



**COWICHAN VALLEY REGIONAL DISTRICT**

**NOTICE OF REGULAR BOARD MEETING**

**DAY: WEDNESDAY**

**DATE: SEPTEMBER 14, 2011**

**TIME: → CLOSED SESSION  
4:15 pm**

**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, SEPTEMBER 14, 2011

4:15 PM – CLOSED SESSION

6:00 PM – OPEN SESSION

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<b>16.</b>	<b><u>QUESTION PERIOD:</u></b>	
a)	Press	
b)	Public	
<b>17.</b>	<b><u>CLOSED SESSION:</u></b>	
	Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.	
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<b>19.</b>	<b><u>ADJOURNMENT:</u></b>	

The next Regular Board meeting will be held October 12, 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, August 3, 2011 at 6:07 pm.

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

**ALSO**

**PRESENT:** Warren Jones, Chief Administrative Officer  
Joe Barry, Corporate Secretary  
Brian Dennison, General Manager  
Engineering & Environmental Services  
Norm Olive, Manager, Capital Projects

**ABSENT:** Director T. Walker

**APPROVAL OF AGENDA**

11-405

It was moved and seconded that the agenda be amended with the deletion of B25 and B26 and the addition of New Business Items:

**NB1** "CVRD Bylaw No. 3541 – South Cowichan Community Parks Service Amendment Bylaw, 2011", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading;

**NB2** "CVRD Bylaw No. 3549 – South Cowichan Official Community Plan amendment Bylaw (Mill Bay Marina), 2011", 1<sup>st</sup> and 2<sup>nd</sup> reading;

and that the agenda, as amended, be approved.

Opposed: Director Morrison

**MOTION CARRIED**

**ADOPTION OF MINUTES**

11-406

It was moved and seconded that the Regular Board Minutes of July 13, 2011 be amended as follows:

**RC1:** be amended to read "...and Jacob Ellis, *and the Chair* met with Steve Thompson...";

**Resolution No. 11-352-9 (f):** be amended to read "Areas of natural forest be allowed to remain on residential lots, and *that* building footprints *be* located in a sensitive manner;"

**Resolution No. 11-352-12 (b):** change "Deloume Road *West*" to read "Deloume Road *North*";

and that the minutes, as amended, be adopted.

**MOTION CARRIED**

**BUSINESS ARISING**

**OUT OF MINUTES** There was no business arising out of the minutes.

**REPORT OF CHAIRPERSON**

The Chair thanked Staff, the Communications Team and the Provincial Government for a splendid opening of the Kinsol Trestle, and a heartfelt thank you to everyone who helped to rehabilitate the historic structure.

**INFORMATION**

**IN1** Director Morrison re: Inaugural Annual General Meeting of the Cowichan Lake and River Stewardship Society.

Director Morrison commented on the Inaugural Annual General Meeting of the Cowichan Lake and River Stewardship Society.

**COMMITTEE REPORTS**

**CR1** The report and recommendations of the Regional Services Committee meeting of July 27, 2011 listing six items were considered.

**11-407** It was moved and seconded:

1. That a letter of support be sent to the Minister of Forests, Lands and Natural Resources 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 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.
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.

**MOTION CARRIED**

11-408

It was moved and seconded:

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.

**MOTION CARRIED**

CR2

The report and recommendations of the Electoral Area Services Committee meeting of August 2, 2011 listing 22 items were considered.

11-409

It was moved and seconded:

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 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 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 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 3<sup>rd</sup> Annual Prawn Festival.**
- 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).**

Opposed: Director Dorey

**MOTION CARRIED**

11-410

It was moved and seconded:

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.

MOTION CARRIED

6:39 pm

Chair Giles declared a potential conflict of interest as her husband had been employed by the applicant for 42 years and currently receives a pension from his former employer. Chair Giles left the Board Room at 6:39 pm.

Vice Chair Kent assumed the Chair.

11-411

It was moved and seconded:

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.

MOTION CARRIED

6:45 pm

Chair Giles returned to the Board Room at 6:45 pm and resumed the Chair.

11-412

It was moved and seconded:

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<sup>1</sup>) and Parcel D (DD 33154<sup>1</sup>) of Said Lot and Except Those Parts in Plans 518RW, 50504 and VIP86314 (PID: 009-346-554), Parcel C (DD 43694<sup>1</sup>) of District Lot 77, Malahat District (PID:009-346-511), Parcel D (DD33154<sup>1</sup>) 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 that building footprints be 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.

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 1<sup>st</sup> and 2<sup>nd</sup> Reading;
2. That South Cowichan Official Community Plan Amendment Bylaw No. 3549 (Mill Bay Marina) be referred to School District 79;
3. That 3<sup>rd</sup> 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.

**MOTION CARRIED**

11-413

*(Amended for original Committee recommendation):*

21. That staff prepare a report regarding a bylaw being drafted that would remove recycling type uses and composting from the Electoral Areas' Light and Heavy Industrial Zones.

**MOTION CARRIED**

Director Hutchins requested that the staff report also be referred to the Regional Services Committee for input from the Municipal Directors.

CR3

The report and recommendations of the Engineering and Environmental Services Committee meeting of July 27, 2011 listing nine items were considered.

11-414

It was moved and seconded:

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.
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.

**MOTION CARRIED**

It was moved and seconded:

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.

**11-415**

**It was moved and seconded that Recommendation No. 4 be referred back to the Engineering & Environmental Services Committee for more information.**

Opposed: Directors Dorey and Duncan

**MOTION CARRIED**

**CR4**

The report and recommendation of the Communications Committee meeting of August 3, 2011 listing one item was considered.

**11-416**

**It was moved and seconded 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.**

**MOTION CARRIED**

## **STAFF REPORTS**

**SR1**

The Staff Report from the Legislative Services Coordinator, Corporate Services, dated July 21, 2011 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 was considered.

- 11-417** It was moved and seconded:
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.
- MOTION CARRIED**
- SR2** The Staff Report from the General Manager, Engineering & Environmental Services dated July 27, 2011 re: South Cowichan ECO Depot – Results of Technical Studies, was considered.
- Following a PowerPoint presentation by the General Manager, Chair Giles provided a brief synopsis of the reasons for establishing a public recycling centre and drop-off facility in the South Cowichan area, and the criteria for choosing the Cameron Taggart site.
- She requested that no further action be taken on the site and recommended to the Board that staff prepare a report to proceed with an opinion referendum regarding the location of the Eco Depot in South Cowichan.
- 11-418** It was moved and seconded that staff prepare a report for the September 14, 2011 Board meeting to proceed with an opinion referendum regarding the location of the ECO Depot in South Cowichan.
- MOTION CARRIED**
- RECESS**  
8:22 pm The Board briefly recessed at 8:22 pm.
- MEETING RECONVENED**  
8:32 pm The Board meeting was reconvened at 8:32 pm.
- BYLAWS**
- B1**  
**11-419** It was moved and seconded that "CVRD Bylaw No. 3509 – Wilmot Road Drainage Service Amendment Bylaw, 2011", be adopted.
- MOTION CARRIED**
- B2**  
**11-420** It was moved and seconded that "CVRD Bylaw No. 3518 – Lambourn Estates Water System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.
- MOTION CARRIED**
- B3**  
**11-412** It was moved and seconded that "CVRD Bylaw No. 3519 – Fern Ridge Water System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.
- MOTION CARRIED**

**B4  
11-413** It was moved and seconded that "CVRD Bylaw No. 3521 – Cherry Point Water System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B5  
11-414** It was moved and seconded that "CVRD Bylaw No. 3522 – Kerry Village Water System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B6  
11-415** It was moved and seconded that "CVRD Bylaw No. 3523 – Youbou Water System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B7  
11-416** It was moved and seconded that "CVRD 3524 – Sentinel Ridge Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B8  
11-417** It was moved and seconded that "CVRD 3525 – Lambourn Estates Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B9  
11-418** It was moved and seconded that "CVRD 3526 – Cowichan Bay Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B10  
11-419** It was moved and seconded that "CVRD 3527 – Twin Cedars Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B11  
11-420** It was moved and seconded that "CVRD 3528 – Cobble Hill Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B12  
11-421** It was moved and seconded that "CVRD 3529 – Maple Hills Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B13  
11-422** It was moved and seconded that "CVRD 3530 – Shawnigan Beach Estates Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B14  
11-423** It was moved and seconded that "CVRD 3531 – Kerry Village Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B15  
11-424** It was moved and seconded that "CVRD 3532 – Youbou Sewer System Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B16  
11-425** It was moved and seconded that "CVRD Bylaw No. 3537 – Shawnigan Creek Cleanout and Drainage Service Establishment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B17  
11-426** It was moved and seconded that "CVRD Bylaw No. 3538 – Cobble Hill Drainage System Service Merger Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B18  
11-427** It was moved and seconded that "CVRD Bylaw No. 3539 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B19  
11-428** It was moved and seconded that "CVRD Bylaw No. 3542 – North Oyster Fire Halls Debt Repayment Service Establishment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

Opposed: Director Dorey

**MOTION CARRIED**

**B20  
11-429** It was moved and seconded that "CVRD Bylaw No. 3543 – North Oyster Fire Halls Construction Loan Authorization Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

Opposed: Director Dorey

**MOTION CARRIED**

**B21  
11-430** It was moved and seconded that "CVRD Bylaw No. 3548 – Kerry Park Recreation Centre Reserve Fund Expenditure Bylaw (Sewer Upgrades), 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B21  
11-431** It was moved and seconded that "CVRD Bylaw No. 3548 – Kerry Park Recreation Centre Reserve Fund Expenditure Bylaw (Sewer Upgrades), 2011", be adopted.

**MOTION CARRIED**

**B22  
11-432** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3453 – Area A – Mill Bay/ Malahat Official Community Plan Amendment Bylaw (Mill Bay Marina), 2010", not be proceeded with.

**MOTION CARRIED**

**B23  
11-433** It was moved and seconded that 3<sup>rd</sup> reading of "Cowichan Valley Regional District Bylaw No. 3454 – Area A – Mill Bay/ Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010", be RESCINDED.

**MOTION CARRIED**

**B24  
11-434** It was moved and seconded that 2<sup>nd</sup> reading of "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011" be RESCINDED.

**MOTION CARRIED**

**B24  
11-435** It was moved and seconded that "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011", be amended in accordance with recommendation from the EASC meeting of August 2, 2011.

Opposed: Director Morrison

**MOTION CARRIED**

**B24  
11-436** It was moved and seconded that "CVRD Bylaw No. 3536 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Alderlea Farm), 2011", be granted 2<sup>nd</sup> reading as amended.

Opposed: Director Morrison

**MOTION CARRIED**

**B25** Deleted at the Adoption of the Agenda.

**B26** Deleted at the Adoption of the Agenda.

**B27  
11-437** It was moved and seconded that "CVRD Bylaw No. 3547 – Procedures and Fees Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B27  
11-438** It was moved and seconded that "CVRD Bylaw No. 3547 – Procedures and Fees Amendment Bylaw, 2011", be adopted.

**MOTION CARRIED**

**NEW BUSINESS**

**NB1**  
**11-439** It was moved and seconded that "CVRD Bylaw No. 3541 – South Cowichan Community Parks Service Amendment Bylaw, 2011", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**NB2**  
**11-440** It was moved and seconded that "CVRD Bylaw No. 3549 – South Cowichan Official Community Plan Amendment Bylaw (Mill Bay Marina), 2011", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

**RESOLVING INTO  
CLOSED SESSION**

**11-441**  
**9:00 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, Subsections (1) (j) FOIPOP, and (1) (e) Land Acquisition.

**MOTION CARRIED**

**RISE FROM  
CLOSED SESSION**

**11-447**  
**9:30 pm** It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

**MOTION CARRIED**

**ADJOURNMENT**

**11-448**  
**9:30 pm** It was moved and seconded that the Special Board meeting be adjourned.

**MOTION CARRIED**

The meeting adjourned at 9:30 pm.

Certified Correct:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary

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

D1

### Request to Appear as a Delegation

#### Meeting Information

Request to Address:

CVRD Board

Committee

If Committee, specify the Committee here:

Meeting Date:

Meeting Time:

#### Applicant Information

Applicant Name:

Representing:

(Name of organization if applicable)

As:

(Capacity / Office)

Number Attending:

#### Applicant Contact Information

Applicant Mailing Address:

Applicant City:

Applicant Telephone:

Applicant Fax:

Applicant Email:

#### Presentation Topic and Nature of Request:

I am presenting a petition from the people of Shawnigan Lake and surrounding areas to stop the smart meter installations and give the reasons why.

**D2****Request to Appear as a Delegation****Meeting Information**

Request to Address:

 CVRD Board Committee

If Committee, specify the Committee here:

Meeting Date:

Meeting Time:

**Applicant Information**

Applicant Name:

Representing:

(Name of organization if applicable)

As:

(Capacity / Office)

Number Attending:

**Applicant Contact Information**

Applicant Mailing Address:

Applicant City:

Applicant Telephone:

Applicant Fax:

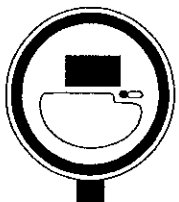
Applicant Email:

**Presentation Topic and Nature of Request:**

Presentation will provide an overview of BC Hydro's Smart Meters and the Smart Metering Program and address concerns and misconceptions.

(form submitted by Karla Louwers,  
karla.louwers@bchydro.com)





# UNDERSTANDING RADIO FREQUENCY AND BC HYDRO'S SMART METERS

Safety is one of BC Hydro's top priorities and is an important focus of the Smart Metering Program. After decades of research, there are no demonstrable health or environmental effects from exposure to low level radio frequency signals.

Here are the facts about smart meters and their low level radio frequency:

**Smart meters are active for an average of one minute per day.**

Residential smart meters are active for a total average of one minute per day, which includes the relay of information that may be required for data transmission and coordination between meters. In fact, the exposure to radio frequency from a smart meter—over its entire 20-year life span—is equal to a single 30 minute cell phone call.

**Smart meters communicate using very low power signals.**

Unlike other wireless infrastructure, smart meters use very low power signals—about one watt. This is less than 2 microwatts per square centimetre ( $\mu\text{W}/\text{cm}^2$ ) when standing adjacent to the meter.

**Radio frequency signal strength goes down quickly with distance.**

Smart meters are installed outside customer homes and the power density reduces with distance. Three meters from the smart meter, the radio frequency signal drops to less than 0.5 per cent ( $0.005 \mu\text{W}/\text{cm}^2$ ) of the Health Canada exposure limits.

In high-density residential complexes, like apartment buildings, the meters communicate with each other using collaborative network technology. Due to the closeness of meters within the meter bank, the cumulative effect peaks at just two times the power density of a single meter. This is equal to spending four minutes in a wireless internet café over one year.

**Smart meter signals are far lower than some of the strictest thresholds in the world.**

Europe has some of the world's strictest radiofrequency regulations. Switzerland, for example, has a precautionary limit of  $4.5 \mu\text{W}/\text{cm}^2$  for highly sensitive areas like schools and hospitals. In comparison, BC Hydro smart meter signals—at the same distance of 20 centimetres (8 inches)—are less than  $2 \mu\text{W}/\text{cm}^2$ .

**Existing meter boxes act like a reflective shield.**

Existing meter boxes, the socket where smart meters are installed, act like a reflective shield that further directs smart meter radio frequency signals away from the home.

**Like smart meters, collectors use lower power, infrequent, short signals.**

Collectors, which receive data from smart meters and send it to BC Hydro, are mounted on existing utility poles 5.5 to 7.5 metres (18 to 24 feet) off the ground and are inactive 99 per cent of the time. The collector also uses extremely low power—about one watt.

**BC's health authorities confirm that smart meters pose no known health risk or reason for concern.**

Dr. Patricia Daly and Dr. John Blatherwick, the current and previous Chief Medical Health Officers for Vancouver Coastal Health, confirm there is no known health risk and no reason for concern over radio frequency from normal cell phone usage. BC Hydro's smart meters operate at a much lower power than an average cell phone.

*"Some 25,000 scientific pieces have been published on the subject over the past 30 years. Based on a recent in-depth review of the scientific literature, the World Health Organization concluded that there is no evidence to conclude that exposure to low level electromagnetic fields is harmful to human health."*

- Dr. John Blatherwick

## ADDITIONAL RESOURCES

### Electric Power Research Institute

An Investigation of Radiofrequency Fields Associated with the Itron Smart Meter - December 2010

[http://my.epri.com/portal/server.pt?Abstract\\_id=00000000001021126](http://my.epri.com/portal/server.pt?Abstract_id=00000000001021126)

### California Science Council on Science and Technology

Health Impacts of Radio Frequency from Smart Meters - January, 2011

<http://www.ccst.us/publications/2011/2011smartA.pdf>

### Edison Electric Institute (EEI), Association of Edison Illuminating Companies (AEIC), Utilities Telecom Council (UTC)

A Discussion of Smart Meters and RF Exposure Issues

[http://www.aeic.org/meter\\_service/smartmetersandrf031511.pdf](http://www.aeic.org/meter_service/smartmetersandrf031511.pdf)

### University of Ottawa Wireless Communications and Health

Frequently Asked Questions

<http://www.rfcom.ca/faq/index.shtml>

### International Commission on Non-Ionizing Radiation Protection (ICNIRP)

Exposure to high frequency electromagnetic fields, biological effects and health consequences (100 kHz-300 GHz) - 2009

<http://www.icnirp.de/documents/RFReview.pdf>

### World Health Organization

EMF Worldwide Standards Database

<http://www.who.int/docstore/peh-emf/EMFStandards/who-0102/Worldmap5.htm>

### Switzerland Federal Office for the Environment

Non-ionizing Radiation Information, Technical Reports, and Ordinance

<http://www.bafu.admin.ch/elektromog/01079/index.html?lang=en>

### Institute of Electrical and Electronics Engineers (IEEE)

IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz (C95.1-2005)

<http://standards.ieee.org/findstds/standard/C95.1-2005.html>

### Health Canada

Safety Code 6 - August 2009

[http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio\\_guide-lignes\\_direct-eng.php](http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php)

### Industry Canada

Canadian Table of Frequency Allocations

[http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/spectrallocation-08.pdf/\\$FILE/spectrallocation-08.pdf](http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/spectrallocation-08.pdf/$FILE/spectrallocation-08.pdf)

### US Federal Communications Commission

Radio Frequency Safety FAQ - August 2010

<http://www.fcc.gov/oet/rfsafety/rf-faqs.html>

Customers can count on us to continue to provide important Smart Metering Program information.  
Learn more at [bchydro.com/smartmeters](http://bchydro.com/smartmeters) or e-mail us at [smartmeters@bchydro.com](mailto:smartmeters@bchydro.com).

## Smart Metering Program Information for Local Governments

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Communities across the province are increasingly interested in the Smart Metering Program and what it means for them and their customers. The following fact sheet provides some important information about the program.

### **Why is BC Hydro installing smart meters and how will my community benefit?**

Municipalities across the province are struggling with aging infrastructure – and so is BC Hydro. The electricity system has changed very little over the past 50 years and has not kept pace with the rapid growth of technology and other demands on the system. Introducing a smart metering system is a key first step in modernizing BC Hydro's electricity system and that's why smart meters are part of the new global standard for electricity service.

The Smart Metering Program will help to ensure your community and our economy can benefit from safe, reliable and cost-effective power for years to come while keeping rates among the lowest in North America. Modernizing British Columbia's electricity grid will also:

- Get the lights back on faster and more safely during power outages
- Support greater customer choice and control of their own energy use
- Make us more energy efficient by reducing wasted electricity
- Increase customer service options
- Reduce electricity theft
- Support innovative new uses of electricity such as small-scale, local power generation

### **Is the radio frequency from smart meters safe?**

- B.C.'s Provincial Health Officer has confirmed smart meters are safe.
- BC Hydro's smart meters will send data only 4 to 6 times a day – for a total average transmission time of one minute per day.
- Smart meters are equipped with low power radio and the exposure to radio frequency from a BC Hydro smart meter – over its entire 20-year life span – is the equivalent of a single 30-minute cell phone call.
- BC Hydro's smart meters operate at less than half of the radio frequency exposure limit set by Switzerland, which has the most rigorous standards in the world. They also operate at less than 0.05% of Health Canada's Safety Code 6 standards.
- The BC Centre for Disease Control has conducted independent testing on BC Hydro's smart meters at our request, which found the meters to be well below the applicable public limit of power density exposure.

### **Will my information be secure and private?**

- BC Hydro fully complies with or exceeds all federal, provincial, and industry legislation, regulations, and guidelines on security and privacy.
- BC Hydro is subject to the *Freedom of Information and Protection of Privacy Act* which is governed by the B.C. Privacy Commissioner. We are working closely and proactively with the Commissioner's office to ensure all customer data is fully protected.

- Smart meters will collect electricity usage, voltage, and power quality information on an hourly basis only. Smart meters do not capture real time information. Further, there is no customer identification information on the meter and all data is fully encrypted like online banking systems.
- BC Hydro is implementing a "defense-in-depth" security strategy which ensures multiple levels of security and privacy protection, as well as specific protection around every component of the entire smart metering system. This includes techniques of unique key certification, encryption, authentication, data isolation, and more.
- Our security methodology also includes rigorous testing by an independent, professional security services firm.

### **Will my bill go up?**

- The Smart Metering Program delivers \$1.6 billion in benefits over 20 years. This exceeds the cost of the program and helps to keep rates lower for our customers than they would otherwise have been and also helps to keep our rates among the lowest in North America.
- Program benefits come from savings and efficiencies from faster outage restoration, reduced wasted electricity and theft detection. At least 80% of the benefits come from utility operations, so even if customers don't find new ways to conserve, the program will still pay for itself.

### **Are smart meters safe?**

- A primary objective of BC Hydro's smart metering program is to improve public, emergency responder, and employee safety.
- Illegal tampering with meters and, more importantly, directly on the electricity grid is creating increasingly dangerous hazards resulting in public exposure to live high voltage wires, premature transformer failures, and house fires.
- Today, BC Hydro is not aware of outages until customers report them. Smart meters will not only improve outage restoration to our customers, they will also improve safety for BC Hydro field crews during outages.

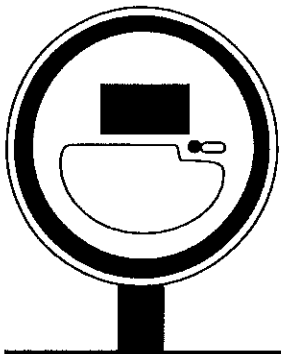
### **Why wasn't I consulted about this program?**

- BC Hydro holds the responsibility for delivering safe, reliable, and cost effective electricity to homes and businesses across the province. Replacing our meters and modernizing our electricity grid are key components in meeting that obligation.
- The BC Utilities Commission retains its oversight mandate and will review the prudence of BC Hydro's decisions and actions in relation to the implementation of the Smart Metering Program. No program costs will be recovered through rates without the oversight and approval of the BC Utilities Commission.

### **When will meter installations begin?**

- Beginning in the summer of 2011, BC Hydro will begin upgrading homes and businesses across the province with new smart meters.

We hope you will find this information useful in addressing any questions or concerns your constituents may have about various aspects of the program. For more information, please visit: [bchydro.com/smartmeters](http://bchydro.com/smartmeters). In addition, customers may contact us at [SmartMeters@bchydro.com](mailto:SmartMeters@bchydro.com).



# EXPLORING OUR CLEAN ENERGY FUTURE SMART METERING PROGRAM

## OVERVIEW

Utilities around the world are upgrading their electricity systems and adopting smart meters to enhance customer service, improve reliability and make their operations more efficient. By 2015, 250 million smart meters will be installed worldwide.

Electricity is the backbone of our economy, but we face the challenge of an aging electricity grid that has changed very little over the past 50 years. This summer, BC Hydro will begin transforming the grid through with the introduction of a smart metering system.

The Smart Metering Program involves replacing existing old fashioned meters with a modern, fully integrated, smart metering system as part of our electricity system infrastructure upgrades. The program is an important step forward in the modernization of BC Hydro's electricity system and will help to ensure that BC Hydro can continue to deliver safe, reliable and cost effective electricity to customers across the province.

The Smart Metering Program will pay for itself through reduced theft of electricity, energy savings and operating efficiencies, delivering \$1.6 billion in total benefits for a net benefit of \$520 million over 20 years. These savings will keep both current and future rates lower than they otherwise would be. In fact, the program reduces current rate pressures by over \$70 million over the next three years.

## CUSTOMER BENEFITS

- **Improved efficiency**—BC Hydro will reduce wasted electricity through voltage optimization and reduce operating costs through efficiencies in areas such as distribution system maintenance..
- **Faster outage restoration**—BC Hydro will be able to pinpoint the location of an outage more quickly and accurately, speeding up the restoration process and reducing costs.
- **Enhanced customer service**—With smart meters there will be no more estimated bills and the moving process for customers will be simplified.
- **Modernizing the system**—The electricity system is the backbone of the economy and needs to keep up with the latest technologies and demands on the system. Smart meters will create new opportunities in the green energy field by enabling innovations such as electric vehicles and small-scale customer generation.
- **Greater customer choice and control**—Families will have access to timely information about their electricity use through a secure web site, mobile applications, and other optional tools.
- **Reduced electricity theft**—Illegal power diversion costs BC Hydro customers—families and businesses— more than \$100 million per year. Smart meters will help us quickly locate and stop electricity theft.
- **Improved worker and public safety**—Smart meters will discourage illegal tampering with electricity wires which cause fires and live wire dangers in neighbourhoods throughout BC.
- **Create temporary jobs**—The installation of the new meters will create approximately 350 jobs and generate \$30–40 million in direct wages.

## SMART METERING PROGRAM

### GRID MODERNIZATION

- Today's electricity grid was designed to support the one-way flow of electricity from a central source to customers. Mechanical meters, which are no longer cost-effective and efficient, are becoming obsolete—much like the rotary phone.
- Smart meters are digital meters that can capture and record the amount of power that is consumed and when.
- All residential and commercial customers will receive smart meters. Some large industrial customers have had smart meters for up to 10 years.

### CUSTOMER SAVINGS

- The Smart Metering Program will provide customers with access to timely information about their electricity consumption through a secure BC Hydro website, mobile applications or optional in-home display devices.
- BC Hydro estimates that customers using in-home feedback tools of their choice will realize up to 6 per cent in energy savings.
- Market research indicates that customers using in-home feedback tools can reduce their energy consumption by up to 15 per cent.

### POSITIVE BUSINESS CASE

- For an investment of \$930 million, the Smart Metering Program will return approximately \$1.6 billion in quantified benefits (in today's dollars).
- Efficiencies that drive the positive business case include: operational efficiencies, energy savings, revenue protection and capacity savings.
- The program will pay for itself within approximately eight years.
- Customers will not see a line item on their bill for their smart meter or its installation – nor will rates increase as a result of this project.
- The BC Utilities Commission will review the prudence of BC Hydro's decisions and actions in relation to the implementation of the program. BC Hydro also provides the BC Utilities Commission with regular updates, in addition to quarterly project reporting.

### SMART METER ACCURACY

- Tests in California and Texas have shown smart meters to be 99.96 per cent accurate.
- Federal regulations from Measurement Canada require that all meters in service in Canada, including new smart meters, are within a 1 per cent accuracy tolerance.

### ECONOMIC OPPORTUNITIES

- BC Hydro's Smart Metering Program will create 350 new jobs and contribute \$30–40 million in direct wages.
- Smart meters will create opportunities for customers and communities to sell power back to the grid from clean energy sources, such as solar panels, wind biomass and geothermal generation.
- The program will also provide the infrastructure to support long-term economic development initiatives such as microgrids, electric vehicles and small-scale customer generation.

### FOR MORE INFORMATION

Please contact [SmartMeters@bchydro.com](mailto:SmartMeters@bchydro.com) or visit [bchydro.com/smartmeters](http://bchydro.com/smartmeters)



**CR1**

**REGIONAL SERVICES COMMITTEE REPORT  
OF SPECIAL MEETING HELD SEPTEMBER 8, 2011**

**DATE:** September 9, 2011

**To:** Chairperson and Directors of the Board

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Your Regional Services Committee reports and recommends as follows:

1. That "CVRD Bylaw No. 3550 – South Cowichan Recycling Facility Opinion Referendum Bylaw, 2011", be forwarded to the Board for consideration of three readings and adoption;
2. That participating area approval for the South Cowichan Recycling Facility Siting Opinion Referendum is to be obtained for the entire proposed service area;
3. That a communications strategy be developed that supports the opinion question process and informs residents on the proposed South Cowichan Eco Depot.



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CR2

**ELECTORAL AREA SERVICES  
COMMITTEE REPORT**

**OF MEETING HELD SEPTEMBER 6, 2011**

**DATE:** September 12, 2011

**To:** Chairperson and Directors of the Board

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Your Electoral Area Services Committee reports and recommends as follows:

1. That the Regional District release restrictive covenant FA100733 from the titles of both Lot A Section 6 Range 3 Quamichan District Plan VIP81545 (PID: 026-778-998) and Lot 1, Section 6, Range 3, Quamichan District, Plan VIP75831 Except that part in Plan VIP81545 , PID: 025-743-694 (Application No. 1-E-05SA/Arrowsmith).
2.
  1. That the *Certificate of Sufficiency* confirming that the petition for inclusion in the Eagle Heights Fire Protection Service Area is sufficient be received.
  2. That CVRD Bylaw No. 1965 be amended to extend the boundaries of the Eagle Heights Fire Protection Service Area to include the following property: Lot 1, Plan # 88052, Section 13, Range 7, Quamichan Land District PID: 028-237-765, Folio. 03346.035
  3. That the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
  4. That Schedule A to the Fire Services agreement with the City of Duncan to provide fire protection to the Eagle Heights Fire Protection Service Area, be amended to include the additional property.
  5. That the Chair and Corporate Secretary be authorized to sign the amended Eagle Heights Fire Protection Services Agreement.
3. That the CVRD proceed with a Request for Proposals for a 2012-2014 Animal Control Contract.
4. That a grant in aid, Electoral Area B – Shawnigan Lake, be given to Shawnigan Residents Association in the amount of \$245 to assist with postage fees for a community information mail out.

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

5. That Rezoning Application No. 1-B-10RS (Walter) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.



6.
  1. That September 8, 2010, Board Resolution No. 10-487(22) be rescinded.
  2. That Application No. 2-C-10DVP by Kevin Lamont for a variance to Section 11.3(b)(3) Zoning Bylaw No. 1405, decreasing the setback to the rear parcel line from 7.5 metres (24.61 ft) to 1.09 metres (3.58 ft) on Parcel A (Being a consolidation of Lots 1 and 2, See FB153508) Block 1475 and Section 13, Range 6, Shawnigan District, Plan VIP81077, be approved subject to:
    - the applicant providing a survey confirming compliance with approved setbacks
    - \$1200 being paid to the CVRD for the purpose of providing a landscaping grant to Cobble Hill School.
  3. That a Section 219 covenant be registered to the title of Parcel A (Being a consolidation of Lots 1 and 2, See FB153508) Block 1475 and Section 13, Range 6, Shawnigan District, Plan VIP81077, which requires:
    - all outdoor storage to discontinue by July 1<sup>st</sup> 2015;
    - the outdoor storage use to provide space for not more than 6 recreational vehicles, trailers, boats or motor vehicles outside the area that is within 15 metres of the water well located adjacent to the Land;
    - the outdoor storage to use diapers and drip pans beneath all such recreational vehicles, trailers, boats or motor vehicles that are stored outside.
7. That Application No. 3-C-11DVP by Gerald and Andrea Pennells respecting Strata Lot 492, Section 14, Range 10, Shawnigan District, Strata Plan 1601, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (PID: 018-513-247) to reduce the setback to the interior side parcel line that abuts common property from 1.4 metres to 0.2 metres, be approved subject to a legal survey confirming compliance with approved setbacks.
8.
  1. That Application No. 1-E-10RS (David Coulson/Urban Edge Properties) proceed to bylaw preparation and that the appropriate amendment bylaws be forwarded to the Regional Board for consideration of first and second reading;
  2. That agency referrals to the Ministry of Transportation and Infrastructure, City of Duncan, Vancouver Island Health Authority, Cowichan Tribes First Nation, Duncan Fire Department, and School District #79 be accepted;
  3. That a Public Hearing be held with Directors Duncan, Iannidinardo, and Dorey named as delegates of the Board.
9. That Application No. 2-E-11DP submitted by Katharine Fisher to authorize trees removed from Parcel B (DD111046-I) of Lot 3, Section 14, Range 6, Quamichan District, Plan 1275 (PID: 007-674-457) and Lot 3, Section 14, Range 6, Quamichan District, Plan 1275, Except Parcel A (DD 90646I) and Parcel B (DD 111046I) Thereof (PID: 004-453-735) be approved, subject to compliance with the recommendations of the Ryzuk Geotechnical engineering report dated January 20, 2011.
10.
  1. That proposed CVRD Development Approval Information (DAI) Bylaw No. 3540 be amended to change the definition of "Officer" to mean the General Manager of Planning and Development, and that proposed Bylaw No. 3540, be forwarded to the Regional Board for consideration of three readings and adoption.
  2. That in-stream Development applications not be affected by proposed DAI Bylaw No. 3540.

11. That new CVRD Building Regulation Bylaw No. 3422 be forwarded to the Regional Board for consideration of three readings and adoption.
12. That Development Permit No. 1-D-08DP, issued to Silver Catch Processing Inc., be renewed until May 10, 2012, and that no further extensions of the development permit be granted.
13. That the Provincial Approving Officer be requested to deny the proposed subdivision of Lots 1 and 2, Block 33, Plan 218A and District Lot 16, Section 1, Range 3, Plan 800, all in Shawnigan District (2080 Cullin Road – File 10-B-10SA) due to it being against the public interest for the following reasons:
  - a. The application proposes a lot configuration and concentration of density along the lakeshore that will discourage successful restoration and protection of the previously damaged Shawnigan Lake riparian buffer and potentially negatively impact Shawnigan Lake;
  - b. The application avoids the higher standard of sewage treatment and disposal intended by provincial regulation for the proposed density and potentially threatens Shawnigan Lake water quality;
  - c. The application relies on frontage exemptions to the majority of the proposed lots to achieve a lot configuration and intensity of use at the lakefront that is not supported by CVRD policy or regulation;
  - d. The application does not provide park land in a location and configuration that achieves community objectives for public lake access;
  - e. The application proposes the subdivision of land beyond the legal boundaries of the three subject parcels and presumes Surveyor General's Office will consent to the adjustment of the natural boundary of Shawnigan Lake to favour the property owners.
14. That the CVRD request the Ministry of Transportation and Infrastructure to exchange the right-of-way marked road on Plan 41254 for additional buffer along Langtry Road to partially address community concerns over proposed gravel extraction in the residential neighbourhood.
15. That the CVRD enter into a conservation covenant with the Shearings in Cobble Hill, with the CVRD as beneficiary, in order to protect a large Douglas fir (a heritage tree) situated on the Shearing Family Farm on Telegraph Road in Cobble Hill.
16. That the CVRD request the Ministry of Transportation and Infrastructure to not open Sangster Road to through traffic until they have completed their Mill Bay traffic study.





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**PARKS COMMITTEE REPORT  
OF MEETING HELD SEPTEMBER 14, 2011**

**DATE:** September 14, 2011

**To:** Chairperson and Directors of the Board

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Your Parks Committee reports and recommends as follows:

1. That the Chair send a letter of support on behalf of the Board to the Governor General Awards Committee in support of community member nominations which recognize contributions to efforts to rehabilitate the historic Kinsol Trestle.



**AGRICULTURAL ADVISORY COMMITTEE REPORT  
OF MEETING HELD SEPTEMBER 13, 2011**

**DATE:** September 12, 2011

**To:** Chairperson and Directors of the Board

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Your Agricultural Advisory Committee reports and recommends as follows:

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

1. That when OCP's and Zoning Bylaws come up for review they be referred to the Agricultural Advisory Committee for review and comment on policies and issues related to agriculture.



STAFF REPORT

REGULAR BOARD MEETING  
OF SEPTEMBER 14, 2011

DATE: September 7, 2011 BYLAW NOS.: 3499  
FROM: Kathleen Harrison, Legislative Services Coordinator, Corporate Services  
SUBJECT: Bylaw No. 3499 - Youbou Street Lighting Service Amendment (Requisition Limit Increase) – Revised Deadline for Responses.

Recommendations/Action:

- 1. That CVRD Board Resolution No. 11-417-1, be rescinded.
- 2. That the attached *Notice of Alternative Approval Process* and *Elector Response Form* for CVRD Bylaw No. 3499, be approved.

Relation to the Corporate Strategic Plan:

The amendment to the Youbou Street Lighting Service is consistent with reliable essential services.

Financial Impact: N/A

Background:

An Alternative Approval Process for Bylaw No. 3499 was launched on August 5, 2011, with a deadline for responses set at 4:30 pm, September 13, 2011. It has been brought to light that there was an error in the calculation table in this notice and therefore the process was postponed. A revised *Notice* and *Elector Response Form* have been prepared that set the deadline for responses for Bylaw No. 3499 at 4:30 pm, Tuesday, October 25, 2011.

Submitted by,

Kathleen Harrison  
Legislative Services Coordinator  
Corporate Services Department

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

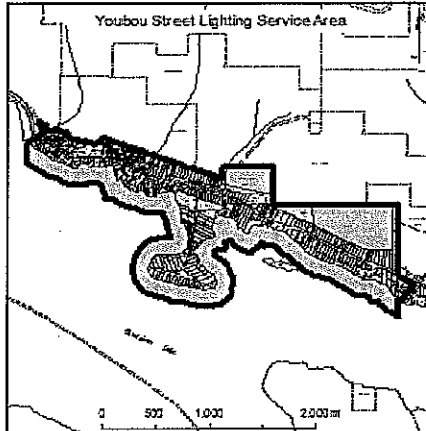
Attachments: Bylaw No. 3499 Notice of Alternative Approval Process  
Bylaw No. 3499 Elector Response Form



**NOTICE TO ELECTORS OF  
ELECTORAL AREA I – YOBBOU/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 fee increases (16% over the next three years) announced by BC Hydro. If the maximum is requisitioned the cost to residential property owners within a portion of Electoral Area I – Youbou/Meade would be \$94.56 per parcel, 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](http://www.cvrld.bc.ca).

Calculation Table

Maximum Annual Contribution to Service	Maximum Annual Cost Per Parcel	Number of Taxable Parcels in the Service Area	Number of Registered Electors in the Service Area	10% of the Electors
\$40,000	\$94.56	423	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, October 25, 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](mailto:kharrison@cvrd.bc.ca), OR on the CVRD website at [www.cvrld.bc.ca](http://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, October 25, 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 \_\_\_\_\_ (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, October 25, 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.





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STAFF REPORT

REGULAR BOARD MEETING  
OF SEPTEMBER 14, 2011

DATE: August 18, 2011  
FROM: Mark Kueber, General Manager,  
Corporate Services Department  
SUBJECT: Permissive Tax Exemption


FILE NO:  
BYLAW NO: 3553

**Recommendation:**

That the CVRD provide tax exemption to the Capital Regional District for 2012 and that Bylaw No. 3553 be forwarded to the Board for consideration of three readings and adoption.

**Relation to the Corporate Strategic Plan:**

Permissive tax exemption is not specifically identified in our Corporate Strategic Plan.

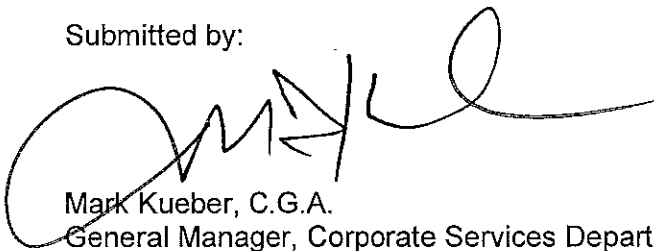
**Financial Impact:** *(Reviewed by Finance Division. )*

The estimated property tax for 2012 to the CVRD is around \$27,500.

**Background:**

Under Section 809 of the Local Government Act the Regional District may provide tax exemption for lands or improvements in an electoral area held by another Regional District that is used principally for public purposes. Section 809 provides that prior to October 31<sup>st</sup> of any year, the Board, by bylaw adopted by two-thirds of the votes cast, may exempt from taxation certain lands and improvements or both for the next calendar year. The Capital Regional District owns two parcels of land within the CVRD that is used as land banked for watershed purposes for future generations of the Lower Island. The Capital Regional District is requesting the CVRD to exempt them from paying 2012 property taxes which is broken down between Provincial, Rural, Police, Hospital, School as well as Regional District. The CVRD provided tax exemption for these two parcels since 2009 which was the first year that this land was owned by the CRD. Prior to 2009 this land was Crown Land, so the CVRD has never received property tax revenue for these parcels. The CRD is also in the process of applying to the Province to have the Regional District Boundaries adjusted so in future years this land would be part of the CRD and this bylaw would not be required.

Submitted by:

  
Mark Kueber, C.G.A.  
General Manager, Corporate Services Department

MK:tk

Attach.

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STAFF REPORT

REGULAR BOARD MEETING  
OF SEPTEMBER 14, 2011

DATE: September 7, 2011 FILE NO:  
FROM: Sharon Moss, Manager, Finance Division BYLAW NO:  
SUBJECT: Appointment of Audit Services 2011-2015


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**Recommendation/Action:**

1. That the Board authorize the Chairperson and the Corporate Secretary to sign the five year agreement appointing BDO Canada LLP as the Cowichan Valley Regional District and Cowichan Valley Regional Hospital District Auditors for the provision of audit services for the years 2011 through 2015.
2. That the Board appoint BDO Canada LLP as auditors for the Cowichan Valley Regional District and Cowichan Valley Regional Hospital for the year 2011.

**Relation to the Corporate Strategic Plan:**

Auditing services from a qualified professional accounting firm assist the CVRD in ensuring accountability in the use of public funds.

**Financial Impact:** (Reviewed by Finance Division: )

The proposed fees from BDO Canada LLP for both the CVRD and CVRHD for 2011 would total \$39,945 before taxes, well under the 2011 approved General Government budget of \$55,000 and below the actual 2010 audit fees of \$46,700. The proposed 2012 fee remains fixed at the 2011 level and each of the remaining three years has a 2% increase.

**Background:**

The firm of Meyers Norris Penny LLP has been providing audit services for the CVRD and CVRHD since 2007 when the firm merged with Hill and Partners LLP. Hill and Partners LLP had been the CVRD and CVRHD auditor since incorporation and at the time of the merger had been appointed as the auditor for a five year term ending December 31, 2010. Staff has been very satisfied with the efficiency, effectiveness, and quality of audit services provided by MNP LLP.

A request for proposals for external audit services for the CVRD and CVRHD was issued August 2011. Four compliant proposals were received and evaluated based on criteria specific to the needs of the CVRD. The criteria included audit experience, audit strategy, price, qualifications, additional services, and added value to the organization. After analysis it was determined that BDO Canada LLP provided the best overall value to the CVRD. Added services, at no cost to the CVRD, include "Public Perception" testing which involves review of Staff and Board expenses, review for conflict of interest situations and other relevant procedures. BDO currently audits four Regional Districts and five Regional Hospital Districts.

.../2

Of a possible 100 points BDO received 94 points with the following fees for the five year engagement before taxes:

	2011	2012	2013	2014	2015	Total
Cowichan Valley Regional District	\$35,600	\$35,600	\$36,300	\$37,000	\$37,800	\$182,300
Cowichan Valley Regional Hospital District	\$4,345	\$4,345	\$4,435	\$4,525	\$4,625	\$22,275
Total	\$39,945	\$39,945	\$40,735	\$41,525	\$42,425	\$204,575

The firm of K.P.M.G. received the next highest points of 87, a difference of 8%. Therefore I am recommending that we accept the auditing proposal from BDO Canada LLP.

Submitted by,

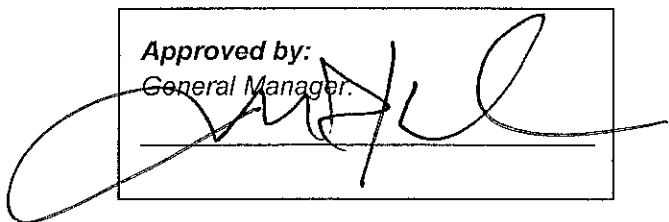


Sharon Moss, C.G.A.  
Manager, Finance Division

SM:tk

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Approved by:  
General Manager.





CVRD

SR4

STAFF REPORT

REGULAR BOARD MEETING  
Of September 14, 2011


DATE: August 30, 2011 FILE NO:  
FROM: Tony Liddle, South Cowichan Facility Operations Coordinator BYLAW NO:  
SUBJECT: Short Term Borrowing for the Capital Purchase of the Kerry Park Sound System

Recommendation/Action:

*That up to a maximum of \$70,000 in short term borrowing for the purchase of sound system replacement equipment and upgrades be approved and that the loan be paid back over five years under the Liability Under Agreement Section of 175 of the Community Charter.*

Relation to the Corporate Strategic Plan:

Establish consistent quality and maintenance standards for CVRD facilities.

Financial Impact: (Reviewed by Finance Division: )

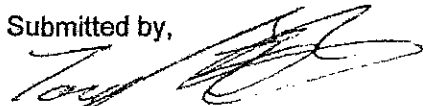
A Sound System replacement and upgrade was included in the 2011 Kerry Park Recreation Centre's Budget. A total of \$70,000 was budgeted in function 411 for the Sound System project to be funded through short term borrowing. Staff has conducted an invitational tender to 4 suppliers, three in the Lower Mainland and one in Victoria. Only one bid was received from the company based in Victoria. The Lower Mainland companies all declined to submit a bid. Pacific Audio Works of Victoria submitted a Bid of \$60,720.87 (before taxes) Pacific Audio Works has a very good reputation and has recently supplied and installed similar sound systems in the Lake Cowichan Arena, Archie Browning Centre and Bear Mountain arenas in Victoria.

Background:


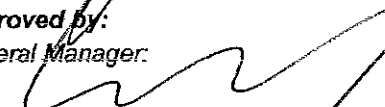
The Kerry Park Recreation Centre's (KPRC) current sound system was installed in the mid 90's which does not meet today's user expectations and we have received many complaints about its poor quality. The current hardware components were not designed to be in an arena type of harsh environment and have began to fail. The current system has limited paging abilities and is in need of major component replacement. The new system will address all of these concerns and is fully scalable to any new redevelopment that may be in KPRC's future. All areas of the facility will be under a paging system in the event of an emergency and new hardware is rated for harsh environment use.

On August 30, 2011 an email poll was sent out to the members of the Kerry Park Recreation Centre Commission and a favorable response was received to support this motion moving forward to the CVRD Board for approval.

Submitted by,



Tony Liddle  
South Cowichan Facilities Operations Coordinator

Reviewed by: Division Manager	
Approved by: General Manager	



SR5

## STAFF REPORT

### BOARD OF DIRECTORS MEETING OF SEPTEMBER 14, 2011

**DATE:** September 1, 2011 **FILE NO:** EDCG  
**FROM:** Geoff Millar, Manager, Economic Development Division **BYLAW NO:**  
**SUBJECT:** Investment Agriculture Foundation of BC and CVRD contract re: 2012 Islands Agriculture Show funding agreement – Project AF002-I0497

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#### **Recommendation/Action:**

The CVRD Board authorizes the CVRD Chair and Corporate Secretary to sign Agri-Food Futures Fund Conditional Grant Agreement Project AF002-I0497 – 2012 Islands Agriculture Show in the amount of \$25,175 and include further necessary agreements to facilitate and present the 2012 Islands Agriculture Show.

#### **Relation to the Corporate Strategic Plan:**

Under Goal #4 of the Corporate Strategic Plan - Viable Economy; Support Agriculture is a primary objective. This includes implementation of the Cowichan Region Area Agricultural Plan Objective 3 (c) Action One: Organize or partner in the organization of a Vancouver Island Agriculture Show which provides a venue for a major trade show, promotion of Island products and provides training through short courses/mini-workshops.

#### **Financial Impact:** (Reviewed by Finance Division: )

Minor expenses in 2011 will be fully recoverable from the grant dollars. The CVRD portion of the partnered dollars will be accounted for in the 2012 budget.

#### **Background:**

The Vancouver Island Agriculture Show 2012 will involve a number of community organizations, agri-businesses and farm organization throughout Vancouver Island. A core committee is in place that includes Economic Development Cowichan (EDC), Comox Valley Economic Development Commission, Port Alberni Economic Development, Farm Credit Canada, BC Ministry of Agriculture and the Islands Forage Committee. The event will take place at the Cowichan Exhibition Park grounds and the lead team for the project will be Economic Development Cowichan.

Cowichan region and Vancouver Island farmers have the opportunity and potential to play a pivotal role in Vancouver Island's food self-sufficiency and provide product to the global marketplace. Research has shown that potential growth is available in a number of sub-sectors including food, horticulture, protein and fodder production.

On the BC Lower Mainland/Fraser Valley, events such as the Pacific Agriculture Show in Abbotsford play an important role in not only linking farmers to resources, education and their peers, but also linking farmers to consumers who want to play a role in the sustainability of their food sources. Farmers rely on these events to discuss and distribute ideas with farmers in other

regions and commodities. This type of opportunity is currently not available on Vancouver Island, therefore engaging the local Island farming community in any meaningful way is difficult if not impossible.

Recent changes in government priorities mean that assistance with coordinating these larger events is no longer available and the Island farming community lacks the capacity to take on this role. This necessitates the need to pull a number of organizations together and contract activities that were once done by Ministry of Agriculture staff.

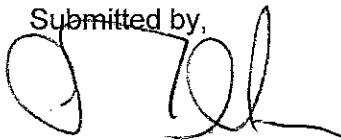
Building on the success and sustainability of the Pacific Agriculture Show, we will present a pilot project that will create a Vancouver Island/Coast Agriculture Show. The show will be a two and a half day event allowing participants to showcase, learn, collaborate and celebrate the agriculture industry on Vancouver Island.

The goals of the show are:

- Improve the capacity of farmers and farm organizations
- Improve profitability of the agriculture sector
- Provide a mechanism for education and technology transfer to farmers
- Provide a linkage of farmer to consumer
- Raise awareness of the importance of the agriculture sector on Vancouver Island
- Be sustainable and repeatable

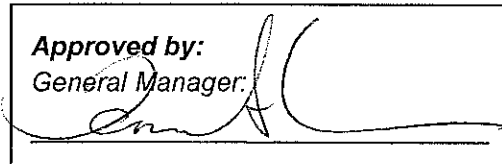
The Islands Agriculture Show will include topics of interest from all commodity groups, Farmers Institutes and independent farmers and growers on Vancouver Island/Coast and the Gulf Islands. It will also endeavour to engage the urban agriculture sector as well as providing a link to consumers and farmers. Farmers attendance is estimated to be 150 +. Government and industry will also be involved to promote their programs such as the BC Ministry of Agriculture Farm Business Advisory Services, Small Scale Food Processors Food Safety Planning workshops and the BC Agriculture Council's Climate Action Plan.

Submitted by,



Geoff Millar, Manager  
Economic Development Division

Approved by:  
General Manager:





SR6

## STAFF REPORT

REGULAR BOARD MEETING  
SEPTEMBER 14, 2011

DATE: September 1, 2011

File No.:0550-05

FROM: Sybille Sanderson, A/ General Manager Public Safety

SUBJECT: CVRD Malahat Fire Rescue Chief Appointment

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### Recommendation:

That the Board of Directors approves the appointment of **Mr. Rob Patterson** as Fire Chief to the CVRD Malahat Fire Rescue for a term to expire December 31, 2012.

**Purpose:** To obtain Board of Director's approval for the appointment of a new Fire Chief for the Malahat Fire Rescue.

**Background:** CVRD Fire Department Bylaws state that "subject to the Position Posting and Eligibility Program for all CVRD fire departments, the Fire Chief, Deputy Fire Chief and Senior ranking officers shall be appointed by resolution of the Regional Board for a 2-year term."

Rob Patterson was interviewed by the A/General Manager of Public Safety, Sybille Sanderson Human Resources Manager, Kate McIntosh and out-going Malahat Fire Chief, Dave Balding.

As it is practice to appoint all the Fire Chiefs at the same time; it is recommended that Mr. Patterson's remaining term as the Malahat Fire Chief position be included in the appointment process with the other CVRD Fire Department Chiefs in the fall of 2012.

Submitted by,

Sybille Sanderson  
A/General Manager, Public Safety

/ge



STAFF REPORT

REGULAR BOARD MEETING  
OF SEPTEMBER 14, 2011

DATE: September 14, 2011 BYLAW No.: 3503  
FROM: Kathleen Harrison, Deputy Corporate Secretary  
SUBJECT: Bylaw No. 3503 - Thetis Island Residents and Ratepayers Association (TIRRA)  
Annual Financial Contribution - Results of Alternative Approval Process.

**Recommendation:**

That the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3503, be received.

**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.

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

**Background:**

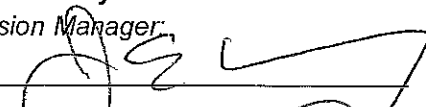
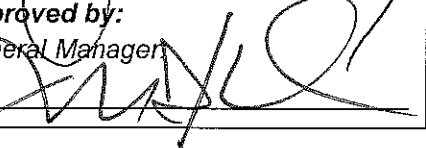
An alternative approval process for obtaining voter approval for the adoption of CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011" was launched August 5, 2011 and expired September 13<sup>th</sup> at 4:30 pm.

As outlined in the attached *Certificate of Results*, One (1) *Elector Response Form* was submitted in opposition to the adoption of the bylaw. Therefore the Board may proceed to adopt Bylaw No. 3503.

Submitted by,

  
Kathleen Harrison  
Deputy Corporate Secretary  
Corporate Services Department

Attachments: Certificate of Results – Bylaw No. 3503

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






**C·V·R·D**

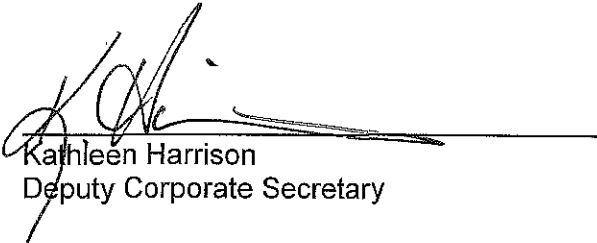
**CVRD Bylaw No. 3503  
Certificate of Results - Alternative Approval Process**

I hereby certify that One (1) *Elector Response Form* was received in opposition to the adoption of "CVRD Bylaw No. 3503 – Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service Establishment Bylaw, 2011", that authorizes the CVRD to provide the Thetis Island Residents and Ratepayers Association (TIRRA) with an annual financial contribution of up to \$40,000 per year to assist TIRRA with costs associated with the operation and collection of solid waste and recycling on Thetis Island.

The total number of eligible electors in the service area to which the Alternative Approval Process applies is estimated at 274.

In accordance with Section 86 (1) of the *Community Charter*, the number of Elector Response Forms received (1) represents less than 10% of the electors in the area to which the Alternative Approval Process applies, and therefore, the Board of Directors of the Cowichan Valley Regional District may proceed to adopt CVRD Bylaw No. 3503.

DATED at Duncan, British Columbia )  
this 14<sup>th</sup> day of September, 2011 )

)  
)   
) Kathleen Harrison  
Deputy Corporate Secretary

Number of Eligible Electors in the Service Area (Municipalities and Electoral Areas)	10% of the Electors	Valid Elector Response Forms Received
274	27	1



**PUBLIC HEARING REPORT**  
**Bylaws No. 3535 and 3536**

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Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3535 and Zoning Amendment Bylaw No. 3536, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Tuesday, August 23, 2011, at the Glenora Community Hall, 3660 Glenora Road, Duncan, B.C. at 7:00 p.m.

**HEARING DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/ Sahtlam/ Glenora  
Director M. Marcotte, Electoral Area H – North Oyster/Diamond  
Director K. Kuhn, Electoral Area I – Youbou/Meade Creek

**CVRD STAFF PRESENT**

Mr. R. Conway, Manager, Planning & Development Department  
Ms. J. Lendrum, Recording Secretary, Planning & Development Department

Members of the Public:  
There were 33 members of the public present.

**CALL TO ORDER**

Director L. Duncan chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD staff present.

Director Duncan further advised:

- The applicants are farmers in the community who live just down the road.
- The applicants got a bit ahead of themselves with their agricultural endeavours as well as the building process.
- Tonight is going to be focused on the zoning of the property. It will be necessary for the zoning to be amended before a building permit is considered to bring the present buildings that they have constructed into compliance with building code.
- The zoning bylaw and community plan are to be amended to accommodate the proposed activities at Alderlea Farm by the bylaws under consideration tonight.
- The public was informed about the importance of running a safe meeting.

**PROCEDURES**

Mr. Conway explained the hearing is undertaken in accordance with Section 890 of the *Local Government Act*. He advised that notice of the Public Hearing was advertised in two consecutive issues of the *Citizen* (Friday, August 12, 2011 and Wednesday, August 17, 2011) and *Leader Pictorial* (Friday, August 12, 2011 and Wednesday, August 17, 2011) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3535 proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490 by:

1. Adding Policy 4.1.21:

The promotion, marketing and sale of locally grown crops are encouraged. Ancillary non-farm uses that are compatible and supportive of agriculture may be considered through site specific zoning amendments.

2. Re-designating lot 4, Section 11, Range 4, Quamichan District, Plan

5021, Except that Part in Plan 33417, from "Rural Residential" to "Agricultural".

Zoning Amendment Bylaw No. 3536 proposes to amend Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 in order to:

- Add a definition for "local farm products";
- Add "processing, storage and retail sales of local farm products" and accessory "food and beverage café" as permitted uses in the Agricultural Market (A-5) zone;
- Remove accessory single family dwelling as a permitted use;
- Reduce the maximum permitted parcel coverage from 60% to 30% and permit an additional 20% lot coverage for greenhouses;
- Add a Condition of Use to the A-5 zone to limit food and beverage café use to 125 m<sup>2</sup> of indoor floor area and 125 m<sup>2</sup> of outdoor patio area and a maximum seating capacity of 65 persons;
- Add a Condition of Use to the A-5 zone to prohibit slaughterhouse, abattoir and stockyard;
- Reduce the minimum parcel size in the A-5 zone from 1.0 ha. to 5.0 ha;
- Re-zone Lot 4, Section 11, Range 4, Quamichan District, Plan 5021, Except that Part in Plan 33417, from Rural Residential (R-1) to Agricultural Market (A-5).

The purpose of Official Community Plan Amendment Bylaw No. 3535 and Zoning Amendment Bylaw No. 3536 is to allow the subject property to be used for the sale of farm products and an accessory food and beverage café.

Mr. Conway stated that ten emails had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, August 23, 2011, at 4:30 p.m. He further advised that copies of the proposed Amendment Bylaws were located on the back table for review.

### Correspondence

The following items were received and are attached to the Minutes as Exhibits:

- 1) Email dated August 2, 2011, from C&D Thompson (EXHIBIT 1)
- 2) Email dated August 19, 2011, from C&M Wunderlich (EXHIBIT 2)
- 3) Email dated August 19, 2011, from A&R Richard (EXHIBIT 3)
- 4) Email dated August 19, 2011, from R Rensing (EXHIBIT 4)
- 5) Email dated August 20, 2011, from D&G Kolenosky (EXHIBIT 5)
- 6) Email dated August 22, 2011, from S,P,I,R Bartram-Amos (EXHIBIT 6)
- 7) Fax dated August 22, 2011, from M&P Moore (EXHIBIT 7)
- 8) Email dated August 23, 2011, from T Mock (EXHIBIT 8)
- 9) Email dated August 23, 2011, from R&P Eldred (EXHIBIT 9)
- 10) Email dated August 23, 2011, from J Larson (EXHIBIT 10)
- 11) Letter dated August 23, 2011, from S McPherson (EXHIBIT 11)
- 12) Letter dated August 22, 2011, from B Woolham Julsing (EXHIBIT 12)
- 13) Letter dated August 23, 2011, from C Zemenick (EXHIBIT 13)
- 14) Letter dated August 23, 2011, from P Stacey (EXHIBIT 14)
- 15) Letter dated August 23, 2011, from L Mimeault (EXHIBIT 15)
- 16) Letter dated August 23, 2011, from S. Lowther & J. Wade (EXHIBIT 16)
- 17) Letter from i Moerman (EXHIBIT 17)
- 18) Letter from R Deerheart (EXHIBIT 18)

### Location of the File

Director Duncan advised that the Information Binder was available for review

on the back table, along with copies of the proposed Amendment Bylaws and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

**APPLICANTS, John  
Alderlea Farms  
(John and Katy  
Ehrlich)**

John and Katy Ehrlich stated the following with regard to Rezoning Application No. 1-E-11 RS:

- Is very appreciative of everyone who came to the meeting.
- Grateful for the opportunity to be able to rezone this property and serve and provide the farm to the community.
- The community is making it possible for this farm to work.

**QUESTION PERIOD**

Director Duncan opened the public question period of the Public Hearing. He stated that the Public Hearing Delegates and staff members could answer questions at this time, and that after the close of the Question Period and the opening of the official Public Hearing there could be no questions taken.

**Sandy McPherson  
5734 Van Koy Road**

- If abattoir uses are excluded, does that include slaughtering for personal use?
- Is this a spot zoning or where in the vicinity are there other A-5 Zones?

**Director Duncan**

- Under the bylaws if someone would like to have a couple of chickens in the back yard then that is not a business, it is not subject to the zoning restrictions.
- Yes, it is a modification of an existing zone.
- A-5 zone (Agricultural Market) is the zone that Dinter's Nursery operates under. There are no other A-5 zoned properties in Area E.
- The A-5 Zone has some uses added to it because that seemed to be the best way to incorporate the uses at Alderlea Farm into the zoning bylaw.

**Michele Favarger,  
4925 Langtry Road  
Rob Conway**

- What does section 7.7 mean?
- This is the section that references accessory single family dwelling.
- The A-5 zone currently has accessory single family dwelling identified as a permitted use.
- The zone also states that any use permitted in the A-1 zone is permitted in the A-5 zoning category.
- The A-1 zone permitted uses also has accessory single family dwelling listed in it.
- As it would be redundant to have accessory single family dwelling identified twice, the amendment bylaw removes one of the overlapping uses.

**Speaker**

- Is it currently in existence?

**Rob Conway**

- Yes.

**Speaker**

- Is this also within the Agricultural Land Reserve (ALR)?

**Rob Conway**

- This property is not in the ALR.
- The ALR boundary is along the south boundary of the property, but the property is not in the Reserve.

**Steve Brown  
5150 Elliott Road**

- There is a maximum of 65 people permitted at the cafe.
- Currently when festivals take place there is a lot of congestion on the

road.

- How is parking and road congestion going to be taken care of?
- Can this application set a precedent for development of agricultural land's other problems that there seems to be at cafes and restaurants, and how will that change agriculture?

**Director Duncan**

- The cafe use is limited and should not interfere with other permitted uses.
- If there is a problem with cars parking on the road, that will have to be dealt with.
- Parking and traffic will have to be dealt with by the business.
- Alderlea Farms will have to have parking for 65 people, which is about 30-35 cars.
- A maximum of 65 people for the cafe was not just a number pulled out of a hat, it is the number that the ALC uses for wineries and cideries.

**Susan Lowther,  
4990 Marshall Road**

- In Glenora there is a baseball diamond, a community hall, and people that have big weddings and other events on their property that sometimes cause short term parking issues that the community just deals with.
- When the baseball field is busy people can park in lots of places, but people generally use common sense.
- If the cafe has 65 people each day, it is not going to be an issue compared to the other things that need to be dealt with.
- This past weekend there was a wedding at the hall and one right across the road, there were cars around, but people just drive slower.

**Director Duncan**

- On Saturday there was a local baseball tournament and there were cars parked all along the road, but that is just what happens from time to time, it is not something to get permission for.

**Frank McCorkell,  
3965 John's Road**

- Some of the houses on Glenora road have "do not park" signs; and that is because people did not want vehicles parked in front of their place.
- The people on Glenora road who have the "do not park signs" went to the Ministry of Highways to get the signs put up.
- If it gets to be a problem and people don't want cars parked in front of their place they could go to the Ministry of Highways or phone them.
- Some signs on Glenora Road have been lifted because people have stopped parking in front of their houses.
- Last weekend's parking issues had to do with a huge tournament and the turn-out was a lot better than expected.
- The two weddings that were mentioned were actually one.
- Also, at the APC meeting it was believed that there would be a 100 mile limit on where the produce would come from, but now it says it could be further, why has this changed?
- On the dwelling of the upper portion of the restaurant that was just built it was suggested that it would be used for farm help instead of building another house, is this still true?

**Director Duncan**

- It is agreed that it is supposed to be a 100 mile local farm practice, but there is a difference of opinion by some Directors who felt that wasn't fair.
- Some Directors want to allow the general sale of produce without a restriction on where it comes from.
- There is contradiction in the bylaw.

**Frank McCorkell**

- Feels it should not be further than the 100 miles.
- Farm stands are for local grown produce under a local environment and

when you start going to Mexico or somewhere else you might as well buy it at Safeway.

- People are not getting the quality that is expected from a farm when the produce is brought in from somewhere else.

**Director Duncan**

- There is confidence that Katy and John understand this even more tonight.

**Director Kuhn**

- Was in favour of extending the 100 mile limit for the produce and the reason for being in favour is because of the particular industry;
- Katy and John would have to basically shut down in the winter and not be able sell anything.
- It becomes too restricted.

**Frank McCorkell**

- Disagree.
- The farm started before this application as a farm growing and selling vegetables that were not going to be stored for a long period of time.
- Believe that Katy and John are quite capable of doing that kind of farming.
- If you say you are buying organic, you want to be buying organic, and if it is not organic, it is wrong.

**Beverly Suderman  
401-341 Ypres St**

- Could you please point out where in the bylaw it says non local produce?

**Director Duncan**

- Section 7(a) sale of agricultural products, plant nursery products and accessory sales of gardening supplies.
- When it says agricultural products it could be of any margin and then further on to qualify agricultural products as being within 100 miles.

**Beverly Suderman  
401-341 Ypres St**

- Basically, a permitted use is the sale of agricultural products?

**Director Duncan**

- Yes, on one hand you can sell anything and on the other hand it also suggests that you are supposed to sell products within 100 miles.
- It is the nature of bylaws designed by the Committee.

**Beverly Suderman**

- Do you need the whole bylaw in order to be able to see all these changes?
- A-5 zoning already states that sales of agricultural products is a permitted use and now is it adding the sale of local farm products and a food and beverage cafe?

**Michele Favarger**

- Could Frank's second question please be repeated?

**Frank McCorkell**

- This is all coming from the APC meeting.
- At the APC meeting things are agreed upon that need to move forward.
- At that meeting it was discussed about another dwelling being built on the property.
- There are quite a few buildings on the front of that property now.
- It was agreed that the structure above the restaurant now could be used for workers if there was a proper permit for it, but that is not in place now.
- Why was the requirement that the additional dwelling be above the cafe taken out?

**Director Duncan**

- Tonight is about correcting or modifying the zoning so that the permitted uses on the property are aligned with what is happening or expected to

happen on the property.

- Before there is a building permit issued, it must have the proper zoning and Katy and John are doing this tonight.
- The first thing Katy and John need to do if the zoning change is approved is bring the second floor and the cafe into compliance with the Building Code.
- There has to be a fire barrier between the upper and lower floor.
- The washroom needs to be upgraded.
- The attic needs to be brought into compliance with Code if it is to provide accommodation for the farm workers.
- There needs to be fire exits and there may be conditions. A Building Inspector will define what they need to do.
- It really doesn't have to do with bylaws it has to do with the further steps that John and Katy are going to take to obtain a building permit.
- After the zoning issues are dealt with John and Katy will contact the Building Inspectors for their next adventure.
- This is going to take time, costs, and steps.

**Sandy McPherson**

- When a bylaw is going through the process of changing, a number of agencies are contacted about whether or not they want to comment.
- Looking at the staff report, the Agricultural Commission has not commented, why is this?
- Also, the Volunteer Fire Department has not commented.
- The Fire Departments usually have something to say or a preference regarding parking or maximum capacity and turn around - do you have any insight on this?

**Director Marcotte**

- Advised she is the chair of the CVRD's Agricultural Commission.
- This application was well into the process prior to there being an active body.
- The Agricultural Commission is very new and only had three or four meetings.
- The Commission is set up and running now.

**Director Duncan**

- The application was referred to the Fire Department; but they have not commented.
- Will need a building permit.
- Will need fire protection.

**Lorna Medd  
4627 Russell Road**

- Can you provide some comfort around the discussion on Section 7.7A?
- It seems if the bylaws change to allow food to be brought in beyond 100 miles, there are no concerns regarding Alderlea Farms because they meet that, but fears the bylaw change might open flood gates to people who might be next to begin importing food in the winter time when we are working hard to build a reputation in the Cowichan Valley to have high quality, local, mostly organic food.

**Director Duncan**

- The best thing to do during the Hearing Process is to comment in regards to that.
- State what your wishes are and that will then be taken into consideration when we look at a third reading of the bylaw.
- If there are several people who suggest the same, we will look to see what can be done and staff will be consulted.
- The point of the meeting tonight is to hear what the public is saying.
- I suggest when we open the hearing, you make a written comment.

- Rob Conway**
- There are some technical requirements of public hearings and changes that can be made to bylaws after a public hearing has happened.
  - One of the requirements is that uses in a bylaw cannot be changed without another public hearing.
  - If the applicants are agreeable in limiting this to farm products tonight, we could change the bylaw without going back to another hearing.
  - It could be added as a restriction to the covenant.
  - In order to avoid another hearing it would be necessary to hear from the applicant if they are agreeable to the change.
- Bev Suderman**
- There are two properties that have A-5 Zoning.
  - A lot of Dinter's products will come from outside the 160 km.
  - It is assumed that Dinter's product pool comes from a broader catchment area and that their plant, trees, hedges is considered an agricultural product, maybe there is another category that covers it?
- Rob Conway**
- A-5 Zoning does permit the sale of agricultural products, plant nursery products, and accessory sales of gardening supplies.
  - The nursery products do that anyways.
  - The advantage of a covenant is that it would apply to only one particular piece of land, the Alderlea Farm property, so local farm products could be done without affecting Dinter's Nursery.
- Bev Suderman**
- What about the winter?
  - We don't grow chocolate, coffee, or wheat, the 100 mile limit is too restrictive.
- Rob Conway**
- Another way to deal with this particular issue would be to limit the sales of agricultural products that are not grown on the property to 50 percent, which the ALC does.
- Bev Suderman**
- That would be good.
- Director Duncan**
- The sale of products produced for the cafe are exempt.
  - It is the sale of the agricultural products that go away in boxes and bags that we are talking about, not prepared products.
- Bev Suderman**
- In the future when John and Katy are ready to move on from their farm and to sell to someone else, the more encumbrances there are on title the larger the handicap even if it is sold to other farmers.
  - Let's be really cautious about the permitted uses are on their property as they are providing for many families and still have a surplus to sell, plus they make donations to the food bank.
  - The next farmer that buys from John and Katy may want to do a different kind of farming and it would be nice to make it easy for the next farmer to buy and it makes it more likely that John and Katy will be able to sell quicker with fewer encumbrances on title.
  - At that point in their lives they will have worked so hard and long that the sale of their property and the transition will be made as easy as possible.
- Director Duncan**
- We are working on these, for example, under permitted uses now you can sell pepper as an agricultural product, but you can't sell salt because it is a mineral.
  - This zoning is different from the zoning at the Glenora store that also has a little cafe restaurant. There are lines within this bylaw and some of them



are a little blurry such as local and non local, some are very specific such as salt and pepper.

- This is an evolving situation at Alderlea Farms and it is also evolving in other Cowichan Valley communities.
- There are other agricultural endeavours that are very similar and some that are very different from Alderlea Farms.
- In five years from now, if Alderlea Farms or other agricultural endeavours in the community have the desire to add other uses, there are no rules saying the CVRD can't be approached to do this.
- This application is a big first step.

**Dianne Kolenosky**

- We have people here who are interested in farming locally.
- Farming is not an easy business and we need to support them.
- Require produce from another area to make this work.
- Restricting sales of agricultural products to 50 percent grown may be too restrictive.

**Director Duncan**

- That is in the ALC Regulation.
- The ALR is not applicable to this property.

**Dianne Kolenosky**

- Is a bit concerned it is too restricted.
- People should be encouraged to do these kinds of things.

**Director Duncan**

Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3535 and Zoning Amendment Bylaw No. 3536.

**PUBLIC  
COMMENTS**

The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Duncan reminded the public that the Information Binder was available for review located on the back table, along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.

**Sandy McPherson**

- Read verbatim from Exhibit 11.
- Encouraged the directors of the CVRD to support the rezoning of Alderlea Farm.
- Speaking as the president of Keating Community Farm COOP.
- Known the Ehrlichs since 2006.
- The Ehrlichs are the main tenant farmers at Keating.
- A significant portion of CSA from this farm.
- The Ehrlichs are forward thinking people.
- The Ehrlichs have created a holistic field farm experience which includes a strong educational component and is much needed as we shift to eating local and encouraging many to do so.
- With the cost of farmland being prohibitive to many, it is important to existing and new farmers to be able to lease farmland and to be able to sell the agricultural products from their lands.
- The Ehrlichs are ambitious, community-focused people and are wholeheartedly supported.

**Dave Bursby,  
Cowichan Bay**

- This bylaw, as well as John and Katy have full support.
- Katy and John are fantastic farmers.
- Congratulated the Board for making forward steps and hope to see more.

**Bernice Woolham-**

- Thanked the CVRD for really being forward thinkers.

**Julsing,  
4950 McLay Road**

- News these days is so full of distraught and despair and of people thinking backwards that it is such a pleasure to be part of a community where things that really matter are taking place.
- The heart and soul of this community is being nurtured.

**Michelle Favarger**

- Past members of CSA.
- Enjoys the sense of community and being able to connect with people who normally wouldn't connect.
- Support Katy and John and the Board because where you have a voice, where you are able to hear our voice, we can be strong.
- Give a round of applause for our Municipal Government.

**Thanya Al-Saadoon  
1095 Nagle Street**

- CSA member.
- Does not have a garden and would not have personal access to fresh organic vegetables if this opportunity was not available.
- People are not providing services like this in our area.
- Wished that there had been opportunities like this when raising her boys.
- This is the way and it needs to be supported.
- The local farmer is held back by so many things.
- John and Katy are doing this and working so hard to make this a reality in peoples' lives that don't have gardens.
- They are giving people access to organic vegetables.
- This is a gift and something that has to be nurtured.
- The state of food security on Vancouver Island is a huge issue.
- This bylaw is fully supported.

**Dianne Kolenosky  
3790 Cavin Road**

- Resident of Glenora for 17 years.
- Support the amendments to this zoning.
- Support and enhance viability of local farms and grown food locally for consumption for local residents.
- Also support the CVRD's emerging agricultural policy.
- Win, win proposal.

**Donna Bell,  
Ladysmith**

- Moved here last year.
- Been around a number of places.
- One aspect of this farm that needs to be highlighted is the biodynamic nature of the farm.
- In some ways Alderlea Farm is almost ahead of its time and yet it is part of a much wider, growing industry and really becoming an industry known to all.
- Thanked Katy and John.

**Joy Larson  
3415 Glenora Road**

- Very pleased to hear the comments being said.
- Is delighted that this farm and cafe exists.
- The farm is a nice gathering place and an incredibly wonderful space to be in.
- It is a blessing to have this and is glad that it is going to be supported and made possible.
- Seven years ago was part of the OCP for Glenora and it was very clear that people wanted to encourage the agricultural nature of this community.
- John and Katy enhance the community by their contributions.
- Grateful that this process is going to be supported.

**Susan Smith  
2229 Quamichan**

- Coalition for the Cowichan Valley.
- Support changes that are made to encourage farming to happen.

**Park Place**

- Food security is a huge issue on the island.
- Encourage food production as much as possible.

**Robert Radford  
6665 Chisholm Trail**

- Remembers the day when people were encouraged to have "Victory Gardens."
- Was encouraged to grow fruits and vegetable because there was a shortage in the world.
- Believes there is another shortage coming so is glad people are growing locally now before it gets too late.
- Greatly appreciates that John and Katy are growing a "Victory Garden."

**ADJOURNMENT**


Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3535 and Zoning Amendment Bylaw No. 3536.

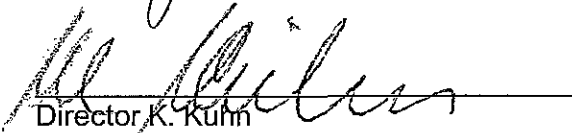
Chairperson Duncan declared the Public Hearing closed at 8:18 p.m.

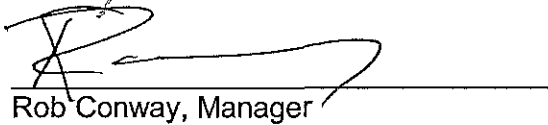
CERTIFICATION:


We attended the Public Hearing on Tuesday, August 23, 2011, and hereby certify that this is a fair and accurate report of the Public Hearing.

 Date Sept 06/11  
Director L. Duncan

 Date Sept 06/11  
Director M/ Marcotte

 Date 6 Sept. 2011  
Director K. Kuhn

 Date Sept 6, 2011  
Rob Conway, Manager

 Date September 6, 2011  
Jessica Lendrum, Recording Secretary



C·V·R·D

**PUBLIC HEARING REPORT**  
**Bylaw Nos. 3549 and 3454**

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Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454 (Mill Bay Marina), applicable to Electoral Area A – Mill Bay/Malahat, held on Tuesday, August 30, 2011, at Kerry Park Recreation Centre, Curling Arena, 1035 Shawnigan Mill Bay Road, Mill Bay, BC.

**HEARING DELEGATES**

Director B. Harrison, Electoral Area A – Mill Bay/Malahat, Chairperson  
Director K. Cossey, Electoral Area B – Shawnigan Lake  
Director M. Dorey, Electoral Area G – Saltair/Gulf Islands

**CVRD STAFF PRESENT**

Rob Conway, Manager, Development Services Department Planning & Development Department  
Mary Anne McAdam, Recording Secretary, Planning & Development Department

Members of the Public:

There were approximately 225 members of the public present.

Director Harrison announced that the meeting would be delayed as we waited for the people who were still entering to sign in and be seated. The directors present stated they were here with a clear mind.

**CALL TO ORDER**

Director B. Harrison chaired the Hearing and called the meeting to order at 7:15 p.m. The Chairperson introduced the Hearing Delegates and CVRD Staff present.

**PROCEDURES**

Rob Conway stated that this Public Hearing is being convened pursuant to Section 890 of the *Local Government Act* in order to consider Cowichan Valley Regional District Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454.

Notice of the Public Hearing was advertised in two consecutive issues of the *Citizen* and the *Leader Pictorial* (Friday, August 19, and Wednesday, August 24, 2011). Letters were sent to owners and occupiers of adjacent property, as required by the *Local Government Act*.

There are two bylaws under consideration tonight. Copies of both bylaws have been made available on the side table.

The first, **Official Community Plan Amendment Bylaw No. 3549**, proposes to amend South Cowichan Official Community Plan Bylaw No. 3510 by replacing Policy 5.3.3, which recognizes the Mill Bay Marina development application with a new policy that supports residential use on the Mill Bay Marina site (legally described as Block C, Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142).

This new policy would state:

***Notwithstanding Policy 5.3.2, residential use will be permitted on the Mill Bay marina site (legal) to facilitate re-development of the marina and public access to the waterfront.***

The second amendment bylaw under consideration tonight is **Zoning Amendment Bylaw No. 3454.**

This bylaw proposes to amend Electoral Area A – Mill Bay/Malahat Zoning Bylaw 2000 by doing a few things.

- Firstly, it creates a new “Townhouse Residential” or RM-3 zone and rezones part of the subject property from Tourist Recreational Commercial (C-4) to a new RM-3 zone.
- The amendment also changes the zoning on a portion of the property from C-4 to Water Marina, or the W-3 zone. The area proposed for the W-3 zoning is where marina parking and other marina related uses are proposed.
- Other changes in the zoning amendment bylaw are the addition of a definition of “townhouse” and the removal of “boat shed or boat shelter” from the list of permitted uses in the W-3 zone.

The purpose of the Amendment Bylaws is to allow part of the subject property to be developed for 14 residential townhouses. Re-construction of the Mill Bay marina, dedication of a public waterfront walkway and replacement of the public boat launch at the end of Handy Road are proposed in association with the townhouse development and are secured with restrictive covenants that have been registered against the subject property.

Thirty-five (35) letters of response have been received at the CVRD office from the date the advertising was placed within the local papers to the close of the CVRD office today at 4:30 p.m.

Mr. Conway explained why a second public hearing is being held for the Mill Bay Marina application and amendment bylaws.

Questions about the amendment bylaws will be addressed during question period.

The applicant will be describing the proposed development.

## Correspondence

The following items were received and are attached to the Minutes as Exhibits:

- 1) E-mail and attached letter dated August 21, 2011, from Terry and Tricia Parker (EXHIBIT 1);
- 2) Letter dated August 22, 2011, from R. Oliver (EXHIBIT 2)
- 3) E-mail dated August 24, 2011, from Elizabeth Manson (EXHIBIT 3)
- 4) E-mail dated August 27, 2011, from Lenny Kowalski (EXHIBIT 4)
- 5) E-mail dated August 27, 2011, from Joan Pope (EXHIBIT 5)
- 6) E-mail dated August 28, 2011, forwarded by Terry Parker on behalf of Gail Stroud (EXHIBIT 6)
- 7) E-mail dated August 28, 2011, from Cathy King (EXHIBIT 7)

- 8) E-mail dated August 28, 2011, from Derek Card (EXHIBIT 8)
- 9) E-mail dated August 28, 2011, from Bill Talford (EXHIBIT 9)
- 10) E-mail dated August 28, 2011, from Carl and Leona Doucet (EXHIBIT 10)
- 11) E-mail dated August 28, 2011, from Carl Doucet (EXHIBIT 11)
- 12) E-mail dated August 28, 2011, from Asrael Zemenick (EXHIBIT 12)
- 13) E-mail dated August 28, 2011, from Hal Adam (EXHIBIT 13)
- 14) E-mail dated August 29, 2011, from Chris Rumball and Ruth Nicholson (EXHIBIT 14)
- 15) E-mail dated August 29, 2011, from Traves Black (EXHIBIT 15)
- 16) E-mail dated August 29, 2011, from Rod and Pat Pearce (EXHIBIT 16)
- 17) E-mail dated August 29, 2011, from Alma Manson (EXHIBIT 17)
- 18) E-mail dated August 29, 2011, from Reija Best (EXHIBIT 18)
- 19) E-mail dated August 29, 2011, from Mike and Deb Murphy (EXHIBIT 19)
- 20) E-mail dated August 29, 2011, from Leo Vachon (EXHIBIT 20)
- 21) E-mail dated August 29, 2011, from James Rous (EXHIBIT 21)
- 22) E-mail dated August 29, 2011, from Charlie and Sandie Bergen (EXHIBIT 22)
- 23) E-mail dated August 29, 2011, from Dr. Brad Hawkes, RPF (EXHIBIT 23)
- 24) E-mail dated August 30, 2011, from Nicola Linde (EXHIBIT 24)
- 25) E-mail dated August 30, 2011, from Tom Waddington (EXHIBIT 25)
- 26) E-mail dated August 30, 2011, from Sonja Nagel (EXHIBIT 26)
- 27) E-mail dated August 30, 2011, from Michelle Glanfield (EXHIBIT 27)
- 28) E-mail dated August 30, 2011, from Sheri and David Golia (EXHIBIT 28)
- 29) E-mail dated August 30, 2011, from Mary Desmond of the Shawnigan Lake Watershed Watch Association (EXHIBIT 29)
- 30) Letter dated August 29, 2011, from David and Jane Burkmar (EXHIBIT 30)
- 31) E-mail dated August 30, 2011, from Roger Jackson and Gail Stroud (EXHIBIT 31)
- 32) E-mail dated August 30, 2011, from Ross Parker (EXHIBIT 32)
- 33) E-mail dated August 30, 2011, Director G. Giles response to Terry Culp (EXHIBIT 33)
- 34) E-mail dated August 30, 2011, from Bruce Muir (EXHIBIT 34)
- 35) E-mail dated August 30, 2011, from Sheila Paul (EXHIBIT 35)
- 36) Note dated August 30, 2011, resubmitting January 31, 2011, e-mail from Bill Moulaison (EXHIBIT 36)
- 37) Letter dated August 30, 2011, from Carolyn Webb (EXHIBIT 37)
- 38) Letter dated August 29, 2011, from Jeremy Webb (EXHIBIT 38)
- 39) Letter dated August 25, 2011, from Larry and Margaret Jameson (EXHIBIT 39)
- 40) Letter dated August 28, 2011, from Terry and Julie McNally (EXHIBIT 40)
- 41) E-mail dated August 27, 2011, from Joan Pope (EXHIBIT 41)
- 42) E-mail dated August 30, 2011, from Hal Adam (EXHIBIT 42)
- 43) Letter submitted at Public Hearing (not date), from Mill Bay Marine Rescue Society (EXHIBIT 43)
- 44) Letter dated August 30, 2011, from Balu Tatachari on behalf of the Friends of Saanich Inlet (EXHIBIT 44)
- 45) Letter submitted at Public Hearing (not date) from Lena and Ronald Lee (EXHIBIT 45)
- 46) Letter dated August 30, 2011, from Tricia Parker (EXHIBIT 46)
- 47) Letter submitted at Public Hearing (no date) from Peter Scheiler (EXHIBIT 47)
- 48) Letter dated August 30, 2011, from Joyce Behnsen (EXHIBIT 48)
- 49) Letter submitted Public Hearing (no date) from Terry Parker (EXHIBIT 49)

**Location of the File** Director Harrison advised that the Information Binder was available for review on the side table, along with copies of the proposed Amendment Bylaws and advised that any letters or submissions which are to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

The applicant was invited forward to make a presentation with regard to this proposal.

**APPLICANT,  
Cam Pringle**

- Introduced himself and architect, Joe Newell, who provided a Power Point presentation of the proposed project.
- Asked for show of hands for a new marina in Mill Bay. Majority raised their hands.
- Moved here in 1991. Resident of Mill Bay for the past 20 years. Boat at Marina for 16 years. Been in business since 1986.
- Family who owned the marina asked if he would like to purchase the marina.
- Aquilla Investments first acquired the property and planned to redevelop it. The proposed development did not transpire.
- Mill Bay Marina Inc. purchased the property in 2010. Plans proceeded to develop a 94-slip full service marina with slips ranging in size from 15 to 75 feet. Short-term moorage and a fuel dock and sani-station will also be available.
- Plans to develop part of the upland property for a 14-unit water-view town-home project. The units will include one 8-unit building and three duplex buildings.
- The marina will be constructed before the townhomes.
- With permission from the Department of Fisheries and Oceans (DFO), dredging will take place to improve the boat launch. A wave barrier will also be installed to protect the marina project.
- A bistro is to be located on the pier. Washrooms and showers (with handicap facilities), a laundry facility, marine store and offices will also be constructed.
- Covenants are now registered to put the amenities in place.
- The envelope of the foreshore lease is proposed to be extended so that sensitive shoreline areas, which sustain eel grass, can be protected.
- Site will be heavily landscaped. Some areas will be seeded, along with new trees and sea resistant plants. Trees and bushes will be planted in the back and along Handy Road.
- A public walkway with benches will be constructed along the waterfront.
- The townhome strata development will be set back from the marina parking site, which follows along the shoreline. The height of the buildings will be 7.5 metres from the natural grade.
- Natural finishing materials are proposed. Parking for the 8-unit townhome will be underground; Duplex units will have a double-car garage with extra parking in front. Six extra parking stalls will also be on-site.
- Described the configuration of the units; reviewed the elevation drawings and landscape plans as presented on slides.
- Our company is proud of this proposal, which many of you have already seen, and we've worked hard to please everyone. We have worked extensively with the CVRD Planning, Engineering, and Parks Departments, and Mill Bay Water District, as well as Provincial Government Ministries and BC Hydro.
- Mill Bay deserves a new boat launch, access to the water, and access to the pier to enjoy refreshments.



- Cadillac Homes & Ruskin Construction are committed to this community. They have personally financed this to make it viable.
- Urge people to stand up in favour of this proposal.

**QUESTION PERIOD**

Director Harrison opened the public question period of the Public Hearing. He stated that the Public Hearing delegates and staff members will answer questions from the floor at this time, and that after the close of the Question Period and the opening of the Formal Public Hearing no more questions will be taken.

If you do have a comment, you are encouraged to come forward at the Hearing portion to make that statement. Advised that your statements about this project will go forward to the Hearing Committee, through what is recorded in the Public Hearing report, so that the Board can make an informed decision on this project.

Asked, by show of hands, whether the time restriction should be 1, 3, or 5 minutes for each question. This will be done to accommodate everyone.

A show of hands indicated between 1 and 3 minutes. The Director stated there will be a 3 minute time limit but that further questions and statements may be made after others have spoken.

**Lewis Fraser**  
2490 Mill Bay Rd

- Will this be a public free boat launch?

**Cam Pringle**

- CVRD boat launch, open to the public.

**Lewis Fraser**

- Concerned about turning around larger boats on trailers. Can the fencing be moved back to assist with this?

**Cam Pringle**

- The boat launch and road end will be designed to allow vehicle turning but vehicle turning for the boat launch is not planned on the Marina property.

**Dave Burkmar**  
743 Handy Rd

- Why, in your application for increased foreshore are you going 7½ metres to the north?
- We anticipate that with this new development that the trees on the north side of Handy Road will be removed.

**Cam Pringle**

- The existing lease has the jog in it and the lease expansion is in line with that jog. Trees on the north side of Handy Road will not be removed.

**Terry Culp (Mill Bay  
Fire Chief) 3585  
Garland Ave**

- Why is there no formal fire protection for this site?

**Rob Conway**

- The upland area of the marina site does have protection covered by the Mill Bay Fire Department. The marina itself (water lot lease) does not have protection. The question is whether there is the ability to bring the marina into the service area so that it does have protection. Currently, this is not a requirement of the rezoning. This would be an issue between the marina owners and the Mill Bay Fire Department.

**Director Harrison**

- There are at least three other water leases existing that do not have protection; they are Brentwood College, the ferry dock and the CVRD dock at the end of Kier Road. The best solution would be to get the four property owners together to see if something can be done for the community. Has asked staff at the CVRD to look into this. This is one of

four legal docks; there are some at the far end of Mill Bay that are non-conforming and may not be protected. It's a matter of getting Mill Bay Fire Protection District to extend their boundaries in order to cover these properties. This is something that should be worked out with the owners.

- Terry Parker**  
746 Handy Rd
- (Directed to CVRD staff) Is getting the marina the driving force or prime motivator of this development?
- Rob Conway**
- The CVRD Board has made it a condition that the marina be developed prior to the townhouse development. Whether this is the driving force or not is in the minds of the individual directors.
- Terry Parker**
- Is it true that it will be 6 to 8 months before this waterfront extension can be rezoned? The 40 metre extension for rezoning the surface would take about 6 to 8 months.
- Rob Conway**
- The water lot lease extension is currently zoned W-2, which allows the breakwater as a permitted use; this zoning does not allow a marina. The 40 metre extension requires rezoning on the surface of the water to allow the marina to be re-developed in that portion. Since the applicants will need to apply for rezoning for that part, 6 to 8 months would be a reasonable estimate of what that time period would be.
- Director Harrison**
- There is no point in delaying the process with regards to this application; this is a natural progression.
- Nicola Linde**  
306-3252 Glasgow Ave/Victoria
- It was noted that there are 81 slips in the marina. The covenants state that the marina will have 94 slips. Were documents signed and registered in the Land Title Office? Why do the documents state there will be 94 slips?
- Cam Pringle**
- The 81 slips are because not all of the existing lease area can be developed for moorage because of the eel grass. Before it was 94, now it is 81 slips.
- Nicola Linde**
- What does the covenant mean for this development.
- Rob Conway**
- It is true that the current covenant was drafted with reference to 94 slips. This number, which was a requirement by the Board, was what was committed to on a previous application; this is why a covenant was registered on it. The Board has not considered the bylaws that are before tonight's Hearing. When the Bylaws go back to the Board they will decide on whether that same condition is applicable given the issues that have been encountered in re-developing the marina. There is nothing in the Bylaws that refer to the number of slips that must be developed.
- Nicola Linde**
- Does this mean he can back out of the covenant?
- Speaker**
- Is the arborist's report the developer provided available? Can the tree be saved?

- Rob Conway**
- The arborist's report, with reference to red cedar tree, is located in the binder on the side table and is part of the public hearing package available to the public. The question about the tree should be directed to the developer.
- Cam Pringle**
- No, unfortunately the tree cannot be saved and it will come down. An arborist has inspected the tree, which sustained damage last year. The tree is in the middle of the proposed parking lot road. Parking stalls would be lost and the tree would likely not survive.
- Peter Scheiler  
2818 Whisky Pt Rd**
- The tree appears healthy and should be saved. This tree is a historical piece. Thrifty's has left trees in their lot; people gather in this community area in the middle of the parking lot.
- Director Harrison**
- Reminded the audience that this time is specifically for questions; comments should be directed to the Hearing portion of the meeting. Mr. Scheiler was advised that he was welcome to return should he wish to make further comments during the Formal part of the Hearing.
- Tony Hoar  
766 Handy Rd**
- Will people using the public ramp be able to park on the marina property or will they be coming on to your property? Is the current parking area going to be expanded?
- Cam Pringle**
- People will not be able to use the marina parking as a public facility. Parking is for bistro and patrons of the marina. The 6 stalls on Handy Road will be for trailer parking only and will not be expanded.
- Tony Hoar**
- Concerned about trees being taken down. How many trees will be planted?
- Cam Pringle**
- Many trees will be planted.
- Tony Hoar**
- The public will lose.
- Balu Tatachari  
1733 Arbutus Close**
- Has the CVRD Planning Department had a second opinion on the removal of a 400 year old tree?
- Rob Conway**
- Not obtained a second opinion.
- Roger Jackson  
754 Handy Rd**
- Question directed to the developer and the CVRD regarding consideration for the sewer line. Understand that the sewer line along Handy Road is only going to service the marina and the residential units. Is there a plan in the future to connect other properties in the area to the sewer system?
- Director Harrison**
- The applicant of the marina property is the only one outside of Sentinel Ridge included in the Sentinel Ridge sewerage service area. For the other properties to be included, further study and a co-ordinated approach to expansion of the service area would be necessary. Over time this may come about, but at this time it is not part of this application.
- Sharon Boisvert  
1211 Royalta Rd**
- Realizes the marina does need to be built. The upland property should be a public park. This strip of waterfront walkway is not big enough. A place is needed to provide a sense of community. Will the CVRD work to make this a public park? Is there any way?

- Director Harrison**
- If it were up for purchase, the amount would be horrendous. When we can't get people to agree to pay \$10,000 for a historical society, I don't know how we would get several million dollars. If you add that to your taxes, that would be a considerable sum on everyone's property tax. Based on this, it was determined that the cost was too high. The Mill Bay Community Plan does provide plans for protection of the Mill Bay waterfront.
- Sharon Boisvert**
- Suggested that the money that could be gained from not going forward with two projects that are not wanted and use that.
- Phyllis Daniel  
575 Kilmalu Rd**
- As one of the marina's closest neighbours across the water, when you move out the 30 metres, does the bistro and store remain in the same place or does it also move out?
- Cam Pringle**
- It stays in the same place.
- Phyllis Daniel**
- What provisions will be in place to address lighting and noise?
- Cam Pringle**
- Lighting will be directed downward. This is not a pub but a bistro and is subject to CVRD regulations.
- Cliff Evans  
3109 Filgate Rd**
- Voiced concern about the security of the slips. How will these be anchored?
- Cam Pringle**
- The slips will be anchored with piles. The pier will be 21 feet wide, 8 feet deep, secured by piles; the centre of it is concrete.
- Cliff Evans**
- What type of piles will be used?
- Cam Pringle**
- Steel, everything has been engineered. Marina needs to be protected.
- Tricia Parker  
746 Handy Rd**
- Where will the fuel tanks be situated?
- Cam Pringle**
- Indicated on the screen where they would be located.
- Tricia Parker**
- How will fuel tankers access the property?
- Cam Pringle**
- They will back in.
- Tricia Parker**
- When will that take place?
- Cam Pringle**
- Don't know.
- Tricia Parker**
- Concerned about trucks backing up with regards to people and the water.
- Director Harrison**
- Asked twice if there were further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454.
- Speaker**
- What was the intent of there being a restrictive covenant for the area set aside for parking?

- Director Harrison**
- This was to ensure that no buildings would be erected on the area designated for marine parking.
- Speaker**
- What would be the downside of building a parkade?
- Director Harrison**
- We weren't thinking in terms of a parkade. Should the marina no longer exist at this site, we don't want to see commercial buildings at this location.
- Speaker**
- Is there something in the covenant to protect the views of the people behind the townhomes and duplexes?
- Director Harrison**
- That wasn't the purpose. The purpose not to allow commercial buildings in the marina.
- Director Harrison**
- Asked if there were any further questions.
- Nicola Linde**
- In reference to the South Cowichan Official Community Plan (OCP), as it pertains to view protection, what realistic mitigation will be given to the residents of Handy Road?
- Rob Conway**
- Under the Tourist Commercial section of the OCP, which this property is designated, the plan specifies that any rezoning shall have a maximum height of 7.5 metres. This is a direct inclusion in the Plan to minimize impacts on views. There are development permit guidelines in the Plan that also address view protection. Should the amendment bylaws be approved, the applicants will still require a development permit for their project. This will not be up for consideration until a decision has been made on the rezoning. Although the development permit application was submitted well before the new OCP came into effect, there is no grandfathering protection. However, guidelines are not necessarily binding and the Board may consider the fact that the application was made before the current OCP was adopted.
- Nicola Linde**
- What about the residents and their views?
- Director Harrison**
- This will be taken into consideration.
- Director Harrison**
- Asked once if there were further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454.
- Jim Squire**  
2471 Holford Rd
- What is the cost of the town houses and the slip rents?
- Cam Pringle**
- Townhouse will average about \$900,000. Slip rentals are expected to be in the range of \$10 - \$14 per foot.
- Director Harrison**
- Asked twice if there were further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454.
- Terry Parker**
- Questions directed to architect, Joe Newell. Was it your firm that designed a development in Saanich that was recently denied?

- Director Harrison**
- Reminded Mr. Parker that questions at this Hearing will be with respect to this application only.
- Terry Parker**
- Will you be willing to consult with us in our home to re-design the project in a manner that will address the concerns of neighbours?
- Director Harrison**
- Reminded that concerns should be raised during the Public Comment portion of this meeting.
- Speaker**
- This is a joint effort. This is the best design for the property.
- Ted Buss**  
**1818 E. Shawnigan**  
**Lake Rd**
- Appreciates that the gentleman is trying to protect his property.
  - Director Harrison intervened to say that questions should be directed to the applicant or the CVRD rather than at other public speakers.
- Director Harrison**
- Asked for a third and last time if there were further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454
- Balu Tatarachi**
- Has the APC reviewed this application since the new OCP was adopted?
- Rob Conway**
- This application was received last October or November 2010, well before the new OCP was adopted.
  - There is no requirement for this to go back to the APC after the South Cowichan OCP was adopted. The APC did review this application thoroughly and provided detailed comments on it.
- Director Harrison**
- Asked if there were any further questions.
- Peter Scheiler**
- Comments regarding the tree.
- Director Harrison**
- Reminded Mr. Scheiler that this section of the Hearing is for questions only.
- Director Cossey**
- Explained to Mr. Scheiler that he would be able to comment on the tree during the Public Comment section of this Hearing.
- Director Harrison**
- Asked a second time if there were any further questions.
- Balu Tatarachi**
- Can you elaborate on the sewer system for the marina?
- Cam Pringle**
- Sewer pump station is at the end of Handy Road and it is to be pumped to the Sentinel Ridge System.
- Balu Tatarachi**
- Is the system designed by the developer or CVRD?
- Director Harrison**
- The sewer system is operated by the CVRD. The applicant will have to fulfil the requirements of the CVRD Engineering Department and the design will have to be approved by the CVRD.
  - If the applicant designs the system, it still must be approved by the CVRD.
- Director Harrison**
- Asked three times if there were further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454.

- Peter Scheiler**
- Why did the developer publicly state there is no access to the Mill Bay waterfront?
- Cam Pringle**
- Access is limited. Access will be at the end of the road that is going to be improved.
- Richard Marr  
89 Marine Dr**
- No questions. In favour of the proposal.
- Director Harrison**
- Reminded the attending public that the Public Comment section of the meeting is yet to follow.
- Nicola Linde**
- How are you improving access with private parking?
- Cam Pringle**
- Residents of the marina are also Mill Bay residents and will have access along the road.
- Fred Storey  
591 Pine Ridge  
Drive**
- Does a vote happen tonight?
- Director Harrison**
- Explained that once we complete the Question Period, the Hearing Committee will hear your comments, for or against. You won't be able to ask any more questions once the comments section of the Hearing has commenced. The information given, and your views, will be reviewed by the Hearing delegates and the remainder of the CVRD Board. The Board is responsible for making the decision and will take the information into consideration during the decision making process.
- Director Harrison**
- Asked three times if there were further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454. As there were no further questions, the Question Period was concluded.
- PUBLIC  
COMMENTS**
- Director Harrison**
- The Public Hearing was opened to members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Harrison reminded the public that the information binder was available for review and is located on the side table along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Director Harrison**
- So that everyone can be accommodated, the public present was asked, by show of hands, whether the time restriction for comments should be 3 or 5 minutes each. A show of hands indicated 3 minutes.
- Trevor Miranda  
725 Champagne Dr**
- Congratulated the applicant. This is good for Mill Bay and area. Need more full-time residents. Fully in favour of the application.
- Dave Burkmar  
743 Handy Rd**
- In support of this development. Does have concerns about maintaining views. In terms of the boat ramp problems, would like all the riparian setbacks regarding Wheelbarrow Creek to be addressed in process.

- Phil Dowling**  
2580 Mill Bay Rd
- Congratulate developers. In full support.
- David Slade**  
3261 Cobble Hill Rd
- Mr. Slade identified himself as a Trustee on the Board of the Mill Bay Fire Protection District. Mill Bay deserves a first class marine facility such as this. It won't be serving him, although he has family who fish and enjoy the water. Concerned that when this world class facility is constructed there will be fuel docks and stores; so many people, both young and elderly, will use the facilities, yet this will not be covered by emergency fire protection. Although the developer has worked with CVRD departments and various agencies, they have not worked with this Fire Department. There are many amenities that are on offer on the waterfront. At this time there are 3 options: No fire protection at all (the Mill Bay Fire Department cannot legally provide services beyond the high water mark); either the developer helps Mill Bay Fire to expand and provide coverage to facilities below the high water mark, or it rests on the taxpayers to cover the cost of protection for a facility that will not benefit most residents of Mill Bay.
- Rena Dowling**  
2580 Mill Bay Rd
- Fully support this marina; it is long overdue and will change the core of Mill Bay. Tired of rehashing this.
- Terry Parker**  
746 Handy Rd
- This Hearing is about two Bylaws that are rezoning the upland, and an amendment to the Official Community Plan. Concerned most of the focus is on the marina; the Townhomes are not mentioned, and most people are only hearing part of the story. Most people don't see the impact the townhomes will have on the neighbourhood. Therefore, most people would only be partly informed about this application. (EXHIBIT 1)
- Doug Leighton**  
2545 Seaview Rd
- Strongly supports this application. Site has been zoned for this purpose since 1978. Surprised that people were not aware that the building is lower and smaller than the current zoning would allow. The architect is to be commended on the design. Boardwalks and bistro are looked forward to and will be an asset to the community of Mill Bay.
- Speaker**  
Cherry Point Rd
- Commend the developers for persevering with this project. Looking forward to viewing this from the water. Will be amazed to see the number of people who will come into the community, especially from the water.
- Jeremy Webb**  
3156 Cobble Hill Rd
- Strongly supports the Mill Bay Marina proposal, OCP Amendment Bylaw No. 3549, and adoption of Zoning Amendment Bylaw No. 3454. Read prepared correspondence verbatim (EXHIBIT 36)
- Ed Lapp**  
Unit 22 - 912  
Brulette Plce
- Commend the CVRD and the developer. Appreciate that the Parkers are disturbed that they may lose their view at some time. Main interest is in the marina, but realizes that the townhomes are a necessity to make this a successful development.
- Ed Arnold**  
600 Shorewood Dr
- Supports the entire development as presented this evening.
- Alf Carter**  
2474 Liggett
- Advocate of developing the waterfront. This is the first development in 16 years that provides any type of access to the waterfront.



- Paul**
- Agree with Alf Carter with regards to accessing the waterfront. This plan provides much needed access and is in favour of it
- Jim**
- Long time resident of Mill Bay. Marina is long overdue. Many only look at the negative. The positive aspect of a marina is that it will bring neighbours and families together. Gave credit to developers.
- Peter Dicken  
2615 Partridge Rd**
- Congratulations on the proposal, and thank you. Let's get on with it! Would like to see same benefits similar to those experienced by the Town of Sidney.
- Al Huskison  
2588 Mill Bay Rd**
- Strongly support and congratulate developers who have modified their plans to meet the requirements of the CVRD.
- Gail Stroud  
754 Handy Rd**
- Potentially impacted by this development and how it will affect the value of their home. Would like to see if they can sit down with the developers and talk about potential changes. Excited about the marina project and working with Cam. (EXHIBIT 26)
- Joyce Behnson  
3201 Gilana Plce**
- Strongly support building of the marina and townhome property, and mentioned that she is a past member of the CVRD Economic Development Commission. Recognizes the need for a well planned marina facility that will serve the people of the Cowichan Region. Knows that Cadillac Homes is a considerate and experienced development company that supports the construction trades, thus providing effective long-term planning for the community. This project will greatly improve the overall value and potential of commercial properties and create a sense of pride for all. (EXHIBIT 46)
- Rick Pikes  
1230 Merridale Rd**
- Look forward to responsible business people and their interest in bettering the community. When considering all the opposition, recognize the private versus public interest when protecting your view. You do not own the view.
- John Thomas  
1651 Jersey Rd**
- Beautiful small project. Need to get going.
- Mark Wyatt  
2735 Shawnigan  
Lake Rd**
- Did live next to the property. Don't know how they will fiscally do the development. This was a detrimental site in the community. As a community we need to stop in-fighting and endorse this project which brings such great value to the community.
- Ramona Coulombe  
535 Noowick Ave**
- Lived here for approximately 8 years and has worked in the marine industry for 20 years. Commend the developer for the fast cleanup after the mess from the storm. Thank you and good luck.
- Nicola Linde**
- Oppose the use. Would like to return to the community where she was born to provide the same small community experience to her family. Referred to a development on the Saanich Inlet and the detrimental effect to neighbours. Why are the negative impacts to the residents of Handy Road not being addressed. Would rather it remain the same.

- Tricia Parker**  
746 Handy Rd
- Does not agree with the building design guidelines and policies. The design and accessory buildings will greatly impact her family. The OCP promises mitigation. Would publicly request a meeting with the CVRD and the developer to provide mitigation. (EXHIBIT 44, read verbatim)
- Harold Backer**  
2735 Mt. Baker Rd
- Wishes he lived on Handy Road. Thinks his property would gain in value if it were on Handy Road and in close proximity to the townhomes and marina. Does not think any property in the area will lose value from this development.
- Ted Buss**  
1818 E. Shawnigan  
Lake Rd
- This development will provide a great boat ramp.
- Doyle Childs**  
2670 Mill Bay Rd
- Just moved into the area at the end of Handy Road. Townhomes look great. The new the townhomes planned for the site will enhance the value of properties in the neighbourhood. The townhomes suggest a neighbourhood-friendly configuration. Support the proposal.
- Jacquie Marsh**  
665 Frayne Rd
- Support this project. Unfortunately trees die; this one died.
- Archie Staats**  
2525 Staats Pice
- In support of this project. Just witnessed a tree fall in a parking lot. Well aware of the tree people would like saved; however, trees do not survive well in parking lots.
- Mike Walker**  
2424 Huckleberry  
Rd
- Past CVRD Director. Totally support townhomes and marina, and moving the water licence ahead to protect habitat (eelgrass). It's time; we need it.
- Clayton Johnston**  
2735 Mt. Baker Rd
- Brentwood College is highly supportive of the community and strongly supports this project, as he personally does also.
- Peter Scheiler**  
2818 Whiskey Pt. Rd
- Supports the project but would like to see the cedar tree integrated into the marina grounds. Think all parties will still make good money. (EXHIBIT 45)
- Speaker (Bill )**
- Strongly support this project. Excellent opportunity for the community. Applaud the developer for an excellent plan. This is a great development.
- Joel/Brentwood  
College**
- Strongly supports the investment in the Mill Bay area. Impressed with the concerns considered surrounding the area of water used for the regatta.
  - Consideration given to maintaining rowing lanes for the regatta with the water lot lease expansion application.
- Elizabeth Hanson**  
5844 Wilson Ave
- Lived in the Valley for years. Thinks it is short-sighted to allow this property to go into private hands. Wish this could be saved. How can we come to a better solution to better serve everyone?
- Joyce Behnsen**
- Very positive situation. Security is enhanced by having permanent residents in the vicinity. Full-time residents of the marina will provide enhanced protection of the marina site. Full-time residents are the key to the success of this project.

- Balu Tatarachi on behalf of Shawnigan Lake Watershed**
- Water concerns to be addressed. Conservation of tree is critically important. (EXHIBIT 27 – Mary Desmond – Shawnigan Lake Watershed Watch – read verbatim)
- Brian Card  
2515 Fawn Rd**
- Resident of the area for the last 47 years. Wished his family could have grown up with this. Thank you for the great development.
- Rob Webb  
930 Deloume Rd**
- Excellent job. Thank you.
- Steve Carlson  
925 Lilmac**
- Strongly support the development.
- Tom Buss  
2680 Heald Rd**
- Support this project.
- Speaker**
- Support this project. Get on with it.
- Shirley Fortune  
2895 Briarlea**
- Support this project.
- Brad Sinclair  
754 Butterfield Rd**
- Support the whole project. Fortunate to have Mill Bay put back on the map.
- Terry Parker  
746 Handy Rd**
- Concerned about the impact this development will have on the residents of Handy Road. Have trouble believing that anyone would quietly sit by if this were their property. If there is someone with a home similar to what he has, maybe you could put your house where your mouth is and come and talk to him about a swap.
- Leonard Orrico**
- For those who would like to see this property become parkland, he shared that he lives next door to a park and has been subjected to considerable expense and upset to him as a result of living next to a park. Noise, garbage, and damage to their property, necessitated the fencing of their property at considerable expense. This marina and townhome project will cause less noise, destruction, and pollution than a park.
- Balu Tatarachi**
- (EXHIBIT 42 – read verbatim)
- Balu Tatarachi**
- (EXHIBIT 33 – read verbatim, correspondence from Sheila Paul, 857 Burnham Road)
- Nicola Linde**
- When considering all that has been said tonight, please have a heart and consideration for those who have to live with this on a daily basis.

**ADJOURNMENT**

Chairperson Harrison asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3549 and Zoning Amendment Bylaw No. 3454.

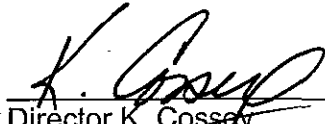
Chairperson Harrison declared the Public Hearing closed at 9:40 p.m.

CERTIFICATION:

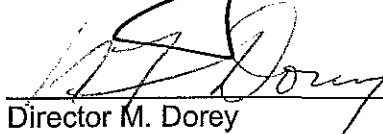
We attended the Public Hearing on Tuesday, August 30, 2011, and hereby certify that this is a fair and accurate report of the Public Hearing.

  
\_\_\_\_\_  
Director B. Harrison

Date Sept 6/11

  
\_\_\_\_\_  
Director K. Cossey

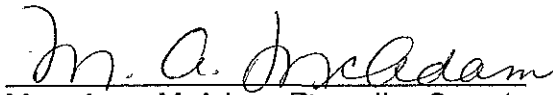
Date SEPT 6/11

  
\_\_\_\_\_  
Director M. Dorey

Date Sept 6/11

  
\_\_\_\_\_  
Rob Conway, Manager

Date Sept 6/11

  
\_\_\_\_\_  
Mary Anne McAdam, Recording Secretary

Date September 6, 2011



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3503**

**A Bylaw to Establish a Service to Provide an Annual Financial Contribution  
to the Thetis Island Residents and Ratepayers Association**

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**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 operation and collection of solid waste and recycling on Thetis Island by the Thetis Island Residents and Ratepayers Association;

**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. 3503 – Thetis Island Residents and Ratepayers Association 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 Thetis Island Residents and Ratepayers Association with costs associated with the operation and collection of solid waste and recycling on Thetis Island. The service shall be known as the "Thetis Island Residents and Ratepayers Association Annual Financial Contribution Service".

**3. SERVICE AREA BOUNDARIES**

The boundaries of the service area are the boundaries of Thetis Island located in Electoral Area G – Saltair/Gulf Islands.

**4. PARTICIPATING AREA**

Electoral Area G – Saltair/Gulf Islands 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) parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*;
- b) fees and charges imposed under Section 363 of the *Local Government Act*;
- c) revenues raised by other means authorized by the *Local Government Act* or another Act;
- d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually for the service established shall not exceed forty thousand dollars (\$40,000).

READ A FIRST TIME this 8<sup>th</sup> day of June, 2011.

READ A SECOND TIME this 8<sup>th</sup> day of June, 2011.

READ A THIRD TIME this 8<sup>th</sup> day of June, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3503 as given Third Reading on the 8<sup>th</sup> day of June, 2011.

[Signature]  
Corporate Secretary

JUNE 10 2011  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 12<sup>th</sup> day of July, 2011.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
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 3rd day of August, 2011.

READ A SECOND TIME this 3rd day of August, 2011.

READ A THIRD TIME this 3rd day of August, 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 3rd day of August, 2011.

READ A SECOND TIME this 3rd day of August, 2011.

READ A THIRD TIME this 3rd day of August, 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 3<sup>rd</sup> day of August, 2011.

READ A SECOND TIME this 3<sup>rd</sup> day of August, 2011.

READ A THIRD TIME this 3<sup>rd</sup> day of August, 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 3<sup>rd</sup> day of August, 2011.

READ A SECOND TIME this 3<sup>rd</sup> day of August, 2011.

READ A THIRD TIME this 3<sup>rd</sup> day of August, 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 3<sup>rd</sup> day of August, 2011.

READ A SECOND TIME this 3<sup>rd</sup> day of August, 2011.

READ A THIRD TIME this 3<sup>rd</sup> day of August, 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**

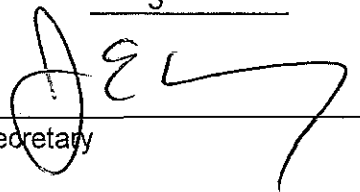
That CVRD Bylaw No. 1653 be amended by: deleting the words "Twenty-Five Thousand" between the words "exceed" and "Dollars" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Thirty-One Thousand Two Hundred"; and deleting the figure "\$25,000." and replacing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

READ A FIRST TIME this      3<sup>rd</sup>      day of      August      , 2011.

READ A SECOND TIME this      3<sup>rd</sup>      day of      August      , 2011.

READ A THIRD TIME this      3<sup>rd</sup>      day of      August      , 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3529 as given Third Reading on the \_\_\_\_\_<sup>3<sup>rd</sup></sup> day of August, 2011.

  
\_\_\_\_\_  
Corporate Secretary

AUGUST 9, 2011  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

24<sup>th</sup> day of AUGUST 2011.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Secretary



**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**

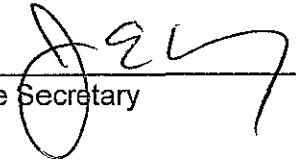
That CVRD Bylaw No. 1910 be amended by: deleting the words "and Twenty-Five" between the words "Hundred" and "Thousand" in the second line of the Section 6 – Maximum Requisition text and replacing them with the words "Fifty-Six"; and deleting the figure "\$125,000." and replacing it with "\$156,000"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

READ A FIRST TIME this      3<sup>rd</sup>      day of      August      , 2011.

READ A SECOND TIME this      3<sup>rd</sup>      day of      August      , 2011.

READ A THIRD TIME this      3<sup>rd</sup>      day of      August      , 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3530 as given Third Reading on the 3<sup>rd</sup> day of August, 2011.

  
Corporate Secretary

AUGUST 9, 2011  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 24<sup>th</sup> day of AUGUST 2011.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Secretary



**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      3<sup>rd</sup>      day of      August      , 2011.

READ A SECOND TIME this      3<sup>rd</sup>      day of      August      , 2011.

READ A THIRD TIME this      3<sup>rd</sup>      day of      August      , 2011.



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

the 3<sup>rd</sup> day of August, 2011.

[Signature]  
Corporate Secretary

AUGUST 9, 2011  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

24<sup>th</sup> day of AUGUST 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      3<sup>rd</sup>      day of      August      , 2011.

READ A SECOND TIME this      3<sup>rd</sup>      day of      August      , 2011.

READ A THIRD TIME this      3<sup>rd</sup>      day of      August      , 2011.

ADOPTED this      \_\_\_\_\_      day of      \_\_\_\_\_      , 2011.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Secretary



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3541**

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

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**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".

.../2

(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 3<sup>rd</sup> day of August, 2011.

READ A SECOND TIME this 3<sup>rd</sup> day of August, 2011.

READ A THIRD TIME this 3<sup>rd</sup> day of August, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. 3541 as given Third Reading on the 3<sup>rd</sup> day of August, 2011.

[Signature]  
Corporate Secretary

AUGUST 9, 2011  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 24<sup>th</sup> day of AUGUST 2011.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Secretary



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3550**

**A Bylaw to Authorize the Cowichan Valley Regional District  
to Obtain, by Referendum, the Opinion of the Electors**

**WHEREAS** Section 797.3 of the *Local Government Act* provides that the Board may, by bylaw, provide for a referendum to obtain the electors' opinion on a question regarding a service that is or may be operated by the Regional District within Electoral Area B – Shawnigan Lake;

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to obtain the opinion of the electors in Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill regarding the siting of the South Cowichan Recycling Facility;

**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. 3550 – South Cowichan Recycling Facility Siting Opinion Referendum Bylaw, 2011**".

2. **REFERENDUM QUESTION**

There shall be submitted to the electors of Electoral Area A – Mill Bay/Malahat, Electoral Area B – Shawnigan Lake, and Electoral Area C – Cobble Hill at a referendum to be held on Saturday November 19, 2011, the following question:

"Are you in favour of locating the South Cowichan Eco Depot recycling and household waste collection facility at 3224 Cameron Taggart Road?"

YES       NO

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. 3553**

**A Bylaw to Authorize a Tax Exemption by the  
Cowichan Valley Regional District for Lands and Improvements Which  
Qualify for a Permissive Exemption Under Section 809**

**WHEREAS** under Section 809(4)(g) of the *Local Government Act* the Cowichan Valley Regional District may provide a tax exemption for lands or improvements in an electoral area owned or held by a municipality, regional district or other local authority and are used for a purpose of the local authority;

**AND WHEREAS** Section 809(3) of the *Local Government Act* provides that prior to October 31<sup>st</sup> of any year, the Cowichan Valley Regional District Board, by bylaw adopted by two-thirds of the votes cast, may exempt from taxation imposed under Section 809 of the *Local Government Act*, certain lands and improvements or both, for the next calendar year.

**AND WHEREAS** the Board wishes to exempt certain land and improvements owned, held or operated for the uses or purposes set out in Section 809(4)(g) of the *Local Government Act* from taxation for the calendar year 2012;

**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. 3553 – Tax Exemption (Permissive) Bylaw, 2011**".

**2. PERMISSIVE TAX EXEMPTION LAND**

The parcels of land outlined in Schedule A attached to this bylaw and any improvements on the lands shall be exempt from taxation under Section 809 of the *Local Government Act* for the year 2012.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

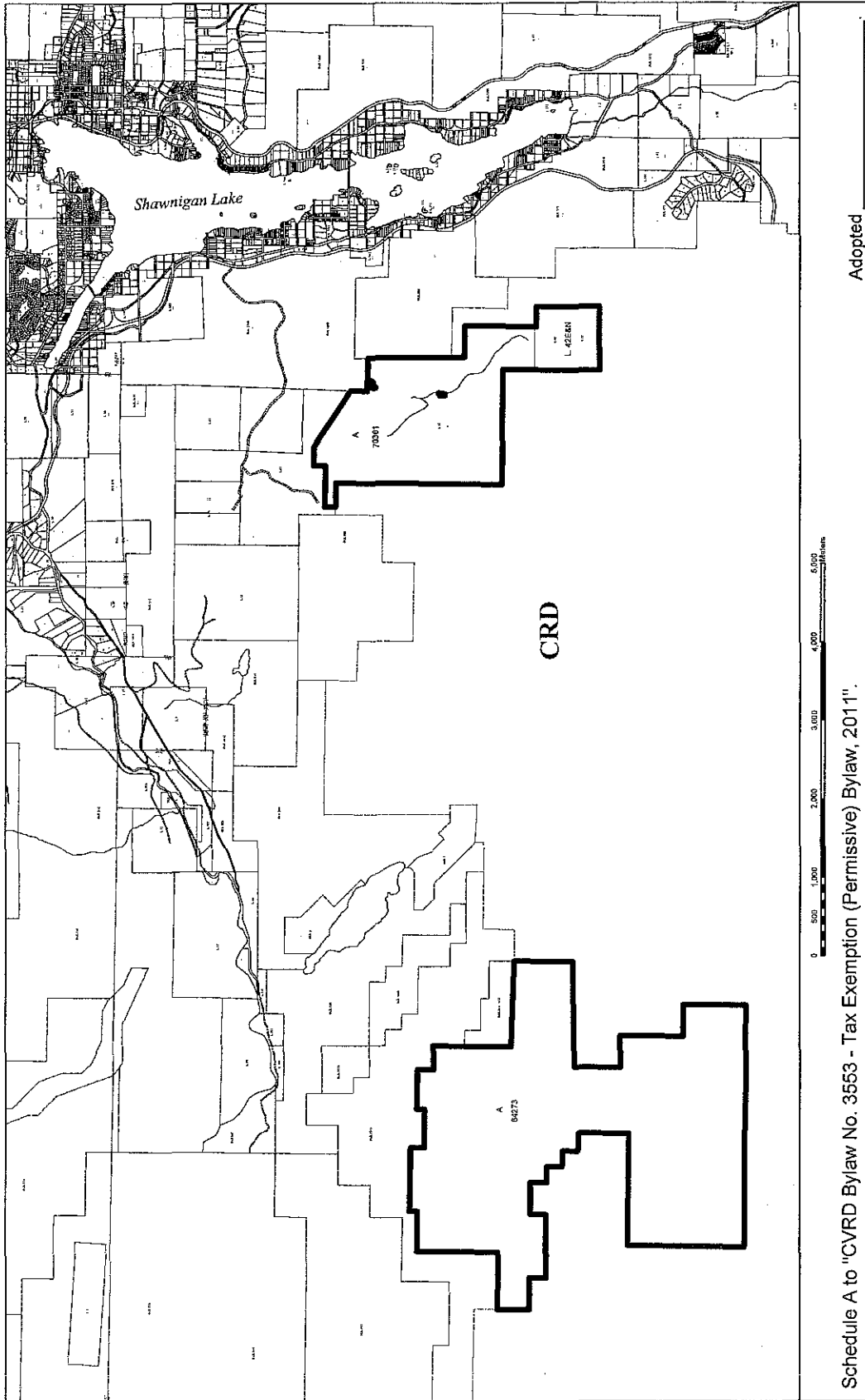
READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary





**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3554**

**A Bylaw to Amend Bylaw 3209 Which Authorizes the  
Cowichan Valley Regional District Bylaw Enforcement Officers  
to Issue Ticket Information for Offences Against Bylaws**

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**WHEREAS** the Regional District has adopted Cowichan Valley Regional District Bylaw No. 3209 – Ticket Information Authorization Bylaw, 2008;

**AND WHEREAS** the Regional District deems it desirable and expedient to update the Schedules of expressions that designate offences;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3554 – Ticket Information Authorization Amendment Bylaw, 2011**".

2. **AMENDMENTS**

Cowichan Valley Regional District Bylaw No. 3209 is hereby amended as follows:

a) That Section 4 OFFENCES be deleted in its entirety and replaced with the following:

"The words or expressions set forth in Column I of Schedules 2 through to 55, attached to and forming part of this bylaw, designate the offence committed under the bylaw section number appearing in Column II, opposite the respective words or expressions."

b) That Section 5 FINES be deleted in its entirety and replaced with the following:

"The amounts appearing in Columns III of Schedules 2 through to 55, attached to and forming part of this bylaw, are fines set pursuant to Section 265 of the *Community Charter* for the corresponding offences designated in Column I."

c) That Schedule 1 be deleted in its entirety and replaced with new Schedule 1, attached to and forming part of this bylaw.



- d) That Schedule 7, Schedule 11, Schedule 20, Schedule 32, Schedule 33, and Schedule 34 be deleted in their entirety and replaced with new Schedules, attached to and forming part of this bylaw.
- e) That new Schedules 51 through 55, attached to and forming part of this bylaw, be added.

**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

**SCHEDULE 1  
CVRD BYLAW NO. 3554**

**Column I**

**Column II**

<p>Regional District Building Bylaw No. 143, 1974</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-Building Inspector</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
<p>CVRD Bylaw No. 3032 - Dog Regulation and Impounding Bylaw, 2007</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-Domestic Animal Protection Officer</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
<p>Cowichan Valley Regional District Bylaw No. 39 – Fireworks Sale and Discharge Regulation Bylaw, 1970</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-Royal Canadian Mounted Police</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
<p>Cowichan Valley Regional District Noise Control Bylaw No. 1060, 1987</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-Domestic Animal Protection Officer</li> <li>-Royal Canadian Mounted Police</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
<p>Cowichan Valley Regional District Sign Bylaw No. 1095, 1987</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-Building Inspector</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
<p>Cowichan Valley Regional District Parks Bylaw No. 738, 1983</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-Manager, Parks and Trails Division</li> <li>-Parks Operation Superintendent</li> <li>-Domestic Animal Protection Officer</li> <li>-Royal Canadian Mounted Police</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
<p>Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, 1991</p>	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>

**Column I****Column II**

CVRD Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000, 1999	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
Electoral Area “B” Zoning By-law No. 985 1986	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
Electoral Area “C” Zoning By-law No. 1405, 1991	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
Electoral Area D Zoning By-law No. 1015, 1986	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Electoral Area “E” – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840, 1998	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> </ul>
CVRD Zoning Bylaw No. 2600, 2005, Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Zoning Bylaw No. 2524, 2005, Electoral Area G – Saltair/Gulf Islands	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
the Cowichan Valley Regional District Electoral Area “H” Zoning Bylaw No. 1020, 1986	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Zoning Bylaw No. 2465, 2004, Electoral Area I – Youbou/Meade Creek	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Planning and Development Department</li> <li>-Manager, Community and Regional Planning Division</li> <li>-Manager, Development Services Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>

**Column I****Column II**

CVRD Bylaw No. 1958 – Cowichan Valley Regional District Garbage and/or Recyclable Materials Collection Bylaw, 1999.	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Recycling and Waste Management Division</li> <li>-Environmental Technologist</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 2108 – Solid Waste Management Charges and Regulations Bylaw, 2000	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Recycling and Waste Management Division</li> <li>-Environmental Technologist</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 2570, Waste Stream Management Licencing Bylaw, 2004	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Recycling and Waste Management Division</li> <li>-Environmental Technologist</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 1690 – Cherry Point Estates Water System Management Bylaw, 1995	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 1607 – Honeymoon Bay Water System Management Bylaw, 1994	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 2527 – Kerry Village Water System Management Bylaw, 2004	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 1971 – Mesachie Lake Water System Management Bylaw, 1999	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 1967 – Shawnigan Lake North Water System Management Bylaw, 1999	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 2817 – Satellite Park Water System Management Bylaw, 2006	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>
CVRD Bylaw No. 1763 – Saltair Water System Management Bylaw, 1996	<ul style="list-style-type: none"> <li>-Bylaw Enforcement Official</li> <li>-General Manager, Engineering and Environment</li> <li>-Manager, Water Management Division</li> <li>-Manager, Inspections and Enforcement Division</li> </ul>

**Column I****Column II**

CVRD Bylaw No. 2946 – Youbou Water System Management Bylaw, 2007	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2996 – Fern Ridge Water System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2830 – Sentinel Ridge Sewer System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2476 – Cowichan Bay Sewer System Management Bylaw, 2003	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2560 – Youbou Sewer System Management Bylaw, 2005	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 1926 – Eagle Heights Sewer System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2526 – Kerry Village Sewer System Management Bylaw, 2004	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 1748 – Maple Hills Sewer System Management Bylaw, 1996	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 1970 – Mesachie Lake Community Sewerage System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 1966 – Shawnigan Beach Estates Sewer System Management Bylaw, 1999	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2947 – Twin Cedars Sewer System Management Bylaw, 2007	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division

**Column I****Column II**

CVRD Bylaw No. 2879 – Sentinel Ridge Drainage System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2880 – Wilmot Road Drainage System Management Bylaw, 2006	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2948 – Twin Cedars Drainage System Management Bylaw, 2007	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2020 – Landclearing Management Regulation Bylaw, 2009	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Recycling and Waste Management Division -Environmental Technologist -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2998 – Arbutus Mountain Estates Water System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 3099 – Lambourn Estates Water System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2997 – Arbutus Mountain Estates Sewer System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 3098 – Lambourn Estates Sewer System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 3122 – Cobble Hill Sewer System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 2999 – Arbutus Mountain Estates Drainage System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 3100 – Lanes Road Drainage System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division

**Column I****Column II**

CVRD Bylaw No. 3123 – Cobble Hill Village Drainage #2 System Management Bylaw, 2008	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 3313– Dogwood Ridge Water System Management Bylaw, 2009	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
Cowichan Valley Regional District Bylaw No. 3305 – Arbutus Ridge Water System Management Bylaw, 2009	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
CVRD Bylaw No. 3406 – Douglas Hill Water System Management Bylaw, 2010	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
Cowichan Valley Regional District Bylaw No. 3306 – Arbutus Ridge Sewer System Management Bylaw, 2009	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division
Cowichan Valley Regional District Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009	-Bylaw Enforcement Official -General Manager, Engineering and Environment -Manager, Water Management Division -Manager, Inspections and Enforcement Division

**SCHEDULE 20  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 2570, Waste Stream Management Licencing Bylaw, 2004**

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Operating facility without licence	4.1	\$1000
Failure to comply with facility licence	4.1	\$500
Failure to install and maintain locking gate	6.1(a)	\$250
Failure to install and maintain barrier	6.1(c)	\$250
No functioning communication equipment	6.1(d)	\$250
Litter outside facility	6.1(e)	\$250
Leachate from containment system	6.1(f)	\$1000
Employee not present	6.1(g)	\$250
Failure to inspect load	6.1(h)	\$250
Failure to maintain records	6.1(i)	\$250
Failure to confirm waste appropriately removed	6.1(j)	\$500
Burning	6.1(k)	\$1000
Failure to comply with operating plan	6.1(l)	\$500
Failure to notify fire department	6.1(o)	\$250
Fail to deliver waste or recyclable to licenced facility	8.2	\$500
Failure to remove waste	8.3	\$500
Failure to document compliance	8.4	\$500
Failure to replenish security	10.7	\$500
Failure to pay annual fee	12.3	\$250
Failure to submit monthly statements	12.4	\$250
Failure to maintain records	12.6	\$250
Failure to report waste discharge	13.1	\$500
Failure to report deviation	13.2	\$500
Failure to take all reasonable measures	13.3	\$500
Failure to notify of ownership change	18.1	\$250



**SCHEDULE 33  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 1926 – Eagle Heights Sewer System Management Bylaw, 1999**

COLUMN I	COLUMN II	COLUMN III
<b>Designated Offence</b>	<b>Section</b>	<b>Fine</b>
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

**SCHEDULE 7  
CVRD BYLAW NO. 3554**

**Cowichan Valley Regional District Parks By-law No. 738, 1983**

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Remove, destroy or damage vegetation	3.2(a)	\$100
Cut or remove tree	3.2(b)	\$250
Damage or deface structure	3.2(c)	\$250
Foul or pollute any area of water	3.2(d)	\$100
Inappropriate waste disposal	3.2(f)	\$100
Temporary abode overnight	3.2(i)	\$100
Obstruct free use of park	3.2(j)	\$100
Waste water from fixture	3.2(l)	\$100
Vehicle parked outside designated area	3.2(o)	\$100
Drive any vehicle outside designated area	3.2(p)	\$100
Post, paint or affix any advertisement, poster or bill	3.2(q)	\$100
Horse outside designated path	3.2(r)	\$100
Animal running at large	3.2(s)	\$100
Deposit or remove any material without permission	3.2(u)	\$100
Molest, injure, trap or snare any animal	3.2(v)	\$100
Violate any notice or order from Regional District	3.2(w)	\$100
Sale of anything without permission	3.3(a)	\$100
Set fire outside designated area or place lighted material on ground	3.3( c)	\$100
Construction, tent, mobile home, trailer in a park	3.3(d)	\$100
Horse or dog on beach	3.6(a)	\$100
Interfere with free use of beach	3.6(d)	\$100
Litter on beach or in waters adjacent	3.6(f)	\$100
Drive any vehicle on beach without permission	3.6(g)	\$100
Dog unleashed on waterfront apparatus	3.6(h)	\$50

**SCHEDULE 11  
CVRD BYLAW NO. 3554**

**Electoral Area "C" Zoning By-law, 1991**

COLUMN I	COLUMN II	COLUMN III
<b>Designated Offence</b>	<b>Section</b>	<b>Fine</b>
Prohibited use	4.2	\$100
Kennel building improperly sited	5.5	\$100
Junkyard prohibited	5.6	\$100
Accessory building prohibited	5.9(b)	\$100
Accessory building used as a dwelling unit	5.9(d)	\$100
Over height – corner sight triangle	5.11	\$100
Over height fence	5.12(b)	\$100
Home craft – exterior storage	5.13(c)	\$100
Home craft – oversized floor area	5.13(e)	\$100
Home occupation – oversized floor area	5.14(d)	\$100
Home occupation – exterior storage	5.14(e)	\$100
Bed and breakfast – too many rooms	5.15(c)	\$100
Secondary suite prohibited	5.22(7)	\$100
Accessory building improperly sited	7.1(b)(4), 7.2(b)(4), 7.3(b)(2), 7.4(b)(3), 8.1(b)(3), 8.2(b)(3), 8.3(b)(3), 8.4(c)(3), 8.5(b)(3), 9.1(b)(3), 9.2(b)(3), 9.3(b)(3), 9.4(b)(3), 9.5(b)(3), 9.6(b)(3), 9.7(b)(5), 11.1(b)(3), 11.2(b)(4), 11.3(b)(3) 11.4(b)(3) or 11.4(b)(4)	\$100
Mini storage – outdoor storage	11.5(b)(3)	\$100
Mini storage – no adequate vegetation screen TCH	11.5(c) (1)	\$100
Mini storage – no adequate vegetative screen abutting non-industrial zone	11.5(c) (2)	\$100

**SCHEDULE 32  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 2560 – Youbou Sewer System Management Bylaw, 2005**

COLUMN I	COLUMN II	COLUMN III
Designated Offence	SECTION	FINE
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

**SCHEDULE 34  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 2526 – Kerry Village Sewer System Management Bylaw, 2004**

Column I	Column II	Column III
Designated Offence	Section	Fine
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

**SCHEDULE 51  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 3313– Dogwood Ridge Water System Management Bylaw, 2009**

COLUMN I	COLUMN II	COLUMN III
DESIGNATED OFFENCE	SECTION	FINE
Occupant supplies water elsewhere without authority	11(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(d)	\$1000
Alter water meter or bypass to alter water register	11(1)(f)	\$500
Illegal connection to water system	11(1)(g)	\$1000
Establish connection allowing cross-connection	11(1)(i)	\$500
Water use contrary to restrictions	11(1)(k)	\$100

**SCHEDULE 52  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 3305 – Arbutus Ridge Water System Management Bylaw, 2009**

COLUMN I	COLUMN II	COLUMN III
<b>Designated Offence</b>	<b>Section</b>	<b>Fine</b>
Occupant supplies water elsewhere without authority	11(1)(iii)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(iv)	\$1000
Alter water meter or bypass to alter water register	11(1)(vi)	\$500
Illegal connection to water system	11(1)(vii)	\$1000
Establish connection allowing cross-connection	11(1)(ix)	\$500
Water use contrary to restrictions	11(1)(xi)	\$100

**SCHEDULE 53  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 3406 – Douglas Hill Water System Management Bylaw, 2010**

COLUMN I	COLUMN II	COLUMN III
<b>Designated Offence</b>	<b>Section</b>	<b>Fine</b>
Occupant supplies water elsewhere without authority	11(1)(c)	\$500
Tampers with hydrant or appurtenance or obstructs access	11(1)(d)	\$1000
Alter water meter or bypass to alter water register	11(1)(f)	\$500
Illegal connection to water system	11(1)(g)	\$1000
Establish connection allowing cross-connection	11(1)(i)	\$500
Water use contrary to restrictions	11(1)(k)	\$100



**SCHEDULE 54  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 3306 – Arbutus Ridge Sewer System Management Bylaw, 2009**

COLUMN I	COLUMN II	COLUMN III
Designated Offence	Section	Fine
Connection without approval	5(1)(b)	\$250
No temporary connection	5(8)	\$250
Illegal connection to sewer system	9(1)(b)	\$1000
Willfully causes damage or obstruction	9(1)(c)	\$500
Discharges into system or manhole any substance interfering with system.	9(1)(d)	\$1000

**SCHEDULE 55  
CVRD BYLAW NO. 3554**

**CVRD Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009**

<b>COLUMN I</b>	<b>COLUMN II</b>	<b>COLUMN III</b>
<b>Designated Offence</b>	<b>Section</b>	<b>Fine</b>
Discharge domestic or other prohibited waste	3.0(1)	\$200
Alter regional district drainage system	4.0(1)(a)	\$200
Obstruct watercourse	6.0(1)	\$200



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3422**

**A Bylaw to Adopt New Building Regulations  
in Electoral Areas of the Cowichan Valley Regional District**

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**WHEREAS** Section 694 (1) of the *Local Government Act* authorizes the Cowichan Valley Regional District for the health, safety and protection of persons and property to regulate the construction, alteration, repair, and demolition of buildings and structures by bylaw;

**AND WHEREAS** The Province of British Columbia has adopted a Building Code to govern standards with respect to the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the Province;

**AND WHEREAS** it is deemed necessary to provide for the administration of the Building Code:

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

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**PART 1 INTERPRETATION**

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**1.1 CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3422 – Building Regulation Bylaw, 2011**".

**1.2 APPLICATION OF BYLAW**

**1.2.1 Electoral Areas**

The provisions of this bylaw shall apply in all Electoral Areas of the Cowichan Valley Regional District.

**1.2.2 Applicable Work and Activities**

The provisions of this bylaw apply to the

- (1) design and construction of new buildings or structures,
- (2) alteration, reconstruction, demolition, deconstruction, removal and relocation of existing buildings and structures, and
- (3) change in class of occupancy of existing buildings and structures.

### 1.2.3 Exemptions

This bylaw does not apply to buildings or structures exempted by Part 1 of Division A of the Building Code except as expressly provided herein.

### 1.2.4 Application of Other Legislation

Nothing contained in this bylaw relieves any person from complying with all other applicable legislation or enactments respecting health, safety and the protection of persons and property.

## 1.3 DEFINITIONS

### 1.3.1 Non-defined Terms

- (1) The definitions in the Building Code apply to words and phrases in this bylaw, unless they are defined otherwise in this bylaw.
- (2) If words or phrases used in this bylaw are not specifically defined in Section 1.3.2 herein or in the *Building Code, Community Charter, Interpretation Act* or *Local Government Act*, they have the meaning in the context of this bylaw
  - (a) that is consistent with the use to which a trade or profession affected by this bylaw applies the word or phrase, or
  - (b) if not used by a trade or profession, their ordinary meaning.

### 1.3.2 Definitions

In this bylaw:

**“Accessory Building”** means a building or structure, the use or intended use of which is customarily incidental and exclusively devoted to the principal use.

**“Board”** means the Cowichan Valley Regional District’s Board of Directors.

**“Building”** means any structure used or intended for supporting or sheltering any use or occupancy.

**“Building Code”** means the regulation establishing the *British Columbia Building Code* made by the Minister pursuant to Section 692 (1) of the *Local Government Act*.

**“Building Official”** means a person authorized under this bylaw to administer this bylaw.

**“Community Sewer System”** means system of sewage collection and disposal operated by a regional district, municipality or improvement district.

**“CVRD”** means the Cowichan Valley Regional District.

**“Farm Building”** means a detached building which

- (a) does not contain a residential occupancy and is
  - (i) associated with and located on land dedicated to farming, and
  - (ii) used essentially for housing equipment or livestock, or production, storage or processing of agricultural and horticultural produce or feed,
- (b) is a stand alone barn, agricultural storage facility, greenhouse or silo located on land dedicated to farming;
- (c) does not include covered riding arenas or structures which may be used for assembly occupancies.

**“Health and Safety Aspects of the Work”** means design and construction regulated by Parts 3, 4, and 9 of Division B of the *Building Code*.

**“Infrastructure”** means storm, water and sewer systems.

**“Occupancy”** means the Classification of Buildings or Parts of Buildings by Major Occupancy established by section 3.1.2 of Part 3 of Division B of the *Building Code*.

**“Occupancy Certificate”** means a form referred to in section 2.6 of this bylaw.

**“Owner”** includes a person who has been authorized by the owner to act as the owner’s agent.

**“Permit”** means a Permit required by Sections 2.1.1 and 2.1.2 of this bylaw.

**“Registered Professional”** means a person who is

- (a) registered or licensed to practice as an architect under the *Architects Act*, or
- (b) registered and licensed to practice as a professional engineer under the *Engineers and Geoscientists Act*.

**“Siting Permit”** means the permit required in Section 2.3.7 for the siting of a farm building.

**“Structure”** means a constructed thing or portion of a constructed thing of any kind that is fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences and paving.

**“Work”** means work or activity that is

- (a) related to the matters described in section 1.2.2, and
- (b) regulated by this bylaw, the *Building Code*, or any other enactment applicable to the work or activity.

### 1.3.3 References

A reference in this bylaw to a section by its number is a reference to a section of this bylaw, unless otherwise indicated.

## 1.4 PURPOSE OF BYLAW

### 1.4.1 Interpretation

This bylaw, despite any other provision herein, shall be interpreted in accordance with this section.

### 1.4.2 Limited Extent of Bylaw's Purpose

This bylaw is enacted for the purpose of regulating construction within the Cowichan Valley Regional District in the general public interest. The activities undertaken by or on behalf of the Cowichan Valley Regional District pursuant to this bylaw are for the sole purpose of providing a limited spot check for health, safety, and protection of persons and property. It is not contemplated nor intended, nor does the purpose of this bylaw extend

- (1) to the protection of owners, owner/builders or constructors from economic loss;
- (2) to the assumption by the Cowichan Valley Regional District or any Building Official of any responsibility for ensuring the compliance by an owner, the owner's representatives or any employees, constructors or designers retained by the owner, with the *Building Code*, the requirements of this bylaw or any other applicable codes, enactments or standards;
- (3) to providing to any person a warranty of design or Workmanship with respect to any building or structure for which a Permit or an Occupancy Certificate is issued under this bylaw;
- (4) to providing to any person a warranty that construction is in compliance with the *Building Code*, this bylaw or any other applicable enactment with respect to any building or structures for which a Permit or Occupancy Certificate is issued under this bylaw;
- (5) to providing to any person a warranty or assurance that construction undertaken pursuant to a Permit issued by the Cowichan Valley Regional District is free from latent or any other defects.

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**PART 2 PERMITS, COMPLIANCE AND PERMIT FEES**

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**2.1 GENERAL**

**2.1.1** A Permit is required whenever Work is to be undertaken.

**2.1.2 Permits Required**

Without limiting the scope of section 2.1.1, a person must apply for and obtain

- (1) a building permit before
  - (a) constructing, reconstructing, repairing or altering a building or structure,
  - (b) removing or relocating a building or structure, and
  - (c) changing an occupancy;
- (2) a plumbing permit prior to commencing the installation of any plumbing;
- (3) a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the Work is encompassed by a valid and subsisting building permit;
- (4) a demolition permit before demolishing a building or structure;
- (5) a siting permit for a farm building;
- (6) a building permit to construct a retaining structure.

**2.1.3 Permits Not Required**

A Permit is not required in the following circumstances:

- (1) for minor repairs or alterations to non-structural components of a building;
- (2) in relation to plumbing, when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared, or a leak repaired if no change to the piping is required;
- (3) for structures less than 10m<sup>2</sup> as long as they are sited in accordance with the applicable zoning bylaw;
- (4) for decks or patios where the travelled area is less than 24" from the ground;
- (5) for docks and wharves, unless the dock or wharf supports a building or structure.

**2.1.4 Essential Services**

A Permit must not be issued for the construction of any residential, commercial, institutional or industrial building until all of the following essential services are provided for:

- (1) *Water*: A community water service or other source of potable water, approved by the Medical Health Officer, Public Health Inspector or other authority having jurisdiction;
- (2) *Sanitary Sewer*: A community sewer or other method of sewage disposal is provided, as long as, for a sewerage system, the owner has submitted to the Building Official all documents to be filed with the Vancouver Island Health Authority as prescribed in Section 8(2) of BC Reg. 326/2004, the Sewerage System Regulation under the *Public Health Act*;
- (3) *Storm Drainage*: An approved method of storm drainage disposal is available to service the building or structure, as prescribed by section 9.14 of Part 9 of Division B of the *Building Code*; and
- (4) *Access to Property*: A driveway of sufficient strength, grade and width for access and egress to all principal buildings by fire and emergency vehicles is provided.

## 2.2 COMPLIANCE

### 2.2.1 Owner's Responsibility for Compliance

- (1) An owner must ensure that all Work performed on the owner's land complies with the *Building Code*, this bylaw and all other enactments, codes and standards applicable to the Work.
- (2) The owner and the owner's representatives are not relieved from their full and sole responsibility referred to in section 2.1.4 by anything done or made by or on behalf of the CVRD under this bylaw, including, without limitation,
  - (a) the issuance of a Permit or Occupancy Certificate,
  - (b) the acceptance or review of plans, specifications or supporting documents, or
  - (c) inspections.

### 2.2.2 No Reliance on CVRD

- (1) A person must not rely upon any Permit or Occupancy Certificate as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- (2) A person must not rely on the review or acceptance of the design, drawings or specifications, nor any inspection made by a Building Official as establishing compliance with the *Building Code*, this bylaw or any other applicable codes, enactments or standards of construction.



### 2.2.3 No Warranty

The issuance of a Permit or an Occupancy Certificate under this bylaw or the acceptance or review of plans, drawings or specifications or supporting documents, or any inspections made by or on behalf of the CVRD do not constitute in any way a representation, warranty, assurance or statement by the CVRD that the *Building Code*, this bylaw or any other applicable enactments, codes and standards have been complied with.

## 2.3 PERMIT APPLICATIONS

2.3.1 An application for a Permit must be made on the applicable form provided by the CVRD.

2.3.2 All building and structural plans submitted with Permit applications must bear the name and address of the designer of the building or structure.

2.3.3 Each building or structure to be constructed on a parcel requires a separate building permit and must be assessed a separate building permit fee based on the value of the building or structure, as determined and calculated in accordance with Schedule "A" attached to this bylaw.

### 2.3.4 Applications

An application for a building permit must

- (a) be signed by the owner or by a signing officer with sufficient authority to bind the corporation if the owner is a corporation;
- (b) include a copy of a title search made within 30 days of the date of the application, complete with copies of all easements, statutory rights-of-way and covenants registered on the title;
- (c) include a site plan showing:
  - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan or explanatory or reference plan, or metes and bounds description;
  - (ii) the legal description or civic address of the parcel;
  - (iii) the location and dimensions of all statutory rights-of-way, easements and setback requirements in registered instruments;
  - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
  - (v) setbacks required to the natural boundary of any sea, lake, swamp, pond or watercourse;
  - (vi) the existing natural grade (may require BC Land Surveyor document) and the geodetic elevation of the main floor; and
  - (vii) the location, dimension and gradient of parking and driveway access.

- (d) include floor plans showing
  - (i) the dimensions and uses of all areas;
  - (ii) the dimensions and height of crawl and roof spaces;
  - (iii) the location, size and swing of doors;
  - (iv) the location, size and opening of windows;
  - (v) floor, wall, and ceiling finishes;
  - (vi) plumbing fixtures; structural elements; and
  - (vii) stair dimensions;
- (e) include a cross-section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
- (f) include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, grade and building height;
- (g) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *Building Code*;
- (h) include copies of approvals required under any enactment relating to health or safety, including, without limitation, Sewage Disposal Permits, Highway Access Permits and Ministry of Health approval;
- (i) include any other information required by the Building Official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.

### **2.3.5 Applications for Moved Buildings or Structures**

- (1) If a building or structure has been moved, a Permit is required for its rehabilitation on the property to which it is moved.
- (2) Before issuing a Permit for a moved building or structure, the Building Official may require certification under Section 2.3.8 from a registered professional that the building meets the requirements of this bylaw, the Building Code and any other applicable enactment.
- (3) Factory built housing must comply with Canadian Standards Association Standard A-277 "Procedure for Certification of Factory Built Houses" or CAN/CSA Z-240 MH Series, "Mobile Homes", prior to relocation within the CVRD.

### **2.3.6 Retaining Structures**

A registered professional shall supervise the design and construction of a retaining structure greater than 1.5 metres in height. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structures greater than 1.5 metres in height shall be submitted to a Building Official prior to acceptance of the Work.

### 2.3.7 Siting Permit

A person who intends to erect or construct a farm building must

- (a) apply for a siting permit,
- (b) provide sufficient information to the Building Official that the farm building will be sited on the parcel in compliance with the setback provisions prescribed in the applicable zoning bylaw, and
- (c) note the intended use of the building or structure on the application.

### 2.3.8 Professional Plan Certification

- (1) If a Building Official considers that the site conditions, size or complexity of a development or an aspect of the development warrants, the Building Official may require an applicant for a building permit to provide design and plan certification and field reviews by a registered professional, supported by letters of assurance in the form of Schedules B-1, B-2 and C-B in Part 2 of Division C of the Building Code that the plans submitted with the permit application, or specified aspects of those plans, comply with the then current Building Code and other applicable enactments respecting safety.
- (2) Prior to the issuance of an Occupancy Permit under section 2.6 of this bylaw for a building where letters of assurance have been required under section 2.3.6 of this bylaw, the owner must provide the Building Official with letters of assurance in the form of Schedules C-A or C-B in Part 2 of Division C of the *Building Code*, as is appropriate.
- (3) The CVRD and its Building Officials rely solely upon the field reviews undertaken by the registered professional and the letters of assurance required and provided by this bylaw, as certification that the construction substantially conforms to and the design, plans and specifications to which the letters of assurance relate comply with the Building Code and other applicable enactments.

## 2.4 PERMIT FEES

2.4.1 The applicable Permit fee prescribed and calculated in accordance with Schedule "A" attached to this bylaw, must be paid in full prior to the issuance of a Permit under this bylaw.

### 2.4.2 Damage – Surety Deposit

- (1) The applicant, at the time of issuance of a Permit for a Building or structure, or demolition of an existing structure, must provide the CVRD with a surety deposit of five hundred dollars (\$500) as security for the restoration of CVRD infrastructure damaged by the performance of the Work.
- (2) The surety deposit must be refunded if:
  - (a) there is no damage to CVRD infrastructure;
  - (b) no invoice is issued to cover the cost of repair to CVRD infrastructure; and
  - (c) an Occupancy Certificate is issued within two years of the issuance of the building permit.

- (3) The surety deposit must be forfeited to the CVRD if a final inspection is not called for and approved and an occupancy permit is not issued within two years of the issuance of the building permit.

### 2.4.3 Refund

When a Permit is surrendered and cancelled within 6 months of the Permit being issued and before any construction begins, the owner may obtain a 60% refund of the Permit fees required under Section 2.4.1 of this bylaw, by making a written request.

### 2.4.4 Fee Reduction

The building permit fee shall be reduced by 10% where

- (a) a registered professional reviews and certifies an application for a building permit as being in compliance with the *Building Code*, this bylaw and other applicable bylaws, and
- (b) the CVRD relies upon that certification in issuing a building permit.

### 2.4.5 Expired Permit

The permit fee for Work under a previous Permit that expired before the Work was completed will be based upon the value of the Work that remains to be completed.

## 2.5 CONDITIONS OF A PERMIT

### 2.5.1 A Building Official must issue the Permit for which the application is made when

- (a) a completed application in compliance with this bylaw, including all required supporting documentation, has been submitted and the review of the application has been completed;
- (b) the owner has paid all applicable fees prescribed by this bylaw;
- (c) the owner has paid all charges and met all regulations and requirements imposed by any other bylaw or enactment;
- (d) the proposed construction does not contravene any covenant under Section 219 of the *Land Title Act*; and
- (e) no enactment authorizes the Permit to be withheld.

### 2.5.2 Every Permit is issued upon the condition that the Permit must expire and the rights of the owner under the Permit must terminate if

- (a) the Work authorized by the Permit is not commenced within 6 months from the date of issuance of the Permit; or
- (b) the Work is discontinued for a period of 12 months or none of the inspections required by Section 3.3.3 have been requested during that period.

**2.5.3** A Building Official may extend the period of time set out under Section 2.5.2 where construction has not been commenced or has been discontinued due to adverse weather, strikes, or material or labour shortages.

**2.5.4 Revocation of a Permit**

- (1) A Building Official may revoke a Permit where there is a violation of
  - (a) a condition under which the Permit was issued; or
  - (b) a provision of the *Building Code*, this bylaw or other bylaws or enactments applicable to the Work.
- (2) The revocation of the Permit must be in writing and transitted to the Permit holder by registered mail, and is deemed served at the expiration of three days after the date of mailing.

**2.5.5 Denial of Permits**

If a person has been notified in writing that Work done by that person or on the person's behalf is a violation referred to in Section 2.5.4, a Permit must not be issued to that person in respect of the same property until the person has corrected the violation or satisfied the Building Official of his or her ability to do so.

**2.5.6 Partial Permit**

- (1) A Building Official may issue a building permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, if sufficient information has been provided to the Building Official to demonstrate that
  - (a) the portion authorized to be constructed substantially complies with this bylaw and other applicable enactments, and
  - (b) the Permit fee applicable to that portion of the building or structure has been paid.
- (2) Despite the issuance of the Permit, the requirements of this bylaw apply to the remainder of the building or structure as if the Permit for the portion of the building or structure had not been issued.
- (3) This section does not apply to single family dwellings and accessory buildings.

**2.5.7** An owner shall arrange for transportation of a Building Official to the property on which a building or structure is being constructed where the location of the property is remote or not accessible by motor vehicle. Vessels used for the marine transportation of a Building Official shall comply with Transport Canada's Small Commercial Vessel Safety Guide.

**2.6 OCCUPANCY CERTIFICATE**

- 2.6.1** An owner must obtain an Occupancy Certificate issued by a Building Official prior to occupying a building.
- 2.6.2** A Building Official must not issue an Occupancy Certificate unless
- (a) all letters of assurance have been submitted (when required) in accordance with Section 2.3.8 of this bylaw; and
  - (b) all aspects of the Work requiring inspection and acceptance pursuant to Section 3.3.3 of the bylaw have been inspected and accepted.
- 2.6.3** A Building Official may issue an Occupancy Certificate for part of a building or structure when that part of the building or structure is self-contained, provided with the essential services listed in section 2.1.4 of this bylaw and meets the requirements set out in Section 2.6.2 of this bylaw.

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**PART 3 PROHIBITIONS AND OBLIGATIONS**

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**3.1 GENERAL****3.1.1 Work without Permits**

No person shall commence or continue construction, alteration, reconstruction, demolition, removal or relocation or change the Occupancy of any building or structure, excavation or other Work related to construction, unless excepted from the requirements of this bylaw, unless a Building Official has issued a valid and subsisting Permit for the Work.

**3.1.2 Demolish**

No person shall demolish a building or structure unless a Building Official has issued a valid and subsisting demolition permit for the Work.

**3.1.3 Occupy or Use Building**

- (1) No person shall occupy or use a building or structure unless a valid and subsisting Occupancy Certificate has been issued by a Building Official for the building or structure.
- (2) No person shall occupy or use a building or structure contrary to the terms of a Permit or Occupancy Certificate issued, or contrary to any notice given by a Building Official.

**3.1.4 Tampering with Notices**

No person shall, unless authorized in writing by a Building Official, reverse, alter, deface, cover, remove or in any way tamper with any notice, Permit or Occupancy Certificate posted upon or affixed to a building or structure pursuant to this bylaw.

**3.1.5 Approved Plans**

No person shall do any Work that is substantially at variance with the approved design, plans or specifications of a building, structure or other Works for which a Permit has been issued, unless that variance has been accepted in writing by a Building Official.

**3.1.6 Obstruction to Entry**

No person shall obstruct the entry of a Building Official or other authorized official of the CVRD to a building or structure on a property when the official is engaged in the administration of this bylaw.

**3.1.7 Cessation of Work**

No person shall continue to do any Work upon a building or structure or any portion of it after the Building Official has ordered cessation or suspension of Work on it.

### 3.1.8 Contrary

No person shall do any Work or carry out any construction contrary to a provision or requirement of this bylaw, the Building Code or any other applicable enactment.

## 3.2 BUILDING OFFICIALS

### 3.2.1 Bylaw Administration

A Building Official is authorized to

- (a) administer this bylaw and the Building Code in the CVRD, and
- (b) keep records of Permit applications, Permits, notices and orders issued, inspections and tests made, and copies of all documents related to the administration of this bylaw.

### 3.2.2 Building Official's Authority

A Building Official

- (a) is authorized to enter, at all reasonable times, upon any property subject to this bylaw and the *Building Code*, in order to inspect and determine whether the regulations, prohibitions, requirements and orders issued under them are being met;
- (b) is directed, where any dwelling, apartment or guest room is occupied, to obtain the consent of the occupant or provide written notice twenty-four hours in advance of entry and provide the reason for the inspection;
- (c) may order the correction of Work performed under the authority of a Permit which is being or has been done contrary to this bylaw, the Building Code or any other applicable enactment;
- (d) may order the cessation of Work that is proceeding in contravention of this bylaw, the Building Code or any other applicable enactment by advising the Permit holder by letter or by a written notice on a card posted on the premises where the Work is being performed and, if possible, posted adjacent to the Work;
- (e) may direct that tests of materials, devices, construction materials, structural assemblies, or foundation conditions be undertaken, or sufficient evidence be submitted, at the expense of the owner, where such evidence is necessary to determine whether the materials, devices, construction or foundation meet the requirements of this bylaw, the *Building Code*, or any other applicable enactment. The records of such tests shall be kept available for inspection during the construction of the building as required by the Building Official.

### 3.2.3 An owner to whom a permit is issued must, during construction,

- (a) post and maintain the Permit in a dry and conspicuous place on the property in respect of which the Permit was issued;
- (b) keep a copy of the accepted design, plans and specifications on the property; and
- (c) post the civic address on the property in a location visible from any adjoining streets.



3.2.4 An owner must, when notified of deficiencies by the Building Official, perform such alterations, corrections or replacements as may be necessary to ensure the Work complies with this bylaw, the *Building Code*, or any other applicable enactment, and advise the Building Official when the Work is ready for re-inspection.

### 3.3 INSPECTIONS

3.3.1 Despite Section 2.3.8 of this bylaw, a Building Official may attend the site from time to time during the course of construction to ascertain that the field reviews referred to in section 2.3.8 are taking place and to monitor the field reviews undertaken by the registered professionals.

3.3.2 A Building Official may attend periodically at the site of the construction of buildings or structures to ascertain whether the health and safety aspects of the Work are being carried out in substantial conformance with the *Building Code*, this bylaw and any other applicable enactment.

3.3.3 The owner or the owner's representative, by giving at least 24 hours notice to the Building Official, must request an inspection and obtain approval of the following aspects of the following Work, prior to concealing those aspects:

- (1) the foundation and footing forms before concrete is poured. For determining the legal location of all buildings as determined by the Zoning Bylaw or order of the Board of Variance, or the issuance of a Development Variance Permit or Development Permit, or in the case of new house construction, a certificate will be required from a licensed British Columbia Land Surveyor (BCLS);
- (2) installation of perimeter drains, drain rock, and damp-proofing, prior to backfilling;
- (3) the preparation of ground under-slab plumbing, including ground cover and reinforcing, when required, prior to the placing of a concrete slab;
- (4) rough-in of all chimneys and fireplaces (masonry and factory built);
- (5) inspection of framing after the roof, fire blocking and sheathing are in place, electrical wiring has been completed, and rough in plumbing is under test;
- (6) insulation and vapour barrier, after the exterior is weatherproofed;
- (7) inspection of fireplaces after the installation of the smoke damper and prior to the installation of the first flue liner and any material that would conceal the details of the construction of the fire-box and smoke chamber;
- (8) inspection of masonry construction and/or concrete construction as detailed in the Permit;
- (9) installation and application of building paper, flashing and stucco lath prior to installation of exterior finishes including cultured stone;
- (10) inspection of the installation of solid fuel burning appliances;
- (11) inspection of all plumbing fixtures prior to occupancy;
- (12) the health and safety aspects of the Work when the building or structure is substantially complete and ready for occupancy; pre-final if requested.
- (13) final inspection after the building has been completed and is ready for occupancy.

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**PART 4 ADMINISTRATIVE PROVISIONS**

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**4.1 PENALTIES AND ENFORCEMENT****4.1.1 Stop Work Notice**

- (1) A Building Official may order the cessation of any Work that is proceeding in contravention of the *Building Code*, this bylaw or any other applicable enactment, by posting a Stop Work Notice on the property where the Work is located.
- (2) The owner of property on which a Stop Work Notice has been posted, and every person performing the Work, must cease all construction Work immediately and must not do any Work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work Notice has been rescinded by a Building Official.
- (3) A person who commences Work requiring a Permit without first obtaining such a Permit shall, if a Stop Work Notice is issued, pay the required Permit fee prior to obtaining the required Building Permit.

**4.1.2 Offences**

- (1) A person who contravenes or fails to comply with a provision of this bylaw commits an offence and is liable on summary conviction to the penalties prescribed in the *Offence Act*.
- (2) Each day a new contravention of or failure to comply with a provision of this bylaw continues to exist shall constitute a separate offence.

**PART 5 GENERAL**

**5.1 SEVERABILITY**

If any provision of this bylaw is for any reason held to be invalid by the decision of any court, the decision shall not affect the validity of the remaining provisions of this bylaw.

**6. REPEAL**

Cowichan Valley Regional District Bylaw No. 143, 1974 is repealed.

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

**B16**

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3535**

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1490, Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora**

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Official Community Plan Bylaw No. 1490;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1490;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3535 - Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Alderlea Farm), 2011**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1490, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

.../2

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 13<sup>th</sup> day of July, 2011.

READ A SECOND TIME this 13<sup>th</sup> day of July, 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. 3535**

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Schedule A to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

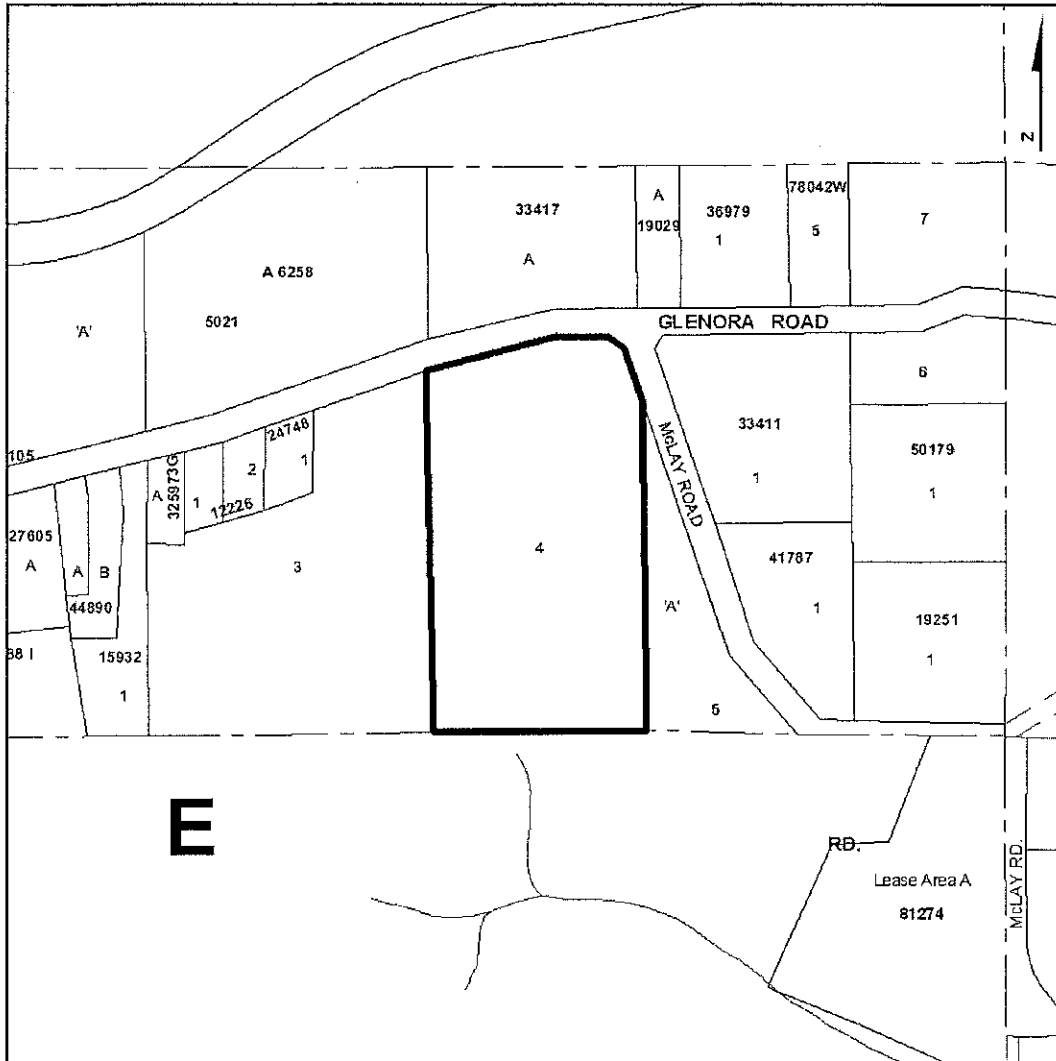
- a) That the following policy is added after policy 4.1.20:

**POLICY 4.1.21**

The promotion, marketing and sale of locally grown crops are encouraged. Ancillary non-farm uses that are compatible and supportive of agricultural may be considered through site specific zoning amendments.

- b) That Lot 4, Section 11, Range 4, Quamichan District, Plan 5021, Except that Part in Plan 33417, as shown outlined in a solid black line on Plan number Z-3535 attached hereto and forming Schedule B of this bylaw, be re-designated from Rural Residential to Agricultural and that Schedule B of Bylaw 1490 be amended accordingly.

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



**THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM**

Rural Residential **TO**

Agricultural **APPLICABLE**

**TO ELECTORAL AREA E**





**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**

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

- 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 13<sup>th</sup> day of July, 2011.

READ A SECOND TIME this 13<sup>th</sup> day of July, 2011.

RESCIND SECOND READING this 3<sup>rd</sup> day of August, 2011.

SECOND READING AS AMENDED this 3<sup>rd</sup> day of August, 2011.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary





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

**A Bylaw to Establish Development Approval Information Requirements and Procedures**

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**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 the General Manager, Planning and Development Department, 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:

- (a) Have regard to the environmental goals, objectives and policies within the Official Community Plan;
- (b) 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.
- (c) 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;
- (d) Examine the proposed development's impact on the discharge of surface drainage waters in relation to Fish Habitats;
- (e) 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;
- (f) 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;
- (g) 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;
- (h) Examine the impact of any proposed road and bridge construction on the watercourses and the banks of such watercourses;
- (i) 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;
- (j) Examine the site's natural environmental features;
- (k) Examine how the proposed development may impact the environment on the site of the proposed development and adjacent properties;

- (l) Examine how the Applicant proposes to mitigate any potential impacts on the environment; and
- (m) 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:

- (a) Consider any goals, objectives and policies contained within an Official Community Plan respecting community services, public facilities and parks;
- (b) 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;
- (c) Examine the potential financial impacts of the proposed development on the existing community services and public facilities;
- (d) Examine the impact of the proposed development on the number of users of existing community services and public facilities;
- (e) 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:

<b>TYPE OF INFORMATION</b>	<b>CONSULTANT</b>
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**

- (a) Within 60 days of receiving a report from an Applicant, the Cowichan Valley Regional District will decide whether the report is complete.
- (b) 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. 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)**

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral 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 3<sup>rd</sup> day of August, 2011.

READ A SECOND TIME this 3<sup>rd</sup> day of August, 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**

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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.



**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:

<b>COLUMN I</b> <i>Type of Parcel Line</i>	<b>COLUMN II</b> <b>Residential Buildings &amp; Structures</b>	<b>COLUMN III</b> <b>Buildings and Structures Accessory to Residential Use</b>
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 m<sup>2</sup>.

(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 8<sup>th</sup> day of December, 2010.

READ A SECOND TIME this 8<sup>th</sup> day of December, 2010.

READ A THIRD TIME AS AMENDED this 9<sup>th</sup> day of March, 2011.

THIRD READING RESCINDED this 3<sup>rd</sup> day of August, 2011.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

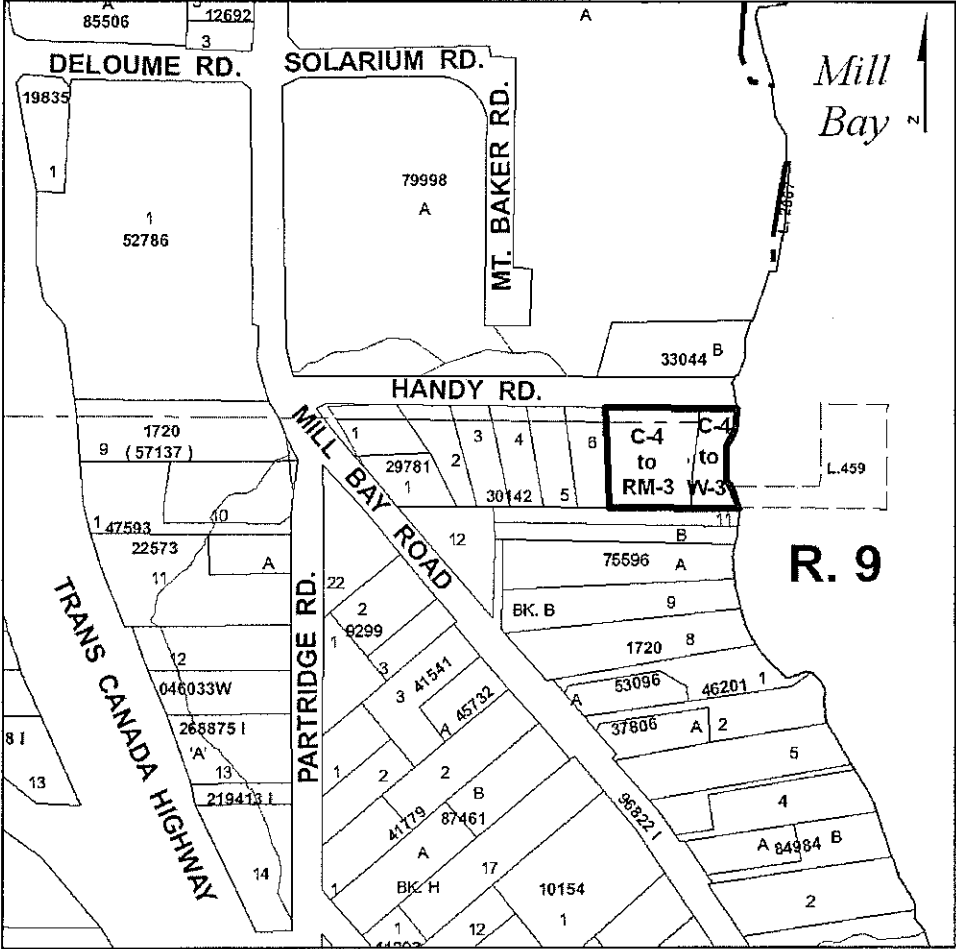
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
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



**B21**

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3557**

**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)**

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral 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. 3557 – South Cowichan Official Community Plan Amendment Bylaw (Logan), 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. 3557**

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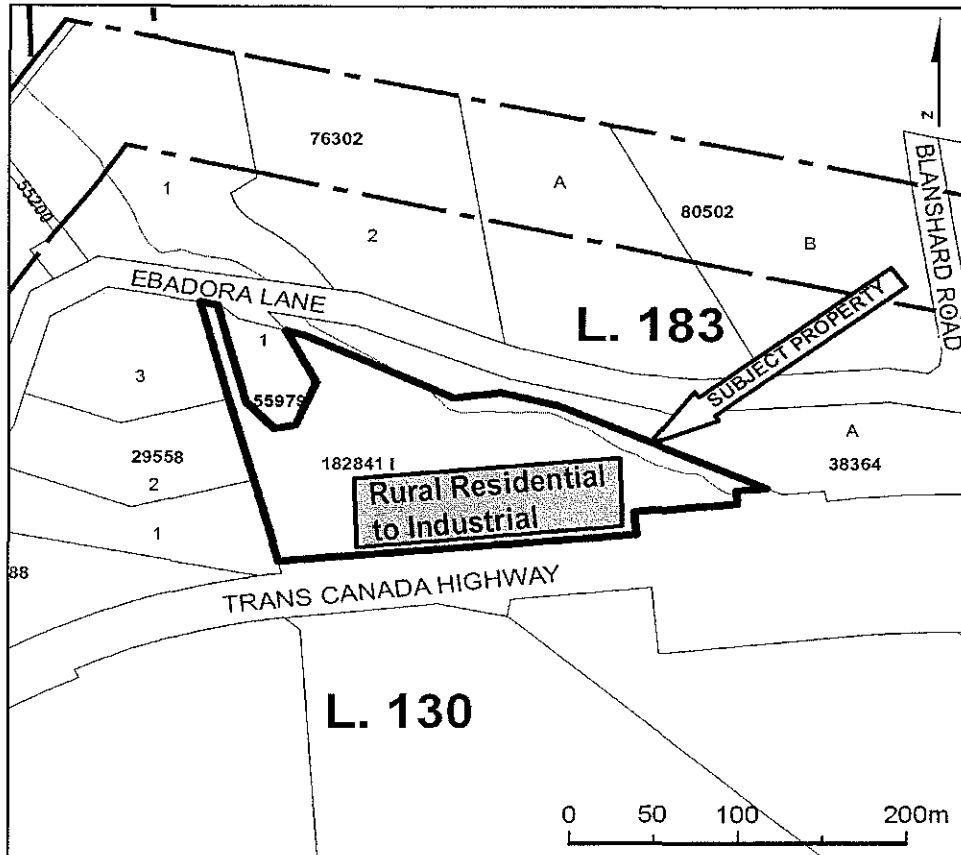
That Official Community Plan Bylaw No. 3510, is hereby amended as follows:

1. That Schedule B to the South Cowichan Official Community Plan – the Plan Map - is amended by redesignating Those Parts of District Lot 130, Malahat District, Lying to the North of Plan 591W Except Plans 739-R, 29558, 38364, VIP55979 and VIP61126, as shown outlined in black and shaded in gray on Schedule Z-3557 attached hereto and forming part of this Bylaw, from Rural Residential to Industrial.

PLAN NO. Z-3557

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

3557



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

Rural Residential

**TO**

Industrial

**APPLICABLE**

**TO ELECTORAL AREA A**



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3558**

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3558 - Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Logan), 2011**".

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 Part 12 be amended by adding the following after Section 12.5:

**12.6 I-1B ZONE - LIGHT INDUSTRIAL RECREATIONAL VEHICLE STORAGE**

Subject to compliance with the general requirements detailed in Parts 4 and 5 of this bylaw, the following regulations shall apply in the I-1B Zone:

(a) Permitted Uses

The following uses and no other uses are permitted in an I-1B Zone:

- (1) *out-of-doors storage of boats, travel trailers and recreational vehicles*

(b) Conditions of Use

For any *parcel* in the I-1B Zone:

- (1) *No buildings or structures are permitted within the I-1B Zone*

(c) Minimum Parcel Size

- 0.8 ha for parcels served by a *community water and sewer system*;
- 0.8 ha for parcels served by a *community water system only*;
- 1.0 ha for parcels served neither *by a community water or sewer system*.

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

“I-1B – Light Industrial Recreational Vehicle Storage”

- c) That Appendix One – Minimum Parcel Size Summary be amended by adding minimum parcel sizes for the I-1B Zone.

- d) That Schedule B (Zoning Map) to Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 be amended by rezoning Those Parts of District Lot 130, Malahat District, Lying to the North of Plan 591W Except Plans 739-R, 29558, 38364, VIP55979 and VIP61126, as shown outlined in black and shaded in gray on Schedule Z-3558 attached hereto and forming part of this bylaw, from F-2 (Secondary Forestry) to I-1B Zone (Light Industrial – Recreational Vehicle Storage).

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.

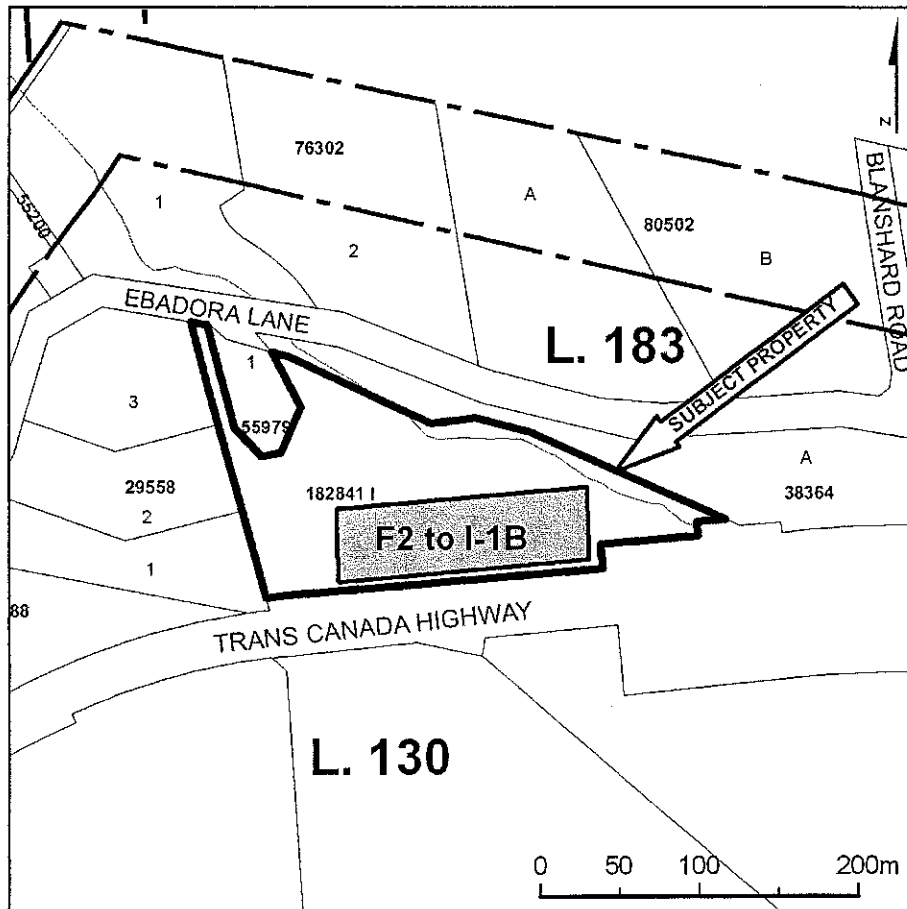
\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Secretary

PLAN NO. Z-3558

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

3558



**THE AREA OUTLINED IN A SOLID BLACK LINE AND SHADED IN GREAY IS REZONED FROM**

F-2 (Secondary Forestry) **TO**

I-1B (Light Industrial Recreational Vehicle Storage) **APPLICABLE**

**TO ELECTORAL AREA A**





## NEW BUSINESS SUMMARY

### BOARD MEETING SEPTEMBER 14, 2011

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**NB1** Appointment – Electoral Area E – Cowichan Station/Sahtlam/Glenora Advisory Planning Commission

**CSNB1** Legal Opinion {Sub (1) (i)}

**Delete Agenda Items:**

**CR4** – Island Savings Centre Commission Report and Recommendations of Meeting of September 8, 2011

**B14** – "CVRD Bylaw No. 3554 – Ticket Information Authorization Bylaw, 2011"



**NB1**

## **APPOINTMENTS**

### **REGULAR BOARD MEETING OF SEPTEMBER 14, 2011**

DATE: September 14, 2011

FROM: Director Duncan

SUBJECT: **Electoral Area E – Cowichan Station/Sahtlam/Glenora Advisory  
Planning Commission Appointment**

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**Recommendation:**

**That the following appointment to the Electoral Area E – Cowichan Station/Sahtlam/  
Glenora Advisory Planning Commission be approved:**

**Appointed for a Term to Expire November 30, 2011:  
Jill Thompson**



**RES1**

**APPOINTMENTS**

**REGULAR BOARD MEETING  
OF SEPTEMBER 14, 2011**

**DATE:** August 22, 2011  
**FROM:** Director Duncan  
**SUBJECT:** Electoral Area E – Cowichan Station/Sahtlam/Glenora  
Advisory Planning Commission

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**Recommendation:**

**That the following appointments to the Electoral Area E – Cowichan Station/Sahtlam/  
Glenora Planning Commission be approved:**

**Term to Expire November 30, 2011:**

**Michelle Young**