



ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
February 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.
- | | | |
|-------------|--|-----|
| CSM1 | Minutes of Closed Session EASC Meeting of January 15, 2013 | 300 |
|-------------|--|-----|
- 11. ADJOURNMENT**

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

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, January 15, 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

Mike Tippet, A/General Manager
 Warren Jones, Administrator
 Rob Conway, Manager
 Brian Duncan, Manager
 Grant Breckenridge, Chief Building Inspector
 Rachelle Rondeau, Planner I
 Alison Garnett, Planner I
 Dana Leitch, Planner II
 Ann Kjerulf, Senior Planner
 Nino Morano, Bylaw Enforcement Officer
 Rob Harris, Bylaw Enforcement Officer
 Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding 13 items of listed New Business.

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

MOTION CARRIED

Introduction of New Staff Member

Brian Duncan, Manager, advised that Grant Breckenridge has been named the new Chief Building Inspector for the Building Division of the Planning and Development Department. The Committee congratulated Mr. Breckenridge on his appointment.

M1 - Minutes

It was Moved and Seconded that the Minutes of the December 4, 2012, EASC meeting be adopted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Shields The delegation request by Keith Shields was removed from the agenda at request of the delegate until such time that the rezoning application for the Shawnigan Lake Firehall is dealt with at EASC.

D2 - Budding Paul Budding was present on behalf of Sahtlam residents to request that the CVRD stop approving requests for special shoots and extra practices at the CV Trap and Skeet Club. Mr. Budding read and presented supporting documents.

The Chair thanked Mr. Budding for appearing.

D3 - Pakulak Andrew Pakulak was present regarding usage of the CV Trap and Skeet Club. Mr. Pakulak stated that he disagrees with approving special shoot requests other than what was approved under the existing Court Order.

The Chair thanked Mr. Pakulak for appearing.

D4 - Fonck Jack Fonck, President of the CV Trap and Skeet Club, was present regarding usage of the gun club. Mr. Fonck read letter of support from an adjacent neighbour and read his letter dated January 15, 2013 (agenda item NB1).

The Chair thanked Mr. Fonck for appearing.

Richard Buck, was present on behalf of the CV Trap and Skeet Club, regarding usage of the gun club. Mr. Buck provided some history of the club and spoke in support of usage of the club.

The Chair thanked Mr. Buck for appearing.

Mr. Fonck requested a further speaker as his delegation request form indicated that three people would be attending.

It was Moved and Seconded

That agenda item D4 be permitted one additional speaker.

MOTION CARRIED

Dan Elzinga advised that he is an adjacent neighbour and has no concerns with the activities of the gun club and stated that he is in support of the CV Gun Club.

The Chair thanked Mr. Elzinga for appearing.

Mr. Pakulak noted that his delegation request form also indicated three people would be attending and therefore requested that Hillary Stean be permitted to speak.

It was Moved and Seconded

That agenda item D3 be permitted one additional speaker.

MOTION CARRIED

Hillary Stean, resident on Sahtlam Estates Road, expressed concerns about the number of gun club members who don't live in the area, and that the shoots are affecting her quality of life. Ms. Stean stated that she supports limiting activities of the gun club.

The Chair thanked Ms. Stean for appearing.

STAFF REPORTS

R1 – CV Trap & Skeet Club

Nino Morano, Bylaw Enforcement Officer, reviewed staff report dated January 9, 2013, regarding Cowichan Valley Trap and Skeet Club Special Event Shoot 2013.

It was Moved and Seconded

That staff report dated January 9, 2013, from Nino Morano, Bylaw Enforcement Officer, regarding Cowichan Valley Trap and Skeet Club special event shoots for 2013, be referred back to staff for further information and to arrange a site visit.

MOTION CARRIED

R2 – Cobble Hill Age Friendly Project

Anne Kjerulf, Senior Planner, reviewed staff report dated January 10, 2013, regarding Cobble Hill Commons Age-Friendly Project.

Bev Suderman, Planning Consultant, and Jessica Gemella, Landscape Architect, who worked on the project, were present and provided a power point presentation.

The Committee directed questions to staff and consultants.

Director Giles thanked the Steering Committee for their time and commitment to the project.

It was Moved and Seconded

1. That the Cobble Hill Age-Friendly Project Report be accepted by the CVRD Board as information;
2. That the Cobble Hill Age-Friendly Report recommendations be endorsed by the CVRD Board;
3. That the Cobble Hill Age-Friendly Report be referred to the Cobble Hill Parks and Recreation Commission and to the Cobble Hill Advisory Planning Commission for feedback respecting the Cobble Hill Common site;
4. That CVRD Planning & Development staff submit an application to the Canadian Mortgage and Housing Corporation requesting seed funding in the amount of \$10,000 to undertake a housing needs assessment;
5. That Ann Kjerulf, Senior Planner, be appointed as Senior Housing Advocate for Seniors Affordable Housing on behalf of the CVRD Board; and

6. That the recommendations table on page 2 and page 54 of the Final Report be amended by changing the term "South Cowichan Area Directors" to "Regional Area Directors" and changing reference to "Area A,B, and C Directors" to "Area Directors".

MOTION CARRIED

R3 - Hunt

Alison Garnett, Planner I, reviewed staff report dated January 8, 2013, regarding Application No. 4-E-12DVP (Hunt) to permit placement of a mobile home at 4661 Bench Road under the small suite provisions of Bylaw No. 1840.

Cara Hunt, applicant, was present and provided further information to the application.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That a building permit be issued to Stephen and Cara Hunt for placement of a mobile home with a maximum width of 9 metres on Parcel G (DD441511) of Section 6, Range 1, Cowichan District, subject to an Agricultural Protection Development Permit and a covenant that requires removal of the mobile when the residence is no longer required for farm help (Application No. 4-E-12DVP/15-E-12DP).

MOTION CARRIED

R4 – Don Mann

Rachelle Rondeau, Planner I, reviewed staff report dated January 9, 2013, regarding development permit compliance respecting Application No. 7-B-11DP/RAR (Don Mann Excavating Ltd.).

There were no questions directed to staff from Committee members.

It was Moved and Seconded

That staff report dated January 9, 2013, from Rachelle Rondeau, Planner I, regarding development permit compliance (Application No. 7-B-11DP/RAR, Don Mann Excavating Ltd.), be received and filed.

MOTION CARRIED

R5 - Parshel

Rachelle Rondeau, Planner I, reviewed staff report dated January 9, 2013, regarding Application No. 2-A-12RS (Parshel Holdings Ltd.) to rezone and redesignate property at 692 Shawnigan lake Road, to an industrial zone to allow expansion of the industrial uses on the property.

Kevin Parker, applicant, was present and provided further information to the application.

It was Moved and Seconded

- 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; 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

**R9 – Bylaw
Enforcement Report**

Nino Morano, Bylaw Enforcement Officer, reviewed staff report dated January 10, 2012, regarding 2012 Bylaw Enforcement Report.

It was Moved and Seconded

That the 2012 Bylaw Enforcement Report be received and filed.

MOTION CARRIED

**R10 – Release of
Covenant (Logan)**

It was Moved and Seconded

That the appropriate documents be executed to release Covenant CA2576177 in favour of the Cowichan Valley Regional District registered June 13, 2012, on Lot B, Section 15, Range 4, Shawnigan District, Plan VIP58126, as the subject conditions within the covenant referring to the dedication of proposed Lot 3 (0.32 hectares), for park purposes to the CVRD, will be appropriately executed at the time of subdivision approval and will no longer be relevant within the covenant terms and conditions.

MOTION CARRIED

**R11 – Small Suites,
Area E**

Rob Conway, Manager, reviewed staff report dated January 8, 2013, regarding a request by the Area E Director to amend the Area E zoning bylaw to remove small suites as a permitted use in the A-1 Zone.

It was Moved and Seconded

That a bylaw to amend Area E Zoning Bylaw No. 1840 to remove "small suite" as a permitted use in the A-1 zone be drafted and forwarded to the Board for consideration of first and second reading and that the public hearing be waived in accordance with Section 890(4) of the *Local Government Act*.

MOTION DEFEATED

It was Moved and Seconded

That a bylaw to amend Area E Zoning Bylaw No. 1840 to remove "small suite" as a permitted use in the A-1 zone be drafted and forwarded to the Board for consideration of first and second reading and that a public hearing be scheduled with Directors Duncan, Morrison and Fraser appointed as Board delegates.

MOTION CARRIED

**R12 – 2013 EASC
Schedule**

It was Moved and Seconded

That the proposed 2013 EASC meeting schedule be amended by deleting the October 1st meeting date and that the following 2013 EASC meeting schedule be approved with all meetings to start a 3:00 pm:

Tuesday, January 15 th	Tuesday, June 18 th
Tuesday, February 5 th	Tuesday, July 2 nd
Tuesday, February 19 th	Tuesday, July 30 th
Tuesday, March 5 th	Tuesday, September 3 rd
Tuesday, March 19 th	Tuesday, September 24 th
Tuesday, April 2 nd	Tuesday, October 15 th
Tuesday, April 16 th	Tuesday, November 5 th
Tuesday, May 7 th	Tuesday, November 19 th
Tuesday, May 21 st	Tuesday, December 3 rd
Tuesday, June 4 th	

MOTION CARRIED

CORRESPONDENCE**C1 – TUP, Vacation
Rentals**

It was Moved and Seconded

That letter dated January 4, 2013, from Paul Brigel, regarding temporary use permits for vacation rentals, be referred back to staff for review and comment.

MOTION CARRIED

**C2 to C7 and NB5 to
NB10– Grants in Aid**

It was Moved and Seconded

That the following grants in aid be approved:

That a grant in aid, Electoral Area C – Cobble Hill, be given to Cowichan Secondary School in the amount of \$1,000 to provide two \$500 bursaries for students residing in Area C.

That a grant in aid, Electoral Area C – Cobble Hill, be given to Frances Kelsey Secondary School in the amount of \$1500 to provide three \$500 bursaries to students residing in Area C.

That a grant in aid, Electoral Area G – Saltair, be given to Chemainus Secondary School in the amount of \$500 to provide a bursary to a student residing in Saltair.

That a grant in aid, Electoral Area G – Saltair, be given to Nanaimo-Ladysmith Schools Foundation in the amount of \$500 to provide a bursary to a student residing in Saltair.

That a grant in aid, Electoral Area D – Cowichan Bay, be given to Frances Kelsey Secondary School in the amount of \$1,000 to assist a worthy student with post-secondary education.

That a grant in aid, Electoral Area D – Cowichan Bay, be given to Cowichan Foundation in the amount of \$500 to assist with further educational opportunities.

That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Cowichan Family Caregivers Society in the amount of \$1500 to provide support for family caregivers.

That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Ecole Mill Bay PAC Ecostravaganza in the amount of \$250 to assist with their annual ecological awareness event.

That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Cowichan Secondary School in the amount of \$1000 towards their scholarship fund.

That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Frances Kelsey Secondary School in the amount of \$1000 towards their scholarship fund.

That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Inspire Arts & Culture Society in the amount of \$10,000 to provide arts and culture support for gathering of local arts and culture groups and Shawnigan Village Gallery.

That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Shawnigan Basin Society in the amount of \$10,000 to provide support for various volunteer services associated with the Shawnigan Lake water basin.

MOTION CARRIED

INFORMATION

IN1 & IN2 – Building Reports

It was Moved and Seconded
That the November 2012 and December 2012 Building Reports be received and filed.

MOTION CARRIED

IN3 to IN11 and NB11 to NB13 - Minutes

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

- Minutes of Area E APC meeting of December 4, 2012
- Minutes of Area D Parks meeting of December 5, 2012
- Minutes of Area C Parks meeting of December 8, 2012
- Minutes of Area H Parks AGM of February 23, 2012
- Minutes of Area H Parks meeting of February 23, 2012
- Minutes of Area H Parks meeting of April 5, 2012
- Minutes of Area H Parks meeting of May 26, 2012
- Minutes of Area H Parks meeting of August 23, 2012
- Minutes of Area H Parks meeting of October 24, 2012
- Minutes of Area B Parks meeting of October 18, 2012
- Minutes of Area B Parks meeting of November 15, 2012

- Minutes of Area A Parks meeting of November 15, 2012

MOTION CARRIED

NEW BUSINESS

- NB1 – Add-on material** Add-on material (letter dated January 15, 2013 from Jack Fonck) regarding agenda item D4 – CV Trap & Skeet Club usage, was received as information.
- NB2 – Add-on material** Add-on material (letters and emails) regarding agenda item R1 – CV Trap & Skeet Club, was received as information.
- NB3 – Add-on material** Add-on material (email from Rachelle Rondeau and Dr. Mackenzie Brooks) regarding agenda item R5 – Application No. 2-A-12RS, was received as information.
- NB4 – Add-on** Add-on material (report from Director B. Fraser) regarding Agenda item R7 – Application No 3-B-11RS, was received as information.
- NB5 to NB13** NB5 through NB13 items were dealt with previously.

RECESS

The Committee adjourned for a 5 minute recess.

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 7:10 pm

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:15 p.m.

Chair

Recording Secretary



REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Corporate Secretariat Division – Fax 250.746.2513)

REQUEST TO ADDRESS: ☐ CVRD BOARD

☒ Electoral Area Services Meeting COMMITTEE
at the meeting of January 15, 2013, 20013 at 3:00 pm

APPLICANT NAME Paul Budding

REPRESENTING: Satlam Residents
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: 1 or More

Applicant mailing address: 4409 Akira Rd Duncan BC

Applicant Telephone: 2502137786 Fax: _____

Applicant email: paulbudding@shaw.ca

PRESENTATION TOPIC and NATURE OF REQUEST:

Objection to the approval of the extra shoots
at the CBM CV Trap and Skeet Club over there court
(If more space is required, please attach an additional page to this form) order.

F

[Signature]
Signature

Jan 7/2013
Date

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Corporate Secretariat Division at 250.746.2508.

D2



REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Corporate Secretariat Division – Fax 250.746.2513)

REQUEST TO ADDRESS: ☒ CVRD BOARD
☒ EASC COMMITTEE

at the meeting of January 15th, 2013 at 3 pm

APPLICANT NAME Andrew Pakulak

REPRESENTING: _____
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: 3

Applicant mailing address: 4555 Cowichan Lk. Rd.

Applicant Telephone: 250 748 4757 Fax: _____

Applicant email: justbelieve@shaw.ca

PRESENTATION TOPIC and NATURE OF REQUEST:

Cowichan Lake Road GLEN Club

(If more space is required, please attach an additional page to this form)

F
[Signature]
Signature

Jan. 9, 2012
Date

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Corporate Secretariat Division at 250.746.2508.

D3



REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Legislative Services Division – Fax 250.746.2513)

REQUEST TO ADDRESS: ☐ CVRD BOARD

☒ EASC COMMITTEE

at the meeting of FEB 5, 20 13 at 3:00 pm

APPLICANT NAME RICHARD BUCK

REPRESENTING: COWICHAN VALLEY TRAP SKIET
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: 3

Applicant mailing address: _____

Applicant Telephone: 250-748-2886 Fax: _____

Applicant email: J2ATLO8@SHAW-CO

PRESENTATION TOPIC and NATURE OF REQUEST:

CLARIFICATION ON REQUEST FOR
SPECIAL EVENTS AND RECENT DEVELOPMENTS
(If more space is required, please attach an additional page to this form)

Signature J. Lonck FOR RICHARD BUCK Date JAN 30/13

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Legislative Services Division at 250.746.2508.

2012-12-06
OFF - 2500



attn: Kok D4
to present
Telus presents

REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Legislative Services Division – Fax 250.746.2513)

REQUEST TO ADDRESS: ☐ CVRD BOARD
☐ Electoral Area Services COMMITTEE

at the meeting of Jan. 8/15 or 20 ^{FEB. 5}, 20 13 at ? pm

APPLICANT NAME Dorothea Siegler and Celina Gold

REPRESENTING: citizens
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: 2 ^{presenting} or (more may attend)

Applicant mailing address: 2391 First Ave.

Applicant Telephone: 748-7124 Fax: _____

Applicant email: dorothea.siegler@gmail.com

PRESENTATION TOPIC and NATURE OF REQUEST:

There are quite a number of us who are
concerned about the increase in density of
microwave radiation specifically from cell towers →

(If more space is required, please attach an additional page to this form)

Dorothea Siegler
Signature

Dec. 6/12
Date

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8
Please address inquiries to the Legislative Services Division at 250.746.2508.

and with almost everywhere in town, and in neighbourhoods. On Nov. 30/12 at the Hub we heard from 2 experts in the field about the concerns world-wide regarding toxins of this kind increasing on a consistent basis. We would like to bring more awareness to the CVRD about our concerns, and we expect that perhaps something can come out of our presentation and concerns, to protect the public.

Open letter to the CVRD and Cowichan Leader Pictorial and the Cowichan Valley Citizen:

Dear members of the CVRD board:

Thank you for your diligence and vision for our community.

I am saying "No thank you," to the Telus cell tower proposal between Dinters and John Deere on the Trans Canada Highway. I would need much more specific data and dialogue before I could say "Yes," to their proposal. Please ask for an extension of their timeline, so that more specifics could be shared with the larger community.

I want to acknowledge First Nations people who have lived in the Cowichan Valley for 1000's of years. In search of some original history of the first peoples in this area, I read about the first 12 Cowichan elders. The first one to arrive here was Syalutsa. When Syalutsa met the next elder who came, he embraced him and said, "We have been put here to take care of this great natural abundance." He then shared 7 pieces of wisdom, one of which was this: "only through a continual and strict regime...will understanding increase."

The first time my children and I drove into the Cowichan Valley five years ago, my son said, "There are no cars here (we came from Vancouver), we have to move here." My daughter who has a compromised immune system sometimes suffered high blood sugars in places with high levels of EMF (electromagnetic frequencies) that no amount of insulin would bring down until we had left the area where LF (light frequencies) and RF (radio frequencies) were intense. My success for health with my children is that I have continually sought out environments with as little toxins as possible. I hired a Building Biology practitioner, who measured the amount of LF and RF both inside and outside my home. With a strict resolve to limit toxins my daughter is as healthy as a diabetic could be, and I believe we can all be as perfectly healthy as my daughter who is in excellent health.

I went to the Telus info session at the Hub on October 2. On one of their charts it said that Canada's Safety Code 6 is comparable to Safety Codes in Europe. Let's examine this "fact". The allowable limit for safety in Canada is 1,000 microwatts per square cm. In the Ukraine the limit is 2.4 microwatts per square cm, and in Switzerland 4.2 microwatts per square cm. Canada's safety limit is one of the least stringent in the world. More importantly, it is designed to protect people from thermal (burning tissue) effects only, not to protect from adverse biological effects.

Studies have found: sleep disturbances at 0.002 microwatts per square centimeter; a progressive decrease in the number of newborns and irreversible infertility in mice after 5 generations of exposure at 0.168; and, at 0.32-16 microwatts per square centimeter, significant disturbances to attention, memory and motor function in schools. This is why some of the safety limits in Europe are so much lower than ours, and could be lower still.

Another chart at the meeting showed that the amount of radiation from the tower at the level of the ground would be 0.5-1 microwatts per square centimeter. I would need more specific data to be able to determine the amount of radiation at this level; at present, this would constitute a ball park figure. The radiation is most intense 200-500 meters from the tower; it falls off gradually the further you are from it. The amount of users also increases the amount of radiation. Certainly, at the level described sleep disturbances and other adverse biological effects can occur.

Dr. Magda Havas PhD scientist from Trent University also mentions insomnia among numerous

biological effects from RF on the human body. Dr. Magda Havas formerly studied acid rain and her research plus that of some others led to Clean Air legislation in Canada. She cites the following adverse biological effects: anxiety, depression, nausea, tinnitus, heart palpitations, headache, and what she calls Rapid Aging Syndrome.

The Interphone study noted a 40-80% increase in the risk for glioma (a rare brain cancer) for those who use their cell phones for 30 min or more a day for 10 years.

Zorey Glaser hired by the US Naval Medical Institute in 1972 to write a paper on the effects on man from non-ionized RF noted these effects (and numerous others to the body): altered physiologic function, changes to the central nervous system, blood disorders, histological changes, genetic and chromosomal changes.

Other important cautions from around the world are many, here are just a few examples from various corners of the globe. The Austrian Medical Association recommends wired connections wherever possible to protect against RF microwave radiation (microwave means little wave, RF is sometimes named as such). The World Health Organization in May of 2011 classified RF as a possible carcinogen. Dr Norbert Hankin, PhD Environmental Scientist, Office of Radiation and Indoor Air, Environmental Protection Agency, USA states: "The growing use of wireless communications by children and by schools will result in prolonged (possibly several hours per day), long term exposure (12 or more years of exposure in classrooms connected to computer networks by wireless communications) of developing children to low-intensity pulse modulated RF radiation. Recent studies involving short-term exposures have demonstrated that subtle effects on brain functions can be produced by low-intensity pulse modulated radiofrequency radiation. Some research involving rodents has shown adverse effects on short-term and long-term memory. The concern is that such effects may occur in young children, then even slight impairment of learning ability over years of education may negatively affect the quality of life that could be achieved by these individuals, when adults.

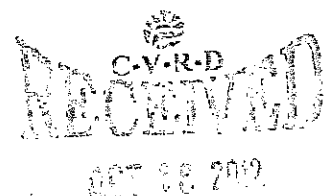
Dear members of the CVRD: I say "No" to any more cell towers, and would say "No" to Shaw Cable who is in process of installing more radiation emitting devices in all urban centers so that phones and pads and such, can access the internet at any street corner. And at what cost to the health of future generations? As parents we would not allow our child to interrupt in a conversation we are having with someone else. Is it really to our benefit, to take ourselves out of the present moment to access the internet at any corner of our town?

We need you to act on our behalf. We need you to write letters to the Federal government and plea to upgrade Safety Code 6, and we need you to employ the precautionary principle before considering any additional RF in our town and surrounding areas. We can work and plan together, to come up with a level of radiation that is acceptable and healthy for everyone. My dream is that Duncan and the Cowichan Valley continue to be a green, healthy place to live, and that this will be achieved through a healthy democratic process.

Thanking you in advance for your time and consideration,
Sincerely,



Dorothea Banman (formerly Dorothea Siegler)





R1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 31, 2013 FILE NO: 1-E-13BE
FROM: Nino Morano, Bylaw Enforcement Officer BYLAW NO:
SUBJECT: Cowichan Valley Trap & Skeet Club Special Event Shoots 2013

Recommendation/Action:

Direction of the Committee is required

Relation to the Corporate Strategic Plan: N/A

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

Background:

You may recall at the January 15, 2013 EASC meeting the matter of a request submitted by the Cowichan Valley Trap & Skeet Club for special event shoots schedule for 2013 as they have done on an annual basis since the mid '90s. The EASC made the following resolution:

"That staff report dated January 9, 2013, from Nino Morano, Bylaw Enforcement Officer, regarding Cowichan Valley Trap and Skeet Club special event shoots for 2013, be referred back to staff for further information and to arrange a site visit."

Attached you will find a submission from the CVTSC further clarifying their position along with a submission from Paul Budding who spoke as a delegation at that meeting voicing his concerns about the CVTSC. The original staff report, court decision and requested shoot schedule are also included in this report. Further, it is our understanding that the CVTSC has extended an invitation for a site visit to Electoral Area Directors and staff.

Submitted by,


Nino Morano
Bylaw Enforcement Officer
Inspections & Enforcement Division
Planning & Development Department

NM/ca

Reviewed by:
Division Manager:

Approved by:
General Manager:



COWICHAN VALLEY TRAP & SKEET CLUB

SINCE 1953

February 5 2013

Cowichan Valley Trap & Skeet Club

Introduction

- The Club owns approximately 80 acres of land just off the Old Cowichan Lake Road;
- Prior to the CVRD being formed the property was unorganized land;
- CVRD zoned the land as R2 in 1974;
- There has been shooting on the property since 1946 and continuously to date;
- The shooting range is approved for shotguns only; rifles and pistols are prohibited;
- The Court Order dated 10th January 1994 gives the club the right to shoot
- The club recognizes the public has rights too
- In the last 18 years the club has never had a complaint brought to us
- The club was not approached with regard to the current complaint, and was quite surprised by last months' meeting.



COWICHAN VALLEY TRAP & SKEET CLUB

SINCE 1953

Court Order

Times and Schedule

Court Order allows:

1. One fixed regular evening per week throughout the year. We chose Tuesdays, 6-9 pm; however we only shoot on these days from April to September each year. Note: of the 53 available Tuesdays in 2013 that we are entitled to shoot, we only practice on 26 of them.
2. One full weekend day twice a month. We chose Sundays starting at 10am, and normally ending before 3pm.
3. If we want to have two-day shoots we must apply to the CVRD. Every application since 1995 had been granted, never denied.

The Order allows the club to shoot 77 days of the year in 2013. The scheduled shoots including the two-day special shoots requested from the CVRD amount to 52 days only. This leaves 313 days of the year that the range is silent.

The Club has never extended past the times it is allowed to shoot, neither has the club breached the dates on our annual schedule, or dates specially requested and granted by the CVRD.

On Saturday 19th January the CVRD bylaw enforcement officer was called due to complaints that shooting was occurring at the



COWICHAN VALLEY TRAP & SKEET CLUB

SINCE 1953

club property. This was simply not the case. The caretaker was there all day and verified that no one was shooting.

Fixtures

The Court orders the removal of 3 of 5 concrete trap shooting bunkers, together with two skeet towers and concrete walkways.

In fact, only 4 of the 5 bunkers were ever in use.

- The Club only uses four trap bunkers three times a year. Once on a special shoot approved by the CVRD and two single day shoots.
- To run the same number of shooters over half the number of trap bunkers would double the duration of shooting hours.
- Removal would inconvenience the club but would not stop the shooting.
- Allowing the club to utilize four trap bunkers instead of two bunkers gives the club the opportunity to expedite the program and to bring the shooting activity to the earliest possible conclusion.

Membership

It has been suggested that the clubs membership has increased and the amount of shooting has increased enormously. This is simply not true.



COWICHAN VALLEY TRAP & SKEET CLUB

SINCE 1953

- Membership has steadily decreased since the early seventies but in recent years has remained fairly constant. An average of 44 members 2006-2012
- The percentage of targets shot has decreased by 36.21% from 2006 to 2012. See attached graph.
- Clay Target shooting has no age or gender barriers. Members are single, families with kids, and women on their own. All coaching of shooting at the club has been, and continues to be free of charge.
- This is a recreational activity which allows adults and children to learn safe gun handling, good sportsmanship, and to hone their skills so that they may participate at any level of competition. The club is proud of our members who have won championships at the local, regional, national, and international competitions. Some of our members compete at the World Police and Fire Games shotgun competitions.
- Tourism. ? Traveling competitive shooters are no different than other athletes; they travel with their families and include shooting activities with their holidays. Accommodation, retail outlets, restaurants etc. all benefit.
- Positive Benefit. This is an organized shooting sport, done in a safe and controlled area. It allows hunters to improve their shooting skills, and target shooters to train mind and body.
- We are aware of other shooting in the surrounding area ie: other clubs, recreational shooters at various forestry locations, and members of the general public. This is common in rural areas. We are concerned that the noise from these other sources is being placed on our club. This Club only shoots on Tuesdays and Sundays unless there is a special 2-day competition which happens only twice a year.



COWICHAN VALLEY TRAP & SKEET CLUB

SINCE 1953

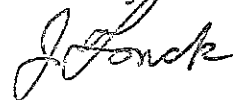
- The club has a live in caretaker and the gate is locked at all times. The facilities cannot be used unless the club house is opened and the equipment is unlocked and set up by the Club Executive

Conclusion

- The club is willing to discuss these matters at a public forum in a civilized manner.
- The club would like to explore how we can go forward from this point taking into consideration the clubs right to shoot and its willingness to discuss scheduling hours and timing.
- We would hope that you consider our request for our two day shoots based on our previous performance and lack of complaints.

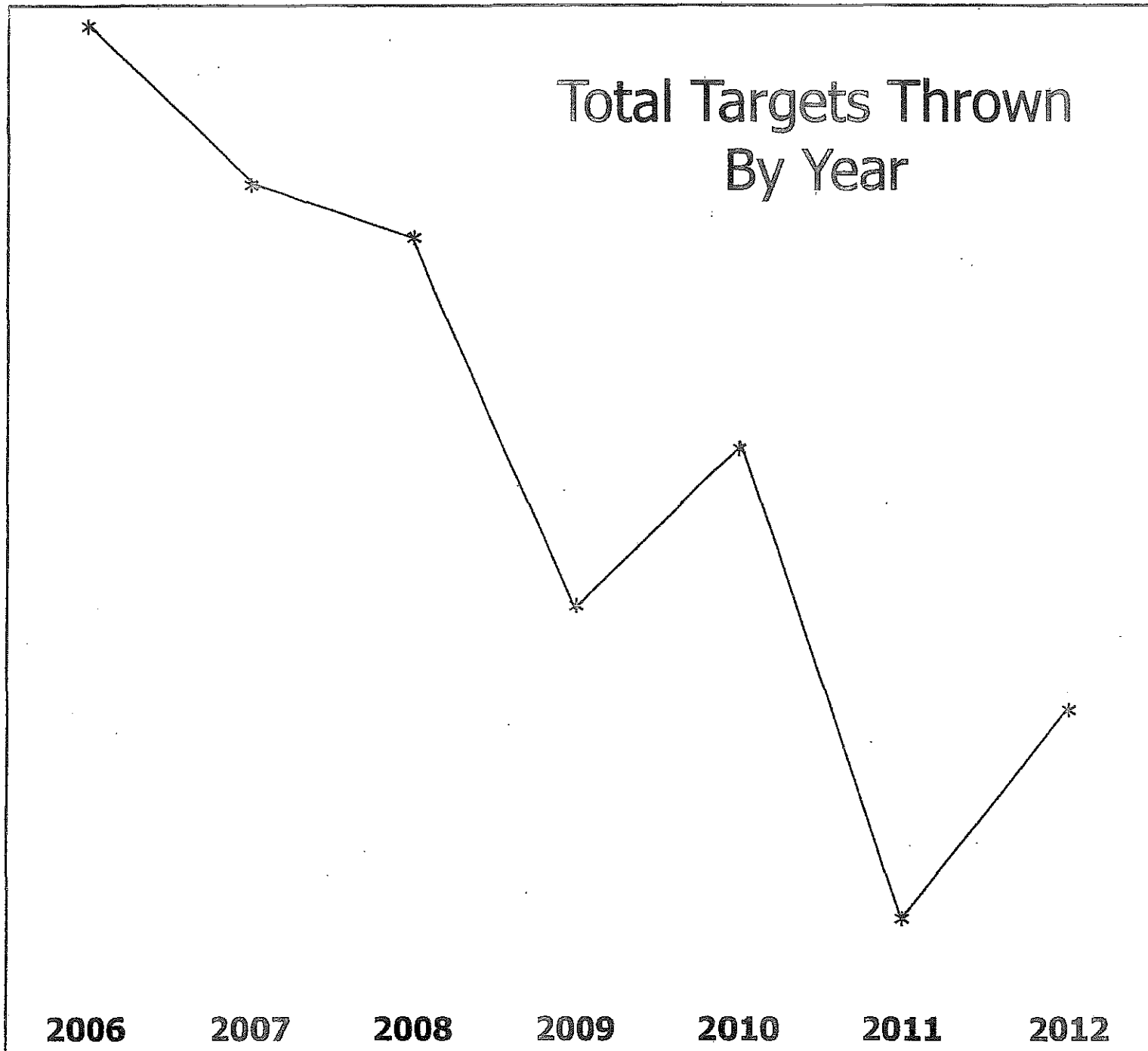
Thank you for allowing us the time to address the committee.

Sincerely



President CVTSC

Total Targets Thrown By Year



Cowichan Trap & Skeet

36.21%
LESS TARGETS
SHOT IN 2012
THAN IN 2006

The Cowichan Valley Trap and Skeet club Usage

Delegation Chair: Paul Budding

Agenda:

1) Introduction:

My name is Paul Budding and I live on Akira Road in Sahtlam. I represent myself and other Sahtlam residents that are concerned with the Cowichan Valley Trap and Skeet Club's noise pollution and growth.

2) Purpose of this Delegation:

To stop the CVRD from approving any special shoots or extra practices which are regulated by the CVRD's noise bylaw that are only supposed to be given out in the public's interest, to confirm that the gun Club has complied with the Supreme Court of British Columbia ruling limiting the infrastructure on their property to pre 1974 levels, and make sure the CVRD is enforcing the usage restrictions of the gun club on their property.

The Supreme Court of British Columbia court order limits this gun club to two single day weekend shoots per month that cannot be consecutive (two Sundays a month,) and one regularly scheduled weekday practice (Tuesday practice).

The Supreme Court order directed the removal of all complexes and infrastructure on their property that were either in the process of being built or already built that were not present pre 1974. The pre 1974 infrastructure level must exist today because the gun club is directed by the Supreme Court of British Columbia ruling in order to limit the capacity of the club to shoot excessively. All shooting and infrastructure built in excess of the Supreme Court Ordered pre 1974 levels is considered expansion of this facility.

The Sahtlam residents from 1974 to present have consistently stated that they don't support expansion of this club. Here we are today again, just like the residents before, fighting with a club that doesn't engage it's local neighbors, ignores rules and regulations, has failed to ever put in infrastructure to quiet down their operation. We have no confirmation that they have ever complied with the court order to remove the bunkers, walkways, and the skeet houses that the Supreme Court order directed them to. I actually have been told that these still exist.

The Supreme Court order states that there was no evidence of skeet houses prior to 1974 so how can they skeet shoot?

The Supreme Court of British Columbia ruling document is an asset of the Sahtlam community that was paid for by our tax dollars and we request that it is enforced by the CVRD.

With the reduction of gun shooting facilities outside the Cowichan Valley, we now have gun shooting out of town tourists and nonconforming local shooters using all of our local gun ranges in the Cowichan Valley.

Their membership is only growing which makes it even more disturbing.

The residents local to these facilities have had enough. It is essential that these facilities are regulated.

The Overview of the Supporting Documents with sub points for the Delegation:

1) The Supreme Court order of British Columbia document. (Duncan registry S3178)

a) This shows the history of the Cowichan Valley Trap and Skeet Club's noncompliance and the judgment against them to limit the size of the clubs complex to pre 1974 levels and the number of shoots in any given month..

b) This shows the fact that the skeet shooting was not present pre 1974 so it is not permitted along with its towers.

2) The CVRD Noise Bylaw 1060:

a) It applies to all electoral areas.

b) It clearly states that waiving the rights of the noise bylaw is only issued in the public's interest. The special shoots and extra practices are governed by this bylaw. More gun shoots are not in the best interest of this rural area and haven't been for over 40 years.

3) Cowichan Valley Regional District Development Services Department Memorandum March 4, 1992:

a) This clearly shows the history of this gun club's non-compliance and infrastructure construction without permits or permission that continues to this day.

4) Property Owner letter dated March 3 1992:

a) This shows the illegal expansion of the stalls and the number of the original stalls in 1981 (two stalls).

5) The Cowichan Valley Trap and Skeet club 2012 Schedule.

a) This clearly shows the special events and special practices but be aware they get two Sundays and four Tuesdays in addition to the Noise Bylaw approved shoots every month. This is completely unreasonable.

Conclusions:

a) Immediately stop approving special shoots, stop approving special practices, enforce the regulated days and regulated infrastructure directed by the Supreme Court of British Columbia, and correct the level of non compliance on the site in relation to all of this.

b) Find a suitable property in the Cowichan Valley for the Gun club to exist for a property trade or buy the land out right.

Thank you for allowing me to speak tonight and I look forward to the CVRD's feedback and the confirmation of the Cowichan Valley's Trap and Skeet Clubs compliance.

Respectfully submitted,

Paul Budding and the Sahtlam Community.



STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF JANUARY 15, 2013

DATE: January 9, 2013 FILE NO: 1-E-13BE
FROM: Nino Morano, Bylaw Enforcement Officer BYLAW NO:
SUBJECT: Cowichan Valley Trap and Skeet Club
Special Event Shoot 2013

Recommendation/Action:

Direction of the Committee is required.

Relation to the Corporate Strategic Plan: N/A

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

Background:

We are in receipt of the attached letter from the Cowichan Valley Trap and Skeet Club (CVTSC) located on Cowichan Lake Road in Area "E" requesting to hold two (2) "Special Event" Competitive Shoots in 2013 (April 6 – 7 & April 20 – 21).

Directors may recall that in the fall of 1993 the Cowichan Valley Regional District went to court in an attempt to limit the extent of the use of the Gun Club property to what had taken place prior to the inception of zoning in 1974.

In January 1994, Justice H.D. Boyle ruled that:

1. The Plaintiff's (CVRD) claim of violation of its Building Bylaw be dismissed.
2. The Defendant (Gun Club) forthwith remove or cause to be removed the western most three of five concrete trap shooting bunkers, the two skeet shooting towers and the concrete walkways constructed after 1974.
3. The Defendant be restrained and enjoined from using or allowing the use of the property as a place to discharge firearms other than on one fixed, regular evening per week, to be determined by the Defendant, and on one full day, two weekends per month.
4. The Defendant be restrained and enjoined from using or allowing the use of that property as a place to discharge firearms on more than one consecutive day, unless authorized as a special event under the Plaintiff's relevant Noise Bylaw, or in competitions of a wider than local nature unless authorized as a special event under the Plaintiff's relevant Noise Bylaw.
5. The Defendant be restrained and enjoined from the cutting down or allowing the cutting down of timber on that property without prior authorization of the Plaintiff.

The Gun Club did not file a Notice of Appeal and the Court Order remains in force.

In accordance with the Court Order, the CVTSC have requested permission under the "Special Events" section of the CVRD Noise Bylaw No. 1060 to hold competitive shoots of a wider than local nature and of more than one consecutive day.

Section 5 states:

"Notwithstanding the provisions of this Bylaw, where it is impossible or impractical to comply with S. 3(g) of this Bylaw or in the case of a special event, a person may apply for and receive from the Regional District a permit waiving the requirements of this Bylaw for a specific time over a specific location, if in the opinion of the Regional District, such a waiver is in the public interest."

For your information, the CVTSC requested and was subsequently permitted to hold three (3) special event shoots in 2012. Upon review of this file, it was noticed that no more than four special event shoots has ever been permitted in one year. These special event shoot requests have been approved since 1995.

Recently, this office has received several complaints from nearby residents. Some of their concerns include:

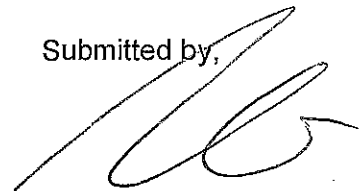
- Significant increase in shooting generally and particularly in the Spring season due to a combination of regularly scheduled Sunday shoots (approximately 10am to 5pm), commencement of the Tuesday evening shoots (6pm to 9pm) and the Special Event Shoots (approximately 9am to 6pm).
- Hours of the shoots (which is not detailed in the Court Order).
- Confusion surrounding the process in which additional shoots are requested or granted.
- Tree cutting.
- Building without permit.

This office has initiated an investigation into these concerns to ensure compliance with the Court Order and all other applicable Bylaws.

Recommended Options:

- 1) Permit the requested shoot schedule.
- 2) Deny any shooting over and above what is permitted according to the Court Order.

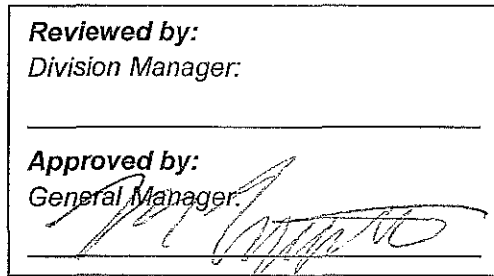
Submitted by,



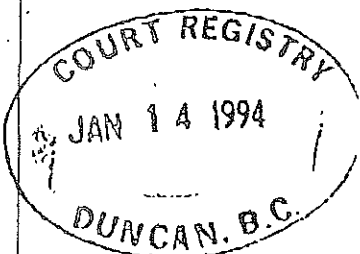
Nino Morano,
Bylaw Enforcement Official
Inspections and Enforcement Division
Planning and Development Department

Reviewed by:
Division Manager:

Approved by:
General Manager:



NM/ca



No. S3178
Duncan Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:)	
)	
COWICHAN VALLEY)	
REGIONAL DISTRICT)	REASONS FOR JUDGMENT
)	
PLAINTIFF)	OF THE HONOURABLE
)	
AND:)	MR. JUSTICE H.D. BOYLE
)	
COWICHAN VALLEY GUN CLUB)	
)	
DEFENDANT)	

Counsel for the Plaintiff:	Gerald R. Molnar
Counsel for the Defendant:	Durward Tillie
DATES OF HEARING:	November 29, 30 and December 1, 1993.

The issue here arises out of a clash between two competing interests each of which is entirely acceptable and reasonable on its own in terms of society and the local community generally.

One interest is the enjoyment of clay target shooting. The other is the quiet enjoyment of a rural residential area.

The Defendant Gun Club, or its predecessors, has been using its range near Duncan for about 40 years for trap and skeet shooting. Its zoning status is that of lawful non-conforming use.

The noise generated has led to longstanding complaints by neighbours of the Defendant to the Plaintiff. The Plaintiff's claim is that, in addition to breaching the regional district's noise bylaw, the Defendant is in breach of a 12 year old order to demolish shooting facilities constructed without a building permit and against the Plaintiff's refusal of a permit. The Plaintiff seeks an injunction to stop the shooting as being contrary to the regional noise bylaw and it seeks an order that the shooting facilities referred to above be demolished.

There is no claim in nuisance. No charges have been laid under the noise bylaw.

The Defendant argues its admitted non-conforming use status exempts it from the Plaintiff's noise bylaw and building restrictions because the Club site was regularly used for about 20 years prior to its present R-2 single family zoning which was adopted in 1974. Before that bylaw came into existence the club site was subject to no relevant zoning restrictions.

There is no doubt the sound of shotguns firing disturbs the peace, rest, enjoyment, comfort and convenience of the neighbours. Several testified to that effect in an entirely credible way and, indeed, that evidence was not challenged. The noise is admitted to be in violation of the bylaw.

A relatively small portion of the Defendant's 80 acre property is used for its present purpose.

Members of the Defendant testify there has been no change in use throughout its tenure, little expansion and that structural changes have been modest requiring no building permit. Formal records that might be looked to for proof are sporadic in the extreme. The Club's history was pieced together for the Court from dim memory and a few "shoe box" notes from the past. Until recently, members appear to have regarded the Club site as a place to enjoy their sport and have taken little interest in administrative, political or neighbourly concerns.

Although use has fluctuated quantitatively, it has continued without interruption. The number of times of use per month, the length of use during any particular day and the frequency of fire at any one time, increased in the 1980's and plateaued about one or two years ago. Activities now and historically have included individual practice, club shoots and more formal competitions.

Complaints about the noise have been consistent - although not continually voiced - for about 20 years. They come from a range of locations, from adjacent to one mile away. The intensity of the complaints and of the Plaintiff's concern receded from time to time when the Club indicated its members were considering some action to abate the disturbance. They increased again when nothing was done.

The relevant legislation includes s. 722 of the Municipal Act:

"722(1) A building or structure lawfully under construction at the time of the coming into force of a zoning bylaw shall, for the purpose of that bylaw, be deemed to be a building or structure existing at that time.

(2) A lawful use of premises existing at the time of the adoption of a zoning bylaw, although the use does not conform to the bylaw, may be continued; but if the nonconforming use is discontinued for a period of 30 days, any future use of the premises shall conform, subject to this section, to the zoning bylaw.

(3) A lawful use of a building or structure existing at the time of the adoption of the zoning bylaw, although the use does not conform to the zoning bylaw, may be extended throughout the building or structure, but no structural alterations except those required by statute or bylaw or those allowed by the board of variance shall be made in or to it.

(4) Where a building or structure the use of which does not conform to an applicable zoning bylaw is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, whose decision shall be subject to review by the

board of variance, it shall not be repaired or reconstructed, except for a conforming use in accordance with the zoning bylaw.

- (5) A change of tenants or occupants of the building or structure shall not be deemed to affect the use of the building or structure within the meaning of this section."

and s. 970(1) and (6):

"970(1) Where land, a building or a structure is lawfully used, at the time of the enactment of a rural land use bylaw or adoption of a bylaw under this Division, but that use does not conform to the bylaw, the use may be continued as a non-conforming use, but if the non-conforming use is discontinued for a continuous period of 6 months, any subsequent use of the land, building or structure becomes subject to the bylaw.

...

- (6) In relation to land, subsection (1) or (94) does not authorize the non-conforming use of land to be continued on a scale or to an extent or degree greater than that at the time of the enactment of the rural land use bylaw or the adoption of the bylaw under this Division."

The relevant section of the Cowichan Valley Noise Bylaw which is authorized by section 932(c) of the Municipal Act is:

- "3(b) No person being the owner or occupier of property knowingly shall allow or permit such property to be used so that noise or sound which emanates therefrom disturbs or tends to disturb the peace, rest, enjoyment, comfort or

convenience of any person or persons in the neighbourhood or vicinity.

In 1976 the Defendant applied to the Plaintiff for a Land Use Contract to expand its facility from two trap houses to nine and from two skeet towers to four. Following a public hearing, the application was denied in July 1977. That meeting appears to have been the first all-out, formal expression of neighbourhood disturbance.

That did not deter the Defendant. Three new trap houses were built in 1978 or 1979, making a total of five of which only four are used. New concrete walkways for each trap house were installed. The walkways provide footing for shooters who take different positions during a five-shot competitive round.

The regional district in 1978 posted cease and desist notices in reference to that construction.

Prior to this, there had been two trap houses, two chukker pits (from which the clay targets were fired in a manner designed to simulate bird flight) and two bunkers for portable trap use.

In 1979 the Defendant again applied to expand. The Plaintiff formally refused that application. The Plaintiff's board found: "... it is not compatible with the residential area ..." The

Plaintiff at the same time recommended that the Plaintiff's Planning Department co-operate with the Defendant in finding another site.

There has been a dilatory and fruitless attempt by the District to have the Club respond to the issue. H.D. Schesser of the Plaintiff's regional Planning Department pointed out the Defendant was expanding despite the Plaintiff's refusal of permission. Letters were written, meetings held, phone calls made and deadlines set, but the Defendant never kept its promises or, more generally, did not bother to respond at all to the Plaintiff's queries.

The Defendant's promises included relocation on the site, if someone else would pay, and sale of the property (April 1981) and "most willing" movement of the range away from a residential area. There never was follow up.

The Club has no clear historical record of activity at the range; neither do the neighbours. A very fair summation, which I accepted, was given in the evidence of nearby neighbour, Lyall, who realized there would be noise when he bought his property but found it had expanded beyond tolerance by March 1979. He noted, for instance, firing at a rate of 60 to 80 shots per minute from 8.00

a.m. to 4.00 p.m. on one particular Sunday. Mr. Lyall's evidence is representative of the Plaintiff's witnesses which I accepted.

The Defendant's response to resulting complaints was apparent indifference.

The Plaintiff indicated a reasonable attitude in advising that rezoning might be approved if "adequate steps to buffer the noise" were undertaken.

So far as the evidence shows, the Defendant never made any proposal regarding noise abatement. In March 1981, the Defendant ignored a direction from the Plaintiff to demolish the new trap facilities except that the then president expressed the never-to-be-realized willingness to move.

In May 1987, at least four formal complaints were filed by neighbours with the Plaintiff. Those complaints called for, at a minimum, closing down three of the trap houses to reduce the noise.

The Defendant prior to these proceedings made a May 1992 request for a building permit to allow construction of a new clubhouse. That was refused on the ground the use extended beyond that permitted under the area zoning.

Most recently the Defendant applied to the Commonwealth Games Board to have the already selected locale of next Summer's shooting events moved from that other locale to the Defendant's property.

That application was predicated upon anticipation of funds from the Games' treasury, if the application were approved. The submission included improvements valued at more than one million dollars which would have included construction of berms to absorb sound.

The application was turned down.

The Defendant in evidence blamed the refusal on the Plaintiff's denial of permission to expand but that is not proven to be so.

The Plaintiff, for its part throughout the years, did not press on with promises of "Court action unless the Club took the issues in hand". The Plaintiff in August 1981, was calling for a "show of good faith" and declaring in 1982 that demolition must follow if there were to be no relocation. However, it was not until now the Plaintiff took a decisive step with these proceedings.

Counsel agree that neither a change in title which took place some years ago, nor the fact the Club was struck from the Registry of Societies in 1981 and was not restored until 1991, is relevant to the issue here. Neither is issue made of the fact the land was escheated to the Crown when the Defendant was struck off the Register because it was returned when the Defendant was reinstated.

From the Court's standpoint, the fact the Club was struck from the Register is relevant to the general attitude of the members which was to enjoy the recreational and competitive aspects of their sport without any long term concern for the formalities of group responsibility beyond safety, administration of meets and orderly conduct on the range as well, I presume, as occasional social activities.

DECISION: BUILDING PERMIT

The Regional District building bylaw requires no permit "where the total value of materials and labour does not exceed \$500.00". I recall no evidence in proof of the cost of adding the three concrete bunkers in 1978 or 1979, the onus being on the plaintiff. In a commercial enterprise common sense and general knowledge might allow judicial notice to be taken of value but where the defendant

is a non-profit society and the court has no evidence of how the work was done or of under what terms material was supplied, it would not be fair to make any such judicial leap and, in any case, I have inadequate general knowledge to make such a leap.

Whatever the real cost, there was no evidence of value.

In regard to the concrete walkways, they are exempt from the building bylaw because they are outside its definition of "structure" which is "any construction fixed to, supported by or sunk into land or water but not concrete or asphalt paving...".

The ground of claim based upon a violation of the building bylaw is dismissed.

DECISION: NON-CONFORMING LIMITATION

Although the additions do not violate the building bylaw, the defendant has gone beyond the limit of activity permitted to its non-conforming status. To that extent its breach of the noise bylaw will be enjoined. I accept the evidence of the Plaintiff which is not contradicted, indeed it is supported by the evidence of the Defendant, that the use today and for a number of years

beginning in the 1980's has been on a scale greater than at the time zoning was first established. There is physical evidence of added facilities. There is evidence of membership increase from 35 to 108 and of amalgamation with a Victoria club which moved its activities to this site. There is evidence of increased use, particularly in the rate of firing. There is evidence a new game, "Sporting Clays", has been introduced.

It is not crucial to this decision but the evidence is convincing that logging carried out by the Defendant on its property from time to time after the zoning was established has increased the volume of sound escaping from the shooting site to the neighbours' homes. The "use of land" cannot be separated from the product of that use which, in this case is noise. Noise has been increased by more firing more often and by a material change in the land through logging.

The Defendant offered evidence that a national shooting association officer had advised cutting the trees would reduce the escaping noise by permitting the sound to be filtered instead of echoing off the standing timber. That hearsay advice is not supported. It is contradicted by the Plaintiff's evidence of neighbours that the sound was louder after than it was before the trees were cut.

The issue here is not the same as that in Regina v. Weltzin (1989) 46 M.P.L.R. 43 wherein Judge Selbie (as he then was) found a general barking dog bylaw could not be invoked to shut down a legal non-conforming commercial kennel, nor could a bylaw which required kennel operators to take effective precautions to restrain barking, yelping and howling.

Judge Selbie's reasons do not indicate he was dealing with a crescendo of noise as is the case here. He was dealing with an application which, if successful, would "effectively bar the continued lawful use of the property".

In this case there is a middle ground. It is not out of keeping with Judge Selbie's observation that, had the dog bylaws included the words "excessive" or "unreasonable", he might have come to a different conclusion. Common sense requires that there be some reasonable and legitimate limitation.

In City of Nanaimo v. Brickyard Enterprises Ltd. et al, No. SC9976, Nanaimo Registry, May 3, 1993, Madam Justice Huddart observed: "The more intense use of land for the same purpose does not necessarily imply that the use has been changed to 'a scale or to an extent or degree greater than at the time of the enactment of the zoning bylaw' but she added, "To the extent that it does, it

can be rolled back without interfering with the protection given to the status quo by section 970(1) (of the Municipal Act)".

Here the Defendant has gone well beyond the status quo in the extent and in the intensification of use.

A lawful non-conforming use does not establish a property right. It does no more than permit continuation of an activity subject to restrictions of the kind dealt with herein. The use is not immune from regulation so long as it is regulation and not prohibition MacNutt et al v. The Queen (1972) 5 W.W.R. 402.

The Defendant must cut back its use of the site to that carried on when the first zoning bylaw was passed. The court cannot calculate on the evidence what that means in terms of shots-per-minute but it can and does direct that the physical facilities constructed after 1974 (bunkers, walkways and skeet houses) be removed forthwith. The evidence is that doubling the number of traps doubles the capacity for rounds per minute. The balance of evidence is that there were no skeet houses prior to 1974.

The evidence was far from exact on the question of the number of days the site was used at the time the zoning bylaw was passed. On the probabilities there was shooting on one evening a week (or less) and on one full day weekends two or three times each month.

The injunction will direct there be use of the site for shooting no more than one evening per week (a fixed and regular evening to be determined by the Defendant) and on one full day two weekends per month. That schedule is based upon the evidence as best as it can be determined from recollection of witnesses of the state of affairs in 1974. The direction will apply forthwith.

Competitive shoots of a wider than local nature or of more than one consecutive day must be authorized under the noise bylaw which has provision for special events. Each such must be justified in accordance with the frequency and scope of such events in 1974.

Any further logging is enjoined unless it is sanctioned by the Plaintiff. That sanction is to be directed at the containment of noise.

No issue was raised as to the authority of the court to order injunctive relief.

It would be wrong of the court not to emphasize that the complaints made to the plaintiff are fully justified and are not based upon minor irritation. They were proven in evidence to be the consequence of disturbance sufficient to make untenable the

use, let alone enjoyment, of the outdoor amenity of neighbouring homesites.

It would be wrong also to find there was malice on the Defendant's part. There have been heated exchanges but members of the Defendant are equally with the neighbours interested in enjoyment of their property. However, they have not come to grips with the inevitable issue, have sought no compromise - although that seemed to me to be more the consequence of a hope the complaints would go away than the consequence of defiant unneighbourliness.

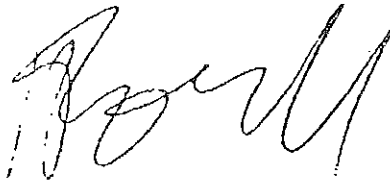
All the witnesses struck me as honest and straightforward to the best of their recollection and perception.

It was my impression throughout that the Defendant should have followed actively the course it once embraced - relocation. Instead it reverted to stonewalling which brought it to court. My unsolicited and gratuitous advice would be a special general meeting that established policy and gave a delegation specific authority to pursue that policy with the province and the regional district to establish a new location, alternatively, to pursue noise reduction. The latter probably would be costly, although there may be cash in the club kitty from logging because not much appears to have been spent on the site itself.

The parties will bear their own costs.

New Westminster, B.C.

10 January 1994

A handwritten signature in dark ink, appearing to be 'R. B. M.', written in a cursive style.

NO. S3178
DUNCAN REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

COWICHAN VALLEY REGIONAL DISTRICT

PLAINTIFF



COWICHAN VALLEY GUN CLUB

DEFENDANT

O R D E R

BEFORE THE HONOURABLE
MR. JUSTICE H.D. BOYLE

)
)
)

MONDAY, THE 10TH DAY OF
JANUARY, 1994

THIS ACTION coming on for trial at Duncan, on November 29, 30 and December 1, 1993 and upon hearing Gerald P. Molnar, Esq., counsel for the Plaintiff, and upon hearing Durward Tillie, Esq., counsel for the Defendant:

AND JUDGMENT being reserved to this date:

THIS COURT ORDERS that the Plaintiff's claim of violation of its building bylaw be dismissed.

THIS COURT FURTHER ORDERS that the Defendant forthwith remove or cause to be removed from its property legally described as:

The South 1/2 of Section 9, Range 8, Sahtlam District
the western most three of five concrete trap shooting bunkers, the two skeet shooting towers and the concrete walkways constructed after 1974, all presently located on that property;

AND THIS COURT FURTHER ORDERS that the Defendant be restrained and enjoined from using or allowing the use of the property as a place to discharge firearms other than on one fixed, regular evening per week, to be determined by the Defendant, and on one full day, two weekends per month;

AND THIS COURT FURTHER ORDERS and directs that the Defendant be restrained and enjoined from using or allowing the use of that property as a place to discharge firearms on more than one consecutive day, unless authorized as a special event under the Plaintiff's relevant noise bylaw, or in competitions of a wider than local nature, unless authorized as a special event under the Plaintiff's relevant noise bylaw.


THIS COURT FURTHER ORDERS that the Defendant be restrained and enjoined from the cutting down or allowing the cutting down of timber on that property without the prior authorization of the Plaintiff;


AND THIS COURT FURTHER ORDERS that each party bear their own costs.




BY THE COURT

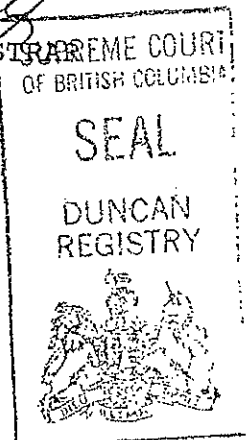
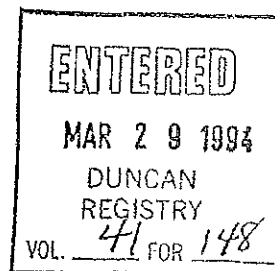
APPROVED AS TO FORM:


GERALD P. MOLNAR, Esq.
SOLICITOR FOR THE PLAINTIFF


DURWARD TILLIE, Esq.
SOLICITOR FOR THE DEFENDANT


REGISTRAR
SUPREME COURT
OF BRITISH COLUMBIA

SEAL
DUNCAN
REGISTRY





COWICHAN VALLEY TRAP & SKEET CLUB



SINCE 1953

Cowichan Valley Trap & Skeet Club

Shoot & Practice Schedule for 2013

January 6

January 13

February 3

February 24

March 10

March 17

April 2- September 24

April 6, 7

April 20, 21

April 28

May 12

June 2

June 16

July 7

July 28

August 4

August 25

September 8

September 22

October 6

October 20

November 3

November 10

December 1

December 8

Practice every Tuesday evening – 6:00pm- 9:00pm

Special Event

Special Event



R2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 29, 2013

FILE No: 1-B-13 DP

FROM: Alison Garnett, Planner I

BYLAW No: 3510

SUBJECT: Application No. 1-B-13DP (Meyland)

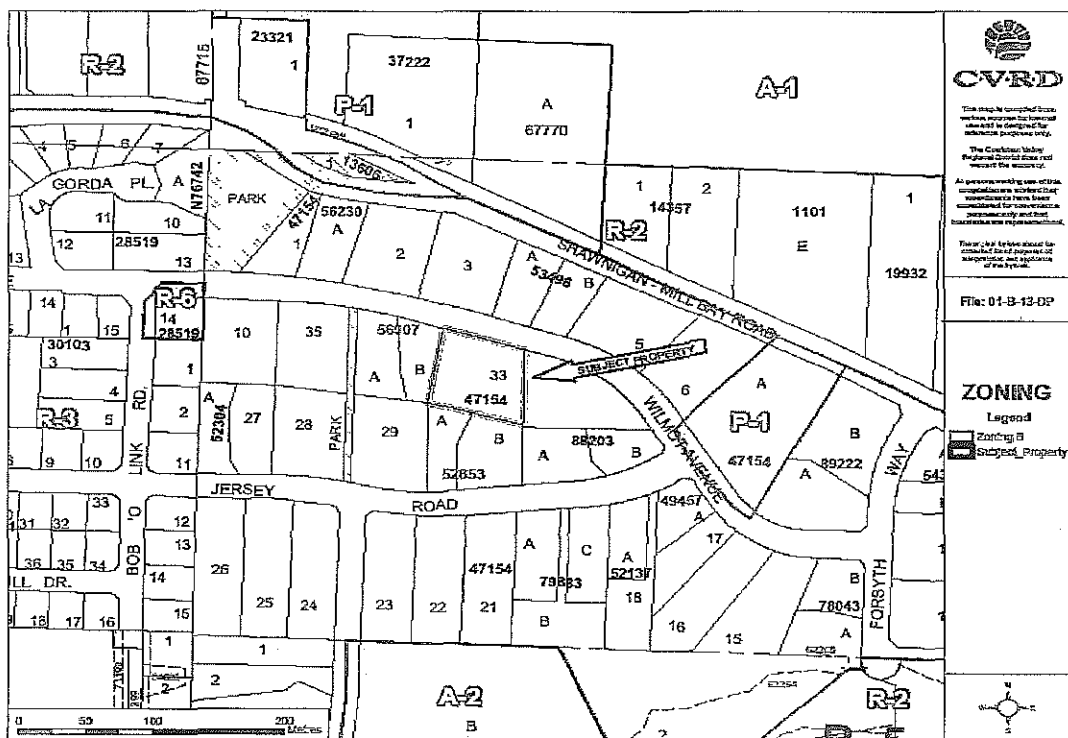
Recommendation/Action:

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:

- Subdivision will be in substantial compliance with the approved plans;
- 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.

Relation to the Corporate Strategic Plan: N/A

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



Background:**Location of Subject Property:** 1632 Wilmot Avenue**Legal Description:** Lot 33, Section 2, Range 5, Shawnigan District, Plan 47154 (PID 011 851 074)**Date Application Received:** January 21, 2013**Owner and Applicant:** John and Janet Meyland**Size of Parcel:** 0.4 ha (1 acre)**Existing Zoning:** R-3 Urban Residential**Minimum Lot Size:** 0.2 ha with community water service**Existing Plan Designation:** Village Residential**Existing Use of Property:** Residential**Existing Use of Surrounding Properties:** Residential**Services****Road Access:** Wilmot Avenue**Water:** Lidstech Holdings Improvement District**Sewage Disposal:** On site**Agricultural Land Reserve:** The property is not located in the ALR**Environmentally Sensitive Areas:** There are no environmentally sensitive areas.**Fire Protection** Shawnigan Lake Volunteer Fire Department**Archaeological Site:** We do not have record of any archaeological sites on the subject property.**Urban Containment Boundary:** Property is located within the Village Containment Boundary**The Proposal:**

The applicants have applied for a development permit for a proposed 2 lot residential subdivision.

The subject property is a 0.4 hectare (1 acre) lot, located on Wilmot Avenue, within the Shawnigan Lake Village Containment Boundary. It is located within an area serviced by Lidstech Holdings Limited water system.

The property and surrounding lots are zoned R-3 (Urban Residential), and are designated Village Residential in the South Cowichan Official Community Plan. With expansion of the Lidstech Holdings water system, many of the 0.4 hectare lots in the area have become capable of subdivision to 0.2 hectares.

There is a single family home on the property, conveniently located on the western property line, which allows the lot to be subdivided into two equal lots. The sketch plan of subdivision shows a single family home on the "remainder lot" and a new 0.2 ha lot on which is located a residential accessory building. The majority of the new lot is treed. A gravel driveway from Wilmot Avenue provides access to the accessory building. The location of the accessory building would be the logical place to build a single family residence, if the subdivision application is successful.

However the applicants have no plans to build or immediately sell the new lot, therefore no development plans beyond creation of the lot are proposed.

Lidstech Holdings has confirmed that the new lot is capable of being serviced by their water system. The Vancouver Island Health Authority is responsible for approving septic disposal.

No parkland dedication is required pursuant to Section 941 of the *Local Government Act*, as fewer than 3 lots are proposed and the lots exceed 2 hectares.

Policy Context:

Development Permit Guidelines

The subject property is within the Shawnigan Village Development Permit Area (DPA), as defined in Official Community Plan Bylaw No. 3510. This DPA was established to protect the natural environment and to establish objectives and guidelines for new development, including subdivision, in the rural areas of South Cowichan. Subdivision of land within the Shawnigan Village DPA requires a development permit prior to receiving approval from the Ministry of Transportation and Infrastructure.

The following section identifies applicable guidelines from the Shawnigan Village DPA (in italics) and how they are addressed in the subject application.

7.4.1 (A) 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.*

Only a small amount of English ivy was noted on the property, and the applicants are capable of removing it.

7.4.5(A) Landscaping, Rainwater Management and Environmental Protection

1. *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.*

The applicants don't intend to build on the new lot, and therefore have not submitted building plans. We can anticipate that some land clearing would be required for future house construction on the new lot and installation of a septic field. The staff recommendation includes a condition that a qualified professional be retained prior to building permit for the new home, in order to provide recommendations for managing rainwater flows onsite and in a manner that protects the natural environment.

7.4.11(A) Subdivision Guidelines

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.

No parkland dedication is required pursuant to Section 941 of the *Local Government Act*, therefore there is no opportunity for a trail system.

No tree removal is proposed, although a certain amount of clearing will be required when construction is proposed in the future. However, advice from a qualified professional will be required prior to construction on the lot, and will likely include recommendations to retain natural soils, trees and vegetation.

Finally, no major road network improvements are identified in the area.

Advisory Planning Commission Comments:

Following the advice of the Area Director, this application was not referred to the Area B Advisory Planning Commission.

Planning Division Comments:

This application appears to meet the relevant Shawnigan Village Development Permit Area guidelines, and therefore the staff recommendation is to approve the application.

Options:

Option 1 is recommended.

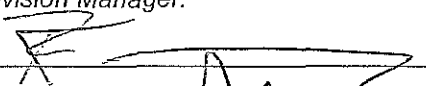

1. That application No. 1-B-13DP submitted by John and Janet Meyland on Lot 33, Section 2, Range 5, Shawnigan District, Plan 47154 (PID 011 851 074) for subdivision of one new lot be approved subject to:
 - a) Subdivision will be in substantial compliance with the approved plans;
 - b) Prior to issuance 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.
2. 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 revised.

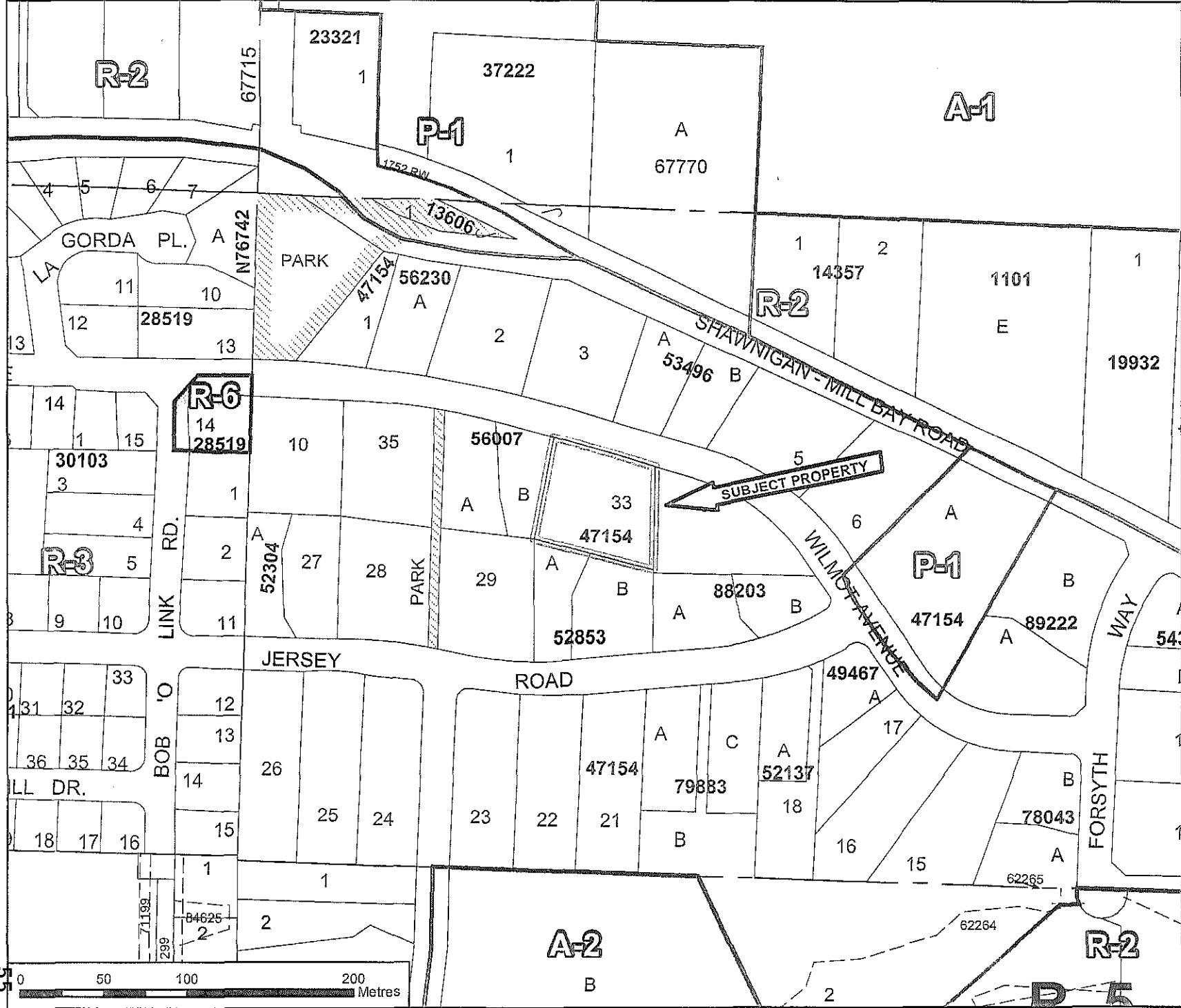
Submitted by,



Alison Garnett, Planner I
Development Services Division
Planning & Development Department

AG/ca

<p>Reviewed by: Division Manager:</p> 
<p>Approved by: General Manager:</p> 



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.

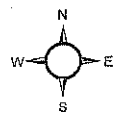
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

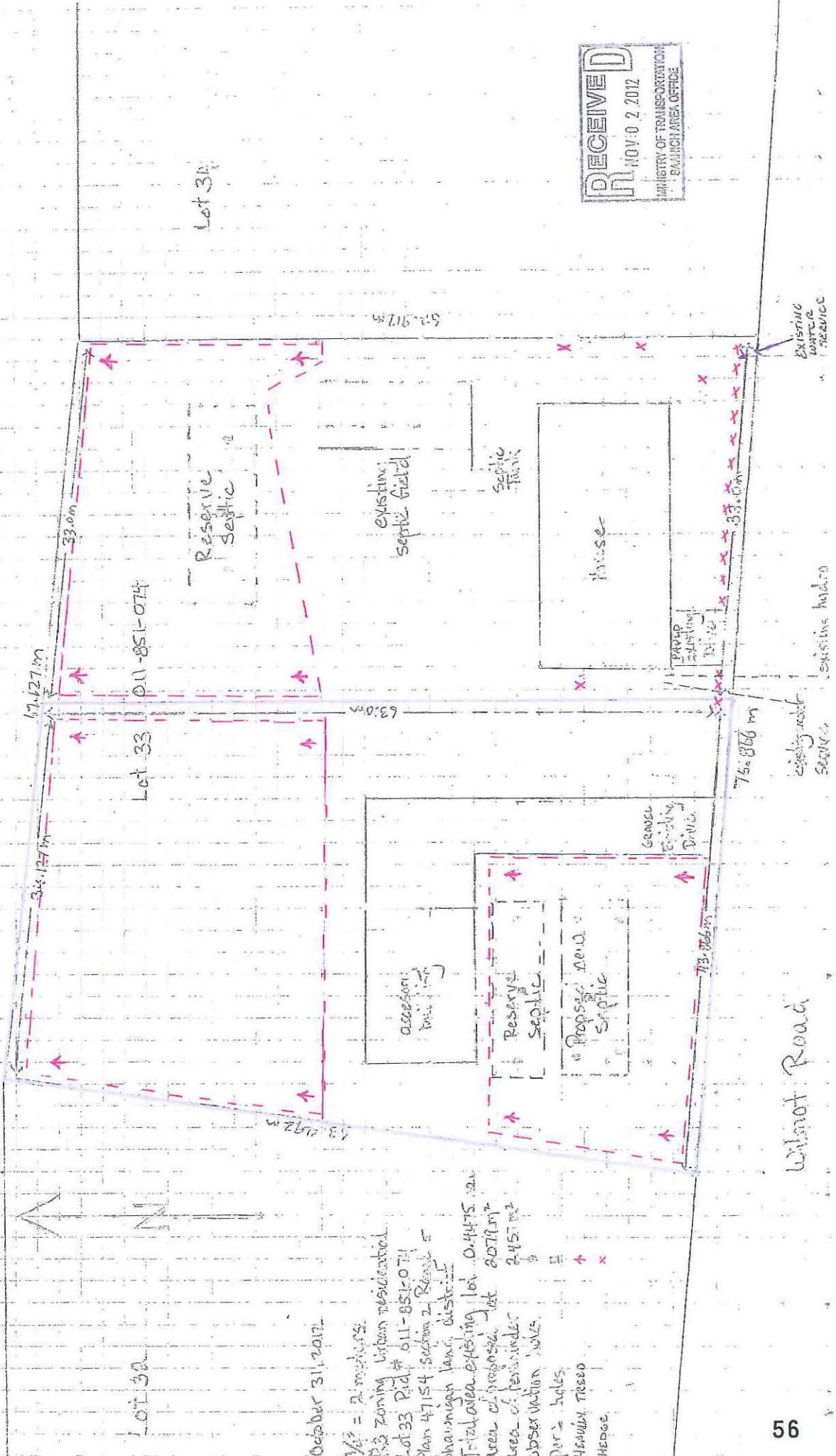
File: 01-B-13-DP

ZONING

Legend

- Zoning B
- Subject_Property





October 31, 2012

1/2" = 2' meters

R-2 zoning Urban residential

Lot 33 Pict # 611-851-074

Plan 47154 Section 2, Range 5

Shawmish land district

Total area existing lot 0.4475 ha

area of proposed lot 2.0791 ha

area of remainder 2.4511 ha

subdivision notes

Per - holes

Heavy tree

Hedge

JAN 20 2013

THIS PROPERTY IS HEAVILY TREED WITH LARGE FIRS + CEDARS
UNDERBRUSH INCLUDING SALAL, NATURAL FERNS, OREGON GRAPE
HUCKLEBERRYS + WILD FLOWERS, THE REMAINDER IS IN LAWN.

OUR INTENTIONS ARE TO LEAVE IT NATURAL. WE WOULD WISH
TO SUBDIVIDE ONLY & NO BUILDINGS ERECTED AT THIS TIME.

IF NEW PROPERTY IS BUILT AROUND IN FUTURE, THE BEST
POSSIBLE LOCATION WOULD BE WHERE ACCESSARY BUILDING NOW STANDS.

SIGNED ON JAN 21 2013

Janet H. Mayland
John Mayland



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

FILE NO: 1-B-13DP

DATE: January 31, 2013

REGISTERED PROPERTY OWNER(S):

John and Janet Meyland

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 33, Section 2, Range 5, Shawnigan District, Plan 47154 (PID 011 851 074)
3. Authorization is hereby given for a one lot subdivision in accordance with the conditions listed in Section 4, below.
4. The development shall be carried out subject to the following condition(s):
 - Subdivision will be in substantial compliance with the approved plans;
 - 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
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 – Site Plan of proposed subdivision
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 Development Services Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. XXXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE XX DAY OF XXX 2013.

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 _____, other than those contained in this Permit.

Owner/Agent (signature)

Witness (signature)

Print Name

Print Name

Date

Date



STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 30, 2013 **File No:** 6480-20-D/2010
FROM: Ann Kjerulf, MCIP, RPP, Senior Planner **BYLAW No:** 3605
Community and Regional Planning Division
SUBJECT: Proposed Area D – Cowichan Bay Official Community Plan

Recommendation/Action:

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.

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)

Purpose:

To undertake the statutory bylaw adoption process for the proposed Area D – Cowichan Bay Official Community Plan (OCP), which has been provided under separate cover and is available on the CVRD website at <http://www.cvrld.bc.ca/index.aspx?nid=1476> . The Area D – Cowichan Bay OCP is intended to replace the Cowichan Bay Official Settlement Plan, Bylaw 925, as amended, and will provide the policy framework for subsequent bylaws enacted for and works undertaken in the Plan Area.

Background:

An OCP is a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government. The *Local Government Act* sets out the requirements for OCPs, including content that is required and that which is optional. In accordance with Section 877 of the *Act*, an OCP must include statements and map designations respecting:

- Residential development to meet anticipated housing needs over a period of five years;
- Commercial, industrial, institutional, agricultural, recreational and public utility land uses;
- Sand and gravel deposits suitable for future extraction;
- Restrictions on lands that are hazardous or environmentally sensitive to development;
- Major road, sewer and water systems; and
- Public facilities including schools, parks and waste treatment and disposal sites;

In addition to, policies respecting affordable housing, rental housing and special needs housing; and targets, policies and actions for reducing greenhouse gas emissions.

An OCP may also include:

- Policies relating to social needs, social well-being, and social development;
- A regional context statement in relation to a regional growth strategy;
- Policies respecting the maintenance and enhancement of farming; and
- Policies respecting the natural environment, its ecosystems and biological diversity.

The proposed Area D Official Community Plan includes both the required and optional content with the exception of a regional context statement as there is no Regional Growth Strategy in place at the present time.

Plan Area:

The proposed Area D – Cowichan Bay OCP applies to all lands and the majority of water surfaces within Electoral Area D as defined by the Plan Area Boundary shown on Schedule B of the proposed bylaw. Notably, the Plan area includes the Cowichan Estuary and portions of the Koksilah and Cowichan River watersheds, extensive agricultural lands – 70% of the land base being located within the ALR, and First Nations reserves which are home to the majority of Cowichan Tribes members. Electoral Area D also includes an arm of water that extends north from Sansum Point toward Electoral Area G, which has been excluded from the Plan Area for the purposes of this OCP. This area has been left out of the Plan Area as it is coincident with lands and waters that are under the jurisdiction of the District of North Cowichan and the Islands Trust.

Plan Context:

The draft Area D OCP is a significant departure from the existing Official Settlement Plan. While the existing settlement plan provided a policy framework that was suitable in 1986, much has changed over the past 26 years. Section 1.4 of the draft OCP includes a description of the local context which has informed the development of the draft OCP. The following are some highlights:

Population & Housing

By 2036, the population of the Plan Area (excluding First Nations reserves) is projected to grow to 3,819 people – 849 or 28% more than the 2011 census. It is estimated that the number of people, 65 and older, will almost double (from 575 to 1045) and seniors, aged 85 and older, will almost triple (from 55 to 132). At the same time, average household size will continue to fall (from 2.7 in 1986 to 2.2 in 2036). Based on housing demand projections, approximately 450 housing units are needed by 2036. These units must include a variety of types, sizes and

tenures in order to meet changing demographic needs. There is a demand for smaller, accessible and affordable dwellings, particularly as the existing housing stock is comprised of 90% singled detached dwellings. *Appendix B of the draft OCP includes a detailed population and housing analysis which provides a foundation for policies respecting residential development, as required by statute.*

Beyond meeting required housing needs, there is an opportunity to address the social needs of the population through enhanced access to community services and amenities such as affordable housing, community gardens, parks, and trails. There is also a significant need for a community centre or gathering place in the Plan Area – a place to foster social engagement and connections, particularly among the aging population, and also to provide shelter in the event of major emergencies.

Environment

Cumulative impacts of land development over the past 26 years, particularly within the Koksilah and Cowichan watersheds, include increased runoff, watercourse sedimentation, habitat loss, and loss of native species, and increased prevalence of invasive species. There is a longstanding shellfish closure and declines in salmon populations are well documented. The restoration, protection and enhancement of the Cowichan Estuary and foreshore has emerged as the most significant issue for residents and First Nations people.

Protecting development and residents from potential hazards such as slope instability and failure is another significant challenge. The combination of steep slopes and clay soils may facilitate accelerated erosion and land slide. Poorly maintained septic systems and inappropriate discharge of liquid waste also present threats to human and aquatic health.

Another driver of environmental policy is the need to reduce greenhouse gas (GHG) emissions within the Plan Area and regionally. The majority of emissions are presently attributed to on-road transportation. A development pattern which increases the viability of alternative transportation such as walking, cycling and transit is a key priority.

Economy

The 2006 census reported that 45% of the active labour force (605 people) worked outside the Plan Area and that 21% (290 people) had a place of employment outside the Cowichan Valley. This equates to two thirds of the active labour force residing in Cowichan Bay and leaving the community each day for work. Still, there are significant economic opportunities within the Plan Area such as: increasing the employment density of existing commercial areas, especially within the Koksilah Area; increasing the productivity of the agricultural sector; and encouraging home-based businesses that complement residential areas. There is further opportunity to facilitate business linkages. It is currently difficult to thoroughly assess the economic profile of the Plan Area as the CVRD has no business licensing system or business registry.

Plan Goals:

Twelve key goals emerged through the public consultation process and in response to the current planning context as previously described (OCP Section 2.4). The goals include:

- Restore, Protect, & Enhance the Cowichan Estuary & Marine Foreshore
- Enhance Rural Community Character
- Carefully Manage Growth
- Support Productive Agriculture & Food Self Sufficiency
- Improve Transportation & Mobility
- Enhance the Environment, Ecosystems & Biodiversity

- Create an Inclusive Community with Strong Social Infrastructure
- Encourage Meaningful Economic Development & Employment
- Enhance Connections to the Waterfront
- Recognize Heritage, Cultural Values & Identity
- Improve Public & Environmental Health
- Reduce Greenhouse Gas Emissions

OCP Process:

The OCP consultation process (OCP Section 2.2), began in the spring of 2010 with the formation of an OCP Steering Committee comprised of local residents and Cowichan Tribes representatives. To date, there have been numerous opportunities for community engagement in the development of a new OCP. These have included community meetings, workshops, open houses, stakeholder and focus group interviews, surveys and consultation with referral agencies.

The draft Plan has been referred to CVRD commissions, senior government agencies, First Nations, School District 79, Improvement Districts, CVRD departments, and other stakeholders for comment. The draft Plan has been available for public review on the CVRD website since May 2012, with the public invited to provide comments via advertising in local newspapers, the Electoral Area D – Cowichan Bay OCP email subscriber list, and community billboards located in Maple Grove Park and at Bench Elementary School. The draft OCP was previously made available to EASC members in October 2012.

The OCP Steering Committee has played a key role in guiding the process, reviewing community and stakeholder input, and putting forth recommendations to CVRD Planning and Development staff. Comments received to date from referral agencies (attached as Appendix A to this report) and the public have been vetted by the OCP Steering Committee and, where appropriate, incorporated into the proposed Area D – Cowichan Bay OCP. CVRD Planning and Development staff are confident that the proposed OCP is ready to proceed to the public hearing and bylaw adoption process.

General Policy Framework:

The draft OCP contemplates a community growth framework consisting of Village Areas, Rural Village Areas, Rural Areas and Marine/Natural Areas. The framework is intended to accommodate the various environments that encompass the Plan Area's unique rural character and provide for a range of housing and lifestyles choices (OCP Section 3.0). General objectives and policies of the draft OCP include:

- Directing population growth to serviced Village Areas and Rural Village Areas;
- Encouraging agricultural productivity protecting agricultural land from inappropriate development and suburban encroachment;
- Encouraging a variety of housing types, sizes and tenures (particularly smaller, one-level units) and flexible housing to meet the needs of an aging and diverse population;
- Encouraging increased economic activity and corresponding employment in Village and Rural Village areas, most notably the Koksilah Village Area, Cowichan Bay Village, Whippletree Junction, Crossroads and Four Ways Rural Village;
- Encouraging alternative transportation and pedestrian linkages between residential neighbourhoods and commercial "nodes";
- Encouraging the development of a community centre or interior gathering space that can provide a place for social interaction and recreation, and shelter residents in the event of major emergencies; and

- Encouraging the restoration, protection and enhancement of ecosystems and natural ecological functions, energy and water conservation, and GHG reduction, through development guidelines, the implementing zoning bylaw and rezoning processes.

Land Use Designations:

Land use designations (OCP Section 4.0) include:

- | | |
|-----------------------------------|--------------------------------|
| ◦ Agricultural Resource (A) | ◦ Four-Ways Rural Village (FV) |
| ◦ Rural Resource (RUR) | ◦ Koksilah Village (KV) |
| ◦ Rural Commercial (RC) | ◦ Marine Village (MV) |
| ◦ Rural Residential (RR) | ◦ Marine Industrial (MI) |
| ◦ Cluster Residential (CR) | ◦ Marine Residential (MR) |
| ◦ Rural Village Residential (RVR) | ◦ Marine Resource (MAR) |
| ◦ Village Residential (VR) | ◦ Community Institutional (CI) |
| ◦ Mixed Use (MU) | ◦ Parks (P) |

Development Permit Areas:

Six Development Permit Areas (DPAs) are proposed:

1. Aquatic Resources Protection DPA – established to protect the natural environment, ecosystems, and biodiversity, and to protect development from hazardous conditions; the scope of the DPA includes lands within 15 m of drainage features, Riparian Assessment Areas, marine riparian areas within 15 m of the natural boundary of the ocean, and high aquifer vulnerability areas corresponding with floodplains;
2. Critical Habitat Protection DPA – established to protect the natural environment, ecosystems and biodiversity; the scope of the DPA includes development within 60 m of nest trees and 100 m of great blue heron nest trees; important birds areas (generally the Cowichan Estuary and adjacent shoreline areas) and other critical habitat identified through by government agencies such as the Sensitive Ecosystem Inventory;
3. Sensitive Lands DPA – established to protect the natural environment, ecosystems and biodiversity and to protect development from hazardous conditions; the scope of the DPA includes slopes of 15% or greater, floodplains of the Cowichan and Koksilah Rivers and high hazard wildfire interface areas;
4. Agricultural Protection DPA – established to protect agriculture; the scope of the DPA includes lands designated Agricultural Resource (A) or located within the ALR, lands within 30 m of lands designated Agricultural Resource or within the ALR, and lands with 30 m of Cowichan Bay Farm;
5. Rural Character Protection DPA – established to protect the natural environment, its ecosystems and biological diversity, to protect development from hazardous conditions, for form and character of intensive residential, multi-unit residential, commercial, and industrial development, and to promote energy conservation, water conservation and GHG reduction; the scope of the DPA includes all lands within the Plan Area except those within the Marine Village DPA; and
6. Marine Village DPA – established to protect the natural environment, its ecosystems and biological diversity, to protect development from hazardous conditions, for form and character of intensive residential, multi-unit residential, commercial, and industrial development, and to promote energy conservation, water conservation and GHG reduction; the scope of the DPA includes all lands adjacent to the natural boundary of the ocean within the Marine Residential, Marine Village, Mixed Use and Marine Industrial designations.

The development permit area guidelines provide a set of performance criteria intended to accommodate development in a manner that is best suited to site-specific conditions (e.g. siting a home or septic field away from a steep slope, ensuring nesting birds are protected from construction noise, and limiting unnecessary soil and vegetation removal from development sites). The guidelines have been thoroughly vetted by the OCP steering committee and planning and development staff, and there has also been significant input from the public with respect to what activities should and should not be exempt from development permits (OCP Section DP.4).

Plan Implications

There are several significant implications of the draft Area D OCP which should be considered in conjunction with the bylaw adoption process. The draft OCP:

- Presents a planning policy framework which reflects the current, collective wishes of Electoral Area D – Cowichan Bay community members;
- Provides a land use planning framework to guide orderly population growth within Village and Rural Village areas including opportunities for creative development which is compatible with the Plan Area's unique rural character;
- Provides clear policies concerning rezoning applications and criteria for consideration during rezoning of various sites within the Plan Area;
- Establishes policies to protect encroachment upon important rural resource lands, including valuable farmland, and significant natural areas;
- Introduces social policies to strengthen social connections and enhance community quality of life;
- Considers the desires of First Nations, such as restoring the Cowichan Estuary and ability to safely harvest shellfish, improving the safety of roadways particularly for walking and cycling, and seeking greater collaboration on issues of mutual interest;
- Establishes new development permit areas and corresponding guidelines, consistent with the *Local Government Act*, which are intended to facilitate higher quality development; and
- Provides an implementation schedule (OCP Section 10.3) to identify the individual steps that must be taken to carry out policies specified within the Plan.

Perhaps the most significant considerations for the CVRD Board will be the latter two points. Development permit area requirements, while well-intended, do present an additional layer of regulation to which property owners in the Plan Area will be subject. In the past, development permits have typically been limited to commercial developments and activities within Riparian Areas. New development permit areas and corresponding requirements proposed by the draft OCP would apply more broadly throughout the Plan Area and particularly to single-family development. While this represents a significant policy shift, it is important to note that single-family development is a significant component of the Plan Area land base and, to date, there has been little scrutiny to how single-family site development has occurred. While buildings are scrutinized intensely with respect to compliance with building codes, there has historically been little regard to how surrounding areas are developed despite the fact that site development is a significant determinant of environmental quality and corresponding rural character.

New development permit requirements do present the need for additional staff resources to process applications. As development permits are intended to guide development rather than regulate use, it is recommended that authority to approve development permits for single-family development be delegated to Planning & Development staff. This will ensure that any required permits can be processed expeditiously and with minimal impact to homeowners. As noted in the implementation schedule, staff would present proposed amendments to the Procedures and Fees Bylaw No. 3275 following adoption of the new OCP.


The implementation schedule should also be carefully considered as there are workplan implications for various CVRD departments and for the CVRD Board. It should be noted that a number of the implementation actions have regional significance and could perhaps be tied to regional projects and programs.

Options:

The following options are available to the EASC:

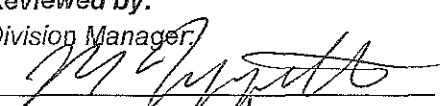

1. Move the recommendation as detailed on Page 1 of this report;
2. Move the recommendation as detailed on Page 1 of this report with amendments; or
3. Refer the proposed Area D – Cowichan Bay OCP back to staff for further work, to be specified in the resolution.

Submitted by,



Ann Kjerulf, MCIP, RPP
Senior Planner
Community and Regional Services Division
Planning and Development Department

AK/ca

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

APPENDIX A – REFERRAL COMMENTS

CVRD Commissions:

Electoral Area D – Cowichan Bay Advisory Planning Commission

- Suites: Suggested the key to legal suites are: safety (built to code), parking (should be dedicated and on site) and owner occupied. This along with carriage homes, 'granny suites' and rentals are acceptable and sensible options for affordable housing.
- Amenity costs: Suggested fixed percentage be replaced with an adjustable formula outside the OCP document that reflects community needs and economic conditions
- Four Ways: Current non-conforming uses and their potential impact on future development; mobile homes are located on the commercial zoned land east of the mobile home park zone
- Setbacks on development adjoining ALR and the proposed 30m vs 15m setback: Concern about impact of lost development land
- Home-based businesses and the potential impact on residential areas: Impact appears to be controlled by the provisions of the plan but caution that this could cause unacceptable noise and other pollution issues
- Stilt home parking: Space needs to be assured for parking while addressing pedestrian safety
- Affordable housing requirement of 25%: Unrealistic in terms of housing mix, quality and economics.

Electoral Area D – Cowichan Bay Parks Commission

- Incorporate policy concerning desire to use Bench School and associated recreational and social facilities on a year-round basis
- Roadside pathways should be separated to the greatest extent possible
- Add policy concerning enforcement and compliance in parks areas
- Add policy concerning daylighting of fish-bearing streams
- Add policy concerning connection between Coverdale Watson Park and Hecate Park
- Add policy concerning need for more suitable access/location of Cowichan Bay Boat Launch also need to separate non-motorized vessels with large and commercial vessels

CVRD Environment Commission

- See attached

First Nations:

Cowichan Tribes

- See attached

Coast Salish Development Corporation

- See attached

Local Government:

City of Duncan

- See attached

Provincial Government Agencies:

Ministry of Community Sport and Cultural Development

- As the Cowichan Valley Regional District (CVRD) is participating in Regional District Approval Exemption pilot project, the CVRD is not required to submit most OCP and land use regulatory bylaws to the Ministry.
- Please ensure that you have referred these bylaws to the appropriate ministries and agencies and that you keep a detailed record of the results of your referral efforts
- The Ministry expects that you will follow the actions for First Nations engagement as outlined in the Interim Guide to First Nations Engagement on Local Government Statutory Approvals (Guide).
- You may also wish to consider the commitment your regional district has made by signing the Climate Action Charter, specifically in the area of developing compact, complete communities. In the case of Official Community Plan updates or amendments, please ensure that the bylaw meets the requirements of Local Government Act Section 877(3) - targets, policies and actions for the reduction of greenhouse gas emissions.

Ministry of Transportation and Infrastructure

- In principle, the Ministry does not object to the proposed Area D – Cowichan Bay Official Community Plan, subject to concerns that need to be addressed prior to final adoption.
- Regarding Development Permits (DP's) at the time of subdivision, as stated in the OCP document, Sec 919.1 of the Local Government Act (LGA) authorizes the CVRD to designate specific DP areas for defined purposes. A subdivision must not be approved without the applicable DP being issued, pursuant to Sec 920 (1)(a) of the LGA. The subdivision approving authority lies within the jurisdiction of the Provincial Approving Officer for areas outside of municipalities.
- Sec 6.2 (2)(f)(iii), Community Amenity Contributions speaks to works that may fall within lands under the jurisdiction of BC MoT. It should be clearly stated that any such works require prior Ministry review and approval.
- Sec 8.2, Public Roads. The subdivision approving authority lies with the Provincial Approving Officer, who is administratively housed within BC MoT and support by BC MoT Development Techs, but is an independent statutory decision maker. The Ministry is technically a referral agency, much as is the CVRD, VIHA, etc.

Ministry of Forests, Lands and Natural Resource Operations – Crown Lands and Resources

- Interests unaffected (*Note: staff has liaised with this agency in the development of policies affecting Crown lands*).

Agricultural Land Commission

- See attached

Ministry of Agriculture

- Section 3.3. General Objectives and Policies: It is great to see the VCBs
- Objective 2 (c): Removing support for section 946 of the LGA should help reduce subdivision if the Regional District is listened to. This would reduce one of the pressures on agricultural land and farm operations (concerns and complaints).
- Section 4.2 Agricultural Resource: All of the Policies with the possible exception of Policy (h) are beneficial to agriculture within Plan Area D. Policy (h) may encourage subdivision of agricultural land. It will be beneficial to review the results of the Agricultural Land Use Inventory to see how many smaller parcels there are available for agriculture within Area D and the broader CVRD.
- Section 7.4 Agricultural Economy: It is good to see support in the plan for the Agricultural Economy. Policy (c) is somewhat questionable as both the Cowichan Agricultural Society and Farmers Institute and Shawnigan/Cobble Hill Farmers Institute have been providing services to the farming community in the Cowichan Valley including the Cowichan Bay area for over 100 years.
- Section 9.4 Stormwater Management: The CVRD is encouraged to pursue Policy (a) develop and implement an Integrated Stormwater Management Plan as there are water supply, water quality and flooding issues pertinent to agriculture within a potential plan.
- Section 10.0 Development Permit Areas: Development Permit areas for the protection of the agricultural resource base are generally supported, however it should be noted that where land is cleared of native vegetation in order to farm the land this practice appears to be at odds with the DPA and yet may be considered a normal Farm Practice within the Farm Practices Protection Act. It should be noted that the hiring of a Professional Agrologist is not an inexpensive or expedient activity.

Ministry of Forests, Lands and Natural Resource Operations – Ecosystems Section

- Part 1 – 4.2 Agricultural Land Use – Objective 2, policy (d) (i) – the word 'industrial' should be replaced by 'agricultural'.
- statements encouraging the retention of natural habitat features where possible, and encouraging the use of agricultural land for wildlife where compatible, would be helpful
- 5.0 – Natural environment – looks good!
- 6.6 Parks and Trails – Objective 3 (a) (i) – you list both nature parks and nature preserves, but do not describe the difference.
- 10.2 – Objective 1 (a) – this list of 'triggers' for DPs is not as extensive as the RAR triggers (e.g. vegetation clearing). Does it supersede the list in the AR DPA?
- 10.2 - Objective 2, Policy (a) – I am unclear as to whether the intention is to indicate that the CVRD will review qualifications ONLY for RAR QEPs, or for all except RAR QEPs. I recommend that you consider rewording this to be clear. Also, the word 'not' is missing: '.....to determine whether or XXX information provided'
- 10.2 – Objective 2, Policy (d) – other forms of natural environment protection besides covenants exist and may be more applicable, in some circumstances. I recommend that you expand this by adding, after the word 'covenant,' 'or other protection mechanism'....
- 11.0 DAI – good idea!
- Part 2 – Development Guidelines – page 2, last paragraph (in AR.3) – I believe that trees on slopes help 'hold' the bank through their root structures (not just due to changes to runoff patterns); the impact of their removal is compounded by the change in the roots – over

time, they deteriorate and decompose and they no longer 'hold' the bank, and they also go through a stage where they conduct water into the slope.

- AR.8 – Guideline #18 – fencing/barriers should also be mentioned in conjunction with, or instead of, the other protection mechanisms.
- CH.2 – first bullet. Stating '.... or other nest trees...' is pretty broad – suppose someone identifies a robin's nest..... Was your intention to focus primarily on raptors (hawks, owls, eagles)? Or to include other uncommon and sensitive species such as green heron? Plus you reference 'nest trees' – suppose there is a turkey vulture nesting in a cave at the base of a cliff (they don't nest in trees); they wouldn't be included because they don't use trees.....how about including 'other rare or uncommon bird species' instead of 'other nest trees'. That might help...
- CH.2 -third bullet – add (last clause) '...species and ecosystems identified as red-....'
- SL.3 – see comment above (page 2, last paragraph)
- SL.5 - third from bottom – you might want to include something about 'changes to surface runoff flow patterns'. It is not uncommon for bank slumps to happen because someone dug a trench and diverted water over the top of a bank, which originally went to ground or to another location.
- SL.7 (v) – a geotechnical expert may not be qualified to make recommendations regarding native vegetation restoration or invasive species removal.
- AG.7 – preamble 'Unless otherwise exemption...' – should this be 'exempted'?
- CB.3 - last sentence – '...buildings that so not add shade (word missing?) foreshore or....'. Also, could this be reworded to say: '.... add shade or damage the foreshore or ...'?
- CB.4 – you might want to add a clause regarding climate change/sea level rise implications

Vancouver Island Health Authority

- Approval recommended

Federal Government:

RCMP

- Approval recommended

Other Agencies:

School District 79

- Approval recommended subject to conditions (see attached)

Bird Studies Canada

- See attached

CVRD Departments:

Public Safety

- See attached

CVRD Environment Commission Review of Area D OCP

December 2012

Compiled by J. Jorgensen and J. Straker

Preamble

The CVRD Environment Commission undertook a review of the draft Area D OCP (file title: AreaD_OCP_DRAFT_July24_2012). We wish to offer our sincere appreciation to CVRD Planner Ann Kjerulf for the opportunity to provide comment on the draft OCP, and for her time in helping us familiarize ourselves with its content. We hope that our responses are useful to CVRD staff and the Board as they proceed with finalizing and implementing this OCP.

Where possible, comments below are indexed by section and page number. This review begins by presenting high-priority items identified by Environment Commission members during the Commission meeting of Dec. 13, 2012, and then presents a more comprehensive list of identified issues/comments. Note that in this longer list, some items are repeated from the earlier, high-priority list.

Top-priority comments (other than the first comment, items presented within this list are not presented in a priority order, they were simply identified by Commission members of being of high importance):

- **Overall** – we wish to commend Ann Kjerulf, other involved CVRD staff, and the OCP Steering Committee in producing an excellent document. It clearly represents substantial work and consideration of a multitude of complex issues. We see many examples throughout the plan of integrated environmental planning and advancement over current practices, and are truly encouraged. We look forward to seeing this OCP implemented.
- **Water quality** – given recent and disturbing results of water-quality testing in the Koksilah and Cowichan rivers that indicates substantial contamination from fecal matter, we recommend that the OCP and/or implementing bylaw include stringent safeguards to prevent pollution of surface and ground waters from agricultural and other sources of fecal contaminants.
- **Section 5.2, p. 52, Policies** – Given that the entire Plan Area is within the Coastal Douglas-Fir zone, which is in itself a sensitive ecosystem, a statement on the protection of all forested land is warranted, e.g., "In addition to identified environmentally sensitive areas, the CVRD recognizes all remaining forested areas as a major component of the Plan Area's green infrastructure and will consider these a priority for protection, restoration and enhancement through a variety of means including parks acquisition, conservation covenants, community education and stewardship." In addition, undertaking an effort to map these lands would be beneficial to plan implementation, as would recognition of these areas in the DPAs and/or implementing bylaw.
- **Environmental constraints** – we encourage planners to utilize environmental "constraints" modelling, such as the CVRD water-balance model, to help shape key decisions in implementation of this OCP, and in development of future OCPs. As an example, **Section 6.4, p. 70, Policy (a)** discusses policies aimed at increasing local food production and economies. Although we are highly supportive of these objectives, we note the possibility of multiple, potentially conflicting objectives in the Plan: e.g., increasing agricultural production *could* lead to severe stresses on water sources (through over-use of irrigation) and degradation in water quality (as above). So, can we write in policies such as:
 - "The CVRD will support development of information on constraints to agricultural production within the Plan Area, particularly constraints in the timing and quantity of

supply of irrigation waters." This information should include application of local water-balance information where possible.

- "The CVRD will support development of information on water-quality constraints to human activities (sewage and manure disposal) within the Plan Area."
- "The CVRD will support development of information on environmental constraints to human land-use activities within the Plan Area, particularly effects on ecosystem goods and services supplied by areas of intact coastal Douglas-fir forest and identified sensitive ecosystems."
- **Section 1.4, p.6** – we recommend that the CVRD work with the Ministry of Transportation and other potential partners to develop provisions to reduce motorized vehicle traffic in the Cowichan Bay Village, which would likely provide both environmental and economic benefits (Further ideas: What about having a parking area away from town and having ways for folks to walk, bike or take small electric golf cart type things into town. Have several drop off and pick up locations along the town strip... Block the street off, have stalls for local handicrafts and flower beds, maybe some fruit trees...one small lane to get goods to the stores. Additional cycling infrastructure and shore-line paths.)
- **Shoreline/sea-level** – given discussion in the document on climate change, the precautionary principle, public health and environmentally sensitive areas, we recommend that the OCP or implementing bylaw include mapping, based on existing LiDAR data, of anticipated shoreline changes resulting from predicted sea-level rises. Such a map could be produced based on increments of rise/change (e.g., every 25 cm of sea-level rise), and would provide a visual representation of risk over time.
- **DPAs and communication** – particularly with the introduction of new Development Permit Areas, we recommend that a communications strategy be developed to facilitate better information exchange between planners and local consultants and developers, focussing on the intention of DPAs, and how they will be implemented and enforced. This process could involve further training for all parties.
- **Float homes** – we recommend that the CVRD work with appropriate external agencies to encourage/support application of "green" building regulations and/or incentives to float homes.
- **Subdivision and non-farm use of agricultural lands** – we recommend that the CVRD work with appropriate external agencies to discourage applications for subdivision and "non-farm uses" within the Agricultural Land Reserve in the Plan Area.
- **Stormwater management** – we recommend that the CVRD include in the OCP and/or implementing bylaw provisions for "zero-discharge" or "no-net-impact" new developments with respect to rainwater, and encourage retro-fitting of these provisions to existing developments.
- **Section 5.5, p. 60, Policies** – additional recommended policy: "The CVRD will develop an airshed plan, including the Plan Area, and will collaborate with government agencies and private landowners (including agricultural and forest lands) to eliminate open-burning practices within the airshed."
- **Cowichan/Koksilah estuary** – review the Plan and implementing bylaw to make sure provisions equal or exceed provisions of the provincial estuary plan (CEEMP).
- **Public Transport** – work with regional partners and the province to develop a multi-modal transportation plan that accounts for regional obligations with respect to GHG emissions and encourages/increases public transportation.

Additional comments, including identification of typographic errors:

- **Section 1.4, p.4** – species should be written as "coastal Douglas-fir, grand fir, western red-cedar, Garry oak, western flowering dogwood, arbutus, hemlock, red alder and bigleaf maple"

- **Section 1.4, p.6, second-to-last para.** – “The Village was once dominated...”
- **Section 4.3, p. 25, Policy (b) (iv)** – sentence is incomplete, suggest, e.g., “the proposed use would not result in the current or future productivity of agricultural land for farming being degraded and...”
- **Section 4.15, p. 48, Policy (a)** – delete “a” in “the implementing zoning bylaw will include a zones...”
- **Section 5.2, p. 55, Policy (d)** – this policy discusses another way in which remaining forested areas, whether identified as “environmentally sensitive” or not, are important to overall ecosystem function and water-resource protection throughout the Plan Area.
- **Section 5.2, p. 56, Policy (h)** – why not “facilitate achievement of a ‘zero-discharge’ policy for liquid waste from marine vessels”, etc.?
- **Section 5.2, p. 56, Policy (l)** – “and other discharge of liquid waste not **connected** to community sewer systems...”
- **Section 5.2, p. 57, Policy (q) (iv)** – suggest “Assess the potential magnitude of groundwater demand under existing zoning, **including future growth scenarios**, and create a zoning framework...”
- **Section 5.2, p. 57** – there does not appear to be a Section 5.3 in this document version.
- **Section 5.4, p. 58, first para.** – “and to ensure the safety of the inhabitants...”
- **Section 5.5, p. 60, Policy (a)** – we need to balance multiple objectives in a plan like this. Although wood-burning fireplaces (depending on how these are defined, but the document does not provide a definition) may contribute to degraded air quality, they may also contribute to other objectives relating to reducing reliance on fossil fuels and increasing local energy supply. One suggestion would be to omit fireplaces from Policy (a), and to add a Policy (b), e.g., “The CVRD will endeavour to reduce air pollution by reducing the use of non-low-pollution wood-burning fireplaces, and by encouraging the use of low-pollution alternative heating sources.” Another alternative would be to strictly define “wood-burning fireplaces” in the document glossary as open-burning devices with no considerations towards emissions reduction, or something like that.
- **Section 5.6, p. 62, Objective.3, Policy (e)** – we suggest that although this policy may be well-intentioned, the implementing bylaw best be carefully worded to avoid unintended (or intended but not beneficial) consequences.
- **Section 9.4, p. 96, Policy (a)** – suggest adding sub-policies ii) “*Groundwater recharge to maintain supplies for human uses.*” and vi) “*Support of terrestrial ecosystems.*”
- **Section 10.4, p. 105, Objective.1** – is there a role for the CVRD Environment Commission in support of timely development of the implementation bylaw and/or review of this bylaw prior to implementation?
- **Section 10.4, p. 105, Objective.1, Policy (c)** – we suggest that additional targets be added to give the OCP and implementation bylaw “teeth”, including, e.g., (xvi) *Area of intact forest*; (xvii) *Area of intact Environmentally Sensitive Zones*
- **Section AR.2, p. 109** – it would be very useful to provide a map, either as part of the OCP or the implementing bylaw, of lands within 30 m of a drainage feature as per Schedule C-1, as it appears that this would be a substantial area.
- **Development Permit Areas** – given previous discussion, should the concepts of “environmentally sensitive areas” and “forested areas” be acknowledged in the DPAs, again to give some enforceability to these concepts?

Further comments submitted by individual Environment Commission members

- Forestry – the current draft does not recognize forestry and wood manufacturing within the Plan Area’s economy. It is important to recognize the potential for a rejuvenated value-added forest industry that would use regionally sourced and sustainably grown wood. We recommend that the OCP document embed in an appropriate section the importance of productive working forests and a revitalized wood-manufacturing sector as an important component of the region’s economy.
- Public access – maintain public access to the foreshore, and encourage non-motorized boating by maintaining free-of-charge canoues/kayak launch facilities
- Shellfish – work with the Cowichan Tribes to establish a shellfish harvest for the estuary, once water quality allows.
- Mobile homes – although we acknowledge that mobile homes may provide affordable housing options in an otherwise expensive area, we do not think that their presence should be further encouraged, unless their environmental performance and longevity can be improved.
- P. 6 – Continue to promote small local farms for local food consumption. Maintain things like the local poultry slaughter house.
- P. 6 – What about having a parking area away from town and having ways for folks to walk, bike or take small electric golf cart type things into town. Give the job of driving the golf cart to some local unemployed person and pay for it out of a \$5 fee for parking. Have several drop off and pick up locations along the town strip... Block the street off, have stalls for local handicrafts and flower beds, maybe some fruit trees...one small lane to get goods to the stores. Like the Portland example.
- P. 6 – Take care the continued industry does not compromise the aim to make shellfish from the bay edible by 2020.
- P. 7 – Improve groundwater conditions by encouraging infiltration and no storm sewers.
- P. 8 – Work on developing a shoreline walking path...
- P. 9 – Work with Cowichan Tribes to develop shellfish harvesting system for the area (once the water quality permits.
- P. 13 – Build on the Cittaslow idea.
- P. 14 – Use the transportation ideas presented above (under P. 6) to promote walking and a small community feeling.
- P. 14 – Develop effective foreshore protection and restoration as per report I did a few years ago.
- P. 16 – Creating an inclusive community with strong social infrastructure is part of looking after the natural environment as well as servicing (use natural processes to provide services such as storm water management and air purification etc.).
- P. 17 – Create zero discharge communities and eliminate the curbs and gutters as well as storm drains (big savings). See Cowichan Bay Estates drainage recommendations.
- P. 20 – There may be a need for innovative solutions to allow present farm landowners to sell their land (to generate retirement income) at a fair market price and allow small young farm families to buy into land to use for farming... CVRD could serve as an intermediary in this matter...
- P. 22 – Provide opportunities for community marketing of locally produced farm products (farm markets, indoor farm market opportunities in the winter?).
- P. 26 – Change the word at bottom of page from “reclamation” to “restoration”.
- P. 27 – Establish a bus from the highway commercial area down to the town parking area where folks can catch the golf cart (see above).



Cowichan Tribes

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Telephone (250) 748-3196 Fax: (250) 748-1233

January 8, 2013

File No. e191-240511

Ann Kjerulf
Planner III, Community and Regional Planning Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8

Dear Ann Kjerulf:

Re: Area D, Cowichan Bay OCP Review and Cowichan Tribes' comments

I would like to take this opportunity to convey our appreciation for your efforts to involve Cowichan Tribes' staff, Council and members in the Official Community Plan Review process for the Cowichan Bay Area D since 2011. Cowichan Tribes' staff – Larry George and Tracy Fleming – have attended several Advisory Group meetings over the past two years. CVRD planning staff has made presentations to the Environment and Land Management Committees. Most recently CVRD staff attended and provided an information booth about the Cowichan Bay OCP at the December 13, 2012 Cowichan Tribes' Comprehensive Community Plan and Land Use Plan meeting at the Quw'utsun Cultural and Conference Centre.

Area D is a geographically large area that encompasses and surrounds most of the populated Cowichan Tribes' Villages – *Lhumlhumuluts'*, *Xinupsum*, *Qw'umiyiqun'*, *Kwa'mutsun*, part of *Xwulqw'selu*, *Thiq* and *Tl'ulpalus*. Therefore, the OCP of Area D has wide ranging implications potentially affecting most Cowichan members residing on IR 1, IR 2 and IR 3.

During this OCP Review process, the following comments from Cowichan Tribes have been communicated to the CVRD over the past few months:

- An over-riding concern that Cowichan Tribes has been repeatedly communicated to the CVRD over recent years has been the need for the CVRD to embark on a Regional Growth Strategy (RGS). The entire CVRD jurisdiction falls within Cowichan Tribes' traditional territory. All growth and development of lands in the territory affects Cowichan Tribes' aboriginal rights and title. Cowichan Tribes would like to see development planned and designated (under the auspices of a RGS) in existing population centers with current natural areas left undeveloped.
- Access to the foreshore by Cowichan Tribes' members is an on-going issue. We require consultation regarding all future shoreline develop in Area D.
- Safe walking trails connecting Cowichan Tribes' communities. All efforts need to be made by CVRD to work together with Cowichan Tribes in order to ensure safe walking trails for Cowichan

community members.

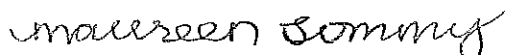
- Protection of the natural environment and foreshore. This is a general premise of Cowichan traditional teachings. The natural environment, especially the foreshore and the Bay are our traditional harvest areas. Our culture is intricately tied to this area.
- Restoration of polluted marine areas: Cowichan River, Cowichan Estuary and Cowichan Bay. Cowichan Tribes looks forward to safely harvesting shellfish in Cowichan Bay by 2020.
- Protection of archaeological sites. All development in the vicinity of Cowichan Bay needs consultation with Cowichan Tribes regarding the potential for unmapped archaeological deposits.
- Cowichan Tribes looks forward to a future working partnership with the CVRD in order to address many issues of common concern including: failing septic fields, JUB sewage capacity, storm water management, mitigation of environmental contaminants, and natural areas management in general.

The CVRD has provided us with the Implementation Schedule of the OCP. Cowichan Tribes would like to be involved in and consulted on the following measures needed to effectively implement the OCP:

- Floating Home bylaws
- Cowichan Bay Village sea level rise and storm surge hazard mitigation study
- Review/update of the Cowichan Estuary Environmental Management Plan process
- Integrated storm water planning
- Aquatic resource mapping (RAR DP updates)
- Management of live-aboard liquid waste, derelict vessels, transient ship moorage
- CVRD sewer service bylaws regarding septic tank removal/remediation
- Floodplain management bylaw
- Vegetation maintenance along roadways (with BC Hydro and MoTI)
- Cowichan Bay Road flood mitigation (with MoTI)
- Eliminate commercial shipping anchorages in Cowichan Bay (with Transport Canada and BC Chamber of Shipping)
- Review of street addressing
- Emergency response planning
- Cowichan Bay marine gateway park
- Parks and Trails Master Plan
- Road safety enhancements (with MoTI)
- Transit service enhancement (with BC Transit)
- Removal of derelict vehicles (with MoTI)
- Navigational channel establishment through Cowichan Bay boat launch

Cowichan Tribes does not oppose this Official Community Plan. Cowichan Tribes encourages the CVRD to continue to partner and consult with us on issues of mutual concern in Area D – Cowichan Bay.

Yours truly,



Maureen Tommy, B.A., M.A.L.T.
General Manager

MT/LG/TF



COAST SALISH DEVELOPMENT CORPORATION

12605 TRANS CANADA HIGHWAY, LADYSMITH, BC V9G 1M5

250-924-2444 FAX 250-924-2445

August 20, 2012

Attn: Ann Kjerulf
Cowichan Valley Regional District

Dear Ann Kjerulf,

Thank you for the referral package dated May 25, 2012 regarding CVRD Bylaw No. 3605 – Electoral Area D – Cowichan Bay – Official Community Plan. Although the date for response has passed, we would still like to forward our comments on the matter.

Electoral area D in the CVRD is not part of Stz'uminus First Nation's core territory, it is however a part of the Hul'qumi'num treaty group's core territory, of which we are a part of. Given this, our interests are not directly affected but our general concerns are worth providing. We would like to point out that when these types of documents are prepared, we have trouble determining what new changes are being made and therefore how those changes will impact us directly. It is easy to bypass an important change being made in larger documents such as this that will surely have a negative impact on local First Nations. Lack of capacity and time restraints do not allow for the in-depth analysis often needed to determine if interests are actually being affected in long term plans. In future, presenting new documents in this format – with the changes being made clearly outlined – may assist us in the assessment process.

Another general concern with newly developed longer termed plans is that there is still merely an emphasis on consulting with local First Nations in the development of such plans. There needs to be more inclusion of First Nations in order for long term cooperative relationships to form. This notion is shared in the guiding principles of this document, yet there appears to be a lack of involvement of First Nations in the remainder of the plan. I would assume in long term community plans, in areas with local First Nations populations, there would be a dedicated section to working with local First Nations and how they are involved in community planning as well as the operational management of plan outcomes.

We appreciate being informed and given the opportunity to respond to this matter.

Regards,

Ray R. Gauthier
Chief Executive Officer



RECEIVED
AUG - 7 2012

CITY OF DUNCAN

August 3, 2012

Cowichan Valley Regional District
175 Ingram Street
Duncan BC V9L 1N8

Attention: Planning and Development Department

Re: Electoral Area D – Cowichan Bay Official Community Plan

We are very pleased to be provided the opportunity to review and comment on your updated Official Community Plan, and apologize for the lateness of our reply.

Our review and comments focus primarily on areas of common interest: goals, objectives and policies relating to 1) the Koksilah Village area which is closest in proximity to the City; 2) transportation; and 3) infrastructure:

3.3 - Objective 1

We applaud the use of Village Containment Boundaries and the philosophy that expansion into Rural Village Areas will only be considered if the Village areas become built out.

9.2 - Water Supply

We believe that this should mention that the City of Duncan provides access to its water system for the Koksilah Village Area.

9.6 - Fire Protection

We believe that this should mention that the City of Duncan provides fire protection for the Koksilah Village Area.

4.10 - Koksilah Village

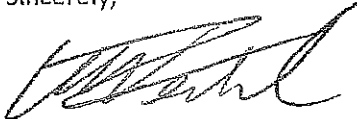
The City is supportive of the continued use of the Koksilah Village Area as a light industrial mixed use centre that maintains no net loss in housing, and considers the high vulnerability of the aquifer.

Concluding thoughts

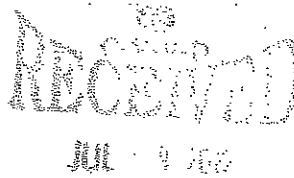
Overall we are very pleased with the comprehensive and progressive nature of this plan and believe that your success in implementing this plan will also benefit the City of Duncan.

Should you have any further questions regarding the above, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter de Verteuil', written in a cursive style.

Peter de Verteuil
Director of Finance,
Deputy Director of Corporate Services



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

July 3, 2012

Reply to the attention of Roger Cheetham
ALC File 46475

Ann Kjerulf, Planner III
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC
V9L 1N8

Dear Madam:

Re: CVRD Bylaw No. 3605: Electoral Area D: Cowichan Bay Official Community Plan

With reference to your referral dated 25th May 2012 our comments are as follows.

3.3 Objective.2, Policy (c), page 22

We support the intent of this policy and note that Policy (m) relating to the Agricultural Resource designation on page 23 suggests that there may be limited need to make provision for applications made in terms of the Commission's Homesite Severance policy. We nevertheless believe that the Board may occasionally, based on particular circumstances and merits, wish to forward a limited number of applications to the Commission. In that event some such applications might be approved by the Commission. Accordingly we suggest that provision is made in the policy for this contingency.

4.2 Agricultural Resource (A) page 23

We are pleased to note and commend the CVRD on the inclusion of all of the ALR in this designation. For your information, while of little significance, there are two areas within the ALR that are designated as Community Institutional – the northern part of Bench Elementary School and the Fire Hall at the Cross Roads Centre.

Policy (a), page 23

We support this policy in general but as indicated above there may be occasional instances where the Board and the Commission might feel it appropriate to approve a subdivision for a retiring farmer. To provide for that possibility we suggest that a comment be added along the following lines:

“unless approved by the Agricultural Land Commission for land within the ALR”.

We also suggest that a note be added to alert the public to the need for Commission approval of subdivisions in the ALR.

(b) This section appears to overlap with the policies that follow on page 24. We presume that the zones would apply to the areas falling under the Agricultural Resource designation where the Commission had approved non-farm development through an application process and would not apply to non-farm development permitted in terms of the Commission's Regulations. In view of the apparent overlap with those that follow you may like to give consideration to a redraft of this section.

(d) We are pleased to note this policy. In noting that some control is exerted over the siting of residential buildings in the proposed DPA for Agricultural Protection we suggest consideration also be given to imposing set back distances as advocated in the Ministry of Agriculture's Guide to Bylaw Standards for Residential Buildings

http://www.al.gov.bc.ca/resmgmt/sf/residential_uses_in_ALR_consultation/residential_uses_index.htm

(f) and (i) We suggest that another condition be added that requires the approval of the ALC for land within the ALR.

(k) We suggest that the zoning of such commercial uses within the ALR be confined to uses that either predate the ALR or have the approval of the ALR. This would tie in with (o).

(m) As commented on above we note the lack of support for Homesite Severances. The Board might nevertheless consider in some instances that such subdivision was appropriate and accordingly the wording might be loosened somewhat to provide for this contingency.

Objective 2. Policy (a), page 25

We are pleased to note the criteria laid down for farm help. We suggest that the Ministry of Agriculture and the Commission be consulted when evaluating need and, unless clear justification is provided, the CVRD err on the side of caution bearing in mind the potential of such dwellings to turn into rental accommodation for persons not engaged in farming, with undesirable consequences for agriculture.

Policy (d), page 26

The Commission is wary of permitting residential development within the ALR and would be concerned if this policy paved the way for the admission of residential development that was not fully required to accommodate full time or seasonal farm workers. We note also the reference to "industrial activities" under (i) and suggest that the reference rather be to "agricultural workers". We would like to be provided with more information relating to this policy before commenting further.

6.6 Parks and Trails, Policy (k), page 73 We suggest that you add a note to indicate that trails located within the ALR require the approval of the Agricultural Land Commission.

Schedule A Part 2 AR.6 Exemptions, page 4 We note that the penultimate exemption for activities undertaken in accordance with the Farm Practices Protection Act requires that the

proposed activity will not impact natural or environmentally sensitive features. We note from the Environmentally Sensitive Areas Map that there are a significant number of areas within the ALR that have been identified, in particular rivers and the area adjacent to Cowichan Bay. We hence have a concern that farm uses may not be exempted from the DPA process. If so the Commission is likely to have a significant concern with regard to the provisions which may run the risk of inconsistency with the Agricultural Land Commission Act. Your further comments would be appreciated.

AR.10 Guidelines for Aquifer Protection, pages 10-11 We note that some agricultural activities have been identified as moderate sources of contamination. While we understand the importance of protecting the aquifer it would seem unreasonable to require this process to be followed for the activities that are in compliance with the farm practice guidelines of the Ministry of Agriculture. We therefore suggest that a qualification be added along the following lines:

"that are not in compliance with the farm practice guidelines of the Ministry of Agriculture"

Schedule D-3 Agricultural Protection DPA. The map does not appear to show the areas falling within this DPA.

We look forward to your response.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Roger Cheetham, Regional Planner

cc: Wayne Haddow, Regional Agrologist, Ministry of Agriculture, Duncan

rc/46475m1

COWICHAN VALLEY
SCHOOL DISTRICT

RECEIVED

JUN 13 2012

June 5, 2012

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC
V9L 1N8

Attention Ann Kjerulf, Community and Regional Planning Division

Dear Sir or Madam:

Re CVRD Bylaw No. 3605 – Electoral Area D – Cowichan Bay – Official Community Plan

Thank you for providing the School District with an opportunity to comment on the proposed Official Community Plan.

We recommend approval of the plan subject to the following conditions:

1. Section 6.2 Objective .1 Policy (c) suggested wording: "The CVRD will work closely with the District to incorporate community use into new educational facilities."
2. Section 6.2 Objective .1 Policy (d) suggested wording: "In the event that School District 79 decides to dispose of Bench Elementary School, the CVRD will..."
3. Section 6.2 Objective .2 Policy (f) suggested wording: new category "Contribution of land or funds to develop new school facilities or contribution of funds to increase capacity at existing schools."

If you have any questions, please feel free to contact me.

Yours truly,



Robert A. Harper, CGA
Secretary-Treasurer

July 13, 2012

Dear Ann Kjerulf:

RE: Comments and Recommendations to Cowichan Valley Regional District (CVRD) on the 2012 draft Official Community Plan (OCP) for Area D - Cowichan Bay.

Thank you for the opportunity to review the draft OCP for Cowichan Bay. We reviewed the document with the BC Nature IBA Coordinator, focusing primarily on those sections that address the environment and natural features. We offer the following input and suggestions.

Overall, the document lays out valuable goals and policy aimed at protecting and enhancing the natural resources of the area. It would be beneficial to mention the Important Bird Area (IBA) designation for Cowichan Estuary in a few sections (suggested below) to highlight the global significance of this area for birds. The CVRD's goals around reducing light pollution are proactive and may benefit migrating birds and other wildlife. The CVRD may also want to encourage the use of new building guidelines for design and materials that minimize bird mortality from window strikes, which cause significant mortality in land birds; several syntheses of recent architectural recommendations (most for commercial, urban structures, but some for single family residential homes also) are available at <http://www.birdsandbuildings.org/info.html>. The Critical Habitat Development Permit Area described in the Part 2 should be an effective way to increase protection and conservation of biologically important features and we suggest that the IBA designation also be captured by this DPA.

The 2012 updated version of the provincial *Develop with Care Guidelines* has just been released and it would be useful to refer to this throughout Parts 1 and 2 since it has a number of good recommendations for planning and building, see <http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2012/index.html>

Specific Comments on Schedule A Part 1: Policies

- 1) Page 4 Section 1.4 Environment:
 - Edit "Broadleaf" Maple to "Bigleaf Maple"
 - Typo "filing" should be "infilling for commercial and industrial..."
- 2) Page 6 Section 1.4 Economy:
 - Suggest mentioning ecotourism as part of the local economy, such as wildlife watching, nature experience (including benefits to human health of regular exposure to natural surroundings) and related activities. We are happy to supply background reports about the economic benefits of these activities, if interested.
- 3) Page 7 Section 1.4 Climate Change:
 - Typo "Climate change is attributed...."



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- 4) Page 15 Section 2.4 Community Goals: Restore, Protect & Enhance the Health of the Cowichan Estuary & Marine Foreshore:
 - The first sentence is incomplete "The Cowichan Estuary is recognized...waterfowl and wildlife in –".
 - Add mention that the Cowichan Estuary has been designated as an internationally Important Bird Area because it supports >1% of the world population of several species of waterbirds
 - Add reference in bold "...dependent species such as Chinook salmon, shellfish, eelgrass and waterbirds"
- 5) Page 15 Section 2.4 Community Goals: Enhance the Environment, Ecosystems and Biodiversity:
 - Could mention that ecotourism in natural coastal areas can provide substantial economic benefits to local regions.
- 6) Page 16 Section 2.4 Community Goals: Enhance Connections to the Waterfront
 - There is also a good opportunity for public education and awareness through signage on the waterfront on topics such as local history, natural resources, best practices etc
- 7) Page 22 Section 3.3 General Objectives and Policies:
 - Objective 3a: It would be useful to define or identify the Marine and Natural Areas. Are these areas the same as shown on the map of Environmentally Sensitive Areas, Schedule C-1?
- 8) Page 23 Section 4.2 Agricultural Reserves
 - Mention that agricultural lands also provide important habitat and movement corridors for wildlife and migratory birds outside of the growing season; ALR is an important conservation tool because of the strong link between farmland and high wildlife use
- 9) Page 47 Section 4.14 Marine Resource
 - Mention at the end that Cowichan Estuary is a globally significant Important Bird Area.
- 10) Page 47 Section 4.14 Marine Resource Objective 1: Policies
 - a) Suggest "ecotourism" in addition to marine tourism.
 - d) Add that the CVRD supports Green Shores approaches to shoreline stabilization
- 11) Page 51 Section 5.1 Natural Environment: Introduction
 - After reference to coastal birds, mention IBA designation
- 12) Page 52 Section 5.2 Ecosystems & Biodiversity: Objective 1: Policies:
 - c) Could provide targets if the CVRD is planning to identify the amount of nature preserves or protected areas to establish (eg. % of land base)
 - h) Suggest wording in bold: "The CVRD will support the **retention** and..."
 - h) Mention Tree replacement Guidelines (available from DFO)
 - Add last bullet: "The CVRD recognizes that the Cowichan Estuary has been designated an Important Bird Area"
- 13) Page 53 Section 5.2 Ecosystems & Biodiversity: Objective 2: Policies
 - f) Add wording in bold "minimize their environmental impact including the **overall footprint** and..."



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- 14) Page 54 Section 5.2 Ecosystems & Biodiversity: Objective 3: Policies
 - a) Suggest that CVRD also support projects such as interpretive signage and local nature festivals and events
- 15) Page 59 Section 5.4 Sensitive Lands: Objective 1: Policies
 - i) Add that CVRD requests that measures be in place to eliminate or reduce the spread of invasive plant species
- 16) Page 72 Section 6.6 Parks & Trails
 - Refer to the fact that parks and trails provide important habitat connectivity and wildlife corridors.
- 17) Page 82 Section 7.4 Agricultural Economy
 - In the Introductory paragraph, mention that agricultural lands provide important wildlife habitat especially for migratory waterfowl in winter (e.g. the iconic Trumpeter Swans), which can provide economic benefits from visiting bird watchers

Specific Comments on Schedule A Part 2: Development Guidelines

- 18) Page 2 Aquatic Resource Justification
 - Good mention of the IBA here
 - After footnote 2, could add that many bird species are in decline in Canada and refer to the "State of Canada's Birds" report just released (www.stateofcanadasbirds.org)
- 19) Page 5 AR.7. Aquatic Resource General Guidelines
 - Add that a Green Shores approach should be used for shoreline stabilization projects
 - 11) Tree clearing should not occur during the bird nesting season approximately April 1 to August 1.
- 20) Page 12 CH.3. Critical Habitat Protection DPA: Scope
 - Last bullet: recommend adding "**Important Bird Areas as designated by Birdlife International**" as another example of critical habitat to be included in this DPA.
- 21) Page 12 CH.3. Critical Habitat DPA: Justification
 - In addition to nests of eagles, raptors, herons, active nests of all bird species are protected under the federal Migratory Birds Convention Act (1916) and/or the BC Wildlife Act
- 22) Page 14 CH.7 General Guidelines
 - 3) Should define or provide examples of "keystone" species
- 23) Page 23 Rural Character RC. 7 Site Design:
 - 1) Typo: "The site should be designed to **avoid** environmentally sensitive areas
 - 1) Should also reference avoiding nest trees



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24) Page 24 RC 7. Building Design

- Suggest that design and materials be used that reduce bird mortality from window strikes

25) Page 35 Cowichan Bay Development Permit Area BC. 7. General Guidelines

- 8) Add that a Green Shores approach is recommended

Once again, we appreciate the opportunity to provide input to the draft OCP and would be happy to provide more details or background information about any of our comments. Please contact me if you have any questions or if further information is required.

Sincerely,

Karen Barry
Bird Studies Canada
Email: BCprograms@birdscanada.org



MEMORANDUM

DATE: July 16, 2012 **FILE NO:** OCP Bylaw # 3605

TO: Ann Kjerulf, MCIP, Planner III Community and Regional Planning Division

FROM: Sybille Sanderson, Acting General Manager, Public Safety

SUBJECT: OCP Amendment Bylaw # 3605 Electoral Area D – Cowichan Bay Official Community Plan (OCP) – Public Safety Department review

In review of OCP Amendment Bylaw # 3605 the following comments are provided:

- The Community Wildfire Protection Plan has identified the areas within Electoral Area D as primarily **moderate with pockets of high** (see attached map). FireSmart principles should be supported in general and required in high/extreme areas.
- Extensive riparian and floodplain areas are identified throughout this area (see attached map) and cause significant concern in particular around future rezoning potential. Please consider a moratorium on all development in floodplains to reduce the risk of losses to residents and/or businesses. Please note that there is no flood insurance available in BC to homeowners.
- All subdivisions should be required to provide firefighting waterflow as per NFPA 1142 standards and two points of access/egress to support evacuation and incoming emergency vehicles.
- It would be in the best interests of the CVRD to pre-identify all steep slope areas and not permit any type of development in these areas.
- Please consider additional notes made throughout the document.

Please note, as per Corporate Leadership Team instructions approval shall not be recommended or denied by anyone other than the Planning & Development Department.

Together Building Community Resilience & Sustainability

Sybille Sanderson



R4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 30, 2013 **FILE NO:** Area E Bill 27 & Housekeeping
FROM: Alison Garnett, Planner I **BYLAW NO:** 3680, 3681, 3682
Development Services Division
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.

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. Policies, 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:

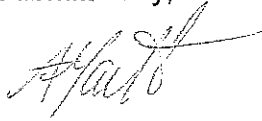
1.
 - a. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E, be forwarded to the Board for 1st and 2nd reading;
 - b. That a Public Hearing be scheduled with Directors Duncan, Iannidinardo and Fraser appointed as delegates;
 - c. 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.

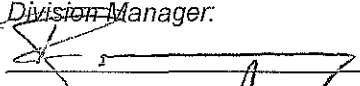
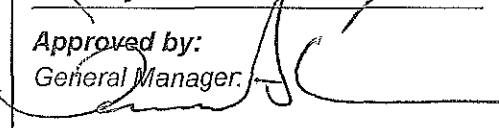
- a. That Zoning Amendment Bylaw 3862 and Official Community Plan Amendment Bylaws 3680 and 3681, relevant to Electoral Area E, be sent to a Public Meeting.

Submitted by,



Alison Garnett
Planner I
Development Services Division
Planning and Development Department

AG/ca
attachments

Reviewed by: Division Manager:

Approved by: General Manager:


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

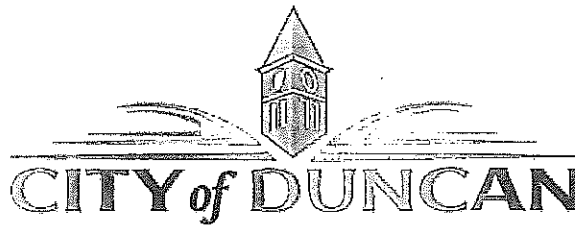
APC discussion ensued for the third time on the proposed bylaws.
Legal advice from Bill Buholzer(July 25) was considered.
Concerns were expressed on the restrictive nature of the heat pump requirements, while support was shown for the concept, the lack of flexibility for other non-fossil fuel alternatives 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



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

Environment Commission Working Group Review of Area E OCP and Zoning Amendments

October 2012

R. Hart, J. Lefebvre, 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

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



C·V·R·D

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 – 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 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



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 District¹ 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.

¹ Province of BC, Cowichan Valley Regional District Community Updated Community Energy and Emissions Inventory: 2007 (2010)

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 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 2007², 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.



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 – 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 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



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 age 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 policies 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**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.



BYLAW NO. 3682

**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 m² 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, as shown on 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 on Figure 1 – subject property outlined in black near Wake Lake, attached hereto, from R-2 (Suburban Residential) to P-2 (River Corridor Conservation).
- f) Schedule B (Zoning Map) to Zoning Bylaw No. 1840 is amended by rezoning Legal Lot Poly 15927 VIP 64839 as shown outlined on Figure 2 – Subject property outlined in black near Busy Place Creek, attached hereto, from I-1 (Light Industrial) to P-2 (River Corridor Conservation).

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

Figure 1

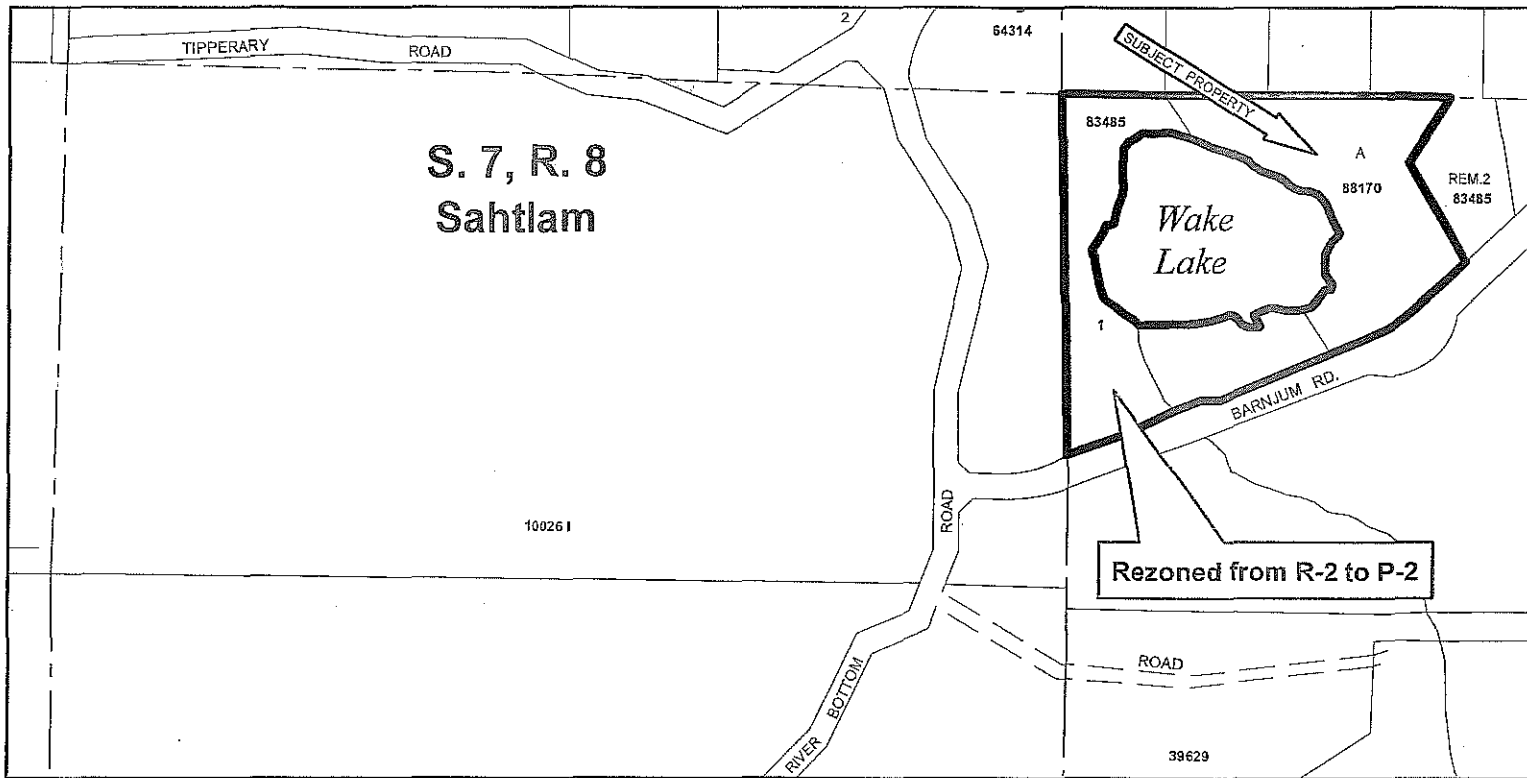
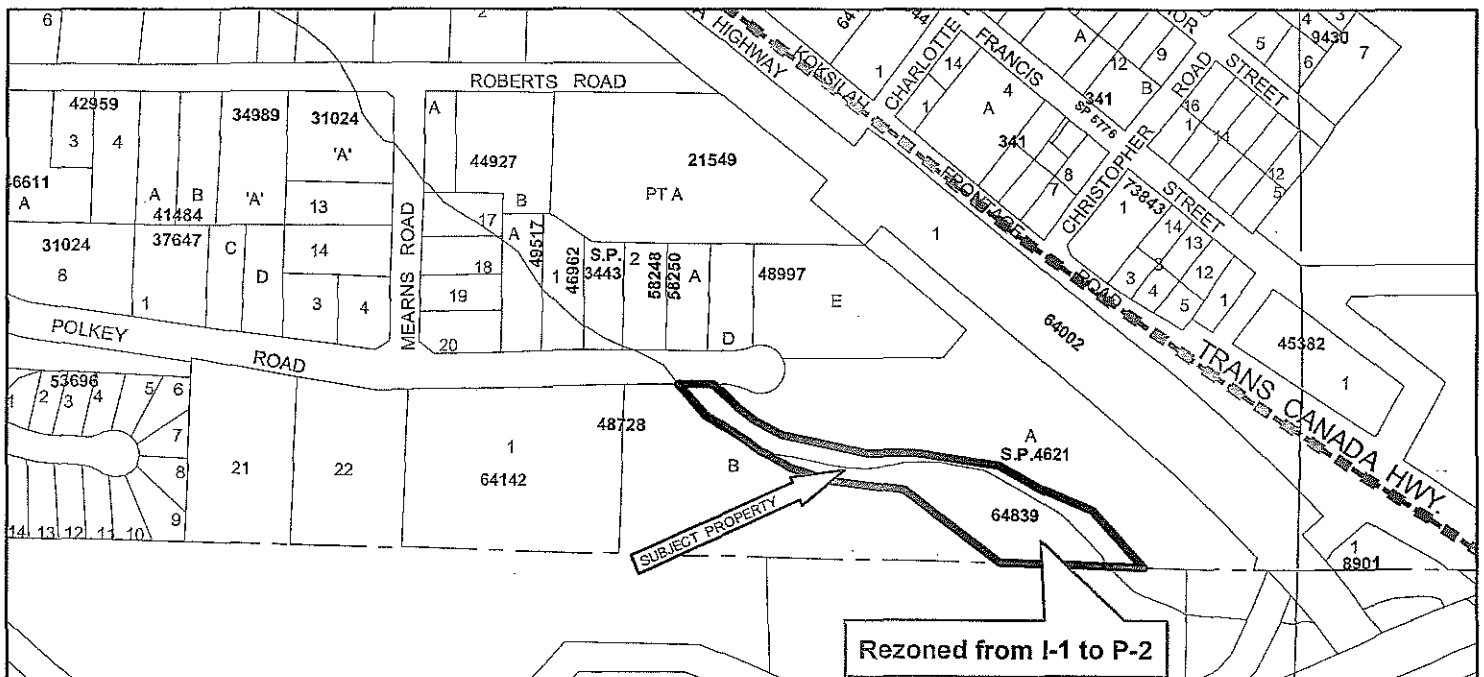


Figure 2





R5

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 5, 2013

DATE: January 31, 2013 **FILE NO:**

FROM: Rob Conway, MCIP
Manager, Development Services Division **BYLAW NO:**

SUBJECT: Request for letters of concurrence for proposed telecommunication towers

Recommendation/Action:

For Information.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

The Federal Government (through Industry Canada) has jurisdiction over radio and telecommunications under the *Radiocommunications Act*. Provincial and local government have no constitutional authority regarding telecommunication facilities licensed under federal law. However, Industry Canada does consider public and local government comment when considering applications for telecommunication facilities and has implemented a consultation policy that requires services providers to undertake community consultation as part of Industry Canada's application process. The policy essentially requires proponents to undertake a "Default Public Consultation Process" in situations where the local government does not have its own process, or follow the local government's process where one is established.

Since the CVRD does not have its own telecommunications consultation process, proponents of telecommunications facilities in the CVRD's electoral areas are required to follow Industry Canada's Default Public Consultation Process. The Default Process requires the proponent to provide written notification of the proposal to the public, the land use authority, and Industry Canada. The public and the land use authority are given an opportunity to provide comments and the proponent is expected to address any "reasonable and relevant concern".

Concerns that Industry Canada consider to be reasonable and relevant include:

- Why is the use of an existing antenna system or structure not possible?
- Why is an alternate site not possible?
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- How is the proponent trying to integrate the antenna into the local surroundings?

- What options are available to satisfy aeronautical obstruction marking requirements at this site?
- What are the steps the proponent took to ensure compliance with the general requirements of Industry Canada's default consultation process, including the Canadian Environmental Assessment Act (CEAA, Safety Code 6, etc.)?

Concerns that are not considered reasonable and relevant include:

- Disputes with members of the public relating to the proponent's service, but unrelated to antenna installations;
- Potential effect that a proposed antenna system will have on property values and municipal taxes;
- Questions whether the *Radiocommunications Act*, *Radiocommunication and Broadcasting Antenna Systems* (CPC-2-0-03), Safety Code 6, locally established by-laws, or other legislation, procedures or processes are valid or should be reformed in some manner.

The default consultation process requires the proponent to seek "concurrence" from the local government. If concurrence is not achieved, Industry Canada will ultimately determine if a proposal for a particular telecommunication facility will be approved or not, and does not necessarily require local government concurrence in order to grant approval.

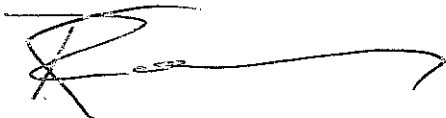
Recent Telecommunication Tower Proposals:

TELUS is currently proposing three new telecommunication towers in the Regional District. The proposed sites are:

1. 3730 Trans Canada Highway (Rona)
2. 4650 Trans Canada Highway (John Deere)
3. 2965 Boys Road (Eagles Hall)

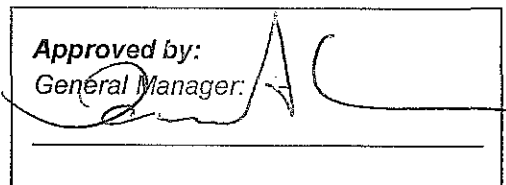
A cover letter is attached to this report from Standard Land Company Inc., the company that is doing the community consultation on behalf of TELUS. The letter outlines the reasons for the proposed towers and provides other related information. Requests for letters of concurrence and information regarding the three proposed tower sites are provided in subsequent staff reports.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning & Development Department

Approved by:
General Manager:



RC/ca
Attachments



Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1

Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com

January 18, 2013

VIA E-MAIL: rconway@cvrld.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

**SUBJECT: REQUEST FOR CONCURRENCE FOR TELUS SITES BC1010, BC1283 & BC1583
TELUS TELECOMMUNICATIONS TOWERS IN THE COWICHAN VALLEY REGIONAL DISTRICT**

In reference to TELUS' recent proposals to construct telecommunications towers in the Cowichan Valley Regional District ("CVRD"), TELUS has completed the consultation process for three telecommunication tower sites and is respectfully requesting support from the Regional Board of Directors for the installation and operation of three towers that will enhance high speed wireless service to areas within the CVRD, particularly areas along the Trans-Canada Highway (and surrounding communities).

Enclosed please find evidence of the following efforts regarding the three public notification processes:

TELUS Site	Address
BC1010 - Cobble Hill	3730 Trans-Canada Highway, Cobble Hill, BC
BC1283 - Cowichan Station – Koksilah Rd. / Weber Rd.	4650 Trans Canada Hwy, Cowichan Bay, BC
BC1583 - Duncan South – Hwy 1 / Cowichan Way	2965 Boys Road, Duncan, BC

During our public consultation process, we received questions both from the community and Board of Directors regarding how the proposed TELUS towers will benefit communities within the CVRD. The consultation processes for each of the three sites is detailed in the enclosed letters, which involved meeting all Industry Canada consultation requirements, including public information meetings and extending the comment period when requested by the Board. During the consultation the majority of public comments regarding the proposed sites resulted in less than 30% of respondents (9 of 31 respondents) expressing concerns. In concluding our consultation efforts, the principal benefits include:

1. Improving service to businesses and residential areas that are currently receiving undependable service;
2. Providing service along the Trans-Canada Highway (and surrounding communities) that will improve emergency response time and highway safety;
3. TELUS continuing to support the local economy and community projects within all areas of the CVRD.

4. The three proposed sites are appropriately located on industrial zone lands or in an industrial area

1. Improved High Speed Service to Communities

There is an increasing dependence on wireless products for personal, business and emergency purposes, and an improvement in service in the CVRD would benefit a number of communities including Cobble Hill, South Duncan and Cowichan Station. Nationally, TELUS is offering Canadians an advanced wireless network that supports next generation products like smartphones, tablets, and wireless laptops. People in urban, suburban and rural areas are all looking for dependable service.

Within the CVRD, the proposed towers would be providing next generation high speed wireless service coverage along the Trans-Canada Highway, and to surrounding businesses and residences. Currently, these areas have very little dependable service, as indicated by members of the community and local businesses during our consultation processes. TELUS intends to provide improved coverage along and around the Trans-Canada Highway (and surrounding communities), from Duncan to Mill Bay no later than 2014..

2. Improved Emergency Services and Highway Safety

The three proposed tower sites will provide improved 911 access along key transportation corridors which will increase highway safety. Please see Figures 1 and 2 below that illustrate how service will improve with the addition of TELUS sites.

Figure 1: Existing TELUS Coverage

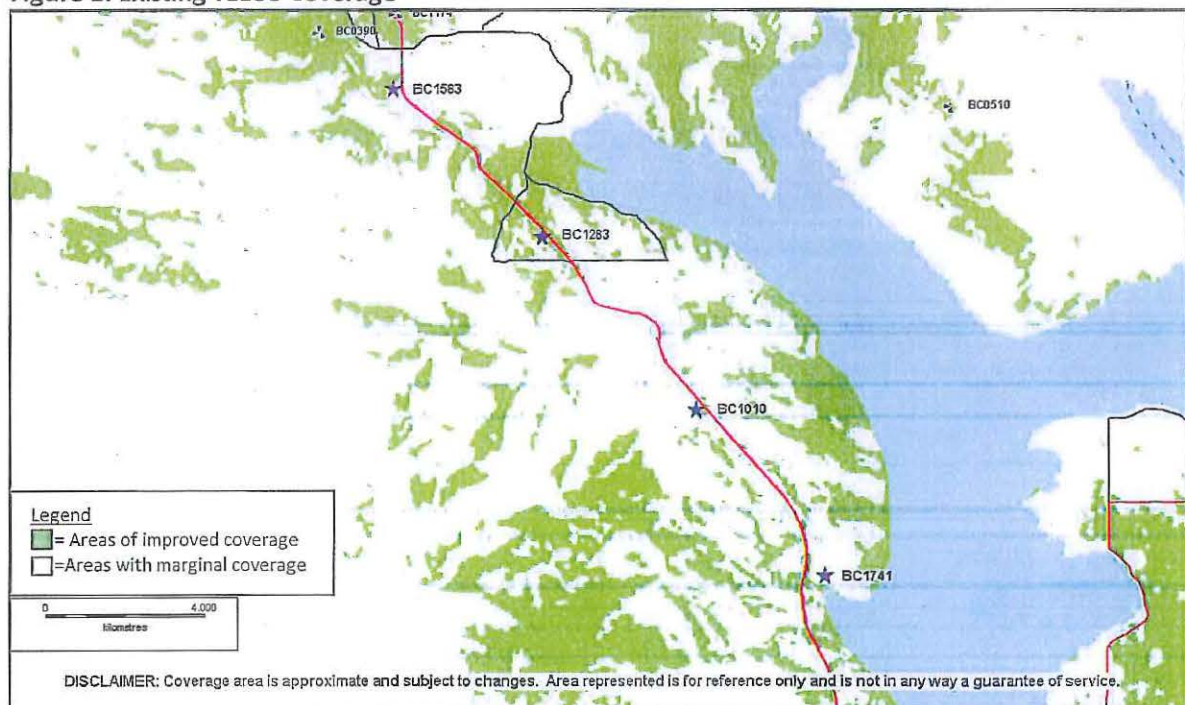
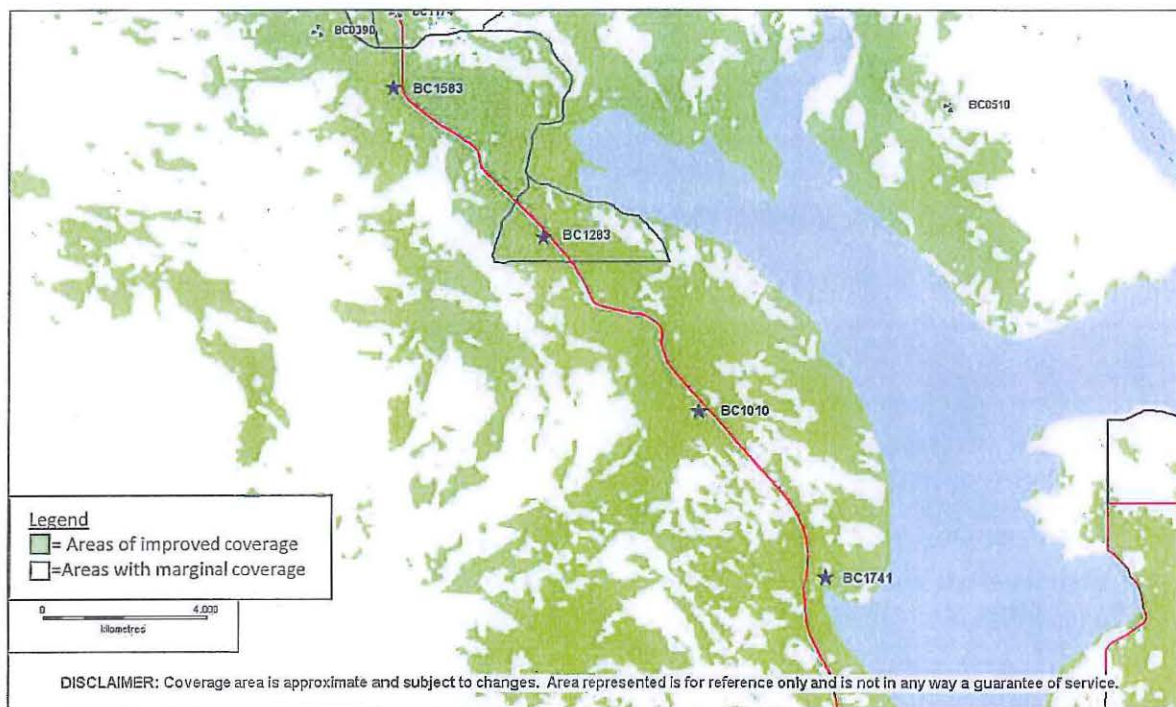


Figure 2: Future TELUS Coverage



The primary areas of improved service will be along the Trans Canada Highway from south of Duncan to north of Mill Bay. According to statistics provided by ICBC, from 2007 to 2011, there were close to 500 vehicle crashes along the Trans-Canada Highway from South Duncan to Mill Bay. On the Trans-Canada Highway, from Hutchinson Road to Lakeside Road (Dougan Lake) there were over 120 vehicle collisions with over 50 casualties.

Many emergency calls are made using wireless handsets and as such first responders rely on wireless products. At the end of December 2010, Canadians placed over 6 million calls to 911 using mobile devices.

3. TELUS Community Support and Investment

TELUS has been, and continues to be, an active participant in the local economy, community improvement projects and charitable work, including:

- **TELUS Vancouver Community Action Team has donated more than \$150,000 in support of local charitable projects.** Beneficiaries include the Ladysmith Kinsman Club Park – to purchase playground equipment, Lake Cowichan Kaatza Lakeside Players Society, Cowichan Station Area Association, Cowichan Therapeutic Riding Association, and Cowichan Valley Foster Parent Society.
- **Since 2000, TELUS team members and retirees have contributed more than \$25,000 through Team TELUS Charitable Giving to numerous charitable organizations based in the CVRD.** Recent recipients include: Cowichan Valley Hospice Society, Cowichan District Hospital

Foundation, Cowichan Therapeutic Riding Association, Somenos March Wildlife Society, Cowichan Foundation, Cowichan Historical Society, Ladysmith Resource Centre, and Shawnigan Lake School.

- **14 TELUS team members** are employed in the CVRD and the annual payroll is in excess of \$800,000.
- **Since 2000, TELUS team members have donated more than 11,000 volunteer hours to dozens of local charities.** They also participate enthusiastically in our annual TELUS Day of Giving – a day when thousands of team members across the country donate their time to local not-for-profit and community associations. Last year, more than ten TELUS team members participated in this special day. Activities included garden restoration at the Cowichan Therapeutic Riding Association.

4. Use of Industrial Lands/Areas:

All three proposed sites are appropriately located on Industrial zoned lands with the exception of BC1583 South Duncan which is located in an industrial area. Industrial uses are typically considered an appropriate location for telecommunications structures.

In order to provide communities with improved service by 2014, TELUS is seeking support for the installation and operation of the three proposed towers. We respectfully request that the three proposed tower projects be considered at the Electoral Area Services Committee (EASC) Meeting scheduled February 5, 2013 and if supported, be presented for concurrence at the Regular Board Meeting scheduled February 13, 2013. Should you require any additional information, please do not hesitate to contact us at 1-877-687-1102 or by e-mail at kierstene@standardland.com.

Sincerely,

Standard Land Company Inc.
Agents for TELUS



Kiersten Enemark
Director, Land & Municipal Affairs

cc: Brian Gregg, Senior Real Estate and Government Affairs, TELUS
Michael Walsh, Real Estate and Government Affairs, TELUS



R6

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 30, 2013

FILE NO:

FROM: Rob Conway, MCIP
Manager, Development Services Division
Planning & Development Department

BYLAW NO:

SUBJECT: Request for Letter of Concurrence – Proposed Telecommunication Tower at 3730 Trans Canada Highway (Rona)

Recommendation/Action:

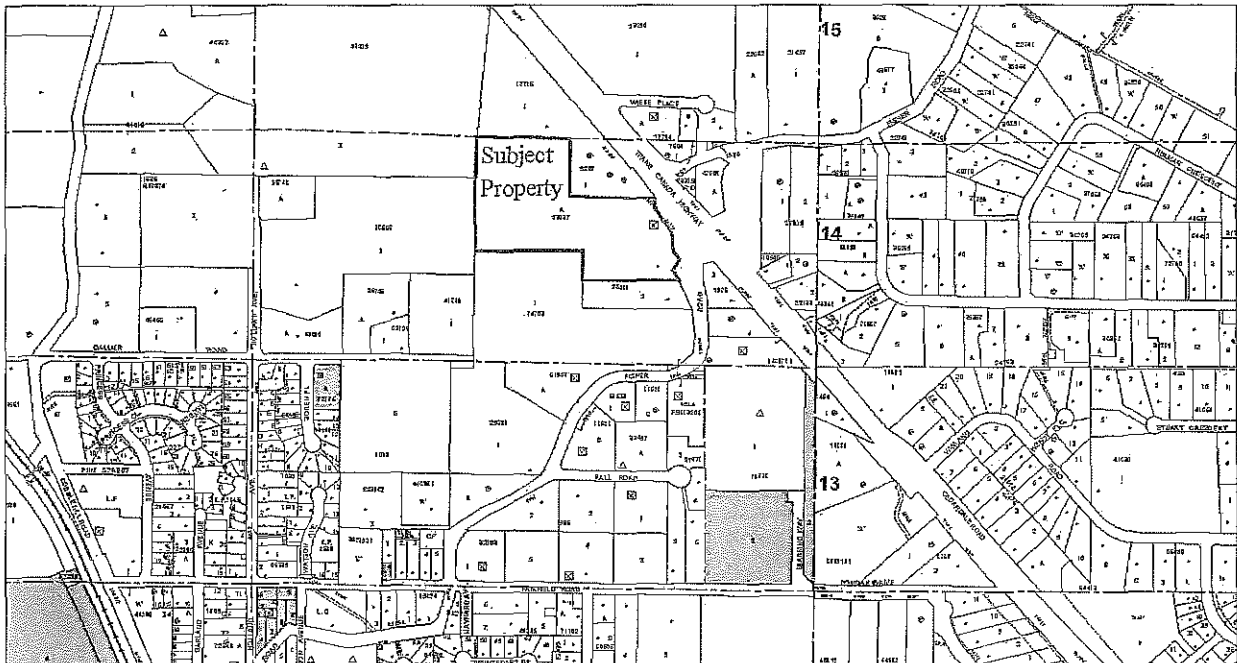
That the Committee consider a request for a letter of concurrence for a telecommunications tower at 3730 Trans Canada Highway.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

Subject Property:



The Proposal:

TELUS is proposing to install a 60 metre self-supported, lattice-type telecommunications tower on the Rona property in Cobble Hill. The site has been selected because it is in an industrial area close to the Trans Canada Highway and at a location that would provide improved service to the Cobble Hill area and travellers. In addition to the tower, the proposed facility will include an equipment shelter and fenced compound of approximately 400 square metres. An information package regarding the proposal is attached to this report.

Visual Impact:

At 60 metres, the proposed tower is significantly taller than the two 40 metre mono pole towers that are proposed in Electoral Area E. The proponent has provided photo simulations in the information package that attempt to show how the visual impact of the tower. As the tower is proposed at the north west corner of the Rona site, the base will not be highly prominent from the highway or other public roads, but upper portion of the tower is expected to be clearly visible from the surrounding area.

Health and Safety:

Industry Canada requires that telecommunications are operated in accordance with the safety guidelines established by Health Canada's Radiation Protection Bureau as set out in the publication *Limits to Radio Frequency Fields at Frequencies from 10khz to 300 Ghz*, otherwise referred to as "Safety Code 6". The proponent has confirmed that the proposed tower will be installed and operated in accordance with Safety Code 6.

Public Consultation:

Initial public consultation for this tower proposal commenced in April, 2012, with notifications sent to property owners within 3 times the tower height (180 metres) and notice of the proposal published in the Cowichan Valley Citizen.

On July 11, 2012, the CVRD Board passed the following motion regarding the proposal:

That the CVRD recommend to Alcatel-Lucent that Telus host a community information meeting at Cobble Hill regarding their proposed self support telecommunications facility (cell tower) at 3730 Trans Canada Highway.

The proponents did not hold a public meeting, but a public open house was held on November 27, 2012. Notifications were also re-sent to property owners within 180 metres of the proposed tower.

Documentation regarding the notification process and a summary of the comments received is provided in the proponent's information package. Sixteen responses were received from the public, with ten in support and six opposed.

Policy Context:*Official Community Plan Bylaw No. 1405:*

The subject property is designated Industrial in the OCP. Lands immediately to the north and west of the proposed site are designated agricultural and are in the Agricultural Land Reserve. The OCP does not have any specific policy regarding telecommunication towers.

Zoning Bylaw No. 1840:

The subject property is zoned Light Industrial Limited (I-1C). The I-1C zone does not explicitly permit telecommunication facilities as a permitted use, but "utility use" is permitted in all zones. The definition of utility use includes "broadcast transmission facilities licensed by a government". In any case, since telecommunications is a federal authority, local zoning does not apply to facilities licensed by the federal government.

The Zoning Bylaw specifies a maximum 10 metre height limit, but Section 5.10 of the Bylaw exempts "radio or television antenna". The proposed tower and equipment shed are situated so as to comply with the 9.0 setback from adjacent property boundaries.

Options:

Since the CVRD does not have established policy regarding the location of telecommunications towers, staff do not have a good basis for providing a recommendation regarding the request for a letter of concurrence. Therefore the following three options are identified for the Committee's consideration, with direction from the Committee requested.

Option 1:

That the Board instruct staff to advise Industry Canada in writing that:

- 1) Telus has satisfactorily completed its consultation with the Cowichan Valley Regional District regarding the proposed telecommunication tower at 3730 Trans Canada Highway (Rona)
- 2) The Cowichan Valley Regional District is satisfied with the public consultation process conducted for the proposed telecommunication tower; and
- 3) The Cowichan Valley Regional District concurs with the proposal to construct a telecommunication tower at 3730 Trans Canada Highway (Rona) provided it is substantially in accordance with the plans submitted to the CVRD in the information package dated January 18, 2013.

Option 2:

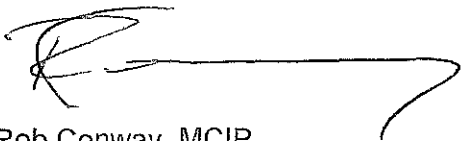
That the Board instruct staff to advise Industry Canada that it does not support the proposal to construct a telecommunications tower and associated facilities at 3730 trans Canada Highway (Rona) for reasons identified by the Committee.

Option 3:

That no response be sent to Industry Canada regarding the proposed telecommunications tower and associated facilities at 3730 Trans Canada Highway (Rona).

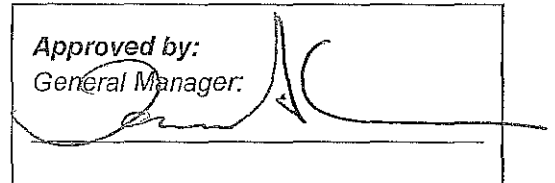
Committee direction is requested.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning & Development Department

Approved by:
General Manager:



RC/ca
Attachments



StandardLand

*Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1*

*Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com*

January 18, 2013

VIA E-MAIL: rconway@cvrd.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

SUBJECT: REQUEST FOR CONCURRENCE, TELUS TELECOMMUNICATIONS TOWER
LOCATION: 3730 TRANS-CANADA HIGHWAY, COBBLE HILL, BRITISH COLUMBIA V0R 1L0
PID#: 027-050-572
TELUS SITE #: BC1010 – COBBLE HILL

In reference to TELUS' proposal to build a 60 metre telecommunications tower, please be advised that TELUS has completed the public consultation process and is respectfully requesting, from members of the Board, concurrence on the location of a new tower that will be servicing the Cobble Hill area.

TELUS and agents representing TELUS have been working with staff, elected officials and the community to find an appropriate location for a telecommunications structure that would service the community. TELUS has fully complied with Industry Canada's consultation requirements as well as, in response to the request of Board members in July 2012, extended the comment period and hosted a community consultation event (Open House) in December 2012. Efforts regarding this public consultation process are as follows:

Mid April, 2012	As per Industry Canada's Default Consultation Process, notification packages were issued to property owners within three (3) times the tower height (180 metres) and, as a result a total of three (3) properties were notified.
April 13, 2012	Notice of proposed tower project was placed in Cowichan Valley Citizen.
April to August 2012	Conclusion of 30 day consultation period. During the consultation period, 11 written comments were received regarding the proposed tower. Five (5) of the comments opposed the tower, and were responded to by Alcatel-Lucent (agents for TELUS). Six (6) were in support.
July 2012	The Board requested that TELUS hold an Open House.
November 16, 2012	A second set of notification packages were issued to the same three (3) property owners within three (3) times the tower height (180 metres).

November 16, 2012	Notice of proposed tower project and invitation to Open House was placed in Cowichan Valley Citizen.
November 27, 2012	As requested by the Board, TELUS hosted an Open House (or community consultation event) at Cobble Hill Community Hall, 3550 Watson Hall, Cobble Hill, BC between 5:30 and 7:30 pm. TELUS representatives were available to explain the proposal and respond to any community comments. The community consultation event was attended by a total of five (5) individuals and three (3) comment sheets were received. Four (4) of the five (5) attendees responded positively to the proposal. One resident that owns a home approximately 70m northeast of the proposed tower location expressed concern for health and safety and potential loss of property value. TELUS representatives confirmed that the tower will be fully compliant with Health Canada's Safety Code 6. TELUS agreed to investigate relocating the tower further south on the industrial property though it was not possible due to onsite business operation of the industrial property owner.
December 12, 2012	Conclusion of 30 day consultation period. During the 30 day period one written comments was received in support of the proposed tower.

In summary, 16 residents responded with comments regarding the proposed tower. Ten (10) residents were in support of the proposed tower and were keen to hear that their community would be receiving improved service, also commenting that they currently receive poor cell-phone coverage in the Cobble Hill area. Six (6) residents expressed various concerns generally regarding health and safety, visibility, and potential impact to property values. The concerns expressed were reviewed and responses have been provided.

TELUS looks forward to improving service in the Cowichan Valley Regional District and support from the Board of Directors. Attached is a sample resolution (**Appendix 1: Sample Resolution**) which may be used as a form of Board concurrence. Should you require any additional information, please do not hesitate to contact us at 1-877-687-1102 or by e-mail at kierstene@standardland.com.

Sincerely,

Standard Land Company Inc.
Agents for TELUS



Kiersten Enemark
Director, Land & Municipal Affairs

cc: Brian Gregg, Senior Real Estate & Government Affairs Manager, TELUS
Michael Walsh, Real Estate & Government Affairs, TELUS

Appendix 1: Sample Resolution

Resolution

WHEREAS TM MOBILE INC. proposes to erect a wireless telecommunication tower and accessory structure on certain lands more particularly described as, LOT A SECTION 14 RANGE 6 SHAWNIGAN DISTRICT PLAN VIP83037, with the civic address of, 3730 Trans-Canada Highway, Cobble Hill, BC;

AND WHEREAS proponents of telecommunication towers are regulated by Industry Canada on behalf of the Government of Canada and as part of their approval, Industry Canada requires proponents to consult with land use authorities as provided for in CPC-2-0-03;

AND WHEREAS TM MOBILE INC. has consulted with the Cowichan Valley Regional District and the Cowichan Valley Regional District planning staff has no objection to the proposed telecommunications tower;

AND WHEREAS TM MOBILE INC. has consulted with the public by notifying all property owners and occupants within three (3) times the tower height and has provided thirty (30) days for written public comment;

AND WHEREAS there are no significant land use issues identified by the consultation;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Clerk be instructed to advise TM MOBILE INC. that:
 - a) TM MOBILE INC. has satisfactorily completed its consultation with the Cowichan Valley Regional District;
 - b) The Cowichan Valley Regional District is satisfied with TM MOBILE INC.'s public consultation process and does not require any further consultation with the public; and
 - c) The Cowichan Valley Regional District concurs with TM MOBILE INC. proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it and described as 3730 Trans-Canada Highway.



StandardLand

*Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1*

*Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com*

January 18, 2013

VIA E-MAIL: rconway@cvrld.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

Subject: Results of Public Consultation Process – TM Mobile Inc. (“TELUS”) Proposed Radiocommunications Facility
Location: 3730 Trans-Canada Highway, Cobble Hill, British Columbia V0R 1L0
PID#: 027-050-572
TELUS Site #: BC1010 – Cobble Hill

Standard Land Company Inc. (“SLC”), agents for TELUS, completed the Industry Canada Default Public Consultation Process as part of TELUS’ requirement to consult for the proposed radiocommunications facility at 3730 Trans-Canada Highway, Cobble Hill, British Columbia. This public consultation process involves notifying properties within six (6) times the tower height in writing. Any interested property owner(s) or stakeholder(s) may make comment regarding the proposal with relevant and reasonable concerns within a 30 day period.

Alcatel-Lucent (agents for TELUS) notified all property owners/occupants in writing, within approximately 180 metres from the proposed tower location along with the Cowichan Valley Regional District (CVRD) and Industry Canada staff with a notification package in April 2012 inviting comment. In total approximately three (3) notifications were mailed to owners/occupants. A Notice of the proposed tower project was also placed in Cowichan Valley Citizen. Please see **Appendix 1: Alcatel-Lucent Notification and Newspaper Notice.**

Conclusion of 30 day consultation period ended in May 2012. During the 30 day consultation period, written comments were received regarding the proposed tower. The comment period was extended and comments were received until August 2012. In July 2012 the CVRD requested an open house be held by TELUS.

On November 16, 2012 a second set of Notification packages were issued by Standard Land Company (agents for TELUS) to property owners within three (3) times the tower height (the same three properties were notified). Notice of proposed tower project and invitation to Open House was also placed in Cowichan Valley Citizen. Please see **Appendix 2: Standard Land Affidavit of Notification and Newspaper Notice.**

TELUS hosted an Open House on November 27, 2012 at Cobble Hill Community Hall, 3550 Watson Hall, Cobble Hill, BC between 5:30 and 7:30 pm. The open house was attended by a total of five (5) individuals. Please see **Appendix 3: Open House, Sign in**. Closing date for comments was December 12, 2012. Throughout the consultation process a total of 16 comments were received. Ten (10) of the comments were in support of the tower and six (6) comments expressed concerns were opposed. All comments expressing concerns were responded to by TELUS (please see **Appendix 4: Comments and Responses to Concerns**).

To date, no further responses have been received as a result of the consultation process. Please feel free to contact the undersigned if you require further details and/or information.

Sincerely,

Standard Land Company Inc.
Agents for TELUS



Kiersten Enemark
Director, Land & Municipal Affairs
Phone: 1-877-687-1102
Email: kierstene@standardland.com

cc: Brian Gregg, Senior Real Estate & Government Affairs Manager, TELUS
Michael Walsh, Real Estate & Government Affairs, TELUS

Appendix 1: Alcatel- Lucent Notification and Newspaper Notice

08 March 2012

Mike Tippet, MCIP
Manager, Community and Regional Planning Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8

Re: Municipal Consultation Package Review
Self support Telecommunications Facility
ALU/TELUS File: BC1010-2
Municipal Address: 3730 Trans Canada Hwy, Cobble Hill, BC
Legal: PARCEL IDENTIFIER: 027-050-572
LOT A SECTION 14 RANGE 6 SHAWNIGAN DISTRICT PLAN VIP83037

Alcatel-Lucent, on behalf of TM Mobile Inc. (TELUS), is pleased to submit to you our Public Notification Package for your review and consideration. This package is a request for municipal concurrence following Industry Canada's Default Public Consultation process outlined in their policy document (CPC-2-0-03).

The proposed facility is a 60m self support tower telecommunications facility. All of the equipment necessary to operate this facility will reside within a shelter at the base of the tower. This is industrial area with some businesses and no residences within the notification area. Alcatel-Lucent will ensure that the businesses within the notification area will receive the package below by a mail drop. In response to demand for improved coverage in the Cobble Hill area, TELUS is proposing the construction of a new telecommunications installation.

In consideration of TELUS's site acquisition process, the proposed facility is in the most suitable location and has been designed in consideration of current land uses. When complete, the facility will provide continuous wireless coverage and added cellular capacity for the surrounding area.

Sincerely,
Alcatel-Lucent

Bruce MacFarlane
Municipal Affairs BC Market
Alcatel-Lucent Canada
Suite 100 – 4190 Still Creek Drive
Burnaby, BC V5C 6C6
Office: 604-235-5410
Mobile: 778-960-8431
Email: bruce.macfarlane@Alcatel-Lucent.com

March 8, 2012

Attention: Property Owner

Re: Proposed TELUS Telecommunication Facility – File: BC1010-2
Site Address: 3730 Trans Canada Hwy, Cobble Hill, BC

Alcatel-Lucent on behalf of TELUS would like to notify area residents of a proposal to construct a new telecommunications facility within the town of Cobble Hill, BC.

Facility Proposal - Location and Site Context

Due to development of a new wireless service and network, TELUS produced a search ring for an appropriate telecommunications site to provide wireless coverage to Cobble Hill, the adjacent industrial and rural areas and highway corridor. Alcatel-Lucent investigated the feasibility of utilizing existing structures such as a building, BC Hydro tower or an existing tower for a collocation opportunity, but due to Radio Frequency, location, and height requirements, no other site was determined as suitable.

Alcatel-Lucent is proposing a new self support telecommunications facility at 3730 Trans Canada Hwy, Cobble Hill, BC. TELUS's Radio Engineering Department selected this area as an appropriate location so as to maximize wireless coverage to commuters in the area.



Map illustrates an aerial view of the proposed facility location.
The facility is situated on a leased premise at 3730 Trans Canada Hwy, Cobble Hill, BC:
48.697089, -123.596794.

Facility Design

The proposed TELUS telecommunications facility will consist of the following:

1. Self support Telecommunications Tower

The tower is a 60m self support telecommunications tower on privately owned land. Lighting and painting requirements are to be determined by Transport Canada.

2. Telecommunications Equipment

TELUS will install the communication equipment shelter within the leased area inside a 20x20m chain-linked-fenced area. The equipment compound will be secured from public access via lock and key.

3. Site Access

Access to the proposed site will be via the premise driveway off of Fisher Road.

4. Construction and Maintenance

The construction period will last 10 to 12 weeks and once completed the facility will remain unoccupied. The only TELUS traffic generated at this site will be for routine monthly maintenance visits.

5. NavCanada & Transport Canada Aeronautical Approvals

All necessary NavCan and Transport Canada Aeronautical approvals will be obtained by Alcatel-Lucent and can be provided upon request.

6. Antenna Systems

It is proposed that panel-style antennas operated at TELUS's standard Mhz frequency (835 – 845 MHz and 880 – 890 MHz) will be mounted on the proposed facility.

7. Environmental Assessment

Alcatel-Lucent, on behalf of TELUS attests that the radio antenna system described in this notification package is excluded from environmental assessment under the Canadian Environmental Assessment Act.

8. Engineering Practices

Alcatel-Lucent, on behalf of TELUS attests that the installation will respect good engineering practices including structural adequacy.

Cowichan Valley Regional District Public Consultation

Consultation with the Cowichan Valley Regional District Planning Department has been initiated and Alcatel-Lucent will follow Industry Canada's Default Public Consultation process outlined in their Client Procedures Circular CPC-2-0-03.

Safety

Industry Canada manages the radio communications spectrum in Canada. Among other requirements, Industry Canada requires cellular telecommunications facilities to comply with guidelines set by Health Canada in order to protect people who live or work near these facilities. These Health Canada safety guidelines are outlined in their 'Safety Code 6' document and are among the most stringent in the world. All TELUS facilities meet or exceed these standards. Alcatel-Lucent, on behalf of TELUS attests that the radio installation described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

Conclusion

Wireless communications contribute to the quality of everyday life. This proposal will satisfy demand for service to future subscribers in the area. Additionally, this facility will provide expanded cellular coverage to reach emergency services such as paramedics, police officers and fire fighters, and offer an alternate to conventional landlines.

As this proposed facility is deemed to be subject to public consultation by Cowichan Valley Regional District, a formal notice with facility info will be sent to all land owners within the specified notification radius. All written public comments received by Alcatel Lucent will be forwarded to the Cowichan Valley Regional District.

Request for Additional Information

General information regarding telecommunications systems is available on Industry Canada's Spectrum Management and Telecommunications website: <http://strategis.ic.gc.ca/antenna>.

A copy of the CPC-2-0-03 can be found here: [http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc2003-issue4e.pdf/\\$FILE/cpc2003-issue4e.pdf](http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc2003-issue4e.pdf/$FILE/cpc2003-issue4e.pdf)

Industry Canada Vancouver Island District Office:

1230 Government Street, Room 430
 Victoria, B.C. V8W 3M4
 Telephone: 250-363-3803 or 1-800-667-3780
 Fax: 250-363-0208
 Email: victoria.district@ic.gc.ca
 Attention: Brian Connors, Industry Canada

Should you have any comments regarding TELUS's proposal described herein, please feel welcome to contact me at any of the phone numbers or email address listed below within **30 days of receipt of this notice.**

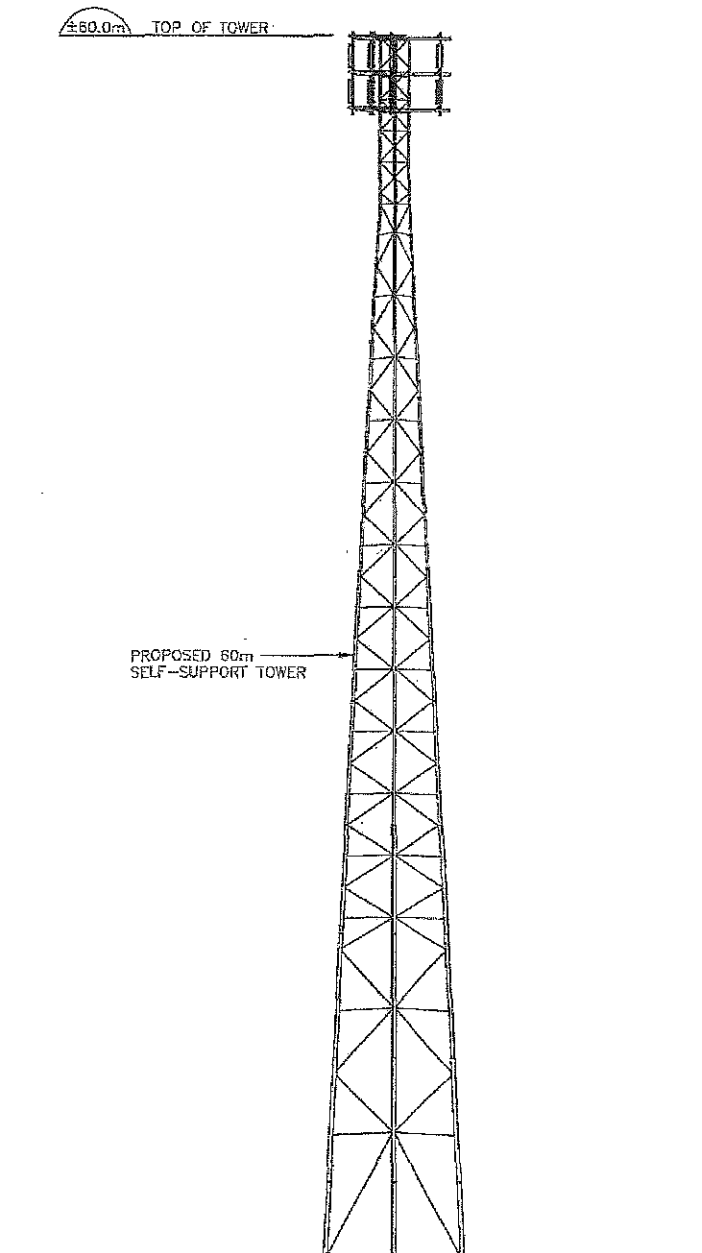
Sincerely,
Alcatel-Lucent on behalf of TELUS

Bruce MacFarlane
Municipal Affairs BC Market
Alcatel-Lucent Canada
Suite 100 – 4190 Still Creek Drive
Burnaby, BC V5C 6C6
Office: 604-235-5410
Mobile: 778-960-8431
Email: bruce.macfarlane@Alcatel-Lucent.com

The application is with the Cowichan Valley Regional District. For further information on this application, please contact:

Mike Tippet, MCIP
Manager, Community and Regional Planning Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8
Telephone: (250) 746-2602 or 1-800-665-3955 toll-free in BC

Tower Profile:



Site Plan:

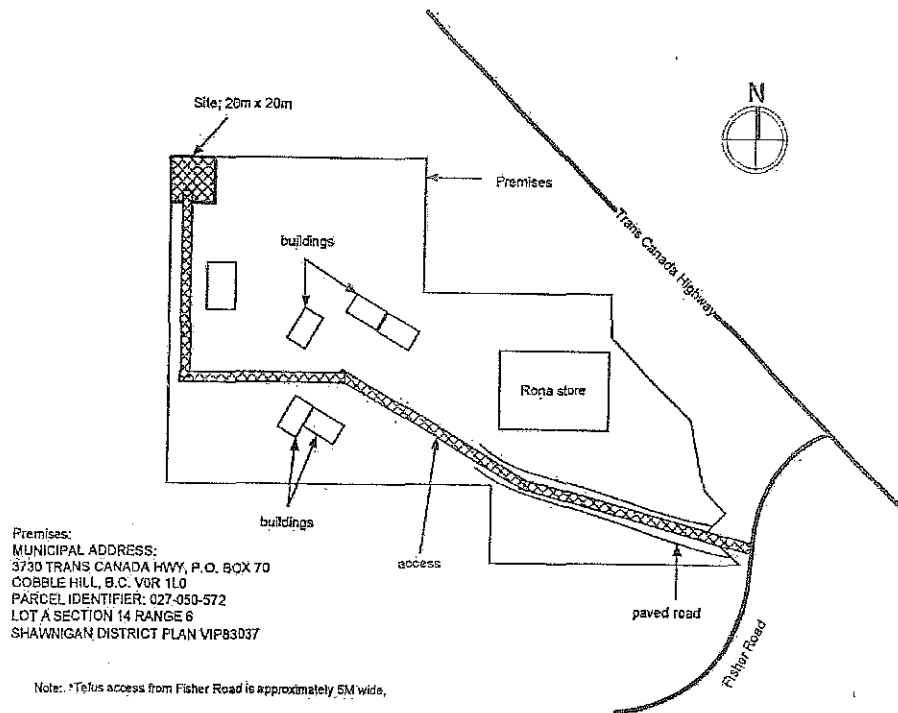
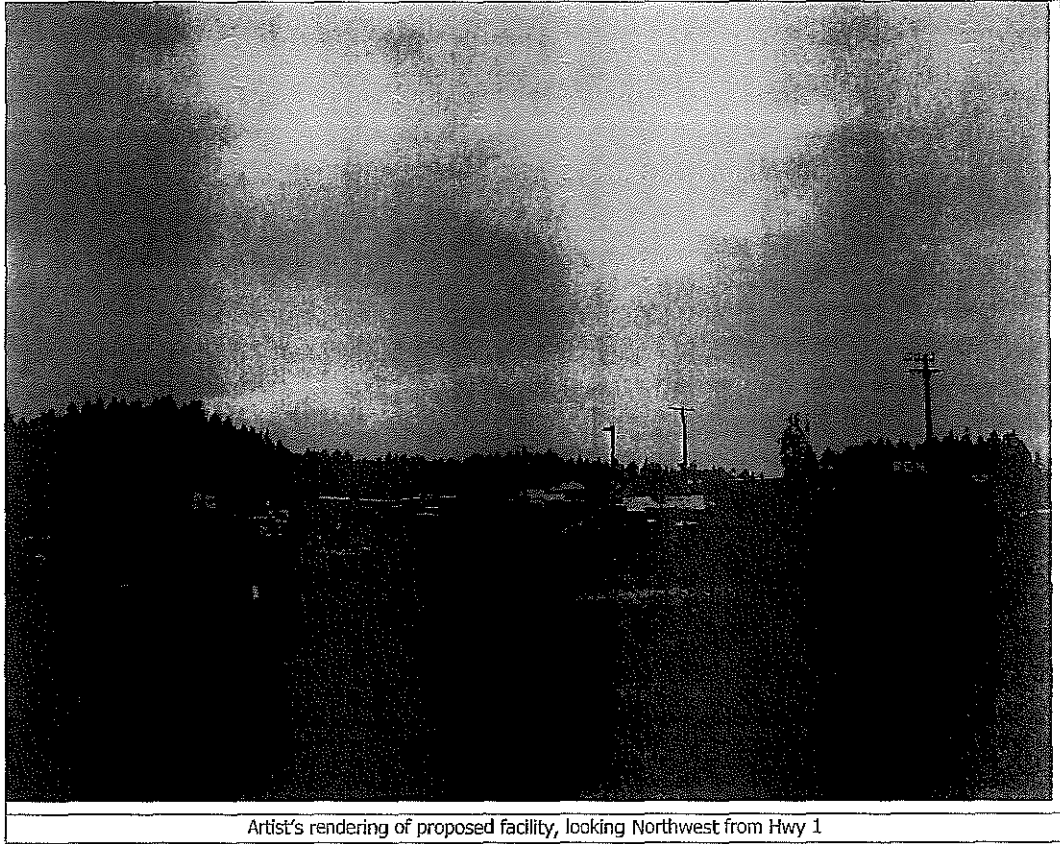


Photo Simulation:



Artist's rendering of proposed facility, looking Northwest from Hwy 1

Sample Newspaper Advertisement for Cowichan Valley Citizen:

Tower Location

TM Mobile Inc. (TELUS) intends to build a 60 meter wireless telecommunications tower on property in an INDUSTRIAL area located at 3730 Trans Canada Hwy, Cobble Hill, BC.

Coordinates: 48.697089, -123.596794.

The tower will be used by TELUS to enhance its wireless network.

You are invited to provide your comments within 30 days of this notice to:

Bruce MacFarlane

Manager, Municipal Affairs

Alcatel-Lucent Canada

4190 Still Creek Drive, Suite 100,

Burnaby, BC V5C 6C6

bruce.macfarlane@alcatel-lucent.com

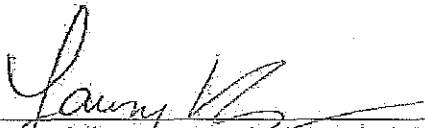
Tel: 604-235-5410

Appendix 2: Standard Land Affidavit of Notification and Newspaper Notice

Affidavit of Standard Land Company Inc.

I, Tawny Verigin, Site Acquisition Administrator (BC) in the City of Vancouver in the Province of British Columbia, make an Oath and say:

1. THAT I caused to be sent by regular mail a notification letter, as included in Appendix A, to property owners, as listed in Appendix B, on November, 16, 2012.



Tawny Verigin, Site Acquisition Administrator (BC)
Standard Land Company Inc.

Sworn/Affirmed/Declared before me at the City of Vancouver, in the Province of British Columbia, this 16th day of November, 2012.



(Commissioner's Signature)

A Commissioner for Taking Affidavits for the Province of British Columbia

Cameron Martin Carruthers

A Commissioner for Taking Affidavits
for British Columbia

Standard Land Company Inc.
610 - 688 West Hastings Street

Vancouver, BC V6B 1P1

Tel: (604) 687-1119

Expires: June 30, 2013

(Commissioner's stamp or printed name and expiry date)

Appendix A: Notification Letter

November 16, 2012



TELUS is currently following the public consultation process for a proposed telecommunications tower located at 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572). We understand the community is reaching out, seeking answers to questions or concerns regarding the proposed project. Below, please find information that may be of help. Alternatively, residents are welcome to drop in any time between 5:30 – 7:30 on Tuesday, November 27, 2012 at Cobble Hill Community Hall, 3550 Watson Hall, Cobble Hill BC to learn more and provide comments in regards to the proposed project. Otherwise, the community is welcome to contact us directly with questions and comments at:

TELUS
c/o Standard Land Company, Agents to TELUS
Attention: Kiersten Enemark, Director, Land & Municipal Affairs
E-mail: commentsbc@standardland.com or Tel: 1-866-687-1109

What is the purpose of the tower?

TELUS is proposing to upgrade and improve 3G and 4G high speed wireless service to the residential and commercial areas in and around Cobble Hill and Highway 1 by mid-2013. To do so, TELUS needs to add radiocommunications equipment to the area requiring service.

Since earlier 2011, TELUS has been in communication with the Cowichan Valley Regional District (CVRD) in order to determine an appropriate tower location to support the required radiocommunications equipment and provide advanced wireless service to the community.

Why put the tower behind the Rona building?

The proposed location behind the Rona building appears appropriate as the land is zoned industrial and is located along the highway, setback from most of the residential areas. TELUS has entered an agreement that will be finalized after the receipt of all required approvals. The location is ideal for TELUS, allowing TELUS to meet its service requirements in the Cobble Hill community and along the highway.

TELUS consulted with CVRD staff in determining an appropriate location. TELUS was encouraged to explore industrial lands. Initially, TELUS proposed a tower site and secured an agreement for a property on Bail Road. Staff, however, encouraged TELUS to set the tower further away from residential properties. The alternative location at the Rona building was supported by staff.

Can the tower be put on Cobble Hill Mountain, away from the community?

Possibly, yes. However, the location would have challenges as there is no clear access or availability to power to operate the site. TELUS would need to submit an application for a License to occupy the land for the use of Crown Land, and obtain approvals to build an access road and power lines to the site. Consequently, a new site on Cobble Hill Mountain would delay the delivery of wireless service to the community. TELUS estimates the site may not be operational until 2015.

How has the community of Cobble Hill been consulted?

Since the CVRD does not hold a telecommunications policy, TELUS is following Industry Canada's Default Public Consultation Process. Following the process, TELUS issued notification packages by mail to residents within 180 metres from the tower location and a notice was placed in the Cowichan Valley Citizen paper on April 13, 2012 where the community was invited to comment within 30 days. In July, the CVRD requested that TELUS extend the consultation period and host an Open House to receive additional comments and questions from the community.

For more information of the consultation process, please see the Industry Canada website:
<http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html#contents>

What is the purpose of the Open House?

TELUS has agreed to engage the public more broadly by inviting the community to an Open House to comment on a proposed telecommunications facility consisting of a 60 metre self-support tower and ancillary radio equipment. Although

Industry Canada has exclusive jurisdiction over the placement of wireless radiocommunications facilities, it requires the carriers to consult with the local land use authority and the community regarding new installations as part of our application for concurrence. At the recommendation of the CVRD, we are inviting you to a drop in at an Open House style information session.

DATE: Tuesday, November 27, 2012
TIME: 5:30 to 7:30 pm
LOCATION: Cobble Hill Community Hall
3550 Watson Avenue
Cobble Hill, BC V0R 1L0

There is a school and residential properties in the area. Should the community be concerned about health?

Among other requirements Industry Canada requires all wireless carriers to operate in accordance with Health Canada's safety standards. TELUS confirms that the tower described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time.

Industry Canada requires that all antenna installations comply with Health Canada's Safety Code 6 which limit the public's exposure to radiofrequency electromagnetic fields and ensures public safety. The Code also outlines safety requirements for the installation and operation of devices that emit radiofrequency fields, such as mobile phones and base station antennas. This code is based on current, accepted scientific data. For more information on health and safety may be found on-line at:

Canadian Wireless Telecommunications Association:
<http://cwta.ca/wordpress/wp-content/uploads/2011/08/Connecting.pdf>

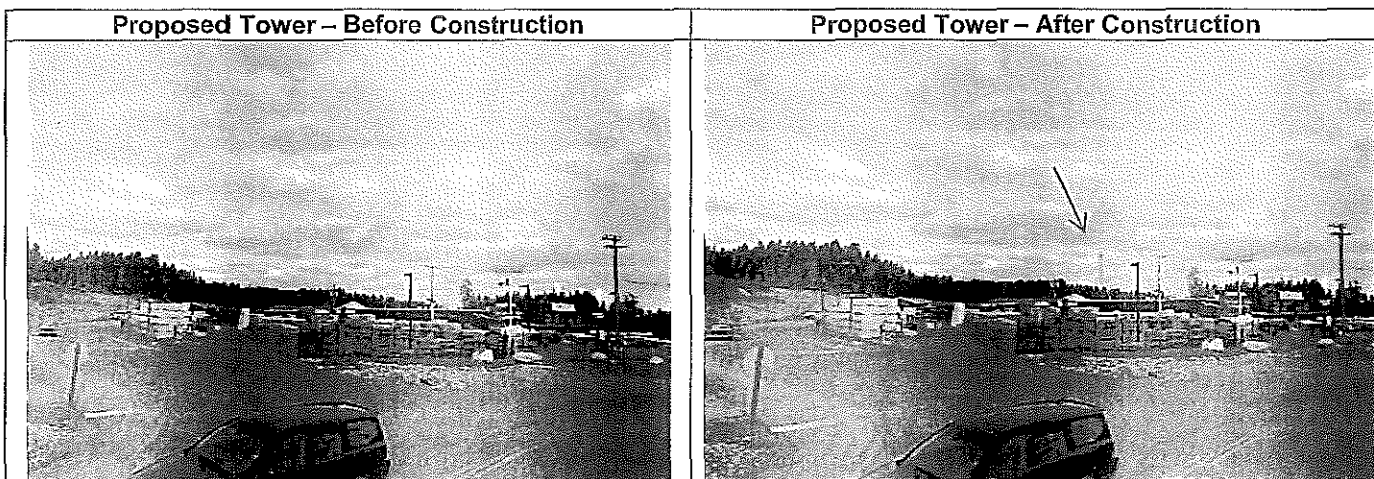
Vancouver Coastal Health:
http://www.vch.ca/media/CMHO_CellPhones-June2011.pdf

Industry Canada's Guidelines for the Protection of the General Public in Compliance with Safety Code 6:
[http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/g102e.pdf/\\$FILE/g102e.pdf](http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/g102e.pdf/$FILE/g102e.pdf)

What can the community do now?

Provide your comments to TELUS at the Open House or e-mail TELUS at commentsbc@standardland.com before December 12, 2012. TELUS will respond to the reasonable and relevant questions, issues and concerns. At the conclusion of the consultation process, a summary of our correspondences will be shared with the CVRD and Industry Canada.

PHOTO SIMULATION



View: Looking northwest from Highway 1.

*Photo Simulation is a close representation and is for conceptual purposes only.
Proposed design is subject to change based on final engineer plan.
The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.*

Appendix B: List of Property Owners

Edward Theodore Aiken &
Gloria Winifred Aiken
3713 Holland Avenue
Box 12
Cobble Hill, BC V0R 1L0

M.E.M. Holdings 2002 Ltd.
P.O. Box 70
3730 Trans-Canada Highway
Cobble Hill, BC V0R 1L0

Michael Easton Baird
Catherine James
3760 Trans-Canada Highway
Cobble Hill, BC V0R 1L0

Larud Holdings Inc.
1620 Cedar Hill X Road
Victoria, BC V8P 2P6

Cowichan Valley Regional District
Planning and Development Department
175 Ingram Street
Duncan BC V9L 1N8
Attn: Gerry Gilles

TM Mobile Inc. (TELUS)
2-3500 Gilmore Way
Burnaby, BC V5G4W7
Attn: Brian Gregg

Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, BC V6B 1P1

Industry Canada
Room 430
1230 Government Street
Victoria, BC V8W 3M4

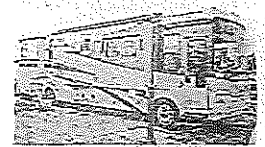
884 Motor Homes & RV's



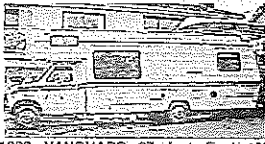
BLOWOUT 2007 DRV Double Tree Suites, 36TK3, exc cond, huge living, U-Kitchen, king master, super slides, \$39,999. Truck also Avail for sale. www.beautifulrv.net 250-618-5138



BACKPACK TRAVEL Trailer, 16foot First used, July 2011 - Queen bed, two bunk beds, shower and full awning, GVW 5300lbs. Like New! 250 753 9898 Reduced to \$10,000 OBO.



2008 29' Tropical LX 25Km, 4 slides, NS, No pets. \$159,000. 250-336-2327 or 250-218-9061.



1990 VANGUARD 27 foot Ford 460 82,200km, Onan Gen Set, Boat, Loader, Motorcycle Carrier, Great for Hunting and Fishing. \$6,000; 250-286-1907.



1997 Embassy 31' Ford 460 NS, No Pets, 79,571 Km, \$20,000. 250-356-6837.

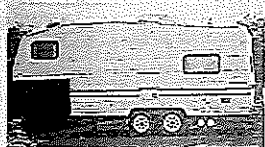


2008 Komfort 2121 Travel Trailer, GVWR 7364 lbs, 3 yrs left on ext mech warranty. Queen bed, A/C, thermal max air weather insulation, heated tanks, fully loaded \$18000 OBO. Alex (250-598-4293)



2004 Weekender Skyline Model 190W Travel Trailer Length to hitch 23'11", unloaded weight 3750lbs. Walk around queen size lift up bed in front, sleeps 4, solar panel battery charger, tandem axles, electric brakes, 2 way fridge, toilet and power. No smokers. \$9,500. Phone 250-335-1031 Fanny Bay

884 Motor Homes & RV's



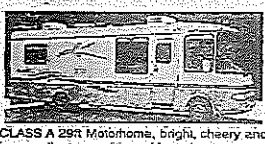
1991 22.5FT Prowler 5th wheel, exc cond, sleeps 6, air condition, 4 burner stove, complete with hitch, \$4900. 250-739-0454



1998 35 foot Allegro Bus 47,000 miles on 275 hp Cummins Diesel 6 speed Allison Trans. Freightliner Chassis 7.5 KW diesel generator leveling jacks 1 super slide free standing dinette lots of storage \$37,500 250-752-9240



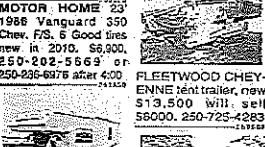
2011 SURVEYOR Sport SP 186 20' Travel Trailer, High quality, used little, in perfect condition. Interior/Exterior Luxury and Arctic Packages, excellent trailer loaded with amenities. Price \$17,000.00 Home 250-743-6686 Cell 250-213-8709



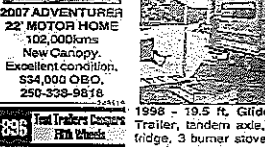
CLASS A 29ft Motorhome, bright, cheery and in excellent condition. Must be seen to appreciate \$44,800 250-746-7803



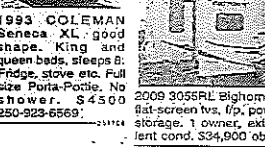
2003 ADVENTURER 22 ft. motorhome E330 Ford, V10 motor, only 80,500 km \$28,500 250-723-9070 Port Alberni.



MOTOR HOME 23 1986 Vanguard 390 Chev. F35. 6 Good tires new in 2010. \$6,900. 250-226-5569 or 250-226-6976 after 4:00.

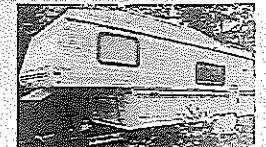


2007 ADVENTURER 22' MOTOR HOME 102,000kms New Canopy. Excellent condition. \$34,000 OBO. 250-338-9818



1993 COLEMAN Seneca XL good shape. King and queen beds, sleeps 8. Fridge, stove etc. Full size Porta-Pottie, No shower. \$4500 250-923-6569.

886 Tent Trailers Campers Fifth Wheels



1994 23ft Komfort 5th wheel. Good condition, newer fridge, 4 burner stove/oven, microwave, double sinks, a/c, queen master bed, fold down dinette, sofa, full bath w/shower, outside shower, awning. \$5800. 2000 F150, heavy duty hitch. Negotiable. 250-748-6938



2007 CITATION SUPREME 31.5 RLDS 5th Wheel. One owner, factory ordered. Fully loaded. Mint condition, laminate floor, solid surface counter tops, convection microwave oven, 10 cu.ft. fridge, electric weather-pro awning Used 2 seasons. Unit ideal for full time live-in, has Polar Pack features. Kept indoor storage since. New price \$38,500. 480-372-1922.



2003 OUTBACK TRILLIUM HOLIDAY TRAILER Like New F35, Furnace, Awning, Water Heater & more options. \$12,300. 250-812-0141



2008 CITATION 5TH WHEEL, 34 RLTS PLATINUM XL- All the comforts of home and a lot more. Transferable extended warranty to Jan 2018. A must see to appreciate it's value. One owner. \$49,999 OBO To view please call 250-751-2827

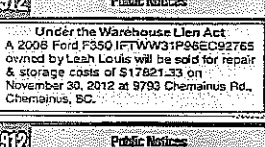
886 Tent Trailers Campers Fifth Wheels



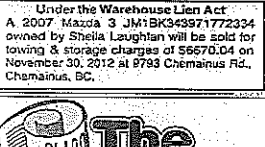
1987 Alpenlite 25' 5th Wheel Alum. framed/tandem axle, fully equipped, walk-in shower, solar panels. Good condition. Complete with hitch. Must be seen. Asking \$7,500obo. Phone 250-335-1798



2010 MONTANA 5th Wheel model 3665RE, 4 slides, center island kitchen, 4 door fridge, king bed, all options, top of the line, mint condition, easy to tow aluminum structure. Reduced \$49,500. Call Mike 250-933-6550



Public Notice Under the Warehouse Lien Act A 2008 Ford F350 1FTWW31P96EC92765 owned by Leah Louis will be sold for repair & storage costs of \$17821.33 on November 30, 2012 at 9793 Chemainus Rd., Chemainus, BC.



Public Notice Under the Warehouse Lien Act A 2007 Mazda 3 JM1BK349971772334 owned by Sheila Laughlin will be sold for towing & storage charges of \$6670.04 on November 30, 2012 at 9793 Chemainus Rd., Chemainus, BC.



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Are you prepared to cook up a tasty restaurant or hotel job for yourself? Or are you ready to lay out a new career direction? Help yourself to some very appealing opportunities by looking in the help wanted classified ads in the

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The Classifieds: It's All There!

912 Public Notices

PUBLIC NOTICE OF OPEN HOUSE

PROPOSED TELUS TELECOMMUNICATIONS FACILITY 60 METRE SELF SUPPORT STRUCTURE

PROPOSED STRUCTURE: Residents and businesses in the community are seeking improved wireless internet and cell services. To improve service, TELUS is proposing to build a telecommunications facility consisting of a 60 metre self-support tower and ancillary radio equipment.

LOCATION: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572).

COORDINATES: N 48.697039, W -123.595784

LEGAL: Lot A Section 14 Range 6 Shavangan District Plan V183037

OPEN HOUSE INFORMATION MEETING: TELUS is inviting the community to drop in anytime between 5:30 - 7:30 on Tuesday, November 27, 2012 at Cobble Hill Community Hall, 3550 Watson Avenue, Cobble Hill, BC to learn more and provide comments in regards to the proposed tower site design and location.

ANY PERSON may comment by close of business day on December 12, 2012 with respect to this notice.

TELUS CONTACT: Further information may be obtained by contacting:

Kiersten Enemark
Standard Land Company Inc.
Agents for TELUS
Suite 510 - 688 West Hastings Street
Vancouver, BC V6S 1P1
Tel: 1 (877) 687-1102
Fax: (604) 687-1339
Email: comments@standardland.com

Appendix 3: Open House, Sign in



3730 Trans-Canada Highway, Cobble Hill, BC

Open House Sign In

Tuesday, November 27, 2012

No.	Name	Address	Phone	Email
1	Catherine James	3760 TC Hwy	250 743-5779	Catherine.james.254@gmail.com
2	JOHN KRUG	785 RED OAK DR	250-743-4161	BRENDA KRUG@shaw.ca
3	Jim Kelly	P.O. Box 330, Shawigan Lk. BC V0R2W0	250 743-4186	jinkelly9@hotmail.com
4	Gar Clapham	P.O. 22 Cobble Hill	250 715 7674	gar@shaw.ca
5	Betsy Burr	39-1751 Norquay Rd	250 744-9269	bburr@shaw.ca
6				
7				
8				

Appendix 4: Comments and Responses to Concerns

BC1010 - Doreen Deane 1st email.txt

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Friday, May 04, 2012 8:40 AM
To: Doreen Deane
Cc: Verigin, Tawny (Tawny)** CTR **
Subject: RE: Re A Metal Tower HERE

Ms Deane;
May I have your complete address, so I can determine the proposed tower you are referring to in your e-mail.
Thank you,
Bruce

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

-----Original Message-----
From: Doreen Deane [mailto:doreendeane@shaw.ca]
Sent: Thursday, May 03, 2012 6:18 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Re A Metal Tower HERE

Good evening Mr MacFarlane,

I am MOST distressed to hear from my neighbours The Clarkes, that we are to have a Telus Mobility Tower right HERE behind our gardens. This tower is of metal and a Telus Mibility Tower with a flashing light on top, and 200 feet tall. I understand that in a picture I was told that our house and the Clarke's house are shown. I am to put it mildly, HORRIFIED, we have all come to live round here so as NOT to be hampered by ugly thing of that nature let alone on our back door steps as it were, and the possibility of the tower emitting unsuitable thing emissions on top of us. I would like to know more about HOW you were able to obtain permission to sell this land and build such an unwanted thing in our backyards. I would like to know how far things have gone with this thing, and when it was planned to go in. Also if you plan to hold a meeting for any of us round here that oject to this horror on our door steps. I understand that there is a picture of the planned position and it shows the Clarkes house and ours mine.

I would also like to know who has or is to give you that permission in a neighbourhood such as we are round here. I just CANNOT BELIEVE we would have to put up with something like this, and would like to find out more and who to ask please. I still think for a thing like that we should have been told. I am of COURSE TOTALLY AGAINST SUCH A HORROR round here and riight upon us. Please give me more details etc etc.

Doreen Deane
of 675 Hollings Road.

BC1010 - Doreen Deane 2nd email.txt

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Wednesday, May 09, 2012 1:49 PM
To: Verigin, Tawny (Tawny)** CTR **
Subject: FW: Re The Tower

fyi

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

-----Original Message-----

From: Doreen Deane [mailto:doreendeane@shaw.ca]
Sent: Friday, May 04, 2012 10:16 AM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Re The Tower

Mr Macfarlane,

So many thanks for replying to my VERY worried email from yesterday.

Yes of course I can give you my address.
675 Hollings Road,
Mill Bay
V0R 2P2 B.C.

Tel 250-743-9294

I would be most grateful if you could shed some light on this to us here,
serious matter please.

Many thanks

Doreen Deane

Tawny Verigin

From: catherine james <catherinejames254@gmail.com>
Sent: Tuesday, April 24, 2012 9:26 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cell Tower in Cobble Hill, B.C

Thank you for your correspondence advising us of your plan to erect a cell tower at 3730 Trans Canada Hwy, Cobble Hill B.C. Please put on record that my husband and I at 3760 Trans Canada Hwy are strongly opposed to this application. Your plans indicate it will be mere meters from our house. This is very alarming to us, not only will it reduce our property value and hinder our ability to sell in the future, but you are putting our family at great risk. A havard study we read has alarming statistics on the horrendous health affects associated from a continues dose of low level radiation from cell towers. They indicate cell towers should be no less than 2 miles from any home. Your will be less than 100 meters. We are both very alarmed by this.

If you plan on proceeding we will have no choice but to seek legal action.

Please confirm you have received this email. Please let me know when you will be holding a public hearing on this.

Thank you

Catherine James
Mike Baird
Sidonia Baird
Naomi Baird.

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Wednesday, May 02, 2012 11:16 AM
To: catherine.james
Cc: Verigin, Tawny (Tawny)** CTR **; Pryde, Cleve (Cleve); Jim Laursen (laursen.jim@ic.gc.ca)
Subject: RE: Cell Tower in Cobble Hill, B.C

Mrs. James;
Please accept this e-mail as acknowledgment that Alcatel-Lucent is in receipt of your comments and questions. We are documenting all inquiries received during the 30 day notification period. Once we have completed the review of all correspondence received during this timeframe, a formal reply to all relevant inquiries shall be drafted and sent out. Upon receipt of the formal response to your e-mail you shall have a further 21 days from receipt to respond further. If you have any questions, please e-mail me or call me at 778-960-8431.
Regards,
Bruce

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

From: catherine.james [mailto:catherinejames254@gmail.com]
Sent: Tuesday, April 24, 2012 9:26 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cell Tower in Cobble Hill, B.C

Thank you for your correspondence advising us of your plan to erect a cell tower at 3730 Trans Canada Hwy, Cobble Hill B.C. Please put on record that my husband and I at 3760 Trans Canada Hwy are strongly opposed to this application. Your plans indicate it will be mere meters from our house. This is very alarming to us, not only will it reduce our property value and hinder our ability to sell in the future, but you are putting our family at great risk. A Harvard study we read has alarming statistics on the horrendous health affects associated from a continuous dose of low level radiation from cell towers. They indicate cell towers should be no less than 2 miles from any home. Your will be less than 100 meters. We are both very alarmed by this.

If you plan on proceeding we will have no choice but to seek legal action.

Please confirm you have received this email. Please let me know when you will be holding a public hearing on this.

Thank you

Catherine James
Mike Baird
Sidonia Baird
Naomi Baird.

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Friday, May 25, 2012 9:55 AM
To: catherine.james
Cc: Verigin, Tawny (Tawny)** CTR **; Pryde, Cleve (Cleve); Jim Laursen (laursen.jim@ic.gc.ca); Mike Tippett; gperry@sls.bc.ca
Subject: RE: Cell Tower in Cobble Hill, B.C.
Attachments: CMHO_CellPhones-June2011.pdf

Catherine;

We have now completed the public notification for the proposed cell tower and I offer the following in response to your concerns:

The Government of Canada has exclusive jurisdiction for radio communications in Canada. Industry Canada is the Federal Department that is responsible to regulate wireless telecommunications, including spectrum management and radio equipment. Industry Canada establishes standards for equipment certification and, as part of these standards developed RSS-102, which specifies permissible radio frequency ("RF") levels. For this purpose, Industry Canada has adopted the limits outlined in Health Canada's Safety Code 6, which is a guideline document for limiting RF exposure.

Health Canada's role is to protect the health of Canadians and the Department is responsible to research and investigate any possible health effects associated with exposure to RF, including cell phones and base stations.

Health Canada's Safety Code 6, has guidelines for safe human exposure to RF. The safety limits in this code are based on the ongoing review of published scientific studies, including both internal and external authoritative reviews of scientific literature, as well as health Canada's own research. This code is periodically revised to reflect new scientific knowledge in the scientific literature. The current version reflects the scientific literature published up to August 2009.

Canada has some of the most stringent guidelines in the world for telecommunications facilities to provide protection for all age groups, including children and the elderly. These exposure limits are consistent with, if not slightly more stringent than, the science-based standards used in most countries.

TELUS maintains a rigorous program to ensure every installation complies with Health Canada's Safety Code 6. This proposed installation is well below Safety code 6 levels.

The documents mentioned above, along with additional information can be found at Health Canada's web links listed below:

Health Canada:

<http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/prod/cell-eng.php>

<http://www.hc-sc.gc.ca/ewh-semt/radiation/cons/stations/index-eng.php>

Industry Canada:

<http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

<http://www.rfcom.ca/primer/bases.shtml>

<http://cwla.ca/CWTASite/english/index.html>

McLaughlin Centre for Population health Risk Assessment, University of Ottawa;

<http://www.rfcom.ca>

I have also attached above, a Statement of the Chief Medical Health Officer of Vancouver Coastal Health.

While I appreciate there is a lot of material to sort through, I would be pleased to help in any way.

Regards,

Bruce

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Wednesday, May 02, 2012 11:16 AM
To: 'catherine.james'
Cc: Verigin, Tawny (Tawny)** CTR **; Pryde, Cleve (Cleve); Jim Laursen (laursen.jim@ic.gc.ca)
Subject: RE: Cell Tower in Cobble Hill, B.C

Mrs. James;

Please accept this e-mail as acknowledgment that Alcatel-Lucent is in receipt of your comments and questions. We are documenting all inquiries received during the 30 day notification period. Once we have completed the review of all correspondence received during this timeframe, a formal reply to all relevant inquiries shall be drafted and sent out. Upon receipt of the formal response to your e-mail you shall have a further 21 days from receipt to respond further.

If you have any questions, please e-mail me or call me at 778-960-8431.

Regards,

Bruce

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

From: catherine.james [<mailto:catherinejames254@gmail.com>]
Sent: Tuesday, April 24, 2012 9:26 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cell Tower in Cobble Hill, B.C

Thank you for your correspondence advising us of your plan to erect a cell tower at 3730 Trans Canada Hwy, Cobble Hill B.C. Please put on record that my husband and I at 3760 Trans Canada Hwy are strongly opposed to this application. Your plans indicate it will be mere meters from our house. This is very alarming to us, not only will it reduce our property value and hinder our ability to sell in the future, but you are putting our family at great risk. A hayard study we read has alarming statistics on the horrendous health affects associated from a continous dose of low level radiation from cell towers. They indicate cell towers should be no less than 2 miles from any home. Your will be less than 100 meters. We are both very alarmed by this.

If you plan on proceeding we will have no choice but to seek legal action.

Please confirm you have received this email. Please let me know when you will be holding a public hearing on this.

Thank you

Catherine James
Mike Baird
Sidonia Baird
Naomi Baird.

BC1010 - Nelsy Elliot.txt

From: Nelsy Elliott [nelsyelliott@gmail.com]
Sent: Saturday, April 28, 2012 4:12 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Tower Location 3730 Trans Canada Hwy, Cobble Hill, BC. Coordinates:
48.697089, -123.596794

Attention to Bruce MacFarlane,

I am writing to you at this time in regard to the above mention location where you intend to build a 60 meter wireless telecommunications tower. I live not far from the intended location and I can tell you that I am very much apposed. This area is very close to Cobble Hill Elementary School. This is a very populated area with many homes with families. I am very concerned about the health risk related to living so close to one of these towers. I am therefore saying that I do not want this in my home area or anywhere close to any other populated area. This area may be zoned industrial, but that does not mean it is the best place for it as it is so close to a residential community. These towers should be far away from population.

Your truly,

Nelsy Elliott
3357 Boyles Road
Cobble Hill, BC

Tawny Verigin

From: Nelsy Elliott <nelsyelliott@gmail.com>
Sent: Saturday, April 28, 2012 4:21 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Tower Location 3730 Trans Canada Hwy, Cobble Hill, BC. Coordinates: 48.697089, -123.596794

To Bruce MacFarlane,

I am writing to you in regard to the above mentioned Tower Location.
I live in Cobble Hill close to proposed site. I do not support this location as it is too close to residential properties and there is an elementary school just down the road from this location. I have moved up to this area to retire in the fresh outdoors. Not to live under a cell tower. I am very concerned about the health issues that we may be facing in the future.

Mark Elliott
3357 Boyles Road
Cobble Hill, BC

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Wednesday, May 02, 2012 11:40 AM
To: nesleyelliott@gmail.com
Cc: Verigin, Tawny (Tawny)** CTR **; Jim Laursen (laursen.jim@ic.gc.ca)
Subject: Tower location

Ms Elliott;

Please accept this e-mail as acknowledgment that Alcatel-Lucent is in receipt of your comments and questions. We are documenting all inquiries received during the 30 day notification period. Once we have completed the review of all correspondence received during this timeframe, a formal reply to all relevant inquiries shall be drafted and sent out. Upon receipt of the formal response to your e-mail you shall have a further 21 days from receipt to respond further. If you have any questions, please e-mail me or phone me at 778-960-8431.

Regards,
Bruce



Tower Location Tower Location
3730 Trans Cana... 3730 Trans Cana...

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

Tawny Verigin

From: Monica Collins <monicacollins2005@gmail.com>
Sent: Tuesday, April 17, 2012 7:43 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cell tower in Cobble Hill

Dear Sir/Madam,

I am a resident of Cobble Hill, living at 1370 Hutchinson Road which is approximately 1/4 mile from where you propose to put your tower. I also am employed at Island Bakery which is within approximately a few hundred feet of where the tower will be.

There are countless numbers of articles of scientific evidence warning us of the imminent dangers of radiation exposure from these towers.

I don't know why we have been invited to provide comments to you, or if you will take them to heart. There is proof that these towers have caused leukemia in children in California, have caused cancer as well as many other horrendous health issues to people. It's as simple as that. I don't wish to live anywhere near a tower, let alone work underneath one and be fried with radiation and die of a brain tumour or something similar. It isn't a question of "don't be over dramatic, nothing has been proven" as the Canadian Health Authorities say.

So please, place it somewhere else if you must.

Yours truly,

Monica Collins
1370 Hutchinson Road,
Cobble Hill, B.C. 250-929-0888

Tawny Verigin

From: Monica Collins <monicacollins2005@gmail.com>
Sent: Tuesday, April 17, 2012 7:54 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Re: Cell tower in Cobble Hill

<http://www.cbc.ca/news/story/2010/11/05/con-cell-radiation.html>

<http://www.celltowerdangers.org/>

<http://www.safespaceprotection.com/electrostress-from-cell-towers.aspx>

<http://www.emf-health.com/articles-celltower.htm>

On 17 April 2012 19:42, Monica Collins <monicacollins2005@gmail.com> wrote:
Dear Sir/Madam,

I am a resident of Cobble Hill, living at 1370 Hutchinson Road which is approximately 1/4 mile from where you propose to put your tower. I also am employed at Island Bakery which is within approximately a few hundred feet of where the tower will be.

There are countless numbers of articles of scientific evidence warning us of the imminent dangers of radiation exposure from these towers.

I don't know why we have been invited to provide comments to you, or if you will take them to heart. There is proof that these towers have caused leukemia in children in California, have caused cancer as well as many other horrendous health issues to people. It's as simple as that. I don't wish to live anywhere near a tower, let alone work underneath one and be fried with radiation and die of a brain tumour or something similar. It isn't a question of "don't be over dramatic, nothing has been proven" as the Canadian Health Authorities say.

So please, place it somewhere else if you must.

Yours truly,

Monica Collins
1370 Hutchinson Road,
Cobble Hill, B.C. [250-929-0888](tel:250-929-0888)

From: Macfarlane, Bruce (Bruce B)** CTR **
Sent: Thursday, May 03, 2012 9:21 AM
To: Brian Keple
Cc: Verigin, Tawny (Tawny)** CTR **
Subject: Telus BC1010 Cobble Hill

Brian;

I received a copy of your letter from Mike Tippett of the CVRD and appreciate your support for the proposed cell tower.

Regards,
Bruce

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: 604-235-5410
c: 778-960-8431
bruce.macfarlane@alcatel-lucent.com

Tawny Verigin

From: Monica Collins <monicacollins2005@gmail.com>
Sent: Wednesday, April 18, 2012 11:37 AM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Re: Cell tower in Cobble Hill

Dear Bruce,

With all due respect, the Chief Medical Officer of Vancouver Coastal Health is not a scientist and doesn't give a damn about our health. I'm sure he thinks that Smart Meters are a great idea and "perfectly safe" for the public as well.

I have no questions for you. I'm just wondering why you asked for comments. You have no intention of hearing us.

I have a mobile account with Telus. If the tower is put there, I will no longer do service with you.

One other thing, there is an elementary school within 1/4 mile of where you "propose" to place the tower.

Frying children's brains should be on your conscience. It's not a "nice" thing to do!

Yours truly,

Monica Collins

On 18 April 2012 10:55, Macfarlane, Bruce (Bruce B)** CTR ** <bruce.macfarlane@alcatel-lucent.com> wrote:

Monica;

Please find attached a statement about cellular transmission antenna and base stations from the Chief Medical Officer of Vancouver Coastal Health. The proposed tower will be in compliance with Health Canada's Safety Code 6 guideline for the protection of the general public.

Please don't hesitate to contact me, if you have additional questions.

Regards,
Bruce

Bruce MacFarlane
Manager, Municipal Affairs BC
Alcatel-Lucent Canada
4190 Still Creek Drive, Suite 100
Burnaby, BC, Canada V5C 6C6
o: [604-235-5410](tel:604-235-5410)
c: [778-960-8431](tel:778-960-8431)
bruce.macfarlane@alcatel-lucent.com

From: Monica Collins [<mailto:monicacollins2005@gmail.com>]
Sent: Tuesday, April 17, 2012 7:43 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cell tower in Cobble Hill

Dear Sir/Madam,

I am a resident of Cobble Hill, living at 1370 Hutchinson Road which is approximately 1/4 mile from where you propose to put your tower. I also am employed at Island Bakery which is within approximately a few hundred feet of where the tower will be.

There are countless numbers of articles of scientific evidence warning us of the imminent dangers of radiation exposure from these towers.

I don't know why we have been invited to provide comments to you, or if you will take them to heart. There is proof that these towers have caused leukemia in children in California, have caused cancer as well as many other horrendous health issues to people. It's as simple as that. I don't wish to live anywhere near a tower, let alone work underneath one and be fried with radiation and die of a brain tumour or something similar. It isn't a question of "don't be over dramatic, nothing has been proven" as the Canadian Health Authorities say.

So please, place it somewhere else if you must.

Yours truly,

Monica Collins

1370 Hutchinson Road,

Cobble Hill, B.C. 250-929-0888

Tawny Verigin

From: Brian Keple <bkeple@shaw.ca>
Sent: Wednesday, April 18, 2012 2:47 PM
To: SPRINGWOOD PARK RESIDENTS
Subject: Cell Tower at RONA
Attachments: BC1010-2 - Municipal Consultation Package Cover letter_FINAL_MUNI.pdf;
ATT00001.txt

Below is a copy of a letter of support I mailed today. A copy of their application is attached to this email.
If you would like to have improved cellular service in this area I would urge you to send a letter to the CVRD and/or a copy to the applicant at bruce.macfarlane@Alcatel-Lucent.com

KEPLE HOLDINGS INC

#2-3640 TRANS-CANADA HWY., COBBLE HILL, BC, V0R 1L7 250
888-4799 bkeple@shaw.ca

April 18, 2012

Mike Tippet, MCIP
Manager, Community and Regional Planning Division Planning and Development Department Cowichan Valley Regional District
175 Ingram Street, Duncan BC V9L 1N8

Re: Municipal Consultation Package Review
Self support Telecommunications Facility
ALU/TELUS File: BC1010-2
Municipal Address: 3730 Trans Canada Hwy, Cobble Hill, BC

Dear Sir:

This letter is in support of the erection of a cell phone tower on the back lot area of RONA which is currently being considered by your office.

As the former owner of Springwood Seniors Park, and a current resident under the new owners, I had hoped for cell phone service in this area for years. My wife and I both own cell phones but we cannot use them in our residence because the signal is too weak or dropped during calls. Many other of the 100 residents of the park have the same problem.

A cell tower at RONA should solve all of these service problems and I whole heartedly support this project.

Please approve this soon and improve our quality of phone service in Cobble Hill.

Yours very truly,

KEPLE HOLDINGS INC.

Per: Brian J. Keple
President

Tawny Verigin

From: David Lewis <dave_lewis@shaw.ca>
Sent: Wednesday, April 18, 2012 3:01 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cell tower

As a resident in Springwood, I have to walk to the TCHighway to get poor quality cell service for last 9 yrs. Please consider the Rona sight for a much needed improved service.....

Thank-you....Dave Lewis

FREE Animations for your email - by IncrediMail!

[Click Here!](#)

Tawny Verigin

From: Erwin Landsberger <erlan27@telus.net>
Sent: Wednesday, April 18, 2012 3:19 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Cellphones tower

Dear Sir:

I pledge my support for a cellphone tower to service the area of Cobble Hill and Trans Canada Highway. Currently the cellphone signal is too weak and I end up losing calls almost always, or simply people cannot reach me. As an elderly person I rely on cellphone for emergencies, something that it is now a hit-and-miss situation. Please have this tower erected as soon as possible.

Thank you

Erwin Landsberger
3640 Trans Canada Highway
Cobble Hill, B.C.

From: [Schmidke, Harvey \(Harvey\)](#)
To: [Ed Aiken](#)
Cc: [Brian Gregg](#)
Subject: RE: cell tower BC1010
Date: August 27, 2012 7:45:14 AM

Thank you for your reply.

Regards,

Harvey Schmidke
Manager, Real Estate
Alcatel-Lucent Canada
100-4190 Still Creek Drive
Burnaby B.C. V5C 6C6
office: 604-419-5338 mobile: 604-340-7818
harvey.schmidke@alcatel-lucent.com

From: Ed Aiken [<mailto:eaiken@telus.net>]
Sent: Friday, August 24, 2012 1:45 PM
To: Schmidke, Harvey (Harvey)
Subject: cell tower

We have no objections to the proposal to erect a cell tower adjacent to our property which is situated at 3713 Holland Avenue, Cobble Hill.
Ed & Gloria Aiken

Tawny Verigin

From: greggbperry@gmail.com on behalf of Gregg Perry <gperry@sls.bc.ca>
Sent: Wednesday, April 18, 2012 7:32 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Subject: Hurray for the Cobble Hill tower

Dear Mr. MacFarlane,

Last fall, I sent the following letter to Gerry Giles of the CVRD and to the local papers:

"Since I read about some reticence on the part of the CVRD to having a tower erected on the highway near the Laughing Llama, I believe, I have wondered whether the CVRD has offered any alternative suggestions. Rather than stopping an initiative on the part of Telus to provide a better infrastructure to our residents on esthetic grounds, I would hope the CVRD could work with them to find a mutually satisfying solution.

I have to say that I don't find the idea of a cell tower at the proposed location to be visually disturbing, given that the highway is mostly bare, except for telephone wires and poles.

Every day as I drive to work, I speak with my 91-year old father in Calgary, hands-free of course. And every day, as I round the corner at Dougan Lake, my call is dropped. I have endured that interruption for ten years now. With the proliferation of wireless devices, I hope the CVRD would agree that it is time to see that we have uninterrupted coverage all along the Trans Canada Highway."

I fully support this initiative and would be willing to attend any meeting where my voice might help to persuade the technologically-challenged naysayers to step into the 21st century. I hope you are successful in your bid to make the highway safer and reduce our need to cut down trees to replace telephone poles.

Sincerely,

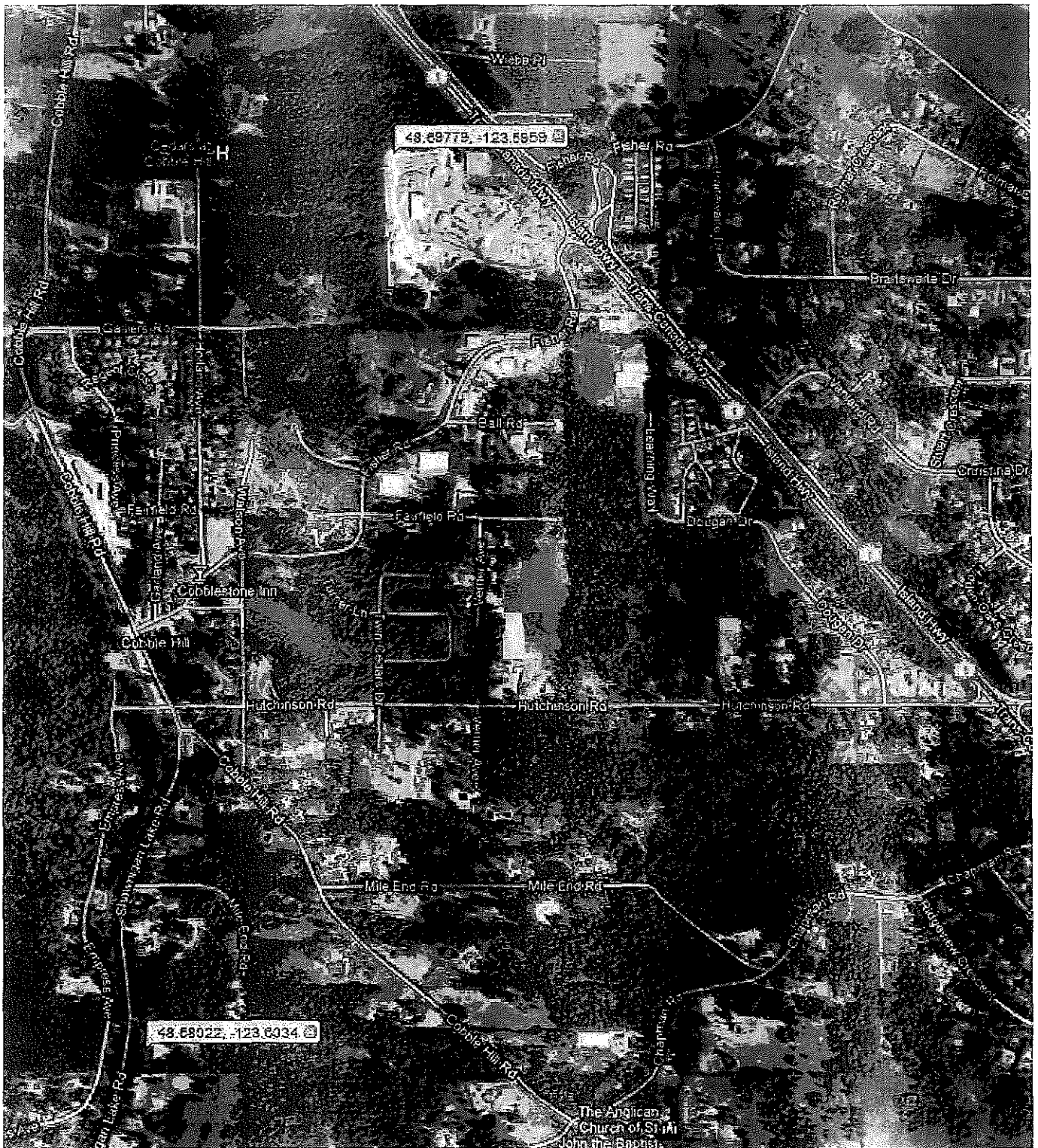
Gregg Perry
Manager, Wilkinson Studio Theatre
Shawnigan Lake School

Sent from my Android Smartphone

Tawny Verigin

From: Gar Clapham <gar@shaw.ca>
Sent: Monday, May 14, 2012 9:24 AM
To: Macfarlane, Bruce (Bruce B)** CTR **
Cc: Mike Tippet; 'Gerry Giles'
Subject: By the way ...

Reception at my house is very intermittent. Many missed calls.



Cheers, Gar Clapham, Cobble Hill, 3G/4G, no bars ☹

Please let me know if you receive this eMail.

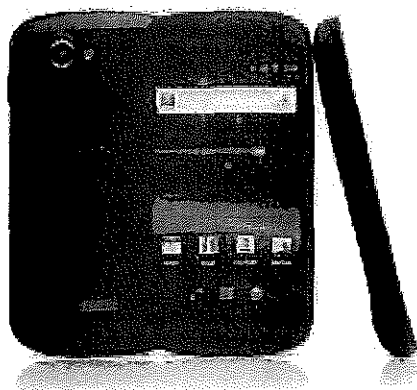
Tawny Verigin

From: Gar Clapham <gar@shaw.ca>
Sent: Sunday, May 13, 2012 10:39 PM
To: Macfarlane, Bruce (Bruce B)** CTR **
Cc: Mike Tippet; Gerry Giles
Subject: Cobble Hill Cell Tower

@ 48.697089, -123.596794 (Rona)

Can't wait to have this completed ☺. Like many folks I use my smart phone exclusively.

What is the current timeline?



Cheers, Gar Clapham - Cobble Hill

Please let me know if you receive this eMail.

Tawny Verigin

From: Chad Marlatt
Sent: Friday, January 18, 2013 11:40 AM
To: Gar Clapham
Cc: CommentsBC
Subject: RE: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572)

Gar,

While the federal government has jurisdiction over telecommunication, they still require us to consult with and get 'concurrence' for the proposed installation. If they do not grant concurrence and rely upon the federal government for granting approval this would cause delays in the tower been built and servicing the community.

Thanks for bringing your conversation to our attention – we will discuss with the Director.

Regards,

Chad

From: Gar Clapham [<mailto:gar@shaw.ca>]
Sent: January 18, 2013 11:35 AM
To: Chad Marlatt
Subject: RE: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572)

I was told by my Area C Director for Cobble Hill last night that Telus doesn't need CVRD approval, just federal (Industry Canada) ???

Cheers, Señor Gar

----- Perception is Circumstantial -----

From: Chad Marlatt [<mailto:ChadM@standardland.com>]
Sent: Friday, January 18, 2013 11:11 AM
To: Gar Clapham; CommentsBC
Subject: RE: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572)

Gar,

TELUS is in the process of getting approval from the CVRD to improve the service. We hope to have this approval in the next 3-4 weeks after which TELUS will commence the process of planning the installation. We are hoping this will all come together soon. I will enquire with them about any interim option of improving service – though the new tower is needed to substantially improve service.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | F: 604.687.1339 | M: 1.778.238.8175
E: chadm@standardland.com Website: www.standardland.com

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Chad

From: Gar Clapham [<mailto:gar@shaw.ca>]
Sent: January 17, 2013 10:42 PM
To: CommentsBC
Subject: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572)

What is the current timetable for a working cell tower behind Rona ?



Can Telus supply a signal booster in the interim ?

Cheers, Gar Clapham, Cobble Hill

----- Perception is Circumstantial -----

Tawny Verigin

From: Chad Marlatt
Sent: Friday, January 18, 2013 11:11 AM
To: Gar Clapham; CommentsBC
Subject: RE: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572)

Gar,

TELUS is in the process of getting approval from the CVRD to improve the service. We hope to have this approval in the next 3-4 weeks after which TELUS will commence the process of planning the installation. We are hoping this will all come together soon. I will enquire with them about any interim option of improving service – though the new tower is needed to substantially improve service.

Regards,

Chad Marlatt
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E: chadm@standardland.com Website: www.standardland.com

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Chad

From: Gar Clapham [<mailto:gar@shaw.ca>]
Sent: January 17, 2013 10:42 PM
To: CommentsBC
Subject: 3730 Trans-Canada Highway, Cobble Hill, BC V0R 1L0 (PID: 027-050-572)

What is the current timetable for a working cell tower behind Rona ?



Can Telus supply a signal booster in the interim ?

Cheers, Gar Clapham, Cobble Hill

----- Perception is Circumstantial -----

Tawny Verigin

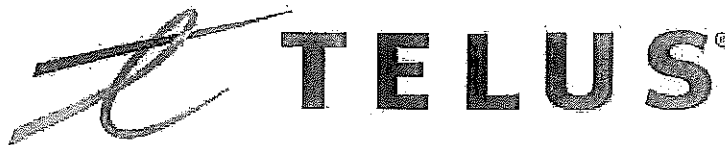
From: Norma Asp <norma@888asp.com>
Sent: Friday, October 05, 2012 7:11 PM
To: CommentsBC
Subject: Re Rona cell tower

I've lived on Hillbank and Riverside Roads since 2000 and find it astounding that I can still not obtain anything other than dial-up internet access.

Telus promised to "connect" remote areas in the province and this is hardly remote, so please do what you can.

Thank you.

Norma Asp



QUESTIONNAIRE & INPUT FORM
PUBLIC OPEN HOUSE

We welcome your comments and input in regards to the proposed TELUS tower at 3730 Trans Canada Highway. We would appreciate your time in completing this questionnaire. TELUS will respond to any questions or issues, and the correspondence will be shared with the Cowichan Valley Regional District and Industry Canada as part of the consultation process. This information will not be used for marketing purposes.

1. Are you currently happy with the quality of wireless service in your community?

☒ Yes

☐ No

If no, what areas require improved service? _____

2. Would you like to see improved wireless service?

☐ Yes

☒ No

3. Do you feel this is an appropriate location for a tower?

☐ Yes

☒ No !!!

If not, what change do you suggest?

My house is within meters of the sight too close to my house a way to close my Backyard is within meters of this

4. Are you satisfied with the proposed appearance / design of the proposed tower?

☐ Yes

☒ No

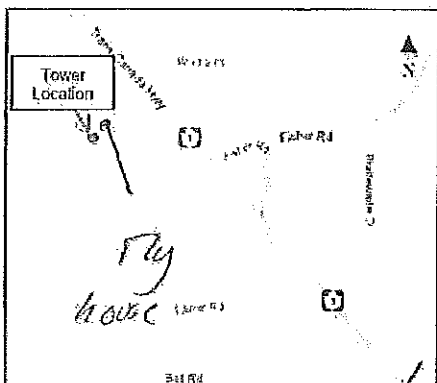
If not, what change do you suggest? :

Further away.

Other Comments:

This will not only cause a health concern but will devalue my property I will be able to see it from my yard. I will seek legal advice if this proceeds.

Tower Location



Name: *Catherine James*

Address: *3760 TC Hwy
Cobble Hill*

Telephone: *250-943-5779*

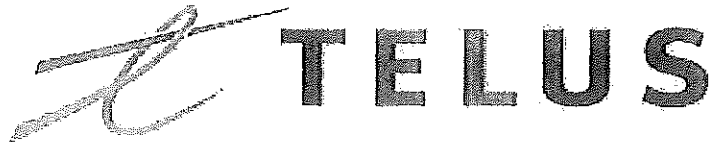
Email: *Catherine.james254@gmail.com*

Thank you.

This is too close / too visible

Open House | November 27, 2012 | 5:30 pm - 7:30 pm

Cobble Hill Community Hall | 3550 Watson Rd, Cobble Hill, BC V0R 1L1



QUESTIONNAIRE & INPUT FORM PUBLIC OPEN HOUSE

We welcome your comments and input in regards to the proposed TELUS tower at 3730 Trans Canada Highway. We would appreciate your time in completing this questionnaire. TELUS will respond to any questions or issues, and the correspondence will be shared with the Cowichan Valley Regional District and Industry Canada as part of the consultation process. This information will not be used for marketing purposes.

1. Are you currently happy with the quality of wireless service in your community?

☐ Yes ☒ No

If no, what areas require improved service? _____

2. Would you like to see improved wireless service?

☒ Yes ☐ No

3. Do you feel this is an appropriate location for a tower?

☒ Yes ☐ No

If not, what change do you suggest? _____

4. Are you satisfied with the proposed appearance / design of the proposed tower?

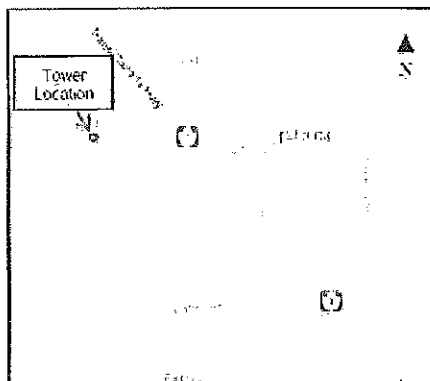
☒ Yes ☐ No

If not, what change do you suggest? : _____

Other Comments: _____

A.S.A.P. please !!

Tower Location



Name: Gar Clapham

Address: 3377 Shawnigan
Lake Road
Cobble Hill

Telephone: 250 715 7674

Email: gar@shaw.ca

Thank you.

Open House | November 27, 2012 | 5:30 pm – 7:30 pm
Cobble Hill Community Hall | 3550 Watson Rd, Cobble Hill, BC V0R 1L1



QUESTIONNAIRE & INPUT FORM PUBLIC OPEN HOUSE

We welcome your comments and input in regards to the proposed TELUS tower at 3730 Trans Canada Highway. We would appreciate your time in completing this questionnaire. TELUS will respond to any questions or issues, and the correspondence will be shared with the Cowichan Valley Regional District and Industry Canada as part of the consultation process. This information will not be used for marketing purposes.

1. Are you currently happy with the quality of wireless service in your community?

☐ Yes

☒ No

If no, what areas require improved service?

Everywhere in the south end of Cowichan

2. Would you like to see improved wireless service?

☒ Yes

☐ No

3. Do you feel this is an appropriate location for a tower?

☒ Yes

☐ No

If not, what change do you suggest?

4. Are you satisfied with the proposed appearance / design of the proposed tower?

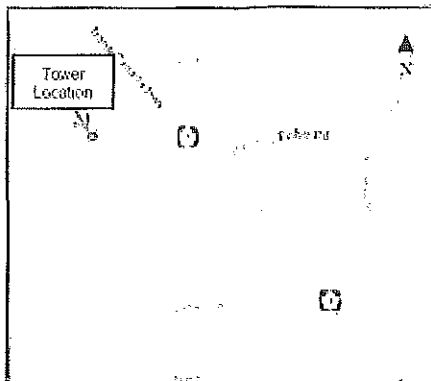
☒ Yes

☐ No

If not, what change do you suggest?

Other Comments: I am looking forward to consistent service.

Tower Location



Name:

Betty Burr

Address:

39-1751 Northgate Rd
Cobble Hill BC V0R1C6

Telephone:

250-744-9269

Email:

bburr@shaw.ca

Thank you.

Open House | November 27, 2012 | 5:30 pm - 7:30 pm
Cobble Hill Community Hall | 3550 Watson Rd, Cobble Hill, BC V0R 1L1



R7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 5, 2013

DATE: January 31, 2013

FILE NO:

FROM: Rob Conway, MCIP
Manager, Development Services Division

BYLAW NO:

SUBJECT: Request for Letter of Concurrence – Proposed Telecommunication Tower at 2965 Boys Road (Eagles Hall)

Recommendation/Action:

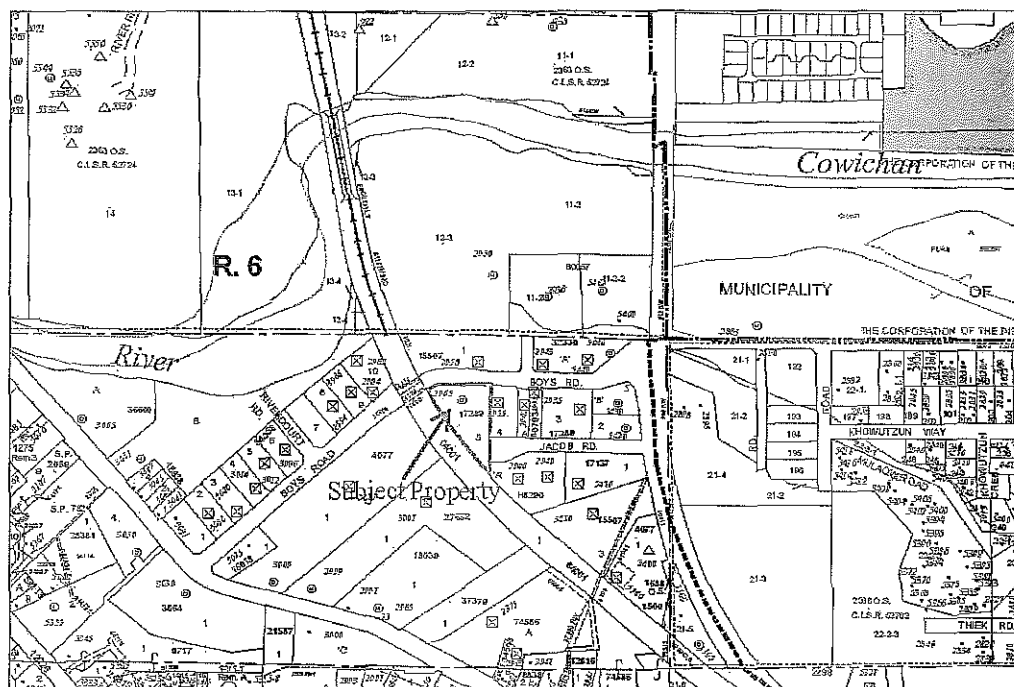
That the Committee consider a request for a letter of concurrence for a telecommunications tower at 2950 Boys Road.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

Subject Property:



The Proposal:

TELUS is proposing to install a 40 metre monopole tower on the Eagles Hall property, at 2965 Boys Road. A 90 square foot equipment shelter and generator are also proposed, all of which would be enclosed with a chain link fence. The tower and related works are proposed to be in the western corner of the subject property, adjacent to the E&N right of way. A full description of the proposal is provided in the information package attached to this report.

Visual Impact:

The proposed tower is in an industrial area. The tower would be significantly higher than other structures in the area, but as it would be more than 200 metres from the Highway it is not expected to directly impact the aesthetic character of the highway corridor. The proponent's application package includes photo simulations.

Health and Safety:

Industry Canada requires that telecommunications are operated in accordance with the safety guidelines established by Health Canada's Radiation Protection Bureau as set out in the publication *Limits to Radio Frequency Fields at Frequencies from 10khz to 300 Ghz*, otherwise referred to as "Safety Code 6". The proponent has confirmed that the proposed tower will be installed and operated in accordance with Safety Code 6.

Public Consultation:

The proponent has advised they have completed public consultation process required by Industry Canada's Default Public Consultation Process. This included the following:

- Notification of property owners and occupants within 120 metres of the proposed tower;
- Publication of a notice in the Cowichan news Leader Pictorial on October 31, 2012;
- Hosting an open house at the Eagle Hall on November 14, 2012 from 5:30-7:00pm.

The proponent has advised that a total of two comments were submitted regarding the proposal, both which were in support of the tower.

Policy Context:*Official Community Plan Bylaw No. 1490:*

The subject property is designated Industrial in the OCP. The OCP provides no specific guidance regarding telecommunication towers.

Zoning Bylaw No. 1840:

The subject property is zoned Parks and Institutional (P-1). The P-1 zone does not explicitly permit telecommunication facilities as a permitted use, but "utility use" is permitted in all zones. The definition of utility use includes "broadcast transmission facilities licensed by a government". In any case, since telecommunications is a federal authority, local zoning does not apply to facilities licensed by the federal government.

The Zoning Bylaw specifies a 12.0 metre height limit for structures in the P-1 zone, but section 5.10 of the bylaw exempts "radio or television antenna" and "federally regulated microwave communication tower" from the height limit. Proposed structures comply with the 6.0 metre setback requirement of the P-1 zone.

Options:

Since the CVRD does not have established policy regarding the location of telecommunications towers, staff do not have a good basis for providing a recommendation regarding the request for a letter of concurrence. Therefore the following three options are identified for the Committee's consideration, with direction from the Committee requested.

Option 1:

That the Board instruct staff to advise Industry Canada in writing that:

- 1) Telus has satisfactorily completed its consultation with the Cowichan Valley Regional District regarding the proposed telecommunication tower at 2965 Boys Road (Eagles Hall)
- 2) The Cowichan Valley Regional District is satisfied with the public consultation process conducted for the proposed telecommunication tower; and
- 3) The Cowichan Valley Regional District concurs with the proposal to construct a telecommunication tower at 2965 Boys Road (Eagles Hall) provided it is substantially in accordance with the plans submitted to the CVRD in the information package dated January 18, 2013.

Option 2:

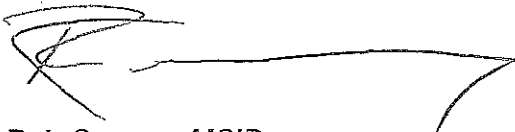
That the Board instruct staff to advise Industry Canada that it does not support the proposal to construct a telecommunications tower and associated facilities at 2965 Boys Road (Eagles Hall) for reasons identified by the Committee.

Option 3:

That no response be sent to Industry Canada regarding the proposed telecommunications tower and associated facilities at 2965 Boys (Eagles Hall).

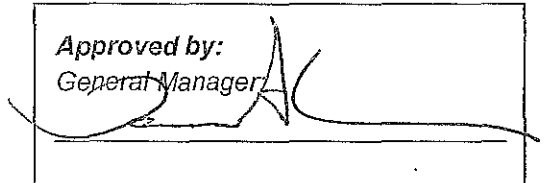
Committee direction is requested.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning & Development Department

Approved by:
General Manager



RC/ca
Attachments



StandardLand

Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1

Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com

January 18, 2013

VIA E-MAIL: rconway@cvrld.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

SUBJECT: REQUEST FOR CONCURRENCE, TELUS TELECOMMUNICATIONS TOWER
LOCATION: 2965 BOYS ROAD, DUNCAN, BRITISH COLUMBIA V9L 6W4
PID#: 003-932-541
TELUS SITE #: BC1583 – DUNCAN SOUTH – HWY 1 / COWICHAN WAY

In reference to TELUS' proposal to build a 40 metre telecommunications tower, please be advised that TELUS has completed the public consultation process and is respectfully requesting, from members of the Board, concurrence on the location of a new tower that will be servicing the south Duncan area.

TELUS and agents representing TELUS have been working with staff, elected officials and the community to find an appropriate location for a telecommunications structure that would service the community. TELUS has fully complied with Industry Canada's consultation requirements as well as, in response to the request of Board members, hosted a community consultation event (Open House) in November 2012. Efforts regarding this public notification process are as follows:

October 29, 2012	As per Industry Canada's Default Consultation Process, notification packages were issued to property owners within three (3) times the tower height (120 metres) and, as a result a total of 31 properties were notified.
October 31, 2012	Notice of proposed tower project and invitation to Open House placed in Cowichan News Leader Pictorial.
November 14, 2012	As requested by the Board, TELUS hosted an Open House at the Eagles Hall at 2965 Boys Road between 5:30 pm and 7:00 pm. The Open House was attended by a total of two (2) individuals. TELUS representatives were available to hear from the community and address any questions or issues. Two (2) comment sheets were received in support of the proposed tower.
November 14, 2012	Conclusion of 30 day consultation period. No further comments were received.

TELUS looks forward to improving service in the Cowichan Valley Regional District and support from the Board of Directors. Attached is a sample resolution (**Appendix 1: Sample Resolution**) which may be used as a form of Board concurrence. Should you require any additional information, please do not hesitate to contact us at 1-877-687-1102 or by e-mail at kierstene@standardland.com.

Sincerely,

Standard Land Company Inc.
Agents for TELUS

A handwritten signature in black ink, appearing to read 'Kiersten Enemark', with a stylized, cursive script.

Kiersten Enemark
Director, Land & Municipal Affairs

cc: Brian Gregg, Senior Real Estate & Government Affairs Manager, TELUS
Michael Walsh, Real Estate & Government Affairs, TELUS

Appendix 1: Sample Resolution

Resolution

WHEREAS TM MOBILE INC. proposes to erect a wireless telecommunication tower and accessory structure on certain lands more particularly described as, LOT 5, SECTION 14, RANGE 6, QUAMICHAN DISTRICT, PLAN 17289, EXCEPT THAT PART IN PLAN 32330, with the civic address of, 2965 Boys Road, Duncan, BC V9L 6W4;

AND WHEREAS proponents of telecommunication towers are regulated by Industry Canada on behalf of the Government of Canada and as part of their approval, Industry Canada requires proponents to consult with land use authorities as provided for in CPC-2-0-03;

AND WHEREAS TM MOBILE INC. has consulted with the Cowichan Valley Regional District and the Cowichan Valley Regional District planning staff have no objection to the proposed telecommunications tower;

AND WHEREAS TM MOBILE INC. has consulted with the public by notifying all property owners and occupants within three (3) times the tower height and has provided thirty (30) days for written public comment;

AND WHEREAS there are no significant land use issues identified by the consultation;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Clerk be instructed to advise TM MOBILE INC. that:
 - a) TM MOBILE INC. has satisfactorily completed its consultation with the Cowichan Valley Regional District;
 - b) The Cowichan Valley Regional District is satisfied with TM MOBILE INC.'s public consultation process and does not require any further consultation with the public; and
 - c) The Cowichan Valley Regional District concurs with TM MOBILE INC. proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it and described as 2965 Boys Road, Duncan, BC.



StandardLand

*Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1*

*Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com*

January 18, 2013

VIA E-MAIL: rconway@cvrld.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

Subject: Results of Public Consultation Process – TM Mobile Inc. ("TELUS") Proposed Radiocommunications Facility
Location: 2965 Boys Road, Duncan, British Columbia V9L 6W4
PID#: 003-932-541
TELUS Site #: BC1583 – Duncan South – Hwy 1 / Cowichan Way

Standard Land Company Inc. ("SLC"), agents for TELUS, completed the Industry Canada Default Public Consultation Process as part of TELUS' requirement to consult for the proposed radiocommunications facility at 2965 Boys Road, Duncan, British Columbia. This public consultation process involves notifying properties within six (6) times the tower height in writing. Any interested property owner(s) or stakeholder(s) may make comment regarding the proposal with relevant and reasonable concerns within a 30 day period.

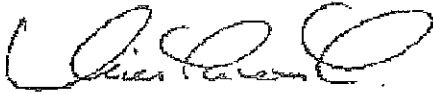
SLC notified all property owners/occupants in writing, within approximately 120 metres from the proposed tower location along with the Cowichan Valley Regional District (CVRD) and Industry Canada staff with a notification package on October 29, 2012 inviting comment. In total approximately 31 notifications were mailed to owners/occupants. A Notice of proposed the tower project was also placed in Cowichan News Leader Pictorial (please see **Appendix 1: Affidavit of Notification and Newspaper Notice**).

TELUS hosted an Open House on November 14, 2012 at the Eagles Hall at 2965 Boys Road between 5:30 pm and 7:00 pm. The open house was attended by a total of two (2) individuals (please see **Appendix 2: Open House, Sign in**). Closing date for comments was November 14, 2012. Throughout the consultation process a total of two (2) comments were received that were in support of the tower (please see **Appendix 3: Comments**).

To date, no further responses have been received as a result of the consultation process. Please feel free to contact the undersigned if you require further details and/or information.

Sincerely,

Standard Land Company Inc.
Agents for TELUS

A handwritten signature in black ink, appearing to read 'Kiersten Enemark', with a stylized, cursive script.

Kiersten Enemark
Director, Land & Municipal Affairs
Phone: 1-877-687-1102
Email: kierstene@standardland.com

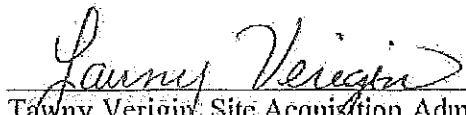
cc: Brian Gregg, Senior Real Estate & Government Affairs Manager, TELUS
Michael Walsh, Real Estate & Government Affairs, TELUS

Appendix 1: Affidavit of Notification and Newspaper Notice

Affidavit of Standard Land Company Inc.

I, Tawny Verigin, Site Acquisition Administrator (BC) in the City of Vancouver in the Province of British Columbia, make an Oath and say:

1. THAT I caused to be sent by regular mail a notification letter, as included in Appendix A, to property owners, as listed in Appendix B, on October 29th, 2012.


Tawny Verigin, Site Acquisition Administrator
Standard Land Company Inc.

Sworn/Affirmed/Declared before me at the City of Vancouver, in the Province of British Columbia, this 29th day of October, 2012.


(Commissioner's Signature)

A Commissioner for Taking Affidavits for the Province of British Columbia

Cameron Martin Carruthers

A Commissioner for Taking Affidavits
for British Columbia
Standard Land Company Inc.
610 - 688 West Hastings Street
Vancouver, BC V6B 1P1
Tel: (604) 887-1119
Expires: June 30, 2013

(Commissioner's stamp or printed name and expiry date)

Appendix A: Notification Letter



October 29, 2012

TELUS is inviting the community to an Open House:

On: Wednesday, November 14, 2012

From: 5.30 pm to 7:00 pm

Location:

The Eagles Hall

2965 Boys Road

Duncan, British Columbia V9L 6W4

Dear Landowner / Occupant,

Re: Proposed 40 metre TELUS Radiocommunications Facility
Address: 2965 Boys Road, Duncan, British Columbia
Legal: LOT 5, SECTION 14, RANGE 6, QUAMICHAN DISTRICT, PLAN 17289,
EXCEPT THAT PART IN PLAN 32330
PID: 003-932-541
Coordinates: N 48.768933, W -123.70280
TELUS Site: BC1583 - Duncan South – Hwy 1 / Cowichan Way

Wireless technology offers many benefits to Canadians. Millions of individuals rely on wireless voice, data and internet communications to enhance their personal security and safety, as well as enjoy more frequent contact with family, friends and business associates to make more productive use of their personal and professional time. In response to demand for improved service within the south Duncan area, TM Mobile Inc. ("TELUS") is proposing the construction of a new radiocommunications installation.

TELUS' Proposal

TELUS is proposing a 40 metre monopole tower on privately owned land at the above-noted coordinates. All of the equipment necessary to operate this facility will reside within a shelter located at the base of the tower. The location has been chosen and acquired within a P-1 (Parks and Institutional) zoned area within an industrial area.

Authority

Although Industry Canada has exclusive jurisdiction over the placement of wireless radiocommunications facilities, it requires the carriers to consult with the local municipality and the general public regarding new installations. The municipal consultation process is intended to provide an opportunity to have landowner questions addressed while respecting federal jurisdiction over the installation and operations of radiocommunications systems. Any inquiries that are received as a result of this notification will be logged and submitted to the CVRD and Industry Canada as part of our application for concurrence.

Industry Canada's Default Public Consultation

As the CVRD does not have an established and documented public consultation process applicable to tower siting, TELUS is required to follow the Industry Canada Default Public Consultation process. This letter will provide written notification to adjacent landowners and provide you with an opportunity to engage in reasonable, relevant, and timely communication regarding this proposal.

1. *Purpose* - The purpose of the proposed tower is to improve TELUS' wireless service in south Duncan. Currently, there are no existing antenna support structures or other feasible infrastructure that can be utilized; as a result, a new antenna support structure is required.
2. *Location* - The tower will be located at the address 2965 Boys Road in the northwest corner of the parcel.
3. *Safety Code 6* - Industry Canada requires all wireless carriers to operate in accordance with Health Canada's safety standards. TELUS confirms that the tower described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time.
4. *Site Access* - An existing approach off Boys Road will be utilized to access the tower. Construction is anticipated to take 30 to 45 days. Once complete, the site will only be accessed for routine maintenance visits which typically occur once or twice a month. To safeguard the site from the general public, the tower base and equipment shelter will be enclosed by a fence.
5. *Environment* - TELUS confirms that the installation is excluded from environmental assessment under the *Canadian Environmental Assessment Act*.
6. *Design* - This proposal is for a 40 metre monopole, related equipment area and fencing. A preliminary design of the tower profile and compound plan is included in this notification for your reference.
7. *Transport Canada* - The tower will be marked in accordance with the Department of Transportation and NAV Canada requirements.
8. *Structural Considerations* - TELUS confirms that the antenna structure described in this notification package will apply good engineering practices including, structural adequacy during construction. The facility will be built to the National Building Code as well as the BC Building Code.
9. *Local Municipality* - The CVRD does not have an Antenna Siting Protocol and as such we are applying Industry Canada's Default Public Consultation process. This proposal is located in lands zoned as P-1 (Parks and Institutional).
10. *General Information* - General information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website:

http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/h_sf01702e.html

11. *Contacts:*

TELUS

c/o: Chad Marlatt
Standard Land Company Inc.
Agent for TELUS
Suite 610, 688 West Hastings Street
Vancouver, British Columbia V6B 1P1
Phone: 1-877-687-1102
E-mail: commentsbc@standardland.com

Industry Canada

Radio Licensing Spectrum Management
Room 430, 1230 Government Street
Victoria, British Columbia V8W 3M4
Phone: (250) 363-3803
E-mail: victoria.district@ic.gc.ca

Cowichan Valley Regional District

175 Ingram Street
Duncan, British Columbia V9L 1N8

Should you have any specific questions regarding the proposal, please feel welcome to contact the above-listed herein, or return the comment sheet via fax (604) 687-1339 or by mail to TELUS by **November 30, 2012**.

Location Plan – Aerial

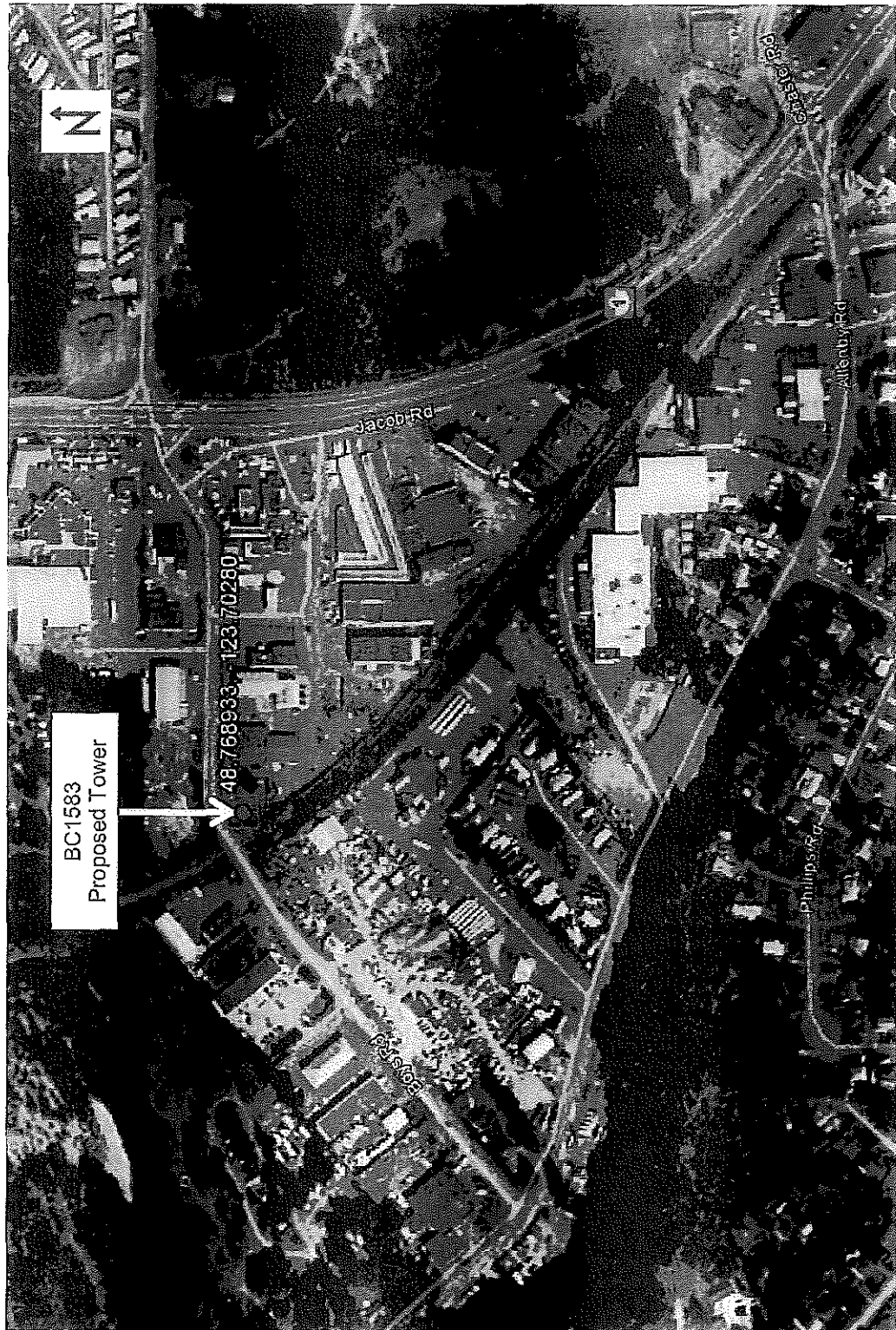
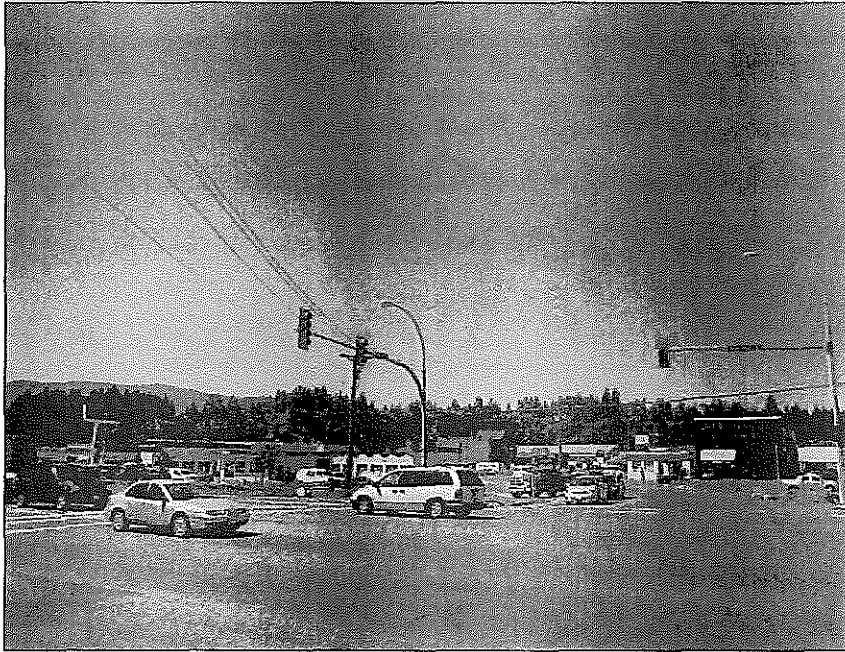


PHOTO SIMULATIONS

Proposed Tower – Before Construction



View: From the northeast corner of Highway 1 and Boys Road, looking southwest at proposed tower location.

Proposed Tower – After Construction



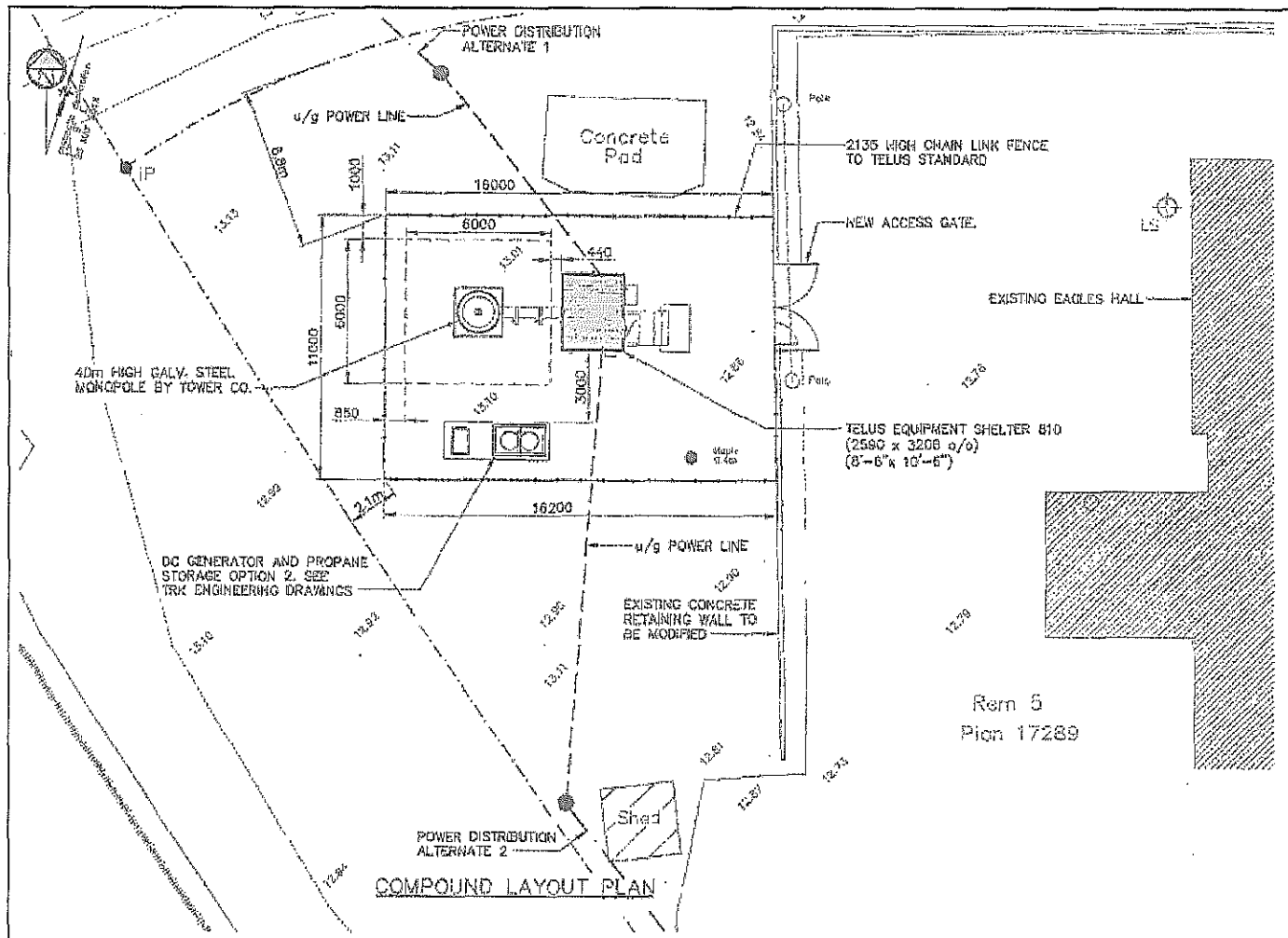
View: From the northeast corner of Highway 1 and Boys Road, looking southwest at proposed tower location.

Photo Simulation is a close representation and is for conceptual purposes only – not to scale.

Proposed design is subject to change based on final engineer plans

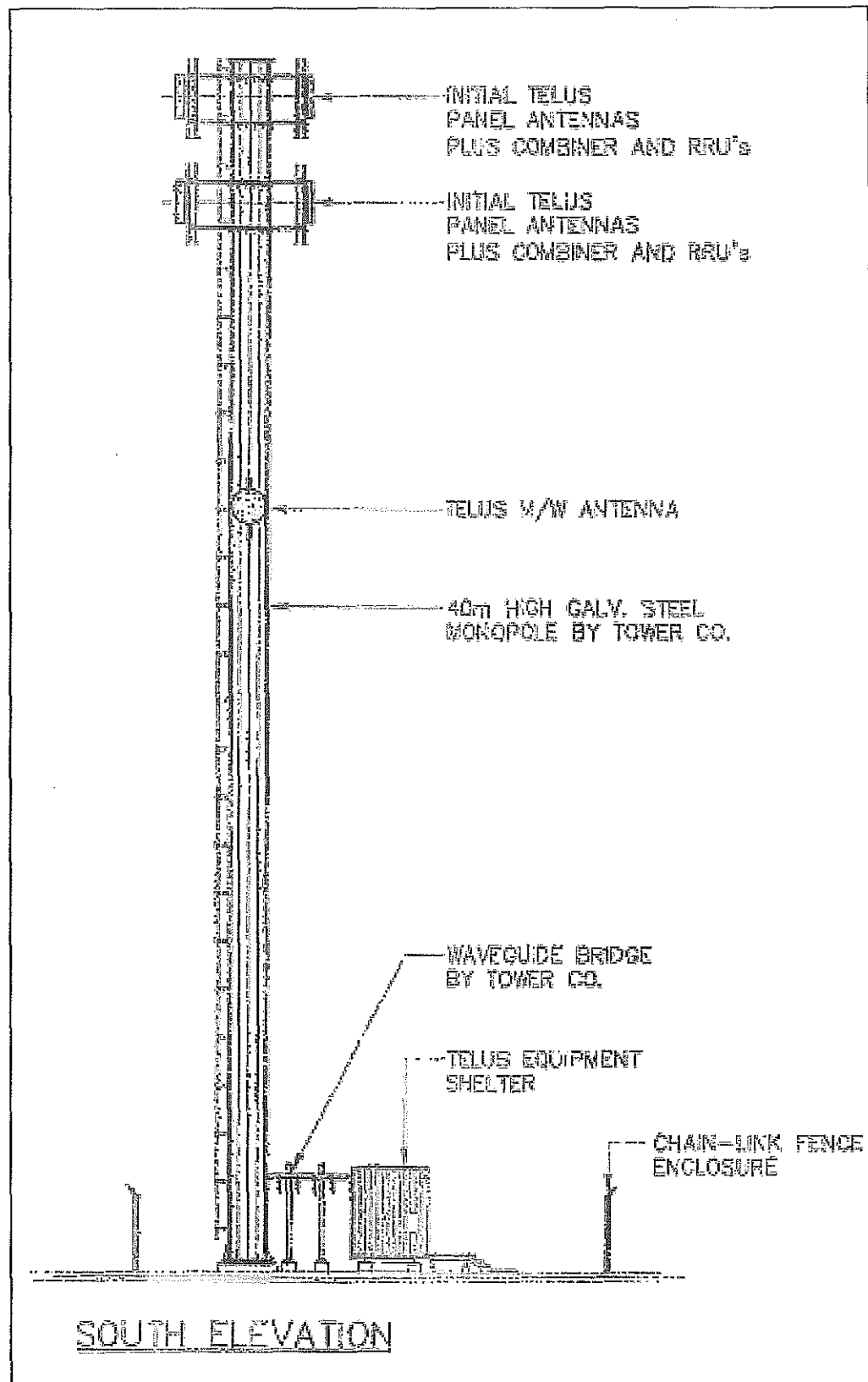
The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.

Compound Plan



Note: Not to scale.

Tower Profile



Note: Not to scale.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
2965 Boys Road, Duncan, British Columbia
TELUS Site: BC1583 - Duncan South – Hwy 1 / Cowichan Way

1. Do you feel this is an appropriate location for the proposed facility?

☐ Yes

☐ No

Comments _____

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☐ Yes

☐ No

Comments _____

3. Additional Comments _____

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name _____
(Please print clearly)
Email Address _____
Mailing Address _____

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, British Columbia V6B 1P1
Attention: Chad Marlatt, Manager, Land Projects (BC)

Thank you for your input.

Appendix B: List of Property Owners

OCCUPANT 3009 ALLENBY ROAD DUNCAN BC V9L 6V8	OCCUPANT 2945 JACOB ROAD DUNCAN BC V9L 6W4
OCCUPANT 2958 BOYS ROAD DUNCAN BC V9L 6W4	OCCUPANT 2946 JACOB ROAD DUNCAN BC V9L 6W4
OCCUPANT 2999 ALLENBY ROAD DUNCAN BC V9L 6V8	OCCUPANT 3015 BOYS RD DUNCAN BC V9L 6V8
2950 BOYS ROAD DUNCAN BC V9L 6T9	OCCUPANT 2984 BOYS RD DUNCAN BC V9L 6W4
OCCUPANT 3051 ALLENBY ROAD DUNCAN BC V9L 6W5	OCCUPANT 2943 BOYS RD DUNCAN BC V9L 6W4
OCCUPANT 2986 BOYS ROAD DUNCAN BC V9L 6W4	OCCUPANT 5440 TRANS CANADA HIGHWAY DUNCAN BC V9L 6W4
OCCUPANT 2994 BOYS ROAD DUNCAN BC V9L 6W4	STANDARD LAND COMPANY INC. SUITE 610, 688 WEST HASTINGS STREET VANCOUVER, BC V6B 1P1
OCCUPANT 2955 BOYS ROAD DUNCAN BC V9L 6T9	TM MOBILE INC. (TELUS) 2-3500 GILMORE WAY BURNABY BC V5G4W7
OCCUPANT 2982 BOYS ROAD DUNCAN BC V9L 6W4	INDUSTRY CANADA RADIO LICENSING SPECTRUM MANAGEMENT ROOM 430, GOVERNMENT STREET VICTORIA, BC V8W 3M4
OCCUPANT 5446 TRANS CANADA HIGHWAY DUNCAN BC V9L 6W4	COWICHAN VALLEY REGIONAL DISTRICT 175 INGRAM STREET DUNCAN, BC V9L 1N8

EAGLE BUILDING SOCIETY
2965 BOYS RD
DUNCAN BC
V9L6W4

RAMESH PARHAR
320 FESTUBERT ST
DUNCAN BC
V9L3S9

G L HARPER SCRAP METAL & DEMOLITION LTD
PO BOX 188 STN MAIN
DUNCAN BC
V9L3X3

JENG HOLDINGS INC
2915B ALLENBY RD
DUNCAN BC
V9L6W2

GARY & PATRICIA HENSHAW
1202-732 CORMORANT ST
VICTORIA BC
V8W4A5

ISLAND CORRIDOR FOUNDATION
ATTN: DOUG BACKHOUSE – EXECUTIVE
320-256 WALLACE ST
NANAIMO BC
V9R5B3

C & C HOLDINGS INC
3001 ALLENBY RD
DUNCAN BC
V9L6V8

PRO MAC MANUFACTURING LTD
2940 JACOB RD
DUNCAN BC
V9L6W4

COWICHAN FIRST NATION NO. 1
COWICHAN TRIBES
5760 ALLENBY ROAD
DUNCAN, BC
V9L 5J1

JENG HOLDINGS INC
2939 BOYS RD
DUNCAN BC
V9L6W4

RIVERSIDE AUTO COURT (1974) LTD
1-3065 ALLENBY RD
DUNCAN BC
V9L6W5

PARHAR PROPERTY MANAGEMENT LTD
320 FESTUBERT ST
DUNCAN BC
V9L3S9

SOUTH ISLAND INVESTMENTS LTD
4837 BRENTON-PAGE RD
LADYSMITH BC
DUNCAN BC
V9G1J6

DARSHAN MANJ
6825 HALL RD
DUNCAN BC
V9L6A1

JUDY & PATRICK CADORETTE
2473 SYLVESTER RD, RR 2
SHAWNIGAN LAKE BC
V0R2W2

COMMUNITY ANNOUNCEMENTS

INFORMATION

ADVERTISE in the LARGEST OUTDOOR PUBLICATION IN BC
The 2013-2015 BC Freshwater Fishing Regulations Symposium. The most effective way to reach an incredible number of BC Sportsmen & women. Two year edition, terrific presence for your business.
Please call Annemarie 1.800.691.6335 email: fish@blackpress.ca

LOOKING FOR the 3 people that were witnesses to a fender bender in the parking lot of London Drugs, October 5, 2012, at about 12:30 pm. Could you please call me at (250) 710-7129 or 250-745-9628. Thank you.

You can make a difference. Save the Bread Van!

Did you know that the Cowichan Food Connection, which operates the Bread Van, relies on public donations to FUEL the Van? Our fuel bill alone is over \$2000/month and many months we do not have the necessary funds to keep the van piling up. Every week we deliver upwards of 3000 loaves of bread and baked goods throughout the Cowichan Valley. It is all donated to people who would otherwise go hungry (schools, Food Banks, Seniors Centres, & many more). Go to <http://cowichanfoodconnection.ca> to find out how you can help or contact the secretary, Kim Sayer at 250-855-0056 for more information.

"Dignified access to food for all"

WELCOME TO WAGON
bclassified.com
1-855-917-3333

INFORMATION



Community Welcome Baby & Community.
David Duncan 745-4235 Pat Duncan 745-9740
Diana Combs 245-4463 Catherine Combs
Pat Mui 745-8740 Business & Professional
Ladine Lake 932-4854 Myrna 745-1977
Website: www.welcometowagon.ca

Let's get personal

The right person is out there somewhere. Let us help you find them.

We know there are hundreds of singles in our communities. Advertise your single status over 100 times per week for 10 to 15 days for only \$10/mo. Address to publish in your ad. Post one of our BC numbers for \$10/mo. Must be 18 years of age to participate.

LEADER PICTORIAL

PERSONALS

Just putting the call out there...I'm a nice guy who has been single since the passing of my girlfriend. Enough time has passed, certainly, that I'm ready for dating someone from the Cowichan Valley. I have a ton of love, and all good things waiting to share with the right person. Reply to File #A086, c/o News Leader Pictorial, #2-5380 Trans Canada Hwy, Duncan, V9L 6W4

COMMUNITY ANNOUNCEMENTS

LEGALS

NOTICE TO CREDITORS AND OTHERS RE: ESTATE OF JOHN FRANCIS FRISCH also known as JOHN FRISCH. Notice is hereby given that CREDITORS AND OTHERS having claims against the Estate of John Francis Frisch, also known as John Frisch, Retired - Engineer, date of birth: St. Andrews Lane, Cobble Hill, British Columbia, are hereby notified that claims should be sent to the Executor, care of Midway & Company, 220 - 44 Queens Road, Duncan, British Columbia, V9L 2W4, on or before November 23rd, 2012, after which date the Executor will distribute the estate among the parties entitled to it, having regard to the claims of which the Executor then has notice.

LOST AND FOUND

KEYS FOUND: MIE Bay, Sept 13, 2012. 4 keys on ring (one is a Ford key) found at corner of Burnfield & Highway near postbox by chrislink fence. Can be claimed at the News Leader Pictorial office, #2-5380 Trans Canada Hwy, next to Bookersfield, in Duncan.

LOST: probably at the start of Manley Creek Trail or another trail, one Yew walking stick, about 5 ft tall, decorated with honeyuckle branch and stones imbedded in the wood. Please contact me by phone, if you find this, it has special significance for me. PH 250-709-9573.

The News Leader Pictorial office is holding a series of "found" keys, since March 2009. Stop into the office and see if any belong to you. #2-5380 Trans Canada Hwy, Duncan, next to Bookersfield.

ALL YOU NEED IN PRINT AND ONLINE
www.bclassified.com

INFORMATION

CHILDREN

CHILD CARE AVAILABLE

Babysitters available for 1-2 children, ages 2 and up. Gopher Rd area is preferred. We have taken the babysitting course through Island Savings Centre and have had 2 years experience babysitting. We are 12, 13 & 15 years old and are very responsible from a Christian upbringing. Please call our parents for an introductory interview.
Anika & Kayla & Chelsea
250-745-5050



CAREER OPPORTUNITIES

Hallmark TECHNICAL SERVICES
Currently hiring in our Nanaimo, AB location:
Hydraulic/Mechanical Technician
Minimum 3 years experience on hydraulic equipment. Mechanic or Millwright certification an asset.
Please forward resume to Human Resources Fax (780) 553-6522 or Email hr@hallmarktechnical.com

Looking for a NEW job? www.bclassified.com

COMING EVENTS

23rd Annual Nanaimo Professional Craft Fair **GRAND PRIZE!**

• Fri. Nov. 2 - 12-8 pm
• Sat. Nov. 3 - 10-5 pm
• Sun. Nov. 4 - 10-4 pm

2300 Bowen Rd., Beban Park Centre, Nanaimo, BC
Info: 250-390-3995 or lindaknecht@shaw.ca
\$4.00 Admission

Clip this ad for \$1.00 OFF one admission

LEGALS

PUBLIC NOTICE & OPEN HOUSE:
PROPOSED TM MOBILE INC. (TELUS) TELECOMMUNICATIONS FACILITY
40 METRE MONOPOLE STRUCTURE

PROPOSED STRUCTURE: As part of the public consultation process required by Industry Canada, TELUS is inviting the public to comment on a proposed telecommunications facility consisting of a 40 metre monopole tower and ancillary radio equipment.

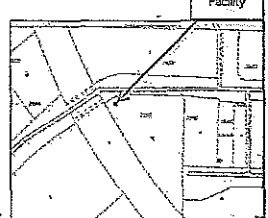
LOCATION: 2865 Boys Road, Duncan, BC V9L 6W4 (PID: 003-932-541).

COORDINATES: Lat N 48.789933, Long W -123.70280

PUBLIC INFORMATION MEETING: TELUS is inviting the community to an Open House to be held on Wednesday, November 14, 2012 at The Eagles Hall, 2865 Boys Road, Duncan, BC V9L 6W4 from 5:30pm to 7:00pm.

ANY PERSON may comment by close of business day on November 30, 2012 with respect to this matter.

TELUS CONTACT: Further information can be obtained by contacting Chad Mariatt, Manager, Land Projects Standard Land Company Inc. Agents for TELUS
Suite 610 - 688 West Hastings Street
Vancouver, BC V6B 1P1
Tel: 1 (877) 687-1102
Fax: (604) 687-1339
Email: commentsbc@standardland.com



BC Job Network

HELP WANTED

Baskets: Thomas requires basket stuffers, delivery personnel, & a manager. Email elaine@mkcanada.com with name & phone number or call 250-469-2523

BUSY SPECIALIST office in Duncan looking for a FT experienced MGA. Must have EMR (electronic medical record) and scanning experience. You will be able to multitask, work independently, have great work ethics and be reliable. A sense of humour and work enthusiasm will be most welcomed to join our team. Please fax your resume along with references from the medical field. 250-748-0222

HEAVY DUTY TRUCK PARTSMAN, EXPERIENCE: is required for permanent employment. Must have mechanical knowledge & be computer & keyboard literate. Attention: Norma, Bailey Western Star Trucks Inc. 1440 Redwood St. Campbell River, BC V9W 5L2 250-285-1157. chris@baileywesternstar.com

PART TIME OPPORTUNITY: ANDERSON MERCHANDISER-CANADA INC. requires a Merchandiser to service and maintain various product lines in Duncan retail outlets. Reliable transportation, computer with internet and printer access to digital camera and able to lift up to 50lbs. is required. "Panasonic" and/or retail experience is an asset. Approximately 5+ hours per week. Salary range is between \$10-\$14 per hour. Email resume to: hcanada@americh.com or fax to 905-793-6765

HELP WANTED: An Alberta Construction Company is hiring Dozer and Excavator Operators. Preference will be given to operators that are experienced in offroad road and lease construction. Lodging and meals provided. The work is in the vicinity of Edmonton, Alberta. Aircraft & Ground School required. Call: Concor Construction at 780-723-5051.

Looking for a NEW job? www.bclassified.com

COMING EVENTS

BC Job Network

HELP WANTED

LEADER PICTORIAL

DELIVERY DRIVER WITH OWN VEHICLE

I am currently accepting applications for the bulk delivery of the Cowichan News Leader Pictorial. Delivery days are Wednesday and Friday early mornings, with a delivery completion time of 9 A.M. Relief drivers are required for holiday relief/on-call emergency situations. Relief positions sometimes lead to permanent positions if/when routes come available.

Applicants must be:

- energetic
- like very early mornings and all kinds of weather
- have their own reliable vehicle (van, enclosed canopy truck, etc)
- physically fit and capable of repeated heavy lifting

Bulk routes require use of your own truck with canopy or van.

Compensation is based on mileage, number of papers and number of drops/stops.

Please send resume to:
Lara Stuart, Circulation Manager, via e-mail or fax: circulation@cowichannewsleader.com
Fax No. 250-746-8529

***No phone calls or drop-ins please**

Get your wallet and your LEGS in SHAPE

Permanent Carriers Required On The Following Routes:

DUNCAN
100500 - 2248-2301 Quamichan Park Rd, 5918 Jaynes Rd (22 papers)
102430 - 3497 Gibbins Rd - Evergreen MHP (85 papers)
104503 - Dogwood Rd, Glenora Rd West, Miller, Tzinquaw (64 papers)
104510 - Eagle Heights, Miller, Mountain View (58 papers)
104515 - Laurel Grove, Miller, Shmaquwutut (48 papers)

CHEMAINUS
456000 - Caswell, Cecelia, Front, Hillside, Jonas, Josephine, River, Rose (79 papers)
456060 - Daniel, Pine (70 papers)
456202 - Cedar, Fir, Oak (73 papers)

MAPLE BAY
153945 - Kingsview, Magnolia, Nimpkish, Selkirk (62 papers)

SHAWNIGAN LAKE
354250 - Evergreen, Gregory, Hunter, MacFarlane (50 papers)
354252 - Catalina, Dandelion, Forest Grove, McKean, Penny, Poplar, Portree, Scoobal, Welcome, Worthington (55 papers)
354275 - Ravenhill, Skirmshire (41 papers)
354350 - Bob O Link, Dundas, Jersey, Robin Hill, Thrush, Wallbank (69 papers)

*all paper counts are approximates.

CALL LARA NOW 250-856-0047

Appendix 2: Open House, Sign in

TELUS Site ID: BC1583 - Duncan South - Hwy1 / Cowichan Way

Communications Tower

2965 Boys Road, Duncan, British Columbia V9L 6W4

Open House Sign In

14-Nov-12

No.	Name	Address	Phone	Email
1	At Woodcock		250-746-7100	
2	ALEX OLSON			
3				
4				
5				
6				
7				
8				
9				

Appendix 3: Comments

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
2965 Boys Road, Duncan, BC
TELUS SITE ID: BC1583 – Duncan South - Hwy1 / Cowichan Way

1. Do you feel this is an appropriate location for the proposed facility?

- ☒ Yes
☐ No

Comments: MOSTLY INDUSTRIAL AREA, VERY FEW
CLOSE BY RESIDENTS.

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☒ Yes
☐ No

Comments _____

3. Additional Comments: BETTER CELL COVERAGE NEEDED
SOUTH COWICHAN AREA.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

AL WOODCOCK
(Please print clearly)

Email Address

al.woodcock@live.ca

Mailing Address

5868 AVENUE CRES
DUNCAN BC V9L 4X4

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager, Land Projects (BC)

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
2965 Boys Road, Duncan, BC
TELUS SITE ID: BC1583 – Duncan South - Hwy1 / Cowichan Way

1. Do you feel this is an appropriate location for the proposed facility?

☒ Yes
☐ No

Comments _____

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☒ Yes
☐ No

Comments _____

3. Additional Comments: _____

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name AXEL OLSON
(Please print clearly)
Email Address _____
Mailing Address _____

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager, Land Projects (BC)

Thank you for your input.



R8

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 5, 2013

DATE: January 31, 2013

FILE NO:

FROM: Rob Conway, MCIP
Manager, Development Services Division

BYLAW NO:

SUBJECT: Request for Letter of Concurrence – Proposed Telecommunication Tower at 4650 Trans Canada Highway (John Deere)

Recommendation/Action:

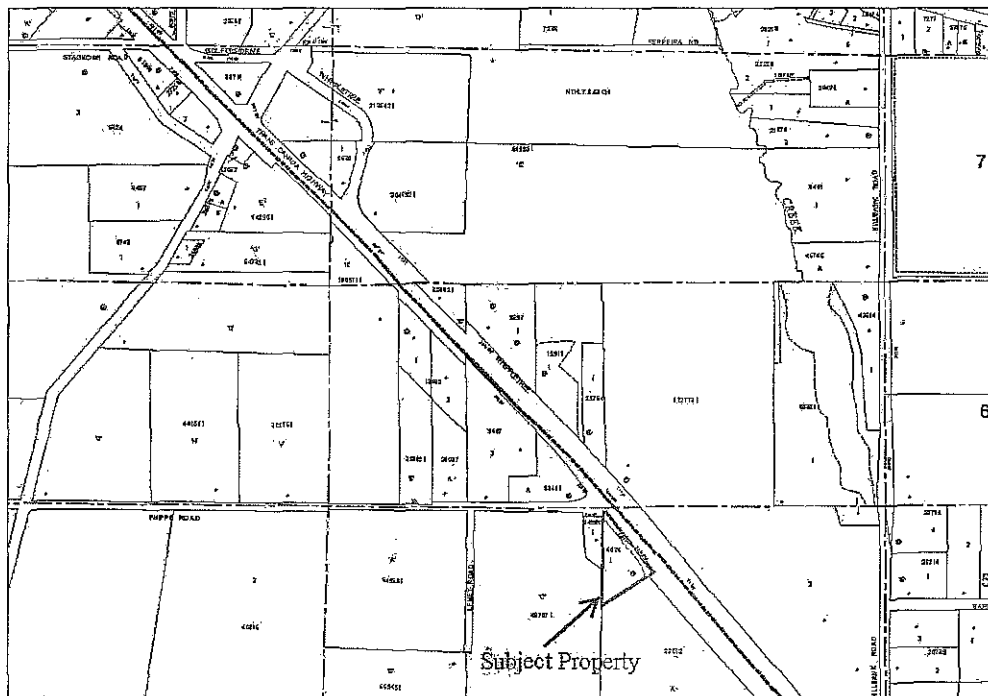
That the Committee consider a request for a letter of concurrence for a telecommunications tower at 4650 Trans Canada Highway (John Deere).

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

Subject Property:



The Proposal:

TELUS is proposing to install a 40 metre monopole tower on a property at the corner of Phipps Road and the Trans Canada Highway in Electoral Area E, which is presently used for an agricultural equipment business (John Deere). The proponent intends to construct a 40 metre tower in the southern corner of the property, along with associated works including a 90 square foot equipment shed, generator, and fenced compound. A full description of the proposal is provided in the information package attached to this report.

Visual Impact:

The base of the tower would be approximately tower would be setback approximately 80 metres from the highway. It is expected that equipment shed and the lower portion of the tower would be largely screened from the highway by the existing building onsite, but the upper portion of the tower would be visible from the highway and the surrounding area. Although the property where the proposed tower would be situated is zoned for limited industrial use, the surrounding lands are predominantly rural and agricultural, so the tower would have some visual impact on the area. Photo simulations of the proposed tower are included in the proponent's information package.

Health and Safety:

Industry Canada requires that telecommunications are operated in accordance with the safety guidelines established by Health Canada's Radiation Protection Bureau as set out in the publication *Limits to Radio Frequency Fields at Frequencies from 10khz to 300 Ghz*, otherwise referred to as "Safety Code 6". The proponent has confirmed that the proposed tower will be installed and operated in accordance with Safety Code 6.

Public Consultation:

The proponent has advised they have completed public consultation process required by Industry Canada's Default Public Consultation Process. This included the following:

- Notification of property owners and occupants within 120 metres of the proposed tower;
- Publication of a notice in the Cowichan News Leader Pictorial on September 14, 2012;
- Hosting an open house at The Hub on October 2, 2012 from 5:00-7:30pm.

The proponent advised that 22 individuals attended the open house, and that 12 written comments were received. Three of the written comments were opposed, three were neutral and six were supportive.

Policy Context:*Official Community Plan Bylaw No. 1490:*

The subject property is designated Industrial in the OCP. Adjacent properties to the west and south are designated Agricultural and are in the Agricultural Land Reserve. The OCP provides no specific guidance regarding telecommunication towers.

Zoning Bylaw No. 1840:

The subject property is zoned Restricted Light Industrial (I-5). The I-5 zone does not explicitly permit telecommunication facilities as a permitted use, but "utility use" is permitted in all zones. The definition of utility use includes "broadcast transmission facilities licensed by a government". In any case, since telecommunications is a federal authority, local zoning does not apply to facilities licensed by the federal government.

The I-5 zone specifies a maximum height for buildings and structures of 10 metres. However, Section 5.10 of Zoning Bylaw No. 1840 exempts "radio and television antenna" and "federally regulated microwave communication tower" from the height restriction.

A 9.0 setback is required from all property boundaries for buildings and structures in the I-5 zone. As federally regulated telecommunication towers are exempt from local government zoning a variance is not mandatory a variance or adjustment of the proposal to comply with zoning setbacks could be requested if the proposed setbacks are a concern.

Options:

Since the CVRD does not have established policy regarding the location of telecommunications towers, staff do not have a good basis for providing a recommendation regarding the request for a letter of concurrence. Therefore the following three options are identified for the Committee's consideration, with direction from the Committee requested.

Option 1:

That the Board instruct staff to advise Industry Canada in writing that:

- 1) Telus has satisfactorily completed its consultation with the Cowichan Valley Regional District regarding the proposed telecommunication tower at 4650 Trans Canada Highway (John Deere)
- 2) The Cowichan Valley Regional District is satisfied with the public consultation process conducted for the proposed telecommunication tower; and
- 3) The Cowichan Valley Regional District concurs with the proposal to construct a telecommunication tower at 4650 Trans Canada Highway (John Deere) provided it is substantially in accordance with the plans submitted to the CVRD in the information package dated January 18, 2013.

Option 2:

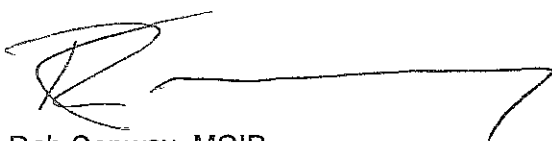
That the Board instruct staff to advise Industry Canada that it does not support the proposal to construct a telecommunications tower and associated facilities at 4650 Trans Canada Highway (John Deere) for reasons identified by the Committee.

Option 3:

That no response be sent to Industry Canada regarding the proposed telecommunications tower and associated facilities at 2965 Boys (Eagles Hall).

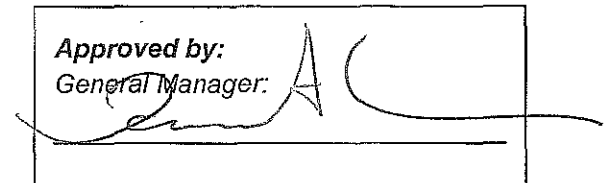
Committee direction is requested.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning & Development Department

Approved by:
General Manager:



RC/ca
Attachments



StandardLand

*Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1*

*Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com*

January 18, 2013

VIA E-MAIL: rconway@cvr.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

SUBJECT: REQUEST FOR CONCURRENCE, TELUS TELECOMMUNICATIONS TOWER
LOCATION: 4650 Trans-Canada Hwy, Cowichan Bay, British Columbia V9L 6L2
PID#: 000-107-441
TELUS SITE #: BC1283 - Cowichan Station – Koksilah Rd. / Weber Rd.

In reference to TELUS' proposal to build a 40 metre telecommunications tower, please be advised that TELUS has completed the public consultation process and is respectfully requesting, from members of the Board, concurrence on the location of a new tower that will be servicing the Cowichan Station area.

TELUS and agents representing TELUS have been working with staff, elected officials and the community to find an appropriate location for a telecommunications structure that would service the community. TELUS has fully complied with Industry Canada's consultation requirements, as well as, in response to the request of Board members, hosted a community consultation event (Open House) in October 2012. Efforts regarding this public consultation process are as follows:

September 13, 2012	As per Industry Canada's Default Consultation Process, notification packages were issued to property owners within three (3) times the tower height (120 metres) and, as a result a total of eight (8) properties were notified.
September 14, 2012	Notice of proposed tower project and invitation to Open House placed in the Cowichan News Leader Pictorial.
October 2, 2012	As requested by the Board, TELUS hosted an Open House at The HUB at Cowichan Station at 2375 Koksilah Road between 5:00 pm and 7:30 pm. TELUS representatives were available to hear from the community and address any questions or issues. The Open House was attended by a total of 22 individuals. 12 written comments were received at the Open House regarding the proposed tower; three (3) opposed, three (3) neutral, and six (6) in support. The majority of comments received included the need for improved wireless service in the area. Other concerns included health and safety. TELUS representatives

	confirmed that the tower is fully compliant with Health Canada's Safety Code 6 regulations that are in place to protect Canadians from radio frequency exposure.
October 2, 2012	Conclusion of 30 day consultation period. During the consultation period. No further comments were received.

TELUS looks forward to improving service in the Cowichan Valley Regional District and support from the Board of Directors. Attached is a sample resolution (**Appendix 1: Sample Resolution**) which may be used as a form of Board concurrence. Should you require any additional information, please do not hesitate to contact us at 1-877-687-1102 or by e-mail at kierstene@standardland.com.

Sincerely,

Standard Land Company Inc.
Agents for TELUS



Kiersten Enemark
Director, Land & Municipal Affairs

cc: Brian Gregg, Senior Real Estate & Government Affairs Manager, TELUS
Michael Walsh, Real Estate & Government Affairs, TELUS

Appendix 1: Sample Resolution

Resolution

WHEREAS TM MOBILE INC. proposes to erect a wireless telecommunication tower and accessory structure on certain lands more particularly described as, LOT 1, SECTION 5, RANGE 2, COWICHAN DISTRICT, PLAN 5078, with the civic address of, 4650 Trans-Canada Hwy, Cowichan Bay, BC;

AND WHEREAS proponents of telecommunication towers are regulated by Industry Canada on behalf of the Government of Canada and as part of their approval, Industry Canada requires proponents to consult with land use authorities as provided for in CPC-2-0-03;

AND WHEREAS TM MOBILE INC. has consulted with the Cowichan Valley Regional District and the Cowichan Valley Regional District planning staff have no objection to the proposed telecommunications tower;

AND WHEREAS TM MOBILE INC. has consulted with the public by notifying all property owners and occupants within three (3) times the tower height and has provided thirty (30) days for written public comment;

AND WHEREAS there are no significant land use issues identified by the consultation;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Clerk be instructed to advise TM MOBILE INC. that:
 - a) TM MOBILE INC. has satisfactorily completed its consultation with the Cowichan Valley Regional District;
 - b) The Cowichan Valley Regional District is satisfied with TM MOBILE INC.'s public consultation process and does not require any further consultation with the public; and
 - c) The Cowichan Valley Regional District concurs with TM MOBILE INC. proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it and described as 4650 Trans-Canada Hwy, Cowichan Bay, BC.



StandardLand

*Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1*

*Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com*

January 18, 2013

VIA E-MAIL: rconway@cvrld.bc.ca

Rob Conway
Manager, Development Services
Cowichan Valley Regional District
175 Ingram Street
Duncan, British Columbia
V9L 1N8

Dear Mr. Conway,

Subject: Results of Public Consultation Process – TM Mobile Inc. ("TELUS") Proposed Radiocommunications Facility
Location: 4650 Trans-Canada Hwy, Cowichan Bay, British Columbia V9L 6L2
PID#: 000-107-441
TELUS Site #: BC1283 - Cowichan Station – Koksilah Rd. / Weber Rd.

Standard Land Company Inc. ("SLC"), agents for TELUS, completed the Industry Canada Default Public Consultation Process as part of TELUS' requirement to consult for the proposed radiocommunications facility at 4650 Trans-Canada Hwy, Cowichan Bay, British Columbia. This public consultation process involves notifying properties within six (6) times the tower height in writing. Any interested property owner(s) or stakeholder(s) may make comment regarding the proposal with relevant and reasonable concerns within a 30 day period.

SLC notified all property owners/occupants in writing, within approximately 120 metres from the proposed tower location along with the Cowichan Valley Regional District (CVRD) and Industry Canada staff with a notification package on September 13, 2012 inviting comment. In total approximately eight (8) notifications were mailed to owners/occupants. A Notice of the proposed tower project was also placed in Cowichan News Leader Pictorial (please see **Appendix 1: Affidavit of Notification and Newspaper Notice**).

TELUS hosted an Open House on October 2, 2012 at the HUB at Cowichan Station at 2375 Koksilah Road between 5:00 pm and 7:30 pm. The open house was attended by a total of 22 individuals (please see **Appendix 2: Open House, Sign in**). Closing date for comments was October 2, 2012. Throughout the consultation process a total of 13 comments were received. Four (4) expressed concern, three (3) were neutral, and six (6) were in support of the tower. The majority of comments received were seeking improved wireless service in the area. Other concerns included health and safety. TELUS representatives confirmed that the tower is fully compliant with Health Canada's Safety Code 6 regulations that are in place to protect Canadians from radio frequency exposure (please see **Appendix 3: Comments**).

To date, no further responses have been received as a result of the consultation process. Please feel free to contact the undersigned if you require further details and/or information.

Sincerely,

Standard Land Company Inc.
Agents for TELUS

A handwritten signature in black ink, appearing to read 'Kiersten Enemark', with a stylized, looping flourish at the end.

Kiersten Enemark
Director, Land & Municipal Affairs
Phone: 1-877-687-1102
Email: kierstene@standardland.com

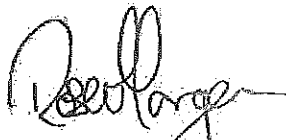
cc: Brian Gregg, Senior Real Estate & Government Affairs Manager, TELUS
Michael Walsh, Real Estate & Government Affairs, TELUS

Appendix 1: Affidavit of Notification and Newspaper Notice

Affidavit of Standard Land Company Inc.

I, Rosa Morgan, Site Acquisition Administrator (BC) in the City of Vancouver in the Province of British Columbia, make an Oath and say:

1. THAT I caused to be sent by regular mail a notification letter, as included in Appendix A, to property owners and recipients, as listed in Appendix B, on Thursday, September 13, 2012.



Rosa Morgan, Site Acquisition Administrator
Standard Land Company Inc.

Sworn/Affirmed/Declared before me at the City of Vancouver, in the Province of British Columbia, this 13th day of September 13, 2012.



(Commissioner's Signature)

A Commissioner for Taking Affidavits for the Province of British Columbia

Cameron Martin Carruthers

A Commissioner for Taking Affidavits
for British Columbia
Standard Land Company Inc.
610 - 688 West Hastings Street
Vancouver, BC V8B 1P1
Tel: (604) 687-1119
Expires: June 30, 2013

(Commissioner's stamp or printed name and expiry date)

Appendix A: Notification Letter



September 12, 2012

Dear Landowner / Occupant,

Re: Proposed 40 metre TELUS
Radiocommunications Facility
Address: 4650 Trans Canada Hwy, Duncan,
British Columbia V9L 6L2
Legal: LOT 1, SECTION 5, RANGE 2,
COWICHAN DISTRICT, PLAN 5078
PID: 000-107-441
Coordinates: 48.735691 N, -123.650462 W
TELUS Site: BC1283 – Cowichan Station –
Koksilah Rd. / Weber Rd.

**TELUS is inviting
the community to an Open House:**

On: October 2, 2012
From: 5.30 pm to 7.00 pm

Location:
The Hub, Cowichan Station
2375 Koksilah Road
Duncan, BC V9L 6M5

Wireless technology offers many benefits to Canadians. Millions of individuals rely on wireless voice, data and internet communications to enhance their personal security and safety, as well as enjoy more frequent contact with family, friends and business associates to make more productive use of their personal and professional time. In response to demand for improved coverage within the Cowichan Valley Regional District ("CVRD"), TELUS is proposing the construction of a new radiocommunications installation.

TELUS' Proposal

TELUS is proposing a 40 metre monopole tower on light industrially zoned land at the above-noted coordinates. All of the equipment necessary to operate this facility will reside within a shelter located at the base of the tower. The location has been chosen and acquired within an area zoned as Restricted Light Industrial.

Authority

Although Industry Canada has exclusive jurisdiction over the placement of wireless radiocommunications facilities, it requires the carriers to consult with the local municipality and the general public regarding new installations. The municipal consultation process is intended to provide an opportunity to have landowner questions addressed while respecting federal jurisdiction over the installation and operations of radiocommunications systems. Any inquiries that are received as a result of this notification will be logged and submitted to the CVRD and Industry Canada as part of our application for concurrence.

Industry Canada's Default Public Consultation

As the CVRD does not have an established and documented public consultation process applicable to tower siting, TELUS is required to follow the Industry Canada Default Public Consultation process. This letter will provide written notification to adjacent landowners within three times the structure height and provide you with an opportunity to engage in reasonable, relevant, and timely communication regarding this proposal.

1. *Purpose* - The purpose of the proposed tower is to improve TELUS' wireless coverage in the CVRD. Currently, there are no existing antenna support structures or other feasible infrastructure that can be utilized; as a result, a new antenna support structure is required.

2. *Location* - The tower will be located at the 4650 Trans Canada Highway, Duncan, BC V9L 6L2, in the southwest corner of the parcel, behind the existing on site building (John Deere Dealership).

3. *Safety Code 6* - Industry Canada requires all wireless carriers to operate in accordance with Health Canada's safety standards. TELUS confirms that the tower described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time.
4. *Site Access* – An existing approach off the Trans Canada Hwy, will be utilized to access the tower. Construction is anticipated to take 30 to 45 days. Once complete, the site will only be accessed for routine maintenance visits which typically occur once or twice a month. To safeguard the site from the general public, the tower base and equipment shelter will be enclosed by a fence.
5. *Environment* - TELUS confirms that the installation is excluded from environmental assessment under the *Canadian Environmental Assessment Act*.
6. *Design* - This proposal is for a 40 metre monopole tower, related equipment area and fencing. A preliminary design of the tower profile and compound plan is included in this notification for your reference.
7. *Transport Canada* - The tower will be marked in accordance with the Department of Transportation and NAV Canada requirements.
8. *Structural Considerations* - TELUS confirms that the antenna structure described in this notification package will apply good engineering practices including, structural adequacy during construction. The facility will be built to the National Building Code as well as the BC Building Code.
9. *Local Municipality* – The Cowichan Valley Regional District does not have an Antenna Siting Protocol and as such we are applying Industry Canada's Default Public Consultation process. This proposal is located in lands zoned as Restricted Light Industrial.
10. *General Information*- General information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website:

http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/h_sf01702e.html.

11. *Contacts:*

TELUS

c/o: Chad Marlatt
Standard Land Company Inc.
Agents for TELUS
Suite 610, 688 West Hastings Street
Vancouver, BC V6B 1P1
Phone: 1 (877) 687-1102
E-mail: commentsbc@standardland.com

Industry Canada:

Vancouver Island Office
Room 430, 1230 Government Street
Victoria, BC V8W 3M4
Phone: (250) 363-3803
E-mail: victoria.district@ic.gc.ca

Cowichan Valley Regional District

175 Ingram Street
Duncan, BC V9L 1N8

Should you have any specific questions regarding the proposal, please feel welcome to contact the above-listed herein, or return the comment sheet via fax (604) 687-1339 or by mail to TELUS by **October 15, 2012**.

Location Plan – Aerial

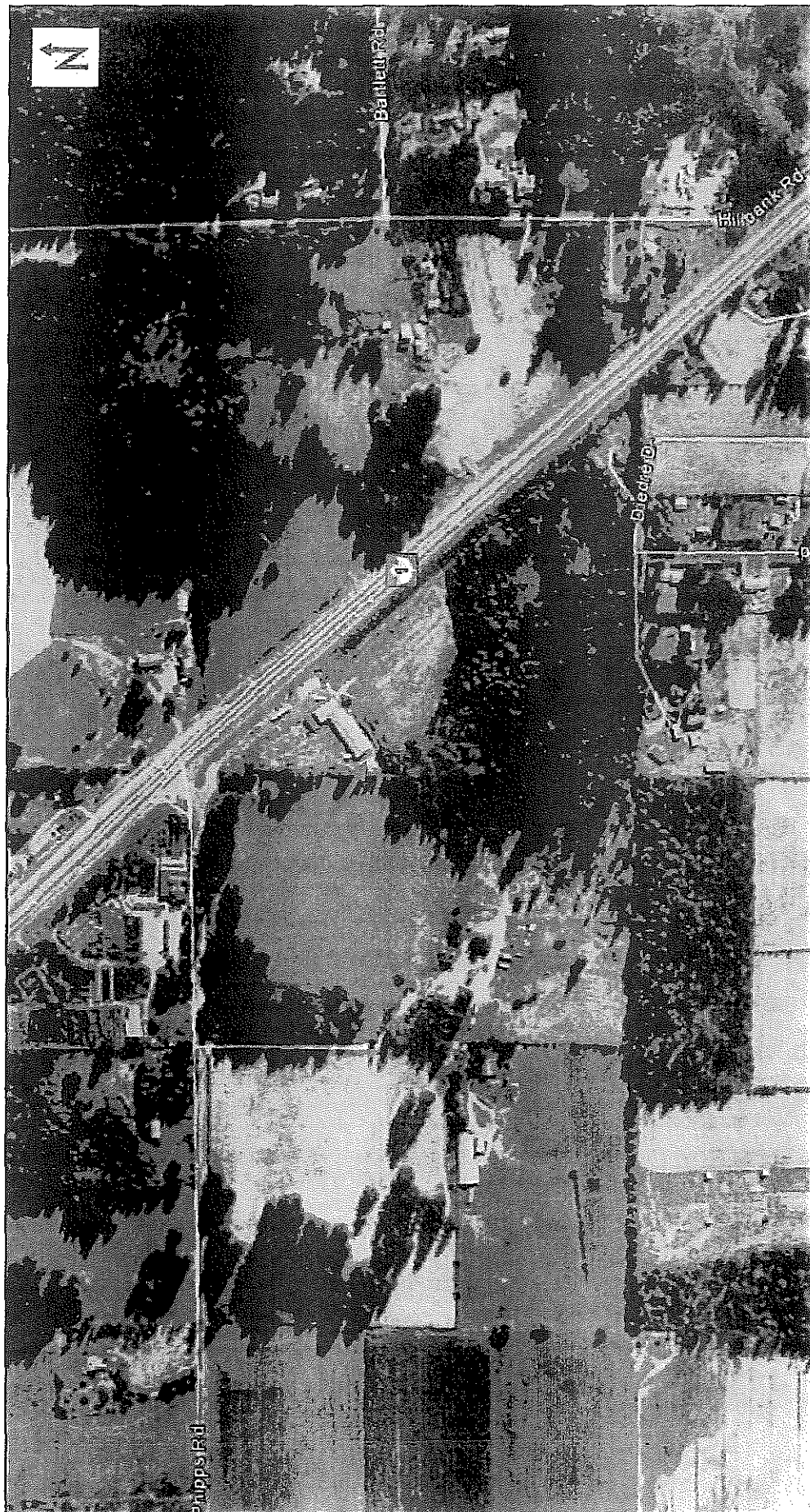


PHOTO SIMULATION

Proposed Tower – Before Construction



View: from Phipps Road looking south towards tower location.

Proposed Tower – After Construction

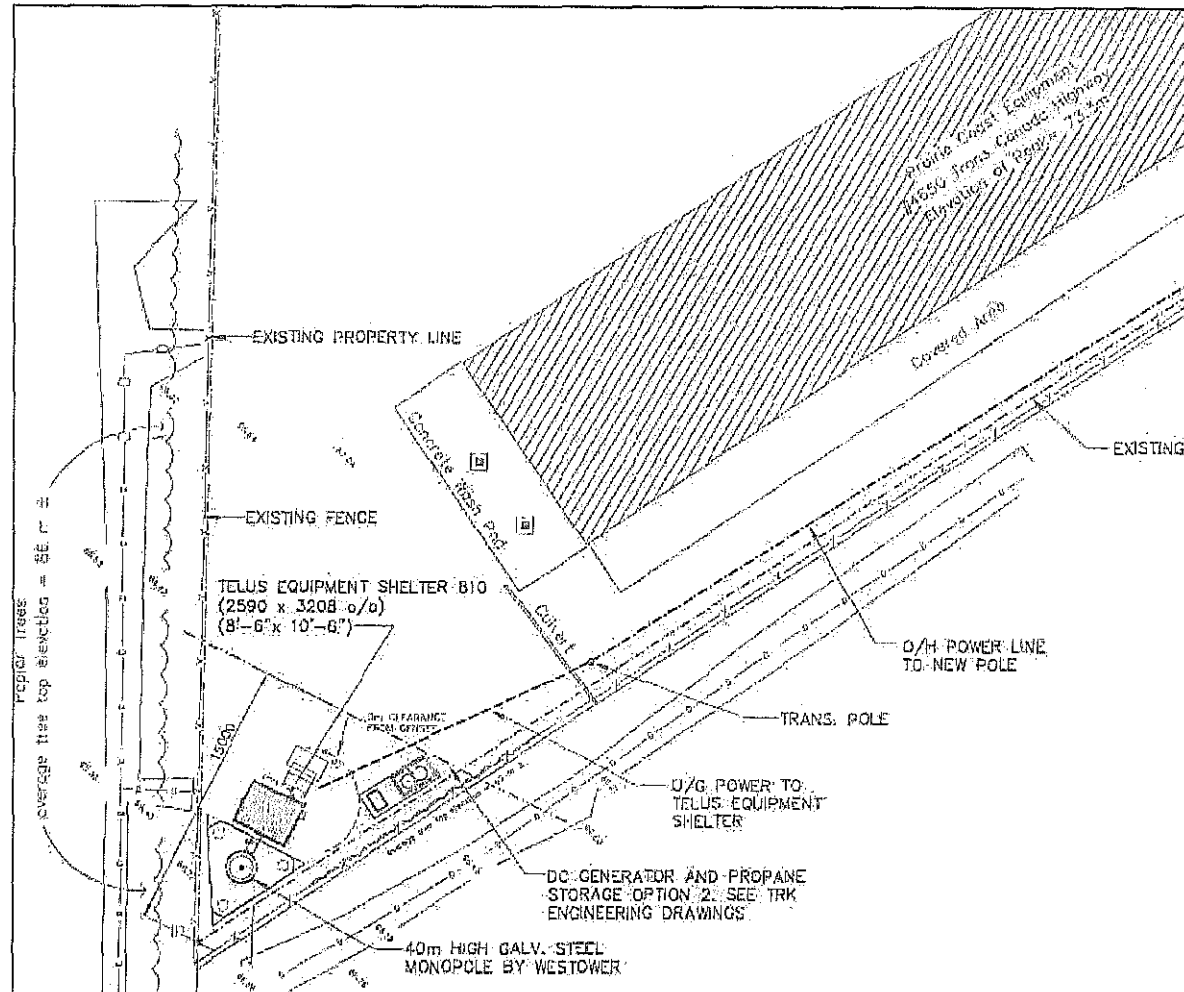


View: from Phipps Road looking south towards tower location.

*Photo Simulation is a close representation and is for conceptual purposes only – not to scale.
Proposed design is subject to change based on final engineer plans.*

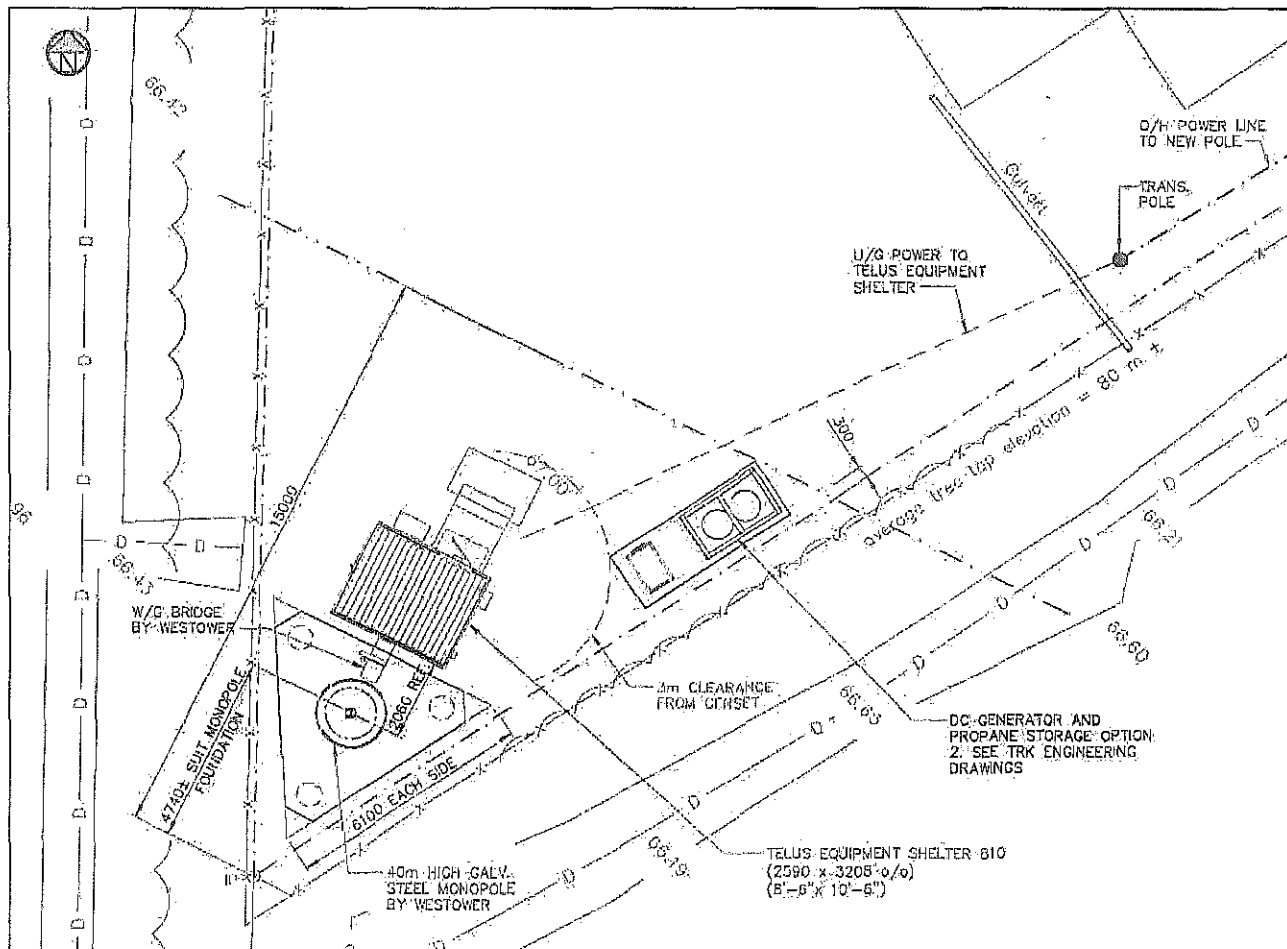
The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.

Site Plan



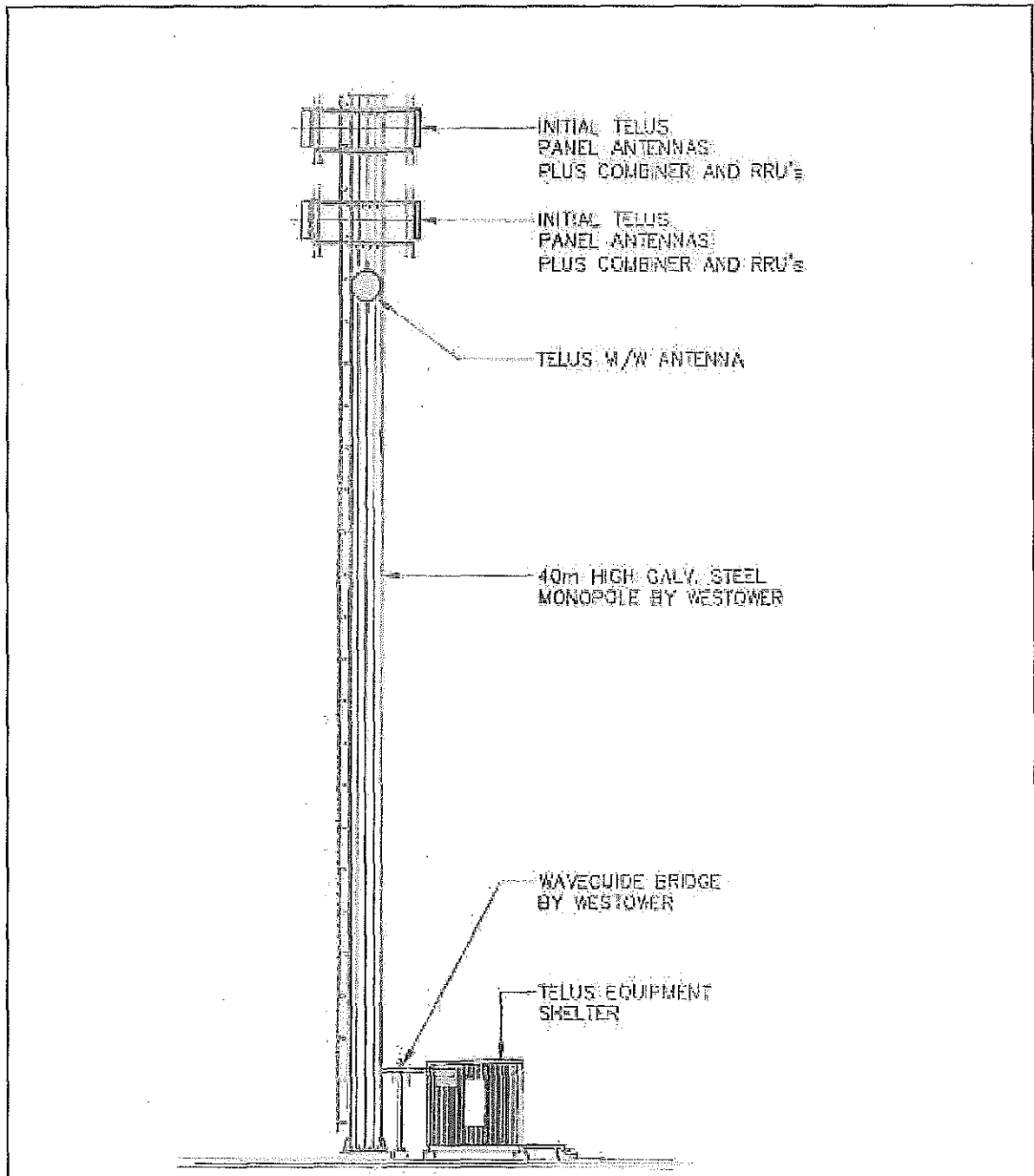
Note: not to scale

Compound Plan



Note: not to scale

Tower Profile



Note: not to scale

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☐ Yes
☐ No

Comments _____

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☐ Yes
☐ No

Comments _____

3. Additional Comments _____

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name _____
(Please print clearly)
Email Address _____
Mailing Address _____

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

Appendix B: List of Property Owners and Recipients

Michael Donald Reeves
Anna Marie Reeves
605 Lambert Avenue
Nanaimo, BC
V9r 3n9

Wandering U Inc., Inc.No. A-55186
Po Box 6239 Stn Main
255-9913 100th Avenue
Peace River, Alberta
T8s 1s2

Olive Jean Luscombe, Homemaker
3915 Clearwater Road, Rr6
Cobble Hill, BC
V0r 114

630947 B.C. Ltd., Inc.No. 630947
1840 Stewart Avenue
Nanaimo, BC
V9s 4e6

Occupant
2200 Phipps Road
Duncan, BC V9l 6l2

Occupant
4650 Trans Canada Highway
Duncan, BC V9l 6l2

PID: 003-378-781
Vacant -- no letter sent

Occupant
2238 Leney Road,
Duncan, BC V9L 6L7

Ministry Of Transportation and
Infrastructure
PO BOX 9850
Station Provincial Government
Victoria, BC V8W 9T5

Cowichan Valley Regional District
Attention: Rob Conway
175 Ingram Street
Duncan, BC V9L 1N8

Industry Canada
Spectrum Management
Room 430 -- 1230 Government Street
Victoria, BC V8W 3M4

COMMUNITY ANNOUNCEMENTS

INFORMATION

You save space & differences
Save the Bread Van!

Did you know that the Cowichan Food Connection, which operates the Bread Van, relies on public donations to FUEL the Van? Our fuel bill alone is over \$2000/month and many months we do not have the necessary funds & the bills are piling up.

Every week we deliver in upwards of 3000 loaves of bread and baked goods throughout the Cowichan Valley. It is all donated to people who would otherwise go hungry (schools, Food Banks, Seniors Centres, & many more). Go to <http://cowichanfoodconnection.com> to find out how you can help.

"Digitized access to food for all"

PERSONALS

COMPASSIONATE Woman interested in chatting with male & female friends. Text me or call (250)732-9050

LEGALS

ATTENTION:

Sharon (Lomax) Duxbury Contents of locker #37 rented at Chemainus Mini Storage and Services, 9385 TCH Chemainus, B.C. 246-4010

Will be disposed of on September 15, 2012 Unless rent owing is paid in full before this date.

GLENORA HALL Annual General meeting, Sept 25, Tuesday, 7 p.m.

CELEBRATIONS

Happy 50th Anniversary
Chuck & Joanne Boyes
Sept 22, 2012



Friends and family are invited to drop in to wish mum and dad a happy anniversary at Kuty Park Recreation Centre Sept 22nd from 1-5 pm

Love from your family

TRAVEL

GETAWAYS

LONG BEACH - Uclulet -
Deluxe waterfront cabin, sleeps 8, BBQ, Full Special, 2 nights \$239 or 3 nights \$299 Pets Okay. Pick 604-366-0691

PERSONALS

Recognize Habits and Patterns



• Grief/Loss • Addictions
• Fears & Phobias • Weight Loss
• Self Esteem/Confidence

For Over 30 Years
Assisting People in the Valley

Techniques include:
Hypnosis R.E.T. T.A.T. WHEE

Barbara Adelsburg C.M.H., R.T.
is a Certified Hypnotherapist

106-225 Canada Ave., Duncan
746-1069

www.barbaradelburg.ca

COMMUNITY ANNOUNCEMENTS

LEGALS

WAREHOUSEMAN'S
Lien Act

Notice is hereby given that the goods placed by:
Peter MacIntyre of #10 - Deer Lodge Motel, will be disposed of and/or sold September 25, 2012, @ 10:00 am, at Cobble Hill Self Storage for the purpose of partly satisfying the contract agreement on the contents of the storage unit located Cobble Hill Self Storage #4 3345 Trans Canada Hwy Cobble Hill BC:
Unit # 116 Peter MacIntyre \$932.98

LOST AND FOUND

FOUND - 3 keys on ring with yellow plastic tag (no pin) at Trunk & Festubert. Claim at Cowichan Ticket Centre in Island Savings Centre.

LOST BIKE accessory called White Speed Zone Cyclo Computer handle bar unit, made by "Specialized" when traveling Gairnora and Marie Trail, (Trans Canada Trail). Call if found, (250)748-5855.

LOST: DOG, Sheltie, black/white/tan, female, tattoo, Shawigan Beach Estates, Aug. 25. Call (250)339-0494 or (250)937-2451.

LOST: KITTEN, approx 4 mos old, female, Calico, last seen Gibbons Rd area, Sept. 5, (Reward). Call (250)715-3798.

LOST: MEN'S gold wedding ring Christian fish on front, wedding date on inside. Sentimental, reward (250)937-4510

CELEBRATIONS



Happy 40th Birthday
Michelle

Tuesday,
September 18, 2012
Love the Family

HELP WANTED

MUNICIPALITY of North
COWICHAN

We are accepting applications for the position of Skate Shop Helper/Maintenance and Patrol (casual) at the Fuller Lake Arena. To learn more about this opportunity, please visit the employment section on our website at www.northcowichan.ca

WE'RE ON THE WEB

bcclassified.com

www.bcclassified.com

PERSONALS

ACCOUNTING/BOOKKEEPING

ACCOUNTANT

Pacific Energy, one of the Cowichan Valley's most desirable employers, is one of Canada's preeminent manufacturers of quality wood and gas hearth products. We are seeking an Accountant to perform a variety of accounting support functions. Although an accounting designation is not essential for this Part Time role - 3 days per week - some form of professional accountability could be an asset. Please forward your resume in confidence to **Chuck Richardson** at chuck@pacificenergy.net

EDUCATION/TRADE SCHOOLS

FOODSAFE AT Island Savings Centre, Sept. 29 & October 27 courses 8:30-4:30 \$85. 250-746-4154 www.safefood.ca

INTERIOR HEAVY EQUIPMENT OPERATOR SCHOOL. No Simulators. In-the-seat training. Real world tasks. Weekly start dates. Job board Funding options. Apply online! IHschool.com 1-866-399-5853

HELP WANTED

An Alberta Construction Company is hiring Digger and Excavator Operators. Preference will be given to operators that are experienced in oilfield road and lease construction. Lodging and meals provided. The work is in the vicinity of Edson, Alberta. Alcohol & Drug testing required. Call Conlour Construction at 780-723-5051.

PEGASUS RESTAURANT
PREP COOK REQUIRED
Apply in person
5838 Trans Canada Hwy
No home calls please

TAXI DRIVER, permanent P/T days or P/T nights. Need Class 1, 2 or 4 license. Fax resume & driver's abstract to Duncan Taxi (250)746-4567.

INFORMATION

PUBLIC NOTICE OF OPEN HOUSE

PROPOSED TELUS TELECOMMUNICATIONS FACILITY
40 METRE MONOPOLE STRUCTURE

PROPOSED STRUCTURE: As part of the public consultation process required by Industry Canada, TELUS is inviting the public to comment on a proposed telecommunications facility consisting of a 40 metre monopole tower and ancillary radio equipment. Facility to be located at the rear of the John Deere building on-site.

LOCATION: 4850 Trans Canada Hwy, Duncan, BC V9L 8L2.

COORDINATES: Lat: 48.735691 N, Long: -123.650462 W

LEGAL: LOT 1, SECTION 5, RANGE 2, COWICHAN DISTRICT, PLAN 5078

PUBLIC INFORMATION MEETING: TELUS is inviting the community to an Open House to be held on October 2, 2012 at The Hub, Cowichan Station, 2375 Koksilah Road, Duncan, BC V9L 6M5 from 5:30 pm to 7:00 pm

ANY PERSON may comment by close of business day on October 15, 2012 with respect to this matter.

TELUS CONTACT: Further information can be obtained by contacting Ched Mariett, Manager Land Projects, Standard Land Company Inc. Agents for TELUS
Suite 610 - 688 West Hastings Street
Vancouver, BC V6B 1P1
Tel: 1 (877) 687-1102
Fax: (604) 687-1339
Email: comment@standardland.com

BCjobnetwork

HELP WANTED

DOG HOUSE RESTAURANT
NOW HIRING
Full Time Reliable
Hostess
+
Cook

Compelling a unique
Excellent Benefit Package.
Apply in person to
271 Trans Canada Hwy, Duncan
(or email info@doghouse.ca)

FOXSTONE STABLE requires 2 experienced stable staff for mucking, turnout, feeding and chores. Monday to Friday, 8am to 5pm and Saturday, 8am to 12pm, email resumes to foxstone@shaw.ca or fax 250-743-3278

Required for an Alberta Trucking Company. One Class 1 Driver. Must have a minimum of 5 years experience pulling low boys and driving off road. Candidate must be able to pass a drug test and be willing to relocate to Edson, Alberta. Scheduled Days Off: Call Lloyd 780-723-5051

WrapZone Duncan is seeking WRAP ARTISTS. Don't want to work in a grease pit and smell like you've been deep-fried? We focus on a healthy lifestyle and provide a fun and upbeat work environment. What's not to like about Wrap? FoodSafe required. Please apply to wzduncan@wrapzone.com

WRECKER OPERATOR Required for Mill Bay based low company. Class 1 license required. Applicants should live in the Mill Bay area. Fax resume and drivers abstract to 250-743-1523

PICKERS

WE BUY GREENS CEDAR, 27/b PINE/FR 32/b Robbins Winches 1000 Splice Lark Qualicum Phone 250-757-9661 email: robbinswreaths@yahoo.com

TRADES, TECHNICAL

EXP. TICKETED, Autobody Tech required to perform quality, efficient repairs. Benefits Available. Wage based on experience. Fax 250-287-2432. Email: richsauto@shaw.ca

FABRICATOR with pressure vessel exp. req'd for M/R union shop. Stable P/T position. Email resume mike@emmg.com

INFORMATION

TRADES, TECHNICAL

MECHANICAL
DRAFTSPERSON

PACIFIC ENERGY, a manufacturer of quality hearth products, has a requirement for a Mechanical Draftsperson proficient in Solidworks. Consideration will be given to candidates with proficiency in other CAD software. Hands-on skills in sheet metal fabrication, welding, etc would be an asset.

Please forward your resume to **Chuck Richardson** at chuck@pacificenergy.net or deliver in person to Pacific Energy, 2975 Allenby Rd., Duncan.

PRODUCTION
WELDERS

Pacific Energy is seeking mig welders for their wood stove production line. A ticket is not required.

We offer a great opportunity to start your welding career while earning competitive wage rates. The company also offers an excellent fully company paid benefits package.

Please deliver your resume in person or by e-mail to the attention of **Chuck Richardson** at 2975 Allenby Rd, Duncan chuck@pacificenergy.net

VOLUNTEERS

Do you ever ask yourself
How can I
make a difference?
Contact us, and together we
can plant the seeds of
change, because Volunteers
Grow Community.
250-743-2133
www.volunteer-cowichan.bc.ca

WORK WANTED

HUSBAND FOR HIRE. Nothing but the best. Carpenter, plumber, painter, electrician, pressure washing. Just ask my wife! Call 250-746-4483 or 250-709-1111

Looking for a NEW job?
www.bcjobnetwork.com

INFORMATION

PERSONAL SERVICES

HOLISTIC HEALTH

BEST MASSAGE, on Vancouver Island, \$50/hr, 7 days by appt. Call or text 250-510-1983

INFORMATION



WELCOME WAGON

LEADER PICTORIAL

If you are new to the Neighbourhood call one of these representatives for your **FREE** Basket of Gifts.

Community Welcome Baby & Community

Diana Duncan	746-4236	Pat Duncan, Mill Bay	748-6740
David Chenais	246-4463	Chenais & Grafton	
Pat Mill Bay	748-6740	Business & Professional	
Ladine Lake Cowichan	932-4654	Welcome:	
		Myma	746-1977

Website: www.welcomewagon.ca

Dobson's GLASS LTD.

Glass EXPRESS
• Auto • Home • Business

Quality Brand Name
Windshield Replacement and Professional Chip Repair

Ed, Mike, Ralph, Lucas, Justin

Ed: Serving the Cowichan Valley since 1997

Fax: 250-746-4842
185 Ingram St., Duncan
Opposite Post Office

250-746-4824
Glass, Mirrors, Stained Thermal Pane Replacement, Thermal Panels & Seals

WATER SHUTDOWN

In conjunction with the City of Duncan new valves are being installed as well as tie-ins to new watermain, for the below listed areas, on:

September 18, 2012
9:00 am - 5:00 pm

Affected residences:

All of Carmel Drive
All of Moya Road
All of Molly Avenue
All of Uplands Avenue
All of Highland Avenue
All of Alice Place
3170 to 3355 Gibbins Road

TENDERS

TENDERS

INVITATION TO TENDER

Chemainus Rail with Trail Construction
CVT-05-2012

The Cowichan Valley Regional District offers to receive tenders for the project entitled "Chemainus - Rail with Trail Construction - Phase 5". Project is located within the Town of Chemainus in the District of North Cowichan within an active rail right-of-way. Project includes construction of a gravel surface trail for approximately 720 metres. Tender packages will be available for pickup at the CVRD office at 175 Ingram Street, Duncan, BC, as of Wednesday, September 5th, 2012 at 8:00 am or online at www.bccbid.com. The lowest price may not necessarily be accepted.

Sealed Tenders (in response to the detailed Tender package) must be received by mail or delivery, no later than Wednesday September 19th, 2012 at 2:00 p.m. to: CVRD 175 Ingram St. DUNCAN, BC V9L 1N8
Attention: Joe Barry, Corporate Secretary

Interested parties will be required to attend a mandatory site meeting at 10:00 am, Monday, September 10th, 2012. Check Tender package for directions to mandatory site meeting location.

Tender inquiries may be directed to Ryan Dias, Parks & Trails Superintendent, Parks and Trails Division, Parks, Recreation & Culture Department, located at 175 Ingram Street, Duncan BC, or by phone 250-746-2520 or 1-800-665-3955.

COWICHAN VALLEY REGIONAL DISTRICT Phone: (250) 746-2500
175 Ingram Street Fax: (250) 746-2613
Duncan, B.C. V9L 1N8 Email: cvrd@rcmf.bc.ca
Website: <http://www.cvrdd.ca>

Appendix 2: Open House, Sign in

Cowichan Station - TELUS Site BC1283

Communications Tower

4650 Trans Canada Highway, Duncan, British Columbia V9L 6L2

Open House Sign In

2-Oct-12

No.	Name	Address	Phone	Email
1	Anne Harrison	3820 Mountain Rd	250 746-6708	nix@island.net
2	Rick Harrison	"	"	"
3	STAN RIMEK	3510 KIN502 Rd	746 1877	STANRIMEK@COW-NE20.COM
4	Dorothea Banman	2391 First Ave.	250- 748-7124	dorotheasiegler@gmail.com
5	DONALD HURST	3775 MOUNTAIN RD DUNCAN BC V9L 6N4	250- 748-3980	dghurst@telus.net
6	DAVE LINDSAY	4480 UPHILL RD.	250 748-6920	DLINDSAY@SHAW.CA.
7	MIKE & JENNIFER HOLDING	4525 KOSILLAK Rd	748 1513	JENNIFER@TELUS.NET
8	GORD JENSEN	2154 LAKESIDE RD	748-6610	gordjensen@gmail.com
9	Jan Campbell	4560 T.C. Hwy	748-3770	

No.	Name	Address	Phone	Email
10	K. NUTT	3915-11th Avenue NE COVILLE BC	250-246-8897	11mpg@shaw.ca
11	K. Stone	6241 WILKINSON RD DUNCAN BC	250 246-6741	stoneedge@shaw.ca
12	M. MacLEOD	2230 COLVIN ROAD COVINGTON STN. (DUNCAN)	746-7804	manac@telus.net
13	B. Granbois	3147 Lakeside Rd Duncan BC	250-929-4074	bernisandlee@shaw.ca
14	I. EVANS	4475 Hillbuck Rd	748-8378	
15	Bruce Freeman	4475 Hillbuck Rd	748-8378	
16	Enbach	15425 40th Ave	250-1555	W/A
17	Carol Dion for 630947-BC Ltd.	2538 Kenney Rd Duncan	250-701-0049	caroldion@shaw.ca
18	charlie Davies	3122 Oxforda Rd		
19	Danna Shaws.	4440 Moss Rd Duncan	250 929-7779	
20	Shawn Shaws	2316 Lakeside Rd	250 746-0995	

No.	Name	Address	Phone	Email
21	PETER FRUEH	4359 RIVERSIDE RD	250-718-2449	PFRUEH@TECHS.NET
22	FRUEH, PETER			
23				
24				
25				
26				
27				
28				
29				
30				
31				

Appendix 3: Comments

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 - Cowichan Station - Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

☒ Yes
☐ No

Comments ADJACENT TO HIGHWAY 3 IN COMMERCIAL/INDUSTRIAL AREA. ✓

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☒ Yes
☐ No

Comments IT'S A CELL PHONE TOWER - HOW CAN YOU DRESS IT UP?

3. Additional Comments I'M NOT LARGELY CONCERNED WITH
EMF EMISSIONS / PUBLIC SAFETY, ETC.

I AM CONCERNED WITH CELL COVERAGE ~~AND~~ (CURRENTLY
INADEQUATE AT MY HOUSE) - UNFORTUNATELY THIS LOCATION STILL DOES NOT
PROVIDE COVERAGE AT MY HOUSE (BESIDE KOKSILAH RIVER).

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name:

DAVE LINDSAY

(Please print clearly)

Email Address

DLINDSAY@SHAW.CA

Mailing Address

4480 OPHILL RD

DUNCAN V9L 6M7

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☐ Yes
☒ No

Comments I would like it on a mountain top for
better coverage! Otherwise, no opinion.

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☐ Yes
☐ No

Comments no comment

3. Additional Comments We are in a 'dead' zone at 3820
Mountain Rd., for both cell phone + high speed internet.
Will this new cell phone tower give us reception?

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name Anne + Rick Harrison
(Please print clearly)
Email Address rix@island.net
Mailing Address 3820 Mountain Rd
Duncan V9L 6N4
250-746-6768

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☐ Yes
☒ No

Comments DOESN'T APPEAR IT WILL IMPROVE CELL
RECEPTION ON MOUNTAIN ROAD

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☒ Yes
☐ No

Comments _____

3. Additional Comments MORE INTERESTED IN GETTING MUCH
SPEED INTERNET (CABLE OR FIBRE OPTIC) ON MOUNTAIN
ROAD -

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name DONALD HURST
(Please print clearly)
Email Address dghurst@telus.net
Mailing Address 3775 MOUNTAIN ROAD
DUNCAN, BC V9L 6N4

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☒ Yes
☐ No

Comments Not sure if it will help - Top of Cobble Hill - example
FISHER RP and Hwy 1

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☒ Yes
☐ No

Comments _____

3. Additional Comments THIS IS NEEDED AS WE HAVE VERY
POOR Reception and is the only way to get INTERNET OTHER
THAN Satellite

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name CHARLES DE VRIES . ARLENE DE VRIES .
(Please print clearly)
Email Address arlene@v@gmail.com
Mailing Address 3122 ROSEDALE RD V9L 6N1
250 748-8162

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 - Cowichan Station - Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

☐ Yes
☒ No

Comments too close to Dinters and Farms; Health Canada's limit is at an extremely high level of $1000 \mu W/cm^2$ (compared to lower levels of $10 \mu W/cm^2$ in Ukraine and $4.5 \mu W/cm^2$ in Switzerland)

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☐ Yes
☒ No

Comments towers are not aesthetically beautiful

3. Additional Comments $0.002 \mu W/cm^2$ sleep disturbances / $0.168 \mu W/cm^2$ infertility in mice $0.32 - 16.4$ attention & memory and motor function of children affected

your level is $0.1 \mu W/cm^2$ - you could turn off the service at night; people with sleep disturbances or chronic illnesses should not be exposed to radiation during sleep.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

Dorothea Barman/Trivn

(Please print clearly)

Email Address

2391 First Ave. Cowichan Stn

Mailing Address

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

☒ Yes
☐ No

Comments _____

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☒ Yes
☐ No

Comments _____

3. Additional Comments We desperately need another tower, the cell phone reception in the area is terrible.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

Bernice Granbois

(Please print clearly)

Email Address

berniceandkeith@shaw.ca

Mailing Address

2147 Lakeside Rd Duncan BC V9L 6M3

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

☐ Yes
☒ No

Comments I SUFFER FROM HEART ISSUES ASSOCIATED
WITH RF. MY ONLY OPTION IS TO SELL MY
PROPERTY (IF THIS CAN BE DONE WITH A CELL TOWER
VIEW FROM MY FRONT WINDOW)

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☐ Yes
☐ No

Comments _____

3. Additional Comments _____

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

CAROL NION
(Please print clearly)

Email Address

Mailing Address

2538 HENLEY ROAD
DUNCAN B.C.

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

☒ Yes

☐ No

Comments: The name Koksilah Rd. is better

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☒ Yes

☐ No

Comments: _____

3. Additional Comments _____

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

Henry Morgan
(Please print clearly)

Email Address

TUDOR.MORGAN@HOTMAIL.COM

Mailing Address

1754 Pritchard Road
COWICHAN BAY
VORINI

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☒ Yes
☐ No

Comments _____

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☒ Yes
☐ No

Comments _____

3. Additional Comments: MY KIDS HAVE NO SIGNAL IN
MY HOUSE WITH THE NEW PHONES. WE NEED MORE
COVERAGE FOR THE NEW PHONES.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name _____

(Please print clearly)

Email Address: _____

Mailing Address _____

PETER FRUEH
FRUEH @ TELUS.NET
4359 RIVERSIDE RD
DUNCAN BC
V9L 6M8

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

PLEASE Push FOR HIGH SPEED INTERNET LAND LINE. ~~Cowichan~~
died to "upgrade" to Smart phone to use as H.S. Hub, new have no signal.
Need to consider broader picture as upgrading an area affects more than
just home use but
also travel use.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 - Cowichan Station - Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

☒ Yes
☐ No

Comments: Industrial site, area primarily farm - ∴ not highly populated

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

☒ Yes
☐ No

Comments: looks like all the others

3. Additional Comments: Proposed location does not help me with weak signal. Need Telus etc. to be aware that loss of signal should not be a responsibility of citizens to keep up with technology.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

Madeleine MacLeod

Email Address:
Mailing Address:

(Please print clearly)
mamac@telus.net
2230 Colvin Road (Cowichan Station)
Duncan BC
V9L-6M9

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 – Cowichan Station – Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☐ Yes
☒ No

Comments Too high - too close to my residence
I would imagine you will need to add more
stuff to this tower as demand increases.

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☐ Yes
☒ No

Comments At all costs 1/2s tower (if needed at
all) needs to be situated in a very rural area.

3. Additional Comments Very concerned - for local beekeepers,
there is a school nearby - surprise would be
concerned for my own safety as I live close to
the proposed tower.

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

(Please print clearly)

Email Address

Mailing Address

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

The local school, as part of its curriculum, does not use
computers in the school so really no benefit to them.

COMMENT SHEET
PROPOSED RADIOCOMMUNICATIONS TOWER
4650 Trans Canada Hwy, Duncan, British Columbia V9L 6L2
TELUS SITE BC1283 - Cowichan Station - Koksilah Rd. / Weber Rd.

1. Do you feel this is an appropriate location for the proposed facility?

- ☐ Yes
☐ No

Comments Not Known

2. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- ☐ Yes
☐ No

Comments Not Applicable

3. Additional Comments

would like to know if the engineers could
determine whether service would be affected if the
address (below)

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes; however, your comments will be only be used by TELUS in satisfying the Default Public Consultation Process as regulated by Industry Canada.

Name

STAN RIMEK

(Please print clearly)

Email Address

SNMRIMEK@COW-NET.COM

Mailing Address:

3370 KINGSOL RD
DUNCAN, BC
V9L 6N5

TELUS c/o Standard Land Company Inc.
Suite 610, 688 West Hastings Street, Vancouver, BC V6B 1P1
Attention: Chad Marlatt, Manager Land Projects

Thank you for your input.

Tawny Verigin

From: Chad Marlatt
Sent: Friday, January 18, 2013 1:25 PM
To: Tawny Verigin
Subject: FW: No TELUS Tower!!!! Community Openhouse - Oct 2/12

From: Chad Marlatt
Sent: October 5, 2012 11:32 AM
To: moversnshakers@shaw.ca; CommentsBC
Cc: 'Grant M. Waldman'; 'Madelaine and Allan'; 'Alison Nicholson'
Subject: RE: No TELUS Tower!!!! Community Openhouse - Oct 2/12

Annik,

Thank you for your interest in the proposal. Your comments will be forwarded along to the CVRD.

Overall the proposal was well received at the Oct. 2nd open house. There were about 22 community members in attendance. The majority were pleased to hear that TELUS was proposing to provide improved service and asked specific questions about how this infrastructure would improve service at their respective homes. TELUS is reviewing the addresses of these folks in an effort to determine how much service will be improved at various locations within the community.

There were a couple of folks that shared concerns, as have you, for perceived health effects and the visibility of the structure. As you may or may not be aware, the proposed installation will be fully compliant with Health Canada's Safety Code 6 (SC6) regulations that are in place to protect Canadians from radio frequency exposure. Health Canada considers its exposure guidelines for radiofrequency (RF) energy, outlined in SC6 (updated 2009), to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's RF exposure guidelines are based upon a review of published peer-reviewed scientific studies on the health impacts of RF energy from around the world. The level of radio frequency power density output from the proposed facility will be well below the limits permitted under SC6 (in fact the maximum limit for this installation is only .19% of Health Canada's Safety Code 6 limit). In other words the level of radio frequency output is very low. Further to the above, Health Canada, the World Health Organization, Vancouver Coastal Health Authority, the BC Centre for Disease Control, all public health officials whose job it is to protect the health of the public, have all consistently stated that low power radiocommunication installations are safe.

The structure itself has been located and designed in such a way to reduce its overall visibility as best as possible while still providing improved TELUS wireless services to the area and community. For instance, the proposed structure is well setback from adjacent homes (several hundreds of metres from majority of homes), is setback from the highway at the rear of an industrial property, is situated in close proximity to mature trees/vegetation to help screen the structure and is a monopole in design rather than a larger lattice type tower that is typically more visible.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | **F:** 604.687.1339 | **M:** 1.778.238.8175
E: chadm@standardland.com Website: www.standardland.com

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From: Annik Moyal-Waldman [<mailto:moversnshakers@shaw.ca>]
Sent: October 5, 2012 8:00 AM
To: CommentsBC
Cc: 'Grant M. Waldman'; 'Madelaine and Allan'; 'Alison Nicholson'
Subject: FW: No TELUS Tower!!!! Community Openhouse - Oct 2/12

Hello,

Love to hear what transpired at the meeting the other day. I hope that my note below of Oct 2nd can be included amongst the community voices. I would encourage you to spread its message to the distribution list. Thanks so much!

From: Madelaine and Allan [<mailto:mamac@telus.net>]
Sent: Thursday, October 04, 2012 10:08 PM
To: moversnshakers@shaw.ca
Cc: Alison Nicholson
Subject: Re: No TELUS Tower!!!! Community Openhouse - Oct 2/12

Hello Annik:

The individuals who were on hand at the open house collected comments/concerns/ information and are looking for community input. You can email them at commentsbc@standardland.com.

Madelaine

----- Original Message -----

From: Annik Moyal-Waldman
To: 'Alison Nicholson'
Cc: gwaldman@shaw.ca ; 'Madelaine and Allan'
Sent: Tuesday, October 02, 2012 1:35 PM
Subject: No TELUS Tower!!!! Community Openhouse - Oct 2/12

Dear Alison,

Thanks for informing us of this important meeting. Regretfully, both Grant & I have previous engagements and are unable to attend.

Please know, however, that the subject of a possible Telus tower in our Cowichan Station community is deeply disturbing to us. We would like to request that our statement be read at our community meeting in our absence:

We are vehemently **opposed** to granting *any* authorization for a Telus cell tower in our residential neighbourhood. Our world is chock full of such towers, as it is. All sorts of research confirms the dangers of cell towers as major health risks and hazards. The electromagnetic emissions that such towers emit are well known to be implicated in cancer, growth of tumors, etc. Numerous studies reveal that the *closer* someone lives to a cellular tower, the *deeper* the health risk. In our view, the only reason such towers keep proliferating is that disease is indeed 'very healthy' for the pocketbooks of a powerful elite!

In a rural region such as ours, no such tower is needed. Many of us who need fast speed internet access *already* have it. There is nothing to be gained, other than Telus expanding its market share. Thanks, but absolutely, unresoundingly NO THANKS!!!

In a related vein, this entire question is reminiscent of the BC Smart Meter ordeal. I'd be curious to know if Telus has every intention to proceed with their plans, *in spite of* a collective NO?!! If this appears to anyone else as a very real possibility, I would encourage people to allow this meeting to be the impetus which galvanizes us towards action: Pull out your government officials list. Inundate Telus and local government officials with your letters. Toss your letter into the local papers. Do this ASAP. Don't wait. Reflect on what other measures we can each take to ensure that our voices, as a community, are heard **AND** respected. Let it be known, in no uncertain terms, that we intend to be heard and respected, and will **not** stand up for *any* manipulation, lies or deceit of *any* kind.

Thank you for doing your part in co-creating a world that is more loving, compassionate and sustainable by the very choices you make!

Sincerely,

Grant M. Waldman & Annik Moyal-Waldman



Annik Moyal-Waldman, M.Ed.

Writing & Communication Services, Leadership Coaching, Facilitation, Strategic Planning & Community Development

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T. (250) 748-2774 F. 1(888) 845-3405 E. westcoastsolutions@shaw.ca W. in development

Annik Moyal-Waldman, M.Ed., is a professional change agent with a trailblazing and pioneering spirit. She can be found indulging her passion for offering writing/communications services, leadership coaching, facilitation, strategic planning & community development. Annik looks forward to helping you make lasting impressions, by assisting you in communicating with punch, panache, polish and pizzazz!

From: Alison Nicholson [<mailto:anicholson@pacificcoast.net>]

Sent: Friday, September 14, 2012 1:05 PM

To: Alison Nicholson

Subject: CSAA:TELUS community open house

Hello all,

TELUS is interested in putting up a **cell phone tower** in our neighbourhood and would like to discuss their proposal with the community. Information is attached.

There will be an **open house:**

On: Tuesday, October 2, 2012

From: 5.30 pm to 7.00 pm

Location: The Hub, (in the annex)
Cowichan Station
2375 Koksilah Road
Duncan, BC V9L 6M5

Regards,
Alison

Tawny Verigin

From: Anne/Rick Harrison <rix@island.net>
Sent: Monday, December 03, 2012 6:37 PM
To: Chad Marlatt
Subject: Re: TELUS wireless facility - 4650 Trans Canada Hwy

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks so much for your reply. We disagree with the engineers, however, as we have a mountain to the east of us, so would not benefit. My husband thinks that boosting the signal from the one on Miller Road could possibly give us the needed service.

Thanks so much for your time,
Anne and Rick Harrison (citizens who can only get dial-up for our computer)

----- Original Message -----

From: Chad Marlatt
To: rix@island.net
Sent: Saturday, December 01, 2012 2:39 PM
Subject: TELUS wireless facility - 4650 Trans Canada Hwy

Anne/Rick,

Thanks for taking the time to come out to the open house in October. You have left your address so we had TELUS engineers review your location to determine if the proposed new facility at 4650 Trans Canada Hwy would improve service for at your home. While it is difficult to determine precisely, it appears that the service at your home will not likely be improved by this installation. That said, there is a new installation to the east of you near Cobble Hill that may improve service. The exact level of service improvement will not be determined until the site is installed. The one near Cobble Hill is planned to be higher (taller) so it may provide some improved service.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | F: 604.687.1339 | M: 1.778.238.8175
E: chadm@standardland.com Website: www.standardland.com

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Tawny Verigin

From: Chad Marlatt
Sent: Saturday, December 01, 2012 2:40 PM
To: rix@island.net
Subject: TELUS wireless facility - 4650 Trans Canada Hwy

Follow Up Flag: Follow up
Flag Status: Flagged

Anne/Rick,

Thanks for taking the time to come out to the open house in October. You have left your address so we had TELUS engineers review your location to determine if the proposed new facility at 4650 Trans Canada Hwy would improve service for at your home. While it is difficult to determine precisely, it appears that the service at your home will not likely be improved by this installation. That said, there is a new installation to the east of you near Cobble Hill that may improve service. The exact level of service improvement will not be determined until the site is installed. The one near Cobble Hill is planned to be higher (taller) so it may provide some improved service.

Regards,

Chad Marlatt
Manager, Land Projects

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Tawny Verigin

From: Chad Marlatt
Sent: Saturday, December 01, 2012 2:45 PM
To: berniceandkeith@shaw.ca
Subject: TELUS proposed wireless facility - 4650 Trans Canada Hwy

Follow Up Flag: Follow up
Flag Status: Flagged

Bernice,

Thanks for taking the time to come out to the open house in October. You have left your address so we had TELUS engineers review your location to determine if the proposed new facility at 4650 Trans Canada Hwy would improve service for at your home. While it is difficult to determine precisely, it appears that the service at your home will be improved by this installation.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | F: 604.687.1339 | M: 1.778.238.8175
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Tawny Verigin

From: Chad Marlatt
Sent: Saturday, December 01, 2012 2:43 PM
To: arlenedv@gmail.com
Subject: TELUS wireless facility - 4650 Trans canada Hwy

Follow Up Flag: Follow up
Flag Status: Flagged

Charles/Arlene,

Thanks for taking the time to come out to the open house in October. You have left your address so we had TELUS engineers review your location to determine if the proposed new facility at 4650 Trans Canada Hwy would improve service for at your home. While it is difficult to determine precisely, it appears that the service at your home will be improved by this installation. The proposed installation near Cobble Hill may also improve service as it is a bit closer and will be a higher structure.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
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Tawny Verigin

From: Chad Marlatt
Sent: Saturday, December 01, 2012 2:35 PM
To: djlindsay@shaw.ca
Subject: TELUS Wireless Facility

Follow Up Flag: Follow up
Flag Status: Flagged

Dave,

Thanks for taking the time to come out to the open house in October. You have left your address so we had TELUS engineers review your location to determine if the proposed new facility at 4650 Trans Canada Hwy would improve service for at your home. While it is difficult to determine precisely, it appears that the service at your home will be improved by this installation.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | F: 604.687.1339 | M: 1.778.238.8175
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Tawny Verigin

From: Chad Marlatt
Sent: Sunday, December 16, 2012 1:53 PM
To: 'pfrueh@telus.net'
Subject: RE: TELUS Wireless facility - 4650 Trans Canada Hwy

Follow Up Flag: Follow up
Flag Status: Flagged

Peter,

We have to finalize approval with the CVRD and hope to be installing it in the first half of the new year.

Chad

From: pfrueh@telus.net [mailto:pfrueh@telus.net]
Sent: December 12, 2012 11:48 PM
To: Chad Marlatt
Subject: Re: TELUS Wireless facility - 4650 Trans Canada Hwy

Hi
When are they going to start building the new tower?
Peter

----- Original Message -----

From: Chad Marlatt
To: pfrueh@telus.net
Sent: Saturday, December 01, 2012 14:47
Subject: TELUS Wireless facility - 4650 Trans Canada Hwy

Peter,

Thanks for taking the time to come out to the open house in October. You have left your address so we had TELUS engineers review your location to determine if the proposed new facility at 4650 Trans Canada Hwy would improve service for at your home. While it is difficult to determine precisely, service at your home will be improved by this installation.

Regards,

Chad Marlatt
Manager, Land Projects

Standard Land Company Inc.
Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | **F:** 604.687.1339 | **M:** 1.778.238.8175
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R9

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 30, 2013 **FILE NO:**

FROM: Tanya Soroka, Parks & Trails Planner **BYLAW NO:**

SUBJECT: Release of Easement EE13450 for proposed subdivision (Elise Holdings Ltd)
located off Blackwood Heights Road in Electoral Area I, Youbou/Meade Creek

Recommendation/Action:

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

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.

Relation to the Corporate Strategic Plan: N/A

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

Background:

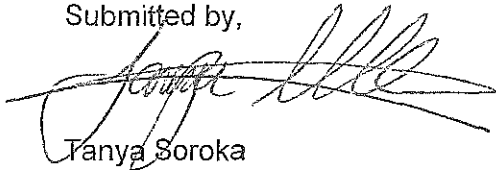
A subdivision application has been submitted by Elise Holdings Ltd. to the Ministry of Transportation and Infrastructure for a 5 lot residential subdivision plus remainder and a lot being dedicated to CVRD for park purposes (see attached subdivision plan). This property is located on the Bald Mountain Peninsula in Electoral Area I – Youbou/Meade Creek. (see location map) A number of covenants and easements had been registered on the property a number of years ago and as part of the current subdivision process some of these covenants and easements can be removed to clean up the title on the lands being transferred to the CVRD. This involves the removal of a covenant and an easement as they are no longer required, and the registration of two easements to provide public access across CVRD parkland as required by the Land Title Office.

In the 1980's Lot 2, Block 180, Cowichan District, Plan VIP78710 was part of a larger parcel that was the subject of a rezoning application. As a condition of the rezoning, a number of covenants were registered on the larger parcel that provided for certain conditions or designations to occur as the overall property was subsequently subdivided and developed under the approved rezoning. At that time Covenant EB76981, Plan 47216 was registered over Lot 2 in favour of the CVRD. This covenant includes a 10 metre wide strip for public access along the foreshore of Lot 2 between CVRD's foreshore portion of Marble Bay Park (Lot 3) and the neighboring property to the west.

A Board Resolution was passed on July 13, 2011 to approve the execution of the required documents to extinguish Covenant EB76981, Plan 47216 on Lot 2, Block 180, Cowichan District, Plan VIP 78710 in exchange for the dedication to the Regional District in fee simple of proposed Lot 7, Plan VIP78710 (0.91 hectares) (see attached proposed subdivision plan) for park purposes and a monetary contribution to the CVRD for construction of a public trail within the lands to be dedicated. On August 12, 2011 a covenant release form was signed by the Regional District and the form, along with a letter of undertaking, was sent to the owner's lawyer, Salmond Ashurst to be held until such time as the conditions of the letter were met requiring park dedication and a cheque for \$5000. These conditions have now been met.

The Land Titles Office is requesting an easement to be registered in favour of the Cowichan Valley Regional District across the proposed CVRD Lot 7, Plan VIP78710 and the existing CVRD Lot 2, Plan 51966, (Marble Bay Park), for the purpose of providing public access across the lands in order to access the CVRD Lot 3, Plan VIP51966 (Marble Bay Park). Concurrent with the subdivision plan being registered and the fee simple titled Lot 7 being transferred to the CVRD for park purposes, the covenant EB76981 and Easement EE13450 over Lot 2, Plan VIP78710, Cowichan Lake District will be released. At the same time new easements over Lot 7 (Park) and Lot 2 (Marble Bay Park) will be registered in favour of the CVRD for public access over the lands as required by the Land Titles office.

Submitted by,



Tanya Soroka
Parks and Trails Planner
Parks & Trails Division
Parks, Recreation & Culture Department

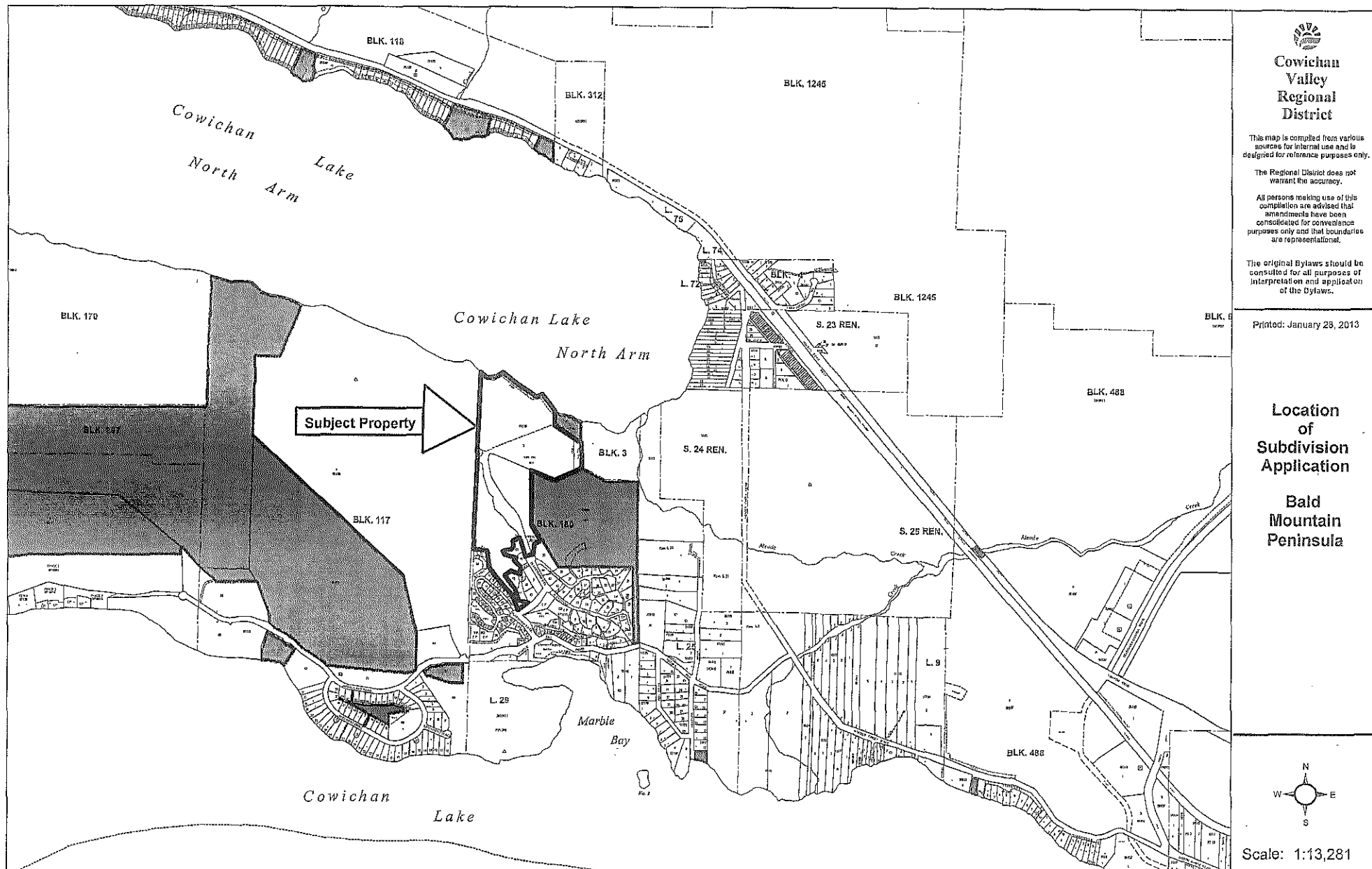
TS/ca
Attachments

Reviewed by:

Division Manager:

Approved by:

General Manager:





R10

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF FEBRUARY 5, 2013

DATE: January 30, 2013 FILE NO:
FROM: Ryan Dias, Parks Operations Superintendent BYLAW NO:
SUBJECT: Preauthorization of Parks Capital Funds – Electoral Area C

Recommendation/Action:

That it be recommended to the Board, 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.

Relation to the Corporate Strategic Plan:

Safe and Healthy Community - Provide exceptional recreation, cultural and park services

Financial Impact: (Reviewed by Finance Division: *Senf*)

This \$208,128 capital project is funded by Reserve Funds of \$122,000 from the Community Parks Capital Reserve Fund, and \$86,128 from operating revenue, which is inclusive of surplus funds from the 2012 operating budget, and have been included in the Community Parks Area C 2013 Budget.

Background:

Electoral Area C – Quarry Nature Park Washroom Facility:

The Electoral Area C Parks Commission identified Quarry Nature Park Washroom construction as a priority in 2012 and the Board previously approved reserve funds to support construction of the facility. This project has been rolled forward to early 2013 in order for construction of the washroom to coincide with the Towns for Tomorrow grant funded sewer and water upgrade project in Cobble Hill including the provision of a recycled non potable water service to the new washroom facility. Now that the water and sewer services have been provided, a tender process can take place and construction can begin as early as February 2013. Construction needs to start prior to the adoption of the 2013 Budget so that the washroom can be substantially completed prior to the busy summer season at this community park.

Submitted by,

A handwritten signature in black ink, appearing to read "Ryan Dias", is written over a horizontal line.

Ryan Dias
Parks Operations Superintendent
Parks and Trails Division
Parks, Recreation & Culture Department

Reviewed by:

Division Manager:

A handwritten signature in black ink is written over a horizontal line.

Approved by:

General Manager:

A handwritten signature in black ink is written over a horizontal line.



R11

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE FEBRUARY 5, 2013

DATE: January 29, 2013 **FILE NO:** 0540-20-EASC/07
FROM: Sybille Sanderson, Acting General Manager **BYLAW NO:**
Public Safety
SUBJECT: Honeymoon Bay VFR Used Bauer Mariner Air Compressor System Purchase

Recommendation:

That it be recommended to the Board that the CVRD Purchasing Policy be waived, and prior to approval of the 2013 budget, authorize the capital expenditure of a used Bauer Mariner Compressor System for the Honeymoon Bay Fire Rescue.

Relation to the Corporate Strategic Plan:

The third item in Community infrastructure planned for current and future generations states "Develop a lifecycle program for all infrastructure assets together with preventative maintenance programs to extend the lifecycle." Purchasing the Used Bauer Mariner Compressor System supports this initiative and enhances the safety of the volunteer firefighters.

Financial Impact: (Reviewed by Finance Division: SEM)

This \$10,000 capital purchase has been included in the 2013 budget funded by operating funds.

Background:

The opportunity presented itself in early January 2013 to purchase a Used Bauer Mariner Compressor System for \$9,968 (including taxes). This option is far more affordable than purchasing a new compressor system for \$16,023.84 (including taxes). The compressor will be used to fill the bottles for the self-contained breathing apparatus (SCBA) worn by the firefighters.

Submitted by,

Sybille Sanderson
Acting General Manager
Public Safety



R 12

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 5, 2013

DATE: January 31, 2013 **FILE NO:**

FROM: Rob Conway, MCIP
Manager, Development Services Division **BYLAW NO:**

SUBJECT: Temporary Use permits for Vacation Rentals

Recommendation/Action:

That an amendment to the Area I OCP to enable the issuance of temporary use permit area be included in the next update of the Area I OCP and Zoning Bylaw.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

In 2012, the Electoral Area Services Committee (EASC) considered issues associated with the use of residential dwellings for short term rental or "vacation rental". The Committee ultimately decided to establish policy that, among other things, confirms that enforcement will be pursued when residential dwellings are rented for terms of less than one month.

At the January 15, 2013 EASC meeting the Committee received a letter from Dr. Paul Brigel, requesting the CVRD Board amend the Official Community Plan for Area I to allow temporary use permits to be used to authorize vacation rentals. The committee referred the letter to staff and requested that a staff report be prepared for an up-coming EASC meeting.

Summary of Issue:

Although residential zoning generally does not permit vacation rentals, the use is relatively common at Cowichan Lake and Shawnigan Lake where second home ownership is more common. Property owners who choose to rent their homes for short term vacation rentals in zones where the use is not permitted, do so in violation of zoning. Should a complaint be received, CVRD bylaw enforcement staff investigates and initiate bylaw enforcement action in accordance with the Short Term Rental policy and standard bylaw enforcement procedures.

While a policy of complaint-based enforcement has worked reasonably well in the past, it essentially prohibits the use residential dwellings for vacation rentals for property owners that intended to comply with CVRD bylaws. The only option that property owners currently have to legally rent a residential dwelling for vacation rental use in Electoral Areas I (and other electoral

areas) is to apply to rezone. While rezoning may be an option in some locations, spot zoning in residential neighbourhoods is generally not recommended for the following reasons:

1. Zoning changes tend to be permanent and are difficult to reverse if land use conflicts arise;
2. Conditions and restrictions can be difficult to apply and enforce for uses permitted by zoning;
3. The rezoning process and associated time and resources can be considerable and onerous.

For these reasons, staff do not consider rezoning to be a practical way of authorizing vacation rentals in most cases.

As an alternative to rezoning, the CVRD Board could authorize short term vacation rentals through temporary use permits. Temporary use permits (TUPs) are a tool that is available within the *Local Government Act* that allows local government to authorize temporary commercial and industrial uses in areas where the use is not permitted by zoning. TUPs may be issued for up to three years and may be renewed for a further three years. The temporary uses may be extended beyond the maximum six years through issuance of a new permit. Some advantages of the TUP are:

- a) The permit can be revoked or not renewed if the permit holder violates the terms and conditions of the permit;
- b) Detailed conditions can be established in the permit to minimize potential impacts on adjacent property owners and the neighbourhood;
- c) The TUP process include a requirement for public notification, but not same formal process that is required for rezoning;
- d) Zoning is not affected by issuance of a TUP and remains in place irrespective of the permit.

In order for the CVRD Board to consider applications for temporary use permits, it is necessary for there to be a Temporary Use Permit Areas designated in the Official Community Plan. As the Area I OCP does not currently have any provision for temporary use permits, it would be necessary for the OCP to be amended before a temporary use permit application could be considered.

Staff Comments:

Staff are supportive of enabling the use of temporary use permits for short term vacation rentals. We believe this tool is preferable to rezoning, and provides a much better way of managing vacation rentals. It is important to highlight that enabling the use of TUPs through an amendment to the OCP does not obligate the CVRD Board to issue a permit for any particular TUP application – it simply establishes the ability for the Board to consider TUP applications. Staff believe that establishment of a TUP process for vacation rentals would direct property owners away from the rezoning process to a process that is much better suited to dealing with the vacation rental issue. It is noteworthy that other jurisdictions in B.C. where vacation rentals are also an issue, such as the Islands Trust and the Regional District of Okanagan Similkameen, now use temporary use permits to regulate vacation rentals.

An OCP amendment could be initiated by either the CVRD Board or by an individual through an OCP amendment application. Typically, CVRD initiated OCP changes are considered during a comprehensive OCP review or through a periodic “bylaw maintenance” review. However, since vacation rentals have been a controversial issue for Area I recently, and the amendment may benefit more than just a single property owner, this may be an amendment that the Board

wishes to initiate in advance of other OCP reviews. Alternatively, the Board could leave it to a motivated property owner to initiate the change. This would involve payment of a \$2200 application fee, which could help to offset some of the processing costs, but would likely result in the application being focused more on a specific property.

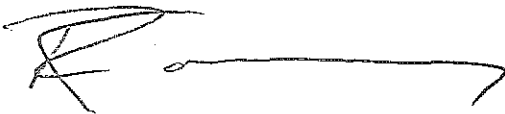
If the EASC is inclined to allocate planning resources to amend the OCP in the near future, it would be necessary defer other planning work to make this a priority. Staff are therefore recommending that the amendment be included in the next bylaw maintenance review for the Area I OCP and Zoning Bylaw, which is expected to occur within the next 12-18 months. If this timing is not agreeable with property owners who may wish to apply for a TUP, they would have the option of initiating an OCP amendment with an application.

Options:

1. That staff be directed to prepare a report and draft amendments to the Area I OCP for an upcoming EASC meeting to create a temporary use permit area for vacation rentals.
2. That an amendment to the Area I OCP to create a temporary use permit area for vacation rentals be included as a project in the 2014 work plan.
3. That an amendment to the Area I OCP to enable the issuance of temporary use permit area be included in the next update of the Area I OCP and Zoning Bylaw.
4. That Dr. Paul Brigel be advised that the CVRD does not intend to amend the Area I OCP at this time, but that applications to amend the OCP will be considered.

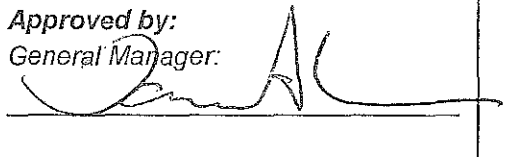
Option 3 is recommended.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning & Development Department

Approved by:
General Manager:



RC/ca
Attachments

Short Term Rental Of Single Family Dwellings Policy

Applicability: Planning & Development

Effective Date: November 14, 2012

PURPOSE:

To outline bylaw enforcement procedures for the short term rental of single family dwellings.

POLICY:

1. CVRD staff will investigate complaints regarding the short term rental of residential dwellings and will determine if a bylaw violation has occurred.
2. Enforcement will not be pursued against the following types of short-term rentals unless the activity is occurring to a scale and extent that exceeds what is customarily incidental to residential use:
 - a. Home Stay/Boarding
 - b. Home Exchange
 - c. House Sitting
 - d. Seasonal Rentals
 - e. Guest Accommodation
 - f. Work-Stay Accommodation
3. Enforcement for short term rental activities for uses other than those listed above will be pursued when a residential dwelling unit is rented for a term of less than one month.
4. Upon confirmation that a dwelling has been rented for a term of less than one month, the property owner will be notified by registered mail that all short term rental activity must cease with 14 days of the notice.
5. If short term rentals continue after issuance of the 14 day notice, staff will seek direction from the Board to commence prosecution proceedings or to seek a court ordered injunction.

Nothing in this enforcement policy should be interpreted as giving permission to violate the applicable bylaws and the CVRD Board may change this policy at any time and may give direction to expand enforcement activities at any time.

Approved by: CVRD Board Approval date: November 14, 2012 Amended date:
--

Paul Brigel, M.D., C.C.F.P.
Clinical Assistant Professor
Department of Family Practice, UBC Faculty of Medicine
120 - 1105 Pandora Avenue, Victoria, B.C. V8V 3P9
Ph: (250) 383-9533 Fax: (250) 383-0312

January 4, 2013

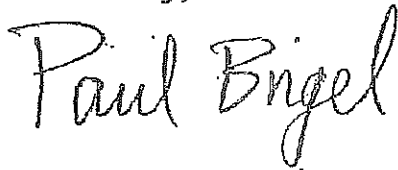
CVRD
Electoral Area Services Board
Fax No. 250-746-2513

Dear Electoral Area Services Committee,

I request CVRD Board amend the area I OCP to allow temporary use permits to be issued for vacation rental purposes.

I hope to apply for temporary use permit for up to 4-6 weeks per year and, as before, I will respect neighborhood peace and quiet.

Yours sincerely,



Paul Brigel

cc to ~~Rob Conway~~ Planning & Development Dept., CVRD and
Nino Morano, Bylaw Enforcement Officer, CVRD (fax no. 1-250-746-2513)
Ms. Pat Weaver, Director, CVRD (fax no 1-250-749-3120)
Robert Macquisten, Stewart McDannold Stuart (fax no 250-380-3008)



Distributed electronically to
Officer & Support Staff Jant

MEMORANDUM

TO: AVICC MEMBERS
FROM: Iris Hesketh-Boles, Executive Coordinator
DATE: January 15, 2013
RE: REMINDER - 2013 AVICC RESOLUTIONS AND NOMINATIONS DEADLINE

Original	Copies to:
File	95
By:	Date: Jan 8/13
File #	

DEADLINE FOR RESOLUTIONS

All resolutions must be received in the AVICC office by: **FEBRUARY 25, 2013**

SUBMISSION REQUIREMENTS

Resolutions submitted to the AVICC for consideration shall be received as follows:

- One copy of the resolution by regular mail and one copy by email to avicc@ubcm.ca (Word version of the resolution itself preferred);
- The resolution should not contain more than two "whereas" clauses; and
- Background documentation must accompany each resolution submitted.

Sponsors should be prepared to introduce their resolutions on the Convention floor.

LATE RESOLUTIONS

- a. Resolutions submitted following the expiry of the regular deadline shall be considered "Late Resolutions" and shall comply with all other submission requirements, except that a copy of the resolution must be forwarded to the AVICC by the Wednesday noon preceding the date of the Annual General Meeting. This year's late resolution deadline is April 10, 2013.
- b. Late resolutions shall be available for discussion after all resolutions printed in the Resolutions Book have been debated.
- c. Late resolutions are deemed to be appropriate for discussion only if the topic is such that it has arisen since or was not known prior to the regular deadline date for submission of resolutions.
- d. In the event that a late resolution is recommended to be admitted for discussion AVICC shall produce sufficient copies for distribution to the Convention.

UBCM ASKS FOR RESOLUTIONS TO BE CONSIDERED BY THE AREA ASSOCIATIONS FIRST

UBCM urges members to submit resolutions first to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

A resolution should be submitted directly to UBCM only if the resolution addresses an issue that arises after the Area Association annual meeting. In this case, local governments may submit council- or board-endorsed resolutions to UBCM prior to June 30 each year. Should this be necessary, detailed instructions are available under the Resolutions tab on ubcm.ca.

DEADLINE FOR NOMINATIONS TO BE INCLUDED IN THE REPORT ON NOMINATIONS

All nominations that are to be included on the *Report on Nominations* must be received in the AVICC office by **FEBRUARY 25, 2013**. Nomination and consent forms are available on avicc.ca. Nominations not received by the February 25, 2013 will be received from the floor of the AGM and Convention.



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS) Finance Division

Submitted by Director B FRASER Area B

Grantee:

Grant Amount \$ 500.00

NAME: ANACAPAT LIONS

ADDRESS: TOM WORTH (Shawnigan Cemetery Maintenance)

2498 CAYMAN PLACE

MILL BAY B.C. VOR 2P1

Contact Phone No: _____

PURPOSE OF GRANT: Shawnigan Cemetery Maintenance

REQUESTED BY: Bruce Storer

Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0120-112		10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization

C3



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director G. Giles Area C

Grantee: Grant Amount \$ 500.00

NAME: Tom Worth (Shawnigan Cemetery Maintenance)

ADDRESS: 40 2498 Cayman Place
Mill Bay BC V0R 2P1

Contact Phone No: _____

PURPOSE OF GRANT: Aid with Shawnigan Cemetery Improvements

REQUESTED BY: _____

Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0120-113	500.00	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 _____

Sharon Moss

From: Gerry Giles <ggiles12@shaw.ca>
Sent: Thursday, January 24, 2013 9:06 AM
To: Sharon Moss
Subject: FW: Shawnigan Cemetery Improvement(s)

Good morning Sharon,
Could I please start a grant in aid process for the Lions Club in the amount of \$500 for their Shawnigan Cemetery project as outlined below. I think all of the necessary information is contained in their email.
Thank you.
Gerry

From: Gerry Giles [mailto:ggiles12@shaw.ca]
Sent: January-24-13 8:58 AM
To: 'Reg Blackmore'; 'roydaves@shaw.ca'; 'Mike Walker'; 'bruce@fraserforshawnigan.ca'
Cc: 'Tom Worth'; 'Norm Wills'
Subject: RE: Shawnigan Cemetery Improvement(s)

Good morning Reg,
Please let me begin by thanking you and The Lions for the great work you do with respect to your maintenance of the Shawnigan Cemetery. I will happily begin the paperwork for a grant in aid toward this project today which hopefully will be processed through the CVRD Board at its February meeting. Please pass along my appreciation to the members of The Lions who generously donate their time to maintain this cemetery.
Gerry

From: Reg Blackmore [mailto:rblackmore1@shaw.ca]
Sent: January-23-13 1:52 PM
To: roydaves@shaw.ca; Mike Walker; ggiles12@shaw.ca; bruce@fraserforshawnigan.ca
Cc: Tom Worth; Norm Wills
Subject: Shawnigan Cemetery Improvement(s)

It is necessary and desirable to increase the work/storage space at the Shawnigan Cemetery. Material costs, including concrete and lumber to DOUBLE the present square footage is estimated at \$2200.00 all in, but not including the road mulch etc. to create the Apron entrance (amount to be determined).

The Cemetery, under the auspices of the Sylvan United Church, serves South Cowichan and has been maintained by "The Lions" since 1998. Malahat Lions will contribute \$500.00 plus expertise in labour and manpower. Building Permit has been approved and in hand.

It is respectfully requested per a Grant-in-Aid from each of A, B and C - a Grant of \$500.00 each. Support of the Mill Bay Lions is also requested in a like amount.

Excess over and above the \$2200.00 will go to the acquisition of the Road mulch (landscaping) and unforeseen expenses in respect of the particular project. For this and future use, a 5000 Watt Generator, for permanent placement at the Cemetery (no Power) has been donated by the Writer.

Your favourable consideration is requested and your remittance may be directed to: "Tom Worth (Shawnigan Cemetery Maintenance)" c/o 2498 Cayman Place, Mill Bay, BC. V0R2P1. Firm estimates in respect of Concrete (Gravel Hill) and Lumber (Rona) are in hand and combined, amount to the \$2200.00.

At the request of and on behalf of the Cemetery Maintenance Crew,

Reg Blackmore



COWICHAN VALLEY REGIONAL DISTRICT

REC

C4

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Finance Division

Submitted by Director IANNIDINARDO Area D

Grantee:	Grant Amount \$ <u>500.00</u>
NAME:	<u>Ecostravaganza</u>
ADDRESS:	<u>Ecole Mill Bay School.</u> <u>admin@ecostravaganza.ca</u>
Contact Phone No:	<u>250-588-2130 Candice Roscoe</u>
PURPOSE OF GRANT:	<u>Support for this school</u> <u>event that promotes green living for</u> <u>families within the Cowichan Valley</u>
REQUESTED BY:	<u>Lou L. Iannidinaro</u> Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0385-114	500.00	10.0

FOR FINANCE USE ONLY
BUDGET APPROVAL <u>[Signature]</u>
VENDOR NO. _____

Disposition of Cheque:
Mail to above address: _____
Return to _____
Attach to letter from _____
Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____



CVRD Area D
Cowichan Bay
175 Ingram St
Duncan, BC.
V9L 1N8

December 5, 2012

Dear Lori Iannidinardo,

The Ecole Mill Bay Parents Advisory Council (PAC) invites you to celebrate World Environment Day at Ecostravaganza!, a one day celebration in the Cowichan Valley where families can find out more about living green. Ecostravaganza! will take place on June 1st, 2013 from 10:00am to 3:00pm. This is Ecole Mill Bay PAC's major fundraising event of the 2012-2013 school year. Our goal is to promote green living for families within the Cowichan Valley in a fun, friendly and welcoming way.

Ecostravaganza! aims to inspire and engage families in the south Vancouver Island Region to make green changes in their daily lives, and includes the following elements;

- Children's "Green Generation" area, including eco-activities, games and climbing wall
- A Marketplace featuring local eco-vendors
- Food Court
- Main Stage with all-day entertainment
- Plant Sale
- Used book sale
- Silent auction/raffle
- On-site bike repair service

We invite you to partner with us in creating a wonderful, educational and enduring event. Join us as a Sponsor and benefit by:

- Boosting your visibility in the community
- Broaden your competitive edge, and improve your companies image and prestige by supporting Ecostravaganza!, an event that your clients or potential clients would find compelling.
- You can develop closer and better relationships with existing and potential customers.

Your company will be promoted by:

- Professionally-developed event posters and community signage that will be posted throughout the Cowichan Valley
- Main stage performers, which will include various community youth and entertainment groups.
- Extensive promotions in local listings and community calendars, as well as social media campaign through Facebook and Twitter.
- Posters and information distributed to all Cowichan public and private schools, as well as the Victoria School District, Sooke School District, Saanich School District and Nanaimo School District.

The following sponsorships are an opportunity to promote your business as a CHAMPION, HERO or FRIEND of the environment.

CHAMPION SPONSOR (only one available) - \$1,000 or more

This package will include:

- Your business name and/or logo will appear most prominently on all marketing materials, advertisements and signage.
- Your business name will be prominently displayed in a banner ad on the Ecostravaganza! website.
- A hyperlink to your business website on the Ecostravaganza! website.

On event day:

- A double sized booth space (10'x20') in a prominent location.
- A main stage banner with your business name on it.
- Your business name and/or logo will appear on all volunteer and vendor name-tags.
- Your business will be announced and acknowledged regularly by the MC on the Main Stage.
- Optional: Your business will have access to Main Stage time slots for educational and/or informational purposes

HERO SPONSOR - \$500

This package will include:

- Your business name and/or logo will appear on marketing materials, advertisements and signage.
- Your business name will be displayed in a banner ad on the Ecostravaganza! website.
- A hyperlink to your business website on the Ecostravaganza! website.

On event day:

- A booth space (10'x10') in a prominent location.
- A banner with your business name on one of the following main areas: Green Generation, book sale, plant sale or market place.
- Your business will be announced and acknowledged by the MC on the Main Stage.

•Optional: Your business will have access to a Main Stage time slot for educational and/or informational purposes.

FRIEND SPONSOR-\$250

This package will include:

- Your business name and/or logo will appear prominently on site signage and in some marketing materials.
- Your business name will be displayed on the Ecostravaganza! website.
- A hyperlink to your business website on the Ecostravaganza! website.

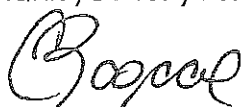
On event day:

- A booth space (10'x10') in a prominent location.
- Your business will be announced and acknowledged by the MC on the Main Stage.

Ecostravaganza! can also accept smaller monetary donations, silent auction items and prize donations to help make the event a success. Any support or donation that you are able to provide would be greatly appreciated and would provide another opportunity to highlight your business or organization.

To discuss your participation as a sponsor at Ecostravaganza!, please email Candice Roscoe or Janet Power at admin@ecostravaganza.ca or call 250-588-2130

Thank you for your support!



Candice Roscoe
Sponsorship Coordinator

INI

COBBLE HILL ADVISORY PLANNING COMMISSION (APC) MEETING

17 January, 2013

Cobble Hill Hall Dining room

Present: Janice Hiles, Robin Brett, Rosemary Allan, David Hart, Don Herriott, Brenda Krug, Jens Liebgott, Jerry Tomljenovic, Rod de Paiva, David Lloyd

Also present: Gerry Giles – Cowichan Valley Regional District (CVRD) Director Area 'C' Cobble Hill, John Krug – Alternate Director Area 'C' Cobble Hill, Betsy Burr, Gar Clapham

Director Giles called the meeting to order at 7:00 pm and conducted the election for the Chair of the APC for 2013 Rod de Paiva was acclaimed and assumed the Chair at 7:09.

Chair de Paiva then conducted the election for Vice Chair. Jens Liebgott was acclaimed to the position.

Chair de Paiva then called for nominations for secretary. As no one was willing to stand for this position, it was suggested that it will be a rotating duty amongst APC members.

Moved/seconded *that the secretary will be chosen at the beginning of each meeting of the APC.* Carried

Agenda: Moved/seconded *That the Joint APC process update be included under Old Business.* Carried

Moved/seconded *That the agenda is adopted as amended.* Carried

Adoption of the minutes: Moved/seconded *that the minutes of the September 13th, 2012 meeting be adopted as circulated.* Carried

OLD BUSINESS:

There was a general discussion of the process for joint APC meetings amongst Area 'A', 'B' and 'C'. The last Joint APC meeting was in Shawnigan Lake on November 22nd, 2012. This procedure continues to be a 'work in progress' at the CVRD and will continue to be refined as applications to amend the joint Official Community Plan (OCP) come forward.

NEW BUSINESS:

There were a number of items Director Giles reviewed, updated and explained for the APC members:

- Aquatic Centre Usage for Area 'C' Residents – The new funding arrangements that removes the two tier fee system was explained.
- Eco Depot Lawsuit Outcome – The loss of the lawsuit raises the question of the compliance of the recycling bins at Shawnigan Lake and Valley View.

- Sewer System in Cobble Hill Village – The APC was brought up to date on the progress of this initiative and learned that the Purple Pipe System of recycled water is expected to be operational by the summer of 2013.
- Cobble Hill Seniors Housing (Age Friendly Study) – The APC was informed that the CVRD has accepted the Age Friendly Study recently conducted in Cobble Hill regarding the possibility of placing assisted living housing in Cobble Hill Common Park. A needs assessment will be made beginning with the opening of a seniors' drop in centre in the Youth Hall on Watson Avenue. It was noted that there are concerns regarding the percentage of the park that a possible assisted living facility would require.
- Zoning Bylaw – There will be a public meeting held in each Regional District for the public to voice their comments and concerns. The Cobble Hill meeting will be February 21st at 7:00 pm in the Cobble Hill Hall.
- Nitrate Contamination of the Aquifer - Three wells in the area of Fisher Road between the highway and Fairfield Road have been tested for nitrates and will be tested again in March of 2013. The wells have shown nitrates above acceptable levels and the results of the further testing will be examined and assessed.
- South Cowichan Water Study – This study has determined that pollution of potable water sources is the major concern of South Cowichan residents. The study also gives a course of action to be taken to prevent pollution and to examine its consequences.
- Possible 2013 Agenda Items for the APC – There will be OCP amendment applications and bylaw amendments as well as regular updates on community activities, town hall meetings.
- There was a question related to the proposed Telus tower to be erected behind the RONA building in Cobble Hill. Director Giles has not been in contact with Telus and informed the APC that the matter would be dealt with by federal permit.
- There will be a medical marijuana operation in Cobble Hill in the near future. A license has been applied for from the federal government.
- The CVRD now has an on-line site that provides citizens the opportunity to view CVRD Board meetings. It is also possible to watch individual Board decisions by choosing them from the agenda.
- John Krug gave an update on Cobble Hill Parks.

Chair de Paiva announced that Doug Blair is the new Arbutus Ridge representative to the APC and that he is presently away, but will be joining us at future meetings.

Next Meeting: The next scheduled meeting of the Area 'C' APC is February 21st at 7:00 pm. However this conflicts with the public meeting regarding the new OCP zoning bylaw in Cobble Hill and Chair de Paiva suggests that the APC members attend that function.

Adjournment: 8:30 pm

AREA D PARKS COMMISSION MEETING

January 21, 2013

Cowichan Estuary Nature Centre

IN 2

Call to order: 6:41pm

Present: Roger Southern, Kerrie Talbot, Megan Stone, Steve Garnett, Bruce Clarke, Dave Nisbet,
Lori Iannidinardo

Guest: Mike Martin

Minutes from previous meeting, November 27, 2012

Moved and seconded minutes from November 27/12 be adopted.

Motion carried

Elections: Chair - Kerrie Talbot

Vice Chair - Steve Garnett

Note taker - Meaghan Stone

Vice note taker - Bruce Clarke

All positions filled by acclamation

New Business:

Martin property subdivision:

Landowners prefer to give 5% cash vs 5% land as part of the subdivision proposal.

- To create equity among siblings, all proposed lots are the same size
- Restricted building sites
- Mr. Martin asked Parks Commission to consider accepting 5% cash at 2012 land value. Land assessment has increased by 30% for 2013 & landowners are appealing the assessment with B.C. Assessment.

After further discussion among commission members, questions were raised regarding minimum trail width, area of possible beach access trail, which will be referred back to CVRD staff for clarification. At this point, the commission is strongly in favor of land acquisition for beach access trail.

C.E.N.C. Solar Panels

Motion in support of installation of solar panels on Cowichan Estuary Nature Centre.

Moved and seconded.

Motion carried

Recycle Bins at Nature Center to be built by Lew Penney at the Cowichan Maritime Centre.

Motion to support this project

Moved and seconded

Motion carried

Meeting adjourned 8:15pm Next meeting Feb. 18/13 @ 6:30pm CENC

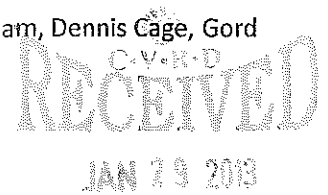
IN3

Minutes of the Cobble Hill Parks and Recreation Commission meeting held at 7 pm on January 24th in the Cobble Hill Youth Hall on Watson Avenue.

Those present: John Krug - Chair, Jennifer Symons, Al Garside, Bill Turner, Annie Ingraham, Dennis Cage, Gord Dickenson, Gerry Giles - Director along with guest Doug Lockhart.

Apologies: Lynn Wilson, Alan Seal and Ruth Koehn.

The meeting was called to order by Chair Krug at 7 pm.



Moved/second
that the agenda be adopted as presented.

MOTION CARRIED

Moved/second
that the Minutes of November 22nd 2012 be corrected to show the date on the printed version as the 22nd and not the 23rd of November and that they along with the minutes of the December 8th 2012 extraordinary meeting be adopted as circulated.

MOTION CARRIED

Old Business:

1. Quarry Nature Park Washroom plans were reviewed.

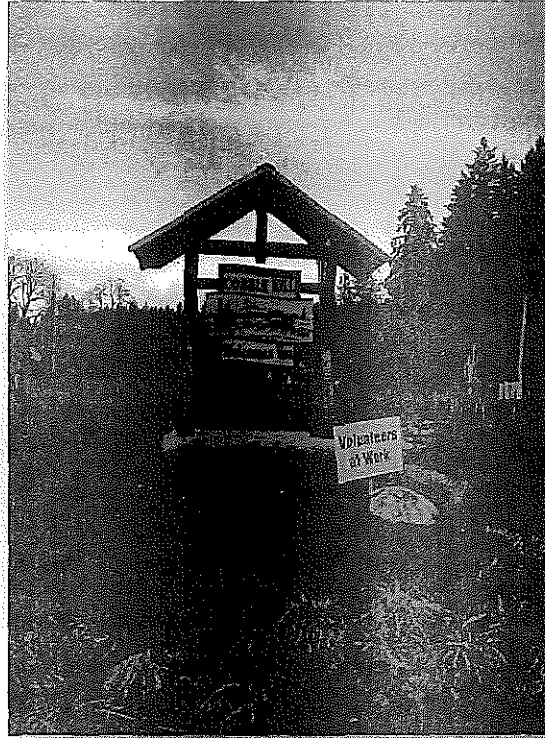
Moved/seconded
that the washroom plans as presented at the commission meeting be accepted. MOTION CARRIED

It was noted that SIMBS has offered a \$500 donation toward the bike wash and that Doug Lockhart has agreed to investigate supplying a timing device for water supply so that water used for the wash cannot run continuously.

2. The Watson Trail work requirements along with costs were reviewed. If done to specifications, the cost for materials alone will be more than the total estimate received. The item was tabled until further estimates on material needs/costs could be obtained.
3. An update on the Cobble Hill Common was presented, which included the sign, roof run off, pathway and berm planting along with maintenance needs. The kiosk is complete and is shown on page 2 of these minutes. Dennis reported the plants along the Holland Avenue berm are all doing well but either deer or rabbits have pulled some of these out. He has replanted around 40 of them. The email from Ryan Dias regarding the maintenance contract for the Common was discussed.

Moved/second
that the Cobble Hill Parks and Recreation Commission approach the SCHFIAS Board regarding maintenance of the Common. MOTION CARRIED

It was noted by the commission the Cobble Hill Common is a park under development and as such active use of the park should not be encouraged. The sign indicating it is a park and stipulating the rules of use should be removed and replaced by "Park Under Development" signs.



4. John Hodgins is working with John Krug on the Telus building mural and it appears that Telus may approve the relocation of the Evergreen sign to the face of their building. This may also include a budget for relocation and plantings. John K. will report back to the commission as plans for this project proceed.
5. The Age Friendly Study results were reviewed and the finalized document has been referred to the Cobble Hill Parks Commission and Advisory Planning Committee for review and comment. The first meeting of the Seniors Group will be held on Tuesday, January 29th at 10 am in the Youth Hall. All are welcome.
6. An update on the Historical Wall was provided by John Krug. Cement panels are now being considered as part of the design.
7. The future upgrades of Boatswain Park are still in the initial planning stages. Gerry to develop a draft questionnaire that can be circulated to residents of the area.
8. Peter Yates has not received a response to his letter inquiring about the possibility of Lefran Road Trail extension through to Cherry Point Road.

New Business:

9. The excessive water runoff through the Bike Park was discussed. Bill has cleaned the ditch and now has the water flowing to the north, but it was felt that more work is needed. It was suggested that perhaps sand bags would provide a more permanent solution.

10. The potholes at the entrance to Quarry Nature Park were discussed at length. These crevasses have been present since last summer but have gotten considerably worse over the winter. It was agreed a work party would be formed and that Dennis would obtain 5 yards of screening and Doug would use his tractor to fill these holes as a temporary measure until the washroom is built. Gerry to contact staff.
11. John has an additional bench for the Off Leash Dog Park. It is the Rotary bench that was located in but no longer needed at Memorial Park. A location for this bench will be found in the Dog Park after consultation with users. Jennifer and John to follow up.
12. AGM will be held on either the March 7th, 11th or 14th depending on the availability of the Cobble Hill Hall. Commission members indicated they would like to have a power point presentation showing all Cobble Hill Parks and the work being done. It was noted the terms of Annie and Gord are up and both agreed to stand for re-election

Other Business:

The Director reported on the agreement that resulted in Areas A, B, C and D gaining entry into the pool and the proposals for the Cameron Taggart property that will be initially discussed at Director Fraser's meeting on February 4th at the Shawnigan Community Centre.

Doug Lockhart left the meeting at 9:05 pm after which a closed session where an item regarding land acquisition was discussed.

The meeting adjourned at 9:30 p.m.

John Krug, Chair

IN 4

Area A Parks & Recreation Commission

Meeting Nov. 15, 2012 at Brentwood College boardroom

Present: Joan Pope, Greg Farley, Dave Gall, Cathy Leslie, Director Walker, April Tilson, Ron Parsons, Judy Meszaros

1. Welcome of New PRC member: Judy Meszaros

2. Ongoing Business:

A. Bright Angel Park

1. Report from Chairperson: There will be a walkabout at the park in November (see note below).

Discussion about the design and plan for the park – who can represent the Area A PRC at the subregional level? Our director can attend any meetings and take our concerns for us since Area A contributes financially. Also South Cowichan Parks Commission is usually invited and our Chairperson sits on that committee.

Note: (Message from Brian Farquar Via Email: This park is a sub-regional park that is jointly funded by Electoral Areas A, B, C, D, and E and has been awarded a \$400,000 grant from the Province of BC along with \$60,000 in Federal Gas Tax funding to revitalize several existing park amenities, including replacing the playground and washroom building, upgrading trails and outdoor fitness stations, improving park signage and rehabbing the existing playing field. A public open house on the project and future management of the park is scheduled for Thursday November 22nd at the HUB in Cowichan Station. Parks Commission members are encouraged to attend this open house.)

3. Area Director Report and Updates:

A. Properties

1. Bamberton lands – there is the 30 acre zoned park which is not accessible now because of private property and industrial areas blocking access. The park land is really only accessible by boat. It is a steep section around McCurdy Point.

2. The Marina – boat launch & walkway construction continues, letter of credit in place. Some discussion about benches that are not level.

B. Christmas party - December 1st, 6 pm, dinner at 6:30 pm, Kerry Park,

Next Meeting: Jan. 17th, 2013, 7 pm at Brentwood College

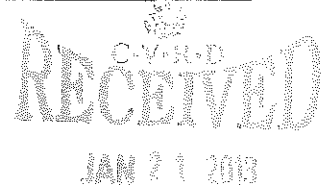
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JAN 19 2013

IN 5

MINUTES OF ELECTORAL AREA "G" (SALT AIR/GULF ISLANDS)
PARKS COMMISSION MEETING

DATE: January 7th, 2013

TIME: 7:03 pm



MINUTES of the electoral Area "G" Parks Commission Meeting held on the above noted date and time at the Water Board Office : 10705 Chemainus Rd. Saltair, BC,

PRESENT:

Chairman: Harry Brunt
Secretary: Jackie Rieck
Members: Tim Godau, Paul Bottomley, Kelly Schellenberg and Glen Hammond

ABSENT:

Members: Dave Key, Hans Nelles and Christine Nelles

ALSO PRESENT:

Director: Mel Dorey

RE-APPOINTMENTS FOR 2013:

Current members of the Saltair Parks Commission have been re-appointed by Director Mel Dorey. Positions of Chair, Vice-Chair and Secretary remain status quo.

APPROVAL OF AGENDA:

A suggestion was made to discuss the Parkinson Trail project and for today's meeting only, it would be assigned to "Princess Diana's" reports section.

MOTION:

It was moved and seconded to add the "Parkinson Trail Report" as a permanent item to the Agenda.

MOTION CARRIED

ACCEPTANCE OF MINUTES:

It was moved and seconded that the Minutes of Area “G” Parks Commission Meeting of November 5th, 2012 be accepted.

MOTION CARRIED

STANDING REPORTS:

CVRD:

-No report from the CVRD.

****Commission still awaiting follow-up action regarding; Basket ball hoop installation concerns from Minutes of September 10th, 2012, October 4th, 2012 and again in November 5th's meeting.**

DIRECTOR'S REPORT:

-In keeping with our “Sunny Saltair” theme, Mel Dorey requested approval from the Commission to purchase several large sized palm trees at a discounted price from Art Knapp's Nursery.

MOTION:

It was moved and seconded to allot a sum of \$1,000.00 towards the purchase of Palm Trees from Art Knapp's nursery by Mel Dorey.

MOTION CARRIED

-Discussed Saltair Ratepayer's ideas of upgrading Water Works Building verses purchasing Mount Brenton School building.

CENTENNIAL PARK:

-Harry will follow-up with Ryan Dias regarding the Basket Ball hoop situation. Commission would like to know the final cost of this project.

-Brent Wilson looking into the chronic mold issue in the public washrooms. Harry to follow-up with Brent regarding a timely action plan.

-Mel will replace the expired red maple tree with a large palm tree.

-Discussed email submission from “Lynne Smith” dated January 5th, 2013 – Outdoor fitness workout park and opening a trail at the end of Roberts Rd to Guilbride.

PRINCESS DIANA:

-Parkinson Trail project is in 2013 Capital Plans.

STOCKING CREEK PARK:

-Some areas of the new lower waterfall trail have drainage issues that require tending to. The volunteer work party with Dan Brown needs to be re-scheduled.

BEACH ACCESSES:

-No report.

LADYSMITH PARKS AND REC:

-Tim Godau attended Ladysmith Parks Meeting November 21st, 2012. Discussed Trans Canada Trail update. Ladysmith Parks is very impressed with Stocking Creek Park trails.

BASEBALL:

-No report.

SPECIAL EVENTS:

-No report.

NEXT MEETING:

Next Park's meeting is scheduled for February 4th, 2013, 7:00 pm at the Water Board Office on 10705 Chemainus Rd, Saltair, BC.

ADJOURNMENT:

Meeting was adjourned at 9:00 pm.