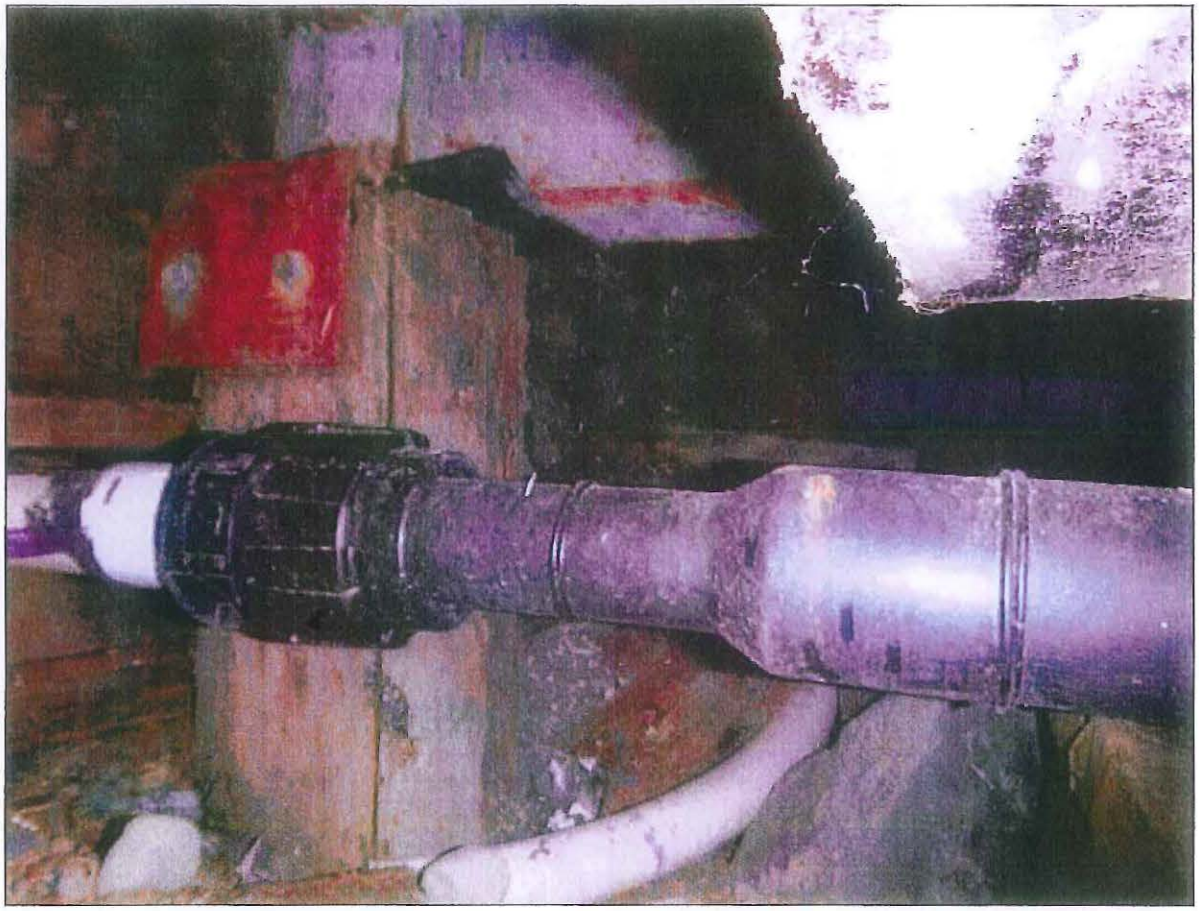
- This pump discharges the sewage through a short length of white 50mm PVC (polyvinyl Chloride) Spa Flex pipe located directly after the pump (Note Spa Flex pipe only has a working pressure rating of 65psi, and isn't commonly used on pump discharge piping) where it transitions into a 50mm HDPE pipe secured to the bottom of the ramp to the wharf at which point the 50mm HDPE wyes into a 75mm HDPE force main after passing through a 50mm PVC check valve to prevent back siphoning.

- The 75mm HDPE force main is the discharge piping from the Holding/Pump Chamber located under the Fisherman's Wharf building.

- The Holding tank seems to be constructed of Polyethylene, the 75mm sewage discharge pipe, transitioned from a short section of Spa Flex through a check valve to the HDPE Force main.

- The tank has two 50mm inlets, one on the lower left side of the tank taking the grey water and sewage from Fisherman's Wharf building, and one on the upper right side of the tank with PVC ball valve in the closed position. This inlet pipe to the tank is the discharge pipe from an abandoned Boat Sanitation Dump which is no longer physically connected to the unit.

- The 75mm HDPE Force Main from the Holding tank below the Fisherman Wharfs building is secured to the side of the wharf where it continues to the shore line, then drops below the wharf where it transitions from 75mm HDPE to 50mm then to 50mm schedule 40 PVC pipe at which point it enters into the ground.



- This service then continues to a sewer clean out located in the driveway for the wharf, at which point the flow gravities into the CVRD Sewer Infrastructure.

- Note clean out box needs to be cleared of debris to access clean out and confirm connection.

- Service connection to CVRD Sewer Main located 12.2m downstream of manhole 18.

MASTHEAD MARINA

- The Mast head Marina's SMS is compiled of a variety of materials servicing two out of three float homes.

- Float home #3 is connected to the SMS via a Holding/Pump chamber located on the deck of the float home. The chamber is approximately 1.5m in length and 1m in width, unable to account for the depth we would have to approximate the volume at between 800 and 1000 litres. The chamber is attached to the force main through 50mm multipurpose PVC flex hose, then transitions to schedule 40 PVC pipe using a cam lock fitting, and using a PVC check valve before attaching to the SMS force main.

- It should be noted that multipurpose PVC flex hose has a working pressure rating of 45-25 psi depending on temperature, and has the tendency to break down under UV.

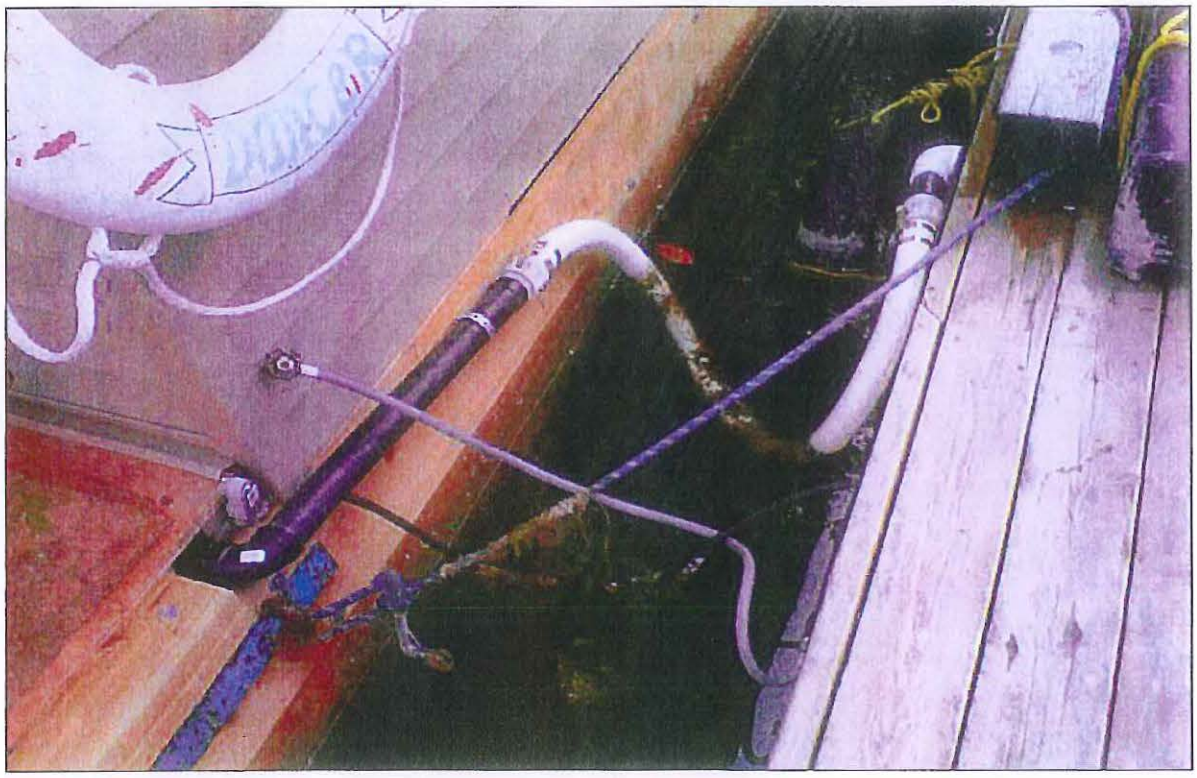
- The Holding/Pump chamber also has an overflow pipe constructed of 100mm schedule 40 PVC.

- This pipe could directly discharge influent into Cowichan Bay in the event of high level in the chamber.

- Float home #2 has no visible connection to the SMS, although there seems to be a provision for a possible future connection. We would have to assume that this home is discharging into the bay.

- Above picture is access hole to force main in the dock adjacent to float home #2

- Float home #1 is connected to the system through a section of PVC Spa Flex using cam lock fitting's transitioning into schedule 40 PVC without any sign of a check valve, leading us to assuming that there must be a Holding/Pump chamber and Check Valve assembly aboard the unit.



- It is an assumption because it is not visible and judging by the connections that the force main below the decking of the dock is 50mm schedule 40 PVC pipe, and that it transitions just before exiting the dock to 75mm clear Flex PVC with Green PVC helix, which has been wrapped in UV resistant tape.

- The force main is somewhat secured to the ramp as it transcends form the dock to the wharf.

- The force main continues along the wharf then transitions into a gravity line located under the wharf just before the Masthead Restaurant at which point it gravities into the shared sewer service line for the restaurant.

COWICHAN SHIPYARD MARINE

- Has no visible connection to its wharf system.

Cowichan Bay Marina Piers A and B

- Has no visible sewage connection to either of its wharf systems, although service for power and potable water are present.

PIER 67 MARINA

- Pier 67 currently maintains moorage for four float homes. Recent upgrades have been made to the wharf system, although without provision for a sewage management system for the homes. Again service for water and power are visible.

PEIR 66 MARINA

- Has no sewage management system, or connection to the wharf system, but has a Holding/Pump chamber servicing one of the buildings on the foreshore.

- Pier 66 provides moorage to six float homes. The only services recognized were water, power, and fuel servicing the gas bar.

DUNGENESS MARINA

- The Dungeness Marina is equipped with a boat sanitation dump located at the far end of the main wharf. The cover is secured, but it would be assumed that there would be a pump and small holding tank beneath the cover.

- The Force Main from the boat sanitation dump, although not entirely visible seems to be constructed from 50mm Spa Flex pipe along the wharf and ramp at which point it transitions to Schedule 40 PVC through a compression fitting.

- The Force Main Continues under the dock where it is believed to tie into the gravity sewer servicing a number of buildings including a restaurant before entering the CVRD sanitary sewer.

MARITIME CENTER

- The Maritime center has no visible sewage management system or connection to its wharf.

BLUENOSE MARINA

- The Bluenose marina has provided moorage for 5 float homes. There is a sewer management system in place servicing three of the float homes along with a washroom facility located on the wharf. The system seems to be generally constructed from 50mm black EPDM hose which has a working pressure of approx 60psi.

- The hose is routed through the wharf system occasionally submerged into the water

- The force main continues from the wharf up the ramp to the dock system.

- The force main was traced back to building occupied by a business, the merchant mentioned that the force main outfall went into a holding tank inside the building. Access to the tank could not be provided; it can only be assumed that the tank discharges to CVRD sewage collection system.

Conclusion

There are definitely some gaps creating concerns with the construction and maintenance of the sewer management systems servicing the float homes. Float home and marina approved sewage systems require good engineering practice; while many Municipalities default to the BC Float Homes Standard as their bylaw there is a multitude of Acts and Regulation that umbrella this Standard with regard to construction and maintenance.

With requirements for engineering for the construction, and a "qualified person" to oversee operation and maintenance of these systems coming from regulation of authorities having jurisdiction, little information is available on what the standard practice is for construction materials used for these systems.

Most of the systems inventoried have little consistency in the choice of materials used for construction, leaving a gap for subpar construction, installation and a potential for failure of the system.

Engineering Standards for these systems enforceable by inspection through the bylaw would dramatically reduce concern for failure of a system.

APPENDIX C

Best Practices for Floating Home Owners

(Seattle Floating Home Association)

Floating Homes Association
2329 Fairview Ave. E.
Seattle, WA 98102
206.325.1132

Take care of our lake!

A floating community can potentially contribute to water pollution with both liquid and solid wastes. To help bring the water quality and sediments of Lake Union to a cleaner level, these floating home Best Management Practices (BMPs) are recommended. Remember, under Washington State Law, Chapter 90.48.080 RCW, it is illegal to discharge or allow to be discharged any pollutant into the water. With a little forethought and common sense, we can stop pollutants from falling into Lake Union, thus creating a safer and cleaner "water yard" for outdoor recreational pleasure.

Best Practices for Floating Home Owners

Best Practices

Garbage and Recycling

1) Dispose of garbage on shore in your garbage dumpsters. Recycle paper, glass, cans in the recycle bins. Keep area around dumpsters and bins neat and debris-free.
2) Do not dispose the following in the dumpsters: paints, solvents, fuel, oil, batteries, anti-freeze, wet rags. Take these to the King County Household Hazardous Waste Station.
3) Do not dispose of any item from your floating home or dock into the water.

House, Deck and Dock Maintenance

1) When prepping the house or deck for paint, stain or varnish, tarp your work area to trap any paint chips or dust, thus preventing anything from falling into the lake.
2) Vacuum or sweep up frequently.
3) Keep the paint in small containers, bringing out only what you need.
4) Use a drip pan or tarp to mix or transfer paint or solvents. Keep the containers in a drip pan while working.
5) Paint and solvent spills need to be contained and cleaned up immediately.

Sub-Contractors

1) Inform your contractors, subcontractors, and any employees about these water quality Best Management Practices (BMPs).
2) You will be responsible for the actions of your contractors, subcontractors, and any employees regarding adherence to all water quality rules and regulations.

General Housekeeping

1) Secure all household items and outdoor furnishings located near the edge of the structures in a manner which will keep them from blowing or falling overboard into the lake.
2) Consider vacuuming decks instead of sweeping to minimize dirt from entering the lake.

Gardening

1) Tarp your work area when planting or repotting plants to avoid anything from falling into the water.
2) If using fertilizers on your plants, do not overwater so that the toxins spill over into the lake.

Boat Maintenance

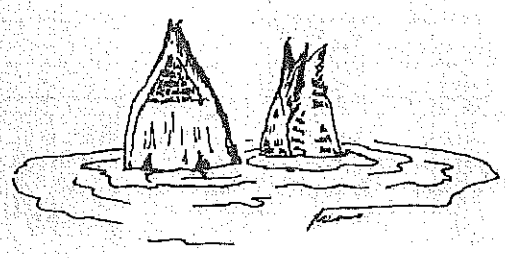
1) Engine Work
   - Use absorbent pads under engine or in bilge when changing oil.
   - Recycle waste oil and oil filters at an automotive store or at the household hazardous waste station. Recycle batteries when you buy new ones.
   - Dispose of antifreeze and transmission fluid at the household hazardous waste station.
2) Painting and Varnishing
   - Tarp the area between the boat and the floating home to trap any sanding dust or debris.
   - Vacuum and sweep up frequently. Use a sander with a collection bag.
   - Keep paint and varnish in small containers and inside a secondary drip pan.
   - Use a tarp or drip pan under your materials when mixing or transferring paint, varnish or solvents.
   - Paint, varnish and solvent spills should be treated as oil spills.
   - Do not leave any containers of fuel, oil, solvents, fluids, paint, batteries or debris of any nature on the dock or out in the open on your deck or access ramp.

Accidental Spills

1) In case of a fuel, oil, paint, solvent or dangerous material spill, STOP the source of the spill and begin to clean up immediately.
2) DO NOT pour liquid detergent onto the spill.
3) Keep absorbent pads available to throw onto the surface of the water to sop up the spill.
4) Double bag the dirty absorbent pads and dispose of them in your garbage dumpster.
5) For a large and uncontrolled spill, call the U.S. Coast Guard at 1-800-OILS-911.

Pets

1) Scoop and discard pet poop via the home sewer system or bag it and place in the garbage.



It's common sense.
Don't throw or drop
anything in the water.

APPENDIX D

Fish Species of the Cowichan Watershed

Table 1 Freshwater Fish Species Present in the Cowichan Watershed

Cowichan Basin Watershed Fish Species	Shaw Ck	Nixon Ck	Robertson R	Sutton Ck	Cowichan Lk	Cowichan R	Somenos Lk	Quamichan Lk	Koksilah R
Atlantic Salmon (*Salmo salar*)	I	I	I	I	I	I			I
Brook Trout (*Salvelinus fontinalis*)	I	I	I	I	I	I			I
Brown Catfish (*Ameiurus nebulosus*)					I	I	I	I	
Brown Trout (*Salmo trutta*)			I		I	I	I		
Brown Trout - Anadromous						I			
Bull Trout (*Salvelinus confluentus*)					B	B			
Bull Trout - Anadromous					B				
Chinook Salmon (*Oncorhynchus tshawytscha*)	Y	Y	Y		Y	Y			Y
Chum Salmon (*Oncorhynchus keta*)			Y		Y	Y	Y		Y
Coho Salmon (*Oncorhynchus kisutch*)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Cutthroat Trout (*Oncorhynchus clarkii*)	B	B	B	B	B	B	B	B	B
Cutthroat Trout - Anadromous						B			B
Westslope (Yellowstone) Cutthroat Trout (*Oncorhynchus clarkii lewisi*)		SC		SC					
Dolly Varden (*Salvelinus malma*)	B	B	B	B	B	B			
Kokanee Trout (*Oncorhynchus nerka*)					Y	Y			
Lake Lamprey (*Lampetra macrostoma*)			T		T				
Pacific Lamprey (*Lampetra tridentate*)					Y				
Western Brook Lamprey (*Lampetra richardsoni*)					Y				
Lake Trout (*Salvelinus namaycush*)	Y		Y	Y					
Prickly Sculpin (*Cottus asper*)					Y	Y		Y	
Pumpkinseed Sunfish (*Lepomis gibbosus*)							I		
Rainbow Trout / Steelhead (*Oncorhynchus mykiss*)	Y	Y	Y	Y	Y	Y	Y	Y	Y
Smallmouth Bass (*Micropterus dolomieu*)					I				
Threespine Stickleback (*Gasterosteus aculeatus*)					Y	Y	Y	Y	
Unidentifiable Trout (fry<70mm)	?		?	?		?			?
LEGEND	Y = Indigenous			I = Introduced/Exotic			? = No details		
BC Conservation Status	R = Red listed			B = Blue listed			Y = Yellow listed		
COSEWIC Status	T = Threatened			SC = Special Concern					

***Source:** Cowichan Watershed Board (FishWizard, Freshwater Fisheries Society of BC, gofishbc.com

APPENDIX E

Water Quality:

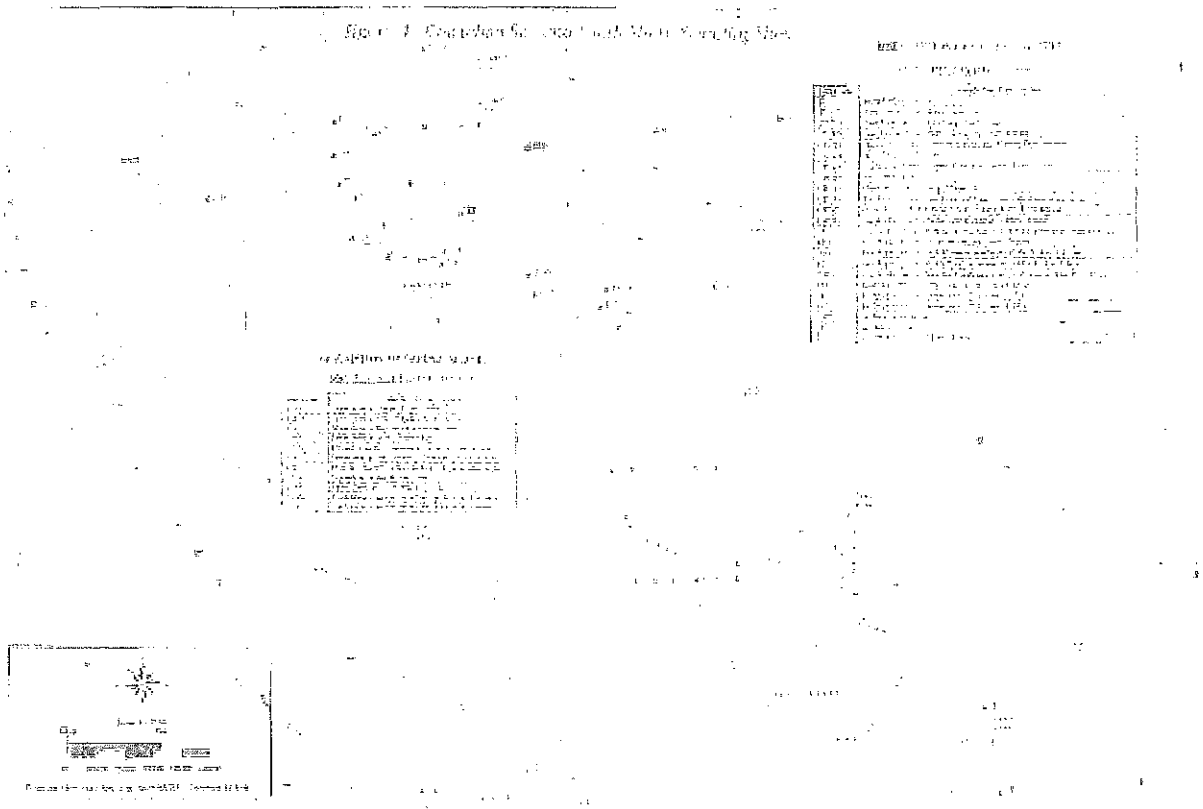
British Columbia Water Criteria

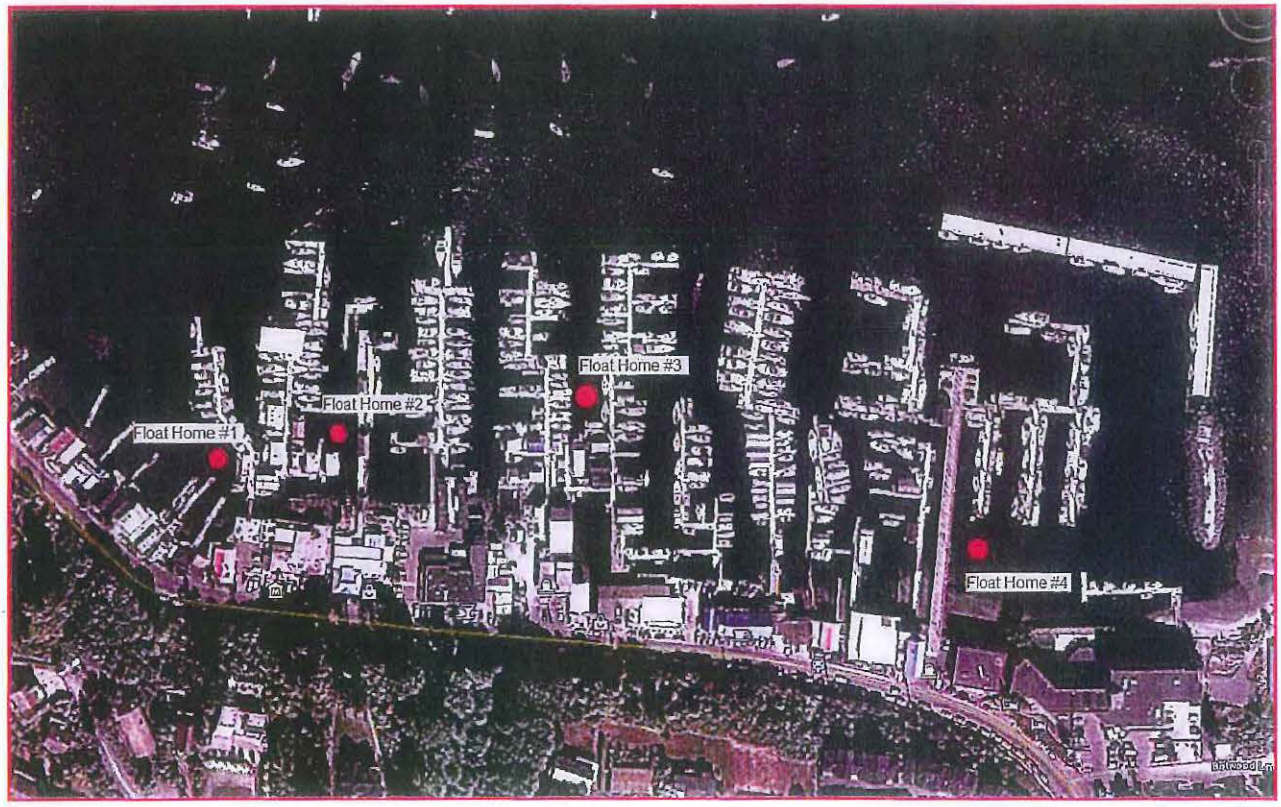
and Microbiological Water Quality Sampling Locations

Table A British Columbia Water Quality Criteria for Microbiological Indicators

Water Use	Escherichia coli *	Fecal Coliforms
Raw Drinking Water • no treatment	0/100 mL	0/100 mL
Aquatic Life • shellfish harvesting	Less than or equal to 14/100 mL median	Less than or equal to 14/100 mL median Less than or equal to 43/100 mL 90th percentile
Wildlife	None applicable	None applicable
Recreation • secondary contact • crustacean harvesting	Less than or equal to 385/100 mL geometric mean	None applicable
Recreation • primary contact	Less than or equal to 77/100 mL geometric mean	Less than or equal to 200/100 mL geometric mean

Notes: * E.coli is applicable to freshwater only. Fecal coliforms are applicable to fresh and salt water.




Float Home #1
Float Home #2
Float Home #3
Float Home #4

R12

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 27, 2013	**File No:**	6480-20-D/2010
FROM:	Ann Kjerulf, MCIP, RPP, Senior Planner Community and Regional Planning Division	**BYLAW NO:**	**3605**
SUBJECT:	Proposed Area D – Cowichan Bay Official Community Plan		

Recommendation/Action:
That Area D – Cowichan Bay Official Community Plan Bylaw 3605 be forwarded to the CVRD Board for consideration of second reading as amended per the recommended changes to Bylaw 3605 listed in the staff report dated February 27, 2013.

Relation to the Corporate Strategic Plan: The Official Community Plan (OCP) is intended to support the CVRD Corporate Strategic Plan Vision: "*The Cowichan Region celebrates diversity and will be the most livable and healthy community in Canada*;" and numerous objectives and strategic actions for sustainable land use, healthy environment, service excellence, viable economy, safe and healthy community and sustainable infrastructure.

Financial Impact: (Reviewed by Finance Division: N/A)

Background:
The CVRD Board granted first and second readings to Area D – Cowichan Bay Official Community Plan Bylaw 3605 on February 13, 2013. A community meeting was held Monday, February 25th, 2013 in advance of the statutory public hearing. As a result of input receiving during the community meeting, written correspondence from Janice and Leonard Orrico (attached), email correspondence from Kristy Martin Hale (attached), and further internal discussion with CVRD staff, changes are recommended to the proposed bylaw requiring that second reading be rescinded and reconsidered with amendments. The Area D – Cowichan Bay Official Community Plan (OCP) has been provided under separate cover and is available on the CVRD website at: http://www.cvrd.bc.ca/index.aspx?nid=1476 .

Recommended Changes to Bylaw 3605:

That Policy (d) under Objective .1 of Section 4.3 Rural Resource (RUR) be revised to read:

- Mini-storage facilities, which are abundant elsewhere in the CVRD, and other uses that do not generate tangible employment opportunities, are not supported in the RUR designation.

That Objective .1 under Section 4.5 Rural Residential (RR) be revised to read:

- To preserve a buffer with resource lands and the marine environment while accommodating a rural residential lifestyle option and maintaining rural character.

That Policy (a) under Objective .1 of Section 4.9 be revised to read:

- Lands may be designated MU only in Rural Village Areas and Village Areas, as shown on the map attached as Schedule B.

That Policy (e) under Objective .1 of Section 4.9 be revised, replacing "Oceanfront Grand Hotel" with "Oceanfront Suites".

That Policy (d) under Objective .1 of Section 4.13 Marine Industrial (MI) be revised to read:

- Where the CVRD has confirmed that uses specified by Crown tenure agreements have been inactive for a period of at least five years, the CVRD will undertake a public process to amend the OCP by changing the designation within the inactive tenure areas from Marine Industrial to Marine Resource.

That Policy (a) under Objective .1 of Section 5.2 Ecosystems & Biodiversity be revised to read:

- The CVRD will seek to obtain current information about environmentally sensitive areas and document these on the Environmentally Sensitive Areas Map (Schedule C-1).

That Policy (b) under Objective .2 of Section 6.6 Parks & Trails be revised to read:

- At the time of subdivision of land adjacent to a body of water, the bed of which is owned by Crown, the CVRD will recommend to the Provincial Approving Officer that public access be provided subject to Section 75 of the *Land Title Act*.

That Policy (e) under Objective .2 of Section 9.3 Liquid Waste Management be added:

- In the event that additional capacity is identified within the Lambourn Sewer System, the CVRD shall pursue negotiations with the owner of the Edgewater Terrace Mobile Home Park in order to facilitate the provision of community sewer services. Inclusion of the Edgewater Terrace Mobile Home Park in the Lambourn Sewer System Area and connection to community sewer services is considered a priority given the density of residential development within the mobile home park, which at the time of preparing this plan discharges effluent to a private septic system located in close proximity to the ocean.

That under DP.4 Exemptions, the activity, "Outside the ALR, erection of a solid wood or wood lattice fence or chain-link fence if not located in a front yard (outside a Riparian Assessment Area)" be revised to read:

- Erection of a solid wood, wood lattice or chain-link fence outside the ALR and riparian assessment areas, provided the fence complies with applicable regulations for fences and screening as specified by the implementing zoning bylaw.

That AR.2 Scope of the Aquatic Resource Protection Development Permit Area (AR) be revised to read:

- The Aquatic Resource Protection DPA, documented on Schedule D-1, applies to:
  - Development within 15 m, measured horizontally, of the midpoint of a watercourse;
  - Development within Riparian Assessment Areas, as defined in the Riparian Areas Regulation;
  - Development within 15 m, horizontally, landward and seaward of the natural boundary of the ocean; and
  - Development within the floodplain of the Cowichan and Koksilah Rivers.

That CH.2 Scope of the Critical Habitat Protection Development Permit Area (CH) be revised by removing "Important Bird Areas as identified on schedule C-1".

That under Guideline 1. of CH.5 General Guidelines, the words "terrestrial resources" be replaced with "critical habitat".

That under Guideline 5. of CH.5 General Guidelines, the words "terrestrial resources" be replaced with "critical habitat".

That AG.2 Scope of the Agricultural Protection Development Permit Area (AG) be revised to read:

- The Agricultural Protection DPA, documented on Schedule D-3, applies to:
  - All lands that are designated Agricultural Resource (A) or located within the Agricultural Land Reserve (excluding First Nations Reserves);
  - All lands that are within 30 m of lands designated Agricultural Resource (A) or within the Agricultural Land Reserve; and
  - All lands that are within 30 m of Lot 2, Section 4, Range V, Cowichan District, Plan 2306 (PID 006-435-378).

That the definition of Crown Lands included in Appendix C – Glossary of Terms be revised to read:

- Designated area belonging to the Queen in Right of British Columbia.

That Schedule B be revised as follows:

- That the following be designated Mixed Use (MU), including:
  - Lot A, Section 5, Range 6, Cowichan District, Plan 11704 (PID 005-021-308);
  - Lot 2, Sections 4 and 5, Range 6, Cowichan District, Plan 16649 (PID 004-005-864);

- That the following be designated Rural Village Residential (RVR), including:

  — Lot B, Section 5, Range 6, Cowichan District, Plan 86371 (PID 027-834-921)
  — Pt. Lot 1, Section 5, Range 6, Cowichan District, Plan 48519 (PID 004-211-286);
  — Lot 3, Section 4, Range 6, Cowichan District, Plan 32129 (PID 001-098-241).

That the Rural Village Containment Boundary noted on Schedule B, Schedule C-4, and Schedule C-5 be adjusted to include the above-noted properties.

That Schedule C-1 be revised as follows:

- Replacing drainage features developed from LiDAR data and soil wetness mapping, with watercourses, including permanent and intermittent streams, based on Province of BC data.

- Adding blue listed and red listed species.

That Schedule D-1 be revised as follows:

- Replacing drainage features developed from LiDAR data and soil wetness mapping and associated 15 m and 30 m buffers, with watercourses, including permanent and intermittent streams, based on Province of BC data, and 15 m buffers;

- Removing the Important Bird Area map polygon provided by Bird Studies Canada;

- Adding blue listed and red listed species.

CVRD staff have identified Monday, March 25th as a tentative date to hold a public hearing respecting Bylaw 3605.

Submitted by,

Ann Kjerulf, MCIP, RPP
Senior Planner
Community and Regional Services Division
Planning and Development Department

Reviewed by:
Division Manager:

Approved by:
General Manager:

AK/ca

Dear Ann Kjerulf, Planner CVRD and the OCP committee:

Questions or Concerns about Proposed CVRD Bylaw 3605:

Page 97 -- 9.5(2)(c) and page 105 - item 31

CVRD may establish a curbside collection program for food & organic waste.

Question: Cost for this and where does the funds for this come from and will this proposal be put forward to the community?

Page 107 DP(2)(b) if more than one DPA the development will be subject to all DPAs and guidelines but will be addressed through a single permit unless impractical. Would there be a single fee (1DP fee) or would the applicant have to pay for each DPA?

Page 110 - Aquatic Resource Protection DPA

1st activity - Erection of a fence (if not located in a front yard).....

Why is front yard not excluded in the DPA's?

Schedule D-1 Aquatic Resource and Critical Habitat Protection DPA

Aquatic Resource Protection DPA regarding drainage is15m.on either side from the midpoint of the drainage feature, however a 15m and 30m area has been shown on this schedule. Why? If this 30 m. is to delineate the Riparian Assessment Area I believe the 30 m. definition should be removed as a Riparian Assessment Area can vary in width depending on the situation.

In the prior draft the Aquatic Resource Protection DPA did not apply SEI inventory V0267-R1, R2, R3 and R4 because they were permanently disturbed. (Kingscote Road area) Is this covered in the new draft?

How has the Important Bird Areas been established? And by whom? Was this by a private company and not a government body? By looking at the Nest Sites as well as the Great Blue Heron Habitat shown on Schedule D-1 they are mostly outside this Important Bird Area.

By the wording of Critical Habitat Protection DPA it would apply to the whole of Area D. Correct?

Species at Risk Act is not only the waterfront area. However Schedule D-1 only identifies Bird Habitat. Where are the sensitive ecosystems or endangered species protection areas and species and ecosystems identified as red-listed or blue-listed by Provincial Conservation Date Centre?

The Southern Vancouver Island Marine Waters and Seabird Island IBA Conservation Plan dated September 2001 identifies that disturbances of seabirds comes from a number of problems. Human disturbance had lower hatching success and negatively affect the normal growth of young birds as well as abandonment of the nests, adult behaviour may be modified resulting in less efficient foraging that could lead to the starvation of young. Human disturbance by boat traffic, including whale watching tours, eco tours, recreational boaters, commercial fishing, kayaking, pedestrians, including people with dogs, birders/naturalists, divers, and marinas. All of these contribute to less bird populations. We live at the Hoff access to the ocean. We had a pair of eagles that use to nest at the point at Doman's property for as long as well have lived here (6 years) up to 2 years ago, as well as sea otters use to play on the beach. We now have lots of visitors by way of the beach access and the whale watching people come by boat almost up to the beach below the nest, as well people with dogs that let them run loose. We no longer have the eagles, of course, I can not be sure that is why but I believe it contributed to the birds leaving and not to return. I have also not seen the sea otters. We had a pair of ducks trying to mate along the beach area and the dogs chased the pair away. The draft seems to have a push for more beach accesses and nature parks along this important corridor which will cause more human disturbance. (Eg.p.73 viii and p.74 2b)

Section 75 of the Land Title Act (copy herein) requires within our rural area where the parcels all exceed 0.5 ha, at the time of subdivision access must be given to the ocean distances not greater than 400 m. between centre lines of the roads down to the water. An approving officer has the ability to grant relief considering the situation. I believe if there is access to the ocean close to every 400 m. that is plenty! Let the wildlife and birds have some peace.

Sensitive Lands DPA p. 122

A new area has been added, the High Hazard Wildfire Interface Areas. SL6 with respect to new parcels to reduce wildfire hazard. Why is this not included within the whole plan area. Our property is included within this high hazard wildfire interface area but we cannot lessen our risk with these requirements because we have a slope of 15% or more and within marine riparian, and drainage features. So we have to get DP's to protect from wildfire and then CVRD says no we can't remove trees. Then there is a wildfire, would CVRD be liable? Good question.

Page 110 under Landscape and Vegetation Maintenance

prior wording referred to Riparian Areas now the draft refers to SPEA, Streamside Protection and Enhancement Area. Why was this changed?

We had a meeting with Ann and the GIS manager at our property to show there was no drainage on our property however this has not been removed from Schedules C1 and D1. Our septic field is close to the position shown. Why has this not been removed?

Just a couple things I noticed that may be incorrect:

-Page 125 APDPA AG.2 last item. All lands that are within 30m. of Lot 2.....(PID 006-435-378) I believe it should include a Plan number.

-Glossary of Terms: C2

Crown Lands: Designated area belonging to the Queen in Right of Canada. Should read in Right of the Province of British Columbia.

I believe it should be Provincial Crown not Federal Crown. Crown definition is government responsible for the administration of Crown Lands which would be the BC Government.

Thank you,
Janice and Leonard Orrico
4421 Kingscote Rd
huppy27@shaw.ca

Land Title Act.

SECTION 75

Requirements for subdivisions

75 (1) A subdivision must comply with the following, and all other, requirements in this Part:

(a) to the extent of the owner's control, there must be a sufficient highway to provide necessary and reasonable access
  (i) to all new parcels, and
  (ii) through the land subdivided to land lying beyond or around the subdivided land;

(b) all existing highways provided for in subdivision plans of adjoining land and all existing highways otherwise legally established must be continued without unnecessary jogs;

(c) if the land subdivided borders on
  (i) a body of water, the bed of which is owned by the Crown,
  (ii) the boundary of a strip of land established as the boundary of a water reservoir, where the strip of land and reservoir are owned by the Crown, or
  (iii) a strip of Crown land 20 m or less in width contiguous to a natural boundary as defined in the *Land Act*,

  access must be given by highways 20 m wide to the body of water and to the strips at distances not greater than 200 m between centre lines, or, in a rural area where the parcels into which the land is subdivided all exceed 0.5 ha, at distances not greater than 400 m between centre lines;

(d) if the land subdivided borders on a body of water, the bed of which is owned by a person other than the Crown and,
  (i) in the case of a lake or pond, the surface of the body of water at mean annual high water is at least 1.5 ha, and the mean depth at mean annual high water is at least 0.6 m, or
  (ii) in the case of a river, creek or watercourse, the average width at mean annual high water is at least 6 m and the average depth at mean annual high water is at least 0.6 m,

  access must be given by highways 20 m wide to the body of water and to the strips at distances not greater than 200 m between centre lines, or, in a rural area where the parcels into which the land is subdivided all exceed 0.5 ha, at distances not greater than 400 m between centre lines;

(e) suitable lanes must be provided in continuation of existing lanes and in every case where lanes are considered necessary by the approving officer.

(2) As an exception, subsection (1)(d)(i) does not apply to a reservoir or pond referred to in paragraph (d) of that subsection if the reservoir or pond is used for the purpose of domestic or industrial water supply and its bed is owned by a public body other than the Crown.

(3) In considering the sufficiency of a highway shown on a plan and to be dedicated to the Crown, the approving officer must consider the following:

(a) the location and width of the highway;
(b) the suitability of the highway in relation to the existing use of the subdivided land and the use intended by the subdivision;
(c) the configuration of the land subdivided;
(d) the relation of the highway to be dedicated to an existing main highway or approach, whether by land or water, and local circumstances;
(e) on the question of width, the extent of the use, present and future, to which the highway may be put;
(f) the likely or possible role of the highway in a future highway network serving the area in which the subdivided land is located.

1997-25-32, effective March 26, 1998 (B.C. Reg. 85/98).

Agricultural Protection Development Permit Area (AG)

AG.1 Category

The Agricultural Protection Development Permit Area is designated pursuant to the following purpose of Section 919.1 of the *Local Government Act*:

— Protection of farming [919.1(1)(c)].

AG.2 Scope

As shown on Schedule D-1, the Agricultural Protection DPA applies to:

— All lands that are designated Agricultural Resource (A) or located within the Agricultural Land Reserve (excluding Indian Reserves);
— All lands that are within 30 m of lands designated Agricultural Resource (A) or within the Agricultural Land Reserve; and
— All lands that are within 30 m of Lot 2, Section 4, Range V, Cowichan District (PID 006-435-378).

Plan #?

AG.3 Justification

Agriculture is recognized as an integral element of the local economy, local food self-sufficiency and the rural aesthetic character of the Plan Area. As such, the protection of high quality agricultural land for agricultural production is essential. The agricultural land base should not be compromised by the inappropriate siting of residential and non-farm buildings on agricultural lands, nor should it be compromised by development on adjacent non-agricultural lands. The *Farm Practices Protection Act* is provincial legislation that protects bonafide farm activities.

Land use conflicts may arise between agricultural lands and adjacent non-agricultural parcels with respect to noise, odours, dust, farm run-off and the operation of farm machinery and equipment. Conversely, adjacent non-farm uses that are not adequately separated from agricultural land, can contribute to farm trespass, vandalism to farm property, crops and equipment, disturbance to farm animals from humans and domestic animals, impacts on wildlife species that use agricultural lands, and the introduction of invasive species and litter. Sensitive site planning and development can reduce the potential for such conflicts, resulting in benefits for landowners along both sides of the agricultural and non-agricultural boundary.

AG.4 Objectives

There are two primary objectives of the Agricultural Protection DPA:

— To protect agricultural land capability through the appropriate siting of buildings, structures and uses on lands within the ALR and lands adjacent to the ALR; and
— To minimize the potential for land use conflicts between agricultural and non-agricultural land uses.

Photo: Agricultural activity in the Plan Area (CVRD)

Aquatic Resource Protection Development Permit Area (AR)

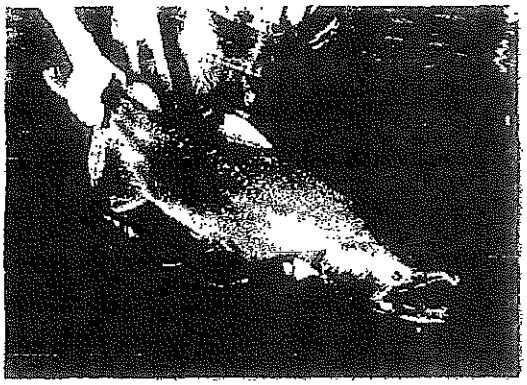


Photo: Chinook salmon

AR.1 Category

The Aquatic Resource Protection Development Permit Area (DPA) is designated pursuant to the following purposes of Section 919.1 of the *Local Government Act*:

- Protection of the natural environment, its ecosystems and biological diversity [919.1(1)(a)];
- Protection of development from hazardous conditions [919.1(1)(b)]; and
- Establishment of objectives to promote water conservation [919.1(1)(i)].

AR.2 Scope

The Aquatic Resource Protection DPA applies to:

- Lands within 30 m of a drainage feature, as documented on Schedule C-1, measured horizontally from the top of bank;
- Riparian Assessment Areas, as defined in the *Riparian Areas Regulation*, including:

  (i) For a stream, the 30 m strip on both sides of the stream measured from the high water mark;

  (ii) For a 3:1 (vertical/horizontal) ravine less than 60 m wide, the strip on both sides of the stream measured from the high water mark to a point that is 30 m beyond the top of the ravine bank; and

  (iii) For a 3:1 (vertical/horizontal) ravine 60 m wide or greater, a strip on both sides of the stream measured from the natural boundary to a point that is 10 m beyond the top of the ravine bank.

- Lands and water surfaces within 15 m, measured horizontally, landward and seaward of the natural boundary of the ocean; and
- Lands with high aquifer vulnerability within the floodplain of the Cowichan and Koksilah Rivers, as documented on Schedule C-2.

The Aquatic Resources Protection DPA does not apply to provincial Sensitive Ecosystem Inventory riparian corridors documented as V0267-R1, V0267-R2, V0267-R3, and V0267-R4 (Kingscote Road area) which are permanently disturbed.

old draft

AR.3 Justification

The Plan Area has an abundance of aquatic resources. These exist in the form of groundwater aquifers, surface and sub-surface permanent and intermittent (seasonal) streams, the Cowichan and Koksilah Rivers, and the Cowichan Estuary and foreshore and its interface with the Salish Sea. These aquatic resources serve many purposes including providing natural habitat for fish, birds and wildlife, providing water for residential consumption, businesses and for farm irrigation. The scope of the Aquatic Resource Development Permit Area supersedes the scope of the *Riparian Areas Regulation*, and facilitates comprehensive protection of the estuarine environment and marine foreshore, watercourses, and aquifers and their recharge areas.

The Cowichan Estuary, the body of water located at the mouths of the Cowichan and Koksilah Rivers, is one of the largest on BC's coast and recognized internationally for providing a biologically rich and diverse habitat for fish, birds and wildlife – particularly for Chinook salmon, Pacific Great Blue Heron, and overwintering waterfowl. Areas of the lower Cowichan River and Koksilah River and their tributaries, the marine foreshore, and intertidal zone have been recognized for their ecological importance to an array of aquatic species. Coho and Chinook Salmon are of particular importance for a variety of social, economic and

July 2012 latest version

From:	Kristy Martin Hale
To:	Ann Kjerulf
Cc:	Mike and Karli Martin
Subject:	Area D OCP clarification
Date:	Wednesday, February 27, 2013 9:24:36 AM

Hi Ann,

I am following up on the question/concern that I raised at the meeting on Monday night.

In reference to the Parks Objective #2 on page 74 of the OCP. It is item "B" that I outlined as not being as clear as it could be for the reader/property owner. It is our understanding that the request for public water access or park land only occurs when a subdivision creating 2+ lots in addition to the parent property occurs. The way "B" reads right now, it seems as though this could happen even if it was 1 lot that was being divided off. Our suggestions was for clarification this section could reference the section in the Land Titles Act that relates to this clause, thus providing the reader the necessary reference and supporting information for this important consideration.

We look forward to hearing any feedback you have on this.

We will also have an email to you shortly with regards to follow up on the conversation we had with you after the meeting regarding zoning.

Thank you,
Kristy Martin Hale
250-710-2285

From:	Kristy Martin Hale
To:	Ann Kjerulf
Cc:	Mike and Karli Martin; steve hale
Subject:	Follow up regarding Zoning & Area D OCP
Date:	Wednesday, February 27, 2013 10:11:00 AM
Importance:	High

Hi Ann,

In follow up to the conversation we had following the recent Area D OCP meeting, we would like to continue our discussion with you, and likely arrange a time to come meet with you in person.

We have spent time reviewing the "Comprehensive Development" zoning that you mentioned may be an option for us. We do not feel that it meets the needs of what we are seeking.

Currently the property is zoned RR2 which allows for subdivision of land to a minimum lot size of .2 ha or 1/2 an acre. The proposed zoning change with the OCP to CR (cluster) would see this minimum increase to .4 ha or 1 acre. We feel strongly that now that our property is serviced (water and sewer) that it should be considered for the similar zoning that comparable lots have in the area. Directly across the road in the Polo Field development the lots are fully serviced lots zoned RVR. This designation would see the minimum size of .2 ha or 1/2 acre allowed. Exactly what our property currently is.

The critical factor for consideration here as well, is that we will have 3 lots each of .8 ha or 2 acres. All serviced. Due to the very restrictive covenant that we have already agreed to as part of the servicing agreement and subdivision process the usable land on each of these 2 acre lots is severely limited. As such you will never see the 2 acre lot subject to multiple future divisions. If the land were to be divided to allow for an additional build it would be just one 1/2 acre piece on the most southerly portion of lands that would be divided off, leaving 1.5 acre (again with very limited build-able land) that encompasses the ravines, foreshore and the vast majority of the already covenant/protected land.

In the case of lot #3 (most easterly lot) we have already purchased 2 sewer and 2 water services to allow for this future division to occur. We would like to see some type of consideration and allowance for this future use to be accommodated on a 1/2 acre lot, which is the zoning currently, and applicable when the whole project/process began.

When are you available to meet with Mike and I in person to further discuss the options here and work towards a resolution? Who else in the CVRD should attend this discussion?

Much appreciated,
Kristy Martin Hale
250-710-2285

R13

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE: February 26, 2013 **FILE NO:**

FROM: Rob Conway, Manager **BYLAW NO:**

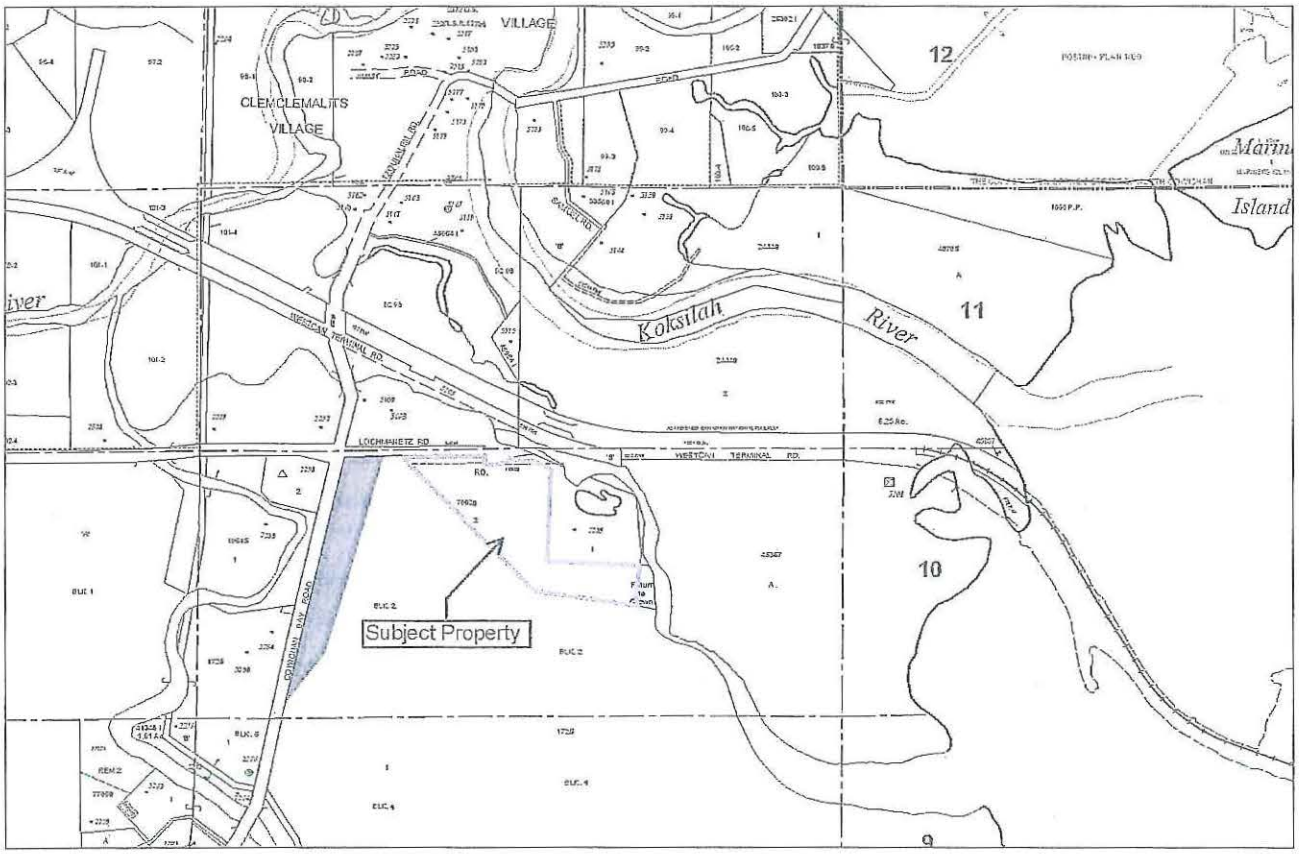
SUBJECT: Cowichan Bay Campground – 2289 Lochmanetz Road

Recommendation/Action:
That no further action be taken to rezone 2289 Lochmanetz Road until the development proposal for the property has been adjusted to minimize potential environmental impacts.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Revised by Finance Division:* N/A)

Subject Property:



Background:
At the Electoral Area Services Committee meeting of October 2, 2012, the Committee reviewed a staff report regarding a property at 2289 Lochmanetz Road. This property had been used historically as a campground, but is currently zoned Primary Agricultural (A-1) and is in the Agricultural Land Reserve (ALR). The Agricultural Land Commission (ALC) granted an approval for an expansion of the campground in the mid-1980s, but the zoning was never amended to allow expansion to proceed. The current owners are interested in redeveloping the RV campground, but are only permitted to repair and maintain the campground that previously existed due to its non-conforming use status. In order to redevelop and reconfigure the campground, it is necessary for the property to be rezoned.

Discussion between the land owners, planning staff, and our respective legal counsels had reached an impasse, with the owners insisting that they had a right to redevelop the campground and staff contending that owners only have a right to maintain the previous campground. In an attempt to deal with this difference of opinion, staff brought options to the EASC on October 2, 2012. The two options presented were, 1) advise the property owners to apply to rezone, or 2) direct planning staff to initiate a zoning change that would recognize an RV campground as a permitted use on the subject property.

The following motion was passed at the October 2, 2013 EASC meeting:

> *That staff be directed to prepare a report and draft amendment bylaw to rezone Lot 2, Section 10, Range 2, District Lot 690, Cowichan District, Plan VIP70020 to permit a 39 Unit RV Park.*

The rationale for the CVRD initiating the zoning change is that the subject property has been used historically as a campground and the owners are entitled to use it for that purpose. Allowing the zoning change would simply allow the campground to be reconfigured and re-developed. The site is heavily disturbed now and is unlikely to be restored for agricultural use. Recognizing the historic use of the property in the zoning bylaw would provide certainty for the owners and the Cowichan Bay community and would allow the campground to be redeveloped to current standards and to be subject to development permit guidelines and other applicable regulation.

Proposed Development:
The site plan on Schedule 3 shows the owners' development plan for the campground. Sites for 39 recreational vehicles are proposed, which is comparable to what previously existed on the property. The development plan configures the RV campground spaces around an internal road, with the main access proposed from Lochmanetz Road. The owners are intending to service the campground with on-site sewage disposal and an on-site well.

A recreational area is proposed in the centre of the internal road, which includes a swimming pool and pool house, horse shoe pit, and volley ball area. An area south east corner of the internal ring road is expected to accommodate a tot lot. It is unclear as to what is intended for the eastern arm of the site, but staff will be recommending that this part of the site remain undeveloped, other than for limited pedestrian access.

As much of the site has been heavily disturbed, extensive landscaping will be required in order to restore it. The owner has provided a conceptual landscape plan and plant list that shows the general approach to landscaping the site. Staff will be recommending that a detailed planting plan and landscape security be obtained as a condition of development approval.

Policy Context:

Cowichan Estuary Environmental Management Plan:
The subject property is within the planning area of the CEEMP, and designates the subject property as "possible mixed use" (see Schedule 4). The Plan does not provide any policies or guidance with respect to this designation, but it would appear that agricultural use was considered doubtful, possibly because of the established campground use and the condition of the property. In any case, the proposed zoning amendment should be referred to the CEEMP committee for review and comment prior to a zoning change being considered.

Agricultural Land Reserve:
An application to exclude the property from the Agricultural Land Reserve was denied by the Agricultural Land Commission in 1987. In denying the application, however, the ALC acknowledged that the property had minimal agricultural capability because of hog fuel fill placed on the property by previous owners. The Commission advised that it was not prepared to exclude the property because of potential impacts this may have on adjacent agricultural land, but indicated it would be willing to consider a non-farm use application.

In 1988, the ALC granted a non farm use approval for a float home moorage basin, 15 "pull through" RV sites, a tenting area, upgraded washroom facilities and a second permanent dwelling. This approval was in addition to the 28 RV campsites acknowledged by the ALC on the property.

The ALC has advised that the 1988 non-farm use approval is still valid, but it has not confirmed if the approval authorizes the proposed redevelopment plan. Staff intend to refer the proposed zoning amendment to the ALC and to ask if the further ALC approvals will be necessary.

Official Settlement Plan Bylaw No. 925:
The subject property is currently designated as "agricultural" in the OSP. Policies in this designation are clearly intended to protect and promote agriculture. However, Policy 8.17 of the OCP suggests that tourist commercial uses may also be considered within the agricultural designation when specified criteria are met.

Policy 8.17

Notwithstanding other policies of this plan, Tourist-Recreational Commercial facilities may be permitted in the Agriculture, Suburban Residential, Urban Residential, and Water Resource designations, where all of the following criteria are met:

a) Public access to beach areas or adjacent public recreation facilities is not reduced.

b) The proposed development is small in scale; of local, not regional significance,; and is to be developed in a manner which reflects and is sensitive to the character of the surrounding properties.

c) The site has good road access, and the development will not create excessive traffic on residential streets.

If the CVRD considers the proposed campground to comply with the criteria in policy 8.13, a zoning amendment could be considered without an amendment to the OSP.

Draft Cowichan Bay Official Community Plan:
The draft official community plan (Bylaw No. 3605) that is currently being reviewed by the public and the CVRD Board also designates the subject property as "agricultural". However, the draft plan does not contain a policy comparable to policy 8.13 in the OSP that would allow tourist commercial uses on agricultural property without an OCP amendment. If the new OCP is adopted before the subject zoning amendment is considered for adoption, it would be necessary amend the new plan in some manner. In order to avoid a scenario whereby a zoning amendment cannot be considered because of adoption of the new OCP, it is recommended that an amendment to Bylaw No. 3605 be prepared and considered concurrently with any zoning amendment bylaw for the subject property. Should the zoning amendment be adopted before Bylaw No. 3605, the OCP amendment bylaw would be abandoned.

Agency Referrals:
As the draft zoning amendment was not initiated through an application, it has not been referred to the Area D Advisory Planning Commission or other agencies. If the EASC is supportive of the proposed zoning amendment moving forward, staff recommend that it be referred to the Area D APC and appropriate agencies, so they have an opportunity to provide input. It is recommended the draft zoning amendment bylaw be referred to the following organizations, agencies and departments:

- Area D Advisory Planning Commission
- Cowichan Estuary Environmental Management Committee
- Agricultural Land Commission
- Cowichan Tribes
- Vancouver Island Health Authority
- Ministry of Transportation and Infrastructure
- Cowichan Bay Improvement District
- CVRD Public Safety Department
- CVRD Parks Recreation and Culture Department
- CVRD Engineering and Environment Department

Staff Comments:
The land use status of the subject property has been ambiguous for decades. Providing certainty through a zoning clarification is administratively desirable, although there are likely differing opinions in the community as to how the property should be zoned. Maintaining the existing agricultural zoning on the property may be favoured by some as a way of discouraging further development on the Cowichan Estuary. Regrettably, the subject property has been heavily altered already, and the land use status of the property may only be resolved through a court ruling. A negotiated zoning amendment with opportunities for public and agency input is, in the opinion of staff, the most direct and cost effective way to resolve uncertainties associated with the property and for the land to be restored in some manner.

It is debatable as to how the amendment should be structured and what conditions or regulations, if any, should be established concurrently with the zoning amendment. The development plan that has been proposed shows how the land owners would like to develop the property. The proposal does not include provision amenities or features that may benefit the broader community. Adjustments to the development proposal may be necessary to address community and agency input. The plan may also need to be adjusted as a result of subsequent development approvals that would be required (e.g. development permit, campsite permit and building permit).

It is the opinion of staff that a zoning amendment for the property is desirable. Nevertheless, we are not convinced that sufficient effort and investment has been made in the design of the proposed development to provide a high level of assurance that the development will result in minimal impact to the Cowichan/Koksilah estuary. If the Committee is supportive of rezoning the property, staff recommend that bylaw amendments not be prepared or presented to the public until it has been demonstrated to the EASC that low impact development techniques and environmental precautions have been heavily incorporated into the development plan. The type of information the land owners could provide in this regard includes:

1. Sewage disposal system that achieves a high standard of sewer treatment;
2. Storm and rain water management plan that manages drainage on site and ensures that any drainage discharged from the site is clean;
3. A sediment and erosion control plan that confirms how drainage will be managed during the construction phase;
4. An environmental protection and enhance plan that addresses how the property will be restored so as to enhance the estuary and contribute to environmental features and values such as riparian areas and bird habitat.

If the zoning amendment proceeds, it will eventually be presented and debated at a public meeting or hearing. If the CVRD is going to propose a zoning change for the subject property, staff consider it essential to have a thoughtful development plan for the property that demonstrates adequate environmental due diligence.

Options:

Option 1
That no further action be taken to rezone 2289 Lochmanetz Road until the development proposal for the property has been adjusted to minimize potential environmental impacts.

Option 2
1. That the proposed zoning amendment for 2289 Lochmanetz Road be referred to the Area D APC, the Cowichan Estuary Environment Management Committee, the Agricultural Land Commission, Cowichan Tribes, the Vancouver Island Health Authority, the Ministry of Transportation and Infrastructure and the CVRD's Public Safety, Engineering and Environment, and Parks, Recreation and Culture Departments; and

2. That staff be directed to prepare a report and draft OCP and zoning amendment bylaws for a future EASC meeting following receipt of referral comments.

Option 3
1. That the proposed zoning amendment for 2289 Lochmanetz Road be referred to the Area D APC, the Cowichan Estuary Environment Management Committee, the Agricultural Land Commission, Cowichan Tribes, the Vancouver Island Health Authority, the Ministry of Transportation and Infrastructure and the CVRD's Public Safety, Engineering and Environment, and Parks, Recreation and Culture Departments;

2. That bylaws be prepared to amend the zoning of 2289 Lochmanetz Road from Primary Agricultural (A-1) to a new campground zone and be forwarded to the Board for consideration of first and second reading; and

3. That a public hearing be scheduled with Directors Iannidinardo, Duncan and Marcotte appointed as Board delegates.

Submitted by,

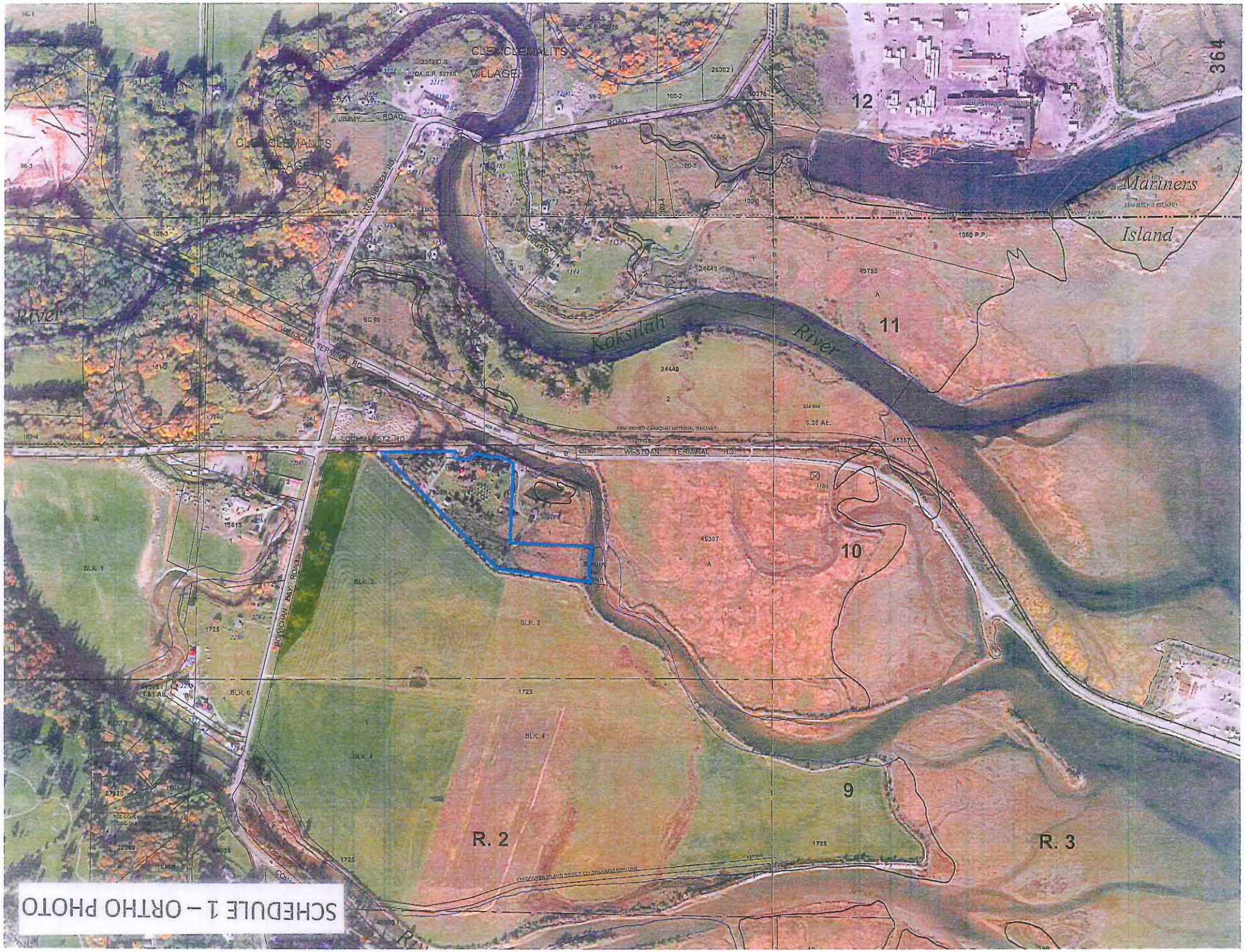
Rob Conway, RPP
Manager, Development Services Division
Planning and Development Department

Approved by:
General Manager:

RC/ca

Attachments:

Schedule 1 – Ortho Photo
Schedule 2 – Zoning Map
Schedule 3 – Development Plan
Schedule 4 – CEEMP Map
Schedule 5 – Draft C-8 Zone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CLEM/CLEMALUTS VILLAGE
ROAD
ROAD
LOUIS CREEK RD
WESTCAN TERMINAL RD
LOCHMANTER RD
WESTCAN TERMINAL RD
POWICHAN BAY ROAD
Koksilah River
River
Mariners Island
12
11
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9
R. 2
R. 3
364
BLK. 1
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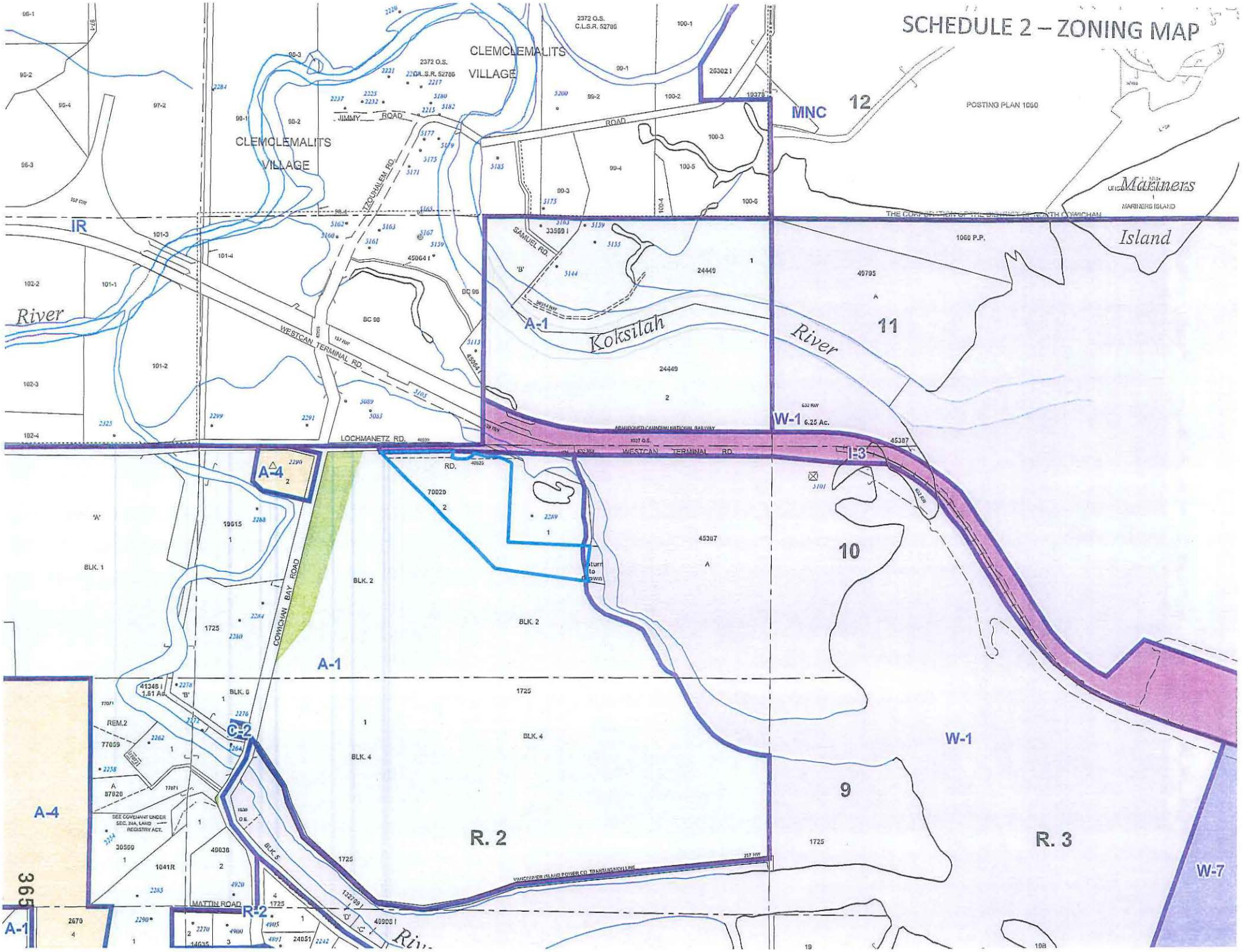
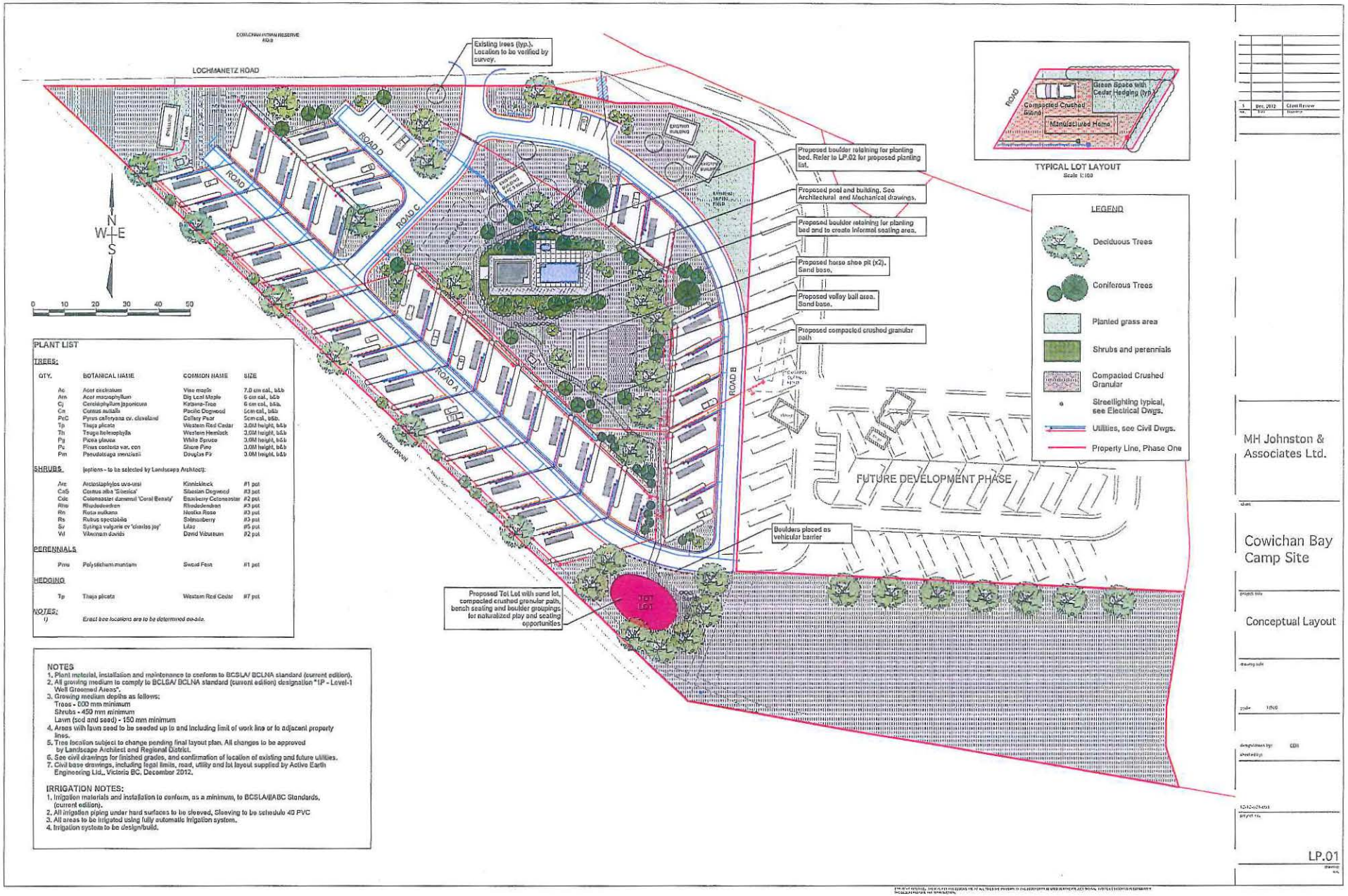
BC 99
SCHEDULE 1 – ORTHO PHOTO

SCHEDULE 2 – ZONING MAP



SCHEDULE 3 – DEVELOPMENT PLAN



PLANT LIST

TREES:

QTY.	BOTANICAL NAME	COMMON NAME	SIZE
Ac	Acer circinatum	Vine maple	7.0 cm cal., b&b
Am	Acer macrophyllum	Big Leaf Maple	6 cm cal., b&b
Cj	Cercidiphyllum japonicum	Katsura-Tree	6 cm cal., b&b.
Cn	Cornus nuttalli	Pacific Dogwood	5cm cal., b&b
PcC	Pyrus calleryana cv. cleveland	Callery Pear	5cm cal., b&b.
Tp	Thuja plicata	Western Red Cedar	3.0M height, b&b
Th	Tsuga heterophylla	Western Hemlock	3.0M height, b&b
Pg	Picea glauca	White Spruce	3.0M height, b&b
Pc	Pinus contorta var. con	Shore Pine	3.0M height, b&b
Pm	Pseudotsuga menziesii	Douglas Fir	3.0M height, b&b

SHRUBS (options - to be selected by Landscape Architect):

Arc	Arctostaphylos uva-ursi	Kinnikinick	#1 pot
CaS	Cornus alba 'Sibirica'	Siberian Dogwood	#3 pot
Cdc	Cotoneaster dammeri 'Coral Beauty'	Bearberry Cotoneaster	#2 pot
Rho	Rhododendron	Rhododendron	#3 pot
Rn	Rosa nutkana	Nootka Rose	#3 pot
Rs	Rubus spectabilis	Salmonberry	#3 pot
Sv	Syringa vulgaris cv 'charles joy'	Lilac	#5 pot
Vd	Viburnum davidii	David Viburnum	#2 pot

PERENNIALS

Pmu	Polystichum munitum	Sword Fern	#1 pot

HEDGING

Tp	Thuja plicata	Western Red Cedar	#7 pot

NOTES:
1) *Exact tree locations are to be determined on-site.*

NOTES
1. Plant material, installation and maintenance to conform to BCSLA/ BCLNA standard (current edition).
2. All growing medium to comply to BCLGA/ BCLNA standard (current edition) designation "IP - Level-1 Well Groomed Areas".
3. Growing medium depths as follows:
   Trees - 600 mm minimum
   Shrubs - 450 mm minimum
   Lawn (sod and seed) - 150 mm minimum
4. Areas with lawn seed to be seeded up to and including limit of work line or to adjacent property lines.
5. Tree location subject to change pending final layout plan. All changes to be approved by Landscape Architect and Regional District.
6. See civil drawings for finished grades, and confirmation of location of existing and future utilities.
7. Civil base drawings, including legal limits, road, utility and lot layout supplied by Active Earth Engineering Ltd., Victoria BC, December 2012.

IRRIGATION NOTES:
1. Irrigation materials and installation to conform, as a minimum, to BCSLA/IIABC Standards, (current edition).
2. All irrigation piping under hard surfaces to be sleeved. Sleeving to be schedule 40 PVC
3. All areas to be irrigated using fully automatic irrigation system.
4. Irrigation system to be design/build.

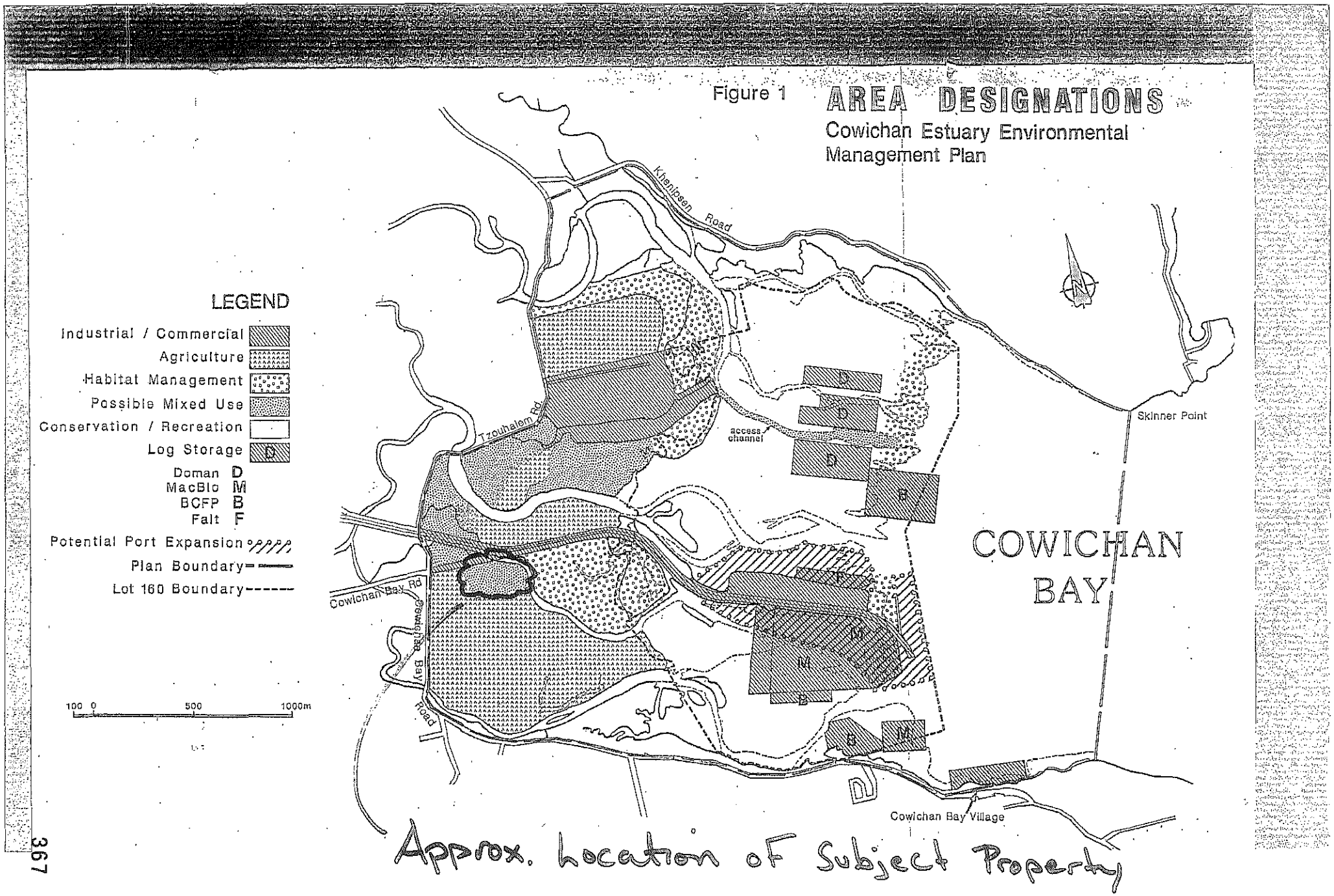


Figure 1
AREA DESIGNATIONS
Cowichan Estuary Environmental Management Plan
LEGEND
Industrial / Commercial
Agriculture
Habitat Management
Possible Mixed Use
Conservation / Recreation
Log Storage
Doman D
MacBlo M
BCFP B
Falt F
Potential Port Expansion
Plan Boundary
Lot 160 Boundary
100 0 500 1000m
Khenipsen Road
Tzouhalem Rd
Cowichan Bay Rd
Cowichan Bay Road
access channel
Skinner Point
COWICHAN BAY
Cowichan Bay Village
Approx. Location of Subject Property

9.8 C-8 ZONE – RECREATIONAL VEHICLE CAMPGROUND ZONE

(a) Permitted Uses

The following principal permitted uses and no others are permitted in the C-2A Zone:

(1) campground, subject to CVRD Campsite Standards Bylaw No. 1520
(2) recreational facilities accessory to a principal campground use;
(3) one caretaker's residence per parcel accessory to a principal campground use;

(b) Permitted Density:

(1) No more than 26 campground sites per hectare are permitted.

(2) A campground site shall have a minimum area of 100 square metres.

(2) The maximum permitted gross floor area of all permanent principal and accessory structures is 600 square metres per parcel.

(c) Conditions of Use:

(1) A minimum of 10 percent of the total site area must be designated and maintained for recreational use.

(2) A minimum of 20 percent of the total site area, excluding all required buffers and recreational area, must be left in a natural condition or restored to a natural condition where the site has been disturbed.

(3) No accessory or principal structures, including decks, roofs and storage sheds, shall be permitted within a campground site.

(4) Not more than 10 square metres of any campground site may be covered with concrete, asphalt or other impervious surface.

(5) The height of buildings and structures shall not exceed 6.0 metres.

(6) The minimum setback from all property boundaries for all principal and accessory buildings and structures and all campsites shall be 7.5 metres.

Other Amendments:

Amend Part 13 to include a minimum parcel size of (2.0 ha.) for the C-8 Zone.

Add the following definitions:

"campground" means the use of land for the temporary accommodation of paying guests within a *camping unit* for no more than 180 days in one year.

"camping unit" means a tent, trailer, recreational vehicle or similar transferable forms of accommodation customarily used by travelers or vacationers who maintain a residence elsewhere, and excludes mobile homes, manufactured homes, and CSA Z-241 park model trailers.

R14

C·V·R·D

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE:	February 27, 2013	**FILE NO:**	South Cowichan OCP and Zoning Bylaw
FROM:	Mike Tippett, Manager Community & Regional Planning	**BYLAW NO:**	3604, 3656

SUBJECT: Amending the South Cowichan OCP and the South Cowichan Zoning Bylaw

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Recommendation/Action:
Because there are so many suggested changes to the OCP and zoning bylaw, the recommendation in this case is to have the Committee consider each broad category of recommended changes and vote on them as a package. If any one of the proposed changes stands out from the others as deserving special attention or a separate vote, that would be appropriate. A motion would therefore take the form of:

That the South Cowichan Official Community Plan and Zoning Bylaw No. 3520 be amended in accordance with Parts 1, 2, 3 and 4 of the staff report (insert any deviations from the staff report here) and that a public hearing for these amendment bylaws be scheduled, with Directors Walker, Fraser and Giles as delegates of the Board, and that the proposed amendments be referred to School District 79, Ministry of Transportation and Infrastructure, Agricultural Land Commission, Cowichan Tribes and the Malahat First Nation.

Relation to the Corporate Strategic Plan:
The principal portion of the proposed amendment bylaws would amend the South Cowichan Official Community Plan and zoning bylaw, with a view to generally improving administrative efficacy.

Financial Impact: *(Reviewed by Finance Division: N/A)*
Usual hearing costs.

Background:
In a report to this Committee on December 4, 2012, a new Zoning Bylaw (3520) for South Cowichan was introduced. This bylaw has gone to three public meetings near the end of February.

In the course of the preparation of Zoning Bylaw 3520, staff and Directors found certain elements of the 2011 South Cowichan Official Community Plan (SCOCP) and zoning that they believe should be modified for various reasons, which are described in detail later in this report. With this report, staff is seeking Committee direction respecting the best way to proceed with these proposed amendments.

We have also received numerous representations from individuals respecting the zoning of their properties, some of whom are seeking substantially different zoning than would be permitted under the Official Community Plan, and these individual requests are also listed along with staff advice on how to address them.

Dealing with the edits, redesignations and other aspects of the SCOCP and Zoning Bylaw 3520 separately from the implementing zoning bylaw is intended to provide maximum clarity to the Board and the public.

Alterations to the South Cowichan Official Community Plan and Zoning
There are three broad classes of amendments that could be considered as part of the SCOCP/Zoning Bylaw 3520 amendment process:

1. **Staff Recommended Typo Corrections, New Zone Names, Basic Clarifications**: in this category, the minor edits would be attended to. Examples are where minimum parcel sizes are occasionally absent ("hectare" instead of "1 hectare") and the renaming of zones that appeared, pre-named, in the original SCOCP.

2. **Staff Recommended Policy Changes to Recognize Existing Zones or Uses**: this would be an opportunity to better harmonize the SCOCP with the zoning bylaw. In the course of writing a zoning bylaw, many issues that may not be apparent when doing broad policy work come into focus, and these SCOCP amendments would better confirm the zoning approaches taken.

3. **Staff Recommended Policy Changes, some with Use/Density Consequences**: these recommendations concern new policy that staff believe would enhance the operational effectiveness of the SCOCP, and also provide some alternative land uses by way of opening the possibility of receiving rezoning applications in limited areas which could, if approved, result in a more wholesome land use scenario.

4. **Recommendations concerning Privately Requested Designation Changes**: This section deals with amendments to zoning of parcels whose owners approached the CVRD outside of the normal application procedure, with a request to have a different zone applied to their lands.

Proposed Amendments to SCOCP and Zoning Bylaw 3520:
The proposed amendments to the OCP and new zoning bylaw are grouped into general categories. Under some numbered points within each numbered category, there is a comment shaded in grey, in italics and within brackets that indicates in some cases the nature of the change, and whether a complementary zoning amendment is required, or whether the zoning (under South Cowichan Zoning Bylaw 3520) is already in place.

PART 1: Staff Recommended Typo Corrections, New Zone Names, Basic Clarifications

1. OCP Policy 4.2 is changed to reflect actual uses and does not mention the names of the various **Water Zone** used in Zoning Bylaw 3520.

2. OCP: "Goal 13" in the second paragraph of Section 6 of the Main OCP document should be changed to "Goal 12". *(typo correction)*

3. OCP Policy 9.4 is amended by cross-referencing to another policy 9.12, with regard to an Action Plan for heritage planning.

4. OCP Policy 11.3 is changed to reflect the new zone name of "**Small Lot Agricultural**" used in Bylaw 3520.

5. OCP Policy 11.4 is changed to reflect new **Agricultural Zone** names used in Bylaw 3520.

6. OCP Policy 11.5 is amended by changing "Agriculture" to "**Agricultural**" in the zone name. *(Bylaw 3520 already uses the corrected name)*

7. OCP Policy 12.2 is amended to reflect the new **Rural Resource Zone** names used in Bylaw 3520.

8. OCP Policy 13.2.3 is amended to reflect the new zone names for the various **Rural Residential** categories used in Bylaw 3520. The following is also added after 13.2.3.b:
   c. "A-2 Small Lot Agricultural 2 Zone" to provide for a rural residential lifestyle option with equestrian uses and a minimum parcel size of 2 ha.
   (Bylaw 3520 already contains the A-2 Zone)

9. OCP Policy 16.2, which purports to name the various industrial zones in the Plan area, is deleted and replaced by a policy that states that a variety of industrial zones may be applied to land within the singular "Industrial" designation on the Plan Map.

10. OCP Policy 16.4 is amended by deleting the word "parks" and replacing it with "park". *(typo correction)*

11. A new OCP Policy 16.8 is proposed to confirm that the OCP Map designation of "Transportation" as used for the **Esquimalt and Nanaimo Railway** corridor will be implemented by a special industrial zone. *(Bylaw 3520 already uses the I-7 Railway Transportation Zone)*

12. OCP Policy 15.3.10: The **Clearwater Resort** on the Koksilah River is explicitly recognized as a use that lends itself to comprehensive zoning, which is already built into Zoning Bylaw 3520. *(Zoning Bylaw 3520 has placed this parcel into a Comprehensive Zone already)*

13. OCP Policy 17.1 is amended in order to align it with the names of the **Park Zones** that are already in Zoning Bylaw 3520.

14. OCP Policy 18.1.2 is modified by adding a clause respecting the Hatch Point bulk oil facility being zoned for that purpose, as well as any other docks permitted under Policy 18.1.7 (rezonings to permit access to landlocked parcels on Saanich Inlet).

15. OCP: a new Policy 18.2.9 is introduced to authorize the zoning of the marina on the east shore of Shawnigan Lake as such.

16. OCP: In the RAR development permit guidelines, there are some redundant words in the first sentence under Section 24.4.10.A.7 that should be deleted: "should be applied".

17. OCP Policy 25.6 concerns itself with the application of the **Development Approval Information Area (DAIA) Bylaw**, and it is amended by deleting "OCP Amendment Applications" from the list of triggering events, because the legislation does not allow that. It is also proposed to be amended by adding a new DAIA requirement where any rezoning application within a Village Containment Boundary would convert land designated for residential or mixed use to a non-residential land use. *(no zoning implementation is required)*

18. OCP Policy 25.7, again concerning the implementation of **DAIA** requirements, is amended by deleting the reference to OCP amendments triggering the DAIA, and by indicating that the list of DAIA study topics is not strictly limited to the five examples listed in that policy. (simple clarification of existing law)

19. OCP Policies 25.8 and 25.9, both of which deal with the **Joint APC** meeting procedure, are deleted and replaced with new wording that indicates the CVRD Development Application Procedures and Fees Bylaw and the CVRD Advisory Planning Commission Bylaw specify meeting procedure.

20. OCP Policy 25.12 is changed to reflect the fact that **variances** may be approved in any application so long as permitted uses and density are not varied (the present wording incorrectly purports to limit variances to building height and setbacks). *(clarification of local government legislation)*

21. The Mill Bay Village Plan is amended by deleting "Manufactured Home Park Development" from the Table on Page 8 in Section 1.3 and revising the total accordingly, downward to 1542, and the sentence immediately following this table also has its total of 1767 reduced to 1542. *(typo/counting correction)*

22. The Shawnigan Village Plan's Policy 4.1.4 is amended by replacing the word "zone" with the words "height regulation". *(typo correction)*

23. The Mill Bay Village Plan is amended by adding to Section 11.3 (**Mill Bay Village Development Permit Area**) a note to confirm that this DPA applies to all lands in the Village. *(clarifies current DP scope)*

24. Shawnigan Village Plan: Policy 4.1.2.a is amended by adding the number "2" in front of "ha". *(typo correction)*

25. The Shawnigan Village Plan is amended by adding to Section 7.3 (**Shawnigan Village Development Permit Area**) a note to confirm that this DPA applies to all lands in the Village. *(clarifies current DP scope)*

26. Shawnigan Village Plan: Policy 7.4.1.B is amended by replacing the word "develop" with "development". *(typo correction)*

27. Cobble Hill Village Plan: Policy 5.1.2 a) is amended by deleting the "s" from the word "Zones". *(typo correction)*

28. Cobble Hill Village: The **Cobble Hill Village Development Permit Area** (DPA) in Section 10 of the Village Plan is updated to clearly state that it applies to all lands in the Cobble Hill Village. *(clarification of existing DPA scope)*

29. The Shawnigan Lake Watershed Map (Figure 5A) is replaced with another map that has a more realistic depiction of the watershed's boundaries. *(The boundaries are important because some of the policies in the OCP rely on an accurate depiction of the location of the watershed boundary)*

PART 2: Recommended Policy Changes for Clarity & to Recognize Existing Zones/Uses

30. OCP: Amenity clauses under Section 8 of the Plan have been rewritten to clarify the procedures for amenity requirements. This does not constitute a substantial change from the previous versions of this section. *(Clarification of existing policy)*

31. OCP: Staff recommend introducing a new policy to the Agricultural Designation (Section 11) concerning the existence of several parcels in the Agriculture map designation that have approved non-agricultural activities on them: Sol Sante naturist facility on Cameron-Taggart Road may be zoned for institutional use *(Bylaw 3520 already shows it as P-2)*; the site of the Cedars at Cobble Hill rehabilitation centre may be zoned for institutional use *(Bylaw 3520 already shows it as P-2)*; the former site of Camp Narnia to the southeast of Shawnigan Lake may be zoned for institutional use *(Bylaw 3520 already shows it as P-2)*; the site of Camp Creina (Girl Guides of Canada) may be zoned for agricultural-institutional use *(Bylaw 3520 already shows it as A-6)*.

32. OCP: a new Policy 11.23 would strongly discourage the creation of any new or expanded golf courses in the Agricultural Resource designation (generally: ALR land) due to likely impacts upon farming and the environment. *(although a new policy, it reflects the spirit of the original SCOCP)*

33. OCP Policy 13.1.7 (Rural Residential suite/accessory dwelling unit) is amended by adding a clause that would not permit suites on lands that front on Shawnigan Lake, and have special setbacks of 30 metres from the natural boundary of the Koksilah River or Shawnigan Creek, and 60 metres from the natural boundary of Shawnigan Lake where the parcel has no lake frontage. *(Zoning Bylaw 3520 already contains regulations that implement this provision)*

34. OCP: Limited agriculture will be a permitted use in all Rural Residential designations as well as lower density Village Residential and this will permit the keeping of a small number of specified farm animals in accordance with general regulations in the implementing zoning bylaw. *(this is already incorporated into Zoning Bylaw 3520 – the original policy concerning keeping of chickens is not proposed to be implemented by pre-zoning in the R-3 Zones under Bylaw 3520)*

35. OCP: Policy 13.1.15 is added, to allow for the rural residential designated Cricket Ground at Shawnigan Lake to be zoned for its historical and ongoing use.

36. OCP: new policies are added within the Rural Resource designation to recognize the Solo Deo Benedictine Monastery and the firing range on Holker Place as institutional. *(both are already proposed to be zoned as Institutional in Zoning Bylaw 3520)*

37. OCP: a new policy is introduced to indicate that the Sand and Gravel map (Figure 12B) was created in the absence of information from the Ministry of Energy and Mines. *(clarifies the origin of the existing map)*

38. OCP Policy 13.1.3 is amended by adding a reference to a new RR-3A Zone that is intended to be applied in cases where 1 hectare parcels will be permitted but connection to a community water service is not supported by the servicing policies of this Plan. *(the RR-3A "no services" zone in Bylaw 3520 will assist in achieving the Plan's water servicing objectives)*

39. OCP Policy 13.1.11 is deleted and replaced with this one: "Large parcels, generally over 4 hectares that are located in the **Rural Residential Designation** are intended to accommodate a large lot rural residential lifestyle, and in some cases these provide a buffer between resource lands and higher density residential lands. Such large parcels are considered to not be suitable for rezoning to either the RR-2 or RR-3 or RR-3A Zones, due to their peripheral locations which are automobile-dependent and inefficient to service." *(the rewrite removes references to incorrect zone names and also explains more about why certain zone designations within the Rural Residential area should not be eligible for the higher density zones).*

40. OCP Policy 13.3.3 concerning **Arbutus Ridge** replaced by a new policy that supports a comprehensive zone, consistent with the original intent of the Arbutus Ridge project. *(that comprehensive zone has already been developed under Bylaw 3520 for this property)*

41. OCP: The Community Land Stewardship Designation (**Elkington Forest**) is altered by adding ne new policy 14.21 that indicates the use of covenants as development proceeds, to ensure compliance with the provisions of the zoning. Another policy 14.22 indicates that the boundaries of the sub-area map are intended to be interpreted as approximate.

42. OCP: **OUR Ecovillage** has its OCP policy altered to clarify that it will be subject to a Comprehensive Development Zone. *(the CD Zone is already in Zoning Bylaw 3520 and it reflects the original zoning)*

43. OCP: revised policy for both Village and Rural areas concerning **manufactured homes** is introduced, in which parcels that have been subdivided for each homesite are placed into a special zone which permits these small parcels and stick-built homes, and another which is applied to parcels that have not been subdivided, which will be subject to the CVRD Mobile Home Park Bylaw, as amended, and which will not permit stick-built homes or subdivision of homesites. This policy discourages the rezoning of land to permit subdivision, and it is intended to ensure that there is not widespread displacement of mobile home residents due to redevelopment proposals. *(Zoning Bylaw 3520 already contains the two zones for manufactured homes, so no zoning alterations are required)*

44. OCP: the existing Board Policy concerning the conversion of **manufactured home parks** into other uses is brought within the OCP policy framework, without amendments. *(no zoning measures are required to implement this policy)*

45. OCP: The core area of **Arbutus Ridge** may be zoned as Comprehensive Development (as opposed to Commercial) in the implementing bylaw, with a mix of commercial and public uses being permitted on that site. *(Zoning Bylaw already does this)*

46. OCP: The site of the **Arbutus RV** sales facility to the south of the intersection of the Trans-Canada Highway and Chapman Road will be placed in a comprehensive development zone, recognizing the variety of highway commercial land uses that were permitted in 2009 through a bylaw amendment application. *(Zoning Bylaw 3520 already does this)*

47. Mill Bay Village Plan: the policy concerning the keeping of **chickens** is replaced with another that indicates that only the portions of the Village Residential that are zoned as R-2 Suburban Residential will be permitted to have limited agriculture. *(already in effect)*

48. The Hayes property along Thain Road in Electoral Area B has to be redesignated from Rural Resource to Rural Residential, in accordance with a rezoning application approved during 2012. At the time of application (2008), redesignation was not required, because the property was being rezoned from F-1 to F-2. With the new OCP, the only designation that is appropriate to that parcel size is Rural Residential. *(the property has already been zoned as RR-1 under Zoning Bylaw 3520, in accordance with the density of the former F-2 Zone: 4 hectare parcel size)*

49. Mill Bay Village Plan: Section 10 is amended by renaming the P-2 Zone as Institutional and adding a P-2A Private School Institutional Zone for Brentwood College. *(A complementary amendment to Zoning Bylaw 3520, introducing the new P-2A Zone, is required)*

50. Shawnigan Village Plan: (Village Residential suite/accessory dwelling unit) is amended by adding a clause that would not permit suites on lands that front on Shawnigan Lake, and have special setbacks of 30 metres from the natural boundary of the Koksilah River or Shawnigan Creek, and 60 metres from the natural boundary of Shawnigan Lake where the parcel has no lake frontage. *(Zoning Bylaw 3520 already contains regulations that implement this provision)*

51. Shawnigan Village Plan: the policies concerning the keeping of chickens in the Residential and Suburban Residential Designations is replaced with new policy that indicates the R-3 Zone will not be permitted to have limited agriculture, and that the R-2 Suburban Residential Zone will be permitted to have limited agriculture. *(already in effect, and similar measures are incorporated into Bylaw 3520)*

52. Shawnigan Village Plan: The T-shaped parcel of land beside/behind the Fire Hall and Legion will have policy stating that it should continue in its long-standing Institutional zoning. *(Zoning Bylaw 3520 already zones this parcel accordingly)*

53. Shawnigan Village Plan: Redesignate Lot A, Block 32, Shawnigan District, Plan VIP 22742 from Tourist Commercial to Village Residential *(Zoning Bylaw 3520 would also have to be amended, rezoning the site from C-8 to R-3).*

PART 3: Staff Recommended Policy Changes, some with Use/Density Consequences

54. OCP policies that relate to Bed and Breakfast use are altered in order to permit 4 rented rooms instead of 3 *(complementary amendments to the B&B regulations in Zoning Bylaw 3520 are required).*

55. OCP: for the industrially-designated parcel of land near Cougar Ridge, a policy is introduced that would allow the Board to consider, upon receipt of an application for Plan amendment

and rezoning, the conversion of this site for rural residential purposes, subject to amendment of this Plan and due consideration of the comparative benefits of a possible residential use as opposed to a possible industrial use. *(no complementary amendment to Bylaw 3520 is required)*

56. OCP: some agricultural land owners have asked that farm stay accommodation be permitted in the Agricultural zones. In response to this, staff proposes and OCP amendment that adds a new policy which would set out some criteria for the consideration of a rezoning application to allow for this use. The basic criteria required under the Agricultural Land Commission Act are that the parcel be assessed as farm and that a maximum of 2500 m^2 in total (buildings and outdoor areas) be for agri-tourism use, but also that a number of other conditions be met, including: the parcel has been assessed as "farm" for at least five consecutive years prior to the date of application, that the parcel be a licensed winery or cidery and that it be at least 5 hectares in area. *(no complementary amendment to Bylaw 3520 is required)*

57. OCP: A new Policy 12.24 is proposed, which would introduce the possibility of a land conversion through rezoning from RUR-1 to A-1C, provided the land is suitable for farming and is accepted for inclusion in the Agricultural Land Reserve.

58. Cobble Hill Village Plan: Three parcels on Fairfield Road are designated as Industrial but may be zoned for residential purposes (upon application), and a special policy is developed for another site in CH Village that encourages a buffer against industrial uses at Fisher Road, if the land is developed. *(the Fairfield properties are zoned Industrial in Bylaw 3520 and the other site is in a CD Zone - CD-10 - under Bylaw 3520 already)*

59. In responding the referral of Zoning Bylaw 3520, the Capital Regional District has requested that two parcels that it owns, within the CVRD boundary, but also in the Sooke Lake watershed, be zoned for conservation purposes. The problem is that these lands are designated Rural Resource. Accordingly, a new policy has been developed which will not require that we redesignate these lands, but which will permit their zoning to be for conservation only. *(a complementary amendment to Zoning Bylaw 3520 will be required, in which these two blocks of forested land are placed into a new Conservation zone)*

60. Shawnigan Village Plan: Policy 4.1.7 is rewritten to indicate that only in the R-2 Zone will limited agriculture (and hence the keeping of chickens) in Village areas be permitted. *(Bylaw 3520 is already in compliance with this revised policy)*

61. Cobble Hill Village Plan: Policy 5.1.2 b), which is a policy concerning Suburban Residential portions of CH Village, is amended by adding the following before the end of the sentence: "or 0.4 ha where community water service is present", in addition to the 2.0 hectare minimum parcel size for unserviced land. *(this density adjustment reflects the intent of the Servicing Section of the SCOCP and also prevents large-scale downzoning)*

62. Two parcels of land to the east of Shawnigan Village boundary are proposed by staff to be redesignated from Agricultural to Rural Residential on the Plan Map, because their area of 1.0 hectare is consistent with Rural Residential use, and these lands are not in the ALR. *(Zoning Bylaw already places both in the RR-2 Zone, which has a 2 hectare minimum for subdivision)*

63. Six parcels of land along Whittaker Road on the Malahat are proposed by staff to be redesignated from Rural Resource to Rural Residential, because five of the six were zoned as Secondary Forestry (F-2) under Zoning Bylaw 2000 and the sixth one, under 7 hectares

in area, is between the aforementioned five and the adjacent Rural Residential block along Ebadora Lane. There is a 2 hectare minimum parcel size for the R-1 Zone under Bylaw 2000 (Area A Zoning). Staff became aware of this issue when it was too late to amend the SCOCP without a further hearing, so it was postponed until now. *(Zoning Bylaw No. 3520 would have to be amended accordingly; the Rural Residential 1 (RR-1) Zone of Bylaw 3520, which has a 4 hectare minimum parcel size, would be consistent with the density provisions of the F-2 zoning under Bylaw 2000 that applies to 5 of the 6 parcels concerned. However, the adjacent Rural Residential lands will be in the proposed RR-2 Zone under Bylaw 3520, so if the Committee desires to see RR-2 zoning there, staff would recommend that this be permissible in this location. The Committee could give consideration to adding an amenity contribution clause, similar to that developed for Goldstream Heights – amenity funds of $10,000 per new parcel, to be directed to capital reserves for Area A community parks, Malahat Fire Department or Kerry Park Recreation Centre functions. There is likely only a single parcel that could be subdivided though.)*

64. The site of the former Aerie Resort is proposed to be redesignated from General Commercial to Tourist Recreational Commercial in accordance with its historical use *(Zoning Bylaw 3520 has already applied Tourist Recreational Commercial Zoning to this site)*

65. A new policy on the Malahat Station industrial designation is brought forward, suggesting that the Board will not likely support further expansions to the Industrial designation in this location, and that existing industrial landowners in the area should be cautious in the use of their land, in order to minimize noise impacts. *(no zoning bylaw measures are required for this new policy)*

66. Five strata lots and one portion of common property of the Kerry Village Manufactured Home development in Mill Bay Village were mis-designated Village Residential in the original plan, so these would all be redesignated as Manufactured Home Park. *(Zoning Bylaw 3520 has already zoned these lands as R-5 in accordance with a MHP OCP designation, and in line with their zoning under Bylaw 2000)*

67. OCP: Schedule C – a number of adjustments to the "future water service expansion areas" are made to the Overall Water and Sewer Services Area Map – it identifies a potential expansion area for Braithwaite Improvement District near Cobble Hill, for the CVRD near Mill Bay Village in the vicinity of Fern Ridge, Tarr and Sylvania service areas, Burnham, Satellite Park as well as to the southeast side of lower Shawnigan Lake on a large unsubdivided block of land owned by TimberWest. Additionally, an error in the boundaries of the Wace Creek Improvement District would be corrected. *(some of these servicing policy changes arose from discussions with CVRD Engineering and Environmental Services staff as well as recognizing that only in the case of the TimberWest block zoned R-2 under Bylaw 985 would expansion of a water service area be justifiable. The Wace Creek issue was identified by a Trustee of that I.D. Zoning Bylaw 3520 already contains these measures, so no further zoning action is required)*

68. The Mill Bay Village Plan is amended by changing Policy 4.1.10.f, concerning the preparation of a Neighbourhood Plan west of Benko Road, clarifying that this Plan would be paid for by an applicant or group of applicants, with CVRD oversight. *(Clarification of the triggering event for a Neighbourhood Plan)*

69. Late in the OCP process, Brentwood College indicated a preference that its campus lands to the west of Lashburn Road in Mill Bay be designated as Institutional rather than Residential, so in accommodating this request, this area would become Institutional on the OCP map. *(Zoning Bylaw 3520 would have to be amended accordingly)*

70. The church property to the north of Cobble Hill Village on Cobble Hill Road, just north of the truss factory, was meant to be partly designated as Residential (to the east) in accordance with a rezoning application approved in 2007. The map would be amended in accordance with the original OCP amendment. *(Zoning Bylaw 3520 has already shown the eastern portion of this property as Village Residential, in accordance with the approved rezoning under Bylaw 1405)*

71. The eastern edge of Shawnigan Village is proposed to be redesignated as Village Residential from Suburban Residential in the Village Plan, which offers for this area a better concurrence between land use designation and Schedule C-1B of the OCP (Service Area Map), which shows the entire eastern portion of Shawnigan Village as a community water service expansion area. It is also a location where Lidstech – the local water purveyor – indicated a desire to "loop" the piping system, during OCP development. *(Zoning Bylaw 3520 has proposed Village Residential R-3 zoning for this area)*

PART 4: Recommendations concerning Privately Requested Designation Changes

Normally, when local government does broad updates of existing plans and zoning bylaws, the range of amendments is confined to administrative updates, occasionally new policy or regulations, but very rarely are the OCP land use designation and rezoning of individual parcels of land to new use categories proposed in this type of initiative. This is particularly true where the proposed land use category change is not recommended by the OCP, but rather in a solicitation from the property owner.

We have been approached by a few property owners seeking redesignation/rezoning of their lands during the developmental period of Zoning Bylaw 3520. The requests are listed below. Where any of these constituted zoning that is supported by the SCOCP as adopted in 2011, they were generally built into Bylaw 3520, as explained in that report.

With respect to the few requests to rezone property that would require an amendment to the Plan, normally what would happen is that an application would be made by individual property owners, and each proposal would generate its own report, and go to its own hearing, if the Board chose to move each of these separate applications forward. We should therefore reflect upon the nature of this sort of a request and what accommodating it would mean.

Firstly there are the application fees that would normally be paid to the CVRD if each of these was received as an individual application. Depending upon the area of land that is being requested for rezoning/redesignation and the land use being sought, the foregone fees could add up to a considerable sum, possibly in the $20,000 range altogether.

Secondly there is an equity question at play. Some landowners and developers have approached us to seek alternative zoning, with the hope that it will be considered outside of a normal application process, but if the CVRD had made it widely known that we would be considering this approach throughout the community, it is likely we would have had a lot more requests of this nature. Staff believe that most community residents would not have been aware of this, so the question may arise in the course of pursuing these amendments: how and why were the selected zoning changes selected for this CVRD-sponsored procedure? Each of the parties requesting this sort of change believe that they have good reasons for doing so; for example, in one case the change would arguably be a down-zoning of commercial land, in another, it is part of a south Shawnigan economic development and servicing initiative, and in another it may help homeowners who have been negatively affected by surrounding industrial

land uses. However, the Committee should consider whether there are others in the communities who would have also wanted to be part of this initiative had they been aware that it would be considered.

Thirdly there is the question of mixing the public agenda with the private agenda. There are a number of "housekeeping" type amendments that staff and in some cases APCs are keen to see made to the SCOCP, which would improve administration and implementation of the Plan. For staff, having these administrative amendments seriously considered without the complication of rezonings on certain sites would be preferable, at least from the perspective of clarity of purpose. For this reason, we are hopeful that the Committee will agree to separate out the site-specific rezoning/OCP redesignations from the recommended administrative amendments, if the Committee decides to proceed with the site-specific amendments.

Finally, there is the question of public participation and accountability for the process. When several site-specific OCP redesignation/rezonings are built into a single hearing, the same level of procedure cannot be applied to each of these sites. For example, normally in the course of considering a rezoning application, applicants would be requested to submit information such as traffic studies, environmental reports on possible contamination, and other important background information, for both the Board and the public to consider. However, in a situation such as this, this type of background information will not be required (unless the Committee specifically requests it) and so some site-specific issues with each of these might be either unresolved or have to be dealt with later in a development permit process. This prospect is certainly not ideal. Also, there is the question of public notifications. Normally with a site-specific application, the local area is notified by letter (within 60 m) but the law would permit a local government not to send out notification letters where an omnibus bylaw such as this affects ten or more parcels owned by ten or more people. Staff will insist upon notifying each property owner within 60 m of any site proposed to be rezoned in these amendment bylaws, in order to ensure that the level of awareness is at least as high as it would have been in an individual application.

Below are listed the unsolicited request we have received concerning OCP and zoning amendments:

72. Jennifer Young, a resident along South Shawnigan Road, has requested in the attached email that her parcel be rezoned from Rural Residential to some unspecified Industrial category. She cites as reasons the increasing prevalence of industrial land uses around her, and also requests that the CVRD "hold property taxes in abeyance" until the property is actually used for industrial purposes, which is something we have no authority over (BC Assessment Authority may have this ability). This kind of request would require a redesignation of the land on the Plan Map, from Rural Residential to Industrial. No details concerning the nature of the Industrial Zone requested were forthcoming, but one can assume that similar zoning to the other industrial parcels in the vicinity may be what she is seeking. *(OCP redesignation and a zoning amendment would be required)*

73. The CVRD has received a detailed submission (attached to this report) from the owners of Island Daylily Farm (1291 South Shawnigan Lake Road) for special zoning which would include a number of uses that are not permitted under either the present F-2 zoning or the proposed RR-1 zoning under Bylaw 3520. The list of proposed uses includes: wedding location and receptions, food services, gift shop, live music and theatre, seasonal outdoor events for occasions like Easter and Halloween, overnight accommodation in outbuildings (not in the main residence). The submission notes that some of the requested uses in a new zone would be permitted to one degree or another under current regulations. *(to proceed with this sort of rezoning, a SCOCP amendment would be required, probably*

consisting of a special policy unique to this site, within the Rural Residential Designation)

74. The CVRD has received a written request regarding Dale Erb's lands, through his agent, Denise Kors (correspondence attached), to redesignate part (around 3 hectares in total) of Mr. Erb's property at the south end of Shawnigan Lake for two alternative uses: Institutional and Local Commercial. **However, the owners have recently submitted an application for rezoning which would do the same thing, which Rachelle Rondeau is processing at this time. It seems that the best approach in this case is therefore to allow the rezoning application to take its course and not propose any changes in either Bylaw 3604 or 3656.**

75. Brentwood College has, through the attached "Potential New 'Brentwood" Institutional Zone letter from Doug Leighton, MCIP, indicated a preference for a special Institutional zone for their campus, which contains a couple of different uses and other regulations. Some of these were discussed at a meeting between Doug and Mike Tippett in December, and the attached discussion draft should not be seen as definitive; however the additional uses include: indoor and outdoor recreation (already permitted accessory to the school), personal care facility, and a research and development centre. It is also proposed that the height of buildings be raised to 12 metres (the draft says 15, but this request was lowered following our discussion). The only significant departure from current zoning is research and development centre, which is a wording employed in the Bamberton Business Park, so hypothetically this could introduce a new use to the campus lands, if it was included in a new zone and the school's management decided to pursue the use. *(OCP redesignation is not required, however a new policy which permits the additional land uses requested may be required)*

76. There are a few parcels of land in Area A on Saanich Inlet that have no practical or legal road access. Even if there was an easement across upland parcels that do have public road access, the topography ensures that no land access will ever be possible. In this context, one of these landowners, Steve Hoel, has asked if the Zoning Bylaw could be designed to accommodate the provision for a modest dock in order to allow boat access. The shore in that area is apparently not suitable for hauling out a small boat.

    Staff is of the opinion that this is best addressed not by pre-zoning to permit docks for landlocked parcels, but rather, encouraging applications to rezone areas where docks are proposed for landlocked parcels only, through a new policy that sets out criteria to be met before approving any dock request (through a rezoning application). Permitting docks for landlocked parcels in the W-1 Zone is inadvisable because inevitably questions of interpretation would arise as to what constitutes "landlocked", and further, spot zoning small portions of foreshore for dock use for those few parcels that go through the rezoning process is preferable to having blanket zoning that allows a dock along any portion of the waterfront, in terms of enforcement of dick size/area limitations.

77. OCP: The lower part of the site of the Malahat Mountain Inn and the Petro-Canada Properties are zoned as commercial but the OCP is proposed to be amended to allow an application for Rural Residential zoning without amending the Plan, but with regard to the service station use and its potential effect upon the usability of the lower area for residential purposes if a soil contamination study indicates it is advisable. *(Zoning Bylaw 3520 leaves the parcels as Commercial – to prezone for this use, Bylaw 3520 would have to be amended)*

Referral Agency / Public Comments: Some of the above-noted changes were reported to referral agencies in the original combined version of Zoning Bylaw 3520 and OCP Amendment Bylaw 3604. Where comments received made reference to any content of Bylaw 3604, this information is (re)presented here. However, when Bylaw 3520 was simplified by separating out any zoning measures that required an OCP amendment, the scope of 3604 grew somewhat. This is why the recommendation at the head of this report recommends that we refer the current version of Bylaw 3604 and Bylaw 3656 out to some referral agencies again.

Many public comments and requests concerning matters covered in this report are attached, for the consideration of the Committee.

Options:

1. That the South Cowichan Official Community Plan and Zoning Bylaw No. 3520 be amended in accordance with Parts 1, 2, 3 and 4 of the staff report and that a public hearing for these amendment bylaws be scheduled, with Directors Walker, Fraser and Giles as delegates of the Board, and that the proposed amendments be referred to School District 79, the Agricultural Land Commission, Cowichan Tribes and the Malahat First Nation.

2. That the South Cowichan Official Community Plan and Zoning Bylaw No. 3520 be amended in accordance with only Parts 1, 2 and 3 of the staff report, with the matters in Part 4 to be examined further after a more detailed staff report on those matters, and that a public hearing for these amendment bylaws be scheduled, with Directors Walker, Fraser and Giles as delegates of the Board, and that the proposed amendments be referred to School District 79, the Agricultural Land Commission, Cowichan Tribes and the Malahat First Nation.

3. That the South Cowichan Official Community Plan and Zoning Bylaw No. 3520 be amended in accordance with only Parts 1 and 2 of the staff report, with the matters in Parts 3 and 4 to be examined further after a more detailed staff report on those matters, and that a public hearing for these amendment bylaws be scheduled, with Directors Walker, Fraser and Giles as delegates of the Board, and that the proposed amendments be referred to School District 79, the Agricultural Land Commission, Cowichan Tribes and the Malahat First Nation.

4. That none of the proposed amendments be proceeded with.

Submitted by,

Mike Tippett, MCIP
Manager
Community and Regional Planning Division

Approved by:
General Manager:

MT/ca

Mike Tippett

From: jennyjyoung@shaw.ca
Sent: Friday, December 14, 2012 8:05 AM
To: Mike Tippett; External Mike Walker
Subject: Land Rezoning ~670 Shawnigan Lake Road, Malahat BC

Good Morning

This is to confirm that Ron and I would like to have our property rezoned from residential to Industrial use.

The reasons for this are plentiful, however, the most telling would be the situation we now find ourselves in through no fault of our own. The area in which we live has been become the Industrial Site for the Western Communities and the South Cowichan End. There are now three (3) rock quarries and two industrial parks (to date) in our area. One of the quarry owners has purchased approximately 452 acres of land directly adjacent and behind us. Suffice it to say our private and serene way of life that we purchased this property for is now gone.

With the rezoning of this property to Industrial I anticipate that there may be an increase in our property taxes. I am of the understanding that the property taxes can be held in abeyance and the property can and may still be taxed as "residential" until such time as the proper usage is utilized. I request that this be done should the property be rezoned as indicated.

I have spoken with the Ministry of Highways and they are in agreement with the application for rezoning this property.

Thank you for your time and consideration in the matter. I appreciate all the effort that the Director(s) and CVRD staff have made on my and my family's behalf. I look forward to having discussions with you in the near future.

Sincerely

Jennifer Young

KORS Development Services Inc.
250-544-4017 [fax: 250-544-4053]

Bruce Fraser
Director
Electoral Area B, Shawnigan Lake
175 Ingram Street
Duncan, BC V9L 1N8

June 28, 2012

Dear Mr. Fraser,

Re: Village Commercial and Firehall Site at Shawnigan Lake Road and Sooke Lake Road – 1800 Sooke Lake Road

Thanks for your time at our meeting on June 20th at your office in Shawnigan Lake. As discussed, we are very interested in your proposal to complete a group of rezonings in Electoral Area B which I understand will include the northern portion of this property at the intersection of Shawnigan Lake Road and Sooke Lake Road. This rezoning would permit the subdivision of two lots from the northern tip of this property and would create a "Village Commercial" site on the north 1.96ha or 4.84 ac (lot B) and a new firehall site on 1.29ha or 3.2ac south of the commercial site (lot A) as shown on the attached plan of subdivision.

As discussed, the vision for the northern commercial site is to create a farmer's market type of development similar to Maddock's Farm and Coombs Market. This concept would take advantage of the proximity to rural lands to the south and the residential developments to the north by creating an alternative commercial node which would be centred closer to these existing homes. We believe that both the local commercial site and the firehall site will be amenities to this area of South Shawnigan Lake.

The concept of a farmer's market is a good fit for this rural area lying between the Trans-Canada Highway and the Shawnigan Lake Village. The concept would be similar to a Red Barn Market which would sell produce, meat and some groceries. In addition, there would be an indoor coffee shop and/or bistro. The outdoor areas could be used as a site for a seasonal outdoor farmer's market. There is also a proposed playground at the far north part of the lot which could be dedicated as park and would be an amenity for the neighbourhood as well as for those using the site.

Proposed land uses would include;

- Firehall and parking
- Retail;
- Restaurant (coffee shop and bistro);
- Accessory Food Processing and Distribution;
- Outdoor (seasonal) market;
- Artisan studios and sales;
- Caretaker's Residence (for security)
- Park

We have some initial artist's renderings and site plans which we would be happy to share with you should you need more detail. We appreciate your support for a CVRD initiated rezoning and would be happy to meet again with yourself and/or staff if you require more detail. Do not hesitate to contact the undersigned if you have any comments or questions.

Yours truly,

Denise Kors
Development Manager
Kors Development Services
250-544-4017

Cc: Mike Tippett, MCIP, Manager, Community & Regional Planning, CVRD
Dale Erb, Owner
Peter Dosanjh, Owner

KORS Development Services Inc.
250-544-4017 [fax: 250-544-4053]

Mike Tippett, MCIP
Manager – Community & Regional Planning
CVRD Planning & Development Dept.
175 Ingram Street
Duncan, BC V9L 1N8

September 4, 2012

Dear Mr. Tippett,

Re: Village Commercial and Firehall Site at Shawnigan Lake Road and Sooke Lake Road – 1800 Sooke Lake Road

Thanks for your time at our meeting on August 1st with Bruce Fraser and Rob Conway. As discussed, we are still interested in being included in the CVRD's proposal to complete a group of rezonings in Electoral Area B including the northern portion of this property at the intersection of Shawnigan Lake Road and Sooke Lake Road. This rezoning would permit the subdivision of two lots from the northern tip of this property and would create a "Village Commercial" site on the north 1.96ha or 4.84 ac (lot B) and a new firehall site on 1.29ha or 3.2ac south of the proposed commercial site (lot A) as shown on the attached plan of subdivision.

As discussed, the vision for the northern commercial site is to for a farmer's market type of development similar to Maddock's Farm and Coombs Market. This concept would create a rural market type of commercial node close to the existing and future residential homes in the South Shawnigan Lake area. We believe that both the local commercial site and the firehall site will be amenities to this area of South Shawnigan Lake.

The concept of a farmer's market is a good fit for this rural area lying between the Trans-Canada Highway and the Shawnigan Lake Village. The concept would be similar to a Red Barn Market which would sell produce, meat and some groceries. In addition, there would be an indoor coffee shop and/or bistro. The outdoor areas could also be used as a site for a seasonal outdoor farmer's market. There is also a proposed playground at the far north part of the lot which could be dedicated as park and would be an amenity for the neighbourhood as well as for those using the site. The firehall site would also be a good fit for the area and is envisioned in Policy 17.20 of the OCP.

As discussed, I have looked at a number of zones with similar land uses on Vancouver Island. The Coombs Market in the Regional District of Nanaimo has a C-2 zoning which permits a number of the land uses we are proposing. Russell Farms Market in North Cowichan has a general C3 zoning. The Red Barn Market on West Saanich Road is under a C-1R Rural Commercial Zone with the District of Saanich. Matticks Farm is zoned C-2LRS General Commercial/Liquor Retail Zone with the District of Saanich. We are proposing more limited land uses than these which we envision would include;

- Firehall and parking;
- Retail Sale of Goods and Services;
- Restaurant (coffee shop and bistro);
- Accessory Food Processing and Distribution;

- Outdoor (seasonal) market;
- Artisan studios and sales;
- Caretaker's Residence (for security) located on an upper floor of a building;
- Park

We also discussed the possibility of further limiting the retail aspects of this zone. I have discussed this with the owners and they support the idea of a limited retail definition. The Saanich C1-R zone for the Red Barn provides the following limits for retail to;

(a) Farm Market Use
(b) Retail Sale of Groceries, Perishable Items, Sundry Household Items and Animal Feed;
(c) Personal Service
(d) Restaurant;
(e) Storage

We have attached an initial artist's rendering for the buildings and a site plan showing buildings, parking, park and access. These drawings are attached to provide more information about the two phase 10,000sf building site and fire hall site. The following additional information is provided on the drawings as discussed;

- Exterior colour and finishing materials are provided on the attached site plan;
- A walkway connection is noted on the drawing to allow pedestrian access through the site from Shawnigan Lake Road to Sooke Lake Road;
- I have reviewed the question of inclusion in the fire protection area with Glen Saunders who has indicated that this will not be a problem;
- A parking rate of 1 stall per 244sf is shown on the attached drawing with the potential for an additional 20 overflow stalls to provide a ratio of 1 stall per 164 sf. As you may recall from our discussion, the rate of 1 stall per 150sf which we used in the drawings we reviewed at our meeting and was thought to be too high. I understand that the CVRD parking rates are under review at this time. We also note that permeable parking surfaces will be used for all the parking areas to reduce the run-off from the site.

We appreciate your support for the rezoning of these parcels and would be happy to meet again with yourself and/or staff if you require more detail. In addition, I understand that the CVRD's general rezonings may be presented to the public in the future and we would be happy to provide presentation materials and to attend those meetings at your discretion. Do not hesitate to contact the undersigned if you have any comments or questions.

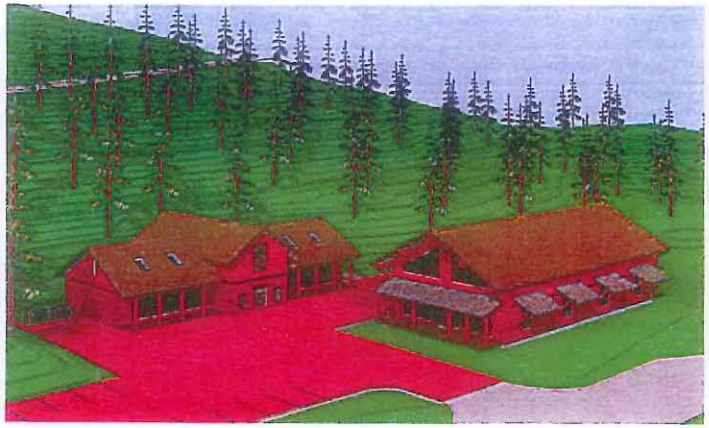
Yours truly,

Denise Kors
Development Manager
Kors Development Services
250-544-4017

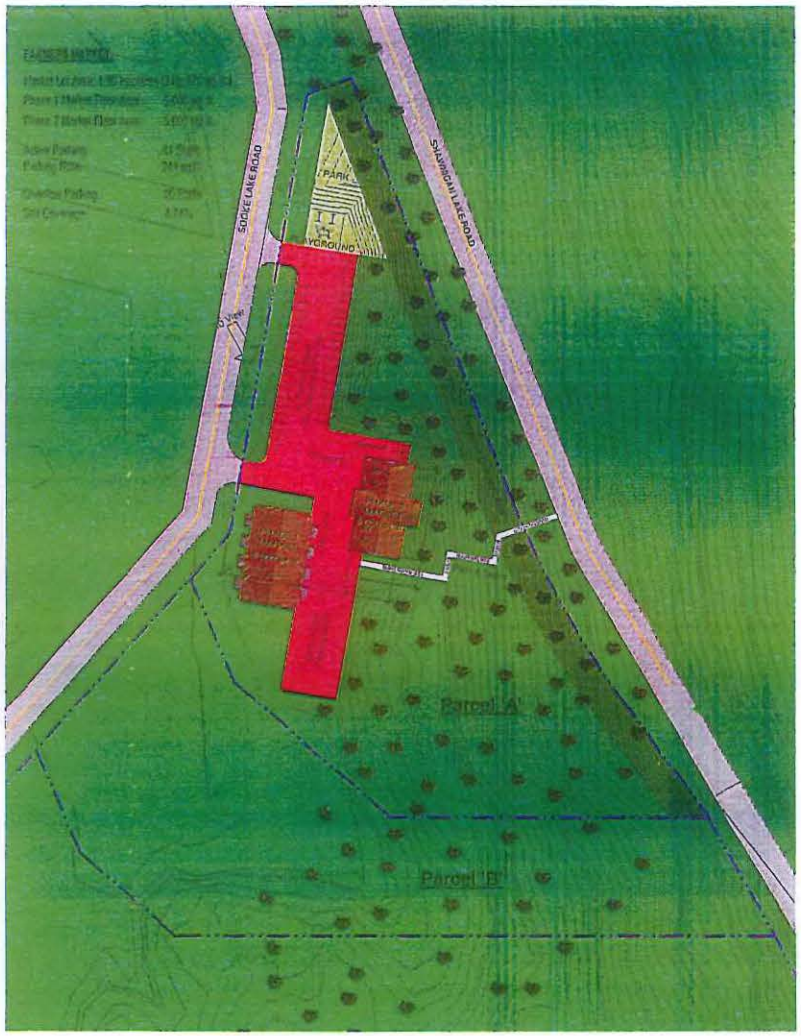
Cc: Rob Conway, MCIP, Manager, Development Services, CVRD
Bruce Fraser, Director, Electoral Area B, Shawnigan Lake, CVRD
Dale Erb, Owner
Peter Dosanjh, Owner

Materials List

- Heavy Timber Structure
- Natural Shingle Siding
- Cedar Siding
- Shingle Roofs



1 3D View



2 Market Site Plan
1"=60'-0"

8/24/2012 12:52:00 PM

ERIC BARKER
ARCHITECT Inc.

No.	Date	Description
R:\Current_Drawings\211103 Shawnigan Lake Market\Schematic Design\Revit Drawings\Shawnigan Market Site 2.rvt		

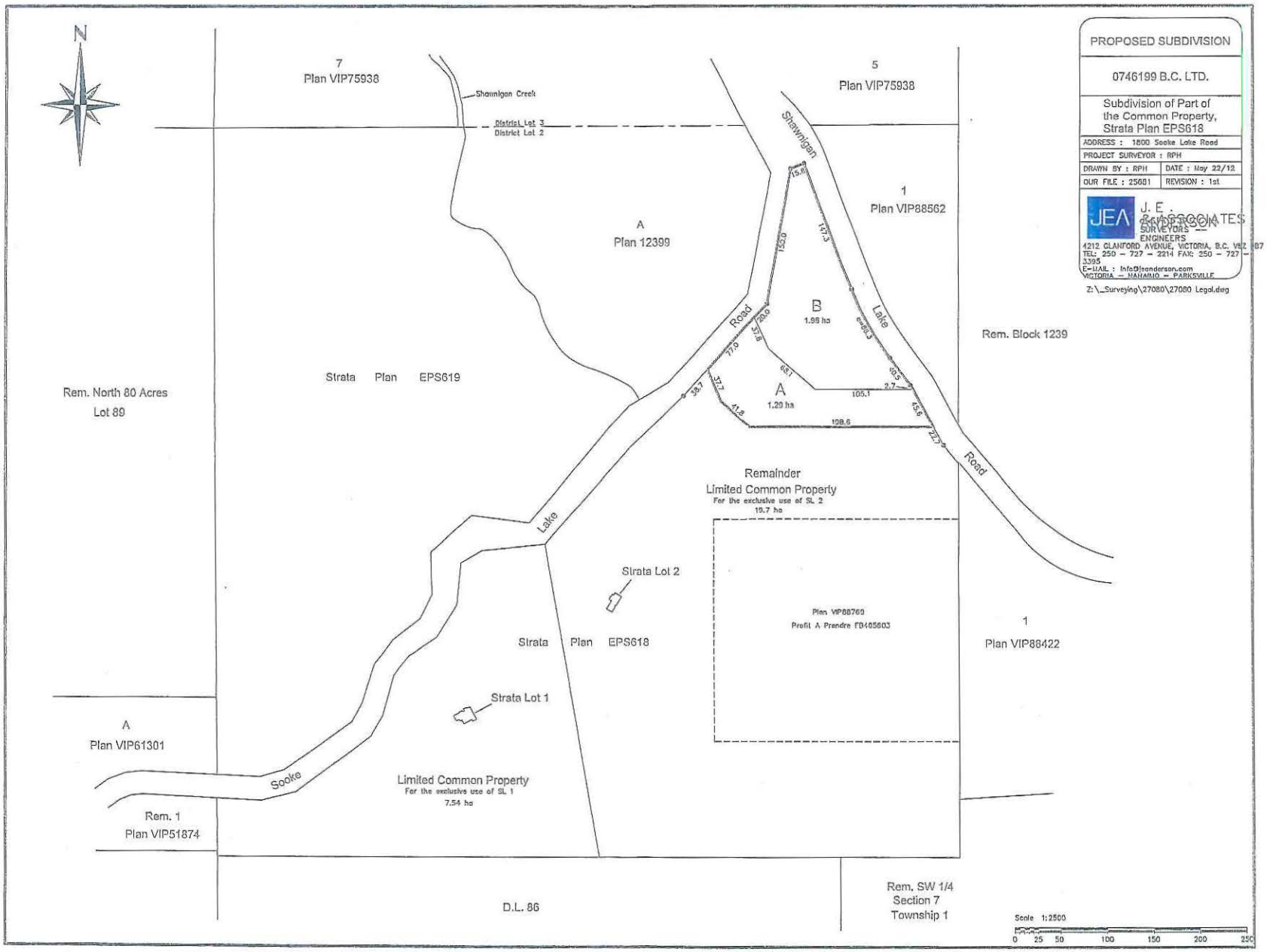
South Shawnigan Lake
Farmers Market

Site Plan & 3D View

Project number	211103
Date	08/22/2012
Drawn by	JJ
Checked by	Checker

100

Rev


N
7
Plan VIP75938
Shawnigan Creek
District Lot 3
District Lot 2
5
Plan VIP75938
Shawnigan
Lake
Road
1
Plan VIP88562
A
Plan 12399
B
1.96 ha
A
1.29 ha
Rem. Block 1239
Strata Plan EPS619
Rem. North 80 Acres
Lot 89
Remainder
Limited Common Property
For the exclusive use of SL 2
19.7 ha
Lake
Road
Strata Lot 2
Plan VIP88769
Profit A Prendre FB465603
Strata Plan EPS618
1
Plan VIP88422
Strata Lot 1
A
Plan VIP61301
Sooke
Limited Common Property
For the exclusive use of SL 1
7.54 ha
Rem. 1
Plan VIP51874
D.L. 86
Rem. SW 1/4
Section 7
Township 1
Scale 1:2500
0 25 50 100 150 200 250
PROPOSED SUBDIVISION
0746199 B.C. LTD.
Subdivision of Part of
the Common Property,
Strata Plan EPS618
ADDRESS : 1800 Sooke Lake Road
PROJECT SURVEYOR : RPH
DRAWN BY : RPH
DATE : May 22/12
OUR FILE : 25681
REVISION : 1st
JEA
J. E. ANDERSON & ASSOCIATES
SURVEYORS — ENGINEERS
4212 GLANFORD AVENUE, VICTORIA, B.C. V8Z 4B7
TEL: 250 – 727 – 2214 FAX: 250 – 727 – 3395
E-MAIL : info@jeanderson.com
VICTORIA — NANAIMO — PARKSVILLE
Z:_Surveying\27080\27080 Legal.dwg

18 Nov 2012 DISCUSSION DRAFT 2

POTENTIAL NEW 'BRENTWOOD' INSTITUTIONAL ZONE

COWICHAN VALLEY REGIONAL DISTRICT ZONING BYLAW

Prepared for Brentwood College School

Doug Leighton MCIP, EDG Associates

PURPOSE:

To propose a new Institutional Zone for the Brentwood College School campus as part of the South Cowichan (Electoral Area A) Zoning Bylaw.

BACKGROUND:

Brentwood College School ('BCS') is one of Canada's premier educational institutions. With a long history and a spectacular setting, it is truly a unique facility. It is one of the most high profile and active land uses in Mill Bay; and is a major contributor to both local employment and the regional economy.

The BCS Campus consists of approximately ____Ha (____acres) on the East (Saanich Inlet) side of the Trans-Canada Highway). BCS also has landholdings on the west (inland) side of the TCH around the rugby 'B Field'. The focus of this memo and proposal is the campus itself: the BCS 'westside' lands are the subject of a separate planning exercise.

The future development of the Brentwood campus is guided by two key Cowichan Valley Regional District (CVRD) statutory planning documents: the recently adopted South Cowichan Official Community Plan and the Electoral Area A (Mill Bay – Malahat) Zoning Bylaw (currently under development). The first of these documents represents the high level, long-term planning objectives and policies for the area, including Brentwood. The latter governs specific land uses and facilities; and is currently being prepared by the CVRD planning department. This document has the ability to encourage, accommodate or constrain the future land uses, activities and buildings on the BCS Campus.

The previous development of the Campus (including new Dining Hall and Arts / Social Sciences buildings) was also guided by an internal Masterplan. With the recent appointment of a new Head of School (Bud Patel) a new long term Strategic plan is being developed. It is likely that this will result in a corresponding Campus Masterplan; which will in turn allow long range capital and operating forecasts and related capital development initiatives

RATIONALE

The natural tendency in any Zoning Bylaw is to carry forward and modify 'standard'zones from the previous land use bylaw, and to combine a number of land uses into simplified categories. Brentwood

College, for example, was zoned 'P-2' (Institutional 2) in the Area A Zoning Bylaw No 2000 (1999), together with uses like the Masonic Hall, Fire Hall and Mill Bay Waterworks District office.

Why should Brentwood have a specific 'P' (Public park or institutional) Zone?

The key reasons are as follows:

- The Campus area, configuration, and land uses have changed considerably since 1999; and a new zone is needed to support the continued growth and evolution of the School.
- The existing buildings on the Campus (e.g. Bunch Theatre 14.5m) already exceed the height limits and in some cases setbacks of the existing 'generic' zoning. This makes the buildings 'legal no-conforming' and creates difficulties in terms of future additions ot changes of use
- In addition, the School supports community events (e.g. Bard at Brentwood, MS Ride for Cancer, Junk in the Trunk) that are not envisioned in the existing 1999 zoning
- The uniqueness of BCS and the importance of the School and campus to Mill Bay Village is emphasized in several sections of the new South Cowichan OCP
- In keeping with the new OCP, the campus is starting to 'intensify', that is, infill and increase in height within the existing campus
- While BCS is a private institution, it has a high degree of community involvement and support: it is truly part of Mill Bay
- BCS is a major economic generator in terms of local employment, construction and spending
- It has a long history of very high quality architecture, landscape architecture and maintenance: it has proven itself a conscientious 'corporate citizen' that does not require extensive regulation
- Unlike local public schools, BCS is primarily a Boarding School and relies heavily on private donations and self-generated funding. The land uses and campus facilities are totally different from public or private day schools.
- BCS is about to embark on a new Strategic Plan that will move BCS to a new level: the proposed zoning should provide the support and flexibility to accommodate a new Campus masterplan; and also seek to avoid unnecessary delays or conflicts with future approvals.
- BCS includes both land and water-based activities (for example sailing, rowing and outdoor pursuits). It is suggested that the existing Brentwood School docks and water license might be included as an integral part of the Campus in the proposed zone.
- Some of the ancillary rules of the Bylaw (fencing, parking, lighting, signs) are not particularly applicable to this particular land use.

PROPOSAL:

The following represents a draft 'Brentwood' zone, following the same numbering and format as the CVRD Bylaw. These provisions would better reflect the current situation and allow future evolution of the School. It is recognized that the CVRD planning department will want to refine, re-number and re-organize this to mesh with the new Bylaw:

1) ***14.3 P-3 INSTITUTIONAL 3 ZONE***

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the P-3 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the P-3 Zone:

a. Assembly use;

b. Day care facility;

c. Institutional use;

d. Indoor and Outdoor recreation;

e. Personal care facility;

f. Private school, public school, including boarding facilities and accessory staff accommodation;

g. Research and Development Centre

no

h. Any uses permitted in a Water Marina___ zone; except for a Marine Pub, Offices and Retail Sales; Restaurant; and sewage pump out station.

The following accessory uses are permitted in the P-3 Zone:

f. Buildings and structures accessory to a principal permitted use;

X *g. Single family dwelling;*

X *h. Duplex, townhouse or apartment dwelling;*

X *i. Mixed Use development;*

not required, permitted already under definition

j. Other uses accessory to a Private School.

2. Minimum Parcel size

The minimum parcel size in the P-3 Zone is:

a. 0.4 ha for parcels served by a community water system and a community sewer system;

b. 2 ha for parcels not served by community water or community sewer systems.

3. Setbacks

The minimum setbacks for buildings and structures in the P-3 Zone are as follows:

Type of Parcel Line	*Institutional, Residential and Accessory Uses*
Front parcel line	*4.5 metres*
Interior side parcel line	*4.5 metres*
Exterior side parcel line	*4.5 metres*
Rear parcel line	*4.5 metres*
Saanich Inlet and other waterbodies	*15.0 metres from natural boundary* 12

5. Height

In the P-3 Zone, the height of all buildings and structures must not exceed 15 metres.

6. Parcel Coverage Limit

The parcel coverage in the P-3 Zone must not exceed 50% for all buildings and structures.

2) GENERAL REQUIREMENTS

- Fences: allow fences and walls up to 3.6 m at the perimeter of the P3 Zone
- Signage : allow for school signage similar to existing gate signage
- Parking: allow for two parking stalls per classroom; plus 3 stalls per 100m2 for office space; plus minimum of 6 bus parking spaces and allowance for overflow and event parking (on the playing fields).
- Development Permit / Application Information process: collapse this into proposed Brentwood College Masterplan and cross-reference (so that process is not repeated for each individual application and structure.

Ernest Bednarz
788 Ebadora Lane
Malahat BC, V0R 2L0

Lech Kulmacz
875 Whittaker Rd
Malahat, BC

July 22, 2012

Director Mike Walker
Cowichan Valley Regional District
175 Ingram Steet
Duncan BC
V9L 1N8

Re: South Cowichan Official Community Plan - Amendment Request

Dear Director

Further to our meeting on July 16th 2012, am writing you to summarize our discussion and asking for your support in helping staff make the requested amendment to the current draft OCP before it is adopted and solidified.

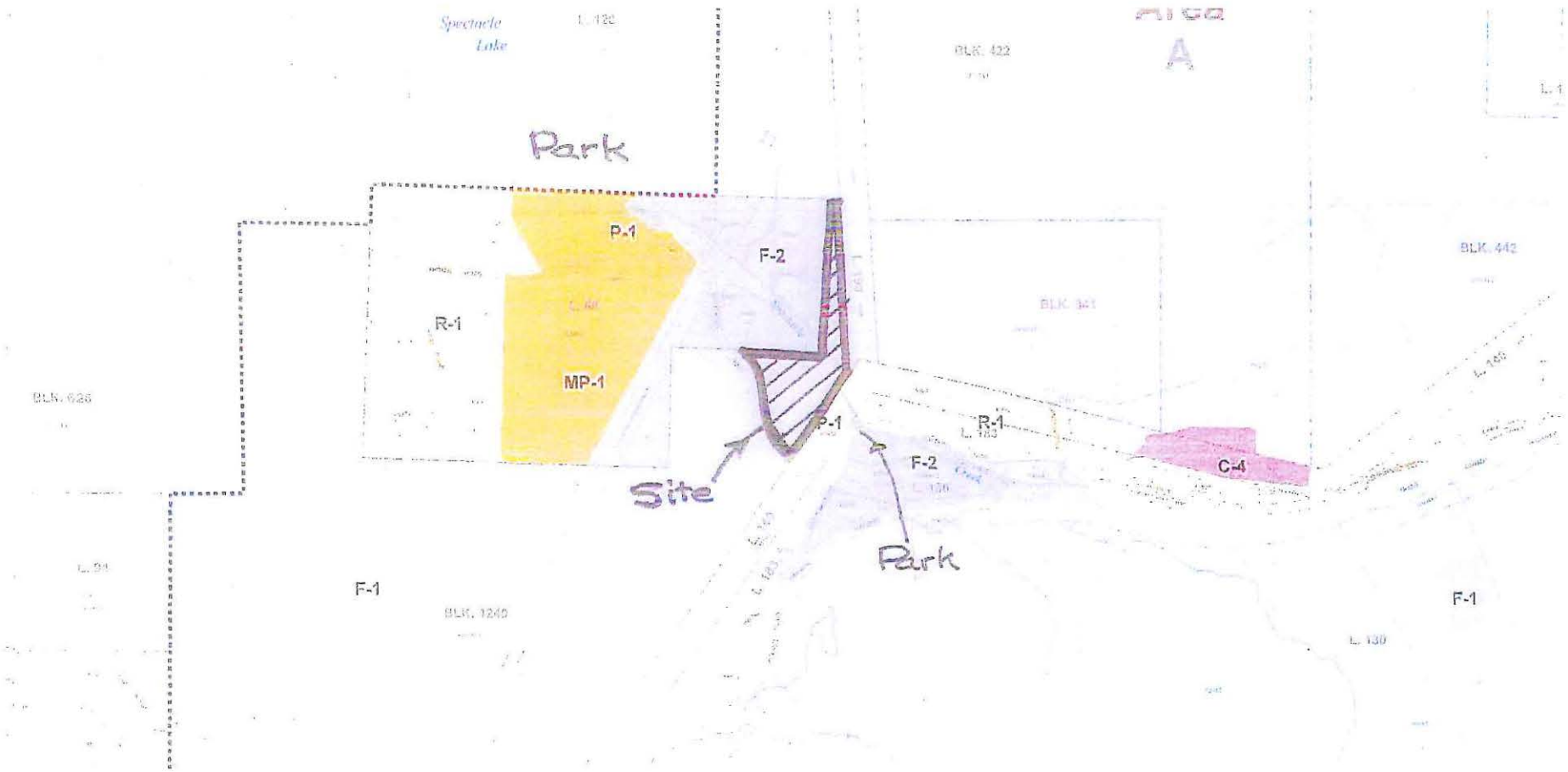
We own a parcel of land. located on Whittaker Road: Lot A, Block 1240, Malahat district, Plan VIP88428 it comprises **6.88 ha**. We are requesting that this property designation within the present draft of the OCP, be changed from R-1 to R-2. I have attached a sketch of the subject site (see attached).

In addition, the effect of the requested re-designation to R-2 would allow the future creation of 3-2 ha + residential lots and allow for a park connectivity corridor, for a trail, between Spectacle Lake Park and the existing park to the south east side of the site on Ebadora Lane. We request this designation revision to the OCP map.

If you have any questions or need further clarification please contact me at (250) 588-1002

Thank you

Ernest Bednarz B.Com Lech Kulmacz


Spectacle Lake
Park
P-1
F-2
R-1
MP-1
Site
P-1
F-2
Park
R-1
C-4
F-1
F-1
BLK. 422
BLK. 441
BLK. 442
BLK. 1240

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FEB 21 2013

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FEB 21 2013

V.I. SPECIALTY ROCKS LTD.

P.O. Box 7000
Saanichton, BC V8M 2C3
Phone: (250) 652-1043
Fax: (250) 652-0571

February 21, 2013

Mr. Mike Tippett
Manager, Community & Regional Planning
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Dear Mr. Tippett:

Following our conversation of yesterday with regard to the rezoning of CVRD Electoral Areas A, B and C, we would like to formally request that our property on Stebbings Road (Lot B, Block 201, Plan VIP81379, Malahat Land District & Blks 287 and 323) be rezoned to RUR-3.

The reason for our request is that we already operate a mine on the property under Permit Q-8-87. This permit we have had since March 2003 and we extract and crush both limestone and granite, from our quarry. We also are engaged in forestry, having planted some 100,000 trees on the property. We should also take this opportunity in suggesting that you do not reduce our height restriction from 15 metres to 10 metres.

Thank you for your consideration of this matter. We remain available for any consultation.

Yours truly
V.I. Specialty Rocks Ltd.

Brian H. Butler
BHB:lds

Mike Tippett

From: Julia & Andy <t7434030@telus.net>
Sent: Friday, February 22, 2013 1:22 PM
To: Mike Tippett
Subject: Fwd: Re: Island Daylily Farm and Gardens rezoning/amendment proposal

Island Daylily Farm
1291 E. Shawnigan Lake Rd.
Shawnigan Lake, BC V0R2W5

www.islanddaylily.ca

---------- Forwarded message ----------
From: bruce@fraserforshawnigan.ca
Date: Feb 21, 2013
Subject: Re: Island Daylily Farm and Gardens rezoning/amendment proposal
To: Julia Brooke <bloom@islanddaylily.ca>

Andy and Julia, I agree that A2 alternative zoning proposed by Mike Tippett appears to allow the necessary leeway for agritourism, but without specifying the exact mix of services that agritourism could entail in your case. I would like to see the zone applied be as specific as possible to your proposed tourism operation so that there are no problems in the future over what is actually permitted. The tourism development that you propose in the immediate vicinity of the South end of Shawnigan Lake is a very desirable economic development initiative and one that is environmentally appropriate, both for the locale and the Shawnigan economy as a whole. We currently lack any significant tourism infrastructure and are therefore lagging behind the rest of the Cowichan Valley Regional District in taking advantage of the tourism draw that is a significant part of the regional economy,now and into the future. The Regional District has on occasion created specific zoning for particular operations that were not envisioned in the basic zoning scheme, the Ecovillage and Elkington Forest being examples in Area B. I will support the alternative that best suits your development as currently planned and will work with the planning department to ensure that this is the case as the OCP Zoning by-law is developed for final approval.

Regards, Bruce Fraser, Director Area B.

On 2013-02-21 07:01, Julia Brooke wrote:
> Hi Bruce. Per our discussion yesterday, I am forwarding to you an
> overview of the issues central to our previous discussions regarding
> rezoning impacts for Island Daylily Farm and Gardens. We would value

> your opinion on the suggestions enclosed in this attachment with
> respect to the creation of a new zone, or amendments to A2 of the new
> OCP. Please review and comment on the attached document, which
> outlines the issues related to the lack of hard wording in support of
> our work to create an Agri-tourism destination in the South End. This
> document, along with your comments, will then be forwarded to Mike
> Tippet of the CVRD, for his consideration in changes or amendments to
> the OCP.
>
>
> With thanks,
>
> Andy Cooke and Julia Brooke
> Island Daylily Farm and Gardens
> 250-733-2082
> bloom@islanddaylily.ca

Island Daylily Farm and Gardens

Proposal for amendment to zoning to allow Agri-tourism and Multi-Cultural Development.

Island Daylily Farm and Gardens, a registered farm with BC Assessment, has been operating for 6 years and has grown to become a destination for gardeners, tourists, and locals during the warm months. We are the largest supplier of daylily cultivars on the island, and from our shade house we sell potted plants to the public, blooms to local chefs (daylily blooms are edible and delicious), and ship many varieties across North America. Created by the owners in a labour of love, our display beds contain hundreds of annual and perennial flowering plants, trees and shrubs; we have over 500 varieties of daylilies alone and are an official display garden sanctioned by the American Hemerocallis Association. During peak season (June, July and August), on any given day, there are tens of thousands of blooms in the gardens. As public awareness has grown of our special location, we have become widely regarded as a destination for an idyllic afternoon spent discovering our terraced garden pathways. With the influx of visitors have come many suggestions and requests for more facilities.

These requests typically include:

- Food Service/Tea House, featuring daylilies and seasonal farm fresh products
- Sanitation Facilities
- Event Venue for temporary community events, receptions, retreats, meetings
- Gift Shop
- Multi-Cultural temporary events: live classical music, theatre, displays of local artists etc.
- Seasonal Events such as Easter and Halloween displays and activities

Tourism is one of the most accessible keystones for local economic development. Studies have shown that the monies generated by tourism, as opposed to typical resource extraction economies, tend to have a much higher impact on a local economy as the dollars generated tend to be re-spent by businesses in the immediate area.

The benefits to Shawnigan Lake, and the surrounding area, of an Agri-tourism themed destination would include jobs, increased tourist spending at local businesses, and economic spin-off to the local economy. Culturally, such a facility could act as a central location to bring the community of the South-end together for seasonal and cultural events.

The CVRD is currently revising its OCP and has proposed zoning the parcel on which Island Daylily Farm and Gardens sits, from F2 to RR1. This is not suitable as it amounts to a downgrade leaving the owners with uninsurable buildings and business risks. An alternative zoning of A2 has been proposed by CVRD staff. Unfortunately, the current proposed zoning regulations do not support the unique combination of permissible uses that would ***specifically*** allow this entity. However, under Island Daylily Farms existing F2 zoning there is so much ambiguity, with conflicting allowances and restrictions, that the proposed property enhancements and facilities ***appear*** not to be prohibited.

Under the proposed A2 zonng for the subject parcel there are allowed principal uses of Agriculture and Horticulture as well as accessory uses, among others, of Farm Gate sales and Agri-tourism which is defined by the proposed 3520 bylaw as follows:

> "Agri-tourism" means a tourist activity, service or facility accessory to land that is classified as a farm under the Assessment Act, provided that the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

This Agri-tourism definition seems to clearly capture the spirit of the proposed uses by allowing "tourist activity, service or facility" but is lacking ***specific*** allowances for the very services and facilities that the public would require at an Agri-tourism destination.

Limitations of existing zoning

1) Only 20 motorized vehicles per day under F2 (although they could be tour buses). No apparent limitation under A2.

2) No *specific* allowance for sanitation, or food preparation and service/Tea House/catering, though there are the words "tourist activity, service or facility" within the Agri-tourism definition that allude to the provision of services and facilities required by tourists. (There have been many occasions where guests have had to walk a considerable distance uphill to use our personal household facilities.)

3) No *specific* allowance for retail/gift shop (not specifically dis-allowed) although it certainly seems to fall under tourist services.

4) No *specific* allowance for the gathering of people (not specifically dis-allowed) for cultural, educational, entertainment or recreational events such as "assembly use"[1] under A2 although it is considered expected that the public would assemble there under "tourist activity". (The Merriam-Webster dictionary defines tourist as: "one that makes a tour for pleasure or culture")

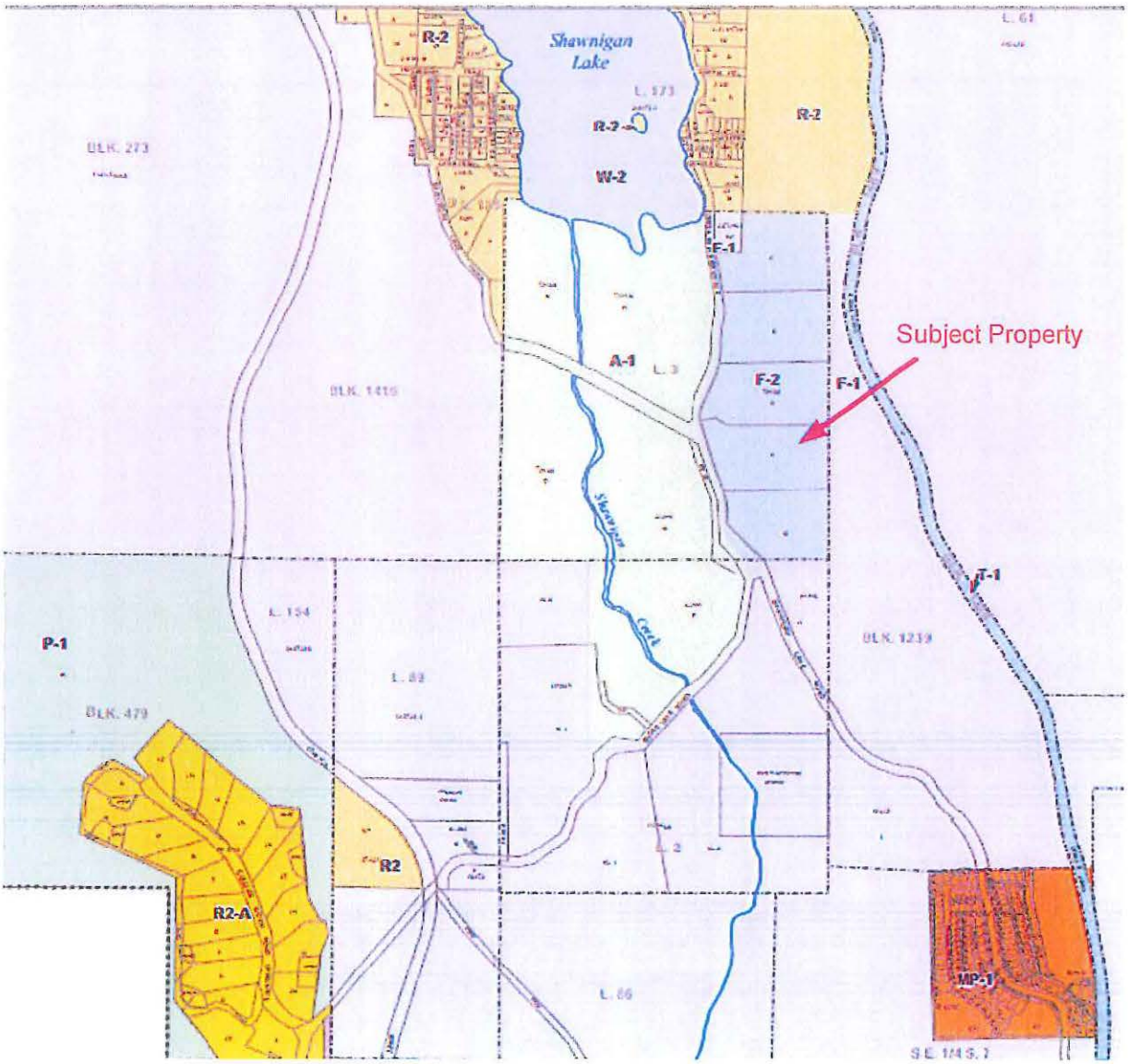
Island Daylily Farm and Gardens would like to see the creation of a zoning, such as Agri-tourism Commercial, as an enhancement to the current and proposed zones. Such a zoning would allow a blending of uses already approved within the district for existing zones, and would support the inclusion of an Agri-tourism Destination and Multi-Cultural Showcase for receptions and the arts.

Alternatively, we would like to see amendments, either to A2 as a whole, or specific to our property, that encompasses the spirit of the current allowances with specific permissions to meet the requirements of Agri-tourists and the greater community.

[1] "Assembly use" means the use of land, buildings or structures to accommodate exhibits, special events or meetings, and includes the gathering of persons for charitable, civic, cultural, educational, entertainment, recreational or religious purposes. (Per the 3520 bylaw wording)

Island Daylily Farm and Gardens is located at 1291 Shawnigan Lake Rd. The gardens have grown to include approximately three central acres of an 11.4 acre parcel surrounded by other, approximately, 10 acre parcels.

Subject parcel is Lot 4, Plan VIP 75938, Malahat District, PID# 025-781-651



Current Zoning is F2 Secondary Forestry with permitted uses as stated in the zoning bylaws per below.

7.6 F-2 ZONE - SECONDARY FORESTRY

(a) Permitted Uses

The following uses and no others are permitted in an F-2 Zone:

(1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;

(2) single family residential dwelling or mobile home;

(3) two single family residential dwellings on parcels 10.0 ha. or larger

(4) agriculture silviculture horticulture;

(5) home occupation – domestic industry;

(6) bed and breakfast accommodation;

(7) secondary suite or small suite.

(b) Conditions of Use

For any parcel in an F-2 zone:

(1) the parcel coverage shall not exceed 30 percent for all buildings and structures;

(2) the height of all buildings and structures shall not exceed 15 metres;

(3) the setbacks for the types of parcel lines set out in Column I of this section are set out for residential and accessory uses in Column II and for agricultural stable and accessory uses in Column III:

COLUMN I Type of Parcel Line	COLUMN II Residential & Accessory Uses	COLUMN III Agricultural Accessory Uses
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

5.11 Home Occupation – Domestic Industry

(a) The home occupation-domestic industry use may only be conducted by a resident on the parcel and may not employ more than two additional non-resident persons on the parcel;

(b) The home occupation-domestic industry use may be conducted within the dwelling unit or within a permitted accessory building;

(c) All articles and/or services sold through a home occupation-domestic industry must be produced or manufactured on site;

(d) Notwithstanding Subsection (c) articles manufactured off site may be sold through a home occupation-domestic industry provided that all storage and distribution of articles will be carried out off site;

(e) The maximum floor area per lot of any permitted accessory building that can be used for home occupation-domestic industry use including office space storage processing or sale shall not exceed 90 sq. m.;

(f) The home occupation-domestic industry use shall not involve the visible exterior storage of any material or equipment used directly or indirectly in the processing sale storage or servicing of any product;

(g) There shall be no variation of the external residential appearance of the land buildings structures nor premises in which the home occupation-domestic industry is carried on;

(h) A home occupation-domestic industry shall not be permitted to have more than one commercial vehicle exceeding three tonnes in vehicle weight located outside of a building or structure;

(i) There shall be no excessive:
- noise;
- traffic;
- vibration;
- smoke;
- dust;
- odour;
- glare;
- electrical interference; or
- use or storage of dangerous materials.

other than that normally associated with residential use.

(j) One non-illuminated sign per parcel shall be permitted and shall not exceed 0.27 sq. m. in area;

(k) Adequate off-street parking shall be provided;

(l) Traffic generated from the home occupation-domestic industry shall not exceed 20 motorized vehicles per day;

(m) Any home occupation-domestic industry must comply with all Regional Provincial and Federal Environmental Protection Regulations;

From Part 4, Basic Provisions

4.4 Except where otherwise specifically stated all uses permitted by this bylaw include those uses accessory to the permitted principal uses and all buildings or structures include all buildings or structures reasonably auxiliary to buildings or structures constructed located or used with respect to permitted principal uses.

Contradictions within the existing and permitted zoning:

According to F2, it allows agriculture, horticulture and silviculture and up to 30% of land can be covered in accessory buildings. According to Home Occupation - Domestic Industry the maximum floor area per lot of any permitted accessory building cannot exceed 90 sq meters.

"bed and breakfast accommodation" means the accessory use of a self-contained dwelling unit for the overnight accommodation of transient paying guests in which only breakfast is served;

Means: I can cook and serve a meal (but only breakfast) in a self contained dwelling unit to transient paying guests

"small suite" means a dwelling unit not exceeding 74 m² (800 sq.ft.) in floor area, with a separate entrance capable of being occupied year round including permanent provisions for living, sleeping, cooking, sanitation, food storage and preparation, separate from a single family dwelling, and may be part of an accessory building;

Means: I can have cooking , sanitation, food storage and preparation area as part of an accessory building **capable** of being occupied year round. The kitchen of which could meet commercial kitchen standards. Someone can rent the "small suite" on a short term basis (weekend) and invite guests. The meal could be prepared on site or catered using the kitchen, thus the service of food to the public.

5.11 Home Occupation – Domestic Industry

(a) The home occupation-domestic industry use may only be conducted by a resident on the parcel and may not employ more than two additional non-resident persons on the parcel;

(b) The home occupation-domestic industry use may be conducted within the dwelling unit or within a permitted accessory building;

(c) All articles and/or services sold through a home occupation-domestic industry must be produced or manufactured on site;

(d) Notwithstanding Subsection (c) articles manufactured off site may be sold through a home occupation-domestic industry provided that all storage and distribution of articles will be carried out off site;

Means: a service, such as catering or food service, could be carried on in a permitted accessory building (small suite) by the residents of the property and two employees. I can also have a gift store of things "produced or manufactured on site" which allows for the slight alteration of, and renaming of any items for re-selling.

The problem under F2 is that none of the facilities and services are specifically allowed or supported.

The proposed A2 zoning under the OCP is summarized as:

9.2 A-2 SMALL LOT AGRICULTURAL 2 ZONE

Subject to compliance with the general regulations set out in Parts 4, 5, 6 and 7 of this Bylaw, the following regulations apply in the A-2 Zone.

1. Permitted Uses

The following principal uses and no others are permitted in the A-2 Zone:

a. Agriculture, horticulture, silviculture, turf farm, fish farm, equestrian arena, boarding stable;
b. Single family dwelling;

The following accessory uses are permitted in the A-2 Zone:

c. Secondary suite or accessory dwelling unit;
d. Bed and breakfast accommodation;
e. Agri-tourism;
f. Farm gate sales;
g. Home-based business.

2. Minimum Parcel Size

The minimum parcel area in the A-2 Zone is 2 hectares.

3. Number of Dwellings

One dwelling is permitted per parcel in the A-2 Zone.

4. Setbacks

The following minimum setbacks for buildings and structures apply in the A-2 Zone:

Type of Parcel Line	Agricultural and Accessory Uses	Residential and Accessory Uses	Kennel Use
Front parcel line	15 metres	7.5 metres	45 m
Interior side parcel line	15 metres	3 metres	45 m
Exterior side parcel line	15 metres	4.5 metres	45 m
Rear parcel line	15 metres	7.5 metres	45 m

5. Height

In the A-2 Zone, the height of all principal buildings and structures shall not exceed 10 metres and the height of all accessory buildings shall not exceed 7.5 metres.

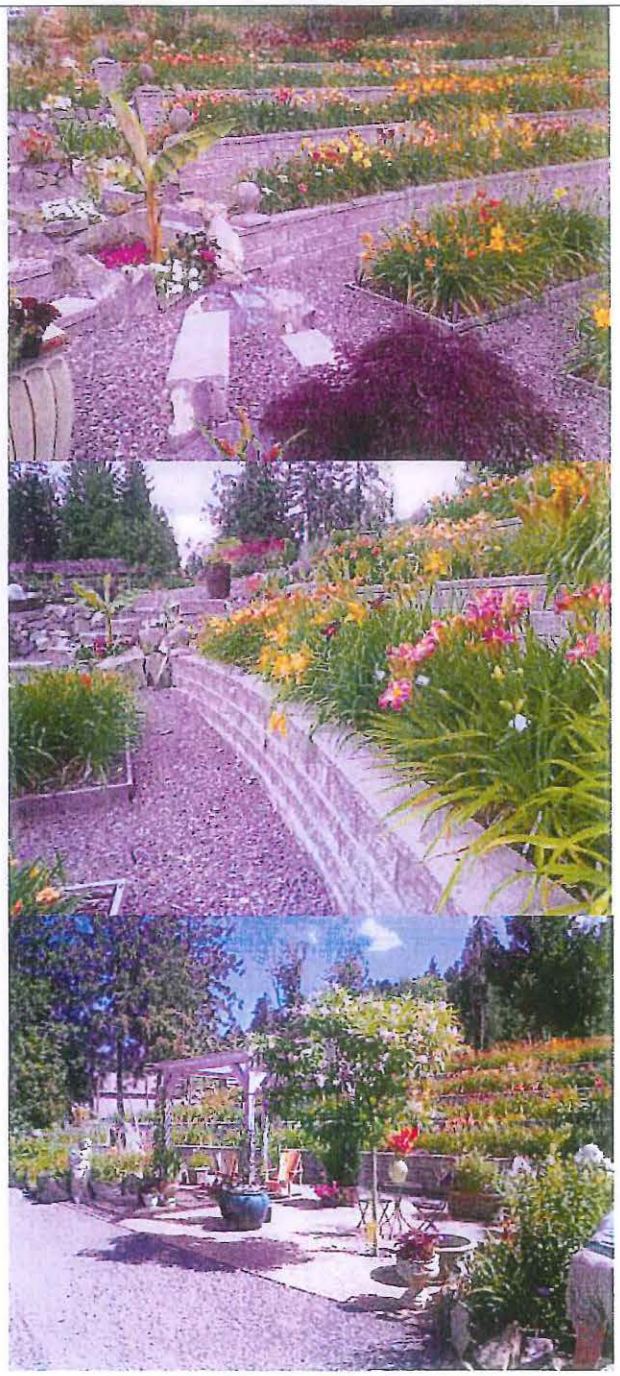
6. Parcel Coverage

The parcel coverage in the A-2 Zone shall not exceed 30 percent or 500 m^2, whichever is less, for all buildings and structures, and may be increased by an additional 20% of site area for the purpose of constructing greenhouses.

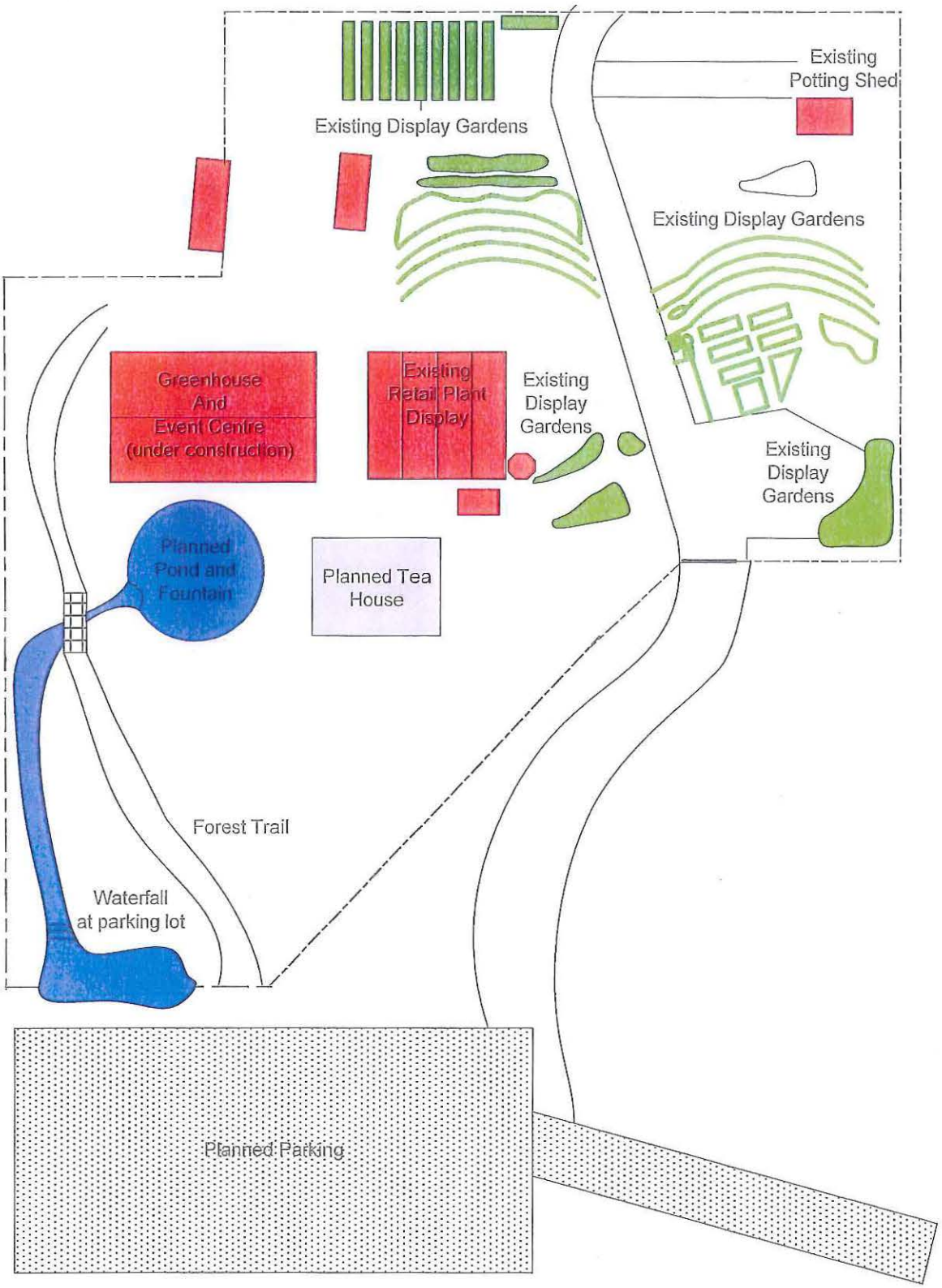
Again, the spirit of the zoning appears to support all of the services and facilities required for an Agri-tourism destination through allusion. We would prefer solid written support and acknowledgement that our plans for use of the property align with those of the CVRD and local APC.

Island Daylily Farm and Gardens

Featuring over 500 varieties of daylilies, trees and flowering shrubs displayed in a terraced hillside setting. In our sixth year of operation, we receive hundreds of visitors each year and have been asked on numerous occasions if we have plans for enhanced tourist services, or if we can hold functions such as receptions and cultural events.



Overview plan of Island Daylily Farm and Gardens with Event Centre, parking, Tea House, waterfall and fountain



From the official Province of BC website: (in part)

Down on the Farm: Agritourism in BC

http://travelmedia.hellobc.com/stories/down-on-the-farm--agritourism-in-bc.aspx?feed=TravelMediaStories

(Note: Not a mention of Shawnigan Lake)

The Cowichan Valley: The Cowichan people call it "The Warm Land," and with good reason: the fertile hillsides of southern Vancouver Island's Cowichan Valley, as well as the nearby Saanich Peninsula and Southern Gulf Islands, soak up the sun, creating Canada's longest growing season and ideal conditions for vineyards, orchards and small organic farms. Here, you'll also find a dedicated group of farmers, chefs and winemakers, and at its centre is the bucolic village of Cowichan Bay, named North America's first Cittaslow, or "Slow Community," by the International Slow Food Movement.

Vegetable stands, cheesemakers and farmers markets all thrive in the area. Time your visit for a Saturday and you can stock up on produce, crafts and specialty foods at the farmers market in the town of Duncan. Nearby Salt Spring Island is home to several wineries, cheese makers and organic farms, as well as the renowned Salt Spring Island Market in the Park, where everything sold is made or grown on the island. The Saanich Peninsula, a short drive or ferry hop from Cowichan or Salt Spring, is probably best-known as the home of Butchart Gardens, but organic farms, wineries and several tasty restaurants flourish here, too.

From: (in part) http://torc.linkbc.ca/torc/downs1/agritourism[1].pdf

Agritourism Market and Product Development Status Report

Prepared for British Columbia Ministry of Agriculture, Fisheries and Food &Ministry of Small Business, Tourism and Culture

Planning For Agritourism's Benefits

While agritourism and other forms of related value added processing are seen by both the farming community and government as diversification options for maintaining business viability in the agricultural sector, the potential advantages associated with developing this industrial sector extend much further. More specifically benefits can be linked to the individual farmer, the local community, and the tourism industry as a whole. Farming advantages associated with agritourism include developing new consumer market niches, increasing awareness of local agricultural products, creating greater appreciation of the importance of maintaining agricultural land uses, providing farm family members with on-site employment opportunities, and strengthening the long term sustainability for farm businesses. For rural communities and regions, agritourism can be a vehicle for diversifying and stabilising rural economies by: creating jobs and increasing community income; providing a broader market base for local businesses; and attracting other businesses and small industries. From a tourism viewpoint, agritourism can be a means of diversifying the mix of tourism products and services available to visitors and uniquely positioning rural regions and communities for tourism markets. Given these potential benefits as well as possible costs, it is imperative that the proponents of agritourism development take a proactive role in planning and managing the development of this form of diversification. In this regard, there are important lessons to be learned from other jurisdictions and operations.

Lessons From Other Jurisdictions

Based on the experiences of public and private sector organizations in other parts of Canada, the United States, Europe and Australia, it is apparent that many regions have developed innovative policies and programmes designed to encourage the development of agritourism and value-added processing activities. These initiatives have involved a combination of: agricultural policy measures aimed specifically at

strengthening the sustainability of farm based agritourism; regional marketing support programs aimed at encouraging tourists to experience farm products and services in rural communities; and development programs focussed on building the capacity of farmers to create and professionally manage agritourism facilities and activities. Key lessons emanating from those initiatives point to the strategic importance of: co-ordinating and linking agricultural and tourism policies and programs; establishing supportive organisational structures and processes; promoting product quality and brand awareness; establishing flexible but high standards of operations and facility development; promoting local involvement and alliances; facilitating local product development and marketing; and creating policies reflective of the diverse character of agritourism operations and facilities.

Product Development Opportunities

Based on a review of other operations, a wide array of innovative products and services can be added to the portfolio of BC's existing agritourism products and services. These include but are not limited to: building edu-tainment opportunities with schools; tapping into business markets; incorporating farm stores, farm stands and high-end gift shops into farm direct marketing operations; conducting on-site festivals; and transforming portions farm sites into destination areas. Success in sustaining such operations is dependent on not only locational factors (such as access to major travel routes and urban markets), but more managerial factors such as the capacity of the farmer and farm operation to accommodate the demands of agritourism visitors; the farmer's advertising and marketing skills; and the farmer's financial commitment to agritourism product development and service delivery.

Contact information for Island Daylily Farm and Gardens

Andy Cooke and Julia Brooke: Owners

Phone: 250-733-2082

Toll Free: 888-265-5757

Email: bloom@islanddaylily.ca

Website: http://www.islanddaylily.ca

C·V·R·D

R15

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 5, 2013

DATE: February 28, 2013 FILE NO:

FROM: Tom Anderson, General Manager BYLAW NO:

SUBJECT: Cell Tower Protocol/Policy

Recommendation/Action:
Direction of the Committee is requested.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: *(Reviewed by Finance Division: N/A)*

Background:
The following motion was passed at the February 5, 2013 Electoral Area Services Committee Meeting:

> **That staff be directed to contact the City of Vancouver to request a copy of their policy respecting cell tower protocol, and that their policy, along with previous samples acquired from various other local government jurisdictions, be included in a staff report to an upcoming EASC meeting for discussion.**

Pursuant to this motion, staff contacted the City of Vancouver and requested information on their process for approving cell tower developments. City staff indicated that cell antennae applications are evaluated by planning staff based on zoning, development permit and building permit regulations, as described in the attached Appendix 1 document titled "Antennas-Municipal Consultation on Non-Broadcasting Antennas and Antenna Supporting Structures". In addition, cell tower development is guided by the attached document titled "Antennas (Non-Residential Installations) - Review Process and Design Issues", which includes design principles and considerations for antennae development. As applications are evaluated on a case-by-case basis, the design principles within the above-referenced document are only applied where they would be appropriate to the subject site.

Furthermore, City of Vancouver staff noted that the context within which they evaluate cell tower applications is quite different from the Regional District's context, in that most of the applications they receive are for antennae on very tall, existing buildings within an urban environment.

Staff also requested cell tower policy information from the Capital Regional District, the Comox Valley Regional District, the Regional District of Nanaimo and the Alberni-Clayoquot Regional District, all of which handle cell tower applications using Industry Canada's default procedure. These jurisdictions do not have in-house policies regarding cell tower development.

The following motion was passed at the August 2, 2011 Electoral Area Services Committee:

> **That staff prepare a draft protocol for citing cell phone towers and once prepared, report back to the EASC.**

Pursuant to this motion, staff conducted research on cell tower policies in other local government jurisdictions, and compiled the following information:

In order to provide some context for what these protocols entail, Industry Canada has produced a "Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols" which is attached as Appendix 2 to this report.

In addition, attached under Appendix 3, are samples of protocols that have been instituted by other local government jurisdictions within BC. Surprisingly, there were actually very few existing local government protocols found. Surprising, because cell towers have been a thorny issue for local governments for many years and one would think that there would have been plentiful. Here are three for Committee reference:

District of Saanich

Their Policy basically requires that any antenna that is not exempt under their policy will be forwarded to the Director of Planning who will refer it to their Engineering and Parks Departments for comment. From there, a report will be drafted to Council with a recommendation to support, not support or support with conditions. Adjacent property owners are to be notified of the meeting that the report is to be considered by Council.

Please note that the District of Saanich recently embarked on a legal review of their policy, as it has come to light that, following changes to Federal Government regulation, it may no longer comply with the Federal Government's amended consultation process.

City of Kelowna

In short, the City of Kelowna Policy designates the staff member that shall respond to any applications made to the City and that the City defaults to the Industry Canada Public Consultation Process.

City of Colwood

The City has a Policy which outlines a fairly comprehensive and extensive process which requires the applicant address not only the visual impacts but also discuss and address the potential affects that such "devices" are purported to have on human health. The Policy also outlines an extensive Community Consultation Process that is required prior to Council consideration of any application. It is our understanding that this policy was used as a template by the District of Metchosin for their policy.

While the direction from the EASC was for staff to present a draft protocol to the Committee, given the range of protocols attached, some direction of how the Committee would like our protocol/policy to be structured would be appreciated before staff undertakes that initiative.

Submitted by,

Tom Anderson, MCIP, RPP
General Manager
Planning & Development Department

TA/ca
Attachments

APPENDIX 1

City of Vancouver 453 West 12th Avenue, Vancouver, British Columbia V5Y 1V4 (604) 873 - 7344 Fax (604) 873 - 7060

ANTENNAS - MUNICIPAL CONSULTATION ON NON-BROADCASTING ANTENNAS AND ANTENNA SUPPORTING STRUCTURES

Authority - Director of Planning
Effective October 15, 1990
Amended February 28, 1995

Effective October 15, 1990, the Federal Department of Communications has amended their licensing procedures to offer municipal authorities an opportunity to make known their views regarding the erection of a new or modification of an existing antenna structure.

The Department of Communications is encouraging applicants for radio authorizations, as well as those parties installing or modifying antenna structures for licence exempted stations, to notify or consult with municipalities' land-use authorities within whose boundaries antenna structures may be constructed. Procedures have been developed that would effectively require this as a step in the licensing process for many stations.

Section 10.27 "Antennae" of the Zoning and Development By-Law states that, "Except as exempted by the provisions of 5.16 (antenna used for residential purposes), no person shall erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning".

The Planning Department's role is to consider the implications of the proposed antenna structure through a development application and make known to the applicant its views, and those of the individual citizens it represents. Should the response be negative, the Planning Department is responsible for providing its written objections to the local Department of Communications district office.

This new process ensures that municipalities have the opportunity to evaluate the applicant's proposed facilities in advance. If no agreement can be reached between the applicant and the municipality, the Department of Communications will, within the context of the federal jurisdiction to regulate radio-communications, take the municipal as well as the applicant's concerns into account during its authorization process.

Should you have additional questions, contact the Department of Communications District Office for further explanation, as noted below.

Lower Mainland District Office
District Manager
Downtown Location:
Suite 1700, 800 Burrard Street
Vancouver, B.C.
V6Z 2J7
(604) 666-5468

City of Vancouver *Planning - By-law Administration Bulletins*
Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7000 fax 604.873.7060
planning@vancouver.ca

ANTENNAS (NON-RESIDENTIAL INSTALLATIONS) - REVIEW PROCESS AND DESIGN ISSUES

Authority - Director of Planning
Effective June 9, 2010

1 Application and Intent

Section 10.27 of the Zoning and Development By-Law states:

"Except as exempted by the provisions of 5.16 (antenna used for residential purposes), no person shall erect an antenna, including a satellite dish, without first obtaining a development permit from the Director of Planning".

This By-law Administration Bulletin is to be used in conjunction with those District Schedules of the Zoning and Development By-law, and Official Development Plans, which permit the erection of non-residential antenna systems.

The Bulletin summarizes the consultation and review processes necessary to obtain the City's concurrence for any non-residential antenna installation. It is also intended to help improve the design appearance of these installations, and reduce visual impacts on surrounding property owners and residents.

It is the legal responsibility of the property owner to obtain, or to ensure that others obtain, the necessary City permits for any work done to their property. Property owners should consult with the City of Vancouver before installing, or allowing others to install, any antennas for non-residential purposes.

2 Consultation and Process

2.1 General

Proponents should contact Development Services to discuss any proposed antenna installation or modification. Staff will determine whether the proposed installation is an Outright or Conditional use according to the zoning regulations for the site.

2.2 Outright and Conditional Uses

Depending on their specific purpose, non-residential antennas will generally be classified as either a Public Utility use or a Radiocommunication Station under the Zoning and Development By-Law.

Radiocommunication Station is an Outright use in many Industrial zones and a Conditional use in many Commercial zones. Public Utility use is a Conditional use in all zoning districts and Official Development Plans in the City of Vancouver. If you are unsure of the zoning or use issues with respect to a specific installation or site, please contact the Enquiry Centre of Development Services.

Outright uses: Under the provisions of the Zoning and Development By-Law, Outright uses are approvable subject to compliance with regulations only (e.g. height, yards, etc.). Applicants should refer to the relevant District Schedule for the applicable regulations.

Conditional uses: In addition to compliance with regulations, Conditional uses require the discretionary review of the Director of Planning. In considering any Conditional use, the Director of Planning is required to consider impacts on surrounding residents, as well as a range of urban and architectural design issues. Notification of surrounding property owners by letter may be undertaken if impacts are considered significant.

2.3 Consultation and Processing

Outright uses: If the use is Outright under the relevant District Schedule and if the installation meets all regulations of the Schedule, an application for a combined Development Building Permit may be made.

In this approval stream, Planning issues can be cleared at the time of application, and the application is then forwarded to the Building Group. The Building Group will review the antenna installation for compliance with the Vancouver Building Bylaw. Structural letters of assurance from a Professional Engineer registered in the Province of British Columbia will be required.

The issuance of a combined Development Building Permit will indicate the City's concurrence with the proposed installation.

Conditional uses: If the use is Conditional, or if any relaxation of zoning regulations is required, proponents will be asked to meet with a Development Planner to discuss the proposal.

If Planning issues or concerns can be resolved through this discussion, and if the City concludes that additional consultation with surrounding property owners is not required, the combined Development Building Permit process may also be used.

For situations where Planning issues cannot be resolved through a simple discussion process, or in those instances where the City determines that direct consultation with affected property owners is required, separate Development Permit and Building Permit applications will be required. The City will undertake formal notification of affected property owners as part of the Development Permit process.

Issuance of separate Development and Building Permits will indicate the City's concurrence with the proposed installation.

3. Design Issues

3.1 General Design Concerns

Design concerns often come under one of three main categories:

a) Impacts on specific property owners or tenants

This includes impacts on views, and the visibility and general appearance of installations as seen from surrounding properties and suites.

b) Impacts on building design

This involves a determination of how the proposed installation impacts the architectural design of the building on which it is located (or the design of a tower if the installation is free standing).

c) General urban design concerns

This is a review of any impact on the general public realm, streetscape, or overall urban environment.

3.2 Design Principles and Considerations

While every installation is different, the following design principles may be helpful in achieving an acceptable design and should be carefully considered:

a) Avoid mounting antennas directly on major building faces.

Mounting an antenna on a major exterior wall can have a negative impact on the architectural expression of a building, and often also increases its visibility.

Antennas are generally best located in areas set back from the outer wall of the building, so as to reduce visibility from the street and not interfere with the architectural expression of the building.

Rather than mounting antennas on a major exterior wall, one commonly approvable option is to flush-mount panel antennas on the face of an existing mechanical penthouse, set back from the main exterior wall, and to paint the antennas to match the background wall colour.

Cable trays should generally not be run up the exterior faces of buildings.

b) Avoid the 'skylining' of antennas.

Individual antennas should not project above the height of the wall face they are mounted on, in order to avoid visual clutter. This also applies when antennas are mounted on mechanical penthouse walls.

If an antenna height significantly above the height of the existing building is necessary, an alternate location or other building in the vicinity may be preferable. See also item (c) below.

Antenna installations on pitched roofs are generally not acceptable.

c) Shrouding of antennas can be an option in some cases.

If antennas must project a small distance above the height of a mechanical penthouse, or must be mounted within a flat roof area, shrouding may be an option. In some cases a small addition (vertical or horizontal) to an existing mechanical penthouse may be possible, subject to view impacts on surrounding development.

In some cases it may be appropriate to surface mount the antennas directly on the shroud form – for example, where there is a small increase to the height of an existing mechanical penthouse. In other cases it may be preferable to construct the shroud form out of a material transparent to the signal waves, and conceal the antennas within the shroud structure. Solutions are often unique to the particular design circumstance being faced, and a high degree of creativity is sometimes necessary.

In a small number of cases, other shroud forms, such as 'chimney forms' or additional parapets, have been considered. However, shroud design must always be compatible with, and sympathetic to, the individual design character of the building. Achieving a reasonable and attractive overall expression for the building will be the dominant concern. The size, design, and number of shrouds are all important issues to consider.

d) Antennas or their shrouds should be finished in a colour to suit their location.

Colour will vary depending on the context and the design approach taken. Shroud material may also vary depending on the design approach.

e) Not all buildings are suitable for cell antenna installations.

Some buildings may already have a large number of antennas, and additional installations may not be possible without negatively impacting the appearance of the building or affecting views.

Buildings listed on the Vancouver Heritage Register require special attention, and may not be appropriate for any installations.

Some buildings may also, because of a particular architectural style or design quality, not be appropriate for antenna installations.

f) Equipment visibility should be limited.

Small amounts of equipment (cabinets) may be mountable on the flat roof of a larger building, adjacent to an existing mechanical penthouse and located in a manner to limit visibility from surrounding buildings. For larger installations however, locating the equipment within the building (in an existing mechanical space for example, or in the basement) may be expected.

g) Freestanding towers for antennas may not be approvable in or near residential and commercial areas, and will require a full Development Application in all circumstances.

Freestanding towers are generally limited to Industrial areas, or other less controversial locations. Architectural design considerations should play a large part in any freestanding tower proposals.

APPENDIX 2

Industry Canada Industrie Canada

Issue 1
January 2008

Spectrum Management and Telecommunications

Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols

Aussi disponible en français

Canada

426

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1. Introduction

This guide is intended to assist Land-use Authorities (LUA) in ensuring effective local participation in decisions with respect to proposed antennas and their supporting structures within their communities. For the purposes of this guide, an LUA means any local authority that governs land-use issues and includes a municipality, town council, regional commission, development authority, township board, band council or other similar body. This guide complements Industry Canada's publication Client Procedures Circular 2-0-03, Issue 4, entitled *Radiocommunication and Broadcasting Antenna Systems* (CPC-2-0-03). For this reason, LUAs are encouraged to consult CPC-2-0-03 to better understand their roles and responsibilities as well as those of anyone planning to install or modify a radiocommunication or broadcasting antenna system (referred to as a "proponent").

This guide specifically addresses two areas:

- **Participation Process:** The LUA's role in effectively participating and influencing decisions with respect to proposed antenna systems within Industry Canada's antenna siting procedures. Industry Canada believes that antenna siting protocols jointly developed between proponents and LUAs can supplement the Department's antenna siting procedures while at the same time have a higher degree of acceptance and compliance.

- **Local Protocol Development:** Elements that LUAs might wish to include when developing protocols with proponents of antenna systems.

The federal Minister of Industry has the authority under the *Radiocommunication Act*, to issue radio authorizations, to approve each site on which antenna systems installations (referred to as "antenna systems" or "installations") may be located, and to approve the erection of all masts, towers and other antenna-supporting structures. Industry Canada's role includes ensuring the orderly development and efficient operation of radiocommunications in Canada. In this regard, Industry Canada considers that the LUA's and local residents' questions, comments and concerns are important elements to be considered by a proponent seeking to install, or make major modifications to, an antenna system.

The continual demand from Canadians who wish to benefit from the most advanced wireless communication features available, whether at home or at the office, has resulted in the growth and advancement of wireless technologies. Antenna systems are an essential component in providing wireless services and must be installed on towers, buildings or other supporting structures. Both antennas and the structures that support them are an integral part of the wireless network and they provide the radio coverage the public and safety services need. With advancements in radiocommunication and the growing demand for high-speed wireless access, communities in Canada either are experiencing, or will soon experience, deployment of these services.

LUAs, because of their local knowledge, are very well qualified to explain to proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of their area. By working together, LUAs and proponents can find solutions which address reasonable and relevant concerns, or, as an option, alternative antenna system siting arrangements. Accordingly, Industry Canada encourages LUAs to develop local protocols to manage the process of identifying their concerns, as well as those of the residents they represent, regarding antenna installations. Protocols can assist proponents who are planning to modify or install antennas and supporting structures, while at the same time give due

consideration to local land-use plans, publicly sensitive areas and specific environmentally sensitive areas.

For the purpose of this document, Industry Canada will refer to any written local guideline, policy or process that addresses the issue of antenna placement as a "protocol". Cooperation between LUAs and proponents through clear and reasonable protocols can result in the development of new and enhanced wireless services in a community friendly manner.

Industry Canada[1] is available to assist in the creation of local land-use protocols for antenna system installations.

2. Participation Process

There are a number of steps typically involved when a proponent chooses a site for their antenna system installation, one of which is, unless specifically excluded under Industry Canada's process, consulting with the LUA. The residents and businesses in an LUA's area look to their LUA to provide local knowledge, experience and leadership. Through its participation, the LUA can effectively ensure that any questions, comments or concerns that they or their local community may have, are appropriately addressed by the proponent in the antenna system site selection process.

The subsections that follow suggest various aspects that an LUA may want to take into consideration when developing antenna siting protocols. Protocols are an effective means for an LUA to convey its preferences as well as those of the community it represents, to antenna system proponents.

2.1 Placement of Antenna System

Before a proponent approaches an LUA it has most likely given careful consideration to various antenna system placement options, including using existing structures such as building rooftops and water towers to minimize the impact on the local community. Radiocommunication antennas need to be strategically located to satisfy specific technical criteria and operational requirements. Therefore, there is a limited measure of flexibility in the placement of antennas and proponents are constrained to some degree by:

- the need to achieve the required radiocommunication coverage, often in response to public demand;
- the availability and physical limitations of nearby existing structures (towers, rooftops, water towers, etc.) to accommodate additional antennas; and
- the securing of lease agreements to permit access to an existing structure.

Consequently, the LUA's or the public's preferred location for siting an antenna installation may not always be feasible.

LUAs are encouraged to develop protocols that are clear and within their area of responsibility while not

[1] Please refer to Radiocommunication Information Circular 66 (RIC-66) for a list of addresses and telephone numbers for Industry Canada's regional and district offices. RIC-66 is available via the Internet at: http://ic.gc.ca/epic/internet/insmt-gst.nsf/en/sf01742e.html.

being more burdensome for proponents than the processes and responsibilities set out in CPC-2-0-03. Protocols can include promoting the placement of antennas in optimal locations from a land-use point of view, or excluding certain lands and rooftops from protocol requirements. Through protocols, an LUA can highlight local knowledge and expertise related to area sensitivities, including local environmental or cultural impact and land-use compatibility. Protocols can recognize local amenities and planning priorities while expediting the planning and approvals necessary for the installation of radiocommunication and broadcasting antenna systems.

2.2 Use of Existing Infrastructures (Sharing)

The installation of a new antenna structure may at times evoke sensitivity by the local community. As such, Industry Canada requires proponents to use existing towers or infrastructure (such as rooftops, water towers, utility poles etc.). This is intended to minimize the proliferation of antenna systems. However, it is important to note that technical constraints (such as: the need to achieve certain radiocommunication coverage; frequency reuse; equipment isolation issues; etc.) may prevent a proponent from using an existing structure.

2.3 Preliminary Consultation

LUAs may wish to include in their protocols a mechanism for preliminary consultation. This would allow the proponent, before making any site selection decisions, to inform the LUA of its plans. Also, this initial contact allows a proponent to determine whether an LUA has a protocol in place regarding antenna system installations preferences. Within its own process, Industry Canada considers written formal contact as marking the official commencement of its 120-day consultation process between the LUA and the proponent.

With a protocol in place, this initial contact allows the LUA an excellent opportunity to quickly:

- inform the proponent of established and documented local requirements and consultation procedures;
- advise the proponent of historic and environmental land-use sensitivities;
- provide guidance and preferences to the proponent on the various possible areas and sites to be considered;
- indicate its preferences; and
- provide information concerning any aesthetic or landscaping preferences.

2.4 Involving Nearby Residents

Local public consultation offers a forum for residents located nearby to the proposed installation to make comments, ask questions or raise concerns relating to the proposed antenna system installation. This is an opportunity for local residents and the LUA to make the proponent aware of local considerations and, in so doing, influence the siting of the proposal.

Industry Canada's own process recognizes two possible public consultation scenarios:

1. The LUA can set the format of public consultation in their protocol. This could identify situations that require public consultation and those that specifically do not.

2. If an LUA's protocol is silent on the issue of public consultation, or if there is no protocol, then the proponent will be required to follow Industry Canada's default public consultation process

.

However, it is important to note that an LUA is in an ideal position when developing a public consultation process because of its local experience and knowledge. For this reason the Department encourages LUAs to include public consultation as part of their processes. The LUA, as the representative of the local community, can assist and guide proponents to conduct meaningful consultation by establishing reasonable and timely protocols which ensure local land-use concerns are appropriately addressed.

2.5 Responding to Consultation

Even in the case where the LUA does not have a local protocol, the LUA should take the opportunity established under Industry Canada's procedures to examine carefully the details of the proponent's proposal. During its examination of the proposal, an LUA may ask the proponent for additional information so as to determine whether there are any local land-use or public concerns. As part of the discussions, the LUA can engage the proponent by suggesting reasonable alternatives and/or mitigation measures that would address any questions, comments or concerns.

To maximize the benefit of this consultation process, both parties have to consider each other's requirements and constraints so they can work effectively together. In so doing, solutions can be reached that will minimize the impact of the proposed structure on the local surroundings, while at the same time take into consideration each other's interests.

2.6 Concluding Consultation

Industry Canada advises that an LUA's protocol should include a mechanism for issuing a formal concurrence to mark the end of the consultation with the proponent. This may take the form of a formal decision by a designated official, relevant committee or other formal means, such as town council minutes. If an LUA chooses such a mechanism as the issuance of a building permit as the means of concurrence, then the protocol should indicate this.

Where the proponent has met the public consultation requirements either through the LUA's or Industry Canada's default process and the LUA or the public does not formally communicate any concerns to the proponent about their proposal, Industry Canada will deem that the land-use authority and the public have no objections.

2.7 Impasse Negotiations - Dispute Resolution Process

When developing protocols, LUAs should consider the means by which disputes will be resolved, ensuring that they are appropriate for the local community. By documenting this process, all stakeholders will understand their roles and responsibilities as well as the process under which disputes will be resolved. Industry Canada generally favours a process whereby the proponent, the local public and the LUA work toward a solution which takes into consideration each other's interests. Where an LUA or a proponent feels it may be helpful to do so, it may engage Industry Canada in an effort to move the discussions forward. Under Industry Canada procedures, where either party (the LUA or proponent) believes that discussions have reached an impasse it can formally request departmental intervention

concerning a reasonable and relevant concern. It is anticipated that this will occur on very rare occasions.

LUAs may wish to consider incorporating alternate dispute resolution options into their protocols. Many alternate dispute resolution processes are interest-based rather than regulatory in nature. Therefore, the parties are more likely to find a mutually beneficial resolution.

2.8 A Timely Process

To avoid unnecessary delays, Industry Canada's process indicated that the LUAs are normally expected to conclude the consultation process within 120 days from the receipt of the formal consultation request. Accordingly, when developing protocols, LUAs should not exceed these timelines.

3. Local Protocol Guide Development

3.1 Protocol Principles

The following set of considerations and suggested principles may serve as a guide to LUAs developing protocols that respectfully balance local land-use interests with bringing enhanced wireless telecommunications services to the local community. The protocol should address the following:

- Information to proponents describing:
  - areas of historic or environmental importance to the community and the need to minimize the impact of the proposal on these areas; and
  - local preferences for antenna siting.

- Incentives to encourage aesthetically pleasing structures, to minimize their visual impact on the local surroundings.
- Exclusions which may build upon those established by Industry Canada (CPC-2-0-03, Section 6) but do not restrict them.
- Public consultation requirements which Industry Canada believes should be proportional to the proposal and its impact on the local surrounding. LUAs may wish to consider establishing a two-track process:
  - a streamlined concurrence process for proposals of little interest to the local community such as new sites in industrial areas, and
  - a process that includes broader public consultation for non-excluded structures likely to be of interest to the local community, such as, the construction of new towers.
- The protocol should establish a reasonable processing timeline for proposals submitted to the LUA for concurrence which respects the timelines established in CPC-2-0-03.

3.2 General Protocol Template

The following elements are provided to aid LUAs in developing protocols dealing with antenna system installations:

Objectives:

A short discussion on the overall objectives of the local protocol.

Jurisdiction:

A discussion of the LUA's responsibilities and obligations in safeguarding legitimate concerns regarding local land-use. Also, the role and responsibility of Industry Canada and the authority granted under the *Radiocommunication Act* to approve the location of radiocommunication facilities.

Consultation with the LUA:

This may include:

- criteria for excluding additional antenna systems, other than those listed in the CPC, from LUA consultation;
- list of all documents and drawings that the proponent must submit;
- processing and administrative fees;
- the means by which the LUA will indicate concurrence; and
- process time frames, that respect those established by CPC-2-0-03.

Excluded antenna structures (i.e. do not require consultation):

Industry Canada believes that not all antenna systems should be subject to a full land-use or public consultation process. Subjecting all antenna system proposals to the full consultation process would place an unnecessary and significant administrative burden on proponents, the LUA and the local public. Under Industry Canada's process, certain proposals are considered to have minimal impact on the local surroundings and so are excluded from public and land-use consultation. Industry Canada believes that consultation requirements should be proportional to the potential impact of the proposal, as viewed by the community. When establishing a local protocol, LUAs should consider the types of proposals that have minimal impact and so would warrant exemption from land-use and/or public consultation. It should be noted that any exclusion criteria established by the LUA can only augment those established under Industry Canada's Exclusion List (CPC-2-0-03, Section 6).

Antenna structures not excluded (i.e. subject to full consultation requirements):

LUAs may wish to consider the following when developing consultation protocols:

- for new structures exceeding a specified height, an LUA may identify preferred criteria for antenna structure siting;
- whether to encourage the placement of new towers in commercial, industrial/agricultural areas and utility or roadway easements;
- effect on significant natural or cultural features;
- landscaping, access control, fencing and road access; and
- whether to ask the proponent to suggest various options for consideration.

Public consultation:

Public consultation is an important part of the overall consultation process. Industry Canada believes that nearby residents should be consulted regarding non-excluded antenna proposals. Consultation allows the community to be involved and so ultimately influence the proposal's siting. Discussions can allow stakeholders to work towards a consensus. While LUAs are free to structure their public consultation process to meet their needs, Industry Canada's process consists of two distinct components:

- Public Notification - where the proponent informs the public of the proposed antenna system installation or modification, providing the necessary information needed to have a complete understanding of the proposal.

- Public Engagement - where the proponent engages the public and responds to all questions and comments, addressing all reasonable and relevant concerns. Public engagement may take various forms, from answering letters to hosting a public meeting or drop-in, depending on the community's level of interest.

Establishing appropriate time frames:

It is important that the protocol establishes time frames for the consultation process, to ensure timely response to any questions or concerns and to avoid unnecessary delays to the proponent and the LUA. Industry Canada expects that any time frames established within an LUA's protocol will respect those established by CPC-2-0-03.

Criteria not necessary to address through local protocols:

As described in Industry Canada's procedures (CPC-2-0-03, Section 7) proponents have specific obligations already subject to federal requirements. Protocols should not impose additional obligations in these areas. However, an LUA may wish to ask questions or seek clarification from proponents concerning their proposed steps and the alternatives available to satisfy these and any other radio authorization requirements. Proponents must comply with:

- Health Canada's public radio frequency exposure guidelines - Safety Code 6
- Radio Frequency Interference and Immunity - EMCAB2
- *Canadian Environmental Assessment Act* - CEAA
- Aeronautical Safety - Transport Canada and NAV CANADA requirements for aeronautical safety

4. Conclusion

LUAs, with their local knowledge, experience and leadership, have an important role in the consultation process relating to the siting of antenna structures. Clear and reasonable protocols will result in effective participation and cooperation between the LUA and the proponent. Such protocols can be used to identify the interests of residents and other community members as well as guiding land-use principles. Moreover, protocols allow for the introduction of new and enhanced wireless services in the local community in a timely manner. Protocols can assist proponents who are planning to install antenna-supporting structures, while at the same time give due consideration to local land-use issues.

APPENDIX 3

(District of Saanich)

ADMINISTRATIVE POLICY

1/ANT

SUBJECT:	ANTENNA APPLICATIONS - PROCEDURES FOR PROCESSING	
DATE OF ISSUE:	JANUARY, 1991	**ORIGIN:** ADMINISTRATION
AMENDED:	NOVEMBER 26, 1998	
AMENDED:	MAY 8, 2000 (Council Min. No. 219)	
AMENDED:	JULY 12, 2004	
AMENDED:	JUNE, 2009	

Industry Canada Policy CPC-2-0-03, Radio Communications and Broadcasting Antenna Systems, requires persons proposing to construct certain types of antenna structures to consult with the Municipality before erecting the antenna. This requirement applies to most amateur and commercial radio and cellular antennae. This policy sets out the procedures to be followed by the Municipal staff in processing applications.

1. All applications for approval of antennae or antennae support structures shall follow the consultation process set out in paragraphs 3 through 9 of this policy other than applications for:

   i) receiving television antenna and satellite dishes
   ii) small antenna affixed to existing buildings, trees or other structures other than utility poles
   iii) except as noted in paragraph 2, small antenna affixed to utility poles having a maximum height of 21 metres, provided that such pole does not exceed the height of either adjacent pole by more than 7 metres.
   iv) antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

   "Small antenna" shall mean antenna with a frontal area of not more than 1.6 square metres.

2. Applications for the installation of antennae on utility poles in the following locations shall follow the consultation process set out in paragraphs 3 to 9 of this policy:

   i) locations where the municipality has, in it's planning or financial documents, indicated that they intend to relocate overhead utilities underground
   ii) On Cordova Bay Road between Shelbourne and the northern boundary of Mount Douglas Park
   iii) On Ash Road between Durling Place and Cordova Bay Road.

3. No building permit will be issued for an antenna unless:

   i) Council has approved the application;
   ii) Where Council has expressed opposition to the application, Industry Canada has notified the Municipality of its approval; or,
   iii) The antenna is exempt from the consultation process under Group 1 of this policy

4. The Director of Planning is responsible for processing applications for municipal input on antenna installations.

(District of Saanich)

SUBJECT:	ANTENNA APPLICATIONS - PROCEDURES FOR PROCESSING	
DATE OF ISSUE:	JANUARY, 1991	**ORIGIN:** ADMINISTRATION
AMENDED:	NOVEMBER 26, 1998	
AMENDED:	MAY 8, 2000 (Council Min. No. 219)	
AMENDED:	JULY 12, 2004	
AMENDED:	JUNE, 2009	

5. The Director of Planning shall prepare an application form to be given to applicants which shall require:

   i) Applicant's name and address.
   ii) The type, height, base size, location, colour and proposed use of antenna.
   iii) Suitable construction drawings and site plans to be attached.
   iv) Details of efforts made by applicant to consult with surrounding neighbourhood.

6. Antenna applications shall be referred for comment to the Engineering Department and the Parks and Recreation Department prior to consideration by Council.

7. The Director of Planning shall prepare a report to Council assessing the environmental and aesthetic impacts of antenna on the neighbourhood and giving recommendations to support, not support, or support the application subject to certain conditions.

8. The Legislative Division to notify surrounding residents of committee meeting to discuss the Planner's report on same basis as development permit applications.

9. The Manager of Legislative Services shall transmit to Industry Canada the Council resolution in the application including the minutes and any correspondence received.

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Senior Government Referral Policy

APPROVED October 26, 2009

RESOLUTION: R752/11/07/25
REPLACING: R1013/09/10/26
DATE OF LAST REVIEW: July 2011

Industry Canada Radiocommunication and Broadcasting Antenna System Referrals:

1. The Director, Corporate Services has been designated a Land-use Authority official for the purposes of Industry Canada Client Procedures Circular CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems, as amended or replaced from time to time.
2. Proponents will follow Industry Canada's Default Public Consultation Process as described in Industry Canada Client Procedures Circular CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems, as amended or replaced from time to time.
3. A proponent may appeal a staff referral of non-support to Council.

All Other Referrals:

1. Where referrals are consistent with applicable City bylaws, policies or guidelines, the Director, Corporate Services will bring a recommendation of support to a Monday afternoon Council meeting.
2. Where referrals are inconsistent with applicable City bylaws, policies or guidelines, the City of Kelowna Municipal Council will hear from the public prior to Council's decision on referrals to senior levels of government in order to facilitate public input.
3. Public Input sessions will be held, where possible, following scheduled Public Hearing/Meeting dates or during regular Council Meetings.
4. Public input will be in accordance with Council Procedure Bylaw 9200.

REASON FOR POLICY

To establish procedures for processing Senior Government referrals.

LEGISLATIVE AUTHORITY

None.

PROCEDURE FOR IMPLEMENTATION

Director, Corporate Services will coordinate senior government referrals and implement appropriate internal circulation procedures depending upon type of application.

Communication Antenna Policy: Antenna Consultation Process
[Information Form and Application Form follow]

For this document only, the term *"device"* includes antennae, transmitters, receivers, antenna system or any other EMR-emitting or –receiving equipment.

PURPOSE

To establish a policy governing the placement and/or activation of all telecommunication antenna, transmitters, receivers or any EMR-emitting/receiving *devices*, (henceforth called "*devices*") whether new or replacement on an existing or new structure. The purpose of this policy is to minimize exposure to electromagnetic radiation where people live, work or attend school.

POLICY

The City of Colwood does not support the installation of *devices* in areas where people live, work or attend school. Further, the City's intention is to work towards having the power output and power density of the existing *devices* reduced to a level recommended by current studies by independent scientists.

However, the City of Colwood is obliged to consider proposals for *devices*. In doing so it requires proponents planning to install, replace, modify (which includes increasing the height of existing towers) or activate any *device* whatsoever to adhere to the following criteria:

1. Proposed New Installations Subject to Review

Radio communication and broadcasting antennae are subject to Industry Canada Client Procedures Circular CPC-2-0-03: Radio communication and broadcasting antenna systems (September 2007, or the most current update). All proponents as defined by this circular and the City of Colwood's Antenna Policy PL-900.6 must complete a City *Communication Antenna Information Form* and shall be subject to review. The City of Colwood chooses to provisionally exempt from review:

a. Private-use broadcast receiving antennae (e.g. ham radios, satellite dish and TV antennae).
b. City communication systems (existing and new installations) for police, fire, emergency, medical response and private-use computer wireless networks.

2. Description of Proposed New Site/Device

The City of Colwood recognizes that *devices* have potential detrimental effects on the visual landscape, that electronic output can affect electro/mechanical systems, and that there is credible evidence that human health is affected. The City's objective is to let citizens know of what an installation consists and how it could affect the surrounding environment and those living in the area.

It is up to the proponent and Industry Canada to provide the following information:

- The proposed look with a site map and to-scale-drawings showing the location of the proposed *devices* and all associated structures, with a clear indication of any fencing, landscaping to be installed in concert with the installation of the proposed *device.* This should include elevation drawings or representative photographs that clearly indicate how the proposed *device* and any associated structures and appurtenances will appear from adjacent properties;

- The height of all *devices* and structures, and proposed set back from property lines;

- The frequency, maximum aggregate output in kilowatts and maximum power density in microwatts per square centimetre of all *devices* at the proposed site. This must be supported by a report by a qualified engineer which includes a radiation emission model and which addresses the potential for accidental electrical discharge and the conduct of electrical fields to nearby structures.

- A complete description of the *device(s)* proposed to be installed, replaced, modified or activated, including demonstration that the most current mitigation technology which reduces radiation emission is incorporated;

- A written description of existing *devices* within the notification radii (see Section on Procedure), including the total output in terms of kilowatts and combined power density in microwatts per square centimetre;

- An alternate site analysis, which includes consideration of co-location on an existing structure, with a qualified expert's explanation of why co-location is not possible.

Before building a new antenna-supporting structure, Industry Canada requires that proponents first explore the following options, unless the City prefers otherwise:

a. Consider sharing an existing antenna system, modifying or replacing a structure if necessary;
b. Locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

Devices can be placed on an existing structure only if Colwood's power output and power density requirements are met.

3. Requirements for Existing and Newly Installed Infrastructure

This section outlines the roles of proponents and owners/operators of existing *devices* and structures. In all cases, parties must retain records (such as analyses, correspondence and engineering reports).

Owners and operators of existing *devices* and structures are to respond to a request to share in a timely fashion and to negotiate in good faith to facilitate sharing where feasible. It is anticipated that 30 days is reasonable time for existing owners/operators to reply to a request by a proponent in writing with either:

a. A proposed set of reasonable terms to govern the sharing of a structure; or
b. A detailed explanation of why sharing is not possible.

Power output limits

The existing licensed FM transmitters on Triangle Mountain have licenses to broadcast at approximately 100kw.

All new *devices* in Colwood are restricted to a maximum output of 2kw, providing the power density from single or combined *devices* does not exceed 0.1 microwatts per square centimeter or the latest federal standard, but only if lower, at the closest residence, school or workplace.

4. Design and Location

All efforts must be made to decrease the size and visibility of the *device* and any of its supporting infrastructure, so the facility will fit within the existing landscape, form and character of the surrounding area. This includes reference to: local architecture, landscape screening, lighting and colour (Transport Canada appropriate), signage (re: safety only) and security fencing. Confirmation of design and final engineering inspection and maintenance program regarding Industry Canada standards and local conditions (e.g. earthquake and windshear) need to be provided.

Locations in order of priority include the following zones: a utility, industrial, commercial or open space zone. Residential and school zones are prohibited. A tower must have a minimum setback of 2.5 times the tower height from property lines.

5. Provisional Emergency Use Priority

The City of Colwood recognizes that all citizens benefit from reliable and efficient emergency coordination and response, much of which is done through wireless communication. Facilities that provide such services should be given priority to better provide the community with services such as: fire, ambulance, police, earthquake/ natural disaster, search-and-rescue, hydro emergency repair, sewer (sanitary or storm), water system failure emergency response and municipal computer networks. Council may exempt emergency service providers from the community consultation process where they are co-locating with a similar facility or standalone, but require the provider to complete a Communication Antenna information form. The ultimate goal, as

technology develops, is for the power density from these single or combined *devices to* not exceed 0.1 microwatts per square centimeter, or the latest federal standard if lower, at the closest residence, school or workplace.

6. Land Use and Zoning

Land to be used for communication *device* purposes will be rezoned to the highest industrial classification. On removal of all the *devices*, land will be rezoned to pre-tower land classification.

7. Community Consultation

No *device*, except those provisionally exempted in Sections 1 a & b and 5, whether being installed, modified, or activated, whether new or a replacement, whether on a new structure or an existing one, regardless of height from ground or expected duration of service will be excluded from a City Communications Antenna Review. The proponent shall apply for such review and call at least one public meeting, as per the process outlined in the application procedure.

PROCEDURE

1. Application Procedure

a. The proponent proposing to locate *device* in the City of Colwood shall submit a Communications Antenna Review application and information form to the City pursuant Industry Canada Policy CPC-2-0-03, or latest version. *Devices* requiring an application are defined in Sections 1 and 7 of the Communications Antenna Policy.

b. The City shall make available to citizens all information provided by the proponent and the current contact information for Industry Canada, including the Victoria Spectrum Management Office.

c. Any required City development or building permit shall not be issued until after the Communications Antenna Review application is reviewed by Council in regard to the Communications Antenna Policy and that Industry Canada has approved the specific application.

d. The proponent shall undertake the following community consultation process by holding at least one public meeting as follows:

- The proponent shall notify, in writing, all residents and property owners within 500 m of the base of the proposed structure, members of City Council & staff, and the representatives of any City recognized special interest group.

- Notification of the meeting shall be sent by regular mail or hand delivered not less than 10 days prior to meeting dates and included the following information:
    1. the date, time and place of the meeting and an agenda,
    2. information on the location, type and size of the antenna structure proposed,

(a) the *device's* output power in kilowatts and power density in microwatts per square centimeter at the nearest residence, school or workplace.
(b) the potential affect on nearby electronic equipment by the facility,
(c) the potential health affect on residents in the vicinity according to current independent research,
(d) mitigation measures to counter the two affects above,
(e) the name and telephone number of a contact person for the proponents,
(f) the name and telephone number of a proponents contact person for Industry Canada, Victoria Spectrum Management Office, and
(g) notice that all information required by Industry Canada is available on their website.

- Additional public meetings may be required if issues raised cannot be addressed in one meeting.
- Proponents are to address all reasonable and relevant concerns, make all reasonable efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. If the local public or the City raises a question, comment or concern relating to the antenna system subsequently to the public consultation process, then the proponent is required to:
- Address in writing all reasonable and relevant concerns with 30 *days* of receipt **or** explain why the question, comment or concern is not, in the view of the proponent, reasonable or relevant; and
- The proponent must provide a copy of all public reply comments to the local Industry Canada office and to the City.

- The factors that will determine whether a concern is reasonable or relevant according to this process will vary but will generally be considered if they relate to the requirements of this document and to the particular amenities or important characteristics of the area surrounding the proposed antenna system. Examples of concerns that proponents are to address may include:
  1. Why is the use of an existing *device* or structure not possible?
  2. Why is an alternate site not possible?
  3. What is the proponent doing to ensure nearby electronic equipment is not affected?
  4. What is the proponent doing to ensure potential human health risks are being addressed?
  5. What is the proponent doing to ensure the *device* is not accessible to the general public?
  6. How is the proponent trying to integrate the *device* into the local surroundings?
     What options are available to satisfy aeronautical obstruction marking requirements at this site?
  7. What are the steps the proponent took to ensure compliance with the general requirements of this document including the *Canadian Environmental Assessment Act* (CEAA), Safety Code 6, etc.?

8 Potential effects that a proposed system will have on property values or municipal taxes?

- Following public consultation meetings the proponent shall provide the City's Planning Department with the names and addresses of all attendees, and a copy of the agenda and minutes indicating the topics discussed, additional concerns raised, those that spoke and their issues and any outstanding issues.

- After the public consultation meeting and no later than 10 days before its scheduled Planning and Zoning meeting regarding the proponent's proposal, the proponent will place an advertisement in the local newspaper regarding its proposal, outlining its proposal and the date of the City's meeting on the subject. This notice is over and above that done by the City to advertise its own meetings and agendas.

- If more than one year goes by between the consultation process and the proposal to issue construction permits, providing the delay is not directly attributable to the City, the proponent must repeat the consultation process again unless an appeal to Council directs otherwise.

- It is up to the proponent to work with the City and affected residents to resolve any contentious issues.

- The City process will require vetting through the Planning and Zoning Committee and Tower Committee or its equivalent prior to going forward to Council. The resolution of Council shall be forwarded to Industry Canada.

- The proponent will notify the City of Colwood within 10 days of Industry Canada's decision regarding their proposal.

- The construction of a communication tower must meet requirements as determined by the appropriate authority. Any ancillary buildings associated with the tower will require a City building permit and inspections.

- At the commissioning of the *device* and start of transmission, the proponent must supply independent broadcast output readings with comparisons to Industry Canada standards and Colwood's standards. Reading must be at the lower of the two standards.

Documents Available for Additional Information:

1. Industry Canada Client Procedures Circular CPC-2-0-03: Issue 4, June 2007: Radio communication and broadcasting antenna systems; web site: http://strategis.ic.gc.ca/SSG/sf01031e.html ; home page: www.ic.gc.ca/cmb

2. Appendices A, B and C from *The City of Red Deer Telecommunication Facility Guidelines* (1999) [partly taken from the San Diego Association of Governments 'Wireless Communications Facilities Issues Paper']

3. Health Canada, *Safety Code 6* (1999); web site: www.hc-sc.gc.ca/rpb

4. *Independent Expert Group on Mobile Phones* (2000, United Kingdom), paper; web site: www.iegmp.org.uk/Queries.htm

5. *RADIOFREQUENCY RADIATION: HEALTH EFFECTS AND INTERFERENCE STATUS OF CURRENT RESEARCH AND REGULATION, A Report to the General Assembly, Pursuant to Act 182 of the 1995 Session, Technical Report No. 38,* (December 1996) Vermont Department of Public Service, 112 State Street - Drawer 20, Montpelier, Vermont 05620-2601, (802) 828-2811, e-mail: vtdps@psd.state.vt.us, Web site: http://www.state.vt.us/psd.

6. Dr. Magda Havas's letter re distance from residences

7. Dr. Martin Blank's letter re damage to health from prolonged EMR exposure

8. BioInitiative Report, Aug. 2007 www.BioInitiative.org.

[Information form and Application Form follow)

CITY OF COLWOOD
COMMUNICATION ANTENNA
INFORMATION FORM

Planning Department
3300 Wishart Road, Colwood, BC
V9C 1R1 (250) 478-5590
planning@colwood.ca

File No. _____

Subject Property Address:	
Legal Description: Lot _____ Plan _____ Section _____ Other _____	
Telecommunications Carrier & Contact Person (Applicant) Address	Home Phone
	Work Phone
	Cell/Pager
	Fax
	Email
Registered Property Owner and Mailing Address	Home Phone
	Work Phone
	Cell/Pager
	Fax
Industry Canada Spectrum Management Contact Person Address	Phone
	Fax
	Email
Existing Use of Property _____ Zone Designation _____ OCP Designation _____ DP Area # _____	
☙ Attached: Authorization Letter of the Agent (contact person) to act for the carrier	
COMMUNICATION ANTENNA INFORMATION (Please use additional sheets for additional antenna information)	
Structure Type: (eg. Monopole, lattice structures)	Height:
Number & Type of Antenna(e)	Frequency Range, Maximum Output: (Watts ; all antenna), Maximum Power Density in Microwatts/cm. squared
NEIGHBOURHOOD INFORMATION	
Resident / Community Association Contact::	Local Area:
Telephone No. (Day)	Telephone No. (Eve)
☙ Community consultation completed (date (s)):	
☙ Community consultation commenced but incomplete (date):	

The carrier agrees that all terms and conditions of the City of Colwood Communication Antenna Policy are binding on the application process and operation of the antennae, supporting structures and buildings. Any change of information on this form shall be submitted by signed letter to the City immediately after the change by the people signing below or their successors.

Signature of Land Owner _____ Date _____

Signature of Telecommunications Carrier Agent/Contact Person _____ Date _____

This REVISED policy was approved by EMR TRANSMITTERS TASK FORCE: JUNE 2009 and
Adopted by Colwood City Council on August 31, 2009
Supersedes Policy PL-900.6 - Adopted December 15, 2008

	CITY OF COLWOOD *COMMUNICATION ANTENNA REVIEW* **APPLICATION**	*Planning Department* *3300 Wishart Road* *Colwood, B C, V9C 1R1* (250) 478-5590 planning@colwood.ca File No.

All of the following information is necessary to facilitate a thorough evaluation and timely decision on your application. To expedite the evaluation, all materials submitted must be clear, legible and precise. Thank you for your cooperation.

Subject Property Address:

Telecommunications Carrier & Contact Person (Applicant, as on Information Form):

PLEASE CHECK (√) WHERE APPROPRIATE

- ☐ Letter of Authorization from the registered land owner or their agent
- ☐ Certificate of Title (dated not more than 30 days prior to application)
- ☐ Emergency Service Provider
- ☐ Confirmation of design and final engineering inspection and maintenance program regarding Industry Canada Standards and local conditions of earthquake and windshear. Date: _____
- ☐ Documentary evidence regarding co-utilization (viability; letters from co-utilization partners)
- ☐ Resident and owner address search Charge _____ Receipt No. _____

Type of communication antenna structure proposed

☐ Monopole (freestanding) Lattice structure Building-mounted other _____

☐ Color photographs and/ or photo montage of the site showing the proposed location

☐ Six copies of a Site Plan (drawn to scale) showing:

- ☒ north arrow
- ☒ municipal address (eg. street address)
- ☒ legal address (eg. Lot/Plan/section)
- ☒ property lines and adjacent street and roads
- ☒ location of antenna and support buildings; include dimensions
- ☒ location of existing building on the site
- ☒ existing and proposed landscaping, fencing and screening

If antenna is freestanding include plan(s) at a maximum 1:2500 scale to show:

- ☐ distance from the antenna to the nearest existing or proposed residential development, school, park, or playground
- ☐ distance to and location of any communication antennae within a 500 metre radius of the proposed antenna

☐ Six copies of Elevation Plan of the proposed antenna (min. Scale 1:100) showing:

- ☐ dimensioned height of the antenna and support buildings
- ☐ existing and proposed landscaping; (eg. fencing and screening)

☐ Comparison of the proposed antenna output, power density and structure with: exiting installations, Health Canada's Safety Code 6 and available literature re: non-thermal affects of radiofrequency fields on humans.

☐ Correspondence regarding consultation process as required by the Communication Antenna Policy (eg. names and addresses of all attendees, copy of agenda and minutes indicating items discussed, additional concerns raised, resolutions achieved, as well as any outstanding issues

Date: _____

In addition, the City may require additional material considered necessary to properly evaluate the proposed antenna.

Further information can be obtained from the City of Colwood Planning Department

8:30 A.M To 4:30 P.M., Monday To Friday

STAFF USE:

AUTHORIZED BY: _____ DATE: _____

This REVISED policy was approved by EMR TRANSMITTERS TASK FORCE: JUNE 2009 and Adopted by Colwood City Council on August 31, 2009
Supersedes Policy PL-900.6 - Adopted December 15, 2008

RE C1

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Finance Division

Submitted by Director PAT WEAVER Area I ELECTORIAL AREA - YOUBOU/MEADOW CREEK

CERTIFICATE OF INCORPORATION NUMBER: S-30519

Grantee: YOUBOU COMMUNITY CHURCH SOCIETY Grant Amount $ ~~3,000.00~~ 2500.00

NAME: SYLVIA DEAN

ADDRESS: #1-83989 SASEENOS ROAD
YOUBOU, BRITISH COLUMBIA
CANADA V0R 3E1

Contact Phone No: (250) 745-6261

PURPOSE OF GRANT: Refurbish Church & address fire & safety concerns. This work will make it complaint with public building safety standards.

REQUESTED BY: Pat Weaver
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0156-118	2500.00	10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL ✓

VENDOR NO.

Disposition of Cheque:

Mail to above address:

Return to

Attach to letter from

Other

Approval at Regional Board Meeting of

Finance Authorization

Z:\Grant in Aid\Grant-in-Aid Form 2010.rtf

C2

C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director G. Giles Area C

Grantee: Grant Amount $ 250.00

NAME: Sarah Archer

ADDRESS: 943 Cowerd Rd

Cobble Hill BC V0R 1L4

Contact Phone No: (250) 710-6815

PURPOSE OF GRANT: Assistance to attend the UVIC Leadership Conference

REQUESTED BY: _____
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0400-113	250.00	10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL ✓

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

_____
Finance Authorization

Z:\Grant in Aid\Grant-in-Aid Form 2010.rtf

Dear Gerry Giles,

My name is Sarah Archer and I am currently a third year student in the Bachelor of Commerce program at the Peter B. Gustavson School of Business at the University of Victoria. I plan to continue my studies next year by studying abroad on an international exchange during first semester, followed by a term of core studies in my area of specialization; service management. During my post-secondary studies I have balanced my academic pursuits with a love of the arts and contribution to my community.

My extra-curricular activities include dance classes, Zen meditation practice, and singing soprano in the Prima Youth Choir. I have also been my cohort's representative this year, a member of the Commerce Students' Society (CSS), and I was recently elected to be the representative for the fourth year graduating class of 2014 on the CSS board. As a Frances Kelsey Secondary School alumnus, as well as a life-long Guiding member and past secretary and vice-president of the Frances Kelsey Interact club and Youth in Philanthropy club, I am dedicated to the betterment of, and interaction with my community. This close interaction with members of my community has translated into a passion for the field of human resources, and a dedication to increasing my customer service skills.

This spring, the CSS has organized a weekend conference, the UVic Leadership conference, to be held in Parksville, BC which will focus on building essential business leadership skills and identifying personal leadership styles. This conference will provide me with an excellent opportunity to further my education and capabilities in pursuing a business career. It will also afford me the opportunity to interact with prominent members of the local business community, which will allow me to extend the co-op and career opportunities available to me, and begin building a network of business connections. I am looking forward to improving my leadership and networking skills as I know they will be an invaluable asset to me in my future career pursuits. The total cost of the three day conference is $250.00 which is a large cost to overcome on a student budget while also covering the rising cost of housing, tuition, and textbooks. Any funding your organization would be willing to contribute would be greatly appreciated. Thank you so much for your time.

Best regards,

Sarah Archer
943 Cowerd Road
Cobble Hill, BC
V0R 1L4 250-710-6815
sarcher@uvic.ca

Tammy Knowles

From: Gerry Giles <ggiles12@shaw.ca>
Sent: Thursday, February 07, 2013 10:18 AM
To: Tammy Knowles
Subject: FW: UVLC Funding Application
Attachments: UVLC Funding Application.docx

Good morning Tammy,
Could I please process a grant in aid from the Area 'C' function for $250 to go to Sarah Archer for assistance to attend the UVic Leadership Conference.
See attached letter. Thank you.
Gerry

-----Original Message-----
From: sarcher@uvic.ca [mailto:sarcher@uvic.ca]
Sent: February-06-13 10:45 PM
To: Gerry Giles
Subject: RE: UVLC Funding Application

Hi Gerry,
Please find attached a funding request letter for the UVic Leadership Conference in March 2013.
Best regards,
Sarah Archer

C3

C·V·R·D

MEMORANDUM

DATE: February 13, 2013 **FILE NO:** 0370-20YOU

TO: Electoral Area Services Committee Meeting March 5, 2013

FROM: Sybille Sanderson, Manager Public Safety Division

SUBJECT: 2013 - 2014 Youbou Fire Protection Service Commission Appointment

---

The Youbou Fire Protection Service Commission recently held their Annual General Meeting on February 3, 2013 with the results as follows:

Director Weaver appointed Betty Abbott for a one (1) year term, to end March 31, 2014.

Sybille Sanderson

Reviewed by:
Division Manager:

Approved by:
General Manager:

COPY

MINUTES OF YOUBOU FIRE PROTECTION SERVICE COMMISSION ANNUAL GENERAL MEETING

DATE: February 3, 2013
TIME: 1 pm

MINUTES of the Youbou Fire Protection Service Commission AGM held on the above noted date and time at the Youbou Community Hall, Youbou, BC. Called to order by Director Pat Weaver at 1:05 pm.

PRESENT:

Members: Betty Abbott, Bill Gibson, Gerry Walker

ALSO PRESENT:

Fire Chief: Orest Smycniuk
Director: Pat Weaver
Recording Secretary: Tara Daly

AGENDA:

It was moved and seconded that the agenda be adopted.

MOTION CARRIED

MINUTES:

It was moved and seconded that the Youbou Fire Protection Service Commission AGM 2012 minutes be adopted.

MOTION CARRIED

NEW BUSINESS:

1) Commission Chairperson's Report:

The Commission will be meeting in the near future with Chief Smycniuk and Director Weaver to review the proposed budget for 2013, identifying current needs. Another item on the agenda will be replacement of equipment within the next five (5) years and the need to put monies into reserve to assist with payment.

The procedure for replacement of a fire truck will be started soon to allow ample time for fabrication with the identified requirements of the fire department.

There is always a need for volunteer firefighters.

submitted by Bill Gibson on behalf of George deLure, chairperson

2) Fire Chief's Report:

Attached

respectfully submitted by Orest Smycniuk, Fire Chief

It was moved and seconded that Chief Smycniuk's report is accepted as submitted.

MOTION CARRIED

ELECTION:

There was no election for 2013 as the terms of George deLure, Bill Gibson, and Gerry Walker do not expire until March 31, 2014. Director Weaver appointed Betty Abbott for a one (1) year term, to end March 31, 2014.

ADJOURNMENT:

It was moved and seconded that the Youbou Fire Protection Service Commission AGM be adjourned at 1:15 pm.

MOTION CARRIED

C4

Brian J. Peters
Box 259, 7244 Walton Road
Honeymoon Bay, BC V0R1Y0
February 14, 2013

Sharon Devana
Chair
Area F Advisory Planning Committee

Dear Sharon:

I am writing to ask you to accept my resignation from the Area F APC, effective immediately. I have enjoyed the work of this committee for 6 years. I now have other interests that take my time and attention.

I wish you and the other members much success in the committee's work.

Thank you.

Sincerely,

Brian J. Peters

C5

TELUS®

TELU
3980
Victo
Canad

February 1, 2013

Ray Lawson
General Manager, TELUS Vancouver Island
Telephone: (250) 388-8300

Dear Gerry, Loren and Alison:

As the General Manager for Vancouver Island TELUS I am delighted to inform you that a community charitable giving program known as TELUS Phones for Good has been approved for the Cowichan Valley Region (CVRD) with a potential amount of $15,000.

The TELUS Phones for Good program will contribute $25 for each smartphone purchased in CVRD over a six month period and the proceeds are directed to a mutually agreed upon registered charity in your community.

In a recent discussion with Loren Duncan, he identified three potential initiatives in your area that he considered to be important to the region:

- Coble Hill Farmers Institute
- Cowichan Station
- Cowichan Valley Trails

At your earliest convenience, I would like to discuss selecting the recipient for the Phones for Good opportunity in the CVRD as well as our Community Action Team donation program that has contributed $12,555 to your region over the past three years.

Should you have questions regarding any community initiatives or service issues in your region please don't hesitate to contact me.

Best regards,

Ray Lawson
General Manager
Vancouver Island

cc:

Gerry Giles, Director, Electoral Area C - Cobble Hill

Loren Duncan, Director, Electoral Area E - Cowichan Station / Sahtlam / Glenora

Alison Nicholson, Vice-President, Cowichan Station Area

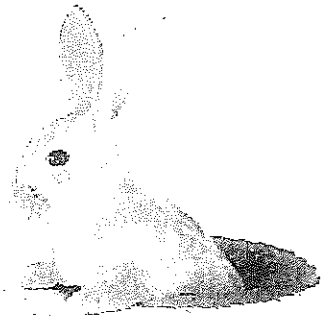
Shawn Hall, Corporate Communications

Maureen Kirkbride, Government and Municipal Relations

Jennifer Connor, Wireless BC

Gina Pecorelli, Community Investment

We give where we live.



Community Information Sheet (Cowichan Valley)

Community Action Team (CAT) Donations		
Year	**Organization**	**Value**
2012	Cowichan Station Area Association	$2000
2012	Cowichan Therapeutic Riding Association	$2000
2012	Cowichan Valley Foster Parent Society	$350
2011	Kaatza Lakeside Players Society	$4205
2010	KidSport Cowichan Valley	$2,000
2010	Cowichan Therapeutic Riding	$1,000
2010	Cowichan Community Land Trust	$1,000
	Total	$12,555

TELUS Day of Service Volunteer Activity

2009 Land Conservancy, Keating Farm; ½ day clean up {20 volunteers}
2010 BC Forestry Discovery Centre; clean up historical buildings {12 volunteers}
2011 Cowichan Therapeutic Riding Association; ½ day grounds clean up {18 volunteers}
2012 Pacific North West Raptors; ½ day grounds clean up {8 volunteers}

Capital Investments

2011 $500,000
2012 $400,000
2013 $1.4M LTE Wireless (Cobble Hill, Duncan South, Duncan Boys Road)

For more information on TELUS community programs please visit us at
www.telus.com/community

TELUS
2980 Quadra Street
Victoria, British Columbia
Canada V8X 1J9

February 1, 2013

Ray Lawson
General Manager, TELUS Vancouver Island
Telephone: (250) 388-8300

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Should you have questions regarding any community initiatives or service issues in your region please don't hesitate to contact me.

Best regards,

Ray Lawson
General Manager
Vancouver Island

cc:

Gerry Giles, Director, Electoral Area C - Cobble Hill

Loren Duncan, Director, Electoral Area E - Cowichan Station / Sahtlam / Glenora

Alison Nicholson, Vice-President, Cowichan Station Area

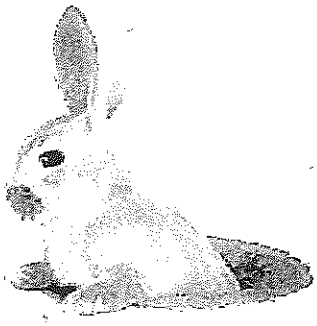
Shawn Hall, Corporate Communications

Maureen Kirkbride, Government and Municipal Relations

Jennifer Connor, Wireless BC

Gina Pecorelli, Community Investment

We give where we live.



Community Information Sheet (Cowichan Valley)

Community Action Team (CAT) Donations		
Year	**Organization**	**Value**
2012	Cowichan Station Area Association	$2000
2012	Cowichan Therapeutic Riding Association	$2000
2012	Cowichan Valley Foster Parent Society	$350
2011	Kaatza Lakeside Players Society	$4205
2010	KidSport Cowichan Valley	$2,000
2010	Cowichan Therapeutic Riding	$1,000
2010	Cowichan Community Land Trust	$1,000
	Total	$12,555

TELUS Day of Service Volunteer Activity

2009 Land Conservancy, Keating Farm; ½ day clean up {20 volunteers}
2010 BC Forestry Discovery Centre; clean up historical buildings {12 volunteers}
2011 Cowichan Therapeutic Riding Association; ½ day grounds clean up {18 volunteers}
2012 Pacific North West Raptors; ½ day grounds clean up {8 volunteers}

Capital Investments

2011 $500,000
2012 $400,000
2013 $1.4M LTE Wireless (Cobble Hill, Duncan South, Duncan Boys Road)

For more information on TELUS community programs please visit us at www.telus.com/community

C6

From: Sarah Sinclair <sarah@gsi.bc.ca>
Sent: Thursday, February 28, 2013 1:03 PM
To: Cathy Allen
Subject: Peterbrook Road Re-Zoning Application
Attachments: CeylonRdSurvey.pdf

Dear Cathy,

The residents of the Ceylon Road 2 acre subdivision do not support the Peterbrook Road rezoning and subdivision application (#3-B-11RS). We feel it sets a dangerous precedent for up to 400 or more 1 acre lots on adjacent properties.

Please accept the attached PDF file for the EASC meeting on 5 March 2013 which shows the signatures and wishes of the Ceylon Road subdivision residents.

Thank you,

Jim McCreesh and Dean Addison

2373 Peterbrook Road Development Survey

A development application for 2373 Peterbrook Road in Shawnigan Lake proposes to rezone a 10-acre parcel outside of the Village Containment Boundary from F-1 (Forestry) to R-2 (Residential) and develop 7 residential lots ranging from 1.01 acres to 1.57 acres.

As residents of the 2-acre Ceylon subdivision, we do not support the application to rezone the Peterbrook Road property into seven, 1-acre lots with strata-title road access as described.

If this property must be rezoned, then it should be to a minimum of _____ with proper municipal road access and services.

	Name/Address or Name/Phone/PostalCode	Signature	No rezoning at all	2 acre lots	1 acre lots	No opinion	
1	Dean Addison 2917 Ceylon Rd.		X				unless change to VCB
2	Sarah Sinclair, 2917 Ceylon Rd.			X			
3	Jeff Bird 2920 Ceylon rd			X			
4	Joanne Faulkner 2920 Ceylon			X			
5	Susan BIRD 2920 Ceylon			X			
6	JEREMY Bird 2920 CEYLON			X			
7	Angela Hudson 2895 CEYLON			X			
8	Craig Rancher 2900 CEYLON			X			
9	RUSSELL CRONK 2903 CEYLON			X			
10	SHARI CRONK 2903 CEYLON			X			
11	LORI MOULAISON 2902 Uplands		X				I prefer no rezoning. If it occurred then no less than 2 acr
12	BILL MOULAISON 2920 uplands		X				
13	Lorna McCREESH 2911 Ceylon			X			
14	JIM McCREESH 2911 CEYLON			X			
15	LORRAINE KEEN 2908 UPLANDS PL			X			
16	ANNETTE LINDNER 2905 UPLANDS PLACE			X			
17	RICHARDSON 2894 Uplands Pl.			X			
18	Rick Reis 2870 Ceylon Rd			X			
19	Jacqueline Reis 2870 Ceylon Rd			X			
20	Maureen Lau 2925 Ceylon Road			X			

Date: 02/24/2013

2373 Peterbrook Road Development Survey

A development application for 2373 Peterbrook Road in Shawnigan Lake proposes to rezone a 10-acre parcel outside of the Village Containment Boundary from F-1 (Forestry) to R-2 (Residential) and develop 7 residential lots ranging from 1.01 acres to 1.57 acres.

As residents of the 2-acre Ceylon subdivision, we do not support the application to rezone the Peterbrook Road property into seven, 1-acre lots with strata-title road access as described.

If this property must be rezoned, then it should be to a minimum of _____ with proper municipal road access and services.

	Name/Address or Name/Phone/PostalCode	Signature	No rezoning at all	2 acre lots	1 acre lots	No opinion
1	2925 Ceylon			X		
2	PAUL LATTER 2930 CEYLON RD.			X		
3	Sonia Latter 2930 Ceylon Rd	S Latter	X			
4	Christine Bates 2890 Ceylon Rd	C Bates		X		
5	ROB DIGASTRI 2890 CEYLON ROAD.		X			
6	G. ROSS-SMITH 2410 BARTON PL.	D.G. Ross-Smith		X		
7	Kevin Parrett 2444 Ravenhill rd.		X			
8	Kait Renfew 2444 Ravenhill rd	Kait Renfew	X			
9	Matt Hornsby 2405 Ravenhill Rd			X		
10	DOD ROLSTON 2437 RAVENHILL RD.	D.G. Rolston		X		
11	JAYNE & GARY SMITH 2434 Ravenhill RD	Jayne Smith		X		
12	" " "			X		
13	Richard Ready 2455 Renfrew Rd		X			
14	Wendy Ready " "		X			
15	Greg Price 2854 Ceylon Rd			X		
16						
17						
18						
19						
20						

Date: 02/24/2013

IN 1

C·V·R·D

Cowichan Valley Regional District
Planning & Development Department
2012 YEAR END REPORT

PART ONE: THE CVRD PLANNING AND DEVELOPMENT DEPARTMENT

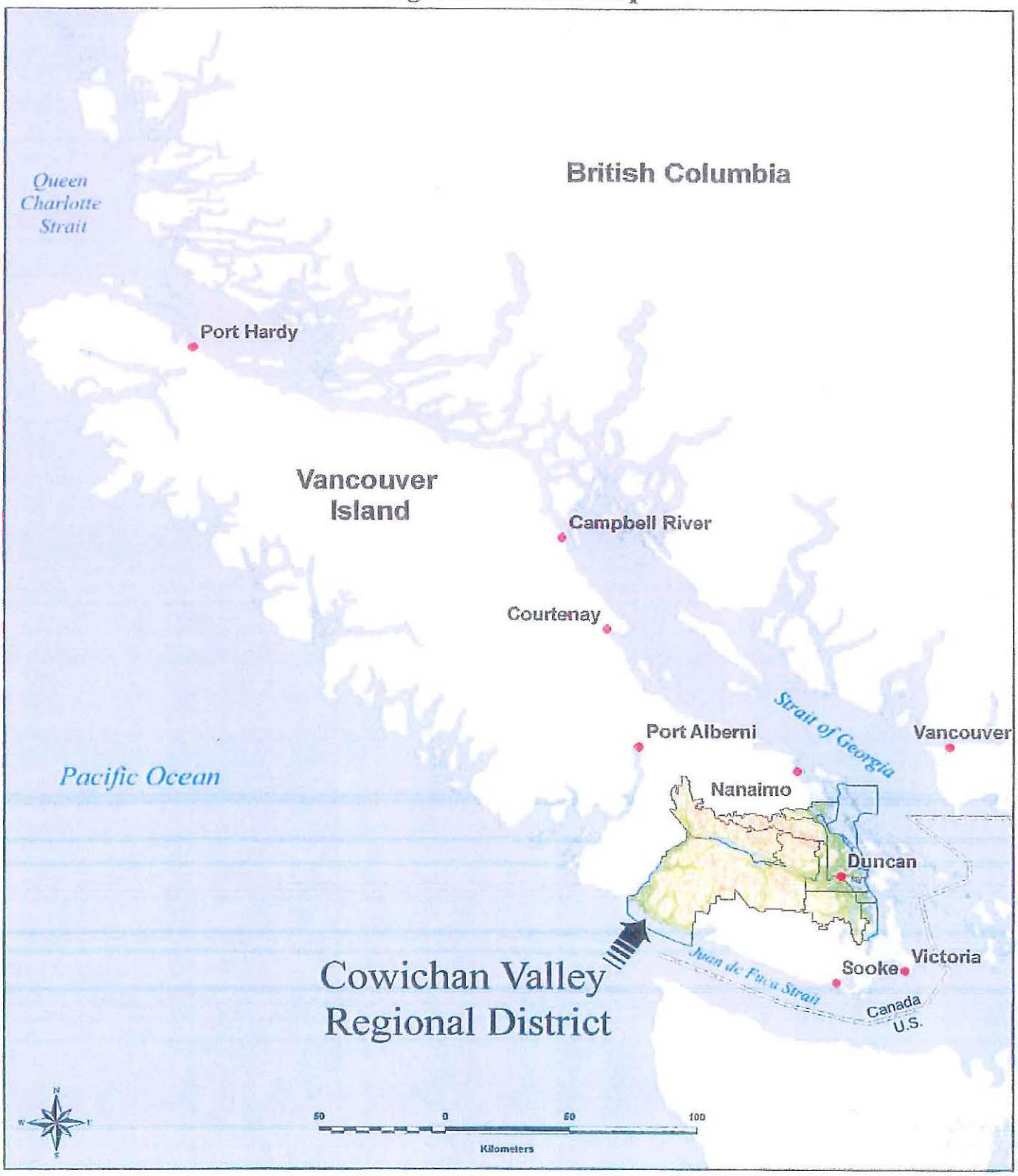
1.1 INTRODUCTION

This report provides statistical information respecting land use and building applications received by the Cowichan Valley Regional District Planning and Development Department during 2012. Although this document is generally limited to providing a statistical summary of applications, the Department has many additional responsibilities related to motions arising from the Electoral Area Services Committee and other committees of the Regional Board. A primary responsibility not covered in this report is to provide long range plans for the nine electoral areas. The department also provides guidance and information to assist CVRD elected officials in making sound and informed decisions. Advice is based on technical considerations or is given with the over-arching principle being protection of the community ("public") interest over the long term, while being respectful of private property owners' individual interests.

Another role of the Planning and Development Department is to help the public and private sector to access and understand past, present and future planning and development issues, policies and trends, by gathering, analyzing and reporting information. The Department responds to inquiries for information from the public, students, businesses, governments and non-profit agencies. Such requests range from basic to complex. Staff response time varies in accordance with the complexity of the inquiry received as well as the number of inquiries received at that time.

PART TWO: GEOGRAPHICAL CONTEXT

Cowichan Valley Regional District
Planning and Development Department
Regional Context Map



Cowichan Valley Regional District

Planning and Development Department

Electoral Area Map

PART THREE: DEPARTMENTAL ACTIVITY REPORT

3.1 OFFICIAL COMMUNITY PLAN (OCP)/ZONING AMENDMENTS

Number of OCP/Zoning Amendment Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	4	5	5	0	7	5	1	1	0	28
1981	0	4	4	2	6	4	5	3	2	30
1982	6	5	4	0	1	5	2	0	1	24
1983	4	7	3	2	4	2	2	0	2	26
1984	4	2	2	0	3	3	0	1	0	15
1985	6	5	4	0	7	2	1	5	2	32
1986	6	2	1	4	4	1	3	0	2	23
1987	6	5	4	1	5	4	2	2	2	31
1988	6	3	6	2	2	1	0	2	0	22
1989	6	4	2	0	3	1	1	3	0	20
1990	9	3	1	4	4	0	5	2	0	28
1991	6	7	2	2	4	3	0	5	0	29
1992	7	8	6	3	6	1	0	1	2	34
1993	4	4	1	1	4	5	2	1	0	22
1994	3	4	3	3	3	4	0	4	1	25
1995	2	2	1	1	1	3	1	1	0	12
1996	2	1	0	2	2	0	0	0	0	7
1997	6	4	1	0	1	1	1	1	1	16
1998	1	3	2	2	1	2	1	0	0	12
1999	6	5	0	3	1	1	0	1	0	17
2000	0	1	2	2	1	1	0	1	0	8
2001	1	6	3	0	0	1	0	0	0	11
2002	2	4	0	2	1	2	0	1	4	16
2003	2	7	2	1	0	1	0	1	1	15
2004	2	8	4	3	2	3	0	2	0	24
2005	4	8	5	0	1	1	1	2	3	25
2006	5	8	5	3	3	1	0	3	3	31
2007	5	15	2	2	7	4	0	3	2	40
2008	5	6	1	4	3	3	2	1	0	25
2009	7	1	1	4	0	1	1	1	1	17
2010	5	3	1	4	3	1	1	0	0	17
2011	2	4	0	0	2	2	0	2	0	12
2012	2	2	0	2	3	0	0	0	0	9

3.2 SUBDIVISION ACTIVITY

Number of Subdivision Referrals Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1993	18	37	12	9	15	8	10	9	5	123
1994	10	37	16	7	12	7	7	7	2	105
1995	3	16	4	10	9	9	3	4	3	61
1996	3	5	6	8	4	2	2	4	4	38
1997	3	9	3	3	3	7	4	5	0	37
1998	8	7	2	1	4	7	1	3	0	33
1999	5	13	3	2	5	1	3	1	0	33
2000	12	6	4	5	4	2	4	7	0	44
2001	5	9	5	3	3	4	0	4	2	35
2002	9	15	4	2	6	4	3	5	2	50
2003	6	18	2	9	9	4	1	3	3	55
2004	11	22	5	14	5	6	1	10	2	76
2005	12	23	9	5	7	9	24	6	5	100
2006	8	17	6	6	6	4	2	12	10	71
2007	12	19	4	12	6	6	5	8	8	80
2008	5	17	4	10	7	4	2	6	5	60
2009	5	9	5	1	6	8	1	2	0	37
2010	4	12	3	2	4	3	3	3	3	37
2011	9	11	2	6	4	2	2	3	0	39
2012	2	7	6	8	1	3	2	1	2	32

Potential Number Of Parcels Created - By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1993	69	68	78	3	26	11	3	3	56	317
1994	37	59	177	20	57	16	7	5	38	416
1995	21	25	43	22	18	10	20	6	16	181
1996	8	32	54	3	17	10	10	3	14	151
1997	38	60	13	14	13	16	4	5	45	208
1998	1	19	1	7	6	0	3	15	0	52
1999	5	64	8	3	8	1	2	1	0	92
2000	17	18	30	9	7	1	5	10	0	97
2001	3	18	17	8	3	5	0	11	50	115
2002	79	31	4	1	3	6	3	6	52	185
2003	11	72	13	91	9	6	1	19	81	303
2004	88	96	25	154	5	9	1	10	13	401
2005	50	90	43	8	6	33	65	7	14	316
2006	74	86	29	9	15	10	2	11	34	270
2007	372	229	9	73	13	4	12	7	33	752
2008	13	40	8	48	13	4	3	2	76	207
2009	25	18	14	0	29	15	2	18	0	121
2010	22	22	3	93	74	2	0	3	0	219
2011	11	28	2	27	6	2	16	13	0	105
2012	2	9	6	42	0	3	2	1	3	68

3.3 AGRICULTURAL LAND RESERVE (ALR) APPLICATIONS

Number of ALR Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I*	Total
1985	2	1	4	1	2	0	1	4	NA	15
1986	2	1	3	4	2	0	0	2	NA	14
1987	2	3	5	6	1	0	0	2	NA	19
1988	2	2	3	2	5	0	1	1	NA	16
1989	0	2	5	4	8	0	2	3	NA	24
1990	1	1	8	2	6	0	3	1	NA	22
1991	0	2	2	2	4	1	0	1	NA	12
1992	2	2	4	3	7	0	1	3	NA	22
1993	2	1	6	1	4	1	0	2	NA	17
1994	2	2	3	0	5	0	2	1	NA	15
1995	0	0	2	2	6	0	0	1	NA	11
1996	1	1	1	1	1	0	0	3	NA	8
1997	1	1	2	1	4	1	0	1	NA	11
1998	1	2	1	1	3	1	1	3	NA	13
1999	1	2	2	0	1	0	0	0	NA	6
2000	0	2	2	2	1	0	1	0	NA	8
2001	0	2	0	0	3	0	1	1	NA	7
2002	1	2	0	1	3	0	0	1	NA	8
2003	1	2	0	2	4	1	0	1	NA	11
2004	1	3	5	4	2	2	1	3	NA	21
2005	1	3	2	0	2	0	0	1	NA	9
2006	2	2	3	4	3	1	0	6	NA	21
2007	2	3	2	0	3	1	0	1	NA	12
2008	0	1	2	1	4	1	0	0	NA	9
2009	0	1	3	3	2	0	0	2	NA	11
2010	1	2	1	1	4	0	1	0	NA	10
2011	0	1	3	1	2	0	0	1	NA	8
2012	2	2	2	1	3	0	0	0	NA	10

**There are no ALR lands within Electoral Area I (Youbou/Meade Creek).*

3.4 DEVELOPMENT PERMIT APPLICATIONS

Number of Development Permit Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	3	0	0	3	2	0	1	1	0	10
1981	0	3	0	0	5	0	0	0	0	8
1982	2	0	2	1	2	0	0	1	0	9
1983	2	0	0	0	1	0	0	1	0	4
1984	1	0	0	1	2	0	0	0	0	4
1985	0	0	1	2	4	10	1	3	0	12
1986	0	0	0	0	0	0	0	2	0	2
1987	0	0	1	0	0	0	0	0	0	1
1988	0	0	1	0	0	0	0	0	0	1
1989	0	0	0	0	1	0	2	0	0	3
1990	0	0	0	0	0	0	1	4	0	5
1991	4	0	0	0	0	0	0	4	0	8
1992	2	0	1	0	4	0	2	2	0	11
1993	3	0	1	0	2	0	0	1	0	7
1994	2	1	1	0	1	0	1	1	0	7
1995	0	0	1	2	2	2	0	7	0	14
1996	3	0	0	0	2	0	0	3	0	8
1997	3	0	0	0	3	1	0	0	0	7
1998	1	0	1	1	1	1	2	1	0	8
1999	2	0	0	0	0	3	0	0	0	5
2000	2	1	0	2	2	0	1	1	0	9
2001	6	0	1	0	1	1	1	1	0	11
2002	0	0	1	0	2	1	0	0	0	4
2003	3	1	0	0	1	0	2	0	1	8
2004	3	4	1	1	1	1	1	3	0	15
2005	9	1	0	2	6	2	9	10	2	41
2006	6	10	1	0	5	3	3	7	10	45
2007	11	18	3	0	11	15	5	6	27	96
2008	4	8	2	6	7	3	3	6	7	46
2009	5	2	0	7	8	2	3	3	5	35
2010	7	19	1	1	7	4	8	4	8	59
2011	9	7	1	6	10	2	3	0	3	41
2012	6	17	6	3	14	4	2	7	4	63

3.5 DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Number of Development Variance Permit Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1986	0	0	1	1	2	0	0	1	2	7
1987	2	2	3	1	3	0	0	1	0	12
1988	4	4	3	5	6	0	2	1	2	27
1989	3	6	4	5	4	0	0	4	3	29
1990	1	3	4	4	6	0	3	1	0	22
1991	3	2	3	2	3	1	3	0	2	19
1992	3	3	1	0	0	0	1	1	1	10
1993	2	4	3	4	1	0	1	0	4	19
1994	2	6	2	5	2	2	0	1	3	23
1995	0	2	2	1	0	0	0	0	2	7
1996	0	4	2	4	2	1	0	3	1	17
1997	3	4	0	2	2	0	1	1	1	13
1998	3	3	3	2	2	2	4	2	1	22
1999	2	0	3	2	3	0	1	0	1	12
2000	2	5	2	2	0	0	4	1	0	16
2001	2	8	9	0	4	1	0	1	1	26
2002	0	6	1	3	4	0	0	1	0	15
2003	0	2	2	2	2	1	3	1	3	16
2004	8	5	1	1	2	2	3	1	1	24
2005	3	8	0	2	0	1	3	3	1	21
2006	2	7	2	2	1	1	4	4	4	27
2007	16	4	3	5	4	3	0	3	4	42
2008	8	2	1	0	5	1	1	0	5	23
2009	3	8	1	0	4	0	1	0	3	20
2010	3	5	2	2	2	2	4	1	1	22
2011	0	2	4	1	1	2	0	0	3	13
2012	1	4	1	2	4	1	0	0	2	15

3.6 BOARD OF VARIANCE APPLICATIONS

Number of Board of Variance Applications Received By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1980	1	4	2	1	2	5	5	1	1	17
1981	5	10	0	7	3	5	5	7	3	44
1982	10	12	2	2	11	3	3	3	1	55
1983	10	12	5	3	13	3	3	4	5	60
1984	12	9	2	2	12	1	1	4	8	60
1985	4	3	5	6	3	6	6	6	6	43
1986	3	11	3	3	2	2	2	4	0	30
1987	4	8	7	7	3	0	0	2	8	40
1988	0	1	1	0	2	1	1	0	1	7
1989	5	2	2	3	1	1	1	0	2	17
1990	2	2	2	1	3	3	3	0	0	15
1991	3	3	4	2	1	2	2	1	3	19
1992	4	5	6	1	3	2	2	0	0	22
1993	4	4	1	1	1	1	1	1	0	14
1994	2	5	3	2	3	5	5	1	2	24
1995	2	6	0	0	1	1	1	3	1	15
1996	4	4	3	3	1	1	1	2	2	20
1997	2	4	1	0	0	0	0	1	0	8
1998	0	2	0	0	2	1	1	0	0	6
1999	0	0	0	1	0	1	0	0	1	3
2000	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0
2002	0	1	0	0	0	0	0	0	0	1
2003	0	0	0	0	0	0	0	0	0	0
2004	0	1	0	0	0	0	0	0	0	1
2005	0	0	0	0	0	0	0	0	1	1
2006	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	1	1	0	0	0	2
2009	0	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0	0
2011	0	0	0	0	0	0	1	0	0	1
2012	0	0	0	0	0	0	0	0	0	0

3.7 NEW HOUSING STARTS

New Housing Starts By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	41	85	23	20	27	13	23	28	4	264
1981	32	121	31	25	46	37	13	40	8	353
1982	10	52	6	4	7	10	15	14	5	123
1983	14	64	15	14	23	13	10	12	8	173
1984	17	37	18	12	17	10	6	13	3	133
1985	11	34	6	8	9	9	8	13	0	98
1986	18	24	15	9	18	12	9	11	3	119
1987	17	63	44	8	10	10	9	17	3	181
1988	34	68	121	17	13	9	14	18	4	298
1989	40	143	130	16	10	14	14	15	2	384
1990	33	108	92	15	20	11	27	32	2	340
1991	29	89	66	15	35	21	20	24	8	307
1992	36	205	89	16	54	27	24	44	15	510
1993	50	81	76	5	28	14	13	20	24	311
1994	42	72	120	16	55	9	15	21	15	365
1995	24	35	50	13	19	10	22	14	9	196
1996	19	26	43	16	21	11	8	28	8	180
1997	38	38	54	12	22	15	5	8	3	195
1998	24	29	18	5	13	5	10	6	5	115
1999	18	53	32	4	12	8	8	10	3	148
2000	50	23	18	2	5	7	4	3	4	116
2001	17	29	23	2	6	6	5	7	3	98
2002	21	65	37	8	4	6	8	7	4	160
2003	22	58	20	21	17	8	4	8	4	161
2004	47	59	23	49	22	6	5	14	4	229
2005	68	39	15	47	17	(-8)	12	41	20	251
2006	46	62	15	28	17	16	17	15	28	244
2007	61	86	9	45	16	12	10	18	15	272
2008	47	71	20	17	18	12	13	13	15	227
2009	23	83	44	12	5	2	3	2	17	191
2010	41	80	34	21	19	6	16	10	11	238
2011	44	40	17	27	18	10	7	18	12	193
2012	39	36	7	22	10	7	15	14	10	160

3.8 RESIDENTIAL BUILDING PERMITS ISSUED

Number of Residential Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1989	74	214	171	54	46	37	50	43	28	717
1990	72	183	128	44	62	32	54	61	18	654
1991	70	186	130	52	73	43	44	54	21	673
1992	77	201	157	34	112	51	48	84	26	790
1993	82	184	128	19	73	41	38	53	39	657
1994	82	190	173	38	94	32	43	62	38	752
1995	64	111	85	31	60	34	43	47	25	500
1996	23	48	48	15	27	13	14	18	16	222
1997	68	94	101	15	49	29	26	27	11	420
1998	53	86	51	17	41	18	34	23	20	343
1999	46	104	71	16	29	21	20	23	16	346
2000	37	74	44	19	28	16	22	11	11	262
2001	44	78	51	18	22	23	21	24	12	293
2002	41	118	74	15	22	16	24	25	12	347
2003	50	116	52	35	37	27	27	27	13	384
2004	70	121	48	60	40	16	22	29	14	420
2005	91	123	38	52	40	24	34	54	34	490
2006	65	128	47	40	38	31	36	29	44	458
2007	100	150	35	67	41	23	29	41	35	521
2008	88	134	40	37	49	34	41	34	31	488
2009	58	162	76	28	33	33	24	34	32	480
2010	67	133	68	43	42	19	37	30	25	464
2011	69	89	34	45	41	26	31	36	26	397
2012	54	83	30	29	34	25	30	28	17	330

Value of Residential Building Permits Issued By Electoral Area ($)

(not adjusted for inflation)

	A	B	C	D	E	F	G	H	I	Total
1989	3,415,094	9,559,113	10,184,058	1,338,374	810,371	1,041,471	1,308,280	1,309,758	235,856	29,202,375
1990	3,130,058	8,752,282	7,553,512	1,394,803	1,845,689	989,410	2,676,166	3,157,001	358,317	29,857,238
1991	3,302,572	8,301,059	7,749,058	1,919,421	3,163,640	1,785,795	2,003,924	2,560,522	773,310	31,559,301
1992	4,050,473	13,986,338	9,280,492	2,225,043	4,818,697	2,468,241	2,592,562	4,078,473	1,603,248	45,103,567
1993	5,806,014	9,310,183	7,437,511	488,771	3,036,522	1,733,947	1,883,075	2,249,702	2,247,355	34,193,080
1994	5,639,937	11,195,065	14,316,822	1,999,876	5,790,247	1,091,248	2,120,179	3,143,945	1,972,520	47,269,839
1995	4,077,789	5,347,235	6,590,402	1,751,620	2,780,916	1,308,439	1,827,224	1,996,211	1,303,028	26,982,864
1996	1,314,365	2,661,758	3,625,972	1,721,682	1,697,315	754,566	719,151	1,338,590	940,029	14,773,428
1997	5,474,060	5,775,397	7,665,226	1,427,070	3,259,836	1,491,321	1,492,852	2,009,203	436,496	29,031,461
1998	3,043,682	5,321,380	3,604,434	781,141	1,890,584	768,885	2,068,015	658,756	681,124	21,818,001
1999	2,657,999	6,236,665	5,156,143	932,130	1,988,646	648,364	1,021,862	1,451,831	697,330	20,790,970
2000	4,990,189	3,602,720	3,213,814	722,380	707,739	464,274	1,103,349	704,828	649,331	16,158,624
2001	3,350,828	4,522,494	3,753,005	1,221,870	765,172	913,916	1,143,195	2,111,279	355,238	18,136,997
2002	2,997,385	8,077,426	5,925,903	1,326,327	784,469	553,963	1,338,915	1,862,403	628,258	23,495,049
2003	4,011,699	8,817,990	3,599,587	2,878,921	2,685,783	1,155,962	916,436	1,546,135	785,417	26,397,930
2004	6,985,553	8,777,395	3,573,219	5,834,417	3,018,220	779,063	1,072,030	2,291,712	567,901	32,899,510
2005	9,935,928	7,474,224	2,712,342	5,354,645	2,565,088	823,379	1,885,779	6,344,587	2,731,641	39,829,613
2006	6,384,207	9,993,765	2,204,188	4,207,257	1,990,634	1,517,734	2,672,659	1,936,214	4,055,384	34,962,042
2007	9,580,866	14,244,023	2,383,767	5,363,788	2,730,959	2,036,931	1,879,812	3,592,433	2,426,116	34,303,633
2008	10,532,070	14,237,670	3,843,967	2,705,130	3,744,801	2,325,817	3,151,954	2,718,737	2,269,179	45,529,325
2009	5,935,540	13,973,396	7,775,580	2,246,675	1,426,465	1,279,150	2,544,605	2,302,220	3,387,530	40,871,161
2010	9,023,743	15,048,575	7,425,819	6,298,440	4,444,089	1,038,166	4,271,410	1,617,250	2,404,102	51,571,594
2011	10,126,570	7,704,963	3,923,395	5,026,970	4,607,220	2,176,175	2,851,655	4,254,060	3,182,750	43,853,758
2012	8,740,090	7,265,547	1,759,275	4,135,265	2,791,836	2,105,070	3,671,525	2,837,760	2,731,122	36,037,490

**Prior to 2004 agricultural building permits were included under the residential building permit category*

3.9 COMMERCIAL BUILDING PERMITS ISSUED

Number of Commercial Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1989	3	0	3	4	2	0	0	0	4	16
1990	4	1	3	6	4	2	0	2	1	23
1991	4	3	6	2	3	1	1	2	2	24
1992	16	1	4	6	2	1	0	2	3	35
1993	9	8	2	2	4	0	0	3	0	28
1994	2	3	4	6	1	1	1	1	0	19
1995	4	1	3	4	1	0	0	0	1	14
1996	0	3	1	5	0	0	0	1	0	10
1997	2	5	19	8	1	3	1	2	2	43
1998	3	1	3	4	5	3	0	0	0	19
1999	1	4	7	2	1	0	0	2	0	17
2000	0	1	4	0	0	0	0	1	0	6
2001	3	1	1	3	0	1	0	3	2	14
2002	8	1	1	5	0	12	2	1	1	31
2003	4	4	1	2	2	7	2	1	0	21
2004	4	4	2	4	0	7	1	0	1	23
2005	4	4	5	2	0	7	0	1	0	26
2006	0	6	9	4	3	2	1	2	0	27
2007	2	7	4	2	3	4	1	3	0	26
2008	4	9	2	2	3	1	2	1	2	26
2009	1	1	1	5	1	0	0	1	4	14
2010	4	2	1	5	3	0	0	2	0	17
2011	3	2	2	4	0	0	0	1	0	12
2012	4	0	0	2	1	0	0	0	1	8

Value of Commercial Building Permits Issued By Electoral Area ($)

(not adjusted for inflation)

	A	B	C	D	E	F	G	H	I	Total
1989	62,400	0	149,726	44,450	120,000	0	0	0	58,900	435,476
1990	595,158	7,500	192,828	55,125	182,300	58,080	0	52,256	2,304	1,145,551
1991	1,876,400	50,000	1,158,000	34,500	215,000	60,000	21,000	87,750	108,860	3,611,510
1992	3,767,236	500,000	259,243	51,665	58,000	140,000	0	84,400	253,808	5,114,352
1993	533,800	1,597,455	24,700	160,000	167,767	0	0	320,000	0	2,803,722
1994	24,600	23,900	30,992	485,980	45,217	104,832	70,000	1,000	0	786,521
1995	36,500	250,000	53,880	136,150	4,000	0	0	0	103,000	583,530
1996	0	299,000	0	120,160	0	0	0	8,736	0	427,896
1997	182,000	98,480	2,792,300	440,555	1,360	300,377	42,000	72,520	9,000	3,938,592
1998	59,000	10,000	908,000	56,080	261,240	85,246	0	0	0	1,379,566
1999	18,252	67,500	116,160	4,284	600	0	0	38,000	0	244,796
2000	0	100,000	110,000	0	0	0	0	1450000	0	1,660,000
2001	1,160,360	115,730	170,000	91,800	0	58,400	0	467,595	197,500	2,261,385
2002	1,171,127	8,800	1,000	316,000	0	93,847	55,000	55,800	28,020	1,729,594
2003	224,410	420,000	560,000	118,575	303,700	65,569	256,800	40,000	0	1,989,054
2004	50,000	966,094	643,150	239,510	0	33,020	40,000	0	10,000	1,742,264
2005	24,000	43,696	135,000	17,200	21,000	66,703	0	68,210	0	375,729
2006	0	287,858	2,719,012	142,109	881,975	21,868	11,440	10,000	0	4,074,262
2007	200,000	235,934	190,000	12,360	1,284,545	242,400	109,200	734,000	0	3,008,439
2008	55,000	340,068	575,000	205,000	366,300	111,750	7,500	97,050	520,000	2,277,668
2009	3,000,000	108,150	406,275	377,500	84,990	0	0	3,600	336,000	4,316,515
2010	328,700	25,480	100,000	128,750	447,500	0	0	159,000	0	1,189,430
2011	314,800	24,100	82,500	35,500	0	0	0	100,000	0	556,900
2012	3,017,000	0	0	6,000	109,500	0	0	0	30,000	3,162,500

3.10 INDUSTRIAL BUILDING PERMITS ISSUED

Number of Industrial Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1990	0	0	3	0	6	1	0	1	1	12
1991	0	0	0	0	7	1	0	1	0	9
1992	0	0	4	0	8	1	0	0	0	13
1993	1	0	2	0	6	0	0	1	0	10
1994	2	0	1	0	8	1	1	2	0	15
1995	2	0	0	1	4	0	0	1	2	10
1996	0	0	0	0	8	1	0	0	0	9
1997	1	0	1	0	7	0	0	0	0	9
1998	0	0	1	0	6	0	0	0	0	7
1999	2	0	0	0	5	0	0	0	0	7
2000	0	0	4	1	5	1	1	0	1	13
2001	0	0	0	0	6	2	0	0	0	8
2002	1	0	2	0	5	3	1	1	0	13
2003	1	0	3	0	8	1	0	0	0	13
2004	0	0	1	1	4	0	1	0	0	7
2005	2	0	1	0	2	1	1	1	0	8
2006	0	1	2	0	6	0	0	0	0	9
2007	0	0	2	0	1	1	0	0	0	4
2008	0	3	1	2	1	1	2	1	2	13
2009	1	3	0	2	2	0	0	1	1	10
2010	1	2	3	1	2	0	0	1	0	10
2011	0	0	1	0	3	0	0	1	0	5
2012	1	0	2	2	1	0	0	0	0	6

Value of Industrial Building Permits Issued - By Electoral Area ($)

(not adjusted for inflation)

	A	B	C	D	E	F	G	H	I	Total
1990	0	0	170,000	0	669,390	53,170	0	35,000	165,000	1,092,560
1991	0	0	4,000	0	247,448	10,800	0	645,900	0	908,148
1992	0	0	266,500	0	524,882	30,600	0	0	0	821,982
1993	69,435	0	60,000	0	490,800	0	0	250,000	0	870,235
1994	167,980	0	60,000	0	1,460,040	180,000	18,000	188,000	0	2,074,020
1995	140,600	0	0	800,000	457,680	0	0	21,500	94,522	1,514,302
1996	0	0	0	0	462,750	0	0	0	0	462,750
1997	62,660	0	381,560	0	893,000	0	0	0	0	1,337,220
1998	0	0	30,000	0	316,558	0	0	0	12,000	358,558
1999	314,034	0	0	0	159,800	0	0	0	0	473,834
2000	0	0	511,400	300,000	327,570	150,000	130,000	0	30,000	1,448,970
2001	0	0	0	0	798,687	70,480	0	0	0	869,167
2002	90,000	0	202,994	0	205,000	435,000	42,000	30,472	0	1,005,466
2003	24,998	0	529,600	0	554,803	33,600	0	0	0	1,143,001
2004	0	0	170,000	10,000	193,920	0	54,600	0	0	429,520
2005	0	114,768	32,760	0	82,040	0	55,200	270,000	0	554,768
2006	0	1,300,000	278,800	0	1,001,680	0	0	0	0	2,580,480
2007	0	0	0	40,800	100,000	0	0	0	0	140,800
2008	0	3,202,400	400,000	0	39,000	0	0	8,696,000	0	12,337,400
2009	26,350	657,980	0	350,000	271,800	0	0	10,000	785,460	2,101,590
2010	45,000	424,790	86,500	25,000	625,000	0	0	15,000	0	1,221,290
2011	0	0	16,000	0	2,218,720	0	0	7,920	0	2,242,640
2012	0	0	43,500	1,041,280	0	0	0	0	0	1,084,780

3.11 INSTITUTIONAL BUILDING PERMITS ISSUED

Institutional Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1990	3	3	3	3	0	3	1	2	1	19
1991	1	2	2	2	3	1	0	0	0	11
1992	2	5	2	2	2	3	2	3	3	24
1993	2	7	2	0	0	0	1	2	0	14
1994	5	5	1	3	3	2	1	1	2	23
1995	6	4	5	1	0	1	1	0	2	20
1996	0	0	0	1	0	2	1	0	2	6
1997	5	5	4	1	2	2	2	1	2	24
1998	6	3	3	2	2	1	0	1	1	19
1999	3	1	0	0	2	1	0	0	1	7
2000	3	2	4	2	2	1	1	0	0	15
2001	4	7	1	0	0	1	0	0	0	13
2002	5	7	0	0	1	1	1	0	0	15
2003	0	2	0	0	3	0	0	0	1	6
2004	8	5	1	0	3	0	0	0	0	17
2005	2	5	2	0	0	0	0	1	1	11
2006	3	3	1	0	0	0	0	0	0	7
2007	0	0	2	0	1	1	0	0	0	4
2008	3	1	2	2	3	0	2	2	0	15
2009	0	4	0	1	2	0	0	1	0	8
2010	3	3	0	0	1	1	0	1	1	10
2011	2	6	1	1	1	0	2	0	0	13
2012	3	3	0	2	4	0	0	0	0	12

Value of Institutional Building Permits Issued By Electoral Area ($)

(not adjusted for inflation)

	A	B	C	D	E	F	G	H	I	Total
1990	321,712	32,740	130,500	135,000	0	31,408	17,000	63,000	0	596,360
1991	12,960	825,000	165,000	65,120	73,760	0	0	0	0	1,128,880
1992	130,000	1,783,140	124,917	35,000	11,232	549,818	120,155	2,137,376	1,125,440	6,017,078
1993	180,000	1,420,300	210,500	0	0	0	12,000	53,500	0	1,876,300
1994	390,000	926,000	17,500	125,000	22,688	258,000	30,000	85,000	32,000	1,866,188
1995	457,120	968,700	652,620	80,000	0	716,000	80,000	0	115,210	3,069,650
1996	0	0	0	2,000	0	22,112	14,400	0	187,154	225,666
1997	437,550	556,743	61,063	1,920	55,400	103,928	75,000	20,000	261,500	1,573,108
1998	2,403,000	3,170,000	76,320	265,000	53,328	19,575	0	94,750	0	6,081,973
1999	50,186	82,740	0	0	65,000	3,500	0	0	3,000	204,426
2000	1,181,000	127,650	3,008,455	1,353,780	40,800	20,000	638,300	0	0	6,369,985
2001	385,000	3,845,746	1,768	0	0	17,408	0	0	0	4,249,922
2002	5,648,600	1,292,512	0	0	5,900	20,000	352,000	0	0	7,319,012
2003	3,000,000	535,000	0	0	240,178	0	0	0	30,000	3,805,178
2004	1,000,715	5,425,342	5,000	0	186,600	0	0	0	0	6,804,257
2005	12,850,000	306,616	10,000	0	0	17,628	0	0	175.000	13,341,616
2006	200,000	7,070,522	20,000	0	0	0	0	0	0	7,290,522
2007	0	0	1,062,800	0	32,186	0	0	0	0	1,094,986
2008	10,187,000	1,713,650	678,652	0	160,000	13,500	225,000	0	0	12,977,802
2009	0	1,429,375	0	7,500	165,240	0	0	5,000	0	1,607,115
2010	8,120,000	194,340	0	0	30,720	45,000	0	40,000	3,000	8,433,060
2011	666,450	4,273,320	5,000	1,000	19,500	0	20,000	0	0	4,985,270
2012	291,280	1,629,000	0	110,000	115,500	0	0	0	0	2,145,780

3.12 AGRICULTURAL BUILDING PERMITS ISSUED BY ELECTORAL AREA

Agricultural Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
2004	1	3	2	1	7	1	2	4	0	21
2005	1	2	3	3	6	0	0	2	0	17
2006	0	3	5	7	6	1	0	1	0	23
2007	3	4	2	0	12	2	0	2	0	25
2008	2	1	2	2	3	0	2	2	0	14
2009	1	0	2	1	3	0	0	0	0	7
2010	1	2	1	1	3	0	1	0	0	9
2011	0	3	3	2	2	1	0	1	0	12
2012	1	1	0	1	6	1	0	0	0	10

Value of Agricultural Building Permits Issued By Electoral Area ($)

(not adjusted for inflation)

	A	B	C	D	E	F	G	H	I	Total
2004	40,000	137,000	25,000	10,000	142,000	25,168	35,880	44,600	0	459,648
2005	0	53,500	60,050	351,084	79,575	13,468	0	47,880	0	605,557
2006	0	85,000	216,000	96,780	150,000	10,000	0	61,880	20,000	639,660
2007	186,140	27,958	12,500	0	1,335,311	40,000	0	105,000	0	1,706,909
2008	27,000	75,000	103,000	130,000	89,000	0	136,000	160,000	0	720,000
2009	7,500	194,000	116,500	25,000	226,560	6,000	0	15,500	0	591,060
2010	100,000	85,000	1,000,000	150,000	165,500	0	20,000	0	0	1,520,500
2011	0	132,000	1,848,055	127,000	648,000	17,280	0	1,000	0	2,773,335
2012	30,000	2,500	0	5,000	662,000	30,000	0	0	0	729,500

**Prior to 2004 agricultural building permits were included under the residential building permit category.*

3.13 TOTAL BUILDING PERMITS ISSUED

Number of Building Permits Issued - By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1989	81	212	178	59	55	37	49	46	30	747
1990	80	188	137	53	69	38	55	68	20	708
1991	77	191	133	56	80	44	45	56	22	704
1992	96	209	168	44	115	58	51	85	33	859
1993	94	198	134	21	83	42	39	59	39	709
1994	91	198	178	48	106	36	46	67	39	809
1995	77	116	93	37	65	34	43	49	30	544
1996	51	94	89	32	71	35	32	31	28	463
1997	76	104	125	24	59	34	28	31	15	496
1998	63	91	59	24	54	24	34	24	22	395
1999	50	98	73	18	36	19	20	23	17	354
2000	40	77	56	23	35	18	24	12	12	298
2001	51	86	53	21	28	27	21	27	14	328
2002	44	111	71	17	24	28	25	27	9	356
2003	57	123	57	38	57	35	29	30	15	441
2004	83	133	54	66	54	24	26	33	15	488
2005	100	134	50	57	48	32	35	59	35	549
2006	68	141	64	51	53	34	37	32	44	524
2007	105	161	45	69	58	31	30	46	35	580
2008	100	154	51	44	61	37	49	42	33	571
2009	58	148	75	35	40	33	21	32	37	479
2010	85	151	74	51	53	20	37	28	26	525
2011	79	100	40	54	48	28	34	38	26	447
2012	63	87	32	36	46	26	30	28	18	366

Value of Building Permits Issued - By Electoral Area ($)

(not adjusted for inflation)

	A	B	C	D	E	F	G	H	I	Total
1989	3,637,994	9,683,613	10,360,437	1,387,824	1,232,679	1,047,421	1,308,280	1,571,188	375,756	30,605,192
1990	4,046,928	8,792,522	8,046,840	1,584,928	2,697,379	1,132,068	2,693,166	3,307,257	525,621	32,826,709
1991	5,191,932	9,176,059	9,076,058	2,019,041	3,699,848	1,856,595	2,024,924	3,294,172	882,170	37,220,799
1992	7,947,709	16,269,478	9,931,152	2,311,708	5,412,811	3,188,659	2,712,717	6,300,249	2,982,496	57,056,979
1993	6,589,249	12,327,938	7,732,711	648,771	3,695,089	1,733,947	1,895,075	2,873,202	2,247,355	39,743,337
1994	6,222,517	12,144,965	14,425,314	2,610,856	7,318,192	1,634,080	2,238,179	3,417,945	2,004,520	52,016,568
1995	4,712,009	6,565,935	7,296,902	2,767,770	3,242,596	2,024,439	1,907,224	2,017,711	1,615,760	32,150,346
1996	1,314,365	2,960,758	3,625,972	1,843,842	2,160,065	776,678	733,551	1,347,326	1,127,183	15,889,740
1997	6,156,274	6,430,620	10,900,149	1,869,545	4,209,596	1,895,626	1,609,852	2,101,723	706,996	35,880,381
1998	5,852,403	7,996,119	4,618,754	1,102,221	2,521,710	873,706	2,068,015	753,506	708,124	26,494,558
1999	3,040,471	6,386,905	5,272,303	936,414	2,214,046	651,864	1,021,862	1,489,831	700,330	21,714,026
2000	6,171,189	3,898,369	6,799,338	2,376,160	1,075,309	662,114	1,239,932	2,154,828	679,331	25,056,570
2001	4,896,188	8,483,970	3,924,773	1,313,670	1,563,859	1,060,204	1,143,195	2,578,874	552,738	25,517,471
2002	9,907,112	9,378,738	6,129,897	1,642,327	996,369	1,102,810	1,787,915	1,948,675	656,278	33,550,121
2003	7,311,107	9,778,990	4,689,187	2,997,496	4,516,464	1,255,131	1,173,236	1,826,135	825,417	34,373,163
2004	8,076,268	15,305,831	4,446,369	6,063,927	3,540,740	837,251	1,202,510	2,336,312	577,901	42,387,109
2005	22,809,928	7,992,804	2,950,152	5,722,929	2,747,703	921,178	1,940,979	6,730,677	2,906,641	54,722,991
2006	6,584,207	18,737,145	5,438,000	4,446,146	4,024,289	1,549,602	2,684,099	2,008,094	4,075,384	49,546,966
2007	9,967,006	14,507,915	3,649,067	5,416,948	5,483,001	2,319,331	1,989,012	4,431,433	2,426,116	40,254,767
2008	20,801,070	19,568,788	5,600,619	3,040,130	4,399,111	2,451,067	3,520,454	11,726,787	2,789,179	73,897,195
2009	9,059,390	16,362,901	8,298,355	3,006,675	2,175,055	1,285,150	2,544,605	2,336,320	3,837,790	48,906,241
2010	17,617,443	15,778,185	8,612,319	6,602,190	5,712,804	1,083,166	4,291,410	1,831,252	2,407,105	63,935,874
2011	11,107,820	12,134,383	5,874,950	5,190,470	7,493,440	2,193,455	2,871,655	4,244,980	3,182,750	54,293,903
2012	12,078,370	8,897,047	1,802,775	5,297,545	3,678,836	2,135,070	3,671,525	2,837,760	2,761,122	43,160,050

MEMORANDUM

C·V·R·D

DATE: February 12, 2013

TO: Tom R. Anderson, General Manager, Planning & Development Department

FROM: Grant Breckenridge, Chief Building Inspector, Inspections & Enforcement Division

SUBJECT: **BUILDING REPORT FOR THE MONTH JANUARY 2013**

There were 26 Building Permits and 2 Demolition Permit(s) issued during the month of January, 2013 with a total value of $2,636,520.

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"					29,520		2	2	29,520	29,520
"B"				599,160	59,850		7	7	659,010	659,010
"C"				368,420	25,700		4	4	394,120	394,120
"D"				260,250			2	2	260,250	260,250
"E"				392,940	10,000		4	4	402,940	402,940
"F"									0	0
"G"	10,000				15,000		3	3	25,000	25,000
"H"				175,400			1	1	175,400	175,400
"I"				690,280			3	3	690,280	690,280
Total	**$ 10,000**	**$ -**	**$ -**	**$ 2,486,450**	**$ 140,070**	**$ -**	**26**	**26**	**$ 2,636,520**	**$ 2,636,520**

G. Breckenridge, RBO
Chief Building Inspector, Inspections & Enforcement Division
Planning & Development Department

GB/lag

NOTE: For a comparison of New Housing Starts from 2010 to 2013, see page 2
For a comparison of Total Number of Building Permits from 2010 to 2013, see page 3

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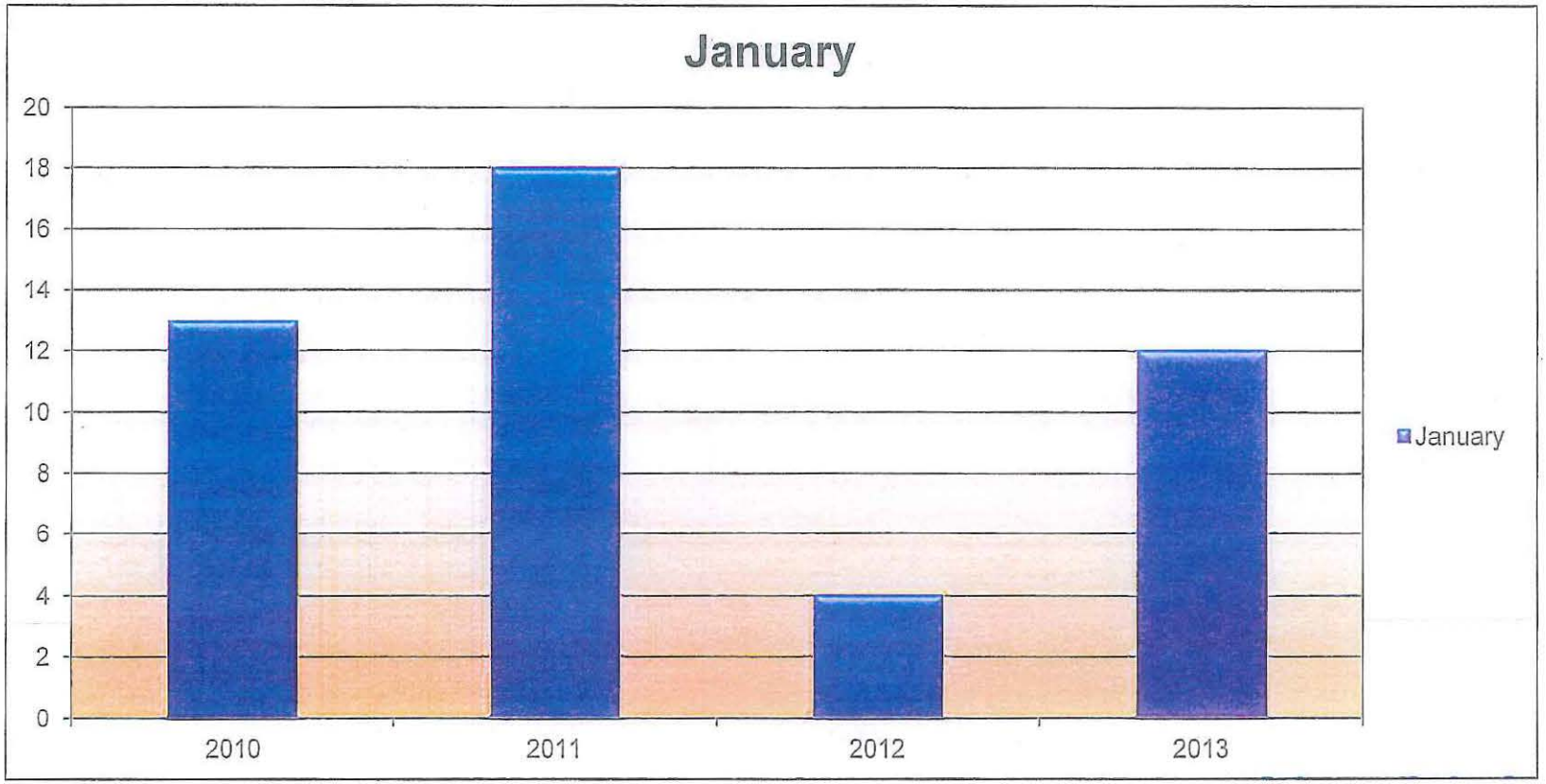
TOTAL OF NEW HOUSING STARTS

	2010	2011	2012	2013
January	13	18	4	12
YTD Totals	**13**	**18**	**4**	**12**



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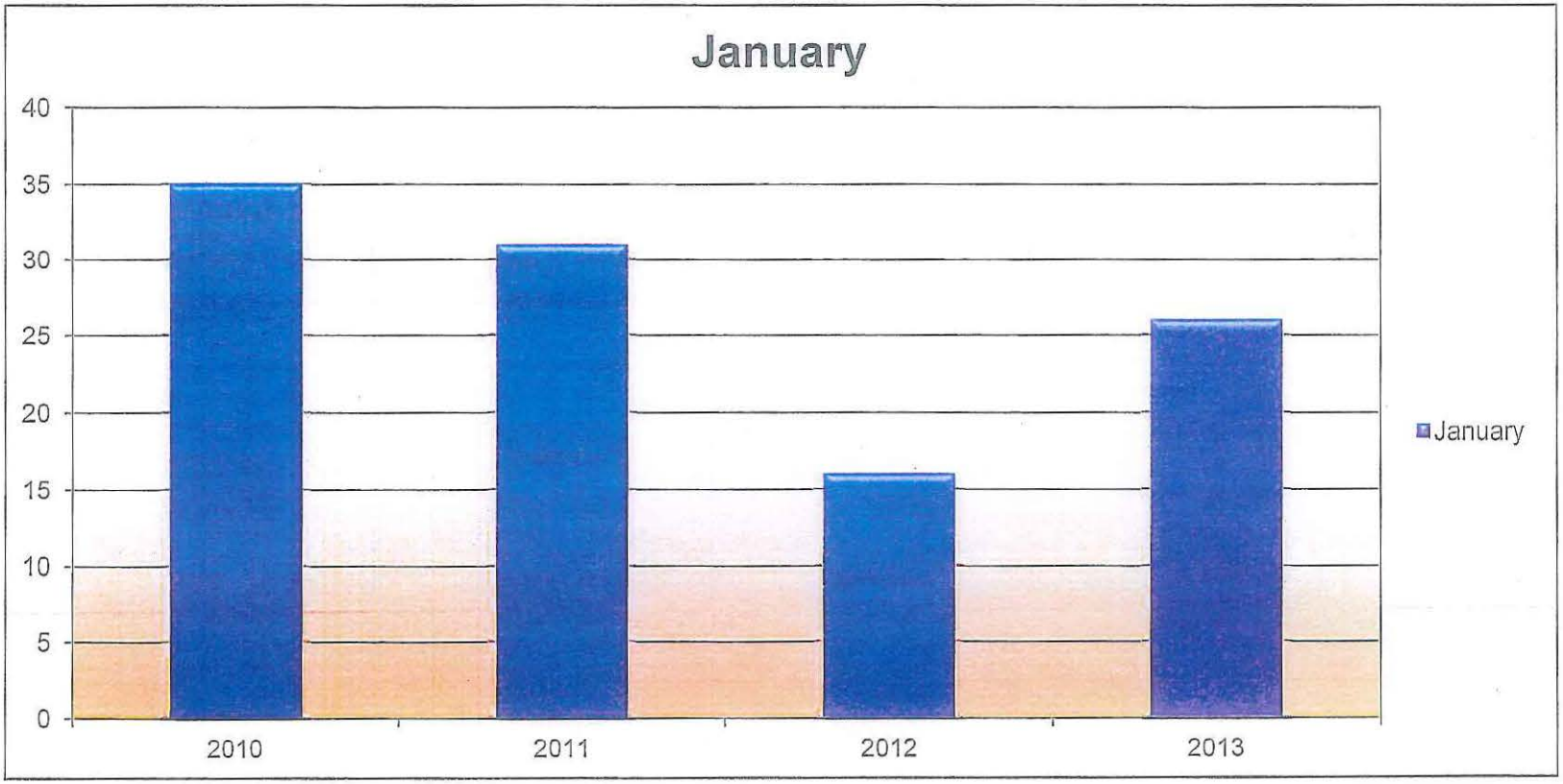
TOTAL BUILDING PERMITS ISSUED

	2010	2011	2012	2013
January	35	31	16	26
YTD Totals	35	31	16	26



IN 3

August 9, 2012

7:00 p.m.

Minutes of the Electoral Area B Advisory Planning Commission held on the above noted date and time at Shawnigan Community Centre.

Present:
APC members: Graham Ross-Smith, Sara Middleton, Roger Painter
Chris Hennecker, Grant Treloar, Dave Hutchinson, Jennifer Morros

Absent: Cynara de Goutiere.

Director: Bruce Fraser
Alternate Director: Kelly Musselwhite

Members of Public:

ORDER OF BUSINESS

1) **Introductions.**

2) **Agenda Review.**

3) **Minutes of June meeting**
   Motion - None
   Action Items - None

4) **Director Bruce Fraser report:**
- Gave update on the ongoing discussions with SIA's application. Bruce expects a collaborative approach with the CVRD and Ministry in continuing to look for suitable sites as this application is unacceptable in a community watershed;
- A Lakewatch/Blockwatch Program is in the works. Currently looking at other models;
- Bruce asked that going forward there be at least 2 APC members be at all site visits.

5) **Correspondence**
   None

6) **Craig Partridge -Ron Sharpe - Proposal 2-B-11-RS Development Permit**
   Motion - APC recommends that the DP application **2-B-11-RS Development Permit** not be approved.

7) **Steve McLeod - Proposal 3-B-11-RS Development Permit Application (Amended).**
   Motion - APC recommends that the DP application **3-B-11-RS Development Permit Application (Amended)** not be approved.

Meeting adjourned.

IN4

Area D Parks Commission

Monday, 18 February 2013
18:30 @ Cowichan Estuary Nature Centre

Present: Kerrie Talbot, Roger Southern, Megan Stone, Dave Nisbet, Lori Iannidinardo, Bruce Clarke, Steve Garnett

Meeting called to order: 18:39

1. Minutes from Previous meeting: passed

2. New Business:

   a) Motion: to accept the donation from the Cowichan Estuary Nature Centre and Cowichan Land Trust of the Wildlife viewing Platform at Hecate Park. Motion passed.

   b) Marine Gateway Site opening celebrations:
      discussion around the name – Gateway is not a popular name
      Sunday, April 21/ 2013 will be the official opening of the site
      Motion: to support the opening by contributing up to $500 to Cittaslow towards food & refreshments for their Pancake Breakfast that's happening in conjunction with the Gateway celebration & the Nature Centre's 1st Anniversary celebration. Motion passed.

   c) Martin Family subdivision: Motion to accept the 5% cash in lieu. Motion passed

   d) Kim Johannsen's proposed rezoning application at Cowichan Bay Rd at 4-Ways corner: Motion: to request an off-road walking path constructed by Mr Johannsen to CVRD Parks standards along the border of Cowichan Bay Rd; a bench in the southern driveway constructed to CVRD Parks standards, with or without a plaque; a sign welcoming people to Cowichan Bay "A Cittaslow Community", constructed of wooden material, in the maritime theme, and in keeping with the theme established by the two other Cowichan Bay signs currently bordering the Village; Parks Commission would like to own the land where the bench and sign are situated. Motion: passed

   e) Mill Bay Historic Church – update by Kerrie. There is a site visit for Parks Commision members on 23/Feb/2013 at 10:00. A decision needs to be made re: the next step in construction. Currently there is discussion re: accessible ramp landscaping or indoor utilities.

   f) Request from a local resident to sponsor a bench (with a non memorial plaque) @ the Marine Gateway Site. The Commission likes the idea and recognizes that people – especially those with mobility issues– need a bench with a back & arms to be able to more easily lower and rise from the seat. Information has been forwarded to CVRD (Brian Farquhar). The Parks Commission recommends that the bench be constructed of natural material in keeping with the Gateway natural theme.

3. Ongoing Business:

   a) Re: Updating Coverdale Watson Park play structure: Need to construct a survey in order to see what the community wants to see in a play structure and amenities. Kerrie to discuss construction of questionnaire with CVRD staff. Steven to contact Cowichan Bay Fire Department to inquire if the Parks Commission can present the questionnaire at their Easter egg hunt event. Plan: hand out the survey to Falcon Crescent residents prior to Easter Egg Hunt event and then collect them at the Hunt. At the Hunt, Commission members will also be present to hand out surveys to Cowichan Bay Residents attending the Hunt and collect feedback.

   b) Wilmot Off Rd walking path: Kerrie to discuss creating a 2nd questionnaire with CVRD Parks staff to be presented at same time, and in same manner, as the Coverdale Watson survey. Lori to announce both surveys at next OCP meeting.

   c) Cowichan Bay Estates agricultural green space buffer from Koksilah Road to Wessex Ravine to be on the next agenda.

Next meeting 18 March 2013 @ 1830

Meeting adjourned @ 2005

IN5

Area F APC Minutes

Date: 18 Feb 2013
Time: 7 PM

MINUTES of the Electoral Area F Advisory Planning Commission held on the above noted date and time at Honeymoon Bay Community Centre Meeting Room (aka Dining Room)

PRESENT:
Chairperson: Sharon Devana
Vice-Chairperson: Joe Allan
Secretary: TBD
Members: Phil Archbold, Bill Bakkan, Peter Devana, Mary Lowther & Susan Restall

ALSO present:
Director: Not available
Alternate Director - Dave Darling
Guests: Alison Garnett CVRD Staff - Planning Dept.

Absent – Bob Restall

The Chair, Sharon Devana called the meeting to order at 7:04 PM

ACCEPTANCE OF MINUTES:

It was Moved and Seconded that the minutes of the Area F APC meeting of 25 June 2012 be accepted.

Motion carried

ORDER OF BUSINESS:

Item 1 – Election of new Area F APC Officers

In the absence of Area F Director Ian Morrison, Alternate Director Dave Darling called for nominations for Area F APC Chairperson.
Joe Allen nominated Sharon Devana, Phil Archbold seconded. There were no further nominations and **Sharon Devana was acclaimed Chairperson until the next election.**

Dave Darling then called for nominations for Vice Chairperson.
Peter Devana nominated Joe Allan seconded by Phil Archbold. There were no further nominations and **Joe Allan was acclaimed Vice Chairperson until the next election.**

Dave Darling called for nominations for Secretary.
Mary Lowther nominated Peter Devana seconded by Joe Allan. There were no further nominations and **Peter Devana was acclaimed Secretary until the next election.**

Item 2 – Area E Proposed Revisions for their OCP 1490 amending bylaws 3680 & 3681 - Area F APC Comments & Recommendations

Note: Prior to this discussion Alison Garnett was asked to clarify certain things:

1.Why are we being asked to comment on these amendments to the Area E OCP 1490?
Answer- Because the north eastern corner of Area F is included in the Area E OCP and therefore may be affected by these new Bylaws.
2.What is the status of this part of Area E/F?
Answer – It is in Area F but is also included in the Area E OCP.
3. Do you want us to comment on the entire Bylaw 3680 & 3681 or just specific clauses?
Answer – The specific clauses and policies that apply to this part of Area F.
4. Do you want general or specific comments.
Answer – Both

With those clarifications resolved, Alison explained to all, with the use of small scale maps, the area of concern (thereafter referred to as the "Sliver") and the potential concerns to Area F.

She wanted to determine if we were supportive of these amendments as to how they might effect Area F.

Discussion

Joe Allan initiated the discussion by questioning whether Wet Land Development Permits (Bylaw 3680 Policy 14.12) would apply to Area F, even this "Sliver," which is defined as the common area in question. Answer was NO.

Joe then queried about the proposed Caretaker building that is being planned for the Chemainus River Park, which has been a victim of vandalism. If it is in Area F, are we in agreement to allowing the cabin to be built? The consensus was YES as long as it's built in the correct area closest to the problem. If the logical location for the caretaker's cabin is in Area F we would agree to the required rezoning for this purpose.

Joe next raised the question of Social Sustainability and Amenities
(Bylaw 3681 Policy 7.11).

After a lengthy discussion by all members the following Motion was made and seconded:

Motion : Area F APC requests that the Area E "Social Sustainability" Policies NOT apply to that portion of Area F that is in question ie "The Sliver"

Carried

Amendment 3680 Discussion

The entire Amendment was discussed with comments made on:
* Policy 4.2.1 –it doesn't apply to the "Sliver" area in question;
* Policy 7.10 – it doesn't apply now but will if the Paldi proposal goes through;
* Policy 13.2 Does apply to Area F "Sliver";and
* Policy 14.12 does NOT apply to Area F.

Amendment 3681 Discussion

The entire amendment was discussed in detail.

No specific concerns or comments were made with this "house keeping" amendment, however; Area F members came to a general consensus and recommendation that:

The negativity contained in both amendments (3680 & 3681) seems to be very restrictive in nature and could be improved by changing all negative wording to positive terminology that would be more inviting to future development proposals, other-wise prospective future opportunities could be lost by "first impressions" created by the negative restrictions currently depicted in these proposed amendments.

Respectfully submitted for your consideration and further action.

New Business

Item 1 - Need for more Area F APC members

Sharon informed attendees that since several people have recently tendered their resignations we need to consider recruiting new members in regions of Area F where we don't currently have representation.
It was agreed by the members that if we found any possible recruits we should forward their names to our Director for his further action, possible approval, and appointment.

Adjournment

There being no further business a motion was made for adjournment and seconded.

Carried
Meeting adjourned at 9:04 PM

Signed (Certified Authentic),
Peter N Devana
Secretary

Copies to:

Area F APC members
Electoral Area Services committee ds@cvrd.bc.ca

cc to CVRD Planner Alison Garnett
cc to Area F Director Ian Morrison
cc to Alternate Director Dave Darling

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Minutes of the Cowichan Station/Glenora/Sahtlam parks and Recreation Commi:
Annual General Meeting, held on January 29th, 2013 at the HUB, Cowichan Static

Call to Order

The meeting was called to order at 7:00 by Chairman Frank McCorkell.

Introductions

Director Loren Duncan introduced the Commission members as well as Mr. Roland Brown, a past member of the Commission for many years. At this point Director Duncan requested the members of the public to introduce themselves.

Purpose of the Meeting

It was mentioned that the meeting would provide everyone a general outline on the work undertaken by the Commission over the past twelve months (2012) as well as nominate a total of five new Commission members to serve during 2013. There will be an additional four individuals appointed by Director Duncan to the Commission, thus bringing the total to nine.

Minutes

The Minutes of the 2012 Annual General Meeting were distributed to all present and reviewed. There were no questions as to the contents and accepted as presented. Past 2012 budget numbers along with the proposed 2013 budget were distributed as well.

The Chair's Report

Chairman Frank McCorkell outlined the work already undertaken at the new park that is across from the Sahtlam fire hall, as well as the improvements to be undertaken during the 2013 fiscal year. This will included installing new picnic tables, playground equipment, some of which will be made of metal and portions of wood, additional fencing and a parking lot area.

Chairman McCorkell then discussed the improvements at the Glenora Trails Head Park which included the completion of the cookhouse, which he said was becoming well used by many individuals and groups. Director Duncan added that this park, developed over the past number of years, is of the highest standard with quality facilities and extremely well used, drawing people from not only the local area but from throughout the Cowichan Valley and far beyond. People, he mentioned, not only stop at the park when using the Trans Canada Trail (Cowichan Valley Trail), but use it as a gateway to the other trails and to our Cowichan River Community Park, just a fifteen minute walk away.

There was also a brief mention of other parklands purchased by the Regional District within Electoral Area 'E' that will add to the overall public lands inventory but were funded through the Regional Parks function.

Agenda Topics

1. 2011 Sahtlam Parks and Recreation Survey

Director Duncan provided the assembly with copies of both the questionnaire and 2011 survey results. He then spoke about why a survey was warranted in the Sahtlam area. He mentioned that the Commission did not want to 'impose' what they *thought* the community should have but rather ask the community *what they wanted* and through the survey the results provided the Commission with excellent ideas that were much appreciated and gave them direction to provide, among other things, new park land within the Sahtlam area. This survey will be referred to in the future and assist the Commission with the development of other new parks and trails.

2...

Electoral Area E Parks and Recreation Commission Annual General Meeting, January 29, 2013 continued:

Marie Hogg from Fairbridge suggested we should have a similar survey for the Cowichan Station area. Commission member Patty John mentioned that there have been regular community meetings hosted by the Cowichan Station Area Association to gain the pulse of the community since 2007. The next one will be held on February 2nd. Nevertheless, Chairman McCorkell believed a similar survey could be undertaken and would be distributed to all households within the Cowichan Station area, most likely in the fall. Community discussion of the Cowichan station survey results would then follow.

There was a brief discussion about the HUB development, (applause) as well as the possibility of the elimination of the *two-tier fees now charged to residents of Area E to use the Aquatic centre in North Cowichan. Director Duncan outlined what is proposed at the present time. *(Area E residents, among others, who do not contribute annual funding assistance through their property taxes, are charged an additional fee to use the facility)

Director Duncan also discussed the very strong desire to have a 50/50 split of monies allocated for parks and recreation facilities used by and paid for by residents of Electoral Area 'E'. He mentioned that he wants to see 50¢ of every $1 stay within the electoral area to assist with the purchase, development and maintenance of present and future parks, trails, facilities and recreational programs, the remaining funds would be available for recreation facilities outside of Area "E". He mentioned that at the moment the Islands Savings Centre is costing Area "E" homeowners ~ $67 per $100,000 assessment on their property, with local parks costing the same homeowner ~ $33. The two$ to one$ imbalance may need addressing, public awareness and discussion is needed. The vision and goal is to have local facilities that will be well used, of high quality and meet the needs of the local community whether it be Sahtlam, Cowichan Station or Glenora so residents don't have to travel to the valley's major urban area as much as at present.

Nominations for the Park Commission for 2013

The following residents were nominated, and acclaimed, at the meeting for a one year term;
Patty John, Paul Slade, Mike Lees, Irene Evans, and Larry Whetstone.

Adjournment

The meeting was adjourned at 8:25 p.m.

File: Minutes of the Parks & Recreation
Commission AGM, January 2013