



NOTICE OF ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
October 6, 2009
Regional District Board Room
175 Ingram Street, Duncan, BC

3:00 pm

A G E N D A

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9. **INFORMATION**

10. **NEW BUSINESS**

11. **PUBLIC/PRESS QUESTIONS**

12. **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 September 15, 2009106-107
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13. **NEXT MEETING**
 Tuesday, October 20, 2009

14. **ADJOURNMENT**

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

Director B. Harrison
Director K. Cossey
Director I. Morrison

Director M. Marcotte
Director G. Giles
Director K. Kuhn

Director L. Iannidinardo
Director L. Duncan
Director M. Dorey

M1

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, September 15, 2009 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director B. Harrison, Chair
Director L. Iannidinardo
Director G. Giles
Director K. Kuhn
Director I. Morrison
Director M. Dorey
Director L. Duncan
Absent: Director K. Cossey, M. Marcotte

CVRD STAFF

Tom Anderson, General Manager
Mike Tippet, Manager
Rachelle Moreau, Planning Technician
Alison Garnett, Planning Technician
Cathy Allen, Recording Secretary

**APPROVAL OF
AGENDA**

The Chair noted changes to the agenda which included add-on correspondence to agenda item D6, three items of New Business, and one closed session item.

It was Moved and Seconded
That the agenda, as amended, be accepted.

MOTION CARRIED

M1 - MINUTES

It was Moved and Seconded
That the Minutes of the September 1, 2009, EASC meeting be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D1 - Stenberg

Alison Garnett, Planning Technician, presented Application No. 5-I-09DP (Gerald and Florenda Stenberg) to construct an addition to the existing residence located at 8720 North Shore Road.

The Committee directed questions to Ms. Garnett.

The applicant, Gerald Stenberg, was present. He added that both neighbours have been contacted and advised that they have no concerns regarding the application.

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It was Moved and Seconded

That application No. 5-I-09DP be approved, and that a development permit be issued to Gerald and Florenda Stenberg for the construction of an addition to the existing residence on Lot B, District Lot 27, Cowichan Lake District, Plan 7339, subject to compliance with the measures and recommendations outlined in RAR assessment report No. 1295 by Lehna Malmkvist, R.P.Bio.

MOTION CARRIED

D2 - Cameron

Alison Garnett, Planning Technician, presented Application No. 1-C-09ALR (Bertha and William Cameron) to construct a second residence at 3501 Telegraph Road.

The Committee directed questions to Ms. Garnett.

It was Moved and Seconded

That application No. 1-C-09ALR (Cameron) to construct a second dwelling on Lot A, Section 11, Range, 9 Shawnigan District, Plan VIP69418, be forwarded to the Agricultural Land Commission with a recommendation to approve.

MOTION CARRIED

D3 - Poyntz

Alison Garnett, Planning Technician, presented Application No. 3-I-09DP (Ian Poyntz/Goat Island Holdings) to construct a single family dwelling on Island 3on Cowichan Lake.

The Committee directed questions to staff.

The applicant, Ian Poyntz, was present. Mr. Poyntz reviewed his proposal and answered questions from Directors.

It was Moved and Seconded

That application No. 3-I-09DP be approved, and that a development permit be issued to Ian Poyntz of Goat Island Holdings Ltd for the construction of a single family dwelling on Goat Island, Block 1454, Cowichan Lake District, Plan 40412, subject to compliance with the measures and recommendations outlined in RAR assessment report No. 1189 by Ted Burns, including the appropriate marking/flagging of the Streamside Protection and Enhancement Area to prevent encroachment.

MOTION CARRIED

It was Moved and Seconded

That an environmental protection covenant be registered, in perpetuity, on Goat Island, Block 1454, Cowichan Lake District, Plan 40412, restricting the use and storage of heating oil on the island.

MOTION CARRIED

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D4 - Nelson

Rachelle Moreau, Planning Technician, presented Application No. 3-A-09DVP (Sheena Nelson) to vary rear and side parcel line setback of accessory building at 962 Deloume Road.

There were no questions to staff from Committee members.

It was Moved and Seconded

That Application No. 3-A-09DVP by Sheena Nelson for a variance to Section 8.4(b)(3) of Zoning Bylaw No. 2000, by decreasing the setback to a rear and side parcel line for an accessory building from 3.0 metres (9.8 ft) to 0.6 metres (2 ft), on Strata Lot 35, District Lot 60, Malahat District, Strata Plan VIS4795 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 026-185-563), be approved, subject to the applicant providing a survey confirming compliance with the approved setback.

MOTION CARRIED

D5 – Kolenosky/Jones

Rachelle Moreau, Planning Technician, presented Application No. 10-E-07DP (Russ Crawford) to permit construction of an industrial business park at 4885 Waters Road.

Bill Jones spoke respecting the negative impact the proposed development would have on Glenora residents. He cited groundwater as their main concern. He noted that the proposal is contrary to the Official Community Plan and stated that they support the CVRD staff recommendation.

Dianne Kolenosky added that 70 other residents would have been present to show their objection to the proposal but due to other commitments were unable to attend.

There were no questions to the delegates from Committee members.

D6 - Crawford

Richard Margetts, solicitor, on behalf of Russ Crawford, was present regarding Application No. 10-E-07DP.

Mr. Margetts distributed and reviewed a Memorandum of Rocky Point Metalcraft Ltd. He stated that the applicant has gone out of his way to develop a proposal allowed under the zoning bylaw and noted the various uses permitted in the I-2 zone. Mr. Margetts stated that the CVRD has no basis for rejecting the application and suggested that Option 1 of the Staff Report be endorsed.

The Committee directed questions to the delegate and to Rick Loyal, Civil Engineer.

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It was Moved and Seconded

That application No. 10-E-07DP be denied due to the uncertainties regarding the proposed uses and in the absence of information regarding the availability of groundwater on the site and the potential impact to neighbouring wells.

MOTION CARRIED

STAFF REPORTS

SR1 – Public Safety Budget Report

It was Moved and Seconded

That the Staff Report dated August 27, 2009, from Sybille Sanderson, Acting General Manager, regarding Public Safety Mid-year Budget Status Report, be received and filed.

MOTION CARRIED

SR2 – First Responder Agencies Consent

It was Moved and Seconded

That the Chair and Corporate Secretary be authorized to sign the First Responder Consent and Indemnity Agreement from the Emergency and Health Services Commission.

MOTION CARRIED

SR3 – Ticket Bylaw Amendments

It was Moved and Seconded

That CVRD Bylaw No. 3209 – Ticket Information Authorization Bylaw, 2008, be amended by replacing the appropriate schedules that reflect changes to existing CVRD Bylaws No. 39, 2600, 2108, 2570, 1690, 1607, 1971, 1967, 1763, 1926, 2020, 2998, 3099, 2997, 3098, 3122, 2999, 3100, and 3123; and further that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

SR4 – Permit Construction Value

It was Moved and Seconded

That the following Building Permit Construction Value Schedule, dated September 9, 2009, be approved:

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CONSTRUCTION VALUE SCHEDULE (SEPTEMBER 9, 2009)	
	VALUE (\$)
Main floor with full basement	100.00
Main floor with crawlspace	90.00
Main floor slab on grade	90.00
Second floor	60.00
Moved/Relocated building	50.00
Garage (finished)	30.00
Garage (unfinished)	25.00
Carport	20.00
Deck	20.00
Finished basement	40.00

MOTION CARRIED

SR5 – Woodland
Shores Covenant

It was Moved and Seconded

That the Board Chair and Corporate Secretary be authorized to discharge and sign as required the necessary easements, rights of way and covenants and other instruments related to engineering services infrastructure, flood construction level and community park dedication, park and trail/pathway construction and community fire hall site dedication with respect to Phase I of the Woodland Shores development in Electoral Area I (File No. 1-I-08SA), with the following comments specific to each proposed change or instrument:

- Covenant on Proposed Lot 72 – **Required** for restricting use of lands dedicated for park as park: see comments under point 7 in this recommendation.
- SRW over Proposed Lot 66 – **Required** for access to park; see comments under point 3 in this recommendation.
- Easement over Proposed Lot 1 – **Required** for access to Uplands Park: see comment under point 2 in this recommendation.
- Easement over Proposed Lot 68 – **Required** for access for parks and engineering purposes to and beyond water tower; see comments under Engineering Services near the end of this report.
- Easement over Proposed Lot 71 (Area 1) – **Required** for underground electrical services; see comments under Engineering Division heading.
- Easement over Proposed Lot 71 (Area 2) – **Required** for underground electrical services; see comments under Engineering Division heading.
- SRW over Proposed Lots 4 and 5 – **Required** for sewer mains;
- SRW over Proposed Lots 16, 17, 27, 28 – **Required** for storm drainage; see comments under Engineering Division heading.
- SRW over Proposed Lot 68 – **Required** for reservoir access; see comments under Engineering Division heading.
- Covenants, all non-waterfront proposed lots – **Required** for protection of wellhead areas see comments under Engineering Division heading.
- Covenants, all waterfront proposed lots – **Required** for protection of wellhead areas see comments under Engineering Division heading.
- Covenants, Proposed Lots 15 and 16 – CVRD **requires** that the Provincial

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167.33 m flood construction level is in a covenant on every title that is potentially affected by the floodplain; if this is done, Covenant EE13444 may be discharged.

- Covenant for two proposed waterfront lots that have fill on them – **Required**; this would support the CVRD Building Inspection Division.
- Discharge of Covenant EE13446 – **Required**; because this environmental covenant is out of date with respect to setbacks from the lake, and is redundant in any case.
- The CVRD **declines** to be a party to any covenant that purports to describe a vegetation management regime in a riparian area.
- Modification of covenant FB109779 – **Required** in order to reschedule developer commitments for some amenities to Phase 2, subject to the following conditions:
 1. Modification of existing Restrictive Covenant FB109779 to reschedule the requirement for construction and dedication of the Lakefront Public Park – North Park by the Developer from the Phase I Subdivision stage to the Phase II Subdivision stage, and to include construction by the Developer of a walking pathway parallel to Meade Creek Road from Highway 18 to Marble Bay Road as part of the Phase II Subdivision stage, conditional upon the necessary approvals being received from the appropriate land authorities along the intended pathway route.
 2. Registration of an access easement over remainder Lot 1, Block 180 in favour of the Cowichan Valley Regional District for access to portions of Bald Mountain Peninsula Upland Community Park for the purposes of maintaining this park.
 3. Registration of a Statutory Right-of Way over portion of Lot 66 in favour of the Cowichan Valley Regional District for use of the SRW for park purposes, with provision for future transfer of the SRW land area to the Regional District as park.
 4. Enactment of an agreement between the Cowichan Valley Regional District and the Developer with regards to outstanding Phase I park and trail improvements covered under Restrictive Covenant FB109779, inclusive of a letter of credit in the amount of 120 percent of the value of outstanding phase I works and maintenance of Phase I park improvements pending completion of outstanding works to the satisfaction of the Regional District.
 5. Confirmation the lot adjacent Marble Bay Road being dedicated to the Cowichan Valley Regional District as part of the Phase I Subdivision for future fire hall purposes as per Restrictive Covenant FB109779 is fully services with water and sewer utility connections.
 6. Receipt of a letter from Scouts BC/Yukon Division by the Cowichan Valley Regional District confirming the Scouts have no outstanding issues with relocation of the Marble Bay Scout Camp by the Developer as specified under Restrictive Covenant FB109779.
 7. Concurrent registration of public park limitation covenants by the Cowichan Valley Regional District unto itself for all lands being dedicated for park purposes to the Regional District as part of the phase I Subdivision as per conditions of Restrictive Covenant FB109779 previously approved by the Regional Board as part of the Woodland

Shores rezoning approval, inclusive of new Lots 72 (Lakefront Park South), 73 (Southern Playfield Park) and Lots 75 and 76 along with Blocks 876, 997, 1010, 1047 and 1505, Cowichan Lake District (all inclusive of the Uplands Natural Park).

8. Receipt of a biologist report from the Developer confirming the design, layout and construction of the stormwater drainage system on the north side of the main road in the vicinity of the Lakefront Public South Park will not have an adverse impact on the existing wetland pond complex noted as having high habitat value for native frogs.

MOTION CARRIED

APC

AP1 to AP2 - Minutes

It was Moved and Seconded

That the following minutes be received and filed:

- Minutes of Area C APC meeting of August 25, 2009
- Minutes of Area I APC meeting of September 2, 2009

MOTION CARRIED

AP3 - Resignation

It was Moved and Seconded

That the resignation of Lillian Talbot from the Area D Advisory Planning Commission, be accepted, and that a letter of appreciation be forwarded to Ms. Talbot.

MOTION CARRIED

INFORMATION

IN1 – Building Report

It was Moved and Seconded

That the August 2009 Building Report, be received and filed.

MOTION CARRIED

NEW BUSINESS

NB1 – Mill Bay Road connections

It was Moved and Seconded

That a letter be forwarded to the Ministry of Transportation and Infrastructure requesting that Deloume Road in Mill Bay be opened to provide better public and emergency vehicle access to the Mill Springs development.

MOTION CARRIED

It was Moved and Seconded

That a letter be forwarded to the Ministry of Transportation and Infrastructure requesting that they make provision for Lilmac Road in Mill Bay to continue east and west when considering subdivision approvals.

MOTION CARRIED

**NB2 – Youth
Parliament**

Director Giles advised that the BC Youth Parliament's 81st Parliament will be held in Victoria from December 27 to 31, 2009, and suggested that the CVRD encourage eligible youth in the Valley to apply to sit as a member of the Youth Parliament.

General discussion ensued.

It was Moved and Seconded

That the CVRD participate in the British Columbia Youth Parliament program with costs not to exceed \$400, and that the application process be referred to the Corporate Services Department for implementation.

MOTION CARRIED

**NB3 – Pre-emption
Lights, Mill Bay**

Director Harrison reported that the Mill Bay Co-Op has committed to donate \$20,000 towards installation of the pre-emption lights on the TCH in Mill Bay, and also advised that a separate developer will be contributing towards another light at Frayne Road.

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 4:55 pm.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded

That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 4:55 pm.

Chair

Recording Secretary

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D 1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF OCTOBER 6, 2009

DATE: September 28, 2009 FILE NO: 3-I-09DVP
FROM: Alison Garnett, Planning Technician BYLAW NO: 2465
SUBJECT: Development Variance Permit Application No. 3-I-09DVP
(Woike)

Recommendation:

That the application by A. Gregory Woike for a variance to Section 3.20 and 3.2(1) of Zoning Bylaw No. 2465, by decreasing the setback to a watercourse for an accessory building from 15 metres down to 10.5 metres, and increasing the permitted size of an accessory building from 25 m² to 53 m² on Lot 2, Section 44, Renfrew District, Plan 79237, be approved, subject to:

- a) Receipt of a remedial landscaping plan of native riparian vegetation along the natural boundary of the lake, prepared by a registered professional biologist and approved by the CVRD,
- b) Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 120% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the registered professional biologist.
- c) Registration of a protective covenant on the subject property, for an area 30 metres from the high water mark of Cowichan Lake prohibiting the building of structures and removal of vegetation, unless authorized by development permit.

Purpose:

To consider an application to relax the setback of an accessory building to the lake, and to relax the allowable size of an accessory building.

Financial Implications: N/A

Interdepartmental / Agency Implications: N/A

Background

Location of Subject Property: Lot 2, north side of Cowichan Lake

Legal Description: Lot 2, Section 44, Renfrew District, Plan VIP79237, PID 026-351-811

Date Application and Complete Documentation Received: July 21, 2009

Owner: Gregory Woike for Rice Spings Farm Ltd.

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Applicant: As above

Size of Parcel: 22.5 ha (55 acres)

Zoning: F-1 Forestry Resource 1

Watercourse Setback: 15 metres (49 ft)

Existing Setback: 10.5 metres (34 ft)

Existing Plan Designation: Forestry

Existing Use of Property: No permanent residential use.

Existing Use of Surrounding Properties:

North:	Forestry
South:	Cowichan Lake
East:	Forestry
West:	Forestry

Services:

<u>Road Access:</u>	Easement
<u>Water:</u>	N/A
<u>Sewage Disposal:</u>	N/A

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: The subject property is located on Cowichan Lake.

Archaeological Site: None Identified

Planning Division Comments:

The subject property is a 22 ha lot on the north side of Cowichan Lake, approximately 10 to 15 kilometres west of Youbou. The F-1 (Forest Resource) zone permits single family dwelling, however there are no permanent residences on the subject property. The lot has approximately 275 metres of shoreline along Cowichan Lake.

In March 2006, the applicants constructed a 53 m² (570 ft²) rain shelter, which is located 10.5 metres from the high water mark of Cowichan Lake. They did not apply for or receive a building permit. The structure, which is open-sided and built on six posts on concrete footings, contravenes two sections of Zoning Bylaw No. 2465. Section 3.20 states that no structures shall be located within 15 metres of the high water mark of a watercourse or lake. Additionally, Section 3.2 states that no accessory building shall be located on a parcel unless the principal building is already constructed, the exception being one accessory building not exceeding 25 m² used only for storage purposes.

The applicants are now applying retroactively for a variance to both sections of the Zoning Bylaw. As they are able to prove that construction of the rain shelter was initiated prior to the

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implementation of the Riparian Areas Regulation, an RAR assessment and development permit are not required. However, they have submitted a letter prepared by qualified biologists from Madrone Environmental Services, which is attached to this report. The Madrone letter essentially states that no vegetation was removed or damaged in order to build the rain shelter, however the building footprint prevents any natural reestablishment of vegetation within the riparian area. As a mitigation measure, Madrone recommends that an area equal to the size of the rain shelter is replanted with native riparian vegetation.

The applicants have also provided a legal survey of the subject property, which delineates the rain shelter in relation to the 164 metre high water mark of Cowichan Lake, and the 167 metre floodplain elevation. As this structure is not intended for year round storage, or residential use, CVRD Building Department is comfortable with the structures' location within the floodplain.

Ministry of Environment staff were consulted on this application regarding potential ecological impacts. In their opinion, a remediation plan prepared by a qualified biologist, as well as a protective covenant restricting building or removal of vegetation within 30 metres of the high water mark, offer viable options to compensate for the subject building's proximity to the lake.

This application raises concerns regarding varying the setback to Cowichan Lake, as well as the practice of constructing without the necessary building or development permits. Should the Board choose to deny this application, the matter would be referred to Bylaw Enforcement. Options for enforcement include registration of a Notice on Title or pursuing removal of the structure.

Surrounding Property Owner Notification and Response:

A total of six (6) letters were mailed-out or hand delivered, as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 2255. The notification letter described the purpose of this application and requested comments regarding this variance within a recommended time frame. No comments have been received during the two week period provided for a written reply.

Options:

1. That the application by A. Gregory Woike for a variance to Section 3.20 and 3.2(1) of Zoning Bylaw No. 2465, by decreasing the setback to a watercourse for an accessory building from 15 metres down to 10.5 metres, and increasing the permitted size of an accessory building from 25 m² to 53 m² on Lot 2, Section 44, Renfrew District, Plan 79237, **be approved**, subject to:
 - a) Receipt of a remedial landscaping plan of native riparian vegetation along the natural boundary of the lake, prepared by a registered professional biologist and approved by the CVRD,
 - b) Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 120% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the registered professional biologist,
 - c) Registration of a protective covenant on the subject property, for an area 30 metres from the high water mark of Cowichan Lake prohibiting the building of structures and removal of vegetation, unless authorized by development permit.
2. That the application by A. Gregory Woike for a variance to Section 3.20 and 3.2(1) of Zoning Bylaw No. 2465, by decreasing the setback to a watercourse for an accessory

building from 15 metres down to 10.5 metres, and increasing the permitted size of an accessory building from 25 m² to 53 m² on Lot 2, Section 44, Renfrew District, Plan 79237, **be denied.**


Option 1 is recommended.

Submitted by,



Alison Garnett
Planning Technician
Planning and Development Department

AG/ca

Department Head's Approval

Signature



Covichan
Valley
Regional
District

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

The Regional District does not warrant the accuracy.

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

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

FILE: 03-1-09
-DVP

ZONING

Legend



Subject Property
Zoning Electoral Area I

BLK. 134

W-41

S. 44

BLK. 10

R-1

SUBJECT PROPERTY

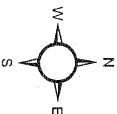
5
54778

73023

73024

02550 100

Meters



COMWICHAN LAKE

as measured March 19, 2009, by Allen L. Cox BCLS
Present Natural Boundary

Boundary as shown on Plan VIP79237
(Title Boundary & Present Natural Boundary)
at this point
164 m Elevation Interpolated

164.0 m Contour
marked with wood stakes

30 metre offset
to 164.0 m Contour

4' 1x2 Wood Stake (typical)

Log Post
Covered Area

Gravel Access

Iron Post Found
(typical)

EASEMENT

PLAN

LOT 2

LOT 3

VIP 79237

000016

Rice Springs Farm
1757 Herd Rd.,
Duncan, B.C. V9L 5W5
July 16, 2009

CVRD
175 Ingram St.
Duncan, B.C.

Variance Committee:

We were the first to purchase a lot from a five lot development of section 44 Renfrew District; it was raw land previously logged. We were not aware that the land was in an unincorporated area of the CVRD.

We would like to apologize for not knowing that a building permit was required to build a rain shelter. Had we known that we needed a permit we would have complied to the setback requirement.

Please consider our request for variance.

Yours truly,



Greg Woike

000017

DRAFT



May 7th 2009

Mr. Ben Woike
1757 Herd Road
Duncan, BC

Dear Mr. Woike,

On August 29th 2008, Lea Menzies (former Madrone biologist) visited your property located adjacent to Cowichan Lake – Lot 2, Section 44. I understand that the field visit was triggered by a complaint regarding the construction of a wooden shelter on the lot within the riparian zone of Cowichan Lake. The following details are based largely on the results of last year's field visit and conversations you have had with Lea Menzies, Nino Morano (Cowichan Valley Regional District (CVRD) bylaw officer) and myself. Lea Menzies left Madrone in September 2008, and I have taken over this project following her departure.

Regulatory Background

Since April 2006, any development activities that occur within 30 m of a water body are subject to the provincial Riparian Area Regulations (RAR). The RAR requires the completion of an assessment report that determines the width of the Streamside Protection and Enhancement Area (SPEA). The SPEA for lakes varies between a maximum of 30m and a minimum of 15m, measured from the High Water Mark (HWM). Once the SPEA has been determined (includes an on-site visit), an assessment report is submitted to Fisheries and Oceans Canada (DFO), the Ministry of Environment (MoE) and the local government via the online RAR Notification System. Following the review of the submitted report by the regulatory agencies, development can proceed inside the 30 m Riparian Assessment Area (RAA) with the implementation of measures to ensure the maintenance of the SPEA. Development inside the SPEA is generally not permitted, unless a "hardship" can be demonstrated – i.e. in such instances where implementation of the SPEA would render a lot un-developable.

Lot 2, Section 44 Development Specifics

I understand that you have owned the property since June 2005 and have used a small portion of the RAA for camping and general recreational activities. Activity occurs in and around a beach area along approximately 30 m of the RAA, within 15 m of the HWM.

Madrone Environmental Services Ltd.

000018

You have articulated that the camping activity began prior to the implementation of the RAR bylaw (April 2006), meaning that this use of the RAA is legally non-conforming (i.e. "grand parented"). Since the site visit, the majority of camping activity and associated materials (e.g. tarps, fire pits and picnic tables) have been moved underneath the shelter.

The construction of the wooden shelter within the RAA began in March 2006, prior to the implementation of the RAR. Following initial foundation work in March and April 2006, construction ceased due to commitments elsewhere. The shelter was largely completed by June 2008. Development of the structure began prior to the implementation of the RAR, and an assessment procedure under the RAR would not have been triggered. Work on the structure did occur, however, after the implementation of the RAR.

Site Survey

Following the on-site visit, Nino Morano suggested that a detailed survey be performed to depict the HWM and the location of the structure in relation to the HWM and the 30 m RAA. The site survey (attached), performed by Kenyon-Wilson professional Land Surveyors, became available to me on March 24th 2009. The survey indicates that the structure (labeled as the "log post covered area") is 10.5 m from the HWM of Cowichan Lake.

Biological Implications

Riparian zones provide important biological functions to adjacent lotic and lentic habitats, including: shade; litter fall; insect drop; and provision of Large Woody Debris (LWD). These functions form the basis of determining the width of the SPEA under the RAR. The SPEA for Cowichan Lake on the subject property would be 15 m, under the existing RAR. Any development adjacent to the SPEA is subject to the implementation of various measures to ensure the integrity of the SPEA is maintained. The following description of riparian habitat, existing site conditions and fish habitat value are based on the field visit carried out by Lea Menzies.

Temporary camping areas (fire pits, benches, tarps) exist within the seasonally flooded riparian area, above the natural boundary of the lake, but below the 164 m elevation HWM. These campsites are located on the natural gravel beach area and have not impacted on the functional viability of the existing riparian vegetation. Riparian vegetation in this seasonally flooded area consists of pockets of red alder (*Alnus rubra*), willows (*Salix* sp.) and Indian plum (*Oemleria cerasiformis*) growing on the gravel beach substrate. The adjacent riparian area above the HWM consists of young (structural stage 4 and 5) Douglas fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*) and western hemlock (*Tsuga heterophylla*). Shrubs in this drier area above the HWM consist largely of salal (*Gaultheria shallon*), Nootka rose (*Rosa nutkatensis*) and red huckleberry (*Vaccinium parvifolium*).

I understand that an existing campsite pad occurred prior to construction in the specific footprint area of the structure, and riparian vegetation was not removed to allow the structure to be built. Regarding the function of riparian vegetation, the structure does not

represent an impact to on-site fish habitat. The footprint does, however, represent an area that offers the potential for riparian vegetation to grow.

Recommendations

Based on prior land-use and a lack of pre-existing riparian vegetation in the specific footprint area, the structure does not represent an impact to existing on-site fish habitat values. Despite this fact, the structure will prevent the natural re-colonization and succession of riparian vegetation in an area that may provide future benefits to fish habitat. An option may be to enhance an equal, or larger, area compared to the footprint of the structure. Enhancement in the form of native riparian planting along the natural boundary of the lake with riparian vegetation would add value to the existing function of the riparian zone. I can provide you with more detail and a list of appropriate species to plant should enhancement be required.

I understand that you will be forwarding this letter to the CVRD, and planning representatives will ultimately decide the appropriate course of action. The purpose of this letter is to provide you with a basic understanding of the RAR process and, more importantly, provide a professional opinion on biological issues.

If you have any questions or concerns, please do not hesitate in contacting me.

Yours sincerely,

Trystan Willmott, B.Sc. A.Sc.T
Aquatic/terrestrial biologist.

Lea Menzies, B.Sc., B.I.T.
Wildlife and Fisheries Biologist



Looking towards the front of the structure. Taken by client; late summer 2008.



Looking towards the front of the structure from the approximate natural boundary of the lake. Note extensive riparian area between the natural boundary and the structure. Taken by client; late summer 2008.



Looking northeast towards the structure. Note use of the riparian zone for camping activities. Taken by Lea Menzies on August 29th 2008; since the site visit on August 29th 2008, the majority of the camping-related material has been moved to the wooden shelter.

Photographs



Looking north east from the approximate high water mark of the lake towards the structure (taken by client; late summer 2008).



Looking towards the front of the structure (above and below). Taken by Lea Menzies on August 29th 2008.

SKETCH PLAN OF PROPOSED SUBDIVISION
SECTION 44, RENFREW DISTRICT EXCEPT
THAT PART IN THE RIGHT OF WAY OF THE
CANADIAN NORTHERN PACIFIC RAILWAY
COMPANY, AS SHOWN ON LOCATION
PLAN 726F
BCGS 92-C-099

NOTE:
LOT DIMENSIONS AND AREAS
SUBJECT TO LEGAL SURVEY,
LOCAL APPROVAL AND REGISTRATION

REMAINDER
BLOCK 119

CONTOUR LAKE DISTRICT

DL 10
CONTOUR LAKE DISTRICT

PLAN 1219 CG
TIER 5
TIER 6

LEGEND

--- BOUNDARY - PRESENT NATURAL BOUNDARY
--- BOUNDARY - TITLED BOUNDARY AS PER ORIGINAL
SURVEY OF SECTION 44

SECTION 44

BLOCK 24

RENFREW DISTRICT

REDUCED COPY

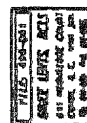
REDUCED COPY

CONTOUR LAKE

BLOCK 134

CONTOUR LAKE DISTRICT

SCALE = 1:4000



000024

LOT 2, SECTION 44,
RENFREW DISTRICT,
PLAN W/79237.

4. distortion and elongation are a problem.

Section 87(2)(g) of the Freedom of Information Act

[illegible]

A002 02 4254 J 071220-50 774
 1527-570050 147 066 75 002000
 247 012 0700012 422
 S001240075 0077 700205-2000
 A005 04 0010000

Madrone Environmental Services Ltd.

3.1 Application

Except as otherwise specified in this Bylaw, all provisions of Part Three apply to all the zones established under this Bylaw in Electoral Area I.

3.2 Accessory Buildings and Structures

For zones within which accessory buildings and structures are permitted, the following general regulations apply:

1. No accessory building or structure shall be situated on a parcel unless the principal building, to which the accessory building is incidental, has already been erected or will be erected simultaneously with the accessory building on the same parcel, with the exception of one accessory building or structure not exceeding 25 m² of gross floor area, used only for storage purposes.
2. Notwithstanding Section 3.2.1, an accessory building may be situated on a parcel contiguous to a parcel on which the principal building is situated, provided the owner of both parcels agrees to have registered on the title a restrictive covenant in favour of the CVRD stating that the parcel with the accessory building will not be sold independently of the adjacent parcel with the dwelling, unless the accessory building is firstly removed.
3. No part of an accessory building shall be used as a dwelling unit or sleeping unit, except as otherwise provided for in this Bylaw.
4. No accessory building shall contain plumbing other than that necessary for the installation of one toilet and one sink, and no other plumbing or plumbing fixtures shall be permitted.
5. An accessory building shall be located on the same parcel as the principal building or use.
6. One greenhouse, not exceeding 25 m² in floor area shall be permitted as an accessory residential structure. Greenhouses exceeding 25 m² in floor area shall be considered agricultural buildings, be permitted only in zones where agriculture is listed as a permitted use and shall comply with the relevant agricultural building setbacks from parcel lines.

3.3 Bed and Breakfast Regulations

For zones in which it is permitted, bed and breakfast use must:

1. be completely contained within and be accessory to a single family dwelling as the principal use on the parcel;
2. be conducted by a resident on the parcel, who may not employ more than one additional non-resident person on the parcel;
3. not involve the use of more than four rooms per parcel at any one time, for overnight guest accommodation;

3.18 Secondary Dwelling Unit

For zones in which it is permitted use, the secondary dwelling unit shall:

1. be either free-standing or attached to a residential accessory building;
2. not be a manufactured home, modular home, park model mobile home or recreational vehicle;
3. be legally constructed and inspected in accordance with the *British Columbia Building Code* and the CVRD Building Bylaw, and have the approval of the authorities responsible for domestic waste disposal and domestic water supply;
4. not have a gross floor area in excess of 74 m²
5. not be located on a parcel that is less than 0.4 hectares in area;
6. not be located on a parcel of land that has another secondary suite or secondary dwelling on it;
7. not be located on a parcel of land unless an owner of the parcel resides on the same parcel;
8. have two additional on-site parking spaces;
9. the secondary dwelling unit shall not be subdivided from the parcel upon which it is situated, nor shall a strata plan of any kind be registered upon a building or parcel containing a secondary suite, and the owner must enter into and register a restrictive covenant to this effect on the property's title in the Land Title Office.

3.19 Setback Exceptions

1. Except as otherwise provided in particular zones, the setback requirements of this Bylaw do not apply with respect to:
 - a. A pump house
 - b. Bay windows, belt courses, chimneys, exterior finish, heating equipment, sills, sunlight control projections, sunshades, unenclosed stairwells, and ventilating equipment, if the projections do not exceed 1 m measured horizontally;
 - c. Eaves, canopies, cornices, gutters, sunshades, and unenclosed stairwells if the projections, measured horizontally, do not exceed:
 - i. 2 m in the case of a rear yard;
 - ii. 1 m in the case of a front yard or side yard;
 - d. Signs;
 - e. Open fences; and
 - f. Closed fences and landscape screens that are less than 2 metres in height.
2. Notwithstanding any other provision of this Bylaw, the consent of the Ministry of Transportation is required to place any building or structure closer than 4.5 m to a property line adjacent to a highway;
3. No other features may project into a required setback area.

3.20 Setbacks from a Watercourse

Notwithstanding any other provision of this Bylaw, no building or structure shall be located within 15 metres of the high water mark of any watercourse or a lake, unless specified in a Development Permit.



D2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF OCTOBER 6, 2009

DATE: September 30, 2009 **FILE NO:** 6-B-09 DVP
FROM: Rachelle Moreau, Senior Planning Technician **BYLAW NO:** 985
SUBJECT: Application No. 6-B-09DVP
(Andy Smith)

Recommendation:

Direction from the Committee is required due to the unique circumstances of the application.

Purpose:

To consider an application to vary the maximum height of a fence from 1.2 metres in the front yard and 1.8 metres in all other parts of the parcel to approximately 3.66 metres at the north east end of the fence and a maximum of 7.3 metres along the south east end of the fence.

Background:

Location of Subject Property: 1860 Malta Road

Legal Description: Lot 12, Block 4, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218 (PID: 000-103-519)

Date Application and Complete Documentation Received: June 1, 2009

Owner: Andrew and Kimberley Smith

Applicant: Andrew Smith

Size of Parcel: Approximately 0.8 ha (2 acres)

Existing Zoning: R-3 (Urban Residential)

Minimum Lot Size Under Existing Zoning: 1.0 ha without community water and sewer
0.2 ha with community water

Existing Plan Designation: Urban Residential

Existing Use of Property: Residential

000028

Existing Use of Surrounding Properties:

North: R-2 and P-1 (currently occupied by a Church)
 South: R-3 (vacant lot)
 East: C-5 (Neighbourhood Pub)
 West: R-3 (Residential)

Services:

Road Access: Malta Road
Water: Well
Sewage Disposal: Septic system

Environmentally Sensitive Areas: The Environmental Planning Atlas has identified a stream (Shawnigan Creek) on the subject property.

Archaeological Site: No archaeological sites have been identified.

The Proposal:

An application has been made to: the Regional Board to vary Section 5.10 which specifies a maximum height of 1.2 metres for a fence in a front yard and 1.8 metres in all other parts of a parcel.

For the purpose of: constructing a fence taller than that currently permitted in the Zoning Bylaw along a portion of the eastern parcel line in order to create a noise barrier between the subject property and the neighbouring commercial property (Black Swan Pub).

Planning Division Comments:

The subject property is off Malta Road, and is immediately adjacent to the Black Swan Pub property. The applicant and his family have owned the property since October 2008, and have concerns with respect to noise generated on the pub property and lack of privacy (please see attached letter).

The applicant would like to construct a fence on the property that is substantial enough to create a visual screen and noise barrier between the pub and the applicant's yard. The applicant's residence is located on the western half of the subject property, and most of his yard adjacent to the Black Swan pub property is lawn with a few large trees. In the long-term, he intends to plant trees on the eastern side of the lot to increase privacy, but in the interim would like to establish the fence as a more immediate solution. The fence would have an exterior face consisting of Hardiplank or 1"x 8" wood panels, and would be constructed with steel supports.

Zoning Bylaw No. 985 specifies a maximum fence height of 1.2 metres (4 ft) in the front yard and 1.8 metres (6 ft) for all other parts of the parcel. There is an existing chain link fence on the property which would be replaced by the proposed taller fence. A Development Variance Permit is required, as the proposed fence will be taller than that permitted in the Zoning Bylaw. Since the deck on the Black Swan property is at a higher elevation than the subject property, a 1.8 metre tall fence would simply not be tall enough to obscure the view of the property from the pub patio, therefore a much higher fence is required.

For your reference, the height of a fence is measured from the average grade level to the highest point of the fence. In this case, since the property slopes down towards the southern portion of the property, the applicant has requested a variance to build the fence approximately 3.66 metres (12 ft.) above the average natural grade level at the Black Swan Pub. Therefore, this will result in the portion of the fence at the road side being 3.66 metres (12 ft) and the remainder of the fence being taller up to an anticipated maximum height of 7.3 metres (24 ft) at the south east end of the fence (nearest the Black Swan pub deck). The proposed fence height changes along its length to account for the elevation difference between the two properties and the slope of the land where the fence is proposed.

Although the structure is substantial, the Chief Building Inspector has advised that a building permit is not required for this type of structure.

Riparian Areas Regulation

When this application was first submitted, it was felt that a Riparian Areas Regulation (RAR) assessment was not required as the fence would simply be replacing an existing fence. Currently, the existing chain link fence and a good portion of the applicant's yard and lawn is within the 30 metre RAR assessment area.

Surrounding Property Owner Notification and Response:

A total of nine (9) letters were mailed out and/or otherwise hand delivered to adjacent property owners, as required pursuant to CVRD Development Application Procedures and Fee Bylaw No. 3275, which described the purpose of this application and requested comments on this variance within a specified time frame. During the 2-week period provided for a written reply, we received one email letter stating no objection to the proposed fence, however the writer did express concerns that the fence as proposed would not achieve the noise abatement goals of the applicant.

The original application details sent out with the variance notification letters proposed a fence constructed of wood posts finished with 1"x 8" vertical boards and a form of insulation foam between the two sides of the fence as a noise abatement measure. However, under the current plan, no insulation foam is proposed and the applicant has supplied further detail regarding the construction of the fence.

Summary

There is merit to the proposal in that the applicant is attempting to improve the level of privacy on his property. As noted in the attached letter, the applicant and his family regularly suffer from noise disturbance emanating from the pub and do not feel comfortable using their property due to the lack of privacy on the east side of their property. There has been an effort to make the fence attractive by using hardiplank and attempting to soften the appearance of it over time by planting cedar trees along the fence. Additionally, we have received no communication from neighbours objecting to the fence and recognize that this is an extraordinary circumstance that is not likely to be requested in any other instance. Considering the extent of the variance being requested and that this is a significant increase over and above what is permitted in the Zoning Bylaw staff is reluctant to recommend approval of the application, however, the circumstances may warrant such drastic departure from the bylaw requirements.

Options:

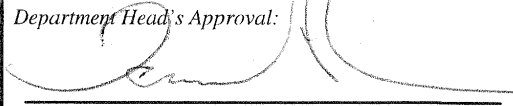
1. That the application by Andy Smith for a variance to Section 5.10(b) of Zoning Bylaw No. 985, by increasing the maximum height of a fence from 1.2 metres (4 ft) and 1.8 metres (6 ft) to 3.66 metres (12 ft) at the north east end and 7.3 metres (24 ft) at the south east end of the length of the fence, on Lot 12, Block 4, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218, **be approved.**
2. That the application by Andy Smith for a variance to Section 5.10(b) of Zoning Bylaw No. 985, by increasing the maximum height of a fence from 1.2 metres (4 ft) and 1.8 metres (6 ft) to 3.66 metres (12 ft) at the north east end and 7.3 metres (24 ft) at the south east end of the length of the fence, on Lot 12, Block 4, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218, **be denied.**
3. That the application by Andy Smith for a variance to Section 5.10(b) of Zoning Bylaw No. 985, by increasing the maximum height of a fence from 1.2 metres (4 ft) and 1.8 metres (6 ft) to 3.66 metres (12 ft) at the north east end and 7.3 metres (24 ft) at the south east end of the length of the fence, on Lot 12, Block 4, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218 **not be approved in its current form and that the applicant be directed to revise the proposal.**

Direction from the Committee is required due to unique circumstances of the application.

Submitted by,



Rachelle Moreau,
Planning Technician
Planning and Development Department

Department Head's Approval:  _____ Signature

RM/ca

000031

May 31, 2009

Cowichan Valley Regional District

Application for development variance permit

16) We are proposing to build a fence minimum 12' above neighborhood pub's property grade and above patio structure. The property is sloped and there is an outdoor smoking patio, a standard 6' fence would not make a difference in reducing the noise. We put up with noise sometimes till 3am, loud booming music from live bands & karaoke which we know is beyond decibel level acceptance. The base literally vibrates our entire house! On various occasions the patio door is wedged open for smokers' convenience and we've had to call the pub to request it be closed because it's impossible to sleep, still it often reoccurs. We are tired of pub patrons yelling and screaming profanities & FIGHTING! This is a regular occurrence 5 days a week right now (Wednesday-Karaoke, Thursday-Music Bingo, Friday-Weekly Featuring band, Saturday-Karaoke, Sunday-Live jam night). We're tired of picking up alcohol containers, broken glass & cigarette butts that are being thrown into our yard. A larger fence would protect our children and family dog from potentially harming themselves from these items. We have spoken to Mark Osmond (pub owner and previous resident of our home) regarding the noise on several occasions since October 2008 and have not seen any efforts to resolve this problem. On top of it all, he has recently contracted a tree servicing company to top trees and limb branches in between the smoke patio and our property which does not help our noise problem or give us any privacy from intoxicated onlookers. Since October the bands and noise levels have accelerated. We have a three year old and a brand new baby that are constantly being woken by the noise. This disrupts our sleep, our lives and is totally unacceptable; this is still a residential area! Could you please help us? It would be a relief to actually open our windows this summer for some fresh air without having to listen to all of this.

Thank you for your consideration,

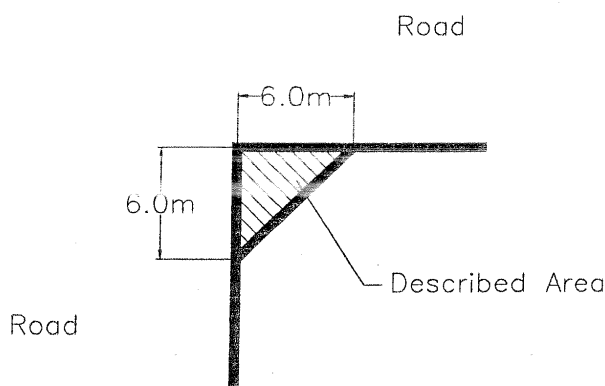
Andy & Kimberley Smith



1860 Malta Road
Shawnigan Lake, BC
V0R 2W1
Home 250-929-3150
Cell 250-857-1641

000032

FIGURE A



5.10 Fences

Except as otherwise specifically stated in this bylaw

- (a) the height of a fence or wall shall be measured to the highest point from and perpendicular to a line representing the average grade level at the base; and
- (b) a fence within a required front yard shall not exceed a height of 1.2 metres and fences in all other parts of a parcel shall not exceed a height of 1.8 metres except within zones in which commercial or industrial use is permitted in which case the maximum height permitted is 2.5 metres.
- (e) fences may be constructed within any required setback area.

5.11 Home Occupation – Domestic Industry

- (a) The home occupation-domestic industry use may only be conducted by a resident on the parcel and may not employ more than two additional non-resident persons on the parcel;
- (b) The home occupation-domestic industry use may be conducted within the dwelling unit or within a permitted accessory building;
- (c) All articles and/or services sold through a home occupation-domestic industry must be produced or manufactured on site;
- (d) Notwithstanding Subsection (c) articles manufactured off site may be sold through a home occupation-domestic industry provided that all storage and distribution of articles will be carried out off site;

000033



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

The Regional District does not warrant the accuracy.

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

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

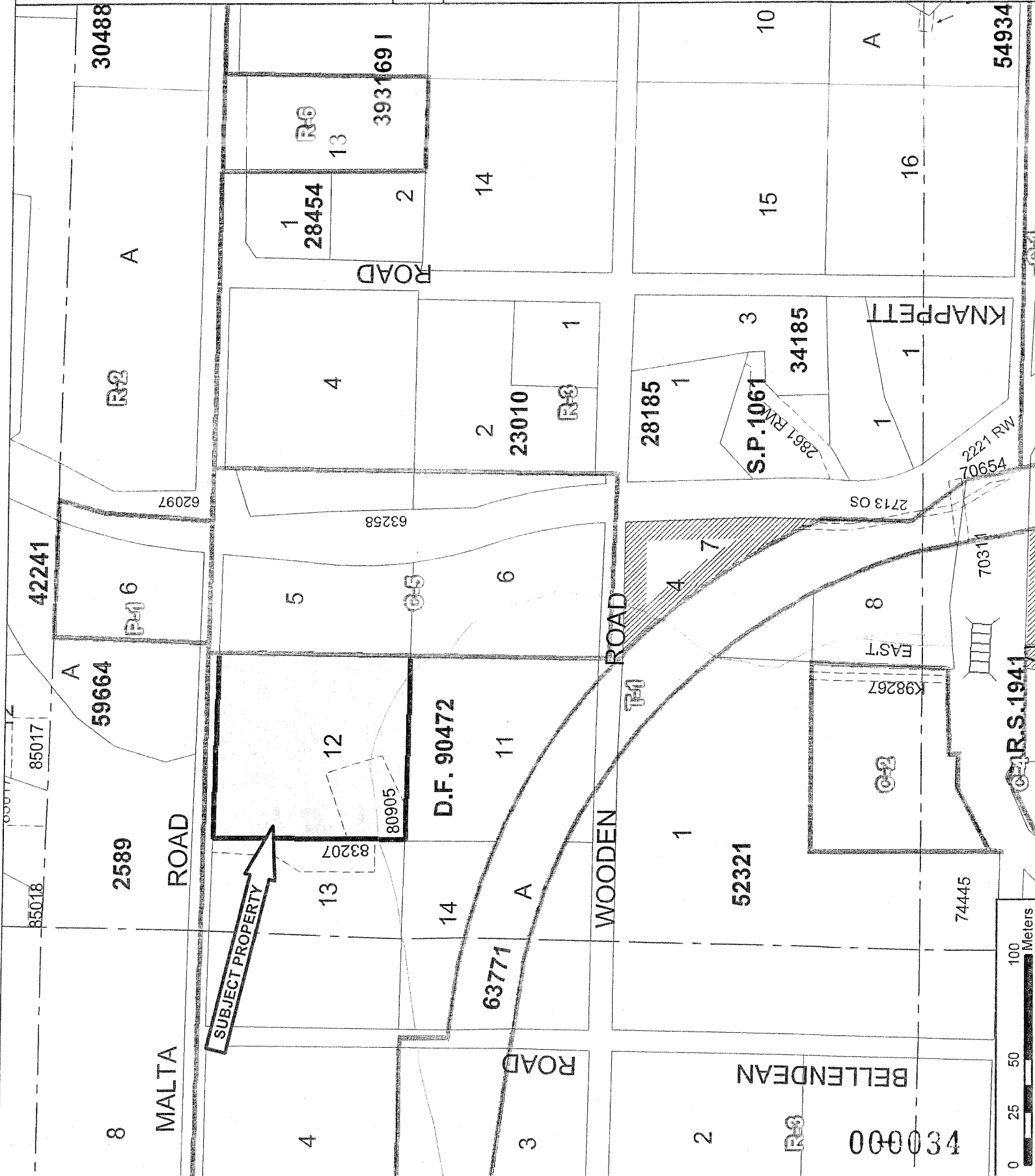
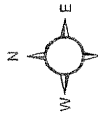
FILE: 6-B-09
-DVP

ZONING

Legend



Subject Property
Zoning Electoral Area B





Cowichan
Valley
Regional
District

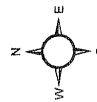
This map is compiled from various sources for internal use and is designed for reference purposes only.

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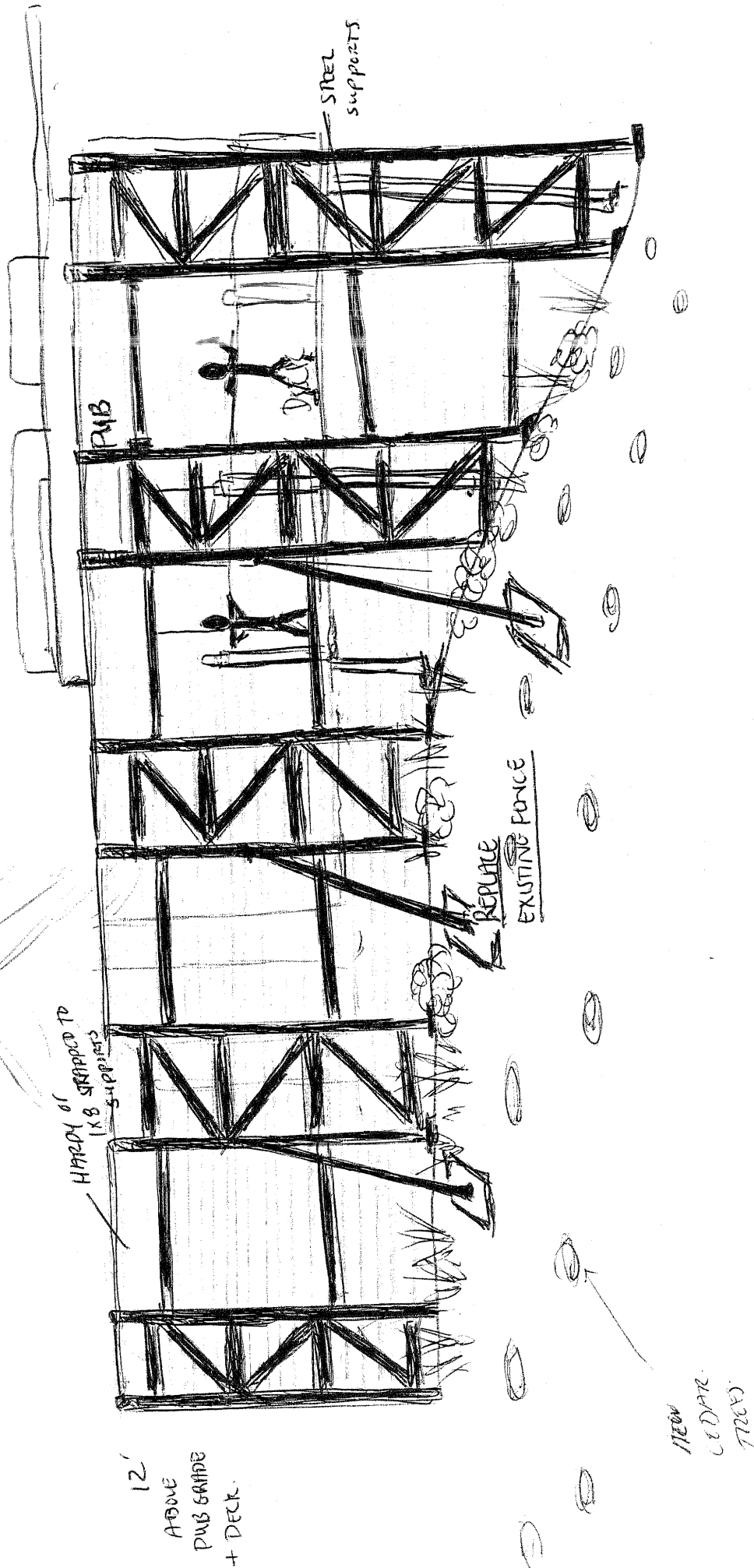
Printed: June 1, 2009



Scale: 1:396

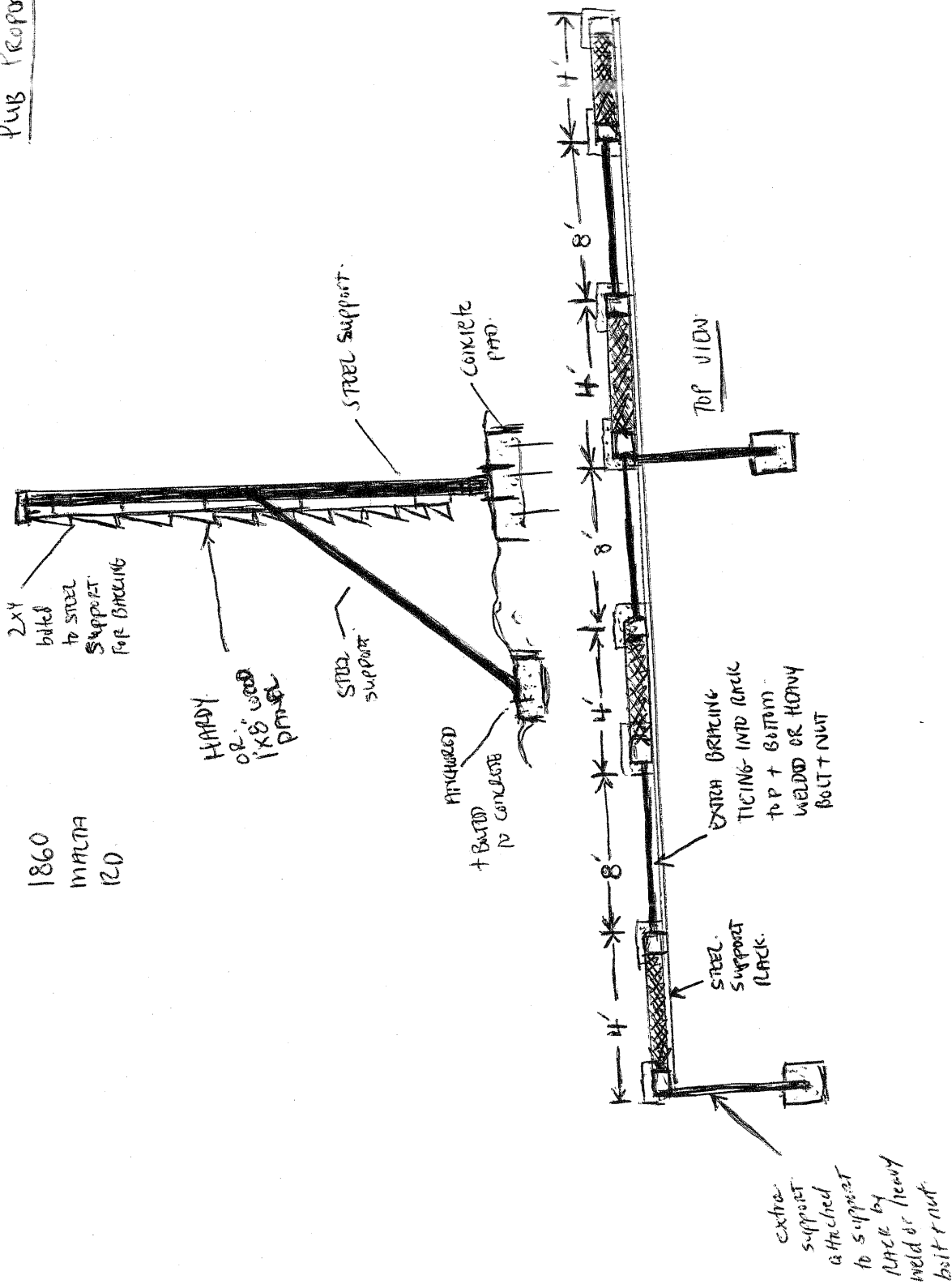


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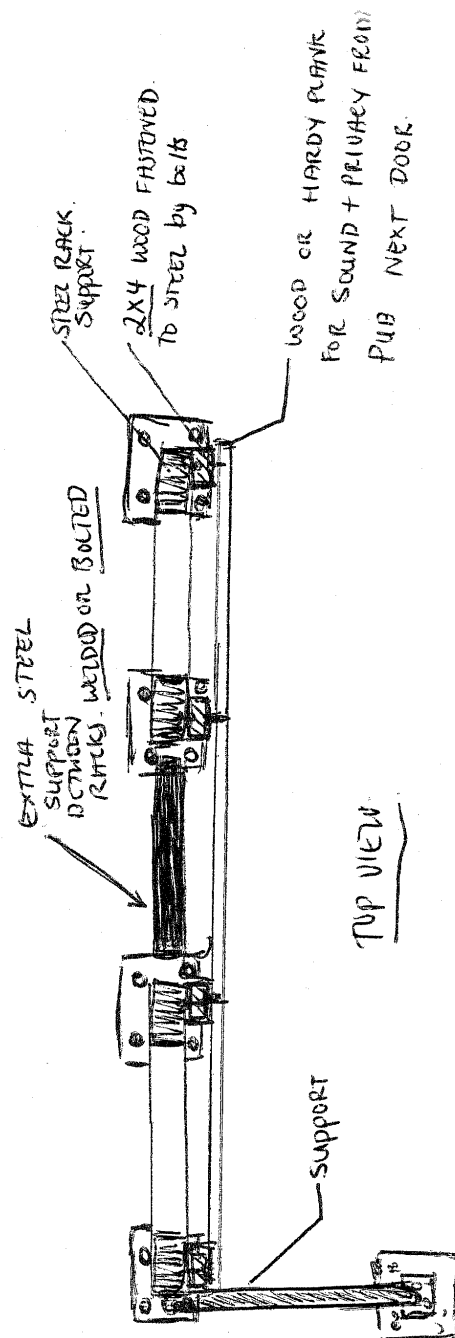
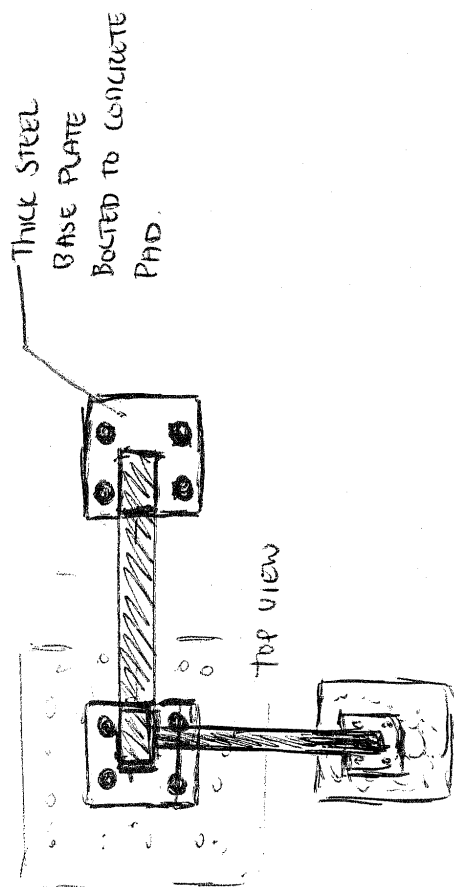
000036

Pub Property.



1860
MARCH
120

000037



Rachelle Moreau

From: CVRD Development Services
Sent: Friday, August 07, 2009 8:06 AM
To: Rachelle Moreau; Alison Garnett
Subject: FW: your file 6-B-09DVP

From: Erich Mueller [mailto:efwmueller@gmail.com]
Sent: Thursday, August 06, 2009 2:38 PM
To: CVRD Development Services
Subject: your file 6-B-09DVP

thank you for the notification.

as a part time neighbour across malta road, i have no objection to the fence; however i am concerned that the applicant may experience less than desired sound attenuation from the construction material indicated in the sketch. unless the "insulation foam" has superior accoustic properties, the sound reduction may be less than expected.

if you care to pass my name on to mr. smith, i would be pleased to discuss my experience with sound reduction with him. i can usually be reached on my cell phone in victoria 250 418 0757.

erich mueller

1881 Malta Rd.
Lot 8 Plan 2589



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

NO: 6-B-09 DVP

DATE: _____

TO: _____

ADDRESS: _____

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below (legal description):
Lot 12, Block 4, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218
(PID: 000-103-519)
3. Zoning Bylaw No. 985, applicable to Section 5.10(b), is varied by increasing the maximum height of a fence up to 3.66 metres in at the north east end of the fence to a maximum of 7.3 metres at the south east end of the fence.
4. The following plans and specifications are attached to and form a part of this permit.
 - Schedule A – Site Plan
 - Schedule B – Proposed Fence Elevation
5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
6. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Planning and Development Department.

AUTHORIZING RESOLUTION NO. _____ PASSED BY THE BOARD OF
THE COWICHAN VALLEY REGIONAL DISTRICT THE _____ DAY OF ____
_____ 2009.

Tom Anderson, MCIP
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.

Signature

Witness

Owner/Agent

Occupation

000040



D3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 6, 2009

DATE: September 29, 2009

FILE NO:

FROM: Tom Anderson, General Manager

BYLAW NO:

SUBJECT: Request to Waive CVRD Noise Control Bylaw No. 1060

Action:

That the Committee give consideration to this request to waive CVRD Noise Control Bylaw No. 1060, Section 3(g) for October 8th and 9th as per the request by Mr. Hylton McAlister.

Purpose:

To allow Committee consideration of a request by Hylton McAlister to have the CVRD Noise Control Bylaw waived due to special circumstances.

Financial Implications:

N/A

Interdepartmental/Agency Implications:

Other agencies may be affected by this request.

Background:

Directors may recall approving a Development Permit for Hylton McAlister and Elizabeth Dianne Shatzko which allowed for the construction of a stilt home along the foreshore within the Cowichan Bay village area at their June 10, 2009 Regional Board meeting. Mr. McAlister has been working over the last couple of months to get everything in order to begin construction. The last piece of the puzzle is that he must time the construction schedule with the tides in the Bay as he requires a very low tide in order to form and pour the pilings to support the stilt dwelling. The attached letter outlines the fact that the low tide necessary to allow this work takes place early in the morning.

Within the attached CVRD Noise Control Bylaw No. 1060, Section 3(g) states that construction may only take place between the hours of 7 a.m. and 9 p.m. However, the bylaw also contains the following Special Events clause which states:

000041


Special Events

5. 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 received 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.

Due to the tides as well as the fact that tidal construction is not allowed from February 2010 to June 2010, Mr. McAlister has requested that a waiver be granted by the Regional District for October 8th and 9th to allow his construction to take place.

While allowing construction to take place in the middle of the night is highly unusual and not desirable, the conditions leading to this request would appear to be unavoidable. One has to feel for adjacent property owners as construction activity of this nature and at that time of night in a normally quiet area will be quite disruptive. However, this inconvenience may be rationalized by the fact that over the next many years it is not unlikely that they, too, may require a similar waiver if they attempt to upgrade their situations like Mr. McAlister. Notification of this construction to all adjacent property owners should take place immediately.

Submitted by,



Tom Anderson,
General Manager
Planning and Development Department

TA/ca

000042

Mr Tom Anderson
CVRD, Dunedin.

Sep 30/09.

RE: Pouring Foundations @ 1783B Cowichan Bay Rd.

My apologies for a hand-written letter however my keyboard elected to consume half my morning cup of tea.

I am requesting special dispensation to pour concrete foundations for the proposed residence on the night of Thursday, Oct 8 & Friday Oct 9.

Because the cottage is situated over the tidal flats in Cowichan Bay, we need 4 hours (consecutively) where the tide is less than $\frac{3}{4}$ feet. October 8/9 are the last two days this occurs before mid-February 2010. Tidal construction is not permitted from February 2010 - June 2010, so this really is the last opportunity.

On Oct 8, at midnight, working by floodlight, we will set the rebar in the pre-dug / installed forms & pour 12 concrete pads. Everything will be preassembled. We anticipate, with 5-6 people on job site we will be completed by 2:00 AM.

On Oct 9, at 12:30 AM, we will install the 12 pre-measured vertical sona tubes, brace them & complete the pour. We anticipate completion by 3:00 AM.

All neighbours will be informed by email or letter.

Although we expect little traffic, all necessary safety precautions will be in place including traffic cones, safety traffic personnel with flashlights & reflective clothing, signage & cautionary flashing lights.

000043

SPECIAL DISPENSATION IS NECESSITATED BY THE HARSHNESS
CREATED BY THE UNCOOPERATIVE TIDES OVER WHICH
(UNFORTUNATELY) I HAVE NO CONTROL. AS SUCH,
ACCEPTANCE OF THIS PLAN WOULD BE GREATLY
APPRECIATED.

Yours truly.

Hyman McAusier.

COWICHAN VALLEY REGIONAL DISTRICT

BY-LAW NO. 1060

A by-law to provide for the control
of noise.

WHEREAS pursuant to Section 932(c) of the Municipal Act and Supplementary Letters Patent dated June 18, 1974, the Regional District may by bylaw regulate or prohibit the making or causing of noises or sounds in or on a highway or elsewhere in the Regional District which disturb or tend to disturb the quiet peace, rest, enjoyment, comfort or convenience of the neighbourhood or of any persons in the vicinity or which in the opinion of the Regional District are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

AND WHEREAS it is the opinion of the Regional District that regulations and prohibitions must be instituted to control objectionable sound or sounds liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

NOW THEREFORE the Cowichan Valley Regional District in open meeting assembled enacts as follows:

AREA

1. This bylaw shall apply within the boundaries of Electoral Areas A, B, C, D, E, F, G, H, and I of the Cowichan Valley Regional District.

DEFINITIONS

2. In this bylaw,
 - (a) Words defined in the Motor Vehicle Act and the Municipal Act of the Province of British Columbia shall have the same meaning when used in this bylaw unless otherwise defined in this bylaw or else the context otherwise requires.
 - (b) "Regional District" means the Cowichan Valley Regional District.
 - (c) "Person" includes any company, corporation, owner, partnership, firm, association, society or party.
 - (d) "Highway" means and includes every highway within the meaning of the Highway Act and every road, street, lane, thoroughfare, bridge, public way or right-of-way designed or intended for or used by the general public for the passage or parking of vehicles and every private place or passageway to which the public is invited or has access with vehicles and every boulevard and sidewalk.

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- (e) "Property" means real property and includes land other than a highway, together with all improvements which have been so affixed to the land so as to make them in fact and in law a part thereof.

REGULATIONS

- 3. (a) No person shall make or cause or permit to be made or caused any noise in or on a highway or elsewhere in the Regional District which disturb or tends to disturb the peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity.
- (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 disturb or tends to disturb the peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.
- (c) No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner or with such volume as to disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
- (d) No person shall own, keep or harbour any animal or bird which by its frequent calls, cries or other noise, unduly disturb or tend to disturb the peace, quiet, rest or tranquility of the surrounding neighbourhood or the public at large.
- (e) No person shall operate any motor vehicle, motorcycle, internal combustion engine, or ship or vessel in such a condition or in such a manner as to cause noises or sounds which disturb or tend to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity, and there shall be no discharge into the open air of the exhaust from those apparatuses described above, except through a muffler or other device which would effectually prevent unnecessary noise therefrom.
- (f) No person shall operate any outdoor public address system or any other instrument for the purpose of attracting attention by the creation of noise to any performance or event, show, sale or display of merchandise.
- (g) No person in the Regional District shall on any day before 0700 hours or after 2100 hours construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner whatsoever which makes or causes noises or sounds in or on a highway or elsewhere in the Regional District, which disturb or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.

EXEMPTIONS

- 4. The provisions of this bylaw shall not apply to or be enforced against:
 - (a) Construction or works being performed by agencies of the Federal Government, Provincial Government, or the Regional District in the public interest or safety.

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is read a third time by the Board of the Cowichan Valley Regional District hereby certify the foregoing to be a true and correct copy of By-law No. 1060

- (b) Performing works of an emergency nature for the preservation or protection of life, health or property, but the onus shall be on the person performing the work to show just cause that the work was of an emergency nature; and for the use of whistles, sirens, or such devices which are operated for such emergency purposes.
- (c) The making of noise by any persons in the conduct of business within an area zoned for such business where the nature of the business conforms to the particular zoning requirements and where the noise is such as is usual or inevitable to the business so conducted.
- (d) The operation of machinery and equipment in conjunction with traditional farming practices on working farms.

SPECIAL EVENTS

- 5. 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.

PENALTIES

- 6. (a) Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or who does any act which violates any offence against this bylaw is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that the violation continues to exist shall constitute a separate offence.
- (b) Every person who commits an offence against this bylaw is liable to a fine and penalty of not more than two thousand dollars (\$2,000.00) and not less than fifty dollars (\$50.00) for each offence and in default of payment thereof, forthwith or within such time as the presiding Provincial Court Judge or Justice of the Peace shall direct, the fine imposed shall be recoverable under the provisions of the "Offence Act", revised statutes of British Columbia, 1979, Chapter 305 and all amendments thereto.

GENERAL PROVISIONS

- 7. (a) This bylaw repeals the Cowichan Valley Regional District Noise Control Bylaw No. 188, 1975.
- (b) This bylaw may be cited for all purposes as the Cowichan Valley Regional District Noise Control Bylaw No. 1060, 1987.
- (c) This by-law shall take effect upon its adoption by the Regional Board.

Read a first time this 22nd day of April, 1987
Read a second time this 22nd day of April, 1987
Read a third time this 10th day of June, 1987
Received the approval of the Minister of Municipal Affairs
on the 7th day of October 1987.
Reconsidered, adopted, and finally passed this 28th day
of October, 1987

Chairman

Secretary

June 26, 1987
Date

Secretary

000047



SRI

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 6, 2009

DATE: September 30, 2009

FILE NO:

FROM: Brian Duncan, Chief Building Inspector

BYLAW NO:

SUBJECT: Building Permit Fees

Recommendation:

That Building Permit fees be increased as shown on Appendix A and that the amendment bylaw be forwarded to the Regional Board for consideration of three readings and adoption.

Purpose:

To keep permit fees in line with current construction values. The attached amendment bylaw provides the proposed permit fee schedule.

Financial Implications: N/A

Interdepartmental/Agency Implications: N/A

Background:

We have not changed our permit and service fee schedule for 14 years. During that time, our costs have increased substantially. We have also seen changes in the housing market from custom two-storey site constructed homes to the current trend of ranchers and prefabricated homes. Prefabricated homes account for approximately 50% of new housing starts in Area A alone. Modular homes are commonly used as small suites. We are also seeing an increase in relocated homes. Our permit fees must reflect these changes. After researching building permits fees to the north and south of the Cowichan Valley, these fee changes are still well below the average for the southern end of Vancouver Island.

Submitted by,

A handwritten signature in black ink, appearing to be "Brian Duncan", is written over a horizontal line.

Brian Duncan,
Chief Building Inspector
Planning and Development Department

Department Head's Approval:

Signature

BD/ca
attachment

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COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3327

A Bylaw to amend the Building Permit Fee Schedule Pursuant to Building Bylaw No. 143, 1974

WHEREAS the Local Government Act empowers the Regional Board to adopt a Building Regulations Bylaw;

AND WHEREAS the Regional District has adopted a Building Regulations Bylaw for the Electoral Areas of the Regional District, that being Building Bylaw No. 143, as amended by Bylaws No. 152, 309, 413, 876, 950, 1032, 1411, 1668, 1691, 1745, 2199, and 3012;

AND WHEREAS the Regional Board may levy and collect fees with respect to the inspection of works, buildings and structures;

AND WHEREAS the Regional Board considers it advisable to further amend Building Bylaw No. 143;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "Cowichan Valley Regional District Bylaw No. 3327 – Building Fee Amendment Bylaw, 2009".

2. **AMENDMENTS**

Cowichan Valley Regional District Bylaw No. 143, as amended by Bylaws No. 152, 309, 413, 876, 950, 1032, 1411, 1668, 1691, 1745, 2199 and 3012 is hereby further amended as follows:

- a) That existing Appendix A be deleted;
- b) That new Appendix A, attached to and forming part of this bylaw, be substituted, and becomes applicable upon the adoption of this bylaw.
- c) That existing Appendix B be deleted.

.../2

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3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2009

READ A SECOND TIME this _____ day of _____, 2009.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Secretary

APPENDIX A

PERMIT AND SERVICE FEES APPLICABLE TO THE COWICHAN VALLEY REGIONAL DISTRICT BUILDING DIVISION ELECTORAL AREAS A TO I

	<u>FEE</u>
<u>BUILDING PERMIT FEES</u>	
Minimum fee	\$55.
Construction Value Up to \$100,000	1% of value
Construction Value \$100,000 and over	\$1000. + \$7.50 per \$1000. value thereafter
Renovations/Commercial	Calculated on contract price
<u>PLUMBING PERMIT FEE</u>	
Each Plumbing Fixture	\$15.
<u>SEWER AND WATER INSPECTION FEE</u>	
Storm sewer	\$25.
Sanitary sewer inspection	\$25.
Water service connection	\$25.
<u>PERMIT FEE TO WRECK OR DEMOLISH A BUILDING</u>	
If structure has a floor area of 37.2m ² (400 sq.ft.) or less	\$25.
If structure is larger than 37.2m ² (400 sq.ft.)	\$50.
If structure is 186.0m ² (2,000 sq.ft.) in floor area or larger	\$100.
<u>DOUBLE FEE</u>	
If any work for which a permit is required is commenced before a permit has been obtained, the fee payable shall be doubled.	
<u>RE-INSPECTION FEE</u>	
For building or plumbing inspections required as a result of a call back where work was incomplete or improperly done	\$50.
<u>OTHER FEES</u>	
Sprinkler Systems	Calculated on contract price
Siting Permit (agricultural buildings)	\$55.
Campsite Developments	\$50./site
Occupant load document	\$100.
Manufactured Home Parks	\$50./site
Manufactured/mobile homes and relocated buildings*	\$50./sq.ft.
*(Note: does not include garages, sundecks or service connections)	

BUILDING VALUATION

For single and two family dwellings, factory built homes, mobile homes and moved buildings and buildings accessory thereto, the value of construction used to determine the permit fee shall be calculated based on the values as specified by resolution of the Regional Board.

For all buildings other than single and two family dwellings, factory built homes and moved buildings and buildings accessory thereto, the value of construction used to determine the permit fee shall be the contract price or equal.

REFUND

At any time before the work has commenced in respect of which a permit has been issued, the permit holder may apply in writing for cancellation of the permit. Upon receipt of such application the authority having jurisdiction, if satisfied that the work has not commenced, shall cancel the permit and shall refund to the permit holder 60 percent of the fee paid in the respect of the permit.



SR2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 6, 2009

DATE: September 29, 2009 **FILE NO:** 4-REG-09BE
FROM: Nino Morano – CVRD Bylaw Enforcement **BYLAW NO:**
SUBJECT: Derelict Vessels/Long Term Anchoring/Discharge of Sewage into Saanich Inlet

Recommendation:

That the report be received for information only.

Purpose:

To report on a meeting held in Central Saanich on September 9, 2009 regarding Derelict Vessels/Long Term Anchoring/Discharge of Sewage into Saanich Inlet attended by Directors Mary Marcotte, Lori Iannidinardo, Brian Harrison & Bylaw Enforcement Official Nino Morano.

Financial Implications:

n/a

Interdepartmental/Agency Implications:


As mentioned in attached memorandum.

Background:

See attached memorandum.

Submitted by,

Nino Morano,
Bylaw Enforcement Officer
Planning and Development Department

Department Head's Approval: 
Signature

NM/ca
attachment

000053



MEMORANDUM

DATE: September 18, 2009

FILE NO: 4-REG-09BE

TO: Electoral Area Services Committee

FROM: Nino Morano, Bylaw Enforcement Officer

SUBJECT: Derelict Vessel/Long Term Anchoring/Discharge of Sewage into Saanich Inlet
meeting September 9, 2009 at the District of Central Saanich

The following is a review of the a/n meeting which had CVRD representation by Directors Mary Marcotte, Lori Iannidinardo, Brian Harrison and Bylaw Enforcement Official Nino Morano:

-Attended by a variety of elected officials whose jurisdiction borders the Saanich Inlet. Other notable attendees included two staff from Transport Canada (TC) and a representative of Gary Lunn's office (MP). Notable missing was representation from Department of Fisheries & Oceans, Police, Coast Guard (CG), First Nations and Integrated Land Management Bureau (ILMB).

-Once it was determined that all authority for vessel control was under Transport Canada, the majority of the discussion was with their representatives. Unfortunately, TC staff that is directly responsible for these types of issues was not present. Some significant frustrations included: lack of enforcement, finding the appropriate person/department, proliferation of buoy markers, etc.

-Live aboards appear to be extraordinarily difficult to regulate for TC including sewage disposal.

-TC does not have an enforcement branch or budget and rely on local police, conservation officers, fisheries officers for enforcement and will work with them on occasion. Also, no facility available if impoundment is considered. Impoundment incurs liability.

-Challenge to their legislation is currently going through the court system stemming from False Creek in Vancouver so they appear apprehensive in enforcement.

-TC committed to respond to concerns although priority will be given to concerns originating from the community (corporately?). Staff has dealt with TC in the past with mixed response.

-TC advised that Coast Guard have removed derelict vessels only where there is high risk of pollution (ie: leaking toxic fluids/oil). No representation from CG. TC advised that CG is not mandated for enforcement.

-Geothermal systems becoming more common which are causing navigation issues as they are cordoned off by buoy markers (weighing anchor on these systems can cause damage). ILMB

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seem to either "rubber stamp" these encroachments onto Crown Land or the installer/land owner do not bother contacting ILMB.

-There was consensus that more meetings should be scheduled in the future and possibly take these concerns to a higher level federally/provincially. Representation from noted absentees would be critical to progress discussion. There was also talk of a formation of a task force mainly to deal with Todd Inlet.

-There was consensus that it would be a good idea to have these topics discussed with members of the AVICC.

-The representative of Gary Lunn's office indicated a desire to work with local governments and possibly take this issue to Parliament if it appears irresolvable.

-No convenient/affordable way to dispose of dilapidated vessels making it more attractive to just leave them.

-System of vessel identification seems to be severely flawed compared to motor vehicle requirements on roads.

-Lack of information/emergency contacts readily available to public (marinas, parks, etc.) as well as on do's and don'ts when parking vessels.

-Some areas have organized or helped organize sewage disposal service either at or near a public dock or going to each vessel upon request (Pumpty Dumpty).

Nino Morano,
Bylaw Enforcement Officer



SR3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 16, 2009

DATE: October 1, 2009

FILE NO: 7-REG-09BE

FROM: Nino Morano, Bylaw Enforcement Officer

BYLAW NO: 3032

SUBJECT: CVRD Dog Regulation Bylaw Changes

Recommendation:

Increase the dog licence fee in Schedule "A" of the CVRD Bylaw No. 3032 – Dog Regulation and Impounding Bylaw from \$20 to \$25 before the month of February and from \$30 to \$35 during the remainder of the calendar year and include a \$5 tag replacement fee. As a housekeeping measure, change section C in Schedule "A" from "Section 5" to "Section 6".

Purpose:

To request an increase in dog licence fees.

Financial Implications:

Budget

Interdepartmental/Agency Implications:

SPCA

Background:

The following is a comparison of dog licence fee structures as they presently exist within the CVRD:

CVRD:	\$30 (\$10 discount before Jan. 31) (no replacement tag fee)
North Cowichan:	\$35 (\$10 discount before Jan. 31) \$5 replacement tag fee
Ladysmith:	\$30 (\$10 discount before Jan. 31) (Altered) \$40 (\$10 discount before Jan. 31) (Unaltered)
Duncan:	\$26 (\$10 discount before Jan. 31) (Altered) \$50 (\$10 discount before Jan. 31) (Unaltered) \$4 replacement tag fee

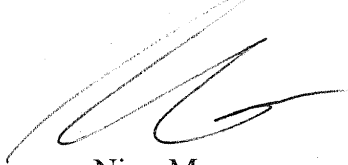
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Lake Cowichan: \$25 (\$10 discount before Jan. 31) (Altered)
\$35 (\$10 discount before Jan. 31) (Unaltered)
\$5 replacement tag fee

In 2009, it was noted that licencing declined somewhat thereby making it challenging to meet the allotted budget. The same process was followed as in previous years to collect licence fees. This process begins in January where a notice is mailed out to all residences of the CVRD and is followed up with renewal reminder notices in March. Other techniques to more effectively collect licence fees include: door to door solicitation, follow up more aggressively with non-renewals.

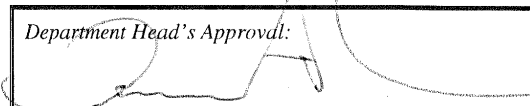
The Committee should consider that the costs will rise in 2010 with the dog control contract with the SPCA which may further increase the challenge to meet the budget. It should also be considered that transportation/time costs are far greater to provide the dog control service for the electoral areas than for the municipalities.

Submitted by,



Nino Morano,
Bylaw Enforcement Officer
Planning and Development Department

NM/ca

Department Head's Approval:

Signature

**SCHEDULE "A" TO
COWICHAN VALLEY REGIONAL DISTRICT
DOG REGULATION AND IMPOUNDING BYLAW NO. 3032, 2007**

LICENCE FEES

- a) For each dog, a fee of \$25 before the month of February.
- b) For each dog, a fee of \$35 during the remainder of the calendar year.
- c) Replacement tag fee of \$5
- d) For each kennel licence as defined in Section 6 of this bylaw and subject to the restrictions of the respective Regional District electoral area zoning bylaw, a fee of:
 - i) \$175 before the month of February.
 - ii) \$200 during the remainder of the calendar year.

IMPOUNDMENT FEES

- a) For a licenced dog other than a vicious dog
 - i) first impoundment in any 12 month period \$50
 - ii) second impoundment and subsequent in any 12 month period \$75
- b) For an unlicenced dog other than a vicious dog
 - i) first impoundment in any 12 month period \$75
 - ii) second impoundment and subsequent in any 12 month period \$100
- c) For a vicious dog whether licenced or unlicenced
 - i) first impoundment in any 12 month period \$250
 - ii) second impoundment and subsequent in any 12 month period \$500
- d) The per diem rate or part thereof for impounded dogs shall be \$15



SR4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF OCTOBER 6, 2009

DATE: September 29, 2009

FILE NO: 10-B-07RS

FROM: Rob Conway, MCIP
Manager, Development Services Division

BYLAW NO: 3238 and 3239

SUBJECT: Proposed Community Sign – Shawnigan Lake
Road

Recommendation:

That a community sign be approved in accordance with Schedules A and B of this report, subject to approval from the Ministry of Transportation and Infrastructure.

Purpose:

To consider a request to construct a community sign on the Shawnigan lake Road right of way, east of Ark Road.

Financial Implications: N/A

Interdepartmental / Agency Implications: Ministry of Transportation and Infrastructure approval is required.

Background:

The applicants for a proposed OCP and zoning amendment at Stebbings Road and Shawnigan Lake Road have proposed constructing a community sign at the south entrance to Shawnigan Lake. The OCP amendment and rezoning application has received third reading from the Board, and commitments associated with the rezoning need to be secured before the amendment bylaws (Bylaws 3238 and 3239) can be adopted. As the proposed sign is one of the commitments that needs to be secured, and Board approval is required to construct a community sign, a recommendation to the Board regarding the proposed community sign is requested.

The Proposal:

The proposed community sign is to be located on the north side of Shawnigan Lake Road, between Ark Road and the Trans Canada Highway, as shown on Schedule A. The proposed location has been selected because it is visible from both the east and west bound directions, and because there is a wide shoulder that would allow it to be set-backed from the travelled portion of the road. The MOTI Technician for the area has verbally approved the location of the sign, but a permit from the Ministry will likely be required to construct it.

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Section 8.11 of CVRD Sign Bylaw 1095 exempts community directional signs from sign permit requirements, but such signs still require approval from the Board. The applicable section states,

Community directional signs up to a maximum size of 3.0 square metres may be permitted within or along an approach route to any recognizable electoral area community without requiring a sign permit but conditional upon Regional Board approval prior to erection.

Should the Board approve the proposed sign, the proponents intend to provide security in the form of an irrevocable letter of credit, so Bylaws 3238 and 3239 can be adopted prior to construction of the sign.

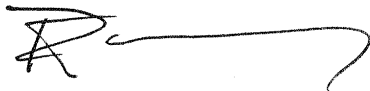
Details of the proposed sign are shown on Schedule B. The sign would be constructed with a natural stone base, timber framed posts and beams, and cedar shake roof.

Options:

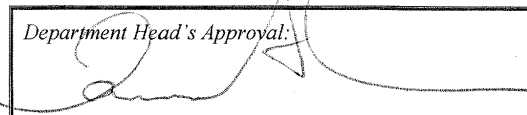
1. That a community sign **be approved** on South Shawnigan Lake Road in accordance with Schedules A and B of this report, subject to approval from the Ministry of Transportation and Infrastructure.
2. That a community sign **be approved with changes** on South Shawnigan Lake Road in accordance with Schedules A and B of this report, subject to approval from the Ministry of Transportation and Infrastructure.
3. That a community sign **not be approved** on South Shawnigan Lake Road, and that the commitment for provision of the sign not be required as a condition for the adoption of Bylaws 3238 and 3239.

Option 1 is recommended.

Submitted by,



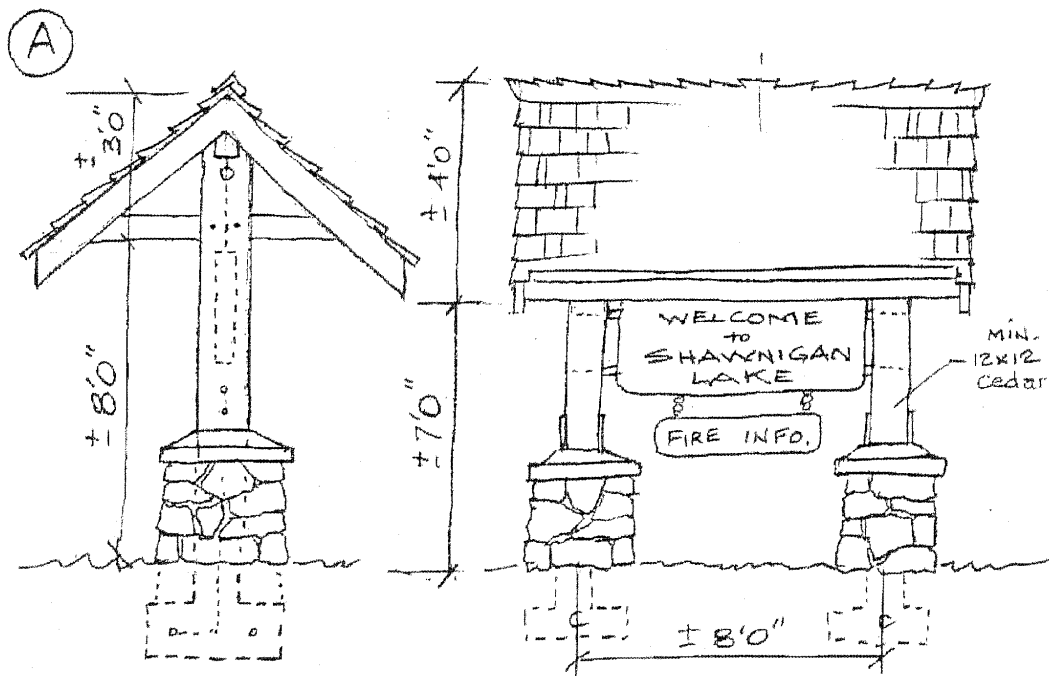
Rob Conway, MCIP
Manager, Development Services Division
Planning and Development Department

Department Head's Approval:

Signature



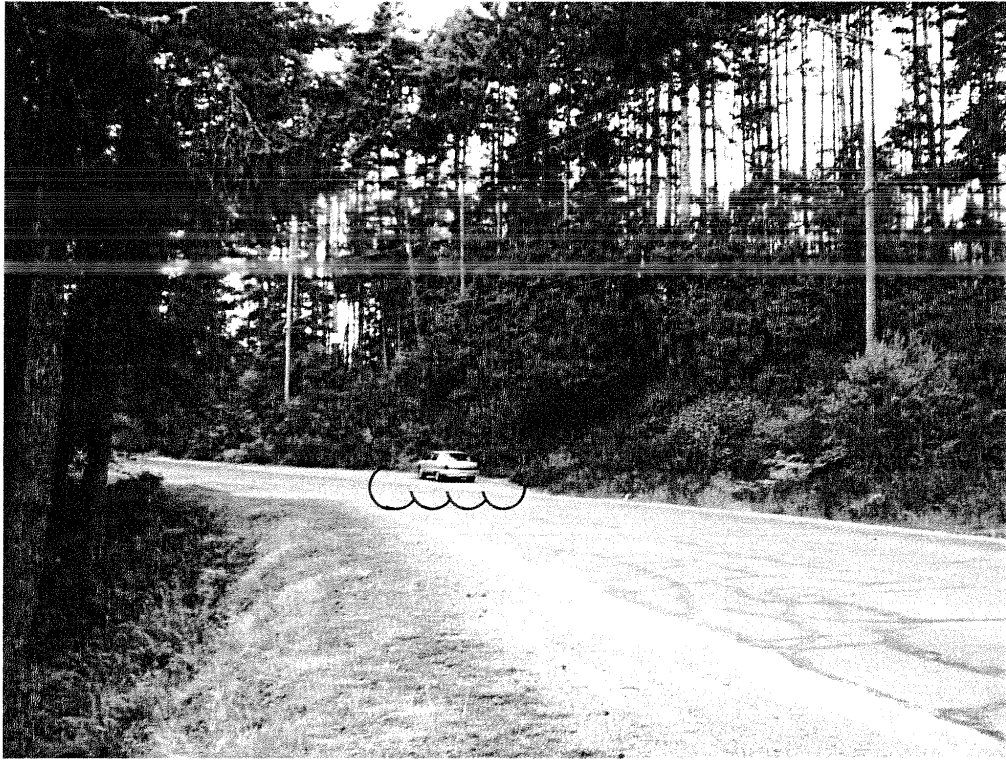
Schedule B

MACDONALD & LAWRENCE TIMBER FRAMING



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Proposed Sign Location – West Bound



Proposed Sign Location – East Bound





SR5

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 6, 2009

DATE: September 30, 2009

FILE NO:

FROM: Brian Farquhar, Parks and Trails Manager

BYLAW NO:

SUBJECT: Community Parks Mid –Year Budget Status Report

Recommendation:

That this report be received for information.

Purpose:

To provide the Committee with interim reports as of July 31, 2009 on the status of the Community Parks and Trails Program budgets.

Financial Implications:

Financial Updates only.

Interdepartmental/Agency Implications:

None.

Background:

Commitments were made earlier this year to bring mid-year reports to the various Committees and Commissions of the Board on the status of functional budgets revenues and expenditures. The following provides a summary of key budgets within the Community Parks and Trails Program:

Mill Bay/Malahat Community Parks (231)

Revenues

No anticipated revenues in addition to the Board approved requisition of \$95,300 for this function are anticipated. However, a development proceeding on Braithewaite has committed to the installation of a new trail bridge crossing over Hollings Creek and replacement of a log bridge with a new structure for the trail system as part of installation of sewer/water services through the park (which will be incorporated as CVRD Engineering infrastructure). The Job Opportunities Program approved for the Regional District includes a six person work crew for trail work in Electoral Area A for five days (will complete the Hollings Creek Trail).

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Expenditures

Expenditures too date are in line with what was anticipated for the first half of the year.

Shawnigan Lake Community Parks (232)Revenues

The budget includes a \$25,000 grant approved for a pilot fuel management reduction program at Silvermine Park (work to commence September 2009, in addition to the Board approved requisition of \$372,000.

Expenditures

Expenditures too date are in line with what was anticipated for the first half of the year, except for capital work on Phase I of the Shawnigan Hills Athletic Park, which were put on hold in the spring by the Shawnigan Lake Parks Commission pending further discussions on options for a synthetic turf field. Trail projects and the Silvermine Park pilot fuel management project are on schedule for late summer/early fall.

Cobble Hill Community Parks (233)Revenues

In addition to budgeted grants of \$90,000 (UBCM funding for the Cenotaph Project and \$50,000 Trees for Tomorrow funding for the Cobble Hill Train Station Project), an additional \$25,000 grant was approved by Veterans Affairs Canada for the Cenotaph Project along with a \$10,000 contribution from South Cowichan Parks. Donations were also realized in the amount of \$10,500 for the Cenotaph Project and the Cleasby Bike Park, in addition to significant in-kind contributions from the community and local businesses for both projects. This is in addition to the \$140,000 requisition approved by the Board.

Expenditures

Expenditures too date are in line with what was anticipated for the first half of the year, including completion of the Cleasby Bike Park and the Cenotaph Revitalization Project (completed mid August), although it is uncertain as to whether all components of the Cobble Hill Train Station capital project will be completed by yearend, due to timing demands of other capital projects to be completed during this period under the community parks program. Minor additional works associated with the Cenotaph Project will be completed through the fall.

Cowichan Bay Community Parks (234)Revenues

No revenues in addition to the Board approved \$100,000 requisition for this function and a \$5,000 UBCM grant for a friendship pole project were anticipated. Application for playground grant funding was also made to the Agri Spirit Grant Program, though no confirmation has yet been received on the success of the application.

Expenditures

Expenditures too date are in line with what was anticipated for the first half of the year, with a capital project funding planned for construction of a community pathway along Wilmot Road in the rural part of the community between Falconcrest and Koksilah Road. Initiation of the playground project has not proceeded to date due to uncertainty of grant application.

Cowichan Station/Sahtlam/Glenora Community Parks (235)

Revenues

Revenues include \$15,500 in UBCM approved funding for three projects (Boys Road Info Stop, Cowichan Station Signage and Glenora Staging Area Community Park info signage) in addition to the \$140,000 Board approved requisition. Applications for playground grant funding were also made to the Agri Spirit and the Rick Hansen Let's Play Grant Programs, though no confirmation has yet been received on the success of either application.

Expenditures

General park expenditures too date are in line with what was anticipated for the first half of the year. The Cowichan Station Community Association is working on the Cowichan Station Historic Signage (CVRD is only managing the grant funding expenditures on behalf of the Association) and CVRD is awaiting approval from MOTI for the Boys Road Info Stop project within the highways r/w). Anticipated expenditures on preparation of a management plan for the proposed Sahtlam Bluffs Conservation Area is on-hold pending completion of the land donation by the landowner. Similarly, no contract has been issued for the bridge engineering study of potential pedestrian bridge crossings over the Cowichan River pending resolution of potential land issues which could favour crossing location(s). Due to lack of matching grant funding the proposed playground at the Glenora Staging Area Community Park has not proceeded to date. The 2009 budget also includes \$30,000 as operations seed funding for the Cowichan Station School site, pending resolution on community use of the Cowichan Station School site.

Cowichan Lake South/Skutz Falls Community Parks (236)

Revenues

Revenues include short term borrowing for the purchase of the former Mesachie Market property as an addition to Mesachie Lake Park early in the year, 20,000 as budgeted carryover from 2008 in UBCM funding for the Mesachie Lake Tourism Stop and the \$144,000 requisition approved by the Board.

Expenditures

General park expenditures too date are in line with what was anticipated for the first half of the year, aside from the addition of the property purchase of the Mesachie Market to expand Mesachie Lake Park's ballfield. Due to fire restrictions the annual Bay Days fireworks event was cancelled and the \$2,500 contribution from the Area F Community Parks budget for the event was returned unspent. Upgrades to the Bear Lake Park were also completed in early spring as a capital replacement project.

Saltair Community Parks (237)

Revenues

Revenues include UBCM funding in the amount of \$5,000 for highway signage and donations from the local baseball league for maintenance/upgrade of the Saltair Centennial ballfield, in addition to the \$108,320 requisition approved by the Board.

Expenditures

General park expenditures to date are in line with what was anticipated for the first half of the year, except for the sooner than anticipated requirement to replace the aging playground at Saltair Centennial Park. For the past several years the Area G Community Parks function (236) has been committing funds to the Community Parks Capital Reserve Fund for replacement of the playground structure. Assessment of the structure in 2008 anticipated replacement in 2010; however the mostly wooden structure suffered greater deterioration over the winter months than expected, requiring removal in early spring 2009. The Parks Commission and staff have worked together to come up with a new replacement structure. Community in-kind contributions were also a factor in the completion of the new trail bridge, interpretive signage walk and opening event at Stocking Creek Park in the spring.

North Oyster/Diamond Community Parks (238)

Revenues

Revenues include a budgeted contribution in the amount of \$2,500 from the Provincial Integrated Land Management Bureau towards replacement of a trail bridge in Yellow Point Park, in addition to the \$15,000 requisition approved by the Board.

Expenditures

General park expenditures to date are in line with what was anticipated for the first half of the year, and replacement of the trail bridge at Yellow Point Park is pending completion of a development plan for the park (which is leased from the Province) and application for approval of the stream crossing.

Youbou/Meade Creek Community Parks (239)

Revenues

Revenues include \$10,000 in UBCM funding for a community font board and the \$92,000 requisition approved by the Board.

Expenditures

General park expenditures are proceeding as anticipated first half of the year, with the added completion of the community font board project in spring. Expenditures have also included consulting expertise work to monitor forest road deactivation and reforestation commitments completed earlier this year as part of the Woodland Shores Development, which has several sites to be dedicated as community park as part of the first phase of development. The expenditures also includes annual repayment of principle/interest for short term loan related to parkland purchase in 2005 adjacent Creekside Development.

Bright Angel Park (281)Revenues

Revenues include group facility rental fees which are on target for the year, in addition to the \$27,000 requisition approved by the Board.

Expenditures

General park expenditures are proceeding as anticipated first half of the year, which is focused on overall maintenance and minor improvements to the park. It is expected major capital works will be deferred to 2010 pending completion of a park management plan with the broader community to determine overall park values, vision for future park facilities and uses and priorities.

South Cowichan Parks (281)Revenues

The South Cowichan Parks includes a carryforward of \$100,000 Surplus in 2009 in addition to the Board approved \$50,000 requisition. This surplus is earmarked for major improvements/restoration of the Mill Bay Historic Church once an overall plan for future upgrades/uses is determined through consultation with the South Cowichan Community and South Cowichan Parks Commission. The revenues also include minor donations from interim use of the Mill Bay Church by local community groups that were using the facility prior to acquisition of the property by the Regional District.

Expenditures

General park expenditures applicable to the operation/maintenance of the South Cowichan Parks (Cowichan Bay Boat Launch, Mill Bay Historic Church, South Cowichan Dog Off-leash Area) are in line with what was anticipated for the first half of the year. Further consultation with South Cowichan Community is anticipated to proceed with the South Cowichan Parks Commission to formalize plans for the restoration and use(s) for the Mill Bay Historic Church and Rectory buildings, so the capital budget funding for this work will likely be deferred to 2010 once plans are formalized through this process.

Recreation Saltair (456)Revenues

Anticipated revenues include program fees and federal summer student subsidy grant funding in addition to the \$4,616 requisition approved by the Board.

Expenditures

Expenditures are in line with expectations for the Saltair Summer Daycamp Program which is the only program currently funded under the Recreation Saltair (456) function.

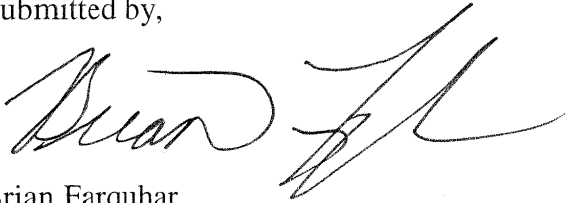
Community Parks Program (325)Revenues

Revenues for the Community Parks Program is incorporated within the Community Planning (325) function. Recoveries for the program include Allocations from each of the nine Electoral Area Community Parks functions (\$1,100 apiece) and \$35,000 from Regional Parks (280) to offset parks administrative costs in support of these functions.

Expenditures

Expenditures are within expectations for the program through mid year and there are no projected expenditure deviations forecast through yearend for this function.

Submitted by,

A handwritten signature in black ink, appearing to read "Brian Farquhar", with a stylized flourish extending to the right.

Brian Farquhar,
Parks and Trails Manager
Parks, Recreation and Culture Department

BF/ca



SR 6

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 6, 2009

DATE: October 1, 2009

FILE NO:

FROM: Brian Farquhar, Parks and Trails Manager

BYLAW NO:

SUBJECT: Update on 2009 Community Parks and Trails Program Priority List

Recommendation:

That this report be received for information.

Purpose:

To provide an update on the status of 2009 community parks and trails priorities work program presented at the April 7, 2009 Electoral Area Services Committee meeting.

Financial Implications:

N/A.

Interdepartmental/Agency Implications:

Dependent upon individual projects.

Background:

The Parks and Trails Division provides staff administrative, planning, parkland acquisition, maintenance supervision and project management services in the delivery of the Electoral Area Community Parks and Sub-Regional Parks (Bright Angel and South Cowichan Parks) Programs. The attached CVRD Community Parks and Trails 2009 Program Priorities – Update September 2009 list provides a status update on the various work components and activities of the community parks and trails program which were presented to the EASC at the April 7, 2009 meeting. Parks staff have endeavoured to undertake the components of the 2009 Program Priorities as endorsed by the EASC and outlined in the work program schedule. A further report will be completed towards yearend summarizing the various work program components with respect to completion achievements and outstanding items.

Submitted by,



Brian Farquhar,
Manager

Parks & Trails Division
Parks, Recreation & Culture Department

CVRD COMMUNITY PARKS AND TRAILS

2009 PROGRAM PRIORITIES – UPDATE SEPTEMBER 2009

A. Community Parks and Trails Operations and Maintenance Program

Contract set-up, supervision, weekly task identification/assignments and regular monitoring of contract deliverables (completion of required maintenance tasks, adherence to standards and performance maintenance expectations, quality of work, etc.). – **Parks Operations staff meet weekly with maintenance contractors to review work performance, issues arising and seasonal requirements of contracts**

Area A thru E Community Parks and Trails Maintenance Contract - **awarded**

Area F Community Parks and Trails Maintenance Contract- **awarded**

Area G Community Parks and Trails Maintenance Contract- **awarded**

Area H Community Parks and Trails Maintenance Contract- **awarded**

Area I Community Parks and Trails Maintenance Contract- **awarded**

Park Caretakers Maintenance/Security Contracts (Bright Angel and Glenora Staging Area)

Parks Operations staff meet regularly with to review work performance, issues arising and seasonal requirements of maintenance activities within these parks

Term Maintenance Contract Work and Park Gatekeeper Contracts

(Daily park gate opening/closing, minor contract work as specified for various community parks in Electoral Areas B, D, F, G and H) – park gatekeeper contracts in place

Parks Summer Student Work Crew Maintenance/Minor Capital Projects Program (May–August)

Review RFP's/Maintenance Contracts – **Parks Operations staff worked with specific Parks Commissions to define work projects for summer student crew over the four months and provided regular direction/supervision to tasks undertaken by crew.**

Ongoing/timely response and action(s) to reports on potential hazard trees, vandalism, park/trail condition reports/complaints, broken/damaged park facilities/amenities, storm/flood damage, encroachments onto park property/greenspace areas, installation/replacement of park regulatory/information signage and regular park facility inspections as part of risk management/corporate liability risk reduction.

Parks operations staff are currently addressing 200 plus contacts on average per month (telephone, email, etc.) from local residents, park visitors and contractors with regards to trees/vegetation issues, public complaints/concerns on activities or conditions of park sites, booking requests for events, vandalism/encroachment matters, parks maintenance/projects and general inquiries.

Update CVRD Parks Tree Inspection/Hazard Bylaw and Procedures. –**scheduled for late fall/winter to be completed in-house by Parks staff**

Effort in 2009 to include work on parks and trails maintenance standards and requirements as basis for development of corporate policy to address inherent parks maintenance management risks/liabilities. – **work scheduled for late fall/winter to be completed in-house by Parks staff**

B. Community Parks Planning Projects

Community Parks and Trails Master Plans

Mill Bay/Malahat Community Parks and Trails Master Plan – **final draft under review**

Shawnigan Lake Community Parks and Trails Master Plan – **final draft under review**

Cobble Hill Parks and Trails Community Parks Master Plan – **final draft under review**

Cowichan Bay Community Parks and Trails Master Plan – **final draft under review**

Rezoning and Section 941 Subdivision Applications, Parkland Acquisition Negotiations

Community parks program applies required staff resources to rezoning applications with parks, trails and open space opportunities and subdivision applications subject to Section 941 requirements of the Local Government Act, including preparation of reports to Parks and Recreation Commissions, site visits and assessments, negotiation with applicants, preparation of formal documents (i.e. Section 219 Covenant park/trail dedication conditions) and working with Development and Planning staff.

Response and time commitments of Parks staff resources will be dependent upon the number and complexity of application referrals received during the year.

Current larger rezoning applications received through the Planning and Development Department with community parks, trails, and open space issues anticipated to require major effort of Community Parks and Trails staff resources in 2009 include:

- Area A – Bamberton Rezoning Application
- Area A – Limona (Garnett Property) Rezoning Application
- Area B – Elkington Estates Rezoning Application
- Area B – Shawnigan Station Rezoning Application
- Area D – 4 Ways Subdivision Application
- Area E – Innwood Estates Phase II Rezoning Application
- Area E – Culverton Road Rezoning Application
- Area F – Honeymoon Bay Log Sort Rezoning Application
- Area H – Diamond Area Rezoning Application
- Area I – Youbou Lands Rezoning Application

Rezoning application referrals from the Planning and Development Department which the Parks and Trails Division has been active on in 2009 total 29 referrals to date, of which three have been to the Board for final decision, eight have been worked on in detail (inclusive of Parks Commission participation) with recommendations forwarded to Planning and Development and eighteen are actively being worked on by Parks planning staff.

Due to the complexities of a number of the applications (potential parkland and trail corridor dedication, park amenity contributions), Parks planning staff resources for each application has involved significant time in meeting with applicants, Parks Commissions, Planning and Development staff, site visits, preparation of materials in support of reports to Commissions/Committees and contributing to the preparation of legal documents (land/amenity contribution covenants and phased development agreements) associated with securing commitments of applicants. Expectations of applicants and formality of application process has required priority dedication of Parks staff resources to complete the above tasks; however due to the uncertainty of timeframes for individual applications it is difficult to forecast workload demands associated with these applications.

Community Parks and Trails staff also engage in parkland acquisition negotiations as opportunities arise for purchase or receipt of lands through donation/bequests. There are presently several open files on potential community parkland gifts and a further several open files on active negotiations underway for the purchase of lands for community parks purposes.

Subdivision application referrals involving parkland dedication requirements under Section 941 of the Local Government Act and/or secured conditions for dedication of parkland and provision of park amenities to date has in 2009 has involved 19 subdivision applications, two of which have been completed with parkland dedication. Similar to rezoning applications, Parks planning resources to manage subdivision applications with park components requires dedication of time for meetings with applicants, Parks Commissions and other agencies as required (i.e. Ministry of Transportation and Infrastructure) to determine the location for park dedication, if not determined through prior commitments (i.e. rezoning approval condition). Documentation is becoming more involved, in particular where parkland dedication is a requirement of registered covenants, for which the transfer of lands and release of covenants requires engagement of legal services through the Parks and Trails Division. Time commitments are also influenced by the application.

Parkland Acquisition Transactions (Non- development related)

Area F – Mesachie Lake Store property purchase/addition to Mesachie Lake Park - **completed**

Community Park Management Plans

Area H - Yellowpoint Park Management Plan (MOE Lease Agreement Requirement) – **on hold pending direction to commence with plan.**

Area E - Sahtlam Bluffs Conservation Area and Trails Management Plan (Covenant) – **Lands have not yet been transferred from the donor to allow work to proceed.**

Bright Angel Park - Park Management Plan – **background work commenced this summer**

Community Park Detailed Site Plans

Area C - Cobble Hill Village/Liberation Park Cenotaph Revitalization Site Plan – **completed**

Area C - Cobble Hill Station Improvements Detailed Site Layout Design Plan - **underway**
Area E - Cowichan River Pedestrian River Crossing Study (Project Engineering Division) – **on hold**
Area B - Shawnigan Hills Phase I Upgrade Site Design – **research field type/options completed**
Area D - Hecate Park Western Expansion Detailed Site Plan (includes playground) - **underway**
Area I – Woodland Shores Waterfront Park South: design review/approval - **completed**
Area I – Woodland Shores Playfield: design review/approval - **completed**
Area I – Woodland Shores Boy Scout Camp: design review/approval - **completed**
South Cowichan - Historic Mill Bay Church Site Plan and Building Rehabilitation - **underway**

Community Parks Environmental Stewardship and Enhancement Projects

Area B – Silvermine Trail Fuel Management Reduction Project (Grant Funding) - **underway**
Area I – Woodland Shores Forestry Road Deactivation: review/approval - **completed**
Area I – Woodland Shores Upland Park Reforestation: review/approval - **completed**

C. 2009 Capital Projects Program (Funded by CVRD and/or Others)

Preparation of the 2009 Capital Projects Program is inclusive of input from individual Parks and Recreation Commissions during the 2009 budget planning process initiated in Fall 2008, in addition to successful grant applications bringing additional capital project funding (i.e. UBCM Tourism Funding, Trees for Tomorrow Grant Program, Veterans Affairs Grant) for a number of capital projects in various parks. The cumulative budget value of the approved Community Parks Capital Program in 2009 (inclusive of approved grant funding) is: approximately \$968,000.

Priority One Projects – Capital Replacement (Public Safety/Asset Management)

Spring Projects

Area F – Bear Lake Park Swim dock replacement and ramp upgrades - **completed**
Area I – Nantree Park boomstick relocation and repairs - **completed**
Area A – Mill Bay Nature Park pedestrian bridge replacement - **completed**
Area C – Manley Creek Park pedestrian bridge replacement - **completed**
Area G – Saltair Centennial Park tennis court resurfacing - **completed**
Area B – Swimming Area boomstick replacement (Masons, Shaw. Wharf, Old Mill) - **completed**
Area F – Central Park Tennis Court Fence and Surface Repairs - **completed**
ADDED – Area F – Mesachie Lake Park field irrigation improvements - **completed**

Summer Projects

Area D – Coverdale Watson Park Tennis Court resurfacing – **on hold pending assessment**
ADDED – Area F – Bear Lake Park Parking Lot Improvements - **completed**

Fall Projects

Area F – Mesachie Lake Park field expansion Phase I – **awaiting building demolition**

Area G - Saltair Centennial Park field irrigation installation – **project cancelled**
Bright Angel Park – Minor park improvements - **completed**
South Cowichan – Mill Bay Historic Church Phase I rehabilitation/upgrade – **not yet started**
ADDED – Mesachie Lake Park – old store demolition field expansion – **not yet started**
ADDED – Saltair Centennial Park Playground Replacement – **underway**
ADDED Area D – Sparwood Road Parking Lot improvements – **underway**

Priority Two Projects - Partnership and/or Commitment by Others Capital Projects

Spring Projects

Area I – Mile 77 Park Font Board Sign (UBCM Funding) - **completed**
Area C – Bike Skills Park construction - **completed**
South Cowichan – Dog Park Water Service Installation - **completed**
Area E – Cowichan Station Historic Signage (UBCM Funding) - **underway**
Area I – Woodland Shores South Shore Community Park Construction (Developer) - **underway**
Area I – Woodland Shores Community Playfield Park (Developer) - **underway**
Area I – Woodland Shores Upland Park Boy Scout Relocation (Developer) - **underway**

Summer Projects

Area C – Liberation Park Cenotaph Revitalization/Town Square Improvements - **completed**
Area C – Cobble Hill Train Station “Trees for Tomorrow” Revitalization Project-**not yet started**

Fall Projects

None scheduled at this time

Priority Three Projects – 2009 Capital Projects Identified by Parks Commissions

Spring Projects

Area D – Cees and Mief Hof Park Sign Installation - **completed**
Area E – Glenora Staging Area Caretaker Residence gas fireplace - **completed**

Summer Projects

Area D – Hecate Park Western Extension – **awaiting MOT approval – fall project**
Area D – Hecate Park Play Structure Installation – **under Commission review**
Area F – Bear Lake Park – Phase II Swim Float extension – **awaiting MOT approval**
Area F – Central Park - Memory Lane Lighting Project – **not yet started**
ADDED Area F – Bear Lake Park Swim Float Extension - **completed**

Fall Projects

Area B – Shawnigan Hills Athletic Park Phase I Improvements – **under Commission review**

Area C – Quarry Nature Park historic compressor relocation/stabilization – **project cancelled**
Area F – Mesachie Lake Sign Replacement – **not yet started**
South Cowichan Parks – Dog Park small dog enclosure – **under review by Commission**

Priority Four Projects – Unscheduled 2009 Capital Projects

(Not scheduled at this time due to insufficient project scope, additional direction required from Parks Commission, lands not yet secured for completing project, etc.)

ACTIVATED Area E – Boys Road Information Signage (UBCM Funding) - **underway**
ACTIVATED Area E – Glenora Staging Area Park Improvmnts (UBCM Funding) - **underway**
Area E – Glenora Staging Area Community Park playground – **matching funding unavailable**
Area F – South Shore Circle Route Tourism Pullout (UBCM Funding)
ACTIVATED Area G – Saltair Signage (UBCM Funding) - **underway**
South Cowichan Parks – Cowichan Bay Boat Launch Improvements

D. Community Trail Projects

Spring Projects

Area B – Bob O’link Community Pathway (Phase II) - **completed**
Area H – Yellowpoint Park Upper Horse Crossing Trail/Bridge Relocation – **on hold**

Summer Projects

Area A – Mill Springs Trail Upgrades and Extension - **completed**
Area B – Silvermine Trail Extension Phase III - **completed**
Area D – Wilmot Road Community Pathway - **underway**
Area A – Inlet Drive Public Beach Access - **underway**

Fall Projects

Area A – Hollings Creek Trail Extension - **underway**
Area D – Kennedy Lane Pathway Upgrade – **project cancelled**
Area D – Tom Bannister Development Pathway (Developer) – **completed**
ADDED Area A – Hollings Creek & Handyson Creek Bridges (Developer) – **underway**
ADDED Area A Lilmac Trail Extension (JOP Crew) - **underway**

E. Agreements/Leases/Bylaws

Area A – Lilmac Road Trail Extension (Brentwood College) – **in progress**
Area A – Beach Access Permit (location to be prioritized by Commission) – **under review**
Area B – Memory Island Permit Renewal (BC Parks) - **completed**
Area C – Cobble Hill Train Station License Agreement (ICF) – **in progress**
Area C – Cobble Hill Cenotaph Lease Renewal (MOTO) - **completed**
Area C – Galliers Park R/W Agreement (Cobble Hill Improvement District) – **in progress**
Area D – Cowichan Bay Road MoTI Permit – Hecate Park Extension – **in progress**

Area D – Beach Access Permit (location to be prioritized by Commission) – **in progress**
Area E – Boys Road and Jacob Road MoTI Permits public pullouts – **applications under review**
Area G – Lagoon Bridge Beach Access Permit – **application not yet submitted**
Area H – Yellowpoint Park creek crossing permit and management agreement – **on hold**
Area I – Marble Bay Road Pathway Improvements Permit (Woodland Shores) – **in progress**
Area I – Meade Creek Road East Side Pathway Permit (Woodland Shores) – **under review**
South Cowichan Parks – Mill Bay Historic Church Cemetery Bylaw – **not yet started**
ADDED Area B – West Shawnigan Lake Operations Permit (BC Parks) – **completed**
ADDED Area C – License Agreement with Cobble Hill Farmers Institute – **in progress**

F. Community Parks Programs and Events

Areas A thru D – Summer Playground Program (July/August) – **programs completed**
Area G – Saltair Summer Daycamp Program – **programs completed**
Parks staff resource support for Parks Commission's AGM's, Open Houses and Special Events

G. Community Parks Administration, Policies, Bylaws, Etc.

CVRD Trail Standards and Guidelines Manual – **final draft completed**
South Cowichan Parks – Mill Bay Historic Church Cemetery Bylaw – **not yet started**
CVRD Parks Regulatory Signage Standards Policy – **background work completed**
Attend Community Parks Commission Meetings (As required)
Parks Commission Chairs Meeting(s) – **two meetings scheduled thus far**
2010 Community Parks Budget Meetings with Parks Commissions - **underway**



SR7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF OCTOBER 6, 2009

DATE: September 29, 2009 **FILE NO:**

FROM: Brian Farquhar, Parks and Trails Manager **BYLAW NO:**

SUBJECT: Reserve Fund Bylaw for Electoral Area C Community Parks Projects

Recommendation:

That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of no more than \$50,000 from the Community Parks General Reserve Fund (Area C – Cobble Hill) for the purpose of completing the Cenotaph Project, installation of pathway, electrical service and fencing at the Farmers Institute, and covering associated costs with acquisition of lands for park purposes; and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

Purpose:

To request direction on the preparation of a Transfer from Reserves of no more than \$50,000 to complete the Cenotaph Project, install a pathway, electrical service and fencing at the Farmers Institute, and cover associated costs with acquisition of lands for community park purposes in Cobble Hill.

Financial Implications:

The Community Parks General Reserve Fund for Electoral Area C Community Parks as of December 31, 2008 had approximately \$250,000 in funds available.

Interdepartmental/Agency Implications:

N/A

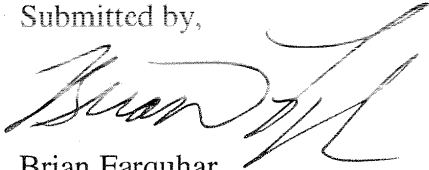
Background:

The 2009 Community Parks and Trails Program endorsed by the Electoral Area Services Committee includes the Cenotaph Project as a 2009 capital project. The additional works on the adjacent Cobble Hill Farmers Institute lands are associated with the Cenotaph project and are also commitments of the CVRD as part of the license agreement previous approved by the Regional Board with the Cobble Hill Farmers Institute. A key piece of property may also become

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available in Cobble Hill that is identified as an acquisition priority for community park purposes. Additional funds from the Community Parks General Reserve Fund are therefore required to cover these costs over and above the 2009 Area C Community Parks budget previously approved by the Board, which are of a priority to the Electoral Area C Parks Commission to complete this fall as per their September 21 meeting recommendation on this issue. Therefore, in order to proceed with these projects in 2009, a Transfer from the Community Parks General Reserve Fund (Area C – Cobble Hill) is recommended.

Submitted by,

A handwritten signature in black ink, appearing to read "Brian Farquhar", written over a horizontal line.

Brian Farquhar,
Parks and Trails Manager
Parks, Recreation and Culture Department

BF/ca

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CVRD

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SEP 2, 2005

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Financial Services Department

Submitted by Director MORRISON Area F

Grantee:

Grant Amount \$ 500.00

NAME: SOOKE REGION MUSEUM

ADDRESS: P.O. BOX 774, SOOKE, B.C. V9Z 1H7

Contact Phone No: LINDA J. EVERSOME 250-642-6351

PURPOSE OF GRANT: ASSIST IN COSTS TO PRODUCE

AND MAINTAIN A HERITAGE SIGN FOR THE

GIANT SITKA SPRUCE LOCATED ALONG PACIFIC MARINE ROUTE

REQUESTED BY:

[Signature]
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>012-1950-0367-116</u>	<u>500.00</u>	<u>10.0</u>

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 _____

Subject:**From:** Linda Eversole <director@sookeregionmuseum.com>**Date:** Thu, 24 Sep 2009 17:03:54 -0700**To:** Ian Morrison <Morrison.director@shaw.ca>**CC:** Elida Peers <info@sookeregionmuseum.com>

Hello Ian

As I mentioned in our phone call we are requesting your consideration for a one-time contribution of \$500 as part of the cost for a heritage sign to mark the giant Sitka Spruce located between Port Renfrew and Mesachie Lake on the newly paved Pacific Marine Route.

The Sooke Region Museum has an active program of placing these signs in partnership with individuals, companies and local government and would undertake to produce the sign and include it in the sign maintenance program. The sign will also be included in our publication "A Guide to Heritage Shield Sites of the Southwest Coast of Vancouver Island". Thanks for your consideration.

=====

Linda J Eversole, Executive Director

Sooke Region Museum

PO Box 774

Sooke, BC

V9Z 1H7

PH: (250) 642-6351 Fax: (250) 642-7089

Email: director@sookeregionmuseum.com

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CVRD

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director Loren Duncan Area Cowichan Station School - Duncan

Grantee:

Grant Amount \$ 3000

NAME: Cowichan Station Area Association

ADDRESS: Box 1093 Duncan BC V9L 3Y2

Contact Phone No: Susan Wells 701-3338

PURPOSE OF GRANT: Engineering assessments of Cowichan Station School Bldg

REQUESTED BY: Loren Duncan
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
01-2-1950-0350-114	3,000.00	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

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Susan Wells, President

Cowichan Station Area Association

September 28, 2009

Box 1093, Duncan, BC V9L 3Y2

250-701-3338 sue.wells@shaw.ca

Cowichan Valley Regional District

Parks, Recreation and Culture Department

175 Ingram Street

Duncan BC V9L 1N8

Attention: Ron Austen

Re: Cowichan Station Elementary School

Thank you for the opportunity to view the Cowichan Station Elementary School site with you recently. At that meeting, we briefly described our concept for the site. After two years of community visioning process and OCP revisions, the Cowichan Station Area Association is exploring the concept of a community based center for multi use on the site, and is preparing a proposal for that purpose.

The residents of the surrounding area have envisioned a community hub with recreational and cultural activities, educational space and a community center with gym, event venue and fields for Valley use. Potential stakeholders in the plan may include the CVRD and School District 79. In order to accurately plan for the potential and the challenges of the site, we have identified several preliminary studies that should be done on the buildings and immediate area.

An evaluation of the structural, electrical and mechanical systems swill be needed before the proposal can be completed. We have solicited estimates for the studies from several local sources. Our costs for this stage of the process are an estimated \$3000 for reviews of the most current surveys, and for updated estimates of the condition of the site.

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Therefore, in order to determine the potential of the Cowichan Station School site for further community use, the Cowichan Station Area Association would like to apply for a grant-in-aid of up to \$3000.

We believe that this site is of great importance to the historic hamlet of Cowichan Station. Our goal is to see it utilized in a manner that best serves the community and surrounding district.

We look forward to any further discussion on this exciting project, and to your assistance.

Regards,

Susan Wells

President

Cowichan Station Area Association

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CVRD

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director K. Cossey Area B

Grantee:

Grant Amount \$ 1000.00

NAME: Shawnigan Lake Community Association

ADDRESS: Box 7 Shawnigan Lake, B.C. V0R 2W0

Contact Phone No: Marian Davies

PURPOSE OF GRANT: Aid with Halloween Event

REQUESTED BY: _____
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-368-112</u>	<u>1000.00</u>	<u>10.0</u>

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 _____

Tammy Knowles

From: Sharon Moss
Sent: Wednesday, September 30, 2009 10:31 AM
To: Tammy Knowles
Subject: FW: SL Community Association- request for Grant-in-Aid funding

Importance: High

Hi Tammy,

Can you please do up the following Grant-in Aid for Ken Cossey and let me know if it will make the ESAC Meeting Tuesday, Thanks, Sharon

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

From: kcossey@uniserve.com [mailto:kcossey@uniserve.com]
Sent: Wednesday, September 30, 2009 9:45 AM
To: Sharon Moss
Subject: Fwd: SL Community Association- request for Grant-in-Aid funding

Sharon,

Can we get the paperwork started and onto the ESAC meeting for Tuesday?

Cheers

Ken

----- Forwarded message from stayafloat@shaw.ca -----

Date: Tue, 29 Sep 2009 22:21:48 -0700
From: Bill and Marian <stayafloat@shaw.ca>
Subject: SL Community Association- request for Grant-in-Aid funding
To: kcossey@seaside.net

Hello Ken,

The Shawnigan Lake Community Association has a long history in Shawnigan Lake for creating 'special events' for the residents of our community. We are both a registered society in BC (S-7176) and a registered charity with Canada Revenue Agency.

To fund these events without charging the participants we have been fortunate to receive Direct Access Funds through the BC Government but that program was cut recently. Our members are willing to continue offering the events but with much reduced expenditures. We are actively seeking volunteer support from the community.

Our next event is Halloween Howl to be held on October 31, 2009 at the SL Community Centre. This event offers a haunted house, games, refreshments, treat bags, and a bonfire. We have cut the live entertainment, craft table, bouncer and prizes for the games due to our shortfall of about \$1000. The focus of this event is to create a safe and fun-filled environment for the children and families in our community to celebrate Halloween.

We would like to apply to your grant-in-aid program for \$1000 to cover the shortfall and be able to provide a full evening of fun for everyone. We can assure you this will be much appreciated by all who attend particularly the families of young children who prefer our event over taking their children out on dark streets.

Thank you for all your support to our community.

Marian Davies

Treasurer

Shawnigan Lake Community Association

Box 7, Shawnigan Lake, BC

V0R2W0

----- End forwarded message -----

AP1

**Area A Advisory Planning Commission Bamberton Meeting
14 September 2009
Held at Mill Bay Fire Hall
Minutes**

Present: Cliff Braaten, June Laraman, Deryk Norton, Ted Stevens, Dola Boas Geoff Johnson, David Gall, Archie Staats, Margo Johnston Brian Harrison (Director Area A), Roger Burgess (Alternate Director Area A)

CVRD Staff: Mike Tippet, Alison Garnett

Audience: G. Koutougos/Violetta Investment and Gerald Hartwig and Fraser McColl representing the Mill Springs development, also 2 public attendees.

Meeting called to order at 6:32 pm

Agenda:

It was moved and seconded the agenda be approved.
MOTION CARRIED

Previous Minutes:

No minutes. The minutes of 20 August 2009 Bamberton meeting were deferred to the Bamberton meeting 30 September 2009.

New Business:

Development Permit Application – Phase 10, Mill Springs

Gerald Hartwig, the applicant, explained the proposal plan for Mill Springs Phase 10.

There was a question and answer session directed to Gerald Hartwick, the applicant and Mike Tippet, Planning Manager, CVRD.

Members expressed concerns regarding:

- Density
 - Mike Tippet had provided an overview document to the APC of how density averaging was calculated for Mill Springs. The highlights of this document were reviewed. It was determined that Phase 10 meets the minimum lot size.
 - Lot size will need to be looked at closely by the CVRD for all future phases in this development. The trigger will be when the sewer system is turned over to the CVRD for a change in the minimum lot size. There is approval in principal for the CVRD to take over the sewer system when the development reaches 200 lots. With the completion of Phase 10 the development will have 183 lots developed.
- Street names
 - A letter has been submitted to the Minister of Highways requesting that the right to recommend street names be given to Mill Bay Historic Society. Will still require approval by the MOT, the Mill Bay Fire Dept. and the CVRD.
 - Recommended street names be representative of Mill Bay's history
- Tot lot
 - There has been much contention that there are currently no tot lots in the development. It was stated that the previous Area A Parks Commission had asked for the tot lots to be removed while the current commission has asked to have tot lots reinstated. There will be a tot lot included in Phase 10. This is the land only and does not include the equipment required for a tot lot.
- Water

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- Capacity of well three provides enough water for 127 homes. The community of Mill Bay can use the water until build out of the Mill Springs development.
- Road access
 - Turning ratio is large enough for Emergency vehicles

The Area A APC recommendation to the CVRD was moved and seconded

That the **Development Permit Application – Phase 10, Mill Springs** be approved with the inclusion of two recommendations from the Mill Bay Fire Department.

- 1) A donation from the developer for an interrupter light at Frayne Road and Highway 1 intersection.
- 2) A second road access to the Mill Springs development via Deloume Road.

MOTION CARRIED

Rezoning Application No. 3-A-09RS (G. Koutougos/Violetta Investments Ltd)

The concept of the design for the rezoning application was explained by the designers/architects for G. Koutougos/Violetta Investments.

A question and answer session with the designers, applicant and CVRD representatives Mike Tippet and Alison Garnett followed:

Questions were focused on the following topics:

- Secondary suites
 - If permitted, secondary suites would be located in the basement area of each duplex.
 - Concern that allowing secondary suites would set a precedent in the Mill Bay Rd area.
 - Established the project would proceed without the approval of secondary suites.
- Septic field
 - Details not looked into yet as the applicant wanted to ensure approval before proceeding.
 - Perk test not completed.
- Handy Road
 - Concern about visibility for access on to Mill Bay Road - MOT at one time was interested in widening Handy Road, nothing in the works now.
 - Commission felt there should be not be duplexes with direct access to Mill Bay Road.
- Water
 - Will use Mill Bay Water District.
- Duplex development on lots of less than 1 acre
 - Area A OCP does not permit 2 dwellings not allowed on ½ acre lots.
 - Some duplexes built before OCP originated; there are none on waterfront.
 - The Area A OCP indicates a preference for higher density in areas of Mill Bay that are within a 10-minute walk of Mill Bay Centre.
 - Deal with each application on its own merit.
 - Issue needs to be looked at in the new OCP update.
 - Consider holding application until new OCP is complete.
- Density
 - Proposed development is not high density.
 - The proposal meets building height requirements outlined in Area A OCP.
- Giant Hogweed, *Heracleum mantegazzianum*
 - Evaluation and professional removal of the Giant Hogweed from the site.

The Area A APC recommendation to the CVRD was moved and seconded

That the **Rezoning Application No. 3-A-09RS** be approved with the following limitations

- 1) Access to both lots would be from Handy Road with no access directly on to Mill Bay Road.
- 2) No secondary suites
- 3) Perk tests and sewage evaluation must be completed. As there is some question whether the lots can accommodate the required space required for the septic tanks and field.

MOTION CARRIED

Continuing Business:

Bamberton Timeline – Next Bamberton meeting is at 9:00 am – 1:00 pm on 30 September at the Mill Bay Fire Hall

Area A Director Update:

- 1) Value of building permits in area A are up – 46 issued this year.
- 2) Burning Bylaw - approved
- 3) Fireworks ban - approved
- 4) Kerry Park renovations – referendum 21 November 2009
- 5) OCP appointments – June Laraman, Archie Staats, Ken Waldren, and Geoff Johnson
- 6) Mill Bay Marina – application on hold
- 7) Coop – agreed to provide the funds for an interrupter light at Deloume Road and Highway 1 intersection.

Other

Limona application will be presented at the 13 October APC meeting.

Mike Johnson, Limona representative has offered to take APC members on a 2 hour tour of their developments. APC members were in favor and June Laraman, Chairperson will organize a date and time.

Adjournment:

It was moved and seconded the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 9:05 pm

Next regular meeting: 13 October 2009 at 6:30 pm at Mill Bay Fire Hall.

PK1

Area A Parks & Recreation Meeting Minutes
September 17th, 2009
Held at Brentwood College

Present: David Gall, Clyde Olgivie, June Laraman, Joan Pope, Paris Webster, Greg Farley, Brian Harrison (Area A Director), Ryan Dias (CVRD Parks Operations Superintendent), Cathy Leslie (observer)

Regrets: Mario Iiannidinardo, Roger Burgess (Alternate Area A Director),

Meeting Minutes: It was moved and seconded
That the meeting minutes for June 25th, 2009 be accepted.

MOTION CARRIED

Agenda: It was moved and seconded
That the meeting agenda for September 25th be accepted.

MOTION CARRIED

Existing Business:

Progress Reports Ryan Dias, CVRD Parks Operations Superintendent provided the updates for the following:

Park Maintenance (Includes Summer Students & JOP crew)

- Mill Bay Nature Park – replaced 25-ft bridge with concrete.
- Students have been providing painting, weeding and clean up as back up to Parks maintenance crews.
- Completed Mill Springs Trail extension around the Beaver Pond.
- Hollings Creek Trail has been brushed out by JOP crew. The 6 crew are provided free so have not used the \$5k that was budgeted.
- Inlet Drive Beach Access – MoT has requested that the property be surveyed which is in progress. Expect to have completed this year.
- Expect footbridge to be in place for Briarwood to connect to Hollings Creek. Developer did not contribute cash, as he wanted to work on trails/footbridge instead.

Budget Update

YTD Budget

- The September 09 financial statement showed that Area A currently has expenses of \$ 40,503 against a budget amount of \$112,674 netting a \$ 72, 170 variance to budget. Ryan explained that a good portion of this variance would be expended in the remainder of 2009. Given that there is only one quarter of the budget year remaining the Area A PRC requests a breakdown of where these monies will be expended. This request will be sent under separate cover to the CVRD for clarification.

YTD Budget (cont'd)

- There was also discussion about what the Area A PRC budget is holding in reserve. it is estimated that it should be \$ 81, 934 plus interest, with the capital brought forward at \$6,201. A request will be sent under separate cover to validate the reserve amount.

Budget Update

2010 Community Park Planning

- Ryan Dias reviewed the 2010 budget explaining that the requisition for 2010 has been kept the same at \$95,300. The only change is that any surplus from the prior year will not automatically be carried forward as surplus but moved to a new budget category "Transfer to Replacement Reserve Fund". This fund will be kept within the Area A budget and can be accessed if required and identified for specific projects.
- It was explained that reserve funds were needed for maintenance, as there is no fund presently available to deal with aging facilities.
- A multi-year plan is needed for capital projects. Staff will identify key structures that will require updating/replacement and create a 10-year plan.
- It was noted that to put the equipment in the Mill Springs Tot Lot would require approximately \$40k.

It was moved and seconded that the existing surplus in the Area A budget should be used to fund the equipment for the Mill Springs Tot Lot.

Note: This was shown as \$15,000 (Transfer to General Capital Reserve) and \$16,700 (Transfer to Replacement Reserve Fund) for a total of \$31,700 in the 2009 year-end budget.

New Members Update: Cathy Leslie has been nominated to join the Area A PRC and interviewed by Director Harrison. Director Harrison will present her credentials at the next board meeting for approval.

South Cowichan Parks & Recreation:

It was noted that this committee did not meet this summer, as it was difficult to get a quorum due to summer vacations. It is anticipated that a meeting will be called shortly.

Mill Bay Veterinary Clinic Donation:

This item is deferred to the next meeting. David Gall to discuss.

Director's Report:

Director Harrison reported the following:

- Issue with derelict boats at mooring buoys in the Sannich Inlet. This issue is also occurring in our area. No one is taking responsibility for these boats. A subcommittee has been formed to work with agencies on how to protect our foreshore.
- The commercial burning bylaw has been passed. The Bickford development is taking the lead as they have bought a "curtain burner".
-

**Director's Report
(cont'd)**

- The Area A OCP is being redone in a combined effort with Shawnigan Lake and Cobble Hill. Recommendations and/or concerns should be directed to Director Harrison for consideration.
- Bamberton proposal is progressing. The Area A APC met throughout the summer and has two major meetings remaining. Recommendation should be forthcoming by end of October.
- Letter from Mill Bay Fire Department requesting 2 interrupter lights. Co-op has agreed to pay for one and Mill Springs is considering a donation for the other.
- Mill Bay Veterinary has not come before the EAS for approval as yet.
- Had a recent meeting with Carma (AKA SW Mill Bay Project). Will wait until revised OCP is completed and are hoping to have input into the revised plan.
- Need to ensure that the tax base in new developments will cover maintenance requirements for newly acquired parks donated by developers. (E.g. Bamberton's proposed contribution of new parks & trails).
- Kerry Park referendum is November 21st. If the community wants this to happen they will need to get involved and vote.
- Aerie Resort looking at rebuild and expansion – potential for parkland dedication with road access.
- Lack of road crossings – MoT approving developments but not addressing this issue.
- Recommending the opening of Deloume Rd. to provide better access to and from Mill Springs.
- Sentinel Ridge has put a culvert in the creek which is illegal. Will need to remove before Phase 2 can proceed.
- Tree taken down by Eagles nest on Frayne Rd. Need bylaw officer to check as this is a protected area due to resident eagle nest.

Adjournment: It was moved and seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:50 PM.

Next meeting: October 15th, 2009 at 7pm at Brentwood College



SEP 16 2009

PK 2

COBBLE HILL PARKS AND RECREATION COMMISSION MEETING

Thursday, June 25th 2009 7:00 pm.

Arbutus Ridge Board Room

MINUTES

Present: John Krug – Chair, Richard Shaw, Bill Turner, Linden Collette, Ian Sparshu, and Lynn Wilson.

Regrets: Gerry Giles and Alan Seal

Guest: Gordon Dickenson

1. Adopted the minutes from May 26th, 2009.

Business arising from the minutes

1. Richard and John gave an update on Cleasby Bike Park. There has been a request for some easier jumps for younger kids. Low rollers can be added at the top of the bike park using volunteer help and money left from the original project. John and Richard to get an estimate of cost. The new features could be added in September. Also, the back of the sign needs to be completed crediting community participants and business donations to the park. Moved and seconded:

"The parks commission will complete the Cleasby Bike Park sign and add new features to the bike park using funding leftover from the original park development."

MOTION CARRIED

2. John and Gordon gave an update on the dog park. A temporary fountain made of wood has been installed. Sod taken from the cenotaph project has been put into the fenced area in the park and is being regularly watered by parks commission members and community members. The current plan is to complete the drinking fountain after the cenotaph project is complete.
3. John provided an update on the cenotaph project. The parks commission is waiting for the Farmers' Institute to give permission for the commission to use some of the Institute's land for the memorial park. The Farmers' Institute is expected to vote on that at their next meeting. Until then, we will continue to work on design, order materials, and complete the platform for the cenotaph.

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4. Bill updated the progress of Manley Park upgrades. Bridges 1 and 2 are complete and in place.
5. Bill reported that Granfield Trail has had brush trimmed along the sides and overhanging branches removed. Some posts on the fencing along the trail need to be replaced.
6. The Trees for Tomorrow/ Train Station signage report was given by John and Bill. Signs are in place to discourage overnight parking along the area to be upgraded. The large sign announcing the pending Trees for Tomorrow improvements is up.
7. John reported that he spoke to Ann Peters, Executive Director at the Northwest Wildlife Preservation Society. He told her that the parks commission could get Chris Keohn to provide an estimate on the renovations needed to the barn at the old Granfield farm. Ms. Peters responded by saying that her organization is hoping to raise funds for the project. She did not indicate if she wanted to have the estimate completed.
8. John led a discussion about a possible disc golf course. Commission members expressed an interest in the project but also a concern that forested land which does not get much human activity not be used. Motion and seconded:

"The parks commission will investigate the feasibility of creating a disc golf course within the Cobble Hill area."

MOTION CARRIED

Ian volunteered to lead the investigation.

9. John noted that some communities and families are interested in planning group activities in parks. Please alert Ryan Lendrum to these events so that the parks can be prepared. He can be contacted at r.lendrum@cprd.bc.ca
10. Seniors Exercise Equipment is tabled until our next meeting.

New Business

1. John reported that the Highways Yard in the village will be cleaned out and prepared for parking for the Cobble Hill Fair in August.

2. The commission would like to request that JOB participants clear dry brush from Fairfield Park to reduce fire hazard.
3. John shared a memo from Brian Farquhar about the Parks Master Plan. He will request clarification from Brian about specific lands mentioned in the memo and inform commission members by email.
4. An e-mail survey of the Parks Commission was conducted to select a name for the newly created Liberation Park/Holland Avenue/Cenotaph area and Memorial Park was unanimously agreed upon.
5. The next meeting is July 23, 2009 at 7:00 pm at Arbutus Ridge board room.
6. The meeting adjourned at 8:56 p.m.

Submitted by Linden Collette, Secretary

PK 3

Minutes of the Cowichan Station/Glenora/Sahtlam Parks and Recreation Commission Meeting, held on September 22, 2009 at the Glenora Community Hall.

Present: Ron Smith, Phil Gates, Howard Heyd, John Ramsey, Irene Evans, Frank McCorkell, Larry Whetstone, Director Loren Duncan and Tanya Soroka

Call To Order: The meeting was called to order at 7:05 p.m.

Minutes: The minutes of the June 21st, 2009 meeting were distributed and reviewed by the commission members present and accepted.

Business Arising:

Tanya Soroka, Parks Planning Technician, indicated that she will be having a meeting with Ministry of Transportation staff shortly regarding the request for easements to the Cowichan River within the Glenora area.

Frank McCorkell brought the Commission up to date on what has been accomplished at the Glenora Staging Area Community Park. This included the extension of the waterline, power to the outer parking area, the clearing of an area for the paddocks and he was also looking into the cost of metal gates.

New Business:

Before starting the information session dealing with the development of facilities to accommodate area horse riders the representatives from the four clubs at the meeting drove down to the park and looked over what has been undertaken to date. The Commission then dealt with other business.

1. Potential Park Land Acquisition: Director Duncan brought the Commission up to date on the land the Commission looked at in July. The Commission was told of the process being followed. At this point the Commission members discussed various pros and cons concerning this parcel of land.

2. Cowichan Station School: Director Duncan informed the Commission of a meeting held earlier today with some members of the Cowichan Station Association who are trying to save the school and use it for various community uses including possibly establishing a day care and after school care facility.

At this point the horse riding club representatives returned and the meeting resumed discussion on the facilities for the Glenora Staging Area Community Park. Director Duncan wanted to make it very clear to everyone present that there was a long established gun club adjacent the park and that it may be an issue and concern with some riders and their horses.

The Chair distributed some pictures of the Campbell River Regional Park Equestrian Centre on the mainland to everyone for information purposes only.

Discussion then centered on a number of issues and ideas that included the following:

The idea of developing a **trail system** was mentioned. It was felt that over time a good trail system would be important. There was mention of present loop trails used at the present time through largely forest company lands in the area. There was a general feeling that over time a good back country trail system could be developed not only east and west but also north and south throughout the Cowichan Valley. Some of the trails would be managed regionally while others would be looked as local trails and funded through Electoral Area parks budgets.

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Minutes of the Area E Parks and Recreation Commission Meeting of September 22, 2009
continued

The location and design of **corrals** was also reviewed. There is land cleared for six corrals and it was proposed that four be built to start with. Photos of corrals used in other parks were looked at. These were made of wood except for the gates. There was considerable discussion on whether to use wood or metal for the railing material. The width of the alley between corrals was also discussed and it was felt that they should be around three metres wide. Tanya was going to look into the design and material costs on behalf of the Commission.

Director Duncan asked if any of the clubs or associations had any funding that could be acquired to assist to expedite the project. It was suggested that clubs could be approached once they had an idea what the overall costs would be. In addition there are some national associations that provide funding through application and this information would be provided to Tanya. Once the Commission knows what has been spent on some of the major improvements such as water and power, for example, they would have it provided to the various clubs.

At this point Tanya Soroka, had everyone look at the **sketch plan** she prepared for the meeting. A number provided input on the location of things like hitching rails, compost bins, split rail fencing and landscaping between the parking lot and the park road as well as the need to improve signage along the Trans Canada Trail to direct horse riders to the corral area and not the walking trails up to the washroom and grassed area of the park. There was also a suggestion to develop a good hand out map with other information about the trails, location of facilities and distances between key sections of the trail and so on.

Commission member Larry Whetstone asked about **liability**. Evidently all club members have insurance but it was pointed out that because these are CVRD parks they would likely also be party to any action taken should accidents happen.

The question of 'booking' by riding clubs to use the facility was also mentioned. Tanya said this should be done through the Parks Department office and then they could inform others, such as the park caretaker, about any event. A local club would like to use the area on October 17th for a riding outing and to show members the facilities.

At this point riding club members left the meeting.

Other Business:

Glenora Staging Area Park Washrooms: It was pointed out that the park toilets are not working and must be immediately fixed. Likewise as previously requested, the Commission would like the showers operational and money for this work is within the 2009-10 budget. The Commission requests this work be completed by October 15th, 2009.

Next Meeting:

The next meeting will be held on Thursday, October 15th at the Glenora Community Hall and will include the 2010-11 budget and projects.

Adjournment:

The meeting adjourned at 9:20 p.m.

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**MINUTES OF ELECTORAL AREA G (Saltair/Gulf Islands)
PARKS COMMISSION MEETING**

DATE: September 17, 2009

TIME: 7:00 pm

MINUTES of the Electoral Area G Parks Commission held on the above noted date and time at the Water Board Building, Saltair, BC. Called to order by chair at 7:05 pm.

PRESENT:

Chairperson: Harry Brunt

Secretary: Jackie Rieck

Members: Norm Flinton, Tim Godau, Kelly Schellenberg, Glen Hammond,

ALSO PRESENT:

Director: Mel Dorey

Guests: Jamie Whalen and Penny Clare

ABSENT:

Paul Bottomley and Dave Key

ACCEPTANCE OF MINUTES:

No minutes were taken from Annual General Meeting of June 17th, 2009, however the Agenda from this meeting was reviewed and accepted. An agreement was made to move the next Annual General Meeting and Elections to January 11, 2010.

Motion Carried

ORDER OF BUSINESS:

Chairperson's Report:

☞ A welcome was expressed to newly elected Commission Members: Jackie Rieck, Tim Godau, Kelly Schellenberg and Paul Bottomley.

☞ Reminder of upcoming Budget Meeting (scheduled for October 5th, 2009). Future improvements such as: land acquisitions, new beach accesses, construction of stairs on west side of Stocking Creek for waterfall access, are a few of the notions for Area G Budget planning consideration.

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AGENDA ITEMS:

1. Playground Committee members: Jamie Whalen, Paul Bottomley, Jackie Rieck, Sheila Charette, Tim Godau, and Penny Clare came to an agreement to recommend the playground design from the company of "Henderson Playground and Park Amenities" at a cost of \$40,000. Installation was not included in the Henderson Proposal and it was agreed upon that the Commission in conjunction with the CVRD perform a Community install. Henderson requested we provide at least 20 volunteers to assemble the playground. Site preparation would be prepared by the CVRD.

MOTION:

It was moved and seconded that it be recommended to proceed with the purchase of a new playground from Henderson Playground and Park Amenities.

MOTION CARRIED

2. The Centennial Park Concession building was once again the target of vandals. The door lock and door framework was damaged. Two portable stereos were stolen. The lock is being replaced and framework reinforced with a metal frame. Also, the Concession has a chronic perimeter drainage issue and is on the list for future maintenance.
3. Several verbal requests were received to install Dog Waste Bag Dispensers in Centennial Park, Princess Diana Park, Stocking Creek Park and Boulder Point Beach Access. Harry Brunt will investigate and prepare cost information for next meeting.
4. Tennis Court resurfacing has been completed. Feedback from users has been very positive!
5. The Ball Hockey Court requires perimeter skirting repairs and possible repainting of goal crease and lines. The wooden picnic table currently located at the hockey court has fallen into disrepair and will be replaced with a concrete picnic table.
6. We are awaiting the Summer Day Camp Recreation Budget Report. Commission members have requested to be involved in the selection process for next season's candidates as there were some complaints received regarding lack of fast-paced interesting activities. Some comments made by children and parents were: "Its more like Day Care instead of Day Camp". "Its boring...all we do is sit around". Request to liaison with CVRD in regards to improving the Summer Day Camp experience.

7. A future vision for Saltair trails is for all parks to eventually connect to each other. One step to achieve this goal is for a 5 metre trail acquisition from the Parkinson property. This would potentially allow hikers leaving Stocking Creek Park to be able to cross Chemainus Rd via a portion of Parkinson's property and connect to Cliffco Rd.

MOTION:

It was moved and seconded that it be recommended that building a trail on the north end boundary of the Parkinson's property be investigated.

MOTION CARRIED

SECOND MOTION:

It was moved and seconded that it be recommended that if the above mentioned motion was not feasible a 5 year hold of "no trail building" be implemented in the rezoning agreement.

MOTION CARRIED

8. A request was received to place park bench rest stops in Stocking Creek Park. Kelly Schellenberg has to agreed to flag potential locations for two benches.

MOTION:

It was moved and seconded that it be recommended to provide two park benches in Stocking Creek Park.

MOTION CARRIED

9. Signage improvements required for directions to Stocking Creek Park .

10. Closed Session

NEW BUSINESS

2 Dave Keys will be handling the fireworks display, posters, bonfire and party organization for Halloween 2009. Harry Brunt will supply refreshments/food and the Grand Prize of "Ice Cream For A Year" for the Halloween Costume Contest (Courtesy of 49th Parallel Foods). Judy Durban will be invited to provide musical entertainment and to co-judge the costume contest with Kelly Schellenberg. Volunteers to assist in the preparation and clean-up would be greatly appreciated. Contact Dave Keys if interested in helping out.

MOTION:

It was moved and seconded that it be recommended to provide \$2,000 for the purchase of fireworks for Halloween 2009.

MOTION CARRIED

ADJOURNMENT

It was Moved and Seconded that the meeting be adjourned at 9:23 pm.

NEXT MEETING

October 5th 2009 Budget Meeting Water Board Building at 7:00 pm.

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**MINUTES OF ELECTORAL AREA I (Youbou/Meade C.V.)
COMMISSION MEETING**

PK5
RECEIVED

DATE: September 8, 2009

TIME: 7:00pm

SEP 28 2009

MINUTES of the Electoral Area I Parks Commission Meeting held on the above noted date and time at Youbou Lanes, Youbou, BC. Called to order by chair at 7:10pm.

PRESENT:

Chairperson: Marcia Stewart

Vice-chairperson: Sheny Gregory

Members: Dan Nickel, Gerald Thom

ALSO PRESENT:

Director: Klaus Kuhn

Alternate Director:

Secretary: Tara Daly

Guests:

REGRETS: Alternate Director Alex Marshall, Dave Charney, Wayne Palliser

ACCEPTANCE OF AGENDA

It was Moved and Seconded to accept the agenda with the following additions

Funding ~ Community Development Trust (Job Opportunities Program)

MOTION CARRIED

ACCEPTANCE OF MINUTES

It was Moved and Seconded that the minutes of July 14, 2009 be accepted.

MOTION CARRIED

BUSINESS ARISING

- **Bald Mountain Trail** ~ S. Gregory hiked the trail, it zig-zags across decommissioned logging roads, some signage is up with more to come, beach on South Arm is similar to Price Park, some rubble near the top indicating possible reinforcement of the bank, two (2) Tot Lots are in
- **Creekside Pathway** ~ strata would need 100% approval to have any changes made to the use/maintenance of pathway; doesn't seem to be a problem with the general public using the private road through the development instead of the pathway, strata council will be in touch with Director Kuhn if it approves any changes

CORRESPONDENCE

- Archie Benson bench at Little League Park ~ a letter was received from Elaine Benson, Archie's sister, saying the bench was in disrepair and that she would like to replace it

It was Moved and Seconded that Elaine Benson purchase and install, at her cost, a new memorial bench for Archie Benson situated at the Little League Park

AND FURTHER THAT

benches constructed at Providence Farm be investigated.

MOTION CARRIED

DIRECTOR'S REPORT

- Kate Miller (CVRD Environment) and Vancouver Island University students will be doing work around the lake (water quality, water flow, etc). The VIU professor, MoE Peter Law, Director Kuhn,

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and Director Morrison met. There will be sixteen (16) students working on the project starting on September 25, which will include a spot survey and video of lakeshore attached to GPS better identifying the SPEA. Possibility of a long-term project dependent on funding. Another possibility could be that a Lake Stewardship (new ad-hoc group) could finish with a camera and boat made available. G. Thom will investigate the involvement of the Aquaculture Department.

- Bald Mountain will remain a community park unless the public decides different. Director Kuhn has been investigating different opportunities to keep taxes down with Bald Mountain greenspace being an area that could be sold to the CVRD making it a regional park. A regional park would be funded by the entire regional district rather than the 1100 residents of Area I.
- Cowichan River clean-up will be held on September 12th. Mike Waller, owner of a local tubing company has donated \$1000 towards prizes, CVRD has waived dumping fees, a diving team will be assisting
- Lake Stewardship committees are moving forward

COWICHAN LAKE RECREATION

- **Great Lake Walk** ~ Thomas Krielen, Youbou Lands development, has committed to contributing \$10 per walker that crosses the finish line. The monies raised will go to non-profit local groups and he has challenged others to do the same.

CHAIRPERSON'S REPORT

- **Regatta** ~ M. Stewart thanked everyone for helping at the concession
- **Beware of Bear** signs have been laminated and will be installed at the remaining parks (Mile 77 Park, Hard Hat Shack, Arbutus Park, and Spring Beach)
- **Regional Parks Chair meeting** on Thursday with budget process discussion, key dates identified, 2010-11 capital replacement discussion being some of the topics
- **Community Ballgame** on September 26th from 1-3pm, the OAP will be doing lunch (M. Stewart to phone and remind)
- **Scout Camp** facilities have the approval of the Scouts with ongoing work still to be done
- **Parks** article written in the Lake Cowichan Gazette by Kathryn Swan was well done
- **Walkabout** concerns were emailed to Ryan

COWICHAN VALLEY REGIONAL DISTRICT – Ryan Dias

- **Woodland Shores** ~ developers have given a Letter Of Credit to the CVRD which would pay for any deficiencies in amenities completion; developers have given more than original plans including a big picnic area, bigger parking lot, heat in the washrooms; if the commission isn't happy with completed amenities there will be done again
- **Woodland Shores boat launch** is moving forward with changes that will require rezoning; commission questioned whether the proposal would come to them
- **Frog Pond** has no update

OLD BUSINESS

- **Community Ballgame** ~ M. Stewart to investigate getting 'bank sand' to level outfield after the game

NEW BUSINESS

- **2010 Capital Projects** identified are new bridge at Price Park, Mile 77 Park bridge repair/replacement and tree planting, Arbutus Park and Little League Park irrigation systems, buoy system at Price Park (proper buoys are needed)
- **Three-Year Vision** ~ ideas put forward by members of the commission included: trail improvements, Youbou clean-up including properties and roadsides could possibly result in an attitude change with more pride in our community, identification of sensitive eco-systems in parks that shouldn't be trodden

on, work towards having the Parks Maintenance contractor from Area I, public trail around the lake (including both mountain and lakeshore) with a variety of viewpoints, increased community involvement and awareness of surroundings (Neighbourhood is not just around your house.), garbage clean-up along roadsides, clean out Creekside pathway, community garden/market possibly at Little League Park

- **Community Development Trust** is \$9 million directed towards unemployed forest workers, communities/organizations apply with the focus of the projects being recreation (trails), tree planting and spacing, and broom removal, S. Gregory will look into the possibility of the commission obtaining some of the funding

ADJOURNMENT

It was Moved and Seconded that the meeting be adjourned at 9:40pm.

MOTION CARRIED

NEXT MEETING

October 13, 2009

7pm at Youbou Lanes

ITEMS FOR OCTOBER AGENDA

Budget

Brian Farquhar to attend

/s/ Tara Daly
Secretary

000105