



COWICHAN VALLEY REGIONAL HOSPITAL DISTRICT

COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

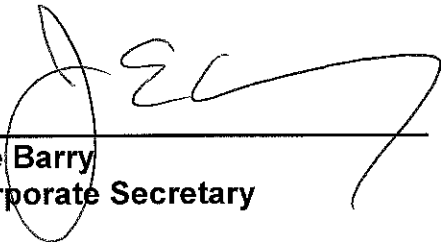
DAY: WEDNESDAY

DATE: AUGUST 3, 2011

**TIME: → REGULAR SESSION
6:00 pm**

PLACE: BOARD ROOM

175 INGRAM STREET



**Joe Barry
Corporate Secretary**



C·V·R·D

MEETING CONDUCT

The CVRD is committed to fostering a safe, respectful, orderly environment for the public to observe its local government meetings. Adherence to following code of conduct will help us meet that commitment:

1. Respect will be shown to other members of the public, the Board and staff;
2. Individuals will refrain from disruptive behavior impeding the proceedings or other disorderly conduct;
3. Directives of the Chair will be complied with in a prompt and orderly fashion;
4. Questions and comments during delegations and question period will be made at the appropriate time.

Failure to comply with this code of conduct may result in your expulsion from this facility in accordance with Section 133 of the *Community Charter*.



**REGULAR BOARD MEETING
WEDNESDAY, AUGUST 3, 2011**

**IMMEDIATELY FOLLOWING THE
REGULAR HOSPITAL BOARD MEETING AT
6:00 PM – CVRD BOARD ROOM**

AGENDA

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| 1. | <u>APPROVAL OF AGENDA:</u> | 2-5 |
| 2. | <u>ADOPTION OF MINUTES:</u> | |
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| 3. | <u>BUSINESS ARISING FROM THE MINUTES:</u> | |
| 4. | <u>DELEGATIONS:</u> | |
| 5. | <u>REPORT OF THE CHAIRPERSON:</u> | |
| 6. | <u>CORRESPONDENCE:</u> | |
| 7. | <u>INFORMATION:</u> | |
| | IN1 Director Morrison Re: Inaugural Annual General Meeting of the Cowichan Lake and River Stewardship Society | Verbal |
| 8. | <u>COMMITTEE REPORTS:</u> | |
| | CR1 Regional Services Committee – Director Kent Report and Recommendations of Meeting of July 27, 2011 | 23 |
| | CR2 Electoral Area Services Committee – Director Iannidinardo Report and Recommendations of Meeting of August 2, 2011 | To Be Distributed 24-27 |
| | CR3 Engineering & Environmental Services Committee - Director Cossey Report and Recommendations of Meeting of July 27, 2011 | To Be Distributed 28-30 |
| | CR4 Communications Committee – Director Harrison Report and Recommendations of Meeting of August 3, 2011 | To Be Distributed 31 |
| 9. | <u>STAFF REPORTS:</u> | |
| | SR1 Staff Report from the Legislative Services Coordinator Re: Bylaw No. 3499 – Youbou Street Lighting Service Amendment (Requisition Limit Increase); and Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association (TIRRA) Annual Financial Contribution – Notices of Alternative Approval process and Elector Response Forms. | 32-36 |

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| SR2 | Staff Report from the General Manager, Engineering & Environmental Services Department Re: South Cowichan ECO Depot – Results of Technical Studies | 37-38 |
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10. PUBLIC HEARINGS:**11. BYLAWS:**

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NOTE: Items B2 through B17 inclusive are Pending Ratification of E&ESC Recommendation of meeting of July 27, 2011

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| B2 | "CVRD Bylaw No. 3518 – Lambourn Estates Water System Service Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 42 |
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| B10 | "CVRD 3527 – Twin Cedars Sewer System Service Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 50 |
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| B17 | "CVRD Bylaw No. 3538 – Cobble Hill Drainage System Service Merger Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 62-65 |

NOTE: Items B18 through B20 inclusive are Pending Ratification of EASC Recommendation of meeting of August 2, 2011

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| B18 | "CVRD Bylaw No. 3539 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service, 2011", 1 st , 2 nd and 3 rd reading. | 66-67 |
| B19 | "CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 68-70 |
| B20 | "CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 71-72 |
| B21 | "CVRD Bylaw No. 3548 – Kerry Park Recreation Centre Reserve Fund Expenditure Bylaw (Sewer Upgrades), 2011", 1 st , 2 nd , and 3 rd reading. | To Be Distributed 73-74 |
| B21 | "CVRD Bylaw No. 3548 – Kerry Park Recreation Centre Reserve Fund Expenditure Bylaw (Sewer Upgrades), 2011", adoption. | |

Electoral Area Directors only vote on the following bylaws under Part 26 OR Section 791 of the Local Government Act:

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| B22 | "Cowichan Valley Regional District Bylaw No. 3453 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Mill Bay Marina), 2010", adoption. | 75-79 |
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Pending Confirmation of Covenants Registration

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| B23 | "Cowichan Valley Regional District Bylaw No. 3454 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010", adoption. | 80-83 |
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Pending Confirmation of Covenants Registration

NOTE: Items B24 through B27 inclusive are Pending Ratification of EASC Recommendation of meeting of August 2, 2011

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| B24 | Rescind 2 nd reading of "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011". | 84-85 |
| B24 | Amend "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011", in accordance with recommendation from EASC meeting of August 2, 2011. | |
| B24 | "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011", 2 nd reading as amended. | |
| B25 | "CVRD Bylaw No. 3540 – Development Approval Information Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 86-92 |
| B25 | "CVRD Bylaw No. 3540 – Development Approval Information Bylaw, 2011", adoption. | |
| B26 | "CVRD Bylaw No. 3544 – Advisory Planning Commission Establishment Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 93-97 |

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| B26 | "CVRD Bylaw No. 3544 – Advisory Planning Commission Establishment Bylaw, 2011", adoption. | |
| B27 | "CVRD Bylaw No. 3547 – Procedures and Fees Amendment Bylaw, 2011", 1 st , 2 nd and 3 rd reading. | 98-100 |
| B27 | "CVRD Bylaw No. 3547 – Procedures and Fees Amendment Bylaw, 2011", adoption. | |
12. **RESOLUTIONS:**
13. **UNFINISHED BUSINESS:**
14. **NOTICE OF MOTION:**
15. **NEW BUSINESS:**
16. **QUESTION PERIOD:**
- | | | |
|----|--------|--|
| a) | Public | |
| b) | Press | |
17. **CLOSED SESSION:**
- | | | |
|-------|---|---------|
| CSM1 | Adoption of Closed Session Minutes of Special June 8, 2011 meeting | 101-102 |
| CSM2 | Adoption of Closed Session Minutes of Special June 22, 2011 meeting | 103-104 |
| CSM3 | Adoption of Closed Session Minutes of Regular July 13, 2011 meeting | 105-107 |
| CSR1 | Land Acquisition {Sub (1) (e)} | 108 |
| CSCR1 | FOIPOP {Sub (1) (j)} | 109 |
18. **ADJOURNMENT:**

The next Regular Board meeting will be held September 14, 2011 at 6:00 pm, in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, July 13, 2011 at 6:00 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey, M. Dorey, L. Duncan,
B. Harrison, L. Iannidinardo, P. Kent, K. Kuhn,
M. Marcotte, T. McGonigle,
I. Morrison, G. Seymour, T. Walker
and Alternate Directors D. Paterson and R. Hartmann

ALSO PRESENT: Warren Jones, Chief Administrative Officer
Joe Barry, Corporate Secretary
Mike Tippett, Manager, Community & Regional Planning
Brian Farquhar, Manager, Parks & Trails
Dan Brown, Parks & Trails Technician

ABSENT: Directors R. Hutchins and D. Haywood

APPROVAL OF AGENDA

11-342

It was moved and seconded that the agenda be amended with the addition of New Business items as follows:

- NB1 Director's Report – Electoral Area G – Saltair/Gulf Islands
Re: Proposed Rogers Cellular Tower in Saltair**
- NB2 Director's Report – Electoral Area A – Mill Bay/Malahat
Re: Mill Bay/Malahat Historical Society**
- NB3 Director's Report – Electoral Area I – Youbou/Meade Creek
Re: Protection of British Columbia Lakes and Rivers**
- NB4 Director's Report – Electoral Area H – North Oyster/Diamond
Re: North Oyster Fire Hall**
- NB5 Parks Committee – Director Dorey
Report and Recommendations of Meeting of July 13, 2011**

CSNB1 Land Acquisition {Sub (1) (e)}

CSNB2 Land Acquisition {Sub (1) (e)}

CSNB3 Land Acquisition {Sub (1) (e)};

and move SR1 and NB1 to follow Adoption of Minutes and move consideration of B18 to after B15;

and that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

11-343 It was moved and seconded that the minutes of the June 8, 2011 Special Board meeting be adopted.

MOTION CARRIED

11-344 It was moved and seconded that the minutes of the June 22, 2011 Special Board meeting be adopted.

MOTION CARRIED

BUSINESS ARISING OUT OF MINUTES

There was no business arising.

STAFF REPORTS

SR1 The Staff Report from the Manager, Parks & Trails Division dated July 13, 2011 re: Cowichan Valley Trail Initiative and Historic Kinsol Trestle Rehabilitation was considered for information.

Brian Farquhar and Dan Brown presented a PowerPoint overview of the Cowichan Valley Trail and Kinsol Trestle projects.

NEW BUSINESS

NB1 The Director's Report – Electoral Area G – Saltair/Gulf Islands dated July 13, 2011 re: Proposed Rogers Cellular Tower in Saltair was considered.

It was moved and seconded that the CVRD write a letter to Rogers Communication, Standard Land Company and Industry Canada stating that the Board does not concur that 10638 Olsen Road in Saltair is a good site for a cell tower.

Director Dorey indicated that he would like Edna Whitamire to speak to the Board on behalf of the Saltair residents.

11-345 It was moved and seconded to refer voting on the motion until after the Speaker.

MOTION CARRIED

11-346 It was moved and seconded to allow Edna Whitamire to speak for four minutes.

MOTION CARRIED

11-347 It was moved and seconded that the Speaker's time be extended by two minutes.

MOTION CARRIED

11-348 **VOTING RESUMED ON THE ORIGINAL MOTION**

Motion restated for clarification:

It was moved and seconded that the CVRD write a letter to Rogers Communication, Standard Land Company and Industry Canada stating that the Board does not concur that 10638 Olsen Road in Saltair is a good site for a cell tower.

MOTION CARRIED

REPORT OF THE CHAIRPERSON

RC1 The Chair reported that the United Way is looking for volunteers for its fund raising Dunk Tank.

RC2 The Chair advised that Director Kuhn, Warren Jones and Jacob Ellis had met with Steve Thompson to discuss private managed forest lands.

COMMITTEE REPORTS

CR1 The report and recommendations of the Electoral Area Services Committee meeting of July 5, 2011 listing 14 items were considered.

11-349 It was moved and seconded:

1. That staff be directed to prepare covenants or development agreements to mitigate the environmental and public health and safety impacts associated with subdividing and developing the properties, proposed to be brought into the Lambourn Estates Sewer System, including:

- Lot 3, Section 4, Range 6, Cowichan District;
- Lot B, Section 5, Range 6, Cowichan District;
- Lot 1, Section 4, Range 7, Cowichan District;
- Lot 7, Section 4, Range 6, Cowichan District; and
- Lot 1, Section 5, Range 6, Cowichan District;

and that such covenants be referenced as conditions of approval of the respective servicing agreements to be established between the CVRD and owners of these properties.

2. 1) That the Cowichan Valley Starfinders Astronomy Club be permitted to pre-book for the next four (4) years in advance one (1) weekend per year at Bright Angel Park for their annual Star Party fundraising event which does not conflict with any other annual special events in the Park;
- 2) That the request for a booking fee waiver for the ball field and upper picnic shelter not be endorsed for this annual event;
- 3) Furthermore that the booking permit include overnight stays by registered Club member astronomers during the event.
3. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents related to granting an Interim License of Use and Occupation renewal for up to two years to Scout Properties (BC/Yukon) Ltd. for the scout camp located in CVRD's Bald Mountain Community Park in Electoral Area I.

4. That a letter be sent to the Ministry of Transportation & Infrastructure bringing their attention to the dangerous intersection at Handy Road in Mill Bay.
5. That BC Hydro representatives be invited to appear before the Regional Board with regard to the installation of smart meters and how it may pertain to serious health concerns in the CVRD and further that prior to that meeting occurring no smart meters be installed in the CVRD.
7. That a grant in aid, Area F – Cowichan Lake South/Skutz Falls, be given to Caycuse Volunteer Firefighters Association, in the amount of \$3,500.00 to assist with equipment repair and associated expenses.

MOTION CARRIED

11-350

(Amended from original Committee recommendation):

It was moved and seconded:

6. That the UBCM be requested to hold a seminar/clinic with regard to the installation of smart meters.

MOTION CARRIED

7:10 pm

Director Marcotte declared a potential conflict of interest as she is a member of the North Oyster Community Hall society and left the Board Room at 7:10 pm.

11-351

It was moved and seconded:

8. That the subdivision application fee be waived for the North Oyster Community Hall.

MOTION CARRIED

7:11 pm

Director Marcotte returned to the Board Room at 7:11 pm.

11-352

It was moved and seconded:

9. That Application No. 6-A-10DP/RAR submitted by Mark Wyatt on behalf of Ocean Terrace Properties for subdivision for 203 residential lots, 3 multi-family designated areas, one mixed multi-family and commercial area, a lot dedicated for a school site, and designation of an area for subsequent strata subdivision (future 71 lots) on That Part of District Lot 77, Malahat District, Lying to the South of the South Boundaries of Parcel C (DD 43694¹) and Parcel D (DD 33154¹) of Said Lot and Except Those Parts in Plans 518RW, 50504 and VIP86314 (PID: 009-346-554), Parcel C (DD 43694¹) of District Lot 77, Malahat District (PID:009-346-511), Parcel D (DD33154¹) of District Lot 77, Malahat District (PID:009-346-520) be approved subject to:

- a) Widening the highway buffer to a minimum 20 metres;
- b) Connecting Roads E and F by a road connection to provide for a secondary access from Road F, in consultation with the Ministry of Transportation and Infrastructure;

- c) Rainwater management system to provide for on-site infiltration galleries on each single family lot;
- d) Sediment erosion and control plan be developed and implemented during construction to ensure runoff waters do not contribute sediment to any fish or amphibian-bearing streams and that the plan be provided to CVRD prior to each phase;
- e) Receipt of a tree assessment and retention plan prior to tree clearing in future phases in order to identify patches of trees/wildlife corridors that can be kept, and provide recommendations for mitigation from wind throw within park areas;
- f) Areas of natural forest be allowed to remain on residential lots, and building footprints located in a sensitive manner;
- g) Phasing to be generally in compliance with the June 9, 2011 Phasing Plan;
- h) Trails and emergency access connections to be constructed to CVRD standards;
- i) The single family lot on the northwest corner of central park be relocated and that this area be dedicated parkland;
- j) Implement a 7.5 m height restriction on the multi-family units between Sangster Road and the Trans Canada Highway;
- k) Provide a pre-emption light at the Butterfield Road and Trans Canada Highway intersection;
- l) A sprinkler system be installed, for safety purposes, in all the multi-family units;

And further that prior to issuance of the Development Permit:

- m) The site plan is revised in the manner noted above;
 - n) A covenant be registered on title to secure the park dedication and park amenity commitments; and
 - l) A covenant is registered on title that would assign density to the multi-family sites and secure other development permit requirements as necessary.
10. That Application No. 6-D-08DP/RAR submitted by Parhar Holdings for construction of the first phase of the Parhar Business Centre consisting of three buildings totalling approximately 4,200 m² on Lot 1, Section 13, Range 7, Quamichan District, Plan VIP88052 (PID: 028-237-765) be approved, subject to:
- a) Buildings constructed in accordance with the building elevations dated August 23, 2010;
 - b) Installation of underground wiring;
 - c) Oil/water separators be installed in the parking areas;

- d) Fencing along the Chaster Road frontage will be black or green chain link;
 - e) Submission of landscape construction drawings in accordance with the Phase 1 landscape plan dated February 2, 2011 prior to installation;
 - f) Landscaping installed in accordance with the plans dated February 2, 2011 to BCSLA standards, including an underground irrigation system;
 - g) Submission of a service area petition to enter into a service area for maintenance of the trees within the trail area;
 - h) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the February 2, 2011 Landscape Plan;
 - i) Confirmation from a landscape architect that landscaping has been installed in accordance with the approved plan. 50% of the landscaping security will be returned following successful installation of the landscaping and full construction of the pathway with the remaining 50% to be returned after successful completion of a 3 year maintenance period;
 - j) Refuse and recycling areas to be screened and contained within a solid fenced and gated compound(s);
 - k) Rainwater management system to be in accordance with Rainwater Management Plan dated December 01, 2010;
 - l) Any rooftop equipment will be screened;
 - m) Minimum 94 parking spaces required in Phase 1;
 - n) Sustainable building elements to include low water consumption plumbing fixtures and energy efficient windows and lighting;
 - o) Trail must be completed in consultation with the CVRD Parks and Recreation Department within 12 months of issuance of the development permit for Phase 1. If construction of the pathway is not complete to CVRD standards within this time frame, CVRD may draw on the landscape security funds to construct the pathway.
11. That Application No. 2-H-10DP/RAR submitted by Schon Timber Ltd. for subdivision of Lot A, District Lots 20 and 39G, Oyster District, Plan 49261 (PID: 014-945-291) be approved, subject to:
- a) Compliance with the recommendations of Riparian Areas Regulation Assessment No. 1844 which identifies a SPEA of 18.6 metres;
 - b) Landscaping installed in accordance with the proposed screening plan which includes installation of a new cypress hedge along a portion of the property and a new cedar fence;

- c) Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the Proposed Screening Plan to be refunded after a successful one-year maintenance period;
 - d) Continued removal of hog fuel in the manner described in the applicant's proposal dated March 31, 2011.
12. That Development Permit Application No. 3-A-11DP be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for Phases 12 to 19 of Mill Springs, subsequent to the lands being serviced with Community Sewer as defined in Area A Zoning Bylaw No. 2000, and subject to the following conditions:
- a) All wiring to be installed underground;
 - b) Deloume Road West to be opened prior to subdivision of Phase 12;
 - c) Landscaping to be installed in the Phase 16 roadway median;
 - d) That the reserve field be dedicated to the CVRD at the time the sewer system is taken over by the CVRD.

MOTION CARRIED

7:14 pm

Director Cossey declared a potential conflict of interest due to his consideration of the issue from his employer's perspective. Director Cossey left the Board Room at 7:14 pm.

11-353

It was moved and seconded:

- 13. 1. That second reading of OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511 (Bamberton Business Park/Industrial) be rescinded;
- 2. That Zoning Amendment Bylaw No. 3498, Schedule A map, be amended by adjusting the boundary of the I-3 Zone in accordance with the sketch prepared by Polaris Land Surveying;
- 3. That OCP Amendment Bylaw No. 3511 be amended by adding Figure 10A to include the same boundaries as Figure 2A in Bylaw 3497;
- 4. That the development permit sections of both OCP Amendment Bylaws 3497 and 3511 be amended by clarifying that only DP guidelines related to environmental protection, safety and the view protection from Saanich Inlet waters be applicable to areas that are zoned as I-2; and further
- 5. That OCP Amendment Bylaw No. 3497, Zoning Amendment Bylaw No. 3498, and OCP Amendment Bylaw No. 3511, as amended, be considered for second reading.

MOTION CARRIED

- 7:17 pm Director Cossey returned to the Board Room at 7:17 pm.
- Recommendation No. 14 no longer required as item NB1 dealt with the issue earlier in the meeting.
- CR2 The report and recommendations of the Engineering & Environmental Services Committee meeting of June 22, 2011 listing five items were considered.
- 7:17 pm Director Morrison left the Board Room at 7:17 pm.
- 11-354 It was moved and seconded:
1. That the Board authorize short-term borrowing for an amount not to exceed \$33,000 towards capital upgrades to the Shawnigan Beach Estates Sewer pump stations, to be paid back over five years, under the Liabilities Agreement Section 175 of the *Community Charter*.
 3. That the Board accept the Utility Transfer Agreement between the CVRD and CRC Canadian Retirement Corporation and The Owners, Strata Plan VIS1601 for CVRD takeover of the water, sewer and drainage systems for Arbutus Ridge in Electoral Area C, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
 4. 1. That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Wilmot Road Drainage Service Area be received.
 2. That the boundaries of the Wilmot Road Drainage System area be amended to include "*PID 009-032-649, Parcel B (DD 47244I), Section 6, Range 4, Except parts in Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP 81664, Cowichan District and PID 005-167-841, Lot 1, Section 5, Range 4, Plan 10957 except that part of said lot shown outlined in red on plan 1659-R and parts in plans 15342, 16358, 18893 and VIP 81664*".
 3. That CVRD Bylaw 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011 be forwarded to the Board for consideration of 3 readings and adoption.
 5. That the Board receive the Brownfield Registry and associated maps for information purposes and that staff update the registry and associated database as additional information becomes available; and further, that the Brownfield Registry be provided to member municipalities for their information and tracking.
- MOTION CARRIED**
- 7:18 pm Director Morrison returned to the Board Room at 7:18 pm.

11-355

*(Amended from original Committee recommendation):***It was moved and seconded:**

2. That staff proceed with a public awareness campaign and consultation process in order to gain public comment regarding the draft South Cowichan Residential Backyard Burning Bylaw in Electoral Areas A, B, C and D and a draft bylaw for Electoral Area E that is similar to North Cowichan's Fire Protection Bylaw, and further that the Fire Chiefs for Electoral Areas A, B C and D be invited to comment prior to the public awareness campaign proceeding; and further that Fire chiefs from Duncan, Cowichan Bay, Sahtlam and North Cowichan be invited to comment on Electoral Area E's participation.

MOTION CARRIED

CR3

The report and recommendations of the Transit Committee meeting of June 22, 2011 listing two items were considered.

11-356

It was moved and seconded:

1. That the Board support BC Transit's recommendation to modify/improve the commuter schedule to better meet the documented demand for earlier return p.m. trips to Duncan; and further that a letter be written to the Province regarding the purchase of an additional bus and the required infrastructure (i.e. Park N Rides) for the Cowichan Valley Commuter Service.
2. That a letter be sent to the Province requesting that monies collected from the fuel surcharge increase effective July 1, 2011, be provided to Local Governments towards alternate transportation choices.

MOTION CARRIED

CR4

The report and recommendation of the Kerry Park Recreation Centre Commission meeting of June 20, 2011 listing one item was considered.

11-357

It was moved and seconded that a new Minolta photocopier Model #C452 be purchased for Kerry Park Recreation Centre with partial funding through a \$3,600 reduction in the 2011 Transfer to Reserve.

MOTION CARRIED

CR5

The report and recommendation of the Agricultural Advisory Committee meeting of June 28, 2011 listing one item was considered.

11-358

It was moved and seconded that "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011" be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

STAFF REPORTS

- SR1** SR1 was dealt with earlier in the Agenda.
- SR2** The Staff Report from the Deputy Corporate Secretary dated June 29, 2011 re: "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011"; and "CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011" – Results of Alternative Approval Process was considered.
- 11-359** **It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw Nos. 3474 and 3475, be received.**

MOTION CARRIED

- SR3** The Staff Report from the Senior Planner dated July 6, 2011 re: Proposed Bylaw No. 3510 – South Cowichan Official Community Plan, applicable to Electoral Areas A (Mill Bay/Malahat), B (Shawnigan Lake) and C (Cobble Hill) was considered for information.

PUBLIC HEARINGS

- PH1** The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452 (Drader), applicable to Electoral Area A – Mill Bay/Malahat were considered.
- 11-360** **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3451 and Zoning Amendment Bylaw No. 3452 (Drader), applicable to Electoral Area A – Mill Bay/Malahat be received.**

MOTION CARRIED

- PH2** The Public Hearing Report and Minutes re: Official Community Plan Bylaw No. 3510, applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill were considered.

- 11-361** **It was moved and seconded that Public Hearing Report and Minutes re: Official Community Plan Bylaw No. 3510, applicable to Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake and Electoral Area C – Cobble Hill be received.**

MOTION CARRIED

BYLAWS

- B1**
11-362 **It was moved and seconded that "CVRD Bylaw No. 3474 – Vancouver Island Regional Library Borrowing Service Area Establishment Bylaw, 2011", be adopted.**

MOTION CARRIED

B2
11-363 It was moved and seconded that "CVRD Bylaw No. 3475 – Vancouver Island Regional Library Borrowing Service Loan Authorization Bylaw, 2011", be adopted.

MOTION CARRIED

B3
11-364 It was moved and seconded that "CVRD Bylaw No. 3495 – Lake Cowichan Fire Protection Service Amendment Bylaw, 2011", be adopted.

MOTION CARRIED

B4
11-365 It was moved and seconded that "CVRD Bylaw No. 3500 – Arbutus Ridge Drainage Service Amendment Bylaw, 2011", be adopted.

MOTION CARRIED

B5
11-366 It was moved and seconded that "CVRD Bylaw No. 3505 – Cowichan Bay Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B5
11-367 It was moved and seconded that "CVRD Bylaw No. 3505 – Cowichan Bay Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be adopted.

MOTION CARRIED

B6
11-368 It was moved and seconded that "CVRD Bylaw No. 3506 – Eagle Heights Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B6
11-369 It was moved and seconded that "CVRD Bylaw No. 3506 – Eagle Heights Sewer System Capital Reserve Fund Expenditure (JUB Flood Mitigation and Capital Upgrades) Bylaw, 2011", be adopted.

MOTION CARRIED

B7
11-370 It was moved and seconded that "CVRD Bylaw No. 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B8
11-371 It was moved and seconded that "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
11-372** It was moved and seconded that "CVRD Bylaw No. 3515 – Regional Agricultural Advisory Commission Establishment Bylaw, 2011", be adopted.

MOTION CARRIED

**B9
11-373** It was moved and seconded that "CVRD Bylaw No. 3517 – Electoral Area C Community Parks Capital Reserve Fund Expenditure (Quarry Park Washroom and Site Landscaping Improvements) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B9
11-374** It was moved and seconded that "CVRD Bylaw No. 3517 – Electoral Area C Community Parks Capital Reserve Fund Expenditure (Quarry Park Washroom and Site Landscaping Improvements) Bylaw, 2011", be adopted.

MOTION CARRIED

**B10
11-375** It was moved and seconded that "CVRD Bylaw No. 3534 – Electoral Area A Community Parks Capital Reserve Fund Expenditure (Mill Springs Park Landscaping Pathways and Sport Court) Bylaw, 2011", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B10
11-376** It was moved and seconded that "CVRD Bylaw No. 3534 – Electoral Area A Community Parks Capital Reserve Fund Expenditure (Mill Springs Park Landscaping Pathways and Sport Court) Bylaw, 2011", be adopted.

MOTION CARRIED

**B11
11-377** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3451 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Drader), 2010", be granted 3rd reading.

Opposed: Directors Harrison, Cossey, Giles, Iannidinardo, Duncan, Morrison, Dorey, Kuhn, and Marcotte

MOTION DEFEATED

**B12
11-378** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3452 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Drader), 2010", be granted 3rd reading.

Opposed: Directors Harrison, Cossey, Giles, Iannidinardo, Duncan, Morrison, Dorey, Kuhn, and Marcotte

MOTION DEFEATED

**B13
11-379** It was moved and seconded that "CVRD Bylaw No. 3465 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment (Wandering U Inc.), 2011", be adopted.

MOTION CARRIED

7:40 pm Director Duncan declared a potential conflict of interest as the proponent for Bylaw Nos. 3471 and 3472 is a personal acquaintance and Director Duncan left the Board Room at 7:40 pm.

**B14
11-380** It was moved and seconded that "CVRD Bylaw No. 3471 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Hignell), 2011", be adopted.

MOTION CARRIED

**B15
11-381** It was moved and seconded that "CVRD Bylaw No. 3472 – Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Hignell), 2011", be adopted.

MOTION CARRIED

7:41 pm Director Duncan returned to the Board Room at 7:41 pm.

**B18
11-382** It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill" be amended as noted in Agenda item SR3.

MOTION CARRIED

**B18
11-383** It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill", be granted 3rd reading as amended.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

**B18
11-384** It was moved and seconded that "CVRD South Cowichan Official Community Plan Bylaw No. 3510, 2011, Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill", be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

7:48 pm Director Cossey declared a potential conflict of interest due to his consideration of Bylaw Nos. 3497, 3498 and 3511 from his employer's perspective. Director Cossey left the Board Room at 7:48 pm.

**B16
11-385** It was moved and seconded that "CVRD Bylaw No. 3497 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", 2nd reading be rescinded.

MOTION CARRIED

**B16
11-386** It was moved and seconded that "CVRD Bylaw No. 3497 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be amended in accordance with Item CR1 recommendation 13.4 .

MOTION CARRIED

**B16
11-387** It was moved and seconded that "CVRD Bylaw No. 3497 – Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be granted 2nd reading as amended.

Opposed: Director Duncan

MOTION CARRIED

**B17
11-388** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", 2nd reading be rescinded.

MOTION CARRIED

**B17
11-389** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", amended in accordance with item CR1 recommendation 13.2.

MOTION CARRIED

**B17
11-390** It was moved and seconded that "CVRD Bylaw No. 3498 – Electoral Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Bamberton Business Park Industrial), 2011", be granted 2nd reading as amended.

Opposed: Director Duncan

MOTION CARRIED

**B19
11-391** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", 2nd reading be rescinded.

MOTION CARRIED

**B19
11-392** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", amended in accordance with item CR1 recommendations 13.3 and 13.4.

MOTION CARRIED

**B19
11-393** It was moved and seconded that "CVRD Bylaw No. 3511 – South Cowichan Official Community Plan Amendment Bylaw (Bamberton Business Park/Industrial), 2011", be granted 2nd reading as amended.

Opposed: Director Duncan

MOTION CARRIED

8:12 pm Director Cossey returned to the Board Room at 8:12 pm.

B20
11-394 It was moved and seconded that "CVRD Bylaw No. 3535 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Alderlea Farm), 2011", be granted 1st and 2nd reading.

MOTION CARRIED

B21
11-395 It was moved and seconded that "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011", be granted 1st and 2nd reading.

MOTION CARRIED

NEW BUSINESS

NB1 NB1 was dealt with earlier in the Agenda.

NB2 The Director's Report dated July 13, 2011 re: Mill Bay/Malahat Historical Society was considered.

11-396 It was moved and seconded:

1. That an Annual Financial Contribution Service be created for the Mill Bay/Malahat Historical Society with a maximum annual requisition limit of \$15,000 for the purpose of assisting with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay/Malahat and the surrounding South Cowichan area.
2. That voter approval to establish the Mill Bay/Malahat Historical Society Annual Financial Contribution Service be obtained through a referendum.

MOTION CARRIED

NB3 The Director's Report dated July 13, 2011 re: Protection of British Columbia Lakes and Rivers was considered.

11-397 *(Amended from original recommendation):*

It was moved and seconded that the following resolution be forwarded to UBCM for consideration:

"WHEREAS the health of British Columbia lakes and rivers and estuaries is deteriorating due to increasing pollution, recreational use, development, and insufficient regulatory enforcement by senior levels of government;

AND WHEREAS local governments do not have adequate regulatory posers or the funding capacity to sufficiently protect lakes and rivers and estuaries;

THEREFORE BE IT RESOLVED that the Province of British Columbia restore funding and resources to provincial ministries to ensure the adequate protection of BC lakes and rivers and estuaries, or provide the regulatory authority and financial means to local governments to properly protect and manage lakes and rivers and estuaries at the local level.

MOTION CARRIED

NB4 The Director's Report dated July 13, 2011 re: North Oyster Fire Hall was considered.

11-398 It was moved and seconded that the necessary bylaws be prepared to proceed with two new Fire Halls in North Oyster with the annual requisition based on the parcel tax method and that voter approval to adopt the bylaws be obtained through a referendum.

MOTION CARRIED

NB5 The report and recommendations of the Parks Committee meeting of July 13, 2011 listing three items were considered.

11-399 It was moved and seconded:

1. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to renew the Trail License Agreement with Catalyst Paper, not to exceed five years, for use of portions of their fee-owned waterline corridor between the Cowichan Exhibition Grounds at Mays Road and Gibbins Road as the Cowichan Valley Trail.
2. That the Board Chair and Corporate Secretary be authorized to execute the necessary legal agreement documents as required to enter into an agreement with Chris Vale for Hay cutting at designated areas within the west side of Osborne Bay Regional Park for a maximum five year term.
3. That an application from the Ceevacs RoadRunners to use an approximately 4.0 kilometre section of the Cowichan Valley Trail, inclusive of crossing the historic Kinsol Trestle, for the 36th Annual Shawnigan-Kinsol Half Marathon running event on Sunday October 30, 2011, be approved subject to the following conditions:
 1. Proof of a minimum \$2.0 million liability insurance coverage be provided by the organizers which covers the event and which also includes the CVRD as an additional insured;
 2. A route plan is submitted to the CVRD for review and approval detailing the section(s) of the Cowichan Valley Trail proposed for use as part of the half marathon course;
 3. A Course Marshall Plan is submitted prior to the event for CVRD review and approval;
 4. Confirmation that there will be appropriate flag persons at all road crossings along sections of the Cowichan Valley Trail corridor used for the event;
 5. Confirmation that there will be notices of the event posted along the trail in advance of, and during the day of, the event that will advise other trail users of the race, with such notice wording and locations pre-approved the Regional District.

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

**11-400
8:20 pm**

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (e) Land Acquisition.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

**11-403
8:55 pm**

It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

**11-404
8:55 pm**

It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:55 pm

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____



REGIONAL SERVICES COMMITTEE REPORT

OF MEETING HELD JULY 27, 2011

DATE: July 28, 2011

To: Chair and Directors of the Cowichan Valley Regional District

Your Regional Services Committee reports and recommends as follows:

1. That a letter of support be sent to the Minister of Forests, Lands and Natural Resource Operations requesting approval of the Land-based Community Forest License Agreement application submitted by the Cowichan lake Community Forest Cooperative and the Pacheedaht First Nation.
2. That the Cowichan Valley Regional District, the Regional District of Nanaimo, and the City of Nanaimo support the Guiding Principle to work together to provide 911 Service in each of their respective jurisdictions with the eventual goal of the Parties to fund 911 Service entirely through a call answer levy (CAL) placed on all telephone subscribers within the service areas;

And that until such time as the CAL is sufficient to provide all funding necessary for the 911 Service, that any shortfall will be made up by the Parties on the basis of population in accordance with Schedule 'A' of the "911 Partnership Agreement";
And further that the "911 Partnership Agreement" between the Regional District of Nanaimo, the Cowichan Valley Regional District and the City of Nanaimo be approved for a period of five years expiring on December 31, 2015 and that the Chair and Corporate Secretary be authorized to enter into the agreement on behalf of the CVRD.
3. That the "Emergency Management Agreement" between the Cowichan Valley Regional District, the City of Duncan, the Corporation of the District of North Cowichan, the Town of Lake Cowichan and the Town of Ladysmith be approved for a period of five years (September 1, 2011 to August 31, 2016) and that the Chair and Corporate Secretary be authorized to enter into the agreement on behalf of the CVRD.
4. That the Board support the Public Safety Department in their application to UBCM for funding to update the CVRD Community Wildfire Protection Plan (CWPP) and further, that should the application for funding to the UBCM be approved, that the Chair and Corporate Secretary be authorized to enter into the funding agreement on behalf of the CVRD.
5. That the 2012 Budget Timeline, as presented as Schedule 1 in the Corporate Services General Manager's June 29, 2011 staff report, be endorsed.
6. That the 2012-2016 Five Year Financial Plan objectives, as presented in the Corporate Services General Manager's June 29, 2011 staff report, be endorsed.



C·V·R·D

CR2

**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD AUGUST 2, 2011

DATE: August 3, 2011

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That a letter be sent to Catalyst Paper requesting that they review the seven recommendations listed by Lennie Neal on Page 3 of her letter dated July 12, 2011 regarding Safety Measures at the Lake Cowichan Weir and further that a copy of the letter be forwarded for information to the Cowichan Watershed Board and Community Safety Advisory Committee.
2. That authorization be given to file a Notice against Land Title for the property owned by John Rytter legally described as: PID 009-363-904, District Lot 179, Known as Island Number 2, Shawnigan Lake, Malahat District.
3. 1. That "CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011" and "CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011", be forwarded to the Board for consideration of three readings and, following provincial and voter approval, be considered for adoption.
2. That following adoption of "CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011" and "CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011", and a 30 day legislated quashing period, staff prepare a Parcel Tax Roll Bylaw for the Debt Repayment Service.
3. That the North Oyster Fire Halls Referendum be held on Saturday November 19, 2011, in conjunction with the General Local Elections.
4. That the following question be submitted to the electors of the North Oyster Fire Halls Debt Repayment Service within Electoral Area H – North Oyster/Diamond:
"Are you in favour of the Board of the CVRD adopting "CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011" and "CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011", which would authorize the CVRD to create a debt repayment service and borrow up to \$3,030,000. for a 20 year period to finance the design and construction of two Fire Halls to serve the North Oyster Fire Halls Debt Repayment Service Area within a portion of Electoral Area H – North Oyster/Diamond with a maximum requisition amount of \$240,000 per year, which corresponds to an annual parcel tax of no more than \$248.96."? YES or NO?

5. That the following synopsis of Bylaws No. 3542 and No. 3543 be used for the Notice of Voting/Notice of Other Voting:
CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw and CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw.
These bylaws provide for the following:
 - establishing a service to create a debt repayment area within a portion of Electoral Area H – North Oyster/Diamond
 - borrowing up to \$3,030,000. for a 20 year period to finance the design and construction of two Fire Halls;
 - annually requisitioning up to \$240,000. per year, which corresponds to an annual parcel tax of no more than \$248.96.
4. That "CVRD Bylaw No. 3541 – South Cowichan Community Parks Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and, following provincial approval, consideration of adoption.
5. 1. That "CVRD Bylaw No. 3539 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service Establishment Bylaw, 2011", be forwarded to the Board for consideration of first three readings, and following provincial and voter approval, be considered for adoption.
 2. That it be recommended to the Board that the Mill Bay/Malahat Historical Society Annual Financial Contribution Referendum be held on Saturday November 19, 2011, in conjunction with the General Local Elections.
 3. That it be recommended to the Board that the following question be submitted to the electors of Electoral Area A – Mill Bay/Malahat:
"Are you in favour of the Board of the CVRD adopting "CVRD Bylaw No. 3539 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service Establishment Bylaw, 2011", which would authorize the CVRD to provide the Mill Bay/Malahat Historical Society with an annual financial contribution of up to \$15,000 per year to assist the Society with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay/Malahat and the surrounding South Cowichan area with an estimated maximum cost to residential property owners (with a residential property assessed at \$100,000) of \$1.54 per annum"? YES or NO?
 4. That it be recommended to the Board that the following synopsis of Bylaw No. 3539 be used for the Notice of Voting/Notice of Other Voting:
CVRD Bylaw No. 3539 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service Establishment Bylaw. This bylaw provides for the following:
 - establishing a service to provide an annual financial contribution to the Mill Bay/Malahat Historical Society of up to \$15,000 to assist with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay/Malahat and the surrounding South Cowichan area;
 - establishing the boundaries of the service area as the whole of Electoral Area A – Mill Bay/Malahat; and
 - annually requisitioning up to the greater of \$.01686 per \$1,000 of net taxable value of land and improvements within the service area or Fifteen Thousand Dollars (\$15,000).
6. That a grant in aid, Area C – Cobble Hill, be given to CMS Food Bank, in the amount of \$1,000.00 to assist with the provision of services in South Cowichan.

7. That a grant in aid, Area B – Shawnigan Lake, be given to Cowichan Wooden Boat Society, in the amount of \$500.00 to support the 3rd Annual Prawn Festival.
8. That a grant in aid, Area E – Cowichan Station/Sahtlam/Glenora, be given to Cowichan Community Land Trust, in the amount of \$1,000.00 to help in the construction of a nature centre in Cowichan Bay.
9. That the CVRD send a letter of support to Jean Crowder, MP, Nanaimo-Cowichan, with regard to Bill C-231 (Derelict Vessels and Wreck).

Electoral Area Directors only vote on the following bylaws under Part 26 OR Section 791 of the *Local Government Act*:

10. That Application No. 1-C-10ALR, submitted by Gerard LeBlanc on behalf of George Robbins, made pursuant to Section 21(2) of the *Agricultural Land Commission Act* and Section 946 of the *Local Government Act*, to subdivide a 0.8 ha lot from Parcel B (DD 366161) of Sections 14 and 15, Range 5, Shawnigan District (PID: 009 462 333), be forwarded to the Agricultural Land Commission with a recommendation to approve, due to the Farm Production Plan and Mr. Robbins long-standing contribution to the agricultural community.
11. That the draft bylaws for Rezoning Application No. 4-A-07RS (Logan) be forwarded to the Regional Board for consideration of first and second reading and that a public hearing be scheduled with Directors Harrison, Cossey, and Morrison delegated to the hearing.
12. That Application No. 1-I-11DVP by John Karlsson for a variance to Section 5.1(4) of Bylaw No. 2465 in order to reduce the required interior side parcel line setback from 3.5 metres down to 2.97 metres on Lot 11, Block 118, Cowichan Lake District, Plan VIP78640 (PID: 026-253-585) be approved.
13. That Application No. 1-B-11ALR by Larry and Sherry Saunderson, for a subdivision of Lot 1, Section 5, Range 6, Shawnigan District, Plan 19113 (PID 003-685-292) be denied and not forwarded to the Agricultural Land Commission, pursuant to CVRD Board Resolution No. 09-353(10).
14. That Application No. 4-A-11DP be approved, and that a development permit, pursuant to the Mill Bay Development Permit Area, be issued to Ruth Bastedo for Lot 7, Block G, District Lot 18, Malahat District, Plan 1720 (PID: 007-059-931) for subdivision of the subject property.
15. That the request by Stephen and Pamela Jackson to allow a shower, in addition to the two permitted plumbing fixtures, within an accessory building at 6500 Skutz Falls Road (Lot 1, Block 32, Cowichan Lake District, Plan 4942), be approved on condition of septic approval, and subject to registration of a covenant prohibiting occupancy of the accessory structure as a dwelling and removal of all additional facilities prior to change in ownership of the property.
16. That Application No. 2-C-11DVP by CVRD Engineering and Environmental Services Department, respecting Lot 1, Section 19, Range 6, Shawnigan District, Plan 26775 (PID 002 426 382) to reduce the setback to the exterior property line that abuts St. Catherine's Drive from 4.5 metres to 0.91 metres, be approved as proposed on the attached plans, subject to:

- A legal survey to confirm the approved setback distance, as required by CVRD Building Inspector
 - Approval from Ministry of Transportation and Infrastructure to construct within the road right of way.
17. That the Regional District release Restrictive Covenant EB31090 (David and Val Hignell).
18. That CVRD Bylaw No. 3547 – Procedures and Fees Amendment Bylaw, 2011 be forwarded to the Regional Board for consideration of three readings and adoption.
19. That Second Reading of Zoning Amendment Bylaw No. 3536 (Alderlea Farm) be rescinded and the bylaw be amended by changing the zoning designation of "Suburban Residential (R-2)" to read "*Rural Residential (R-1)*" and that the amended bylaw be forwarded to the Board for consideration of 2nd reading as amended.
20. 1. That Board Resolution No. 11-352.9 be rescinded.
2. That Application No. 6-A-10DP/RAR submitted by Mark Wyatt on behalf of Ocean Terrace Properties for subdivision for 203 residential lots, 3 multi-family designated areas, one mixed multi-family and commercial area, a lot dedicated for a school site, and designation of an area for subsequent strata subdivision (future 71 lots) on That Part of District Lot 77, Malahat District, Lying to the South of the South Boundaries of Parcel C (DD 43694^l) and Parcel D (DD 33154^l) of Said Lot and Except Those Parts in Plans 518RW, 50504 and VIP86314 (PID: 009-346-554), Parcel C (DD 43694^l) of District Lot 77, Malahat District (PID:009-346-511), Parcel D (DD33154^l) of District Lot 77, Malahat District (PID:009-346-520) be approved subject to:
- a) Widening the highway buffer to a minimum 20 metres;
 - b) Connecting Roads E and F by a road connection to provide for a secondary access from Road F, in consultation with the Ministry of Transportation and Infrastructure;
 - c) Rainwater management system to be developed in accordance with the Rainwater Master Plan dated June 7, 2011 and the Storm Water Technical Memorandum – Ocean Terrace Subdivision – Phase 1 dated June 8, 2011; and that future phases of single family residential, multi-family residential and commercial development be required to use a variety of source control techniques that would provide for onsite infiltration. Specific techniques include rain gardens, permeable landscaping, increased topsoil, permeable pavements, alternate road standards, swales, infiltrators and others, and a rainwater plan demonstrating where and how these will be used will be required at each subdivision phase;
 - d) Sediment erosion and control plan be developed and implemented during construction to ensure runoff waters do not contribute sediment to any fish-or amphibian-bearing streams and that the plan be provided to CVRD prior to each phase;
 - e) Receipt of a tree assessment and retention plan prior to tree clearing in future phases in order to identify patches of trees/wildlife corridors that can be kept, and provide recommendations for mitigation from wind throw within park areas;
 - f) Areas of natural forest be allowed to remain on residential lots, and building footprints located in a sensitive manner;
 - g) Phasing to be generally in compliance with the June 9, 2011 Phasing Plan;
 - h) Trails and emergency access connections to be constructed to CVRD standards;
 - i) The single family lot on the northwest corner of central park be relocated and that this area be dedicated parkland;
 - j) To also limit the building height for single family lots on the west side of Sangster Road to 7.5 metres;

- k) Provide a pre-emption light at the Butterfield Road and Trans Canada Highway intersection;
 - l) A sprinkler system be installed, for safety purposes, in all the multi-family units;
And further that prior to issuance of the Development Permit:
 - m) The site plan is revised in the manner noted above;
 - n) A covenant be registered on title to secure the park dedication and park amenity commitments; and
 - o) A covenant is registered on title that would assign density to the multi-family sites and secure other development permit requirements as necessary.
21. That staff prepare a report regarding a bylaw being drafted that would remove recycling type uses and composting from the Electoral Area's Light Industrial Zones.
22. 1. That OCP Amendment Bylaw No. 3453 be abandoned and South Cowichan Official Community Plan Amendment Bylaw No. 3549 (Mill Bay Marina) be given 1st and 2nd Reading;
2. That South Cowichan Official Community Plan Amendment Bylaw No. 3549 (Mill Bay Marina) be referred to School District 79;
3. That 3rd Reading to Zoning Amendment Bylaw 3454 be rescinded;
4. That a public hearing be scheduled for the South Cowichan Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454 with Directors Harrison, Cossey and Dorey appointed as Board delegates.



CR3

**ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT
OF MEETING HELD JULY 27, 2011**

DATE: July 27, 2011

To: Chair and Directors of the Cowichan Valley Regional District

Your Engineering & Environmental Services Committee reports and recommends as follows:

1. 1. That the Twin Cedars Drainage System, Cobble Hill Village Drainage #2 System and the Cobble Hill Drainage System be merged into one system.
2. That "Bylaw No. 3538 – Cobble Hill Drainage System Service Merger Bylaw, 2011", which merges the Twin Cedars Drainage System, the Cobble Hill Village Drainage #2 System and the Cobble Hill Drainage System into one overall drainage system service, be forwarded to the Board for consideration of three readings and, following provincial approval, adoption.
2. 1. That "CVRD Bylaw No. 3537 – Shawnigan Creek Cleanout and Drainage Service Establishment Bylaw, 2011", be forwarded to the Board for consideration of three readings, and following provincial and voter approval, be considered for adoption.
2. That elector approval for the adoption of CVRD Bylaw No. 3537 be obtained through an Alternative Approval Process.
3. That, following adoption of CVRD Bylaw No. 3537, a Capital Reserve Fund Establishment Bylaw and Service Management bylaw be prepared and forward to the Board for consideration of three readings and adoption.
3. That the \$3,500.00 connection charge be waived for Evergreen Independent School to connect the Twin Cedars Sewer System.
4. That, as approved in the 2011 budget, the Board authorize short-term borrowing for an amount not to exceed \$47,000.00 for purchase of a new electric Nissan Leaf, plus charging station, to be paid back within 5-years under the Liabilities Under Agreement, Section 175 of the Community Charter.
5. 1. That "CVRD Bylaw No. 3518 – Lambourn Estates Water System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.

2. That "CVRD Bylaw No. 3519 – Fern Ridge Water System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
3. That "CVRD Bylaw No. 3521 – Cherry Point Estates Water System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
4. That "CVRD Bylaw No. 3522 – Kerry Village Water System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
5. That "CVRD Bylaw No. 3523 – Youbou Water System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
6. 1. That "CVRD Bylaw No. 3524 – Sentinel Ridge Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
2. That "CVRD Bylaw No. 3525 – Lambourn Estates Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
3. That "CVRD Bylaw No. 3526 – Cowichan Bay Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
4. That "CVRD Bylaw No. 3527 – Twin Cedars Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
5. That "CVRD Bylaw No. 3528 – Cobble Hill Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.
6. That "CVRD Bylaw No. 3529 – Maple Hills Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and following provincial approval, consideration of adoption.
7. That "CVRD Bylaw No. 3530 – Shawnigan Beach Estates Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and following provincial approval, consideration of adoption.
8. That "CVRD Bylaw No. 3531 – Kerry Village Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and following provincial approval, consideration of adoption.
9. That "CVRD Bylaw No. 3532 – Youbou Sewer System Service Amendment Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption.

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COMMUNICATIONS COMMITTEE REPORT
OF REGULAR MEETING HELD AUGUST 2, 2011

DATE: August 3, 2011

To: Chairperson and Directors of the Board

Your Communications Committee reports and recommends as follows:

1. That the development of a Strategic Communications Plan be awarded to Mickelson Consulting Inc. in accordance with their submitted Request for Proposals dated June 23, 2011 in the amount of \$16,500 plus applicable taxes.



STAFF REPORT

REGULAR BOARD MEETING
OF AUGUST 3, 2011

DATE: July 21, 2011 BYLAW Nos.: 3499 & 3503
FROM: Kathleen Harrison, Legislative Services Coordinator, Corporate Services
SUBJECT: Bylaw No. 3499 - Youbou Street Lighting Service Amendment (Requisition Limit Increase); and Bylaw No. 3503 - Thetis Island Residents and Ratepayers Association (TIRRA) Annual Financial Contribution – Notices of Alternative Approval Process and Elector Response Forms.

Recommendations/Action:

- 1. That the Notice of Alternative Approval Process and Elector Response Form for CVRD Bylaw No. 3499, be approved.
- 2. That the Notice of Alternative Approval Process and the Elector Response Form for CVRD Bylaw No. 3503, be approved.

Relation to the Corporate Strategic Plan:

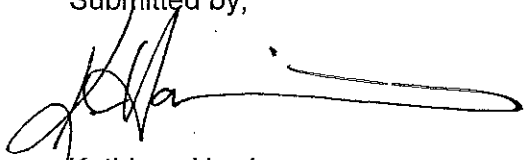
The creation of the TIRRA Financial Contribution Service is consistent with Corporate Strategic Plan objective of responsible waste management. The amendment to the Youbou Street Lighting Service is consistent with reliable essential services.


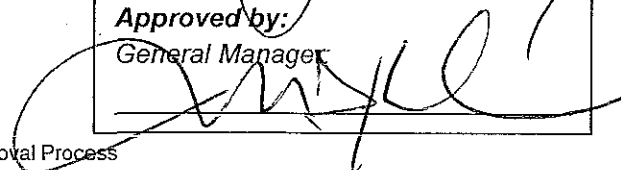
Financial Impact: N/A

Background:

Bylaw Nos. 3499 and 3503 were granted third reading by the Board of Directors at its meeting held June 8, 2011, and were forwarded to the Inspector of Municipalities for approval. Provincial approval has been received and the Board may now proceed with obtaining elector consent through an alternative approval process for each bylaw. Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses. The attached *Notices of Alternative Approval Process* and *Elector Response Forms* set the deadline for responses for Bylaw Nos. 3499 and 3503 at 4:30 pm, Tuesday, September 13, 2011.

Submitted by,


Kathleen Harrison
Legislative Services Coordinator
Corporate Services Department

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

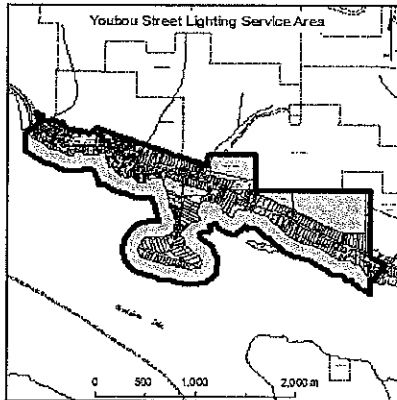
Attachments: Bylaw Nos. 3499 & 3503 Notice of Alternative Approval Process
Bylaw Nos. 3499 & 3503 Elector Response Form



**NOTICE TO ELECTORS OF
ELECTORAL AREA I – YUBOU/MEADE CREEK**

**OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD SERVICE AMENDMENT BYLAW NO. 3499**

NOTICE IS HEREBY GIVEN that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 3499 – Youbou Street Lighting Service Area Amendment Bylaw, 2011".



BYLAW SUMMARY

If adopted, Bylaw No. 3499 will allow the Cowichan Valley Regional District to amend Bylaw No. 2193, *Youbou Street Lighting Service Area* to increase the maximum requisition limit from \$21,800 to \$40,000 annually. The purpose of the contribution is to offset substantial fee increases announced by BC Hydro to take effect over the next five years. The maximum cost to residential property owners within a portion of Electoral Area I – Youbou/Meade Creek with a residential property assessed at \$100,000 would be \$12.01 per annum, as set out in the table below. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, 8:00 am - 4:30 pm, Monday to Friday excluding statutory holidays. A copy of the bylaw is also available on the CVRD website at www.cvrld.bc.ca.

Calculation Table

| Net Taxable Value (Land & Improvements) | Maximum Annual Cost Per Residential Property Owner | Number of Electors in the Service Area | 10% of the Electors |
|--|--|--|------------------------|
| \$100,000 | \$12.01 | 526 | 53 |

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later than 4:30 pm on Tuesday, September 13, 2011**. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of the service area are entitled to sign. The service area includes that portion of Electoral Area I – Youbou/Meade Creek that comprises the Youbou Street Lighting Service Area as shown outlined in the map above. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

Resident Elector – You are entitled to submit an *Elector Response Form* as a resident elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of Electoral Area I – Youbou/Meade Creek for the past 30 days or more.

Non-Resident Property Elector – You are entitled to submit an *Elector Response Form* as a non-resident property elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, have owned and held registered title to a property in Electoral Area I – Youbou/Meade Creek for the past 30 days or more, and do not qualify as a resident elector. **NOTE:** Only one non-resident property elector may submit a response form per property, regardless of how many owners there may be.

If less than 10% (53) of the service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 526.

A copy of the bylaw and *Elector Response Form* is available from the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 250.746-2500/1-800-665-3955, e-mail kharrison@cvrd.bc.ca, **OR** on the CVRD website at www.cvrld.bc.ca.



ELECTOR RESPONSE FORM
BYLAW NO. 3499

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3499 – Youbou Street Lighting Service Area Amendment Bylaw, 2011" which authorizes the Regional District to increase the maximum requisition limit from \$21,800 to \$40,000 annually. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this Elector Response Form to the Regional District office by 4:30 pm, Tuesday, September 13, 2011. Only those persons who live or own property within the Youbou Street Lighting Service Area and meet the following qualifications are eligible to submit an Elector Response Form.

I hereby certify that:

- I am a Canadian citizen;
I am an individual who is age 18 or older;
I have been a resident of British Columbia for at least the past six months;
I have been a resident of the Youbou Street Lighting Service Area for the past 30 days or I am entitled to register as a non-resident property elector;
I am not disqualified by the Local Government Act, or any other enactment, from voting in an election or am not otherwise disqualified by law.

I understand and acknowledge that I may not sign an Elector Response Form more than once in relation to this alternative approval process.

NAME OF ELECTOR: _____ (Please Print Full Name)

ELECTOR STREET ADDRESS: _____

OR
(non-resident property electors only)
Address of property in relation to which I am entitled to register as a non-resident property elector.
_____ (property address)
_____ (contact telephone number including area code)

SIGNATURE OF ELECTOR: _____

NOTE: The Elector Response Form must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before 4:30 pm, Tuesday, September 13, 2011. Regular office hours are 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays.

Section 86(6) of the Community Charter requires all electors to submit their response on the form established by the CVRD, or an accurate copy of that form. If this form is altered in any way, including by writing or printing on the back of it, it must and will be rejected by the CVRD.



**NOTICE TO ELECTORS WITHIN
A PORTION OF ELECTORAL AREA G – SALTAIR/GULF ISLANDS
(THETIS ISLAND ONLY)**

**OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD SERVICE ESTABLISHMENT BYLAW NO. 3503
Proposed Annual Financial Contribution Service
(Thetis Island Residents and Ratepayers Association)**

NOTICE IS HEREBY GIVEN that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011".

BYLAW SUMMARY

If adopted, Bylaw No. 3503 will allow the Cowichan Valley Regional District to provide the Thetis Island Residents and Ratepayers Association (TIRRA) with an annual financial contribution of up to \$40,000 per year. The purpose of the contribution is to assist TIRRA with costs associated with the operation and collection of solid waste and recycling on Thetis Island. Costs are to be recovered through an annual parcel tax on appropriate parcels within the proposed service area. Currently, there are 345 properties within the proposed service area (Thetis Island) that may be charged up to \$115.94 per annum, as set out in the table below. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:00 am - 4:30 pm, excluding statutory holidays. A copy of the bylaw is also available on the CVRD website at www.cvrld.bc.ca.

Calculation Table

| Maximum Annual Contribution to Service | Current Number of Parcels Within Proposed Service Area | Maximum Annual Cost Per Parcel | Number of Registered Electors in the Service Area | 10% of the Electors |
|--|--|--------------------------------|---|---------------------|
| \$40,000 | 345 | \$115.94 | 274 | 27 |

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the proposed service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later than 4:30 pm on Tuesday, September 13, 2011**. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of Thetis Island are entitled to sign. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

Resident Elector – You are entitled to submit an *Elector Response Form* as a resident elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of Thetis Island for the past 30 days or more.

Non-Resident Property Elector – You are entitled to submit an *Elector Response Form* as a non-resident property elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, have owned and held registered title to a property in Thetis Island for the past 30 days or more, and do not qualify as a resident elector. NOTE: Only one non-resident property elector may submit a response form per property, regardless of how many owners there may be.

If less than 10% (27) of the service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 274.

A copy of the bylaw and *Elector Response Form* is available from the CVRD, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 746-2500/1-800-665-3955, e-mail kharrison@cvrd.bc.ca OR on the CVRD website at www.cvrld.bc.ca.



**ELECTOR RESPONSE FORM
BYLAW NO. 3503**

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011", to provide the Thetis Island Residents and Ratepayers Association (TIRRA) with an annual financial contribution of up to \$40,000 per year. The purpose of the contribution is to assist TIRRA with costs associated with the operation and collection of solid waste and recycling on Thetis Island. Costs are to be recovered through an annual parcel tax on appropriate parcels within the proposed service area. Currently, there are 345 properties within the proposed service area (Thetis Island) that may be charged up to \$115.94 per annum. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this *Elector Response Form* to the Regional District office by **4:30 pm, Tuesday, September 13, 2011**. Only those persons who live or own property within Thetis Island and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

- I am a Canadian citizen;
- I am an individual who is age 18 or older;
- I have been a resident of British Columbia for at least the past six months;
- I have been a resident of Thetis Island for the past 30 days or I am entitled to register as a non-resident property elector;
- I am not disqualified by the *Local Government Act*, or any other enactment, from voting in an election or am not otherwise disqualified by law.

I understand and acknowledge that I may not sign an *Elector Response Form* more than once in relation to this alternative approval process.

NAME OF ELECTOR: _____
(Please Print Full Name)

ELECTOR STREET ADDRESS: _____

OR
(non-resident property electors only)
 Address of property in relation to which _____ (property address)
 I am entitled to register as a non-resident
 property elector. _____
 (contact telephone number including area code)

SIGNATURE OF ELECTOR: _____

NOTE: The *Elector Response Form* must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before **4:30 pm, Tuesday, September 13, 2011**. Regular office hours are 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays.

Section 86(6) of the *Community Charter* requires all electors to submit their response on the form established by the CVRD, or an accurate copy of that form. If this form is altered in any way, including by writing or printing on the back of it, it must and will be rejected by the CVRD.

**STAFF REPORT****BOARD MEETING
OF AUGUST 3, 2011****DATE:** July 27, 2011**FILE NO:****FROM:** Brian Dennison, General Manger, Engineering & Environmental Services**SUBJECT:** South Cowichan ECO Depot – Results of Technical Studies

Recommendation/Action:

That based on the results of the technical studies the Board confirm that there are no technical obstacles to continuing with the development of the Eco Depot at the Cameron Taggart Road site.

Relation to the Corporate Strategic Plan:

Development of an Eco Depot in south Cowichan is a goal outlined in the region's *Solid Waste Management Plan*. Full implementation of this plan supports the objective of Responsible Waste Management, as outlined in the Sustainable Infrastructure category of the Corporate Strategic Plan.

Financial Impact: (Reviewed by Finance Division: _____)

Costs for development of the South Cowichan Eco Depot have been included in the 2011 budget.

Background:

Between 2009 and 2010, a comprehensive search was carried out for a property on which to locate a south Cowichan recycling drop-off depot (Eco Depot). A stated goal of the CVRD's Solid Waste Management Plan since 1995, the proposed depot would provide a comprehensive recycling and waste management facility for south end residents. Although it is one of the most rapidly growing parts of the region, the south end has historically lacked access to the full range of recycling drop-off services provided to the rest of the region by three other CVRD depots (Peerless Road in the north, Bings Creek near Duncan, and Meade Creek in the west).

A number of criteria were identified by the Board as part of the site selection process. These criteria included price, availability, zoning, central location, potential greenhouse gas emissions from people driving to the site, access improvements, potential for environmental impact due to development of the site, potential for contribution to sprawl, etc. Of all available locations, the Cameron-Taggart site was best able to satisfy these criteria and was thus purchased by the Board in June, 2010.

Since then, the Board has directed that several technical studies be carried out on the site in order to further determine its suitability for the proposed use. Studies completed include a traffic impact assessment, environmental overview assessment, social impact review and archaeological impact assessment. Three additional reports, an Amphibian Inventory & Habitat Assessment, a Fish Sampling Report, and a Nesting Tree Assessment, have also been

completed for the site. Copies of these reports have been forwarded to Board members under separate cover and have been made available on the CVRD's website.

The traffic impact study has indicated that traffic volumes on Cameron-Taggart Road will increase by approximately 6 percent with the Eco Depot's development (based on anticipated use). A worst case scenario projection has shown that, even at peak traffic volumes (based on double that of the Peerless Road facility), the overall classification of Cameron-Taggart as a rural collector road will not change. Traffic will be comprised almost exclusively of residential vehicles.

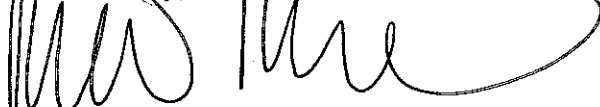
A joint environmental overview assessment and social impacts summary assessment have identified potential impacts from development of the Cameron-Taggart property. Potential impacts may include noise, dust, traffic, lighting, odour, vector attraction, spills, litter, and surface-water run-off. The reports have also indicated that potential impacts can be successfully managed with appropriate mitigation measures. Examples of recommended mitigation measures include the salvage and transplant of native plant species on site, removal of invasive species on site, establishment of a wetland area featuring native species to improve aquatic habitat, making use of natural and artificial sound barriers, ensuring onsite roads are kept clean to minimize dust, consider direction and timing of illumination to limit off-site impact, and maintaining a clean site at all times with regular removal of materials from the property. Should the project move forward, a management plan for environmental mitigation strategies will be developed and implemented. Ultimately, reports have suggested that the implementation of these environmental strategies will result in a net environmental benefit to the site and surrounding area as invasive species are removed and aquatic habitat improved.

Additional environmental studies including an Amphibian Inventory & Habitat Assessment, a Fish Sampling Report, and a Nesting Tree Assessment have identified the presence of additional species on the site including red-legged frogs (a Provincial blue-listed species), rough skinned newts and three-spine stickleback. The reports have outlined mitigation measures that will ensure any impacts to these species are minimized or negated during development and operations of an Eco Depot. Planned improvements to onsite aquatic habitat (e.g. providing additional shade cover, in-stream structure and refuge areas) may also result in a net benefit to these species, as the man-made features currently on the site represent low habitat values.

An archaeological impact assessment carried out on the site has shown that no Heritage Conservation Act (HCA) – protected resources are present, and that no further archaeological work is required provided that the development boundaries of the site remain unchanged. Although seven Culturally Modified Trees were found on the site, they date from later than 1846 and as such are not protected under the HCA. Only one of these trees is located directly within the proposed site footprint.

Collectively, these studies have indicated that there are no significant obstacles to the development of an Eco Depot on Cameron-Taggart Road. While there will be impacts from the construction and operation of the depot, the studies have shown that all anticipated impacts can be managed through a variety of mitigation measures and best management practices.

Submitted by,



Brian Dennison

General Manager

Engineering & Environmental Services Department



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3509

A Bylaw to Amend the Boundaries of the Wilmot Road Drainage Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Wilmot Road Drainage Service Area* under the provisions of Bylaw No. 2853, cited as "CVRD Bylaw No. 2853 – Wilmot Road Drainage Service Establishment Bylaw, 2006";

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to extend the boundaries of the service area to include the following two properties:

- PID 005-167-841, Lot 1, Section 5, Range 4, Cowichan District, Plan 10957, Except That Part of Said Lot Shown Outlined In Red On Plan 1659-R And Except Parts In Plans 15342, 16358, 18893 and VIP 81664; and
- PID 009-032-649, Parcel B (DD 47244I) of Section 6, Range 4, Cowichan District, Except Parts In Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP 81664;

AND WHEREAS the owners of the above noted properties have petitioned the Regional District to have their property included in the service area;

AND WHEREAS the Director of Electoral Area D – Cowichan Bay has consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011**".

2. AMENDMENT

That Bylaw No. 2853 be amended by deleting Schedule A and replacing it with the Schedule A attached to this bylaw.

.../2

READ A FIRST TIME this 13th day of July, 2011.

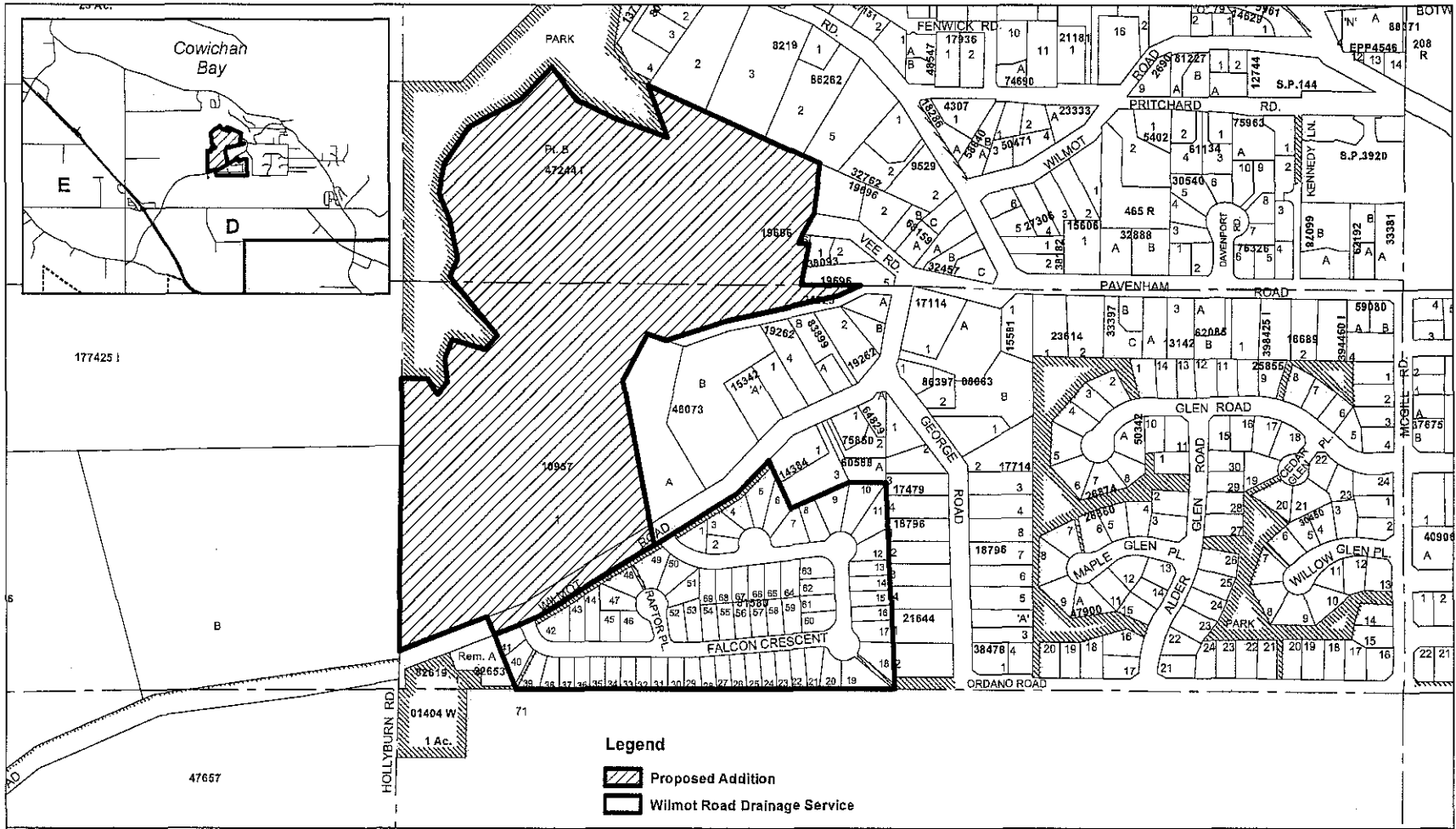
READ A SECOND TIME this 13th day of July, 2011.

READ A THIRD TIME this 13th day of July, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No. 2853 – Wilmot Road Drainage Service Establishment Bylaw, 2006. As amended by Bylaw No. 3509.

Adopted _____, 2011.



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3518**

**A Bylaw to Amend Lambourn Estates Water System Service
Establishment Bylaw No. 3034**

WHEREAS the Board of the Cowichan Valley Regional District established the *Lambourn Estates Water System Service Area* under the provisions of Bylaw No. 3034, cited as "CVRD Bylaw No. 3034 – Lambourn Estates Water System Service Establishment Bylaw, 2008";

AND WHEREAS the Regional District wishes to amend Bylaw No. 3034 by increasing the maximum annual requisition limit from \$33,000 to \$41,200;

AND WHEREAS the Director for Electoral Area D – Cowichan Bay has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "CVRD Bylaw No. 3518 – Lambourn Estates Water System Service Amendment Bylaw, 2011".

2. **AMENDMENT**

That CVRD Bylaw No. 3034 be amended by: deleting the words "Thirty-Three Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 - Maximum Requisition text and replacing them with the words "Forty-One Thousand Two Hundred"; and deleting the figure "\$33,000.00" and replacing it with "\$41,200", in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3519**

**A Bylaw to Amend Fern Ridge Water System Service
Establishment Bylaw No. 2994**

WHEREAS the Board of the Cowichan Valley Regional District established the *Fern Ridge Water System Service Area* under the provisions of Bylaw No. 2994, cited as "CVRD Bylaw No. 2994 – Fern Ridge Water System Service Establishment Bylaw, 2007", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 2994 by increasing the maximum annual requisition limit from \$14,600 to \$18,200;

AND WHEREAS the Director for Electoral Area A – Mill Bay/Malahat has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "CVRD Bylaw No. 3519 – Fern Ridge Water System Service Amendment Bylaw, 2011".

2. **AMENDMENT**

That CVRD Bylaw No. 2994 be amended by: deleting the words "Fourteen Thousand Six Hundred" between the words "exceed" and "Dollars" in the second line of the Section 6 - Maximum Requisition text and replacing them with the words "Eighteen Thousand Two Hundred"; and deleting the figure "\$14,600." and replacing it with "\$18,200", in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3521

**A Bylaw to Amend Cherry Point Water System Service Establishment
Bylaw No. 1670**

WHEREAS the Board of the Cowichan Valley Regional District established the *Cherry Point Water System Service Area* under the provisions of Bylaw No. 1670, cited as "CVRD Bylaw No.1670 – Cherry Point Water System Service Establishment Bylaw, 1995", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 1670 by increasing the maximum annual requisition limit from \$19,040 to \$23,700;

AND WHEREAS the Director for Electoral Area D – Cowichan Bay has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "CVRD Bylaw No. 3521 – Cherry Point Water System Service Amendment Bylaw, 2011".

2. **AMENDMENT**

That CVRD Bylaw No. 1670 be amended by: deleting the words "Nineteen Thousand and Forty" between the words "exceed" and "Dollars" in Section 4.1 (Cost Recovery) and replacing them with the words "Twenty-Three Thousand Seven Hundred"; and deleting the figure "\$19,040.00" and replacing it with "\$23,700" immediately following the word "Dollars" in the third line of Section 4.1.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3522**

**A Bylaw to Amend Kerry Village Water System Service
Establishment Bylaw No. 2491**

WHEREAS the Board of the Cowichan Valley Regional District established the *Kerry Village Water System Service Area* under the provisions of Bylaw No. 2491, cited as "CVRD Bylaw No. 2491 – Kerry Village Water System Service Establishment Bylaw, 2004", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 2491 by increasing the maximum annual requisition limit from \$14,500 to \$18,100;

AND WHEREAS the Director for Electoral Area A – Mill Bay/Malahat has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "CVRD Bylaw No. 3522 – Kerry Village Water System Service Amendment Bylaw, 2011".

2. **AMENDMENT**

That CVRD Bylaw No. 2491 be amended by: deleting the words "Fourteen Thousand, Five Hundred" between the words "exceed" and "Dollars" in the second line of the Section 6 - Maximum Requisition text and replacing them with the words "Eighteen Thousand One Hundred"; and deleting the figure "(\$14,500)" and replacing it with "(\$18,100)" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3523

A Bylaw to Amend Youbou Water System Service Merger Bylaw No. 2886

WHEREAS the Board of the Cowichan Valley Regional District merged the *Youbou Water System Service Area* and the *Lakeside Estates Water System Service Area* and established the *Youbou Water System Service Area* under the provisions of Bylaw No. 2886, cited as "CVRD Bylaw No. 2886 – Youbou Water System Service Merger Bylaw, 2006";

AND WHEREAS the Regional District wishes to amend Bylaw No. 2886 by increasing the maximum annual requisition limit from \$132,000 to \$164,800;

AND WHEREAS the Director for Electoral Area I – Youbou/Meade Creek has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3523 – Youbou Water System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 2886 be amended by: deleting the words "One Hundred and Thirty-Two Thousand" between the words "exceed" and "Dollars" in the second line of text in Section 6 (Maximum Requisition) and replacing them with the words "One Hundred Sixty-Four Thousand Eight Hundred"; and deleting the figure "\$132,000." immediately before the word "Dollars" and replacing it with "\$164,800" immediately following the word "Dollars" in the same section and sentence of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3524

A Bylaw to Amend Sentinel Ridge Sewer System Service Establishment Bylaw No. 2790

WHEREAS the Board of the Cowichan Valley Regional District established the *Sentinel Ridge Sewer System Service Area* under the provisions of Bylaw No. 2790, cited as "CVRD Bylaw No. 2790 – Sentinel Ridge Sewer System Service Establishment Bylaw, 2006", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 2790 by increasing the maximum annual requisition limit from \$34,000 to \$42,400;

AND WHEREAS the Director for Electoral Area A – Mill Bay/Malahat has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3524 – Sentinel Ridge Sewer System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 2790 be amended by: deleting the words "Thirty-Four Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 - Maximum Requisition text and replacing them with the words "Forty-Two Thousand Four Hundred"; and deleting the figure "\$34,000" and replacing it with "\$42,400" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3525

A Bylaw to Amend Lambourn Estates Sewer System Service Establishment Bylaw No. 3052

WHEREAS the Board of the Cowichan Valley Regional District established the *Lambourn Estates Sewer System Service Area* under the provisions of Bylaw No. 3052, cited as "CVRD Bylaw No. 3052 – Lambourn Estates Sewer System Service Establishment Bylaw, 2008", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 3052 by increasing the maximum annual requisition limit from \$25,000 to \$31,200;

AND WHEREAS the Director for Electoral Area D – Cowichan Bay has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "CVRD Bylaw No. 3525 – Lambourn Estates Sewer System Service Amendment Bylaw, 2011".

2. **AMENDMENT**

That CVRD Bylaw No. 3052 be amended by: deleting the words "Twenty-Five Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 - Maximum Requisition text and replacing them with the words "Thirty-One Thousand Two Hundred"; and deleting the figure "\$25,000.00" and replacing it with "\$31,200" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3526

**A Bylaw to Amend Cowichan Bay Sewer System Service
Establishment Bylaw No. 2128**

WHEREAS the Board of the Cowichan Valley Regional District established the *Cowichan Bay Sewer System Service Area* under the provisions of Bylaw No. 2128, cited as "CVRD Bylaw No. 2128 – Cowichan Bay Sewer System Service Establishment Bylaw, 2000", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 2128 by increasing the maximum annual requisition limit from \$150,000 to \$187,000;

AND WHEREAS the Director for Electoral Area D – Cowichan Bay has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3526 – Cowichan Bay Sewer System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 2128 be amended by: deleting the words "One Hundred and Fifty" between the words "exceed" and "Thousand" in the second line of the Section 5 - Maximum Requisition text and replacing them with the words "One Hundred Eighty-Seven"; and deleting the figure "(\$150,000)" and replacing it with "(\$187,000)" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3527

A Bylaw to Amend Twin Cedars Sewer System Service Establishment Bylaw No. 2871

WHEREAS the Board of the Cowichan Valley Regional District established the Twin Cedars Sewer System Service Area under the provisions of Bylaw No. 2871, cited as "CVRD Bylaw No. 2871 – Twin Cedars Sewer System Service Establishment Bylaw, 2006";

AND WHEREAS the Regional District wishes to amend Bylaw No. 2871 by increasing the maximum annual requisition limit from \$40,000 to \$49,900;

AND WHEREAS the Director for Electoral Area C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited as "CVRD Bylaw No. 3527 – Twin Cedars Sewer System Service Amendment Bylaw, 2011".

2. AMENDMENT

That CVRD Bylaw No. 2871 be amended by: deleting the words "Forty Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Forty-Nine Thousand Nine Hundred"; and deleting the figure "\$40,000.00" and replacing it with "\$49,900" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3528

A Bylaw to Amend Cobble Hill Sewer System Service Establishment Bylaw No. 3103

WHEREAS the Board of the Cowichan Valley Regional District established the *Cobble Hill Sewer System Service Area* under the provisions of Bylaw No. 3103, cited as "CVRD Bylaw No. 3103 – Cobble Hill Sewer System Service Establishment Bylaw, 2008";

AND WHEREAS the Regional District wishes to amend Bylaw No. 3103 by increasing the maximum annual requisition limit from \$30,000 to \$37,400;

AND WHEREAS the Director for Electoral Area C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3528 – Cobble Hill Sewer System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 3103 be amended by: deleting the words "Thirty Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Thirty-Seven Thousand Four Hundred"; and deleting the figure "\$30,000." and replacing it with "\$37,400", in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3529

A Bylaw to Amend Maple Hills Sewer System Service Establishment Bylaw No. 1653

WHEREAS the Board of the Cowichan Valley Regional District established the *Maple Hills Sewer System Service Area* under the provisions of Bylaw No. 1653, cited as "CVRD Bylaw No. 1653 – Maple Hills Sewer System Service Establishment Bylaw, 1994", as amended;

AND WHEREAS the Regional District wishes to further amend Bylaw No. 1653 by increasing the maximum annual requisition limit from \$25,000 to \$31,200;

AND WHEREAS the Director for Electoral Area C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3529 – Maple Hills Sewer System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 1653 be amended by: deleting the words "Twenty-Five Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Thirty-One Thousand Two Hundred"; and deleting the figure "\$25,000." and replacing it with "\$31,200" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3529 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3530

A Bylaw to Amend Shawnigan Beach Estates Sewer System Service Establishment Bylaw No. 1910

WHEREAS the Board of the Cowichan Valley Regional District established the *Shawnigan Beach Estates Sewer System Service Area* under the provisions of Bylaw No. 1910, cited as "CVRD Bylaw No. 1910 – Shawnigan Beach Estates Sewer System Service Establishment Bylaw, 1999", as amended;

AND WHEREAS the Regional District wishes to further amend Bylaw No. 1910 by increasing the maximum annual requisition limit from \$125,000 to \$156,000;

AND WHEREAS the Director for Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3530 – Shawnigan Beach Estates Sewer System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 1910 be amended by: deleting the words "and Twenty-Five" between the words "Hundred" and "Thousand" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Fifty-Six"; and deleting the figure "\$125,000." and replacing it with "\$156,000" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

.../2

I hereby certify this to be a true and correct copy of Bylaw No. 3530 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3531

A Bylaw to Amend Kerry Village Sewer System Service Establishment Bylaw No. 2489

WHEREAS the Board of the Cowichan Valley Regional District established the *Kerry Village Sewer System Service Area* under the provisions of Bylaw No. 2489, cited as "CVRD Bylaw No. 2489 – Kerry Village Sewer System Service Establishment Bylaw, 2004", as amended;

AND WHEREAS the Regional District wishes to further amend Bylaw No. 2489 by increasing the maximum annual requisition limit from \$20,000 to \$24,900;

AND WHEREAS the Director for Electoral Area A – Mill Bay/Malahat has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3531 – Kerry Village Sewer System Service Amendment Bylaw, 2011**".

2. **AMENDMENT**

That CVRD Bylaw No. 2489 be amended by: inserting "-Four" between the words "Twenty" and " Thousand", and inserting the words "Nine Hundred" following the word "Thousand" in the second line of the Section 6 – Maximum Requisition text; and deleting the figure "\$20,000." and replacing it with "\$24,900" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3531 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3532**

**A Bylaw to Amend Youbou Sewer System Service
Establishment Bylaw No. 2549**

WHEREAS the Board of the Cowichan Valley Regional District established the *Youbou Sewer System Service Area* under the provisions of Bylaw No. 2549, cited as "CVRD Bylaw No. 2549 – Youbou Sewer System Service Establishment Bylaw, 2004", as amended;

AND WHEREAS the Regional District wishes to further amend Bylaw No. 2549 by increasing the maximum annual requisition limit from \$37,000 to \$46,200;

AND WHEREAS the Director for Electoral Area I – Youbou/Meade Creek has consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited as "**CVRD Bylaw No. 3532 – Youbou Sewer System Service Amendment Bylaw, 2011**".

2. AMENDMENT

That CVRD Bylaw No. 2549 be amended by: deleting the words "Thirty-Seven Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Forty-Six Thousand Two Hundred"; and deleting the figure "(\$37,000)" and replacing it with "(\$46,200)" immediately following the word "Dollars" in the same sentence and section of the bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



C·V·R·D

B16

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3537

A Bylaw to Establish a Cleanout and Drainage Service in a Portion of Electoral Area B – Shawnigan Lake

WHEREAS pursuant to Sections 796(1) and 800(1) of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a cleanout service to allow drainage and restoration of the natural system within a portion of Electoral Area B – Shawnigan Lake;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3537 – Shawnigan Creek Cleanout and Drainage Service Establishment Bylaw, 2011".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the operation and maintenance of a cleanout service to allow drainage and restoration of the natural system.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area B – Shawnigan Lake shown outlined in Schedule A of this bylaw. The service area shall be known as the "Shawnigan Creek Cleanout and Drainage Service Area".

4. **PARTICIPATING AREA**

Electoral Area B – Shawnigan Lake is the only participating area for this service.

.../2

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- (a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area, as per the *Local Government Act*;
- (b) revenues raised by other means authorized by the *Local Government Act*.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$18,000 or an amount that equals the amount raised by applying a property value tax rate of \$0.022995 per \$1,000 to the net taxable value of land and improvements in the service area.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3537 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

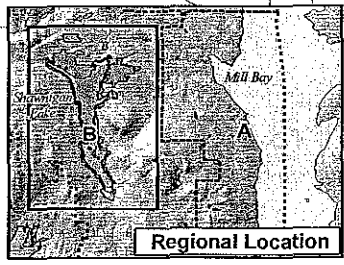
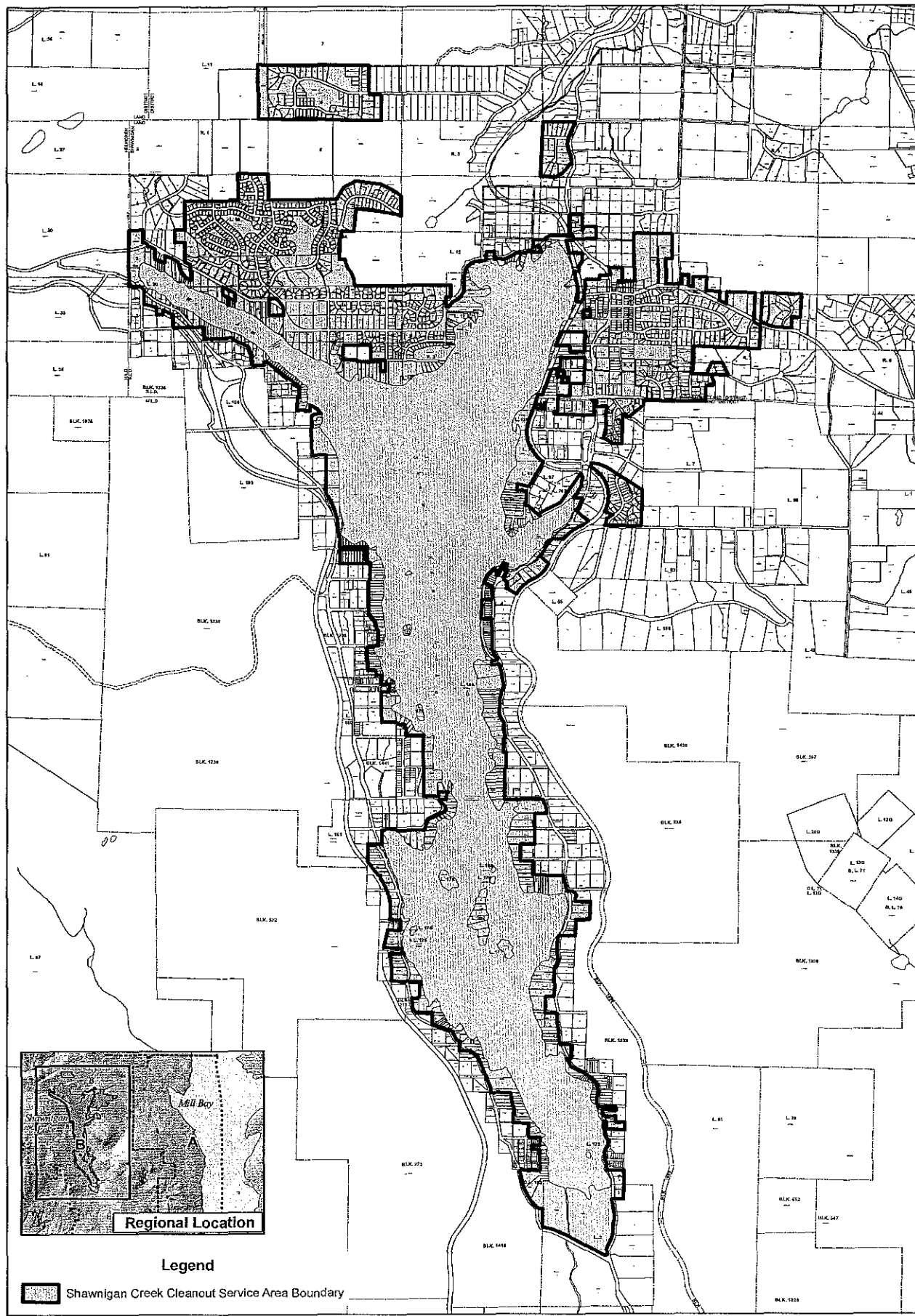
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



Regional Location

Legend

█ Shawnigan Creek Cleanout Service Area Boundary





COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3538

**A Bylaw to Merge the Twin Cedars Drainage System Service Area,
the Cobble Hill Drainage System Service Area, and
the Cobble Hill Village Drainage #2 System Service Area**

WHEREAS the Board of the Cowichan Valley regional District established the *Twin Cedars Drainage System Service Area* under the provisions of CVRD Bylaw No. 2852, cited as "CVRD Bylaw No. 2852 – Twin Cedars Drainage System Service Establishment Bylaw, 2006";

AND WHEREAS the Board of the Cowichan Valley Regional District established the *Cobble Hill Drainage System Service Area* under the provisions of CVRD Bylaw No. 3085, cited as "CVRD Bylaw No. 3085 – Cobble Hill Drainage System Service Establishment Bylaw, 2008";

AND WHEREAS the Board of the Cowichan Valley Regional District established the *Cobble Hill Village Drainage #2 Service Area* under the provisions of CVRD Bylaw NO. 3104, cited as "CVRD Bylaw No. 3104 – Cobble Hill Village Drainage #2 Service Establishment Bylaw, 2008";

AND WHEREAS pursuant to Section 802.1 of the *Local Government Act*, a regional district may merge together two or more service areas;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to:

- merge the Twin Cedars, Cobble Hill and Cobble Hill Village #2 Drainage System Service Areas; and
- increase the maximum requisition limit for the merged service area.

AND WHEREAS under Section 802 of the *Local Government Act* participating area approval may be given by the Area Director consenting in writing to the adoption of this bylaw;

AND WHEREAS the Director for Electoral Area C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3538 – Cobble Hill Drainage System Service Merger Bylaw, 2011".

2. **SERVICE BEING ESTABLISHED**

The Twin Cedars Drainage System Service Area established by Bylaw No. 2858, cited as "CVRD Bylaw No. 2858 – Twin Cedars Drainage System Service Establishment Bylaw, 2006"; the Cobble Hill Drainage System Service Area established by Bylaw No. 3085, cited as "CVRD Bylaw No. 3085 – Cobble Hill Drainage System Service Establishment Bylaw, 2008"; and the Cobble Hill Village Drainage #2 System Service Area established by Bylaw No. 3104, cited as "CVRD Bylaw No. 3104 – Cobble Hill Village Drainage #2 Service Establishment Bylaw, 2008", are hereby merged into one service for the operation and maintenance of a drainage system service.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area C – Cobble Hill, shown outlined in Schedule A of this bylaw. The service area shall be known as the "Cobble Hill Drainage System Service Area".

4. **PARTICIPATING AREA**

Electoral Area C – Cobble Hill is the only participating area for this service.

5. **METHOD OF COST RECOVERY**

The annual cost of providing this service shall be recovered by one or more of the following:

- (a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area, as per the *Local Government Act*;
- (b) revenues raised by other means authorized by the *Local Government Act*.

6. **MAXIMUM REQUISITION**

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$18,800 or an amount that equals the amount raised by applying a property value tax rate of \$0.1536 per \$1,000 to the net taxable value of land and improvements in the service area.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3538 as given Third Reading
on the _____ day of _____, 2011.

Corporate Secretary

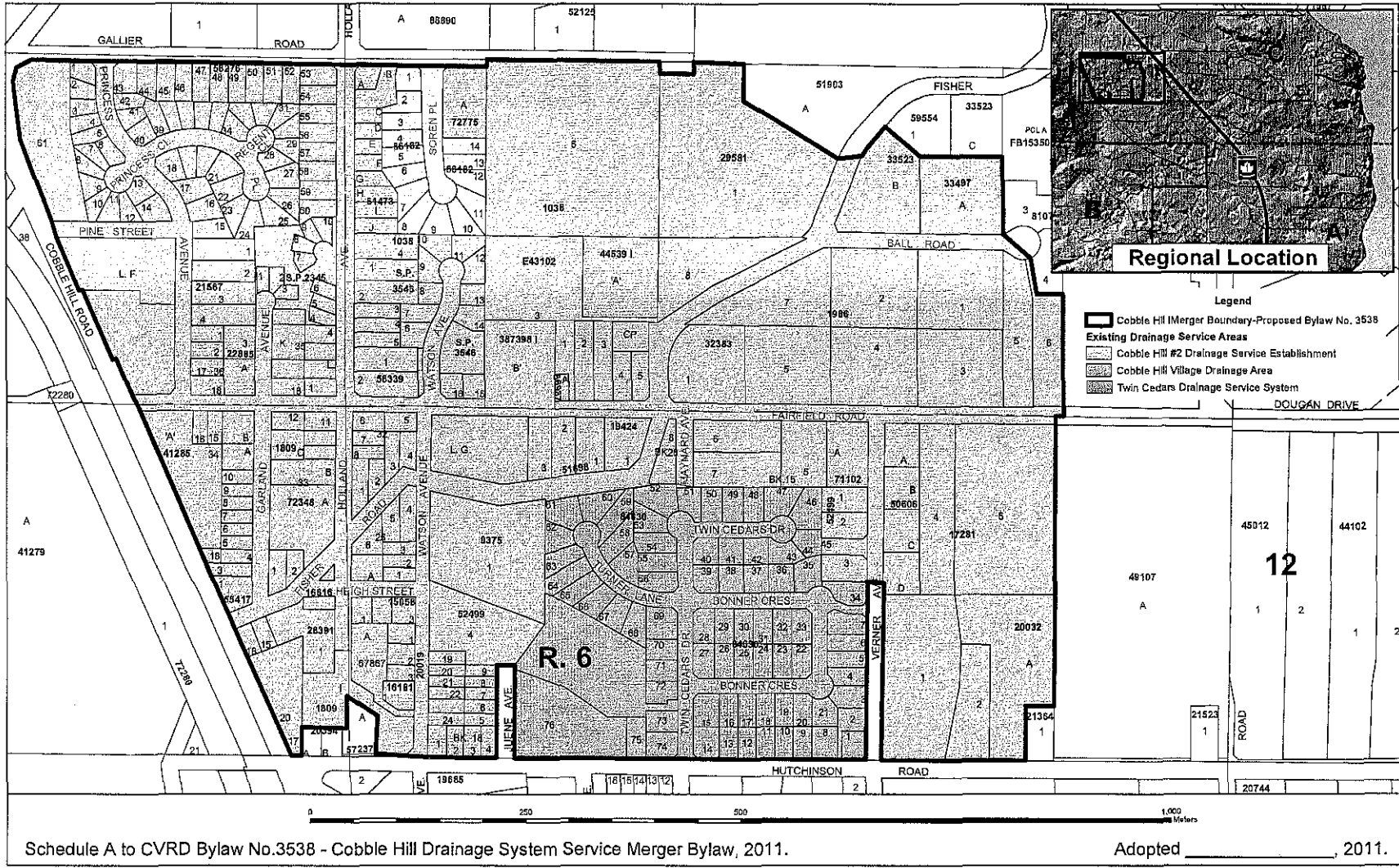
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of
_____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No.3538 - Cobble Hill Drainage System Service Merger Bylaw, 2011.

Adopted _____, 2011.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3539

**A Bylaw to Establish a Service to Provide an Annual Financial Contribution
to the Mill Bay/Malahat Historical Society**

WHEREAS pursuant to Sections 796 and 800 of the *Local Government Act*, a Regional District may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of assisting with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay and the surrounding South Cowichan area by the Mill Bay/Malahat Historical Society, within Electoral Area A – Mill Bay/Malahat;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3539 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service Establishment Bylaw, 2011**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to assist the Mill Bay/Malahat Historical Society with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay and the surrounding South Cowichan area. The service shall be known as the "Mill Bay/Malahat Historical Society Annual Financial Contribution Service".

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are the boundaries of Electoral Area A – Mill Bay/Malahat.

4. **PARTICIPATING AREA**

Electoral Area A – Mill Bay/Malahat is the only participating area for this service.

.../2

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area;
- b) revenues raised by other means authorized by the *Local Government Act*, or any other Act.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$15,000 or an amount equal to the amount that could be raised by a property value tax of \$.01686 per \$1,000 of net taxable value of land and improvements within the service area.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3539 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3542

A Bylaw to Establish a Debt Repayment Service in a Portion of Electoral Area H – North Oyster/Diamond

WHEREAS pursuant to Sections 796(1) and 800(1) of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a debt repayment service in a portion of Electoral Area H – North Oyster/Diamond for the purpose of borrowing to finance the design and construction of two Fire Halls within the proposed service area;

AND WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS participating area approval for this bylaw and Bylaw No. 3543, cited as "CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011", is required and shall be obtained in accordance with the *Local Government Act* and the *Community Charter*;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011**".

2. SERVICE BEING ESTABLISHED

The service established under the authority of this bylaw is a debt repayment service for the purpose of borrowing money to finance the design and construction of two Fire Halls within the service area.

3. SERVICE AREA BOUNDARIES

The boundaries of the service area, to be known as the North Oyster Fire Halls Debt Repayment Service Area, are that portion of Electoral Area H – North Oyster/Diamond shown outlined in Schedule A of this bylaw.

.../2

4. PARTICIPATING AREA

Electoral Area H – North Oyster/Diamond is the only participating area for this service.

5. METHOD OF COST RECOVERY

As provided in Section 803 of the *Local Government Act*, the annual cost of providing this service shall be recovered by one or more of the following:

- a) parcel taxes, to be requisitioned and collected by imposing the tax on the appropriate parcels within the participating area, on the basis of the parcel tax roll;
- b) revenues received by way of agreement, enterprises, gift, grant or otherwise; and
- c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. MAXIMUM REQUISITON

The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Two Hundred and Forty Thousand (\$240,000.) Dollars.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3542 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

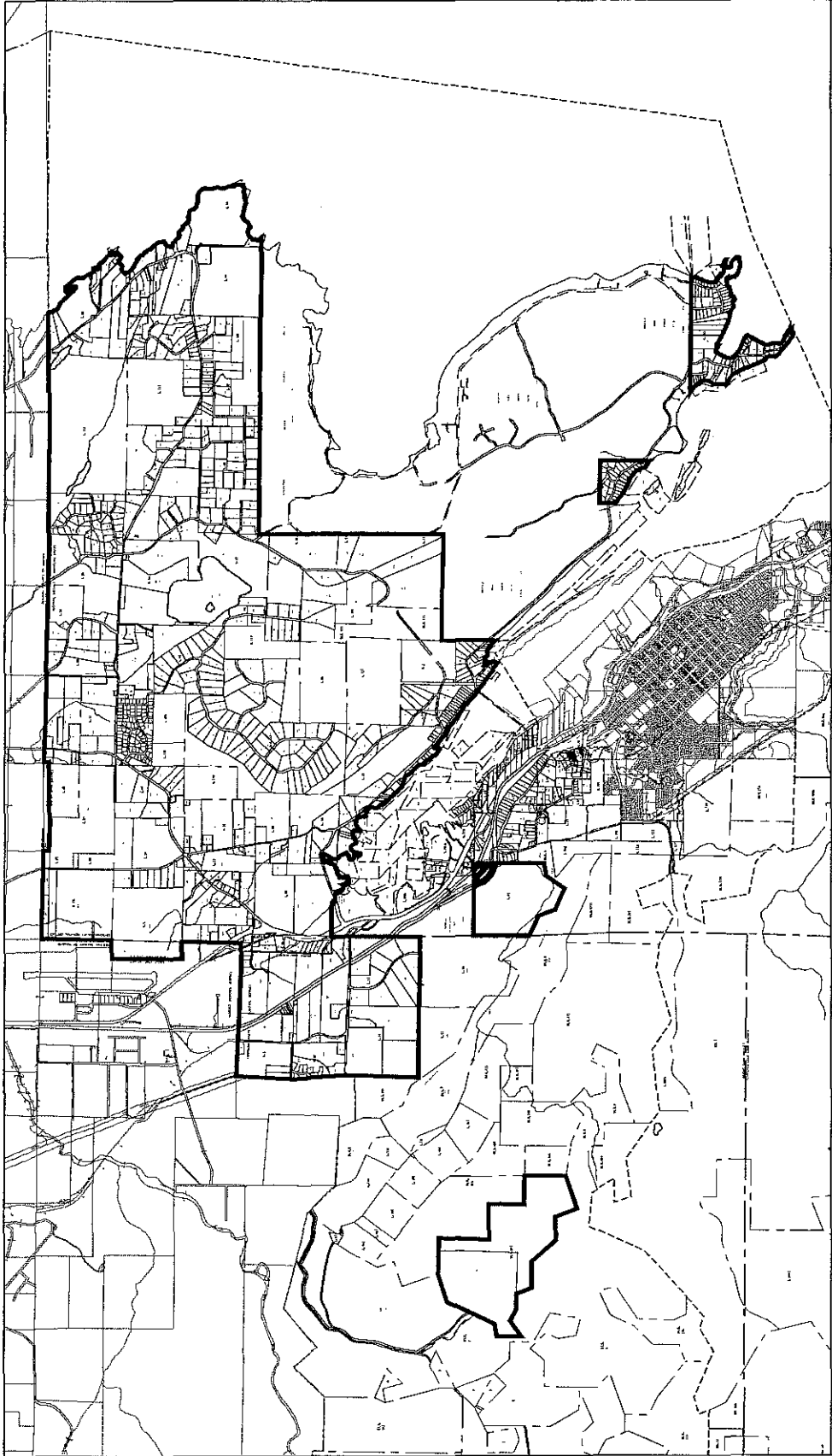
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No. 3542 - North Oyster Fire Hall Debt Repayment Service Area Establishment Bylaw, 2011. Adopted _____, 2011.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3543

A Bylaw to Authorize the Borrowing of Funds to Design and Construct Two Fire Halls Within the North Oyster Fire Hall Debt Repayment Service Area

WHEREAS pursuant to Section 801.6 of the *Local Government Act*, if money is to be borrowed for the start of a service, the establishing bylaw and the loan authorization bylaw must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a debt repayment service pursuant to Bylaw No. 3542, cited as "CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011", for the purpose of borrowing money to design and construct two Fire Halls within the proposed service area;

AND WHEREAS the estimated cost of designing and constructing the two Fire Halls, including expenses incidental thereto, is Three Million Thirty Thousand Dollars (\$3,030,000.), which is the amount of debt to be authorized by this bylaw;

AND WHEREAS the authority to borrow under this bylaw expires five years from the date on which it is adopted;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011**".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to undertake and carry out, or cause to be carried out, the construction of two Fire Halls to serve the North Oyster Fire Halls Debt Repayment Service Area in general accordance with the plans on file in the Regional District office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

.../2

- a) to borrow upon the credit of the Regional District a sum not exceeding Three Million Thirty Thousand Dollars (\$3,030,000.);
- b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the designing and constructing of the two Fire Halls.

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years;

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *North Oyster Fire Halls Debt Repayment Service* established pursuant to Bylaw No. 3542, cited as "CVRD Bylaw No. 3542 - North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011".

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3543 as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C.V.R.D

B21

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3548

**A Bylaw Authorizing the Expenditure of Funds from the
Kerry Park Recreation Centre Reserve Fund,
Established Pursuant to CVRD Bylaw No. 351**

WHEREAS as of June 30, 2011 there is an unappropriated balance in the *Kerry Park Recreation Centre Reserve Fund* of Three Hundred Four Thousand Six Hundred Six Dollars (\$304,606) that has been calculated as follows:

| | |
|---|--------------------|
| BALANCE in Reserve Fund as at December 31, 2010: | \$302,970. |
| ADD: Additions to the Fund including interest earned for the current year to date. | \$ 1,636. |
| | <u>\$304,606.</u> |
| DEDUCT: Commitments outstanding under Bylaws previously adopted. | NIL |
| UNCOMMITTED BALANCE in Reserve Fund as at June 30, 2011: | <u>\$ 304,606.</u> |

AND WHEREAS it is deemed desirable and expedient to expend not more than Thirty-Three Thousand Dollars (\$33,000) of the said balance for the purpose of funding sewer upgrades to the Kerry Park Recreation Centre;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3548 - Kerry Park Recreation Centre Reserve Fund Expenditure Bylaw (Sewer Upgrades), 2011**".

.../2

2. SUM TO BE APPROPRIATED

- 2.1 An amount not exceeding the sum of Thirty-Three Thousand Dollars (\$33,000) is hereby appropriated from the *Kerry Park Recreation Centre Reserve Fund* for the purpose of funding sewer upgrades to the Kerry Park Recreation Centre.
- 2.2 The expenditure to be carried out by the funds hereby appropriated shall be more particularly specified and authorized by Board Resolution No. 11-291-1 adopted June 8, 2011.

3. SUMS REMAINING

Should any of the said sum of Thirty-Three Thousand Dollars (\$33,000) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3453

A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1890, Applicable to Electoral Area A – Mill Bay/Malahat

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area A – Mill Bay/Malahat, that being Official Community Plan Bylaw No. 1890;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Official Community Plan Bylaw No. 1890;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3453 - Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Mill Bay Marina), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. CAPITAL EXPENDITURE PROGRAM

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

READ A FIRST TIME this 8th day of December , 2010.

READ A SECOND TIME this 8th day of December , 2010.

READ A THIRD TIME this 9th day of March , 2011.

ADOPTED this _____ day of _____ , 2011.

Chairperson

Corporate Secretary



C·V·R·D

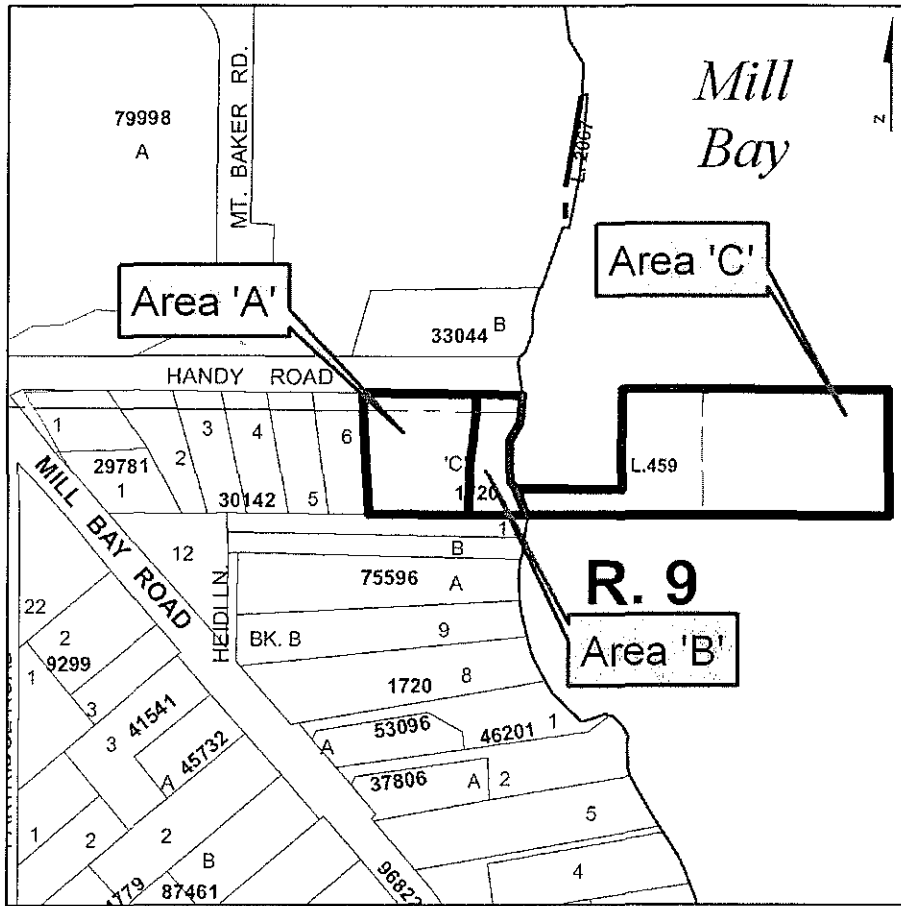
SCHEDULE "A"

To CVRD Bylaw No. 3453

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. That part of Block "C", Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142, as shown outlined in a solid black line and labeled Area A on Plan number Z-3453 attached hereto and forming Schedule B of this Bylaw, be re-designated from Tourist Recreational Commercial to Urban Residential and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.
2. That part of Block "C", Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142, as shown outlined in a solid black line and labeled Area B on Plan number Z-3453 attached hereto and forming Schedule B of this Bylaw, be re-designated from Tourist Recreational Commercial to Commercial and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.
3. That part of the water surface of the Saanich Inlet, as shown outlined in a solid black line and labelled Area C on Plan number Z-3453 attached hereto and forming Schedule B of this Bylaw be designated Commercial and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.
4. That Figure 7 of the Mill Bay Development Permit Area Guidelines is amended to include the commercially designated water surface described in Section 3 above in the Mill Bay Development Permit Area.
5. That the following is inserted into the Mill Bay Development Permit Area Guidelines, Section 14.5.7, following paragraph d):
 - e) Marinas, other than buildings and structures intended for commercial use.

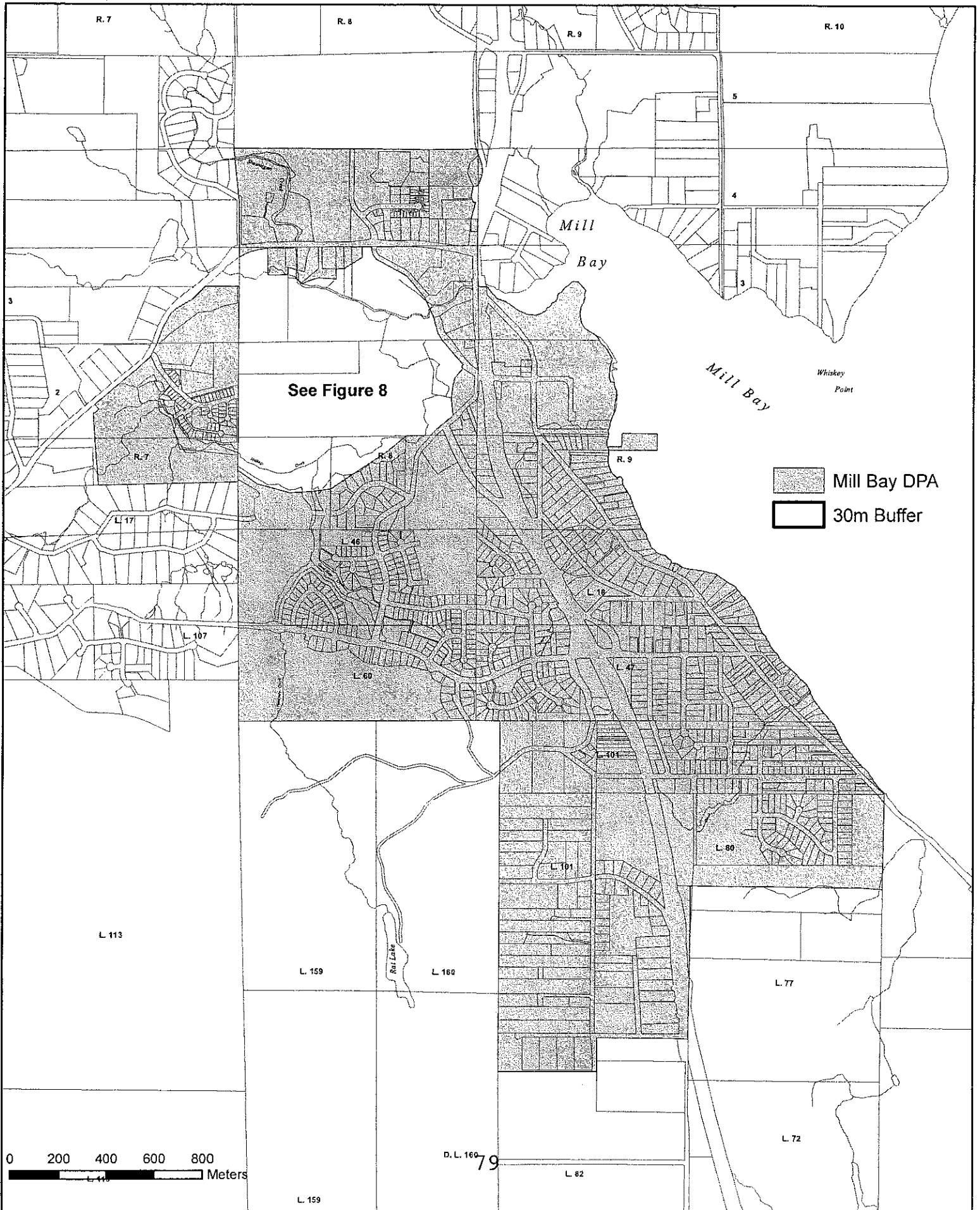
**SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



AREA 'A' OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM Tourist Recreational Commercial to Urban Residential; AREA 'B' OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM Tourist Commercial to Commercial; AREA 'C' OUTLINED IN A SOLID BLACK LINE IS DESIGNATED Commercial

APPLICABLE TO ELECTORAL AREA A

Figure 7 - Mill Bay Development Permit Area





COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3454

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2000
Applicable to Electoral Area A – Mill Bay/Malahat**

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3454 – Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010**".

2. **AMENDMENTS**

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

- a) That the following definition be added to Section 3.1.

"Townhouse" means a residential building consisting of not less than two and not more than eight attached dwelling units separated by a common wall extending from foundation to roof, with each dwelling unit having its own private entrance with direct exterior access.

- b) That Part 8 be amended by adding the following after Section 8.8, and that existing Sections 8.9 and 8.10 be renumbered accordingly.

8.9 RM-3 ZONE – TOWNHOUSE RESIDENTIAL

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations shall apply to the RM-3 Zone:

(a) Permitted Uses

The following uses and no others are permitted in an RM-3 Zone:

- (1) *Townhouse*;
- (2) *Home occupation*;

(b) Conditions of Use

For any parcel in an RM-3 Zone:

- (1) *Parcel coverage* shall not exceed 40 percent;
- (2) The *height of any principal building or structure* shall not exceed 7.5 m;
- (3) The height of any accessory building shall not exceed 4.5 m;
- (4) The following minimum setbacks apply:

| COLUMN I <i>Type of Parcel Line</i> | COLUMN II Residential Buildings & Structures | COLUMN III Buildings and Structures Accessory to Residential Use |
|---|---|---|
| Front | 6.0 metres | 3.0 metres |
| Interior Side | 6.0 metres | 3.0 metres |
| Exterior Side | 6.0 metres | 3.0 metres |
| Rear | 6.0 metres | 3.0 metres |

- (5) No accessory building or structure shall exceed a gross floor area of 50 m².

(c) Density

The maximum density of *dwelling units* in the RM-3 zone is 35 units per hectare of *parcel area*.

(d) Minimum Parcel Size

Subject to part 13, the minimum *parcel size* in the RM-3 zone shall be:

- (1) 0.2 ha. For *parcels* served by a community water and sewer system
- (2) 1.0 ha. For *parcels* served by a community water system only;
- (3) 1.0 ha. For *parcels* served by neither by a community water or sewer system.

- c) That Part 6 Creation and Definition of Zones, Section 6.1 be amended by adding the following to the Zones Table:

“RM-3 Townhouse Residential”

- d) That Appendix One – Minimum Parcel Size Summary be amended by adding minimum parcel sizes for the RM-3 zone.
- e) That Schedule B (Zoning Map) to Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 be amended by rezoning Block “C”, Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142 as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3454, from C-4 (Tourist Recreational Commercial) to RM-3 (Townhouse Residential) and W-3 (Water Marina).
- f) That Section 12.3 be amended by removing “boat shed or boat shelter” from the list of permitted uses in the W-3 Zone.

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 8th day of December , 2010.

READ A SECOND TIME this 8th day of December , 2010.

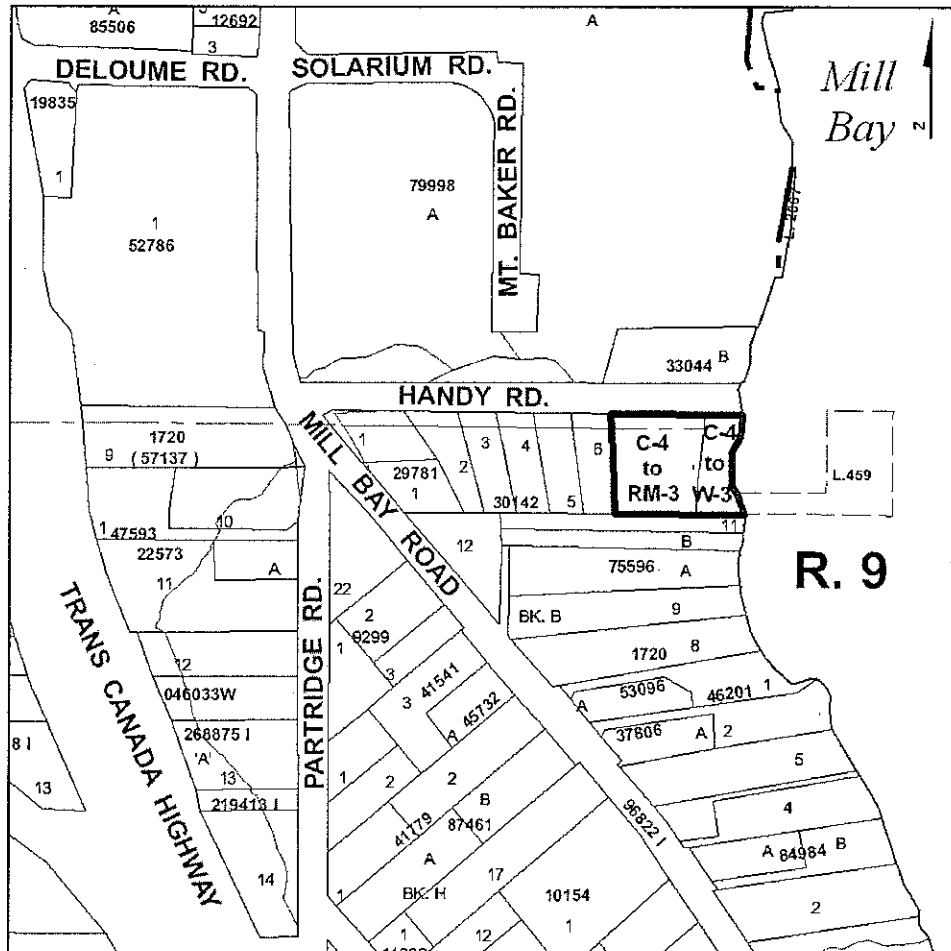
READ A THIRD TIME AS AMENDED this 9th day of March , 2011.

ADOPTED this _____ day of _____ , 2011.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

C-4 (Tourist Recreational Commercial)

TO

RM-3 (Townhouse Residential) and W-3 (Water Marina)

APPLICABLE

TO ELECTORAL AREA A



B24

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3536

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 1840
Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora**

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Zoning Bylaw No. 1840;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1840;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3536 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1840, as amended from time to time, is hereby amended in the following manner:

a) That the following definition be added to Section 3.1:

"local farm products" means commodities grown or reared on a farm within 160 km (100 miles).

b) That Section 7.7(a) be amended to add "processing, storage and retail sales of local farm products" and "food and beverage café, accessory to a use permitted in 7.7(a)(2) and (3)*" to the list of permitted uses.

..12

- c) That Section 7.7(a) be amended to remove “one single family dwelling accessory to a use permitted in 7.7(a)(1) and (2) above” from the list of permitted uses
- d) That Section 7.7(b)(1) be amended to reduce the maximum permitted parcel coverage from 60% to 30%.
- e) That the following Condition of Use be added after Section 7.7(b)(1):
 - (2) Notwithstanding Section 7.7(b)(1) *parcel coverage* may be increased by an additional 20% of the site area for the purpose of constructing greenhouses;
- f) That Section 7.7 (b) be amended to change the heading of Column II from “Residential and Accessory Uses” to “Non-Agricultural Principal and Accessory Uses”.
- g) That Section 7.7(b) be amended by adding the following conditions of use:
 - (6) food and beverage café use shall not exceed 125m2 of indoor floor area and 125 m2 of outdoor patio and deck area, and a maximum seating capacity of 65 persons.
 - (7) A slaughterhouse, abattoir or stockyard shall be specifically prohibited.
- h) That Section 7.7(c) be amended to change the minimum parcel size in the A-5 Zone from 1.0 ha. to 5.0 ha.
- i) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 be amended by rezoning Lot 4, Section 11, Range 4, Quamichan District, Plan 5021, except that part in Plan 33417, as shown outlined in the solid black line on Plan Number Z-3536 on Schedule A attached hereto and forming part of this bylaw, be rezoned from Rural Residential (R-1) to Agricultural Market (A-5).

3. FORCE AND EFFECT

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

READ A FIRST TIME this 13th day of July, 2011.

READ A SECOND TIME this 13th day of July, 2011.

RESCIND SECOND READING this _____ day of _____, 2011.

SECOND READING AS AMENDED this ___ day of _____, 2011.

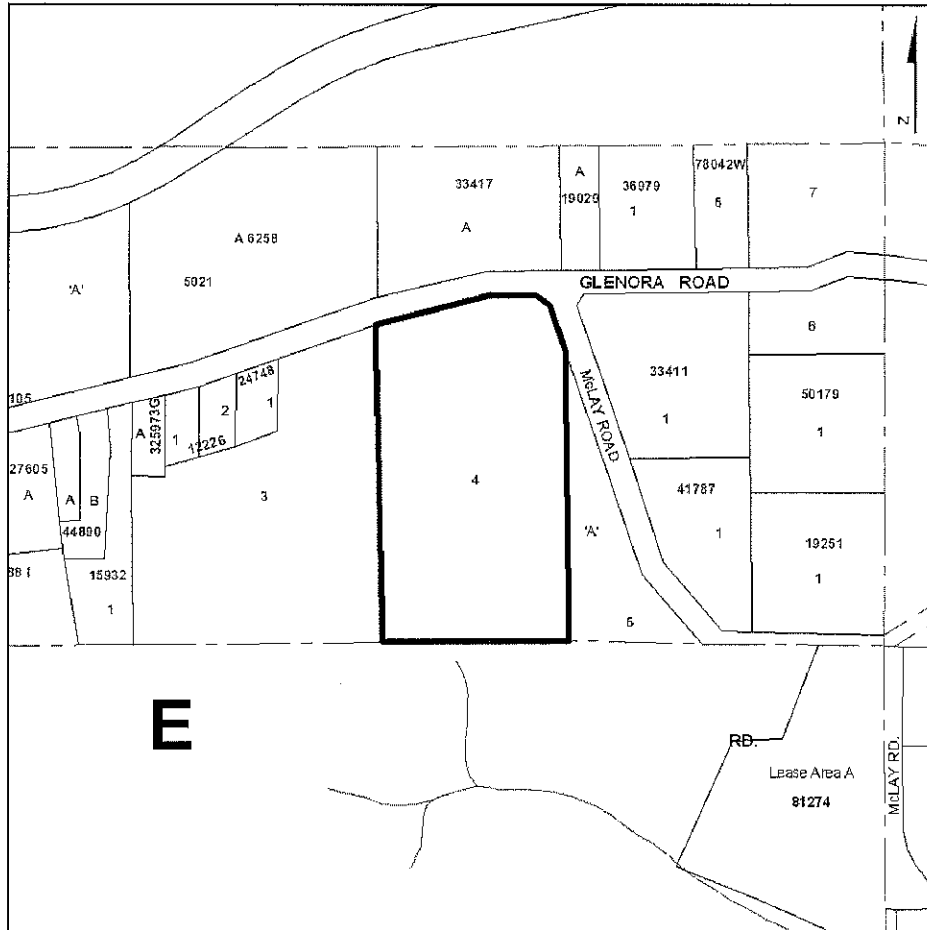
READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

85_____
Corporate Secretary

**SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

Rural Residential (R-1)

TO

Agricultural Market (A-5)

APPLICABLE

TO ELECTORAL AREA E



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW No. 3540**

A Bylaw to Establish Development Approval Information Requirements and Procedures

WHEREAS Section 920.01 of the *Local Government Act*, hereafter referred to as the "Act", as amended, empowers the Regional Board to designate in an Official Community Plan areas and prescribe circumstances in which development approval information may be required from an applicant for an amendment to a zoning bylaw, a development permit or a temporary commercial or industrial use permit;

AND WHEREAS Section 920.1 of the *Local Government Act* establishes that the CVRD may, by bylaw, establish the procedures and policies on the process for requiring development approval information and the substance of the information that may be required;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3540 - Development Approval Information Bylaw, 2011**".

2. **DEFINITIONS**

"Applicant" means a person who applies for:

- i) An amendment to a zoning bylaw under Sections 903 or 904 of the *Local Government Act*;
- ii) A development permit under Section 920 of the *Local Government Act*; or
- iii) A temporary commercial or industrial use permit under Section 921 of the *Local Government Act*.

"Appropriate Professional" means any professional listed in the table in paragraph 10 that has expertise in the subject matter about which an Applicant may be required to provide a report under this Bylaw.

"Fish Habitat" means aquatic environments, whether marine or freshwater, that either are riparian areas pursuant to the *Riparian Areas Regulation* or are fronting on the seashore or an estuary.

"Officer" means an employee of the Cowichan Valley Regional District who has been delegated the duty of determining whether Development Approval Information is required.

"Wildlife Habitat" means an area where any red or blue listed species, as specified by the British Columbia Conservation Data Centre, are known to frequent.

3. DESIGNATION OF DEVELOPMENT APPROVAL INFORMATION AREAS

Where an Official Community Plan identifies land in an electoral area within the Cowichan Valley Regional District as being an area for which development approval information may be required, the procedures and policies for requiring such information and the substance of such information are set out in this bylaw.

4. APPLICATION THAT MAY NECESSITATE DEVELOPMENT APPROVAL INFORMATION

The requirements of this bylaw apply to lands that are the subject of one of the following types of land use application:

- (a) An amendment to a zoning bylaw under Section 903 of the *Local Government Act*;
- (b) A Development Permit under Section 920 of the *Local Government Act*;
- (c) A Temporary Use Permit under Section 921 of the *Local Government Act*;

Within these areas, an Officer of the Cowichan Valley Regional District, upon receipt of an application, shall determine whether and to what extent development approval information will be required in accordance with this bylaw.

5. PROVISION OF INFORMATION

Where development approval information is to be provided, the information shall be provided by the Applicant, at the Applicant's expense, in the form of a report prepared by the appropriate professional as set out in the table included within section 11 to the Cowichan Valley Regional District within 120 days of the Applicant receiving a written request from the Cowichan Valley Regional District to provide a report.

6. TRANSPORTATION PATTERNS

If an Officer of the Cowichan Valley Regional District requires information in the form of a report related to transportation patterns, including traffic flow, the report must:

- (a) Estimate the number of additional motor vehicle trips per day to be generated by the proposed development and, in the case of phased development, by each phase of the development;
- (b) Provide an analysis of the proposed development's impact on existing public highways identified in the Official Community Plan receiving the increased traffic circulation, including vehicular capacity of the road, size and configuration of intersections, turning lanes, merging lanes, traffic lights and pullout areas;
- (c) Provide an analysis of the impact of the traffic to be generated by the proposed development on nearby and adjacent uses of the land;
- (d) Provide an analysis of the impact of the traffic to be generated by the proposed development on areas where there may be conflict with vehicles, including, without limitation, paths or walking trails and train crossings and other intersection points;
- (e) Provide onsite parking and loading requirements and identify internal circulation routes of the proposed development;

- (f) Provide a breakdown of traffic flows associated with the proposed development as follows:
 - i) Weekday and weekend traffic rates;
 - ii) Peak morning and evening traffic rates;
 - iii) Different rates associated with different land use activities;
 - iv) Percentage of in and out flows;
- (g) Identify any highway upgrading, reconstruction, reconfiguration or expansion to the highways referred to in Section 6(b) that may be necessary in order to accommodate the additional vehicle trips per day to be generated by the proposed development, including the construction of or alterations to intersections, turning lanes, merge lanes, traffic lights and pullout area and their cost and potential funding sources;
- (h) Provide solutions to possible traffic problems in addition to those described in Section 6(g), including, without limitation, opportunities for facilitating mass transit, rail passenger services and access by alternative highways; and
- (i) Have content and form suitable to the Ministry of Transportation and Infrastructure.

7. SEWER, WATER AND DRAINAGE INFRASTRUCTURE

If an Officer of the Cowichan Valley Regional District requires information in the form of a report relating to the impact of development on local infrastructure, the report must:

- (a) Have regard for servicing strategies and policies that may be contained within the Official Community Plan;
- (b) Estimate the demand to be generated by the proposed development for water, and in the case of phased development, by each phase of the development;
- (c) Provide an analysis of existing community water systems and the options available for the supply and delivery of water to the proposed development, in consultation with the water purveyor;
- (d) Provide an analysis of existing community sewer systems if any, and the options available for the treatment and disposal of sewage from the proposed development;
- (e) Estimate the amount of additional surface drainage that would be generated by the proposed development and the options available for on-site retention/absorption, collection, storage and dispersal of such drainage;
- (f) Identify any possible deficiencies of the current water, sewer and drainage systems in dealing with the proposed development; and
- (g) Identify the new capital works required for the proposed development for water, sewer and drainage systems and their cost and the potential funding sources for these expenditures.

8. ENVIRONMENTAL IMPACT ASSESSMENT

If an Officer of the Cowichan Valley Regional District requires information in the form of a report relating to the impact of development on the natural environment, the report shall:

- (h) Have regard to the environmental goals, objectives and policies within the Official Community Plan;
- (i) Identify on the site of the proposed development any of the following physical features, both surface and subsurface:
 - i) Wet lands and bogs;
 - ii) Streams, creeks or rivers, either permanent or intermittent;
 - iii) Lakeshore regions;
 - iv) Foreshore regions;
 - v) Steeps slopes;
 - vi) Flora and fauna;
 - vii) Groundwater - quality and quantity;
 - viii) Fish and Wildlife Habitat;
 - ix) Wildfire hazard interface areas;
 - x) Soil conditions;
 - xi) Surface water drainage patterns; and
 - xii) Bedrock.
- (j) Estimate the volumes of surface drainage waters that would be directed to watercourses and the methods to be used to ensure that contaminants are not released into these waters as a result of the proposed development, and in the case of phased development, each phase of the development;
- (k) Examine the proposed development's impact on the discharge of surface drainage waters in relation to Fish Habitats;
- (l) Examine the potential for the slipping of soil, sand or silt into water courses as a result of the construction of buildings and structures and the installation of paved areas and the removal of trees and other vegetation in connection with the proposed development;
- (m) Examine the impact of the proposed development on the forest, if any, including the trees and under storey, by determining the number and type of trees and type and extent of vegetation, which would be removed to accommodate the proposed development;
- (n) Examine the impact of the proposed development on the Fish and Wildlife Habitat, if any, and alteration of the native fauna associated with such habitat;
- (o) Examine the impact of any proposed road and bridge construction on the watercourses and the banks of such watercourses;
- (p) Provide a plan of revegetation to be undertaken by the Applicant during and following the construction of the proposed development to preserve disturbed soils, prevent erosion and sloughing and restore native flora;
- (q) Examine the site's natural environmental features;
- (r) Examine how the proposed development may impact the environment on the site of the proposed development and adjacent properties;
- (s) Examine how the Applicant proposes to mitigate any potential impacts on the environment; and
- (t) Identify how the Applicant intends to ensure that no foreign materials enter into any water courses, including, without limitation, greases, oils, gasoline, sediments and other contaminants during and after the construction phase of the proposed development.

9. COMMUNITY SERVICES, PUBLIC FACILITIES AND PARKS

If an Officer of the Cowichan Valley Regional District requires a report containing information relating to community services and public facilities, including schools and parks, the report must:

- (u) Consider any goals, objectives and policies contained within an Official Community Plan respecting community services, public facilities and parks;
- (v) Identify the local community services that would be affected by the proposed development including, without limitation, any of the following: the provision of public safety services, including but not limited to: fire, ambulance and police, health care, community meeting space, indoor recreation facilities, outdoor recreational facilities and services;
- (w) Examine the potential financial impacts of the proposed development on the existing community services and public facilities;
- (x) Examine the impact of the proposed development on the number of users of existing community services and public facilities;
- (y) Outline any potential costs and identify possible strategies to mitigate against the potential impacts, including, an outline of the potential funding sources for the provision of additional community services and public facilities that may be required as a consequence of the proposed development, and make recommendations in that regard.

10. OTHER INFORMATION

If an Officer of the Cowichan Valley Regional District requires a report containing information relating to heritage resources, archaeological resources, agricultural resource lands, forestry resource lands, local employment opportunities, energy conservation and reduction of greenhouse gases, the report must:

- (a) Have regard for any goals, objectives and policies within an Official Community Plan related to heritage resources, archaeological resources, agricultural resource lands, forestry resource lands, local employment opportunities, energy conservation and reduction of greenhouse gases;
- (b) Identify any potential impacts of the proposed development upon heritage resources, archaeological resources, agricultural resource lands, forestry resource lands, local employment opportunities, energy conservation and reduction of greenhouse gases;
- (c) Examine ways in which any negative impacts on these matters may be mitigated and make recommendations in that regard.

11. APPROPRIATE PROFESSIONALS

The required development approval information must be prepared by an appropriate professional as outlined in the table below:

| TYPE OF INFORMATION | CONSULTANT |
|--|---|
| Transportation | Traffic Engineer (P. Eng.) |
| Local Infrastructure (Water, Sewer, Drainage) | Civil Engineer (P. Eng.) |
| Natural Environment | Registered Professional Biologist (R.P. Bio) Hydrological Engineer (P. Eng.) Geotechnical Engineer (P. Eng.) Professional Geologist or Geoscientist (P. Geo.) Member of Canadian Institute of Planners (MCIP) Registered Professional Forester (RPF) Architect (MAIBC) Landscape Architect (BCSLA) Professional Agrologist (P. Ag.) |
| Public Facilities and Community Services | Member of Canadian Institute of Planners (MCIP) Architect (MAIBC) Civil Engineer (P. Eng.) |
| Archaeological Assessment | Professional Archaeologist acceptable to the local first nation(s) |
| Forestry Resource Lands | Registered Professional Forester (RPF) Member of Canadian Institute of Planners (MCIP) |
| Agricultural Resource Lands | Professional Agrologist (P. Ag.) Member of Canadian Institute of Planners (MCIP) |
| Energy Conservation, GHG Reduction | Bachelor's degree in a related scientific field |
| Employment | Bachelor's degree in Economics, Demography or Economic Development Member of Canadian Institute of Planners (MCIP) |

12. MAPPING

If a report includes text and maps, the maps are to be drawn at a scale of 1:2000 or, with the prior approval of the Cowichan Valley Regional District, at a scale of 1:5000.

13. ACCEPTANCE OF REPORT

- (1) Within 60 days of receiving a report from an Applicant, the Cowichan Valley Regional District will decide whether the report is complete.
- (2) If the Cowichan Valley Regional District decides a report is incomplete or deficient it will notify the Applicant in writing of the nature of the deficiencies within 20 days of the determination under (1) above and the Applicant must resubmit the corrected report within 40 days of the Cowichan Valley Regional District's notification that the report is incomplete or deficient.

14. DISTRIBUTION OF REPORT

The Cowichan Valley Regional District may distribute a report to any person and publicize the results of a report.

15. SEVERANCE

If any section, subsection, sentence, clause, definition, phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the bylaw.

16. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3544

A Bylaw to Establish Advisory Planning Commissions Within the Cowichan Valley Regional District

WHEREAS Section 898(2) of the *Local Government Act* allows the Regional Board to establish one or more advisory planning commissions for one or more electoral areas or portions of an electoral area;

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

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

1. CITATION

This bylaw may be cited for all purposes as the "CVRD Bylaw No. 3544 - Advisory Planning Commission Establishment Bylaw, 2011".

2. DEFINITIONS

In this bylaw:

"**APC**" means Advisory Planning Commission;

"**Board**" means the Board of Directors of the Cowichan Valley Regional District;

"**Commission**" means an Advisory Planning Commission established pursuant to this bylaw;

"**Community Plan**" means an Official Community Plan defined under the Local Government Act or an Official Settlement Plan adopted prior to December 2, 1985;

"**Joint APC Meeting**" means a joint Advisory Planning Commission meeting composed of Advisory Planning Commission members of Electoral Area A – Mill Bay Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill;

"**Director**" means a member of the Board of Directors of the Cowichan Valley Regional District;

3. ESTABLISHMENT AND APPOINTMENT OF THE COMMISSION

1. An Advisory Planning Commission is established for each Electoral Area:
 - Electoral Area A – Mill Bay/Malahat
 - Electoral Area B – Shawnigan Lake
 - Electoral Area C – Cobble Hill
 - Electoral Area D – Cowichan Bay
 - Electoral Area E – Cowichan Station/Sahtlam/Glenora
 - Electoral Area F – Cowichan Lake South/Skutz Falls
 - Electoral Area G – Saltair/Gulf Islands
 - Electoral Area H – North Oyster/Diamond
 - Electoral Area I – Youbou/Meade Creek
2. The Board, by resolution, shall appoint members to the Advisory Planning Commission on the recommendation of the Electoral Area Director.
3. At least two-thirds of the members of an Advisory Planning Commission for an Electoral Area or part thereof shall be residents of that electoral area.
4. The Electoral Area Director and Alternate Director are not eligible to be members of the Commission but may attend a meeting of the Commission in a resource capacity.
5. In making appointments to the Commissions, the Board shall attempt to ensure that the membership is balanced to represent a cross-section of the people and geographic zones in its area of jurisdiction.
6. Each Commission shall consist of not more than fifteen (15) members.
7. Advisory Planning Commission appointments may be for terms of up to three (3) years expiring on November 30th.
8. No term of appointment shall extend beyond the three (3) year term of the Electoral Area Director unless re-appointed by the Regional Board.
9. The Board shall have the power by an affirmative vote of not less than two-thirds (2/3) of the Directors to remove any member from a Commission at any time.
10. In the event of the resignation or death of a member of the Commission, the Board may appoint by recommendation of the Electoral Area Director, a successor to serve the balance of the term of appointment.
11. Advisory Planning Commission members shall serve without remuneration but they may be paid reasonable and necessary expenses that arise directly out of the performance of their duties.

4. REFERRALS TO THE COMMISSION

1. The Board or an Electoral Area Director of the Board may refer matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*, to an Advisory Planning Commission in order that it may advise the Board or Electoral Area Director on those matters.
2. The Board or an Electoral Area Director of the Board may refer matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*, to a Joint Advisory Planning Commission Meeting, composed of APC members from Electoral Areas A (Mill Bay/Malahat), B (Shawnigan Lake) and C (Cobble Hill).

5. COMMISSION PROCEDURES

1. The Commission shall elect one (1) of its members as Chairperson, another as Vice-Chairperson to act in the absence of the Chairperson, and a Secretary to take minutes of the meetings and record expenses as well as to perform such other secretarial duties as may be required by the Commission. The Chairperson, Vice-Chairperson and Secretary shall hold these positions for one (1) year or until their successors are elected. Such election shall take place at the first meeting of each new year.
2. In the absence of the Chairperson and Vice-Chairperson or Secretary, the Commission shall elect from the members present a temporary Chairperson or Secretary for the purpose of that meeting only.
3. A majority of an Advisory Planning Commission shall be deemed to be a quorum.
4. A schedule of regular meetings including dates, times and location may be forwarded to the Regional Board at the first meeting of each new year.
5. Extraordinary meetings may be scheduled.
6. Meetings may be held in a public facility at a time which is convenient for the general public to attend.
7. An Advisory Planning Commission shall hear all persons who wish to make representations on matters referred to it by the Board or the Electoral Area Director, and it shall be the responsibility of the Chairperson or Secretary of the Advisory Planning Commission to contact those persons for the purpose of informing them of the date, time and location of the meeting at which they will be heard.
8. Where not otherwise covered in this bylaw, the rules of procedure governing Commission meetings shall be those of the current Procedural Bylaw of the Cowichan Valley Regional District.
9. Within fourteen days of a meeting of the Advisory Planning Commission, the Secretary shall forward the minutes of the meeting to the Electoral Area Services Committee of the CVRD.

10. The minutes of the Advisory Planning Commission will be made public after they have been officially received by the Electoral Area Services Committee of the CVRD.

6. PROCEDURES AT JOINT APC MEETINGS

1. At a Joint APC Meeting, the Electoral Area A - Mill Bay/Malahat, Electoral Area B - Shawnigan Lake and Electoral Area C - Cobble Hill Advisory Planning Commissions shall elect from the members present a temporary Chairperson and Secretary for the purpose of that meeting only.
2. Five members from the Advisory Planning Commission within the electoral area subject to an application, and three members from each of the other two electoral areas, shall be deemed to be a quorum.
3. A schedule of regular meetings including dates, times and location may be forwarded to the Regional Board at the first meeting of each new year.
4. Extraordinary meetings may be scheduled.
5. Meetings may be held in a public facility at a time which is convenient for the general public to attend.
6. The Advisory Planning Commissions at a Joint APC Meeting shall hear all persons who wish to make representations on matters referred by the Board or an Electoral Area Director, and it shall be the responsibility of the Chairperson or Secretary of an APC, elected in accordance with Section 5.1 of this Bylaw, to contact those persons for the purpose of informing them of the date, time and location of the meeting at which they will be heard.
7. Where not otherwise covered in this bylaw, the rules of procedure governing Commission meetings shall be those of the current Procedural Bylaw of the Cowichan Valley Regional District.
8. Within fourteen days of a Joint APC Meeting, the Secretary of that Meeting shall forward the minutes of the meeting to the Electoral Area Services Committee of the CVRD.
9. The minutes of the Joint Advisory Planning Commission Meeting will be made public after they have been officially received by the Electoral Area Services Committee of the CVRD.

7. SEVERABILITY

If any section, sentence, clause, phrase, or word of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Bylaw.

8. REPEAL

Advisory Planning Commission Establishment Bylaw No. 2147, 2000, and its amendments, are hereby repealed.

9. ADOPTION

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3547

**A Bylaw to Amend Cowichan Valley Regional District Development
Application Procedures and Fees Bylaw No. 3275**

WHEREAS the Board of Directors of the Cowichan Valley Regional District has adopted a procedures and fees bylaw pursuant to Sections 895 and 931 of the *Local Government Act*, that being CVRD Development Application Procedures and Fees Bylaw No. 3275;

AND WHEREAS the Board of Directors of the Cowichan Valley Regional District believe it to be in the public interest to amend CVRD Development Application Procedures and Fees Bylaw No. 3275 by altering provisions of the bylaw in order to improve its administration following the adoption of a new Community Plan in Electoral Areas A, B and C;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3547 - Procedures and Fees Amendment Bylaw, 2011**".

2. DEFINITIONS

1. CVRD Development Application Procedures and Fees Bylaw No. 3275, 2009 is hereby amended as follows:

- i) That Section 6 is amended by deleting (c) and replacing it with the following:
 - c) Written reports prepared by Planning and Development Department staff shall be submitted to the appropriate Advisory Planning Commission (APC) or more than one APC as specified in an Official Community Plan, for applications for OCP amendments, zoning amendment and for development permit applications (subject to 7 below);
- ii) That Section 7 is amended by adding the following to the list of development permit areas within which staff may issue development permits, under the direction of the General Manager of Planning and Development:
 - d) where a development permit has been applied for in an Agricultural Protection Development Permit Area, or, for a multi-purpose development permit area, where the application is exclusively pursuant to agricultural protection guidelines;
 - e) where a development permit has been applied for in a Marine Riparian Development Permit Area, or, for a multi-purpose development permit area, where the application is exclusively pursuant to marine riparian protection guidelines.

iii) That Schedule B is deleted and replaced by the following:

FEE SCHEDULE - DEVELOPMENT PERMIT

| <u>TYPE OF GUIDELINES</u> | <u>FEE</u> |
|---|---|
| <u>Environmental Protection, Natural Hazard and RAR Guidelines Only:</u> | \$200.00, plus an additional \$200 for each new parcel or dwelling unit proposed |
| <u>Agricultural Protection Guidelines Only:</u> | \$50.00, plus an additional \$50 for each new parcel or dwelling unit proposed |
| <u>Sign Guidelines Only:</u> | \$20.00 for signs less than 1 m ² \$40.00 for signs between 1 and 3 m ² \$100.00 for signs larger than 3 m ² |
| <u>Multiple Family or Intensive Residential Form and Character Guidelines Only:</u> | \$400.00 plus an additional \$200 for each new dwelling unit proposed |
| <u>Commercial or Industrial Form and Character Guidelines Only:</u> | \$400.00 plus an additional \$100.00 for each additional 100 m ² of gross floor area beyond the first 100 m ² |
| <u>All Other Types of Guidelines:</u> | \$200.00 an additional \$200 for each new parcel or dwelling unit proposed |

NOTES:

1. In the cases where environmental or geotechnical reports have been submitted by the applicant as part of an Application, these reports may require an independent review prior to any decision being made on a development permit. The applicant shall be required to pay the Regional District for the estimated costs of the independent review (up to \$5,000.00 maximum) before the review is undertaken.
2. The fees in the above schedule are not cumulative. That is, where a single development proposal is subject to more than one of the guideline categories listed above, the total application fee will be that which would be charged for the most expensive single guideline category.
3. In the event that the application is approved by the Regional Board, a further charge of \$25.00 per parcel shall be payable at the time of, but prior to, issuance of the permit so as to cover the cost of filing notice at the Land Titles office.
4. Where a development permit application also includes a proposed variance, an additional \$200.00 fee is required.

3. FORCE AND EFFECT

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

READ A FIRST TIME this _____ day of _____, 2011

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



NEW BUSINESS SUMMARY

BOARD MEETING AUGUST 3, 2011

- NB1** "CVRD Bylaw No. 3541 – South Cowichan Community Parks Service Amendment Bylaw, 2011", 1st, 2nd and 3rd reading.
- NB2** "CVRD Bylaw No. 3549 – South Cowichan Official Community Plan Amendment Bylaw (Mill Bay Marina), 2011", 1st and 2nd reading. (EASC August 2 recommendation #22.1)



NB1

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3541

**A Bylaw to Amend the South End Parks Service
Establishment Bylaw No. 2232**

WHEREAS the Board of the Cowichan Valley Regional District established the *South End Parks Service* under the provisions of CVRD Bylaw No. 2232, cited as "CVRD Bylaw No. 2232 - South End Parks Service (Electoral Areas A - Mill Bay/Malahat, B - Shawnigan Lake, C - Cobble Hill, and D - Cowichan Bay), Establishment Bylaw, 2001";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable and expedient to change the name of the service from South End Parks to South Cowichan Community Parks and increase the maximum annual tax requisition limit from \$50,000 to \$62,500 of net taxable value of land and improvements in the service area;

AND WHEREAS the Area Directors for Electoral Areas A - Mill Bay/Malahat, B - Shawnigan Lake, C - Cobble Hill and D - Cowichan Bay, have consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3541 – South Cowichan Community Parks Service Amendment Bylaw, 2011**".

2. AMENDMENTS

That CVRD Bylaw No. 2232 be amended by:

(a) That Section 1 – Citation text be deleted and replaced with the following:

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 2232 – South Cowichan Community Parks Service (Electoral Areas A - Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill, and D – Cowichan Bay) Establishment Bylaw, 2001**".

(b) That for assurance, wherever the words "South End" appear in the bylaw that they be deleted and replaced with the words "South Cowichan Community".

- (c) That the words "Fifty Thousand (\$50,000) Dollars", in the first paragraph of Section 5 – Cost Recovery be deleted and replaced with the words "Sixty-Two Thousand Five Hundred Dollars (\$62,500)".
- (d) That "CVRD Bylaw No. 3447 – South Cowichan Community Parks Service Amendment Bylaw, 2011", be repealed and replaced with this bylaw.

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3541 as given Third

Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

_____ day of _____ 2011.

ADOPTED this _____ day of _____, 2011.

Chair

Corporate Secretary



NB2

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3549

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

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Areas A, B and C, that being South Cowichan Official Community Plan Bylaw No. 3510;

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3549 – South Cowichan Official Community Plan Amendment Bylaw (Mill Bay Marina), 2011**".

2. **AMENDMENTS**

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

3. CAPITAL EXPENDITURE PROGRAM

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

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3549

Schedule A, Appendix A to South Cowichan Official Community Plan Bylaw No. 3510 (Mill Bay Village Plan), is hereby amended as follows:

1. That Policy 5.3.3 is replaced with the following:

Notwithstanding Policy 5.3.2, residential use will be permitted on the Mill Bay Marina site (That part of Block "C", Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142) to facilitate re-development of the marina and public access to the waterfront.