



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

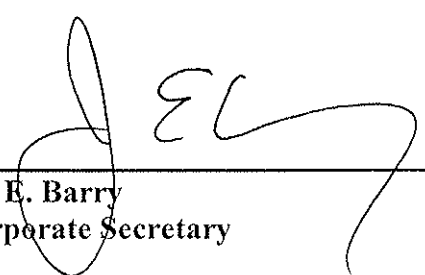
DAY: WEDNESDAY

DATE: JUNE 10, 2009

TIME: → REGULAR SESSION
6:00 P.M.

PLACE: BOARD ROOM

175 INGRAM STREET



Joe E. Barry
Corporate Secretary



C·V·R·D

REGULAR BOARD MEETING

WEDNESDAY, JUNE 10, 2009

6:00 PM - CVRD BOARD ROOM

AGENDA

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

B3	"CVRD Bylaw No. 3141 - Area C - Cobble Hill Official Community Plan Amendment Bylaw (TCH Development Permit Area Expansion), 2008", 3 rd reading.	74-77
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B4	"CVRD Bylaw No. 3142 - Area C - Cobble Hill Zoning Amendment Bylaw (I-1B Parcel Coverage/Outdoor Storage), 2008", 3 rd reading.	78-79
B5	"CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008", adoption.	80-87
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12. **RESOLUTIONS:**13. **UNFINISHED BUSINESS:**14. **NOTICE OF MOTION:**15. **NEW BUSINESS:**16. **QUESTION PERIOD:**

- a) Public
- b) Press

17. **CLOSED SESSION:**

CSM1	Adoption of Closed Session Minutes of May 13, 2009	152-153
CSCR1	Freedom of Information & Protection of Privacy {Sub (1)(j)}	To Be Distributed

18. **ADJOURNMENT:**

The next Regular Board meeting will be held July 8, 2009 at 6:00 p.m., 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, May 13, 2009 at 6:36 pm.

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

ALSO

PRESENT: Warren Jones, Administrator
Joe Barry, Corporate Secretary
Mark Kueber, General Manager, Corporate Services
Ron Austen, General Manager,
Parks, Recreation and Culture
Tom Anderson, General Manager,
Planning and Development
Brian Dennison, General Manager,
Engineering and Environmental Services
Dan Derby, General Manager, Public Safety
Jacob Ellis, Manager, Corporate Planning
Brian Farquhar, Manager, Parks and Trails
Kate McIntosh, Human Resources Manager
Kate Miller, Manager, Regional Environmental Policy
Dominique Beesley, Recording Secretary

ABSENT: Director R. Hutchins

**APPROVAL OF
AGENDA
09-258**

It was moved and seconded that the agenda be amended with the deletion of Item B2 and the addition of the following New Business Items:

**NB1 Staff Report from the Parks and Trails Manager
Re: Community Development Trust Job Opportunities
Program Application; and**

**NB2 "CVRD Bylaw No. 3211 – Area E – Cowichan Station/
Sahtlam/Glenora Zoning Amendment Bylaw (DEF
Autoworld), 2008" adoption;**

and that the Agenda, as amended, be approved.

MOTION CARRIED

**ADOPTION OF
MINUTES
09-259**

It was moved and seconded that the minutes of the April 8, 2009 Regular Board meeting be adopted.

MOTION CARRIED**INVITED
GUESTS**

Chair Giles welcomed Cowichan Tribes Chief Lydia Hwitsum and her Council to this historic occasion of the first joint meeting since the CVRD's incorporation in 1967.

Chief Lydia Hwitsum presented and distributed an overview of the various departments and services provided by Cowichan Tribes. Pointing out that both the Cowichan Tribes and the CVRD are responsible for governing in the Cowichan Valley, Chief Hwitsum reflected that getting together as local governments will result in meaningful decisions being made that mutually affect the common interests of the people living in the Valley. The 2008 North American Indigenous Games benefitted the entire Valley and Chief Hwitsum advised that Cowichan Tribes would like to continue to build on the relationship that emerged through the Games and to try to find ways to get to know each other as individuals and as groups responsible for governing in the Cowichan Valley and to share some experiences of Cowichan.

Chief Hwitsum proudly circulated the Canadian Sport Tourism Alliance President's Award for Outstanding Achievement – Community, Culture and Economic Impact that was recently awarded to the Cowichan Valley as recognition for the very successful efforts of hosting the 2008 North American Indigenous Games.

Chief Hwitsum introduced Rick Brant, Chief Executive Officer, and Calvin Swustus, Chair, 2008 North American Indigenous Games to announce the gifting of the Cowichan 2008 Spirit Pole to the people of the entire Cowichan region. The Spirit Pole will be raised on National Aboriginal Day adjacent to the Cowichan Aquatic Centre.

Chair Giles, Director Kent and Director Walker acknowledged the generosity of the Cowichan Tribes in gifting the Spirit Pole to the Valley; recognized how meaningful this gift is; and stated that it will be a real honour to display the Spirit Pole for all the people in the Valley.

Chair Giles thanked Chief Hwitsum for providing the CVRD with an opportunity to listen and learn and stated that she is hopeful that there will now be a better understanding of the Cowichan Tribes and some of the opportunities that may present themselves in the future. Chair Giles concluded by presenting a gift to Chief Hwitsum in recognition of this historic gathering.

REPORT OF THE CHAIR Chair Giles reported on the Environment Commission session with the consultant that formulated the workplan for the Commission for the next year.

INFORMATION

IN1 Minutes of the South Cowichan Services & Governance meeting held April 22, 2009 were received as information.

IN2 An update from Director Brian Harrison re: Kerry Park Redevelopment Project was provided.

09-260 **It was moved and seconded that a Committee of the Board be struck to examine moving forward with the Regional/Sub-Regional (yellow) Funding Model as described in the January 2009 Staff Report.**

Opposed: Directors Duncan, Morrison and Marcotte

MOTION CARRIED

8:28 pm The Committee recessed from 8:28 pm until 8:40 pm.

COMMITTEE REPORTS

CR1 The report and recommendations of the Electoral Area Services Committee meeting of April 21, 2009 listing ten items were considered.

09-261 **It was moved and seconded:**

- 1. 1. That the Board Chair and Corporate Secretary be authorized to sign the necessary documents with the Island Corridor Foundation (ICF) and Ministry of Transportation to permit improvements upon ICF lands and within existing road rights of way around the Cobble Hill Train Station as part of the Cobble Hill Train Station “Trees for Tomorrow” Revitalization Project.**
- 2. That a reserve fund expenditure bylaw be prepared authorizing the expenditure of no more than \$60,000 from the Community Parks General Reserve Fund (Area C – Cobble Hill) for the purpose of completing the Cobble Hill Train Station “Trees for Tomorrow” Revitalization Capital Project; and that the bylaw be forwarded to the Board for consideration of three readings an adoption.**

2. 1. That CVRD Bylaw No. 3272 – Sahtlam Fire Protection Service Area Loan Authorization Bylaw, 2009, be forwarded to the Board for consideration of three readings and following Provincial and voter approval, be adopted.
2. That voter approval for CVRD Bylaw No. 3272 be obtained through an alternative approval process over the entire service area.
3. That the CVRD proceed to adopt Bylaw No. 3273 – Thetis Island Wharf Regulation Bylaw, 2009, that would prohibit overnight moorage at the Thetis Island Wharf.
4. That the Board Chair and Corporate Secretary be authorized to sign the necessary documents related to issuance of an Operations Permit by BC Parks permitting the CVRD to operate West Shawnigan Lake Park under the Electoral Area B Community Parks function for a term of five years.
5. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Cowichan Valley Seniors Dragon Boat Society to assist with start up costs for their new team in Cowichan Bay.
6. That a grant-in-aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$7,000 be given to Mill Bay/Malahat Historical Society to assist with costs to collect, preserve, and present the history and heritage of the Mill Bay and Malahat area.
7. That a grant-in-aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$500 be given to Bamberton Historical Society to assist with their historical theatre project.

MOTION CARRIED

09-262

It was moved and seconded that:

8. That application 1-A-09 DVP by Robert and Jodi Cantwell for a variance to Section 8.4.A(b)(2) of Zoning Bylaw No. 2000, by increasing the maximum permitted height of a single family dwelling from 7.5 metres (24.61') to 9.5 metres (31.17') on Lot 51, District Lot 80, Malahat District, Plan VIP83417 (PID 027-128-300), be denied.
9. That application No. 1-I-09DP and 1-I-09DVP be approved, and the Planning and Development Department be authorized to issue a development permit and development variance permit to

Charles Ricketson for the construction of an addition to the dwelling on Lot 41, District Lot 32, Cowichan Lake District, Plan 1003, Except Part in Plan 1584 RW (PID: 002-477-882) that would permit the addition to be 1.5 metres from the side parcel line and subject to:

- Compliance with RAR Report No. 1251 by Trystan Willmott;
- Flagging of the 15 m Streamside Protection and Enhancement Area prior to construction;
- Construction is located outside the 15 metre Streamside Protection and Enhancement Area, measured from the 164 metre high water mark.

10. That application No. 1-F-09DP be approved, and the Planning and Development Department be authorized to issue a development permit to Tina and Wayne Verch for the reconfiguration of exterior decks at 6770 Forestry Road (Lot A, Section 29, Renfrew District, Plan 38780), including a variance to Section 3.22 of Zoning Bylaw 2600 to reduce the minimum setback of from a watercourse from 15.0 metres to 8.0 metres, subject to:

- Acceptance of RAR report #1167 by the Ministry of Environment.
- Strict compliance with RAR report #1167, prepared by Kelly Schellenberg, RFP
- Protection of 15 metre Streamside Protection and Enhancement Area (SPEA), other than the permitted encroachment, with high visibility fencing or temporary flagging prior to construction.
- Planting and protection of the proposed compensation area in accordance with RAR report #1167.

MOTION CARRIED

CRI

The report and recommendations of the Electoral Area Services Committee meeting of May 5, 2009 listing 25 items were considered.

09-263

It was moved and seconded:

2. That Scott Stevenson be compensated \$525 for loss of livestock as a result of attacks from unknown dog(s) at 4975 Langtry Road.
3. That a grant-in-aid request (Electoral Area B – Shawnigan Lake) in the amount of \$350 be given to Garden House Foundation to assist the Foundation with their mandate.
4. That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$400 be given to Lake Days Celebration Society to assist with Lake Days event costs.

5. That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$150 be given to Lake Cowichan Secondary School Grad 2009 to assist with prom night expenses.
6. That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$125 be given to The Kaatza Art Group to assist with Kaatza Spring Art Show 2009 expenses.
7. That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$250 be given to Founders Independent Living Society to assist with start up expenses.
8. That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$1,000 be given to Cowichan Lake Salmonid Enhancement Society to assist with their salmon enhancement project.
9. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$500 be given to Cowichan Bay Improvement Association to assist with expenses for their annual Low Tide Day.
10. That a grant-in-aid request (Electoral Area D – Cowichan Bay) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist with advertising costs for the Fair's 100th Anniversary.
11. That a grant-in-aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist in promotion of the Fair's 100th Anniversary.
12. That a grant-in-aid request (Electoral Area C – Cobble Hill) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist with advertising costs for the Fair's 100th Anniversary.
13. That a grant-in-aid request (Electoral Area E – Cowichan Station/Sahtlam/Glenora) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist with advertising costs for the Fair's 100th Anniversary.
14. That a grant-in-aid request (Electoral Area B – Shawnigan Lake) in the amount of \$300 be given to Shawnigan Cobble Hill Farmers Institute to assist in promotion of the Fair's 100th Anniversary.

15. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$500 be given to Lake Cowichan Secondary School to assist with their 2009 scholarship/bursary program.
16. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$125 be given to The Kaatza Arts Group to assist with costs for the 2009 Spring Art Show.
17. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$400 be given to the Lake Days Celebration Society to assist with costs to hold the Lake Days Community Breakfast event.
18. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$1125 be given to the Cowichan Lake Lady of the Lake Society to assist with costs associated with the 2009 pageant function.
19. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$125 be given to Lake Cowichan Animal Rescue Society to support the work and efforts of the Society.
20. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$250 be given to Founders Independent Living Society to assist with the efforts of the Society to provide independent living to seniors and disabled citizens in the Cowichan Lake area.
21. That a grant-in-aid request (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$150 be given to Lake Cowichan Secondary School Grad 2009 to assist with costs to hold Prom Night 2009.
22. That a grant-in-aid request (Electoral Area I – Youbou/Meade Creek) in the amount of \$1125 be given to Cowichan Lake Lady of the Lake Society to assist with costs associated with the 2009 pageant function.

MOTION CARRIED

It was moved and seconded:

1. That “Safe Boating” signage be erected along the highway right-of-way at appropriate points in both the Shawnigan Lake and Cowichan Lake areas, and at specified CVRD boat launch sites; and further, that a public relations program be set up to help address boat noise and safety concerns on the two lakes.

It was moved and seconded that the motion be amended to include \$13,000 for extra RCMP patrols.

09-264

It was moved and seconded that the matter be referred back to the Electoral Area Services Committee.

MOTION CARRIED

09-265

It was moved and seconded:

23. As a “seasonal cabin” is a dwelling which is not intended for year round residential occupancy, has a self contained sanitation facility and may contain cooking, eating, living and sleeping facilities;

And, as a seasonal cabin’s use is limited to 180 days per year and cannot exceed 74 sq. m. in floor area.

That the Regional Board adopt a policy which defines dwellings meant for seasonal use (maximum 180 days per year) that, because of their unique location, cannot be connected to a piped potable water system or a public/private sewer system.

24. That Application No. 1-D-09ALR submitted by Ron and Gail Pitcher made pursuant to Section 21(2) of the *Agricultural Land Commission Act* to subdivide the subject property under the provisions of Section 946 of the *Local Government Act* be forwarded to the Agricultural Land Commission with a recommendation to deny noting the following comments:

- the existing property is already smaller than permitted by the current zoning, and subdivision would worsen the problem of parcel sizes that were unsustainable for farming;
- the principle of protecting farm land is a core value for many residents; and
- ALR rules permit sale of property to finance farm improvements but the approval process is onerous.

25. 1. That applications for family subdivisions in the ALR be referred to Advisory Planning Commissions only on the request of the Director, and that the CVRD Board continue to pass individual resolutions on each application.

2. That Procedures and Fees Bylaw No. 2255 be amended to reflect referral to APC's being "on the request of the Director".

MOTION CARRIED

CR2

The report and recommendations of the Engineering & Environmental Services Committee meeting of April 22, 2009 listing seven items were considered.

09-266

It was moved and seconded:

1. That the Board accept the following modifications to the Gas Tax funding allocations for the Engineering and Environmental Services Department:
 1. Remove the Kerry Village Sewer rehabilitation project from the Gas Tax funding list as a result of grant monies received under the Towns for Tomorrow program
 2. Increase the Gas Tax funding for the Honeymoon Bay reservoir project to \$180,000 due to an increase in costs to supply Hydro power to the water treatment building.
 3. Increase the Gas Tax funding for the Satellite Park reservoir and treatment building upgrades to \$380,000.00, due to the requirement of a fire pump.
 4. Substitute the Dogwood Ridge water reservoir and treatment building upgrade project into the 2009/2010 Gas Tax project list if alternative funding becomes available for the Saltair reservoir project.
2. That the Manager of Regional Environmental Policy, working with the Environment Commission and CVRD and member municipal staff, develop a variety of environmental lenses for Board consideration, usable by the CVRD and its member municipality staff to support the Board's resolution of December 10, 2008, that "*the CVRD embed an environmental lens into all decision-making immediately*".

(Amended from original Committee recommendation):

4. That the Board approve the following template as a first stage approval process/recommendation for both new and existing CVRD utility takeovers:
 1. "That the Board provide first stage of approval and authorize staff time to continue with the process of potential takeover of the Click here to enter text. system(s), located in Electoral Area Click here to enter text., as requested by Click here to enter text., subject to the following conditions

and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws;

2. All lands on which infrastructure works are located will be placed within registered statutory rights-of-way, using the CVRD's standard charge terms;
3. A utility transfer agreement be executed between the CVRD and the owners;
4. A CVRD in-house review of the system be undertaken in order to address deficiencies in the water and/or sewer utility system;
5. The owner of utility be willing to sell and/or transfer the system to the CVRD;
6. A public consultation process regarding CVRD takeover be undertaken;
7. A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area;
8. This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed;

and further that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility."

5. That staff be authorized to apply for funding under the BC Brownfield Renewal Strategy, in order to pursue remediation of the Peerless Road and Meade Creek ash fills.
6. That the Board Chair and Corporate Secretary be authorized to sign a temporary occupancy agreement with Cowichan Energy Alternatives, in cooperation with the Cowichan Biodiesel Cooperative, regarding the siting and operation of a waste vegetable oil collection/recycling depot and bio-diesel production facility at the CVRD's Bings Creek Solid Waste Management Complex.
7. That the *Collaborative Projects Envelope - Lower Cowichan Koksilah River Integrated Flood Management and Mapping Plan* project be submitted for funding under the Canada-British Columbia Building Canada Fund – Communities Component.

MOTION CARRIED

9:56 pm

Director Iannidinardo declared a conflict because her son is an Executive Director of TimberWest and she left the meeting at 9:56 pm.

09-267

It was moved and seconded:

3. That, once a formal agreement between the CVRD and TimberWest has been executed and a petition for inclusion into the Honeymoon Bay Water System Service area is received from TimberWest, a bylaw be prepared to amend "CVRD Bylaw No. 1588 – Honeymoon Bay Local Service (Community Water Supply and Distribution) Establishment Bylaw, 1983", by extending the boundaries of the service area to include the property described as "*Lot 2, Section 38, Plan VIP59274 in Renfrew District (Situate in Cowichan Lake District)*", and further that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

9:57 pm

Director Iannidinardo returned to the meeting at 9:57 pm.

CR3

The report and recommendations of the Transit Committee meeting of May 13, 2009 listing four items were considered:

09-268

It was moved and seconded:

1. That the Chair and Corporate Secretary be authorized to sign the 2009/10 Annual Operating Agreement; Amendment #3 to the Cowichan Valley Master Operating Agreement; and Amendment #1 to the Cowichan Valley Transit Service Agreement.
2. That the Chair and Corporate Secretary be authorized to sign the 2009/10 Youbou Annual Operating Agreement.
4. That the Chair and Corporate Secretary be authorized to sign the 2009/10 Cowichan Valley Paratransit Annual Operating Agreement.

MOTION CARRIED

09-269

It was moved and seconded:

3. That a Class Rides Free Program be implemented on the Cowichan Valley Regional Transit System to allow students to experience the local transit system free of charge for the purpose of travelling to and from field trips.

MOTION CARRIED

CR4 The report and recommendations of the Cowichan Lake Recreation Commission meeting of April 23, 2009, listing three items were considered:

09-270 It was moved and seconded:

1. That the Board request that the Liquor Control and Licensing Branch (LCLB) approve the extension of the liquor primary liquor license #163104 – Curling Club to cover the Annual Lake Days Dance on the arena dry floor space on Saturday June 13, 2009.
2. That the Board request that the Liquor Control and Licensing Branch (LCLB) approve the extension of the liquor primary liquor license #300537 of the Youbou Community Bowling Alley to cover the Regatta Adult Dance, Saturday August 08, 2009 from 9 p.m. to 1 a.m. and New Year's Eve Adult Dance, Thursday, December 31, 2009 from 9 p.m. to 2 a.m. in the Youbou Community Hall.
3. That, as required by the LCLB, the Board of the Cowichan Valley Regional District has considered the following items: the potential for noise; the impact on the community; whether the extension will result in the establishment being operated in a manner that is contrary to its primary purpose and the views of the residents and offers the following comments:
 - These events involve the residents of the community through participation and volunteer activities.
 - The establishment will still be operating under a liquor primary liquor license for the purpose of these three events if the application is approved.

MOTION CARRIED

CR4 The report and recommendations of the Cowichan Lake Recreation Commission meeting of April 23, 2009 listing eight items were considered:

09-271 It was moved and seconded that:

1. That the Cowichan Valley Regional District enter into a contract with Venture Pacific Construction Management / n. Wallace and Associates for the provision of Construction Management services for the Cowichan Lake Sports Arena project, for the following fees:

1. Services for pre-construction (\$71,000), construction (\$150,000), and post-construction (\$9,000), for a total of \$230,000 + GST.
 2. On Site Personnel of Site Manager at \$13,750 per month, and Construction Safety Officer of \$7,060 per month.
 3. Additional services to be billed by hourly rates as outlined in the proposal.
 4. Reimbursable expenses as outlined in the proposal.
2. That the Chair and Corporate Secretary be authorized to sign the contract with Venture Pacific Construction Management / n. Wallace and Associates for the provision of construction management services for the Cowichan Lake Sports Arena project for the fees as noted.
 3. That the Cowichan Valley Regional District enter into a contract with Fast and Epp Engineering for the provision of structural engineering services for the Cowichan Lake Sports Arena project, for the following fees:
 1. Services for structural engineering, \$60,000.
 2. Reimbursable expenses as outlined in the proposal.
 4. That the Chair and Corporate Secretary be authorized to sign the contract with Fast and Epp for the provision of structural engineering services for the Cowichan Lake Sports Arena project for the fees as noted.
 5. That the Cowichan Valley Regional District enter into a contract with Applied Engineering Solutions for the provision of electrical engineering services for the Cowichan Lake Sports Arena project, for the following fees:
 1. Services for electrical engineering, \$35,200.
 2. Reimbursable expenses as outlined in the proposal.
 6. That the Chair and Corporate Secretary be authorized to sign the contract with Applied Engineering Solutions for the provision of electrical engineering services for the Cowichan Lake Sports Arena project for the fees as noted.
 7. That the Cowichan Valley Regional District enter into a contract with Hirschfield, Williams, Timmins Ltd. for the provision of mechanical engineering services for the Cowichan Lake Sports Arena project, for the following fees:
 1. Services for mechanical engineering, \$73,200.
 2. Reimbursable expenses as outlined in the proposal.

8. That the Chair and Corporate Secretary be authorized to sign the contract with Hirschfield, Williams, Timmins Ltd. for the provision of mechanical engineering services for the Cowichan Lake Sports Arena project for the fees as noted.

MOTION CARRIED

STAFF REPORTS

SR1 Staff Report from the General Manager, Public Safety dated April 23, 2009, re: Central Island 911 Call Answer Levy Strategy, was considered.

09-272 **It was moved and seconded that the General Manager, Public Safety be directed to jointly pursue with Central Island 911 Partners (City of Nanaimo and Regional District of Nanaimo), implementation of a Call Answer Levy on cellular telephones within the 911 service area. This will be through the Association of BC 911 Service Providers, negotiating with the Wireless Service Providers (WSPs) and if such negotiations fail, pursuing a legislative solution through the Canadian Radio-television and Communications Commission (CRTC), Union of British Columbia Municipalities (UBCM) or the Province of BC.**

MOTION CARRIED

SR2 Staff Report from the Manager, Corporate Planning dated April 15, 2009, re: Community to Community Forum with the Malahat First Nation, was received as information.

SR3 Staff Report from Catherine Tompkins, Planner III dated May 5, 2009, re: OCP Amendment Bylaw No. 3238 and Zoning Amendment Bylaw No. 3239 (Malahat Joint Ventures/Lintaman), was received as information.

PUBLIC HEARINGS

PH1 Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3233 (Polaris/Nicholson), Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, were considered.

09-273 **It was moved and seconded that the Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3233 (Polaris/Nicholson), Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, be received.**

MOTION CARRIED

PH2 Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3234 (Bahler), Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, were considered.

09-274 It was moved and seconded that the Public Hearing Report and Minutes re: Zoning Amendment Bylaw No. 3234 (Bahler), Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls, be received.

MOTION CARRIED

PH3 Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3238 and Zoning Amendment Bylaw No. 3239 (Malahat Joint Ventures/Lintaman), Applicable to Electoral Area B – Shawnigan Lake, were considered.

09-275 It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3238 and Zoning Amendment Bylaw No. 3239 (Malahat Joint Ventures/Lintaman), Applicable to Electoral Area B – Shawnigan Lake, be received.

MOTION CARRIED

BYLAWS

B1
09-276 It was moved and seconded that "CVRD Bylaw No. 3260 - Electoral Area E Community Parks Service Amendment Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B1
09-277 It was moved and seconded "CVRD Bylaw No. 3260 - Electoral Area E Community Parks Service Amendment Bylaw, 2009", be adopted.

MOTION CARRIED

B2 Item B2 was deleted upon adoption of the agenda.

B3
09-278 It was moved and seconded that "CVRD Bylaw No. 3267 - Cowichan Bay Sewer System Reserve Fund Expenditure (Inflow and Infiltration Repairs) Bylaw, 2009, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B3
09-279 It was moved and seconded that "CVRD Bylaw No. 3267 - Cowichan Bay Sewer System Reserve Fund Expenditure (Inflow and Infiltration Repairs) Bylaw, 2009", be adopted.

MOTION CARRIED

**B4
09-280** It was moved and seconded that "CVRD Bylaw No. 3268 - Mesachie Lake Water System Capital Reserve Fund Expenditure (Electrical and Communication Upgrades) Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B4
09-281** It was moved and seconded that "CVRD Bylaw No. 3268 - Mesachie Lake Water System Capital Reserve Fund Expenditure (Electrical and Communication Upgrades) Bylaw, 2009", be adopted.

MOTION CARRIED

**B5
09-282** It was moved and seconded that "CVRD Bylaw No. 3269 - Cherry Point Estates Water System Reserve Fund Expenditure (Control Upgrades) Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B5
09-283** It was moved and seconded that "CVRD Bylaw No. 3269 - Cherry Point Estates Water System Reserve Fund Expenditure (Control Upgrades) Bylaw, 2009", be adopted.

MOTION CARRIED

**B6
09-284** It was moved and seconded that "CVRD Bylaw No. 3272 - Sahtlam Fire Protection Service Loan Authorization Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
09-285** It was moved and seconded that "CVRD Bylaw No. 3273 - Thetis Island Wharf Regulation Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B7
09-286** It was moved and seconded that "CVRD Bylaw No. 3273 - Thetis Island Wharf Regulation Bylaw, 2009", be adopted.

MOTION CARRIED

**B8
09-287** It was moved and seconded that "CVRD Bylaw No. 3212 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Koksilah DPA), 2008", be adopted.

MOTION CARRIED

**B9
09-288** It was moved and seconded that "CVRD Bylaw No. 3233 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Polaris/Nicholson), 2008", be granted 3rd reading.

MOTION CARRIED

09-289 It was moved and seconded that a restrictive covenant be registered on title of the property located at Lot 3, Block 29, Cowichan Lake District, Plan 47390, for the protection of wetlands on the property, prior to adoption of Bylaw No. 3233.

MOTION CARRIED

**B10
09-290** It was moved and seconded that "CVRD Bylaw No. 3234 - Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Bahler), 2009", be granted 3rd reading.

MOTION CARRIED

**B11
09-291** It was moved and seconded that "CVRD Bylaw No. 3238 - Area B - Shawnigan Lake Official Community Plan Amendment Bylaw (Malahat Joint Ventures/ Lintaman), 2008", be granted third reading as amended by changing the words 'will' and 'should' to the word 'shall' throughout Schedule "A".

MOTION CARRIED

09-292 It was moved and seconded that, prior to adoption of Bylaw No. 3238, the applicant must address all issues as indentified in the Staff Report from Catherine Tompkins, Planner III , dated May 5, 2009.

MOTION CARRIED

**B12
09-293** It was moved and seconded that "CVRD Bylaw No. 3239 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008", be granted 3rd reading.

MOTION CARRIED

**B13
09-294** It was moved and seconded that "CVRD Bylaw No. 3274 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Hayes), 2008", be granted 1st and 2nd reading.

MOTION CARRIED

RESOLUTIONS

**RES1
09-295** **It was moved and seconded that the following appointments to the Thetis Island Port Commission be approved:**

**Term to expire December 31, 2011
Doug Darling (*Thetis Island Improvement District Appointee*)
Pat Mooney (*Thetis Island Residents' and Ratepayers' Association Appointee*)**

MOTION CARRIED

NEW BUSINESS

NB1 **Staff Report from the Parks and Trails Manager dated May 12, 2009, re: Community Development Trust Job Opportunities Program Application, was considered.**

09-296 **It was moved and seconded that the Board endorse the joint application by Khowutzun Forest Services, the Municipality of North Cowichan, the Ministry of Tourism, Sport and the Arts, and the Cowichan Valley Regional District for grant funding under the Community Development Trust Job Opportunities Program.**

MOTION CARRIED

**NB2
09-297** **It was moved and seconded that "CVRD Bylaw No. 3211 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (DEF Autoworld), 2008", be adopted.**

MOTION CARRIED

**RESOLVE
INTO
CLOSED
SESSION** **It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsections (1) (a) and (2) (b).**

**09-298
9: 29 pm** **MOTION CARRIED**

**RISE FROM
CLOSED
SESSION** **It was moved and seconded that the Board rise with report on Item CSRES1 and return to the Regular portion of the meeting.**

**09-301
9:52 pm** **MOTION CARRIED**

CSRES1
Personal
Information
{Sub (1)(a)}
09-300

It was moved and seconded that the following appointment to the Economic Development Commission be approved:

Term to expire April 30, 2011

Bruce Sampson

MOTION CARRIED

ADJOURNMENT
09-302
9:52 pm

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

MOTION CARRIED

The meeting adjourned at 9:52 pm.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____

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:**

The make a Difference Club would like to present their new video and suggestions to the board on ways to reduce plastic bags in the Cowichan Valley. Although they are presenting it to the Engineering Committee they would also like all the new members of council to see and hear their requests.

* indicates required fields.



REQUEST TO APPEAR AS A DELEGATION

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

REQUEST TO ADDRESS: CVRD BOARD
 _____ COMMITTEE

at the meeting of JUNE 10 TH, 2009 at _____ pm

APPLICANT NAME CAM PRINGLE

REPRESENTING: FOUR WAY PROPERTIES INC.
(name of organization if applicable)

AS: _____
(capacity/office)

NUMBER ATTENDING: _____

Applicant mailing address: #29 1400 COWICHAN BAY RD COBBLE HILL
VOR 1L3

Applicant Telephone: 250 733 9894 Fax: 250 733 9884

Applicant email: ADILAC@HARRIS@STAN.CA

PRESENTATION TOPIC and NATURE OF REQUEST:

BOARD RESOLUTION 07-773 ON BEHALF OF FOUR WAY
(If more space is required, please attach an additional page to this form) PROPERTIES INC.

[Signature]
Signature

JUNE 1 2009
Date

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

REFERENCE:
Page 3 of Engineering & Environmental
Services Committee May27, 2009 minutes (R4)

FOUR WAYS PROPERTIES INC.

*#29 – 1400 Cowichan Bay Road,
Cobble Hill, BC, V0R 1L3*

June 1, 2009

Cowichan Valley Regional District
175 Ingram Street
Duncan, BC
V9C 1N8

Attention: Gerry Giles, Chairperson

Dear Madam:

Re: Four Ways Development at Cowichan Bay Road and Waldy Road

Further to our letter of May 29, 2009, we are writing to further advise that the motion dated May 27, 2009 from the Engineering Committee regarding rescission of the Approval for the CVRD takeover of the Sewage Treatment and Disposal System incorrectly states that our subdivision is within the Cowichan Bay Sewer System Area. It is our understanding that our property is not within the Cowichan Bay Sewer System Area.

We wish to re-state that any decision to rescind the Approval would have extremely serious consequences.

Sincerely,

FOUR WAYS PROPERTIES INC.

Cam Pringle
(tel: 250-883-1015)
(fax: 250-733-9884)

Cc: Warren Jones, Brian Dennison, Tom Anderson, &
Daniel Mildenberger of Cox Taylor

FOUR WAYS PROPERTIES INC.

**#29 - 1400 Cowichan Bay Road,
Cobble Hill, BC, V0R 1E3**

May 29, 2009

**Cowichan Valley Regional District
175 Ingram Street
Duncan, BC
V9C 1N8**

Attention: Gerry Giles, Chairperson

Dear Madam:

Re: Four Ways Development at Cowichan Bay Road and Waldy Road

We are the developers of the above-noted project. We have enclosed a copy of the Approval in Principle for the CVRD Takeover of Sewage Treatment and Disposal System dated October 29, 2007 (the "Approval"), and a copy of the Staff Report dated May 20, 2009 and motion of that committee for the foregoing Approval to be rescinded.

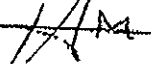
We have relied on the Approval provided and have consulted and proceeded with input from your planning and engineering staff throughout the process of development. We have expended considerable funds to date based on the foregoing, and our consultants confirm we are in a position to meet the conditions set forth in the Approval. We intend to provide your staff with the required information forthwith and move forward with our development based on this Approval.

We do not understand the basis for the motion from the Committee to rescind the Approval. We more than strongly oppose such a decision, advise that substantial harm and costs will result from a rescission of the Approval, and further advise that we intend to investigate and take whatever steps are required to address this matter.

We request that you review this matter immediately and confirm that the Approval will not be rescinded.

Sincerely,

FOUR WAYS PROPERTIES INC.


Cam Fringle

(tel: 250-883-1015)

(fax: 250-733-9884)

Cc: Warren Jones, Brian Dennison, Tom Anderson, &
Daniel Mildenberger of Cox Taylor

It was moved and seconded that it be recommended that the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to homeowners within Electoral Areas of the Cowichan Valley.

MOTION CARRIED

R4

A staff report was presented providing an updated on the Four-Ways sewer development in Electoral Area D.



It was moved and seconded that Board Resolution No. 07-773 of October 24, 2007, to grant approval in principle for takeover of a sanitary sewer system for a proposed 50 lot subdivision within the Cowichan Bay Sewer System Service Area be rescinded.

MOTION CARRIED

NEW BUSINESS

NB1

A staff report was considered regarding obtaining Assent of the voters for borrowing funding to upgrade the recycling drop-off depots.

It was moved and seconded that it be recommended to the Board that:

1. As outlined in the approved CVRD Solid Waste Management Plan, and building on secured Gas Tax Funding, the three existing CVRD ashfills be remediated, the three existing CVRD recycling depots be updated and expanded, and a new South Cowichan recycling depot be established.
2. A loan authorization bylaw for approximately \$1,800,000 be approved to cover the cost of these projects.
3. An Alternate Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.

MOTION CARRIED

NB2

A discussion took place regarding locating land for a new "Eco" Depot in the South Cowichan area.

It as moved and seconded that staff retain a Buyer's Agent for the purpose of assisting the CVRD in locating appropriate property for the establishment of a South Cowichan Eco Depot.



C.V.R.D

STAFF REPORT

R4

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE MEETING
OF MAY 27, 2009

DATE: May 20, 2009 FILE NO: 5330-20-FW
FROM: Dave Leitch, ASCT., Manager, Water Management Division
SUBJECT: Four Ways Development – Electoral Area D

Recommendation: Direction is requested.

Purpose: To update the status on the Four Ways development in Cowichan Bay.

Financial Implications: All costs to be borne by the developer.

Interdepartmental/Agency Implications: The Preliminary Layout Approval, issued by the Ministry of Transportation and Highways on September 3, 2008, is for a 48 lot strata subdivision.

Background: At its regular meeting of October 24, 2007, the CVRD Board ratified Resolution No. 07-773, approving, in principle, CVRD takeover of the Four Ways development, at the intersection of Cowichan Bay Road and Cherry Point Road. The system design would provide for on-site sewer collection, treatment and disposal for a 50 lot subdivision.

In April 2008, the developer for this subdivision requested a revised Agreement in Principle for connection to the Lambourn Estates Sewer System and an expansion to the Lambourn Sewer Local Service Area. If approved, inclusion of this proposed development into the existing Lambourn Estates Sewer System would be completed under the proposed Phase II upgrades to the sewer system. Staff received direction from the Engineering Services Committee to provide clarification on this request, but the developer has never pursued this option and there has been little apparent activity on the project with regards to it moving forward. We understand that the development may be having trouble getting the necessary density and/or land to create the required 50 units.

Director Iannidinardo has requested that the original approval in principle for this system be reviewed by the Committee.

Submitted by,

Dave Leitch, ASCT., Manager,
Water Management Division

Approved by

Brian Demison, General Manager,
Engineering and Environmental Services



C·V·R·D

October 29, 2007

File No.

5330-20-FWP

Cam Pringle
 Four Ways Properties Inc.
 42 Brock Avenue
 VICTORIA BC V9B 6W9

Dear Sir:

**RE: Approval In Principle for CVRD Takeover of Sewage
Treatment and Disposal System – Cowichan Bay Road and Waldy Road**

Further to your letter of July 30, 2007, we are pleased to advise that the following resolution (07-773) was ratified by the Cowichan Valley Regional District Board of Directors at its meeting of October 24, 2007:

"That the CVRD grant approval in principle for takeover of the sanitary sewer for a proposed 50 lot subdivision, described as "Lot 1, Plan 20768; Lot 1, Plan 18449; Lot A, Plan 21381; Lot 1, Plan 47087, all of Section 4, Range 5, Cowichan District; Lot 1, Sections 4 and 5, Range 5, Cowichan District, Plan 20693; that part of Section 5, Range 5, Cowichan District, in Plan 442R, except that part in Plan 507R, and except that part lying to the north of a straight boundary joining points on the north-westerly and easterly boundaries of said Plan 442R distant 86.55 feet and 67.75 feet, respectively from the most northerly corner of said Plan 442R; Part of Parcel D (DD129086I) of Sections 4 and 5, Range 5, Cowichan District, except part in Plans 14143, 18449, 20693 and VIP72128", as requested in a letter dated July 30, 2007, subject to the following conditions:

- 1. The preliminary concepts, detailed design and installation must be approved by Engineering Services staff to ensure compliance with CVRD Design Standards and Subdivision Bylaw No. 1215;*
- 2. The developer must have a qualified professional prepare and submit the Registration of Discharge form, Operation Plan and Environmental Impact Study, and all other necessary documentation, to the Ministry of Environment for the sewage treatment and disposal system;*
- 3. The developer undertakes to provide a two-year warranty on the completed sewer system, backed by suitable bonding;*
- 4. All lands on which infrastructure works are located are transferred to the CVRD, except where not practical, in which case will be placed within registered Statutory Rights-of-Way using the CVRD's standard charge terms;*

.../2

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

Toll Free: 1 800 665 3955
 Tel: (250) 746 - 2500
 Fax: (250) 746 - 2513

cowichan
 www.cvrld.bc.ca

Cam Pringle
October 29, 2007

Page 2

5. All sewage disposal capacities must be confirmed by the developer;
 6. The developer is required to provide a suitable reserve fund to start the sewer function;
 7. The developer is required to provide all sewer servicing infrastructure, including sewage treatment works disposal system, pumps, controls, genets, SCADA system and mainlines for the proposed development;
 8. The developer shall pay all costs associated with monitoring and sampling requirements for the sewer system for the initial intensive monitoring period;
 9. A utility transfer agreement must be executed between the CVRD and the owner/developer;
- and further, that bylaws be prepared to create a service area for the sewer utility.

Please contact the Ms. Louise Knodel-Joy, Senior Engineering Technologist or the undersigned if you have any questions in this regard.

Yours truly,



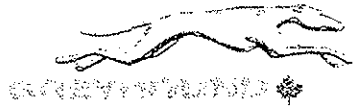
Brian W.D. Dennison, P. Eng.
Manager, Engineering Services

jlb

pc:

Director Tansley, Electoral Area D
Dave Leitch, AScT., Manager, Utilities
Louise Knodel-Joy, Senior Engineering Technologist, Engineering Services

File: B:\h\m\m\m\FourWaysSewer-Oct2907.doc



RECEIVED C1
MAY 08 2009

May 6, 2009

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

Attention: Gerry Giles, Chair

Dear Mr. Giles:

877 Greyhound Way S.W.
Calgary, Alberta T2C 3V8
Tel: 403.241.8877
Fax: 403.260.0942
Website: www.greyhound.ca

Greyhound Canada Transportation Corp. has filed application with the B.C. Passenger Transportation Board for a reduction of bus service that affects your Regional District. The service change is detailed in the enclosed Public Notice.

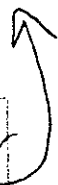
Should your Regional District have any comments regarding this proposal, please notify the B.C. Passenger Transportation Board at the address set out in the Public Notice.

Yours sincerely

Dave Hickie,
Operations Control and Regulatory Policy
Greyhound Canada Transportation Corp.

INFO PKG

File	Copies to:
Chair	JR
Date:	May 14/09



Route T

GREYHOUND CANADA TRANSPORTATION CORP.

PUBLIC NOTICE: PROPOSED CHANGE IN ROUTE FREQUENCY

Greyhound Canada Transportation Corp. has made application to the B.C. Passenger Transportation Board to reduce minimum route frequency for the route points of Victoria, Duncan, Ladysmith and Nanaimo on its inter-city bus service between Victoria and Nanaimo.

The proposed route frequency at these points is four daily trips in each direction, with a fifth trip in each direction on Friday and Sunday. The current route frequency at these points is five daily trips in each direction, with a sixth trip daily in each direction except on Sunday.

Interested parties may provide written comments on or before June 17, 2009 to:

B.C. Passenger Transportation Board
Box 9850 Stn Prov Govt
Victoria, BC
V8W 9T5

By Fax: 250 953 3788

By E Mail: ptboard@gov.bc.ca

Quote Application# X71-09 / Route T

For further information on this application, please refer to Passenger Transportation Board web page www.th.gov.bc.ca/ptb/bus.htm.

Written comments are forwarded by the Board to Greyhound Canada. Comments from private individuals are subject to a privacy and confidentiality undertaking made by Greyhound Canada with the Passenger Transportation Board.

HBdocs - 6157956v1

Route Number: T

Terminating Point 1: City of Victoria

Terminating Point 2: City of Nanaimo

Authorized Route:	Route Points	Daily Minimum (each direction)	Total Weekly Minimum
	City of Victoria	from 5 to 4	from 82 to 60
	City of Langford	3 fd	42 fd
	Goldstream	3 fd	42 fd
	Malahat Lookout	3 fd	42 fd
	Mill Bay	3	54
	Cobble Hill	3 fd	42 fd
	Cowichan Bay	3 fd	42 fd
	City of Duncan	from 5 to 4	from 82 to 60
	District of North Cowichan	3	42
	Saltair	3 fd	42 fd
	Town of Ladysmith	from 5 to 4	from 82 to 60
	Cassidy	3	42
	City of Nanaimo	from 5 to 4	from 82 to 60

Emergency Routing: When the Malahat portion of the Trans Canada Highway cannot be used, vehicles may be operated from the City of Victoria to the District of Saanich to the District of Central Saanich and, after crossing the Finlayson Arm by the Mill Bay Ferry, reconnect with the regular route at Mill Bay.

Alternate Routing: The route points set out above do not preclude the licence holder from, on any portion of Highway 1 that is situated on Vancouver Island, making scheduled time stops or conveying passengers who hail or flag the motor vehicle from the street.

Abbreviations:

"fd" means "flag" (where the vehicle will stop on signal to pick up a passenger) or "drop" (where the vehicle will stop on signal to drop off a passenger on board), or both.



CR1

REGIONAL SERVICES COMMITTEE REPORT
OF REGULAR MEETING HELD MAY 27, 2009

DATE: May 28, 2009

To: Chairperson and Directors of the Board

Your Regional Services Committee reports and recommends as follows:

1. 1. That the Cowichan Valley Regional District's 2008 Financial Statements be accepted.
2. That the Directors' 2008 Statement of Remuneration and Expenses be accepted.
3. That the Audit Findings Report dated April 24, 2009 be received.
2. That the following two projects for application to the Western Economic Diversification Canada Program Grants be approved:
 1. Recreational Infrastructure Canada Program: Cowichan Valley Trail – Lake Cowichan to Nanaimo Regional District Section
 2. Community Adjustment Fund – Historic Kinsol Trestle Rehabilitation.

**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD MAY 19, 2009

DATE: May 20, 2009

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the Corporate Secretary be authorized to execute a Sidewalk and Landscaping Maintenance Agreement with Peninsula Consumer Services Co-operative and a Licence of Occupation with the Ministry of Transportation and Infrastructure for landscape and sidewalk improvements within the Deloume Road right-of-way.

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

2. That Application No. 2-C-08DP be approved, and that a development permit be issued to Victoria Truss Ltd. for Lot A, Sections 12 and 13, Shawnigan District, Plan 41285, for the construction of an addition to the existing building, subject to completion of the landscaping as proposed along the western property boundary, or posting of an irrevocable letter of credit appropriate to cover landscaping costs if not completed prior to construction.

**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD JUNE 2, 2009

DATE: June 3, 2009

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. 1. That the following resolution to create a Community Heritage Register (CHR) be adopted:

WHEREAS the Cowichan Valley Regional District, pursuant to the provisions of Section 954 of the *Local Government Act*, may, by resolution, establish a local government community heritage register;

AND WHEREAS the Board of Directors wishes to establish a local government heritage register for the benefit of the following electoral Areas: Electoral Areas A, B, C, D, E, F, G, H, and I;

NOW THEREFORE the Board of the Regional District enacts as follows:

1. Citation

This resolution may be cited for all purposes as “Cowichan Valley Regional District Community Heritage Register Resolution No. 09-XXX.”

2. Establishment of the Register

1. In the Cowichan Valley Regional District, a Community Heritage Register is established called the “Cowichan Valley Regional District Heritage Register”
2. The Board may maintain the Community Heritage Register in the CVRD Community Heritage Conservation Service Area;
3. For the purposes of maintaining a Community Heritage Register, the following provisions in relation to the heritage properties shall apply:
 - a) *Local Government Act*
 - Section 954 – Community Heritage Register;
 - Section 974 – Giving Notice to owners and occupiers;
 - Section 977-Giving Notice to the minister responsible for the *Heritage Conservation Act*.

3. Participating Areas

1. The boundaries of the extended service area are the entire Cowichan Valley Regional District, excluding the member municipalities.
2. The participants in the Community Heritage Register established in clause 2.1 are the following: , which encompasses lands within Electoral Areas A, B, C, D, E, F, G, H, and I.

4. Amendment to the Community Heritage Register

The Regional District Board may add or remove a building, structure, landscape, artifact, or site from the Community Heritage Register by resolution. The owners of the subject building, structure, landscape, artifact, or site shall be advised of the Board's decision pursuant to Section 974 of the *Local Government Act*.

2. That the Board place the Kinsol Trestle on the CVRD Community Heritage Register.
3. That the Planning and Development Department initiate a process for on-going implementation of the CHR.
4. That the Board place the Mill Bay Historical Church and Koksilah School on the CVRD Community Heritage Register.
2. That any interested Electoral Area Directors be authorized to attend the UBCM Electoral Area Directors Meeting on June 26, 2009 in Vancouver, and that associated costs be approved.
3. That a grant-in-aid request (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation to provide a bursary to a deserving student who resides in Saltair and attends Ladysmith Secondary.
4. That a grant-in-aid request (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School to provide a bursary to a deserving student who resides in Saltair.
5. That \$1,500 be granted to the Sahtlam Fire Department to complete the Sahtlam community kiosk sign and map project, and that the funds be drawn from the Electoral Area E Community Parks budget.

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

6. That Application No. 8-E-08DP (Lendale Signs and Neon Ltd.) to permit additional fascia signs on Lot 1, Section 14, Range 6, Quamichan District, Plan 4077 shown outlined in red on Plan 1500R, except that part shown in red on Plan 1688OS and except part in Plan 40941 (PID: 012-522-449), be denied.

7. That Application No. 6-E-08DVP be approved and that the Planning Division be authorized to issue a Development Variance Permit to Fay and Gordon Parkes with respect to Lot A, Section 9, Range 9, Sahtlam District, Plan VIP 59116 that would vary Section 5.23(g) of Zoning Bylaw No. 1840 by 2.8 metres to permit the length of the mobile home (small suite) to be increased from 13 metres to 15.8 metres.
8. That Application No. 2-I-09DP be approved, and the Planning and Development Department be authorized to issue a Development Permit with variance to Gerald and Caroline Thom with respect to Lot 4, Block 312 and Unnumbered Portion, Cowichan Lake District, Plan VIP 56533 (PID: 018-256-295) for the renovation of the dwelling and extension of the upper floors to correspond with the location of the foundation 4 metres from the natural boundary of Cowichan Lake.
9. That Application No. 3-D-08DP be approved, and that a development permit be issued to Hylton McAlister and Elizabeth Dianne Shatzko for District Lot 202, Cowichan District for the construction of a dwelling subject to:
 - a) Construction of the dwelling occurs subject to compliance with the recommendations and mitigation measures specified in the Streamline Environmental Consulting Ltd. report prepared July 9, 2008;
 - b) Reduction of the number of deck pilings to eight or fewer; and
 - c) That the platform of the stilt home including supports and decks be constructed of non-combustible material.

And further, that the following variances be granted:

- a) Relax Section 12.7(b) of Zoning Bylaw 1015 to reduce the front parcel line setback from 7.5 metres to zero, the west side parcel line setback from 0.762 metres to 0.6 metres and the east side parcel line setback from 0.762 metres to zero;
 - b) Relax Section 4.1 of Off-street Parking Bylaw No. 1001 to reduce the number of required off-street parking spaces for a single family dwelling from two to zero.
10. That the CVRD initiate a zoning amendment for 5070 West Riverbottom Road (Cowichan River Bible Camp), Electoral Area F, to change the zoning from P-1 to P-2, and further that the appropriate amendment bylaw be prepared and forwarded to the Regional Board for consideration of 1st and 2nd readings; and further that the public hearing be waived pursuant to Section 890(4) of the *Local Government Act*.
 11. 1. That a Zoning Amendment Bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to rezone a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, from Forestry Resource 1 (F-1) to Rural Residential 1 (R-1), and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;
 2. That an Official Community Plan amendment bylaw be prepared respecting Application No. 1-F-06RS (Paul Cooper) to redesignate a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984 from Forestry to Suburban Residential, and that the bylaw be forwarded to the Regional Board for consideration of first and second reading;

3. That Application No. 1-F-06RS be referred to the Area F Parks Commission and the Cowichan Tribes for comment; and that following receipt of comments from these groups, that the application be referred to a public hearing, and that Directors Morrison, Marcotte, and Dorey be delegated to the hearing.

12. That the draft "Development Application Procedures and Fees Bylaw No. 3275" be approved to replace existing Bylaw No. 2255, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.



CR3

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD MAY 27, 2009

DATE: May 28, 2009

To: Chair and Directors of the Cowichan Valley Regional District

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

1. That:
 - .1 A new operations facility and expansion of the existing staff building be constructed at Bings Creek Solid Waste Complex to support solid waste and water management operations.
 - .2 A loan authorization bylaw for approximately \$590,000 be prepared to cover the cost of the project.
 - .3 An Alternate Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.
2. That the CVRD write to the Province to request a modification to provincial legislation to allow the transfer of liability for sidewalk snow and leaf removal to be assigned to homeowners within Electoral Areas of the Cowichan Valley.
3. That Board Resolution No. 07-773 of October 24, 2007, to grant approval in principle for takeover of a sanitary sewer system for a proposed 50 lot subdivision within the Cowichan Bay Sewer System Service Area, be rescinded.
4. That:
 - .1 As outlined in the approved CVRD Solid Waste Management Plan, and building on secured Gas Tax Funding, the three existing CVRD ashfills be remediated, the three existing CVRD recycling depots be updated and expanded, and a new South Cowichan recycling depot be established.
 - .2 A loan authorization bylaw for approximately \$1,800,000 be approved to cover the cost of these projects.
 - .3 An Alternate Approval Process be carried out to obtain consent of the voters for the Loan Authorization Bylaw.



CR4

ECONOMIC DEVELOPMENT COMMISSION COMMITTEE REPORT

OF MEETING HELD MAY 14, 2009

DATE: May 29, 2009

To: Chair and Directors of the Cowichan Valley Regional District

Your Economic Development Commission reports and recommends as follows:

1. That the Board direct staff to prepare an amendment to the Economic Development Commission Establishment Bylaw No. 2497, Section 3 - Membership incorporating the following concept:
 1. The Commission shall consist of 13 members;
 2. Two Commission members shall be Directors from the Cowichan Valley Regional District.
 3. Eleven members shall be drawn from community groups, organizations or sectors concerned with economic development and growth within the Cowichan Valley Regional District.
 4. All members shall be appointed by Board resolution.
 5. Of the eleven members from the community, one member shall be appointed by the CVRD Board representing regional First Nations communities and one member shall be appointed annually by the Environment Commission.”



CR6

**COWICHAN LAKE RECREATION
COMMISSION REPORT
OF MEETING HELD MAY 25, 2009**

DATE: MAY 25, 2009

TO: Chairperson and Directors of the Board

Your Cowichan Lake Recreation Commission reports and recommends as follows:

1. That the Cowichan Valley Regional District enter into a contract with Herold Engineering for the cost of \$15,300 for the provision of Civil Engineering services for the Cowichan Lake Sports Arena renovation project.
2. That the Chair and Corporate Secretary be authorized to sign the contract with Herold Engineering for the provision of Civil Engineering services for the Cowichan Lake Sports Arena renovation project for the fees as noted.
3. That the Cowichan Valley Regional District negotiate a change in location to the existing property line between the CVRD and the Town of Lake Cowichan at the east end of the Cowichan Lake Sports Arena. The proposed property line to move approximately 11.2 m to the east, with the proposed offset continuing north until 11.2 m from the existing Centennial Hall, where it will take a radius of 11.2 m from the southwest corner of Centennial hall back to the existing property line, as shown in the attached diagram.



CR7

KERRY PARK RECREATION CENTRE COMMISSION REPORT

OF MEETING HELD MAY 26, 2009

DATE: May 26, 2009

To: Chair and Directors of the Cowichan Valley Regional District Board

Your Kerry Park Recreation Centre Commission reports and recommends as follows:

1. 1. That the Board request that the Liquor Control and Licensing Board (LCLB) approve the temporary change to the Primary Liquor License for July 4, 2009 Annual Summer Bonspiel held at the Kerry Park Recreation Centre.
2. That, as required by the LCLB, the Board of the Cowichan Valley Regional District has considered the following items: the potential for noise; the impact on the community; whether the extension will result in the establishment being operated in a manner that is contrary to its primary purpose and the views of the residents, and offers the following comments:
 1. Noise: The event, with 30 years previous experience without complaint, is held inside the facility. The license change is from the Curling Lounge and McLean Room to the Arena floor area;
 2. Impact on the Community: History of the event has been well received and supported by the community.
 3. Purpose: The amendment is consistent with the purpose of the original license with the change being a temporary relocation to facilitate the event; and
 4. Impact on Residents: No visible impact as the change is contained within the Kerry Park Recreation Centre Building.
2. 1. That staff be directed to prepare the necessary bylaws, resolutions, documents and processes to enable a November 2009 referendum to authorize the borrowing of funds for the renovation and upgrade of the Kerry Park Recreation Complex and the construction of a Community Aquatic Centre; and further, that the funding partners for this capital project be Electoral Areas A - Mill Bay/Malahat, B - Shawnigan Lake, and C - Cobble Hill.
2. That the project be designed and funded to accommodate the addition of a second ice surface in the future; and further
3. That the consulting advice be retained to confirm the initial cost estimates (including the cost to accommodate future expansion) for the Kerry Park upgrade and Aquatic Centre.



PUBLIC HEARING REPORT
Bylaws No. 3141 and 3142

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3141 and Zoning Amendment Bylaw No. 3142 (TCH Development Permit Area Expansion and I-1B Parcel Coverage/Outdoor Storage), applicable to Electoral Area C – Cobble Hill, held on Monday, May 11, 2009, at the Cobble Hill Community Hall, 3550 Watson Avenue, Cobble Hill, BC, at 7:01 pm:

HEARING DELEGATES

Director G. Giles, Electoral Area C – Cobble Hill, Chairperson
Director B. Harrison, Electoral Area A – Mill Bay/Malahat
Director K. Cossey, Electoral Area B – Shawnigan Lake

CVRD STAFF PRESENT

Mr. M. Tippet, Manager, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:

There were approximately 7 members of the public present.

CALL TO ORDER

Director G. Giles, Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present.

PROCEDURES

Mr. Tippet explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Friday, May 1, 2009 and Wednesday, May 6, 2009) and in the *Leader Pictorial* (Saturday, May 2, 2009 and Wednesday, May 6, 2009) 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. 3141 would amend CVRD Electoral Area C Cobble Hill Official Community Plan Bylaw No. 1210 by adding the subject property: Parcel A, (FB153508), Block 1475, Section 13, Range 6, Shawnigan District, Plan VIP81077 (PID: 027-434-176), into the Trans-Canada Highway Development Permit Area.

The purpose of adding the subject property to the Trans Canada Highway Development Permit Area is to enable some site planning and development design control over the appearance of the site when new uses or buildings are proposed on this site. This amendment is complementary to the zoning amendment described below.

Zoning Amendment Bylaw No. 3142 would amend the CVRD Electoral Area C Cobble Hill Zoning Bylaw No. 1405 by changing the provisions of the

Light Industrial (Mini Warehousing) 1B Zone - which only applies to Parcel A, (FB153508), Block 1475, Section 13, Range 6, Shawnigan District, Plan VIP81077 (PID: 027-434-176), as follows:

1. The permitted parcel coverage level for buildings and structures would be raised from 30% to 50%;
2. "outdoor storage of boats and RV units only" would be added to the list of permitted uses.

The purpose of Zoning Amendment Bylaw No. 3142 is to increase lot coverage to a level appropriate for a storage facility, and also to permit limited outdoor storage.

Mr. Tippett stated that two (2) letters of response have 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, May 11, 2009 at 4:30 pm and those letters along with any letters received at the Public Hearing will form part of the Minutes for the Public Hearing.

Director Giles

Advised that the proposed amendment went through the Electoral Area Services Committee and forwarded onto the Regional Board for approval and it was at the Board meeting that she noticed there was an error in the terminology. She stated that the Bylaw was amended at that Board meeting to read "mini warehouse, indoor storage, outdoor storage of boats and RV units only".

Mr. Tippett stated that the official Public Hearing Notice was correct but noted that the copies of Zoning Bylaw Amendment Bylaw No. 3142 that have been made available to the public had not yet been amended.

Correspondence

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

- 1) Email dated May 5, 2009, from Lisa Johnston, Director of Operations, School District #79 (Cowichan Valley) (EXHIBIT 1);
- 2) Email dated May 8, 2009, from Grant McKinnon, Pacific Building Systems (EXHIBIT 2).

Location of File

Director Giles 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 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.

APPLICANT, Bill Motherwell

Bill Motherwell was present and stated the following with regard to the Rezoning Application:

- He and his Partner, Nick Hill, own the subject property;
- Subject property is approximately 2 acres in size and they are planning to develop only a portion of the property this year and they would like to use the other portion of the property to store RV's and boats on;
- There is enough demand for storage to warrant amending their application;

- Water will be supplied by Cobble Hill Improvement District and septic is by way of a covenant that is already existing on the property;
- There is a well on the subject property that they will use for irrigation purposes as they will be planting screening along the eastern boundary bordering the School District property but noted that they would not be starting that planting just yet as they have been approached by the Cobble Hill Improvement District and they would like to put a new well in to help supply their Improvement District with water and the easiest way for them to put their new well in is to cross their property. They will carry out the landscaping and screening of the property as soon as the well and hydro lines have been put in;
- Subject property is presently cleared and gravelled and they are ready to park RV's and boats on site;
- They finished the slab last week for their first building and they are ready to move forward with their plans.

QUESTION PERIOD

Director Giles opened the public question period of the Public Hearing. She 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.

Director Giles

- Stated that the RV storage also has a time limit and the applicants have agreed to enter into a 5 year restrictive covenant that states all outdoor storage uses discontinue by the year 2015.

**Susan St. Hilaire,
1344 Fisher Road**

- What will be in place to stop leaking fuels and oils from the RV's?

Bill Motherwell

- Owners storing vehicles will have to have insurance coverage and advised that there will be catch trays under the motors and transmissions of the units to catch any fluids if there was a leak;
- If there is something dripping from a vehicle the owner will be made aware of it and they will have to remove it from the property to be repaired.

Director Giles

Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3141 and Zoning Amendment Bylaw No. 3142.

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 Giles reminded the public that the Information Binder was available for review 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.

**Jeff Estee,
1872 Sterling Ridge**

- He is a business owner in the same industry and he is attending the public hearing as he approached the property approximately 1½ years ago when it

- Place** was for sale and he checked with CVRD about the possibility of getting an amendment to the parcel coverage from 30% to 50% and he was advised by the CVRD that he would have a better chance of winning the lottery and if he had not been told that he would have probably owned that property to expand his business Premier Self Storage;
- Concerned about the information he received at the CVRD office and asked why he was given that information because if he had not he now would likely own the property;
 - Opposed to the application.
- Director Giles** ➤ Questions with regard to process could be directed to the Planning Staff after the close of the Public Hearing as the Public Hearing was in the official comments section and no questions could be answered.
- Susan St. Hilaire,
1344 Fisher Road** ➤ Asked if it was only persons directly affected by the proposal who could comment on the application?
- Director Giles** ➤ Anyone who deems their interests to be affected can make comments at the Public Hearing.
- Susan St. Hilaire** ➤ Business owner of 1344 Fisher Road and agrees to the Bylaw being amended as she understood it is only a typo that is being corrected from 30% to 50%.
- John Duggan,
1340 Fisher Road** ➤ Supports the application.
- Director Giles** Asked for further comments from the public present with regard to the proposed Amendment Bylaws.
- Nick Hill,
1210 Fisher Road** ➤ Supports the application.
- Lorelle Leno,
1210 Fisher Road** ➤ Supports the application.
- Bill Motherwell,
1325 Fisher Road** ➤ Support the application.
- Bill Turner,
3595 Garland Avenue** ➤ Supports the application as it is important to have a commercial/industrial tax base in the community and it will offer work to people within the community.
- ADJOURNMENT** Chairperson Giles asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3141 and Zoning Amendment Bylaw No. 3142.
- Chairperson Giles declared the Public Hearing closed at 7:20 pm.


CERTIFICATION:

We attended the Public Hearing on Thursday, March 12, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.



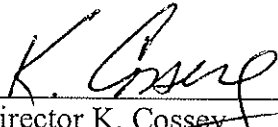
Director G. Giles

Date May 26, 2009



Director B. Harrison

Date June 9, 2009



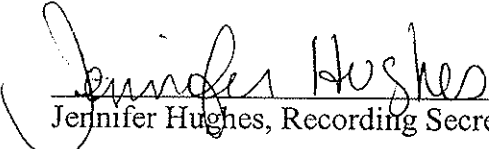
Director K. Cossey

Date June 2/09



Mike Tippett, Manager

Date May 25, 2009.



Jennifer Hughes, Recording Secretary

Date May 25, 2009



PUBLIC HEARING REPORT
Bylaws No. 3213, 3214 and 3242

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Authorization Bylaw No. 3242 (Youbou Lands), applicable to Electoral Area I – Youbou/Meade Creek, held on Thursday, May 14, 2009, at the Youbou Community Hall, 8550 Hemlock Street, Youbou, BC, at 7:10 pm:

HEARING DELEGATES Director K. Kuhn, Electoral Area I – Youbou/Meade Creek, Chairperson
Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls
Director G. Giles, Electoral Area C – Cobble Hill

CVRD STAFF PRESENT Mr. M. Tippett, Manager, Planning & Development Department
Mr. R. Conway, Manager, Planning & Development Department
Mr. T. Anderson, General Manager, Planning & Development Department
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:
There were approximately 100 members of the public present.

CALL TO ORDER Director K. Kuhn Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present. He further introduced the representatives of the Youbou Lands Development Thomas Kreilein, Mike Achtem and Dave Neal and noted they would be making a presentation of the proposed development to the public.

Director Kuhn also introduced Ross Forrest, Mayor, Town of Lake Cowichan; Jayne Ingram, Councillor, Town of Lake Cowichan and former Directors Brooke Hodson (Area I) and Joe Allan (Area F).

Director Kuhn suggested that a time allotment of 1 minute should be given to people asking questions during the question period and 2-3 minutes for comments during the formal comment section in order to try to get as many people to speak as possible during the Public Hearing. Those in attendance apparently were in agreement.

PROCEDURES Mr. Tippett explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, May 6, 2009 and Friday, May 8, 2009) and in the *Lake Cowichan Gazette* (Wednesday, May 6, 2009 and Wednesday, May 13, 2009) and letters had also been sent to adjacent owners

and occupiers of the property as required by the *Local Government Act*. He noted that the requirement of the *Act* had been exceeded by virtue of a bulk mail-out of the hearing notice.

The lands subject to these three amendment bylaws are legally described as:

1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
8. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
9. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
10. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
11. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
12. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
14. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
15. That Part of District Lot 35, Cowichan Lake District, lying to the north of the right-of-way of the Canadian Northern Pacific Railway as said right-

- of-way is shown on Plan 172RW;
16. Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on Plan Marked B (DD408831); except part shown outlined in red on Plan 283R; and except parts in Plans 20033, 31184 and VIP63536;
 17. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District (this portion, being legal description No. 17, only being applicable with respect to Zoning Amendment Bylaw No. 3214)

Official Community Plan Amendment Bylaw No. 3213 proposes to amend Cowichan Valley Regional District Electoral Area I – Youbou/Meade Creek Official Community Plan (OCP) Bylaw No. 2650, 2005 - Electoral Area “I” by inserting a new “Secondary Plan” for the “Future Development Area” identified in the 2005 OCP and at the same time redesignating the lands (parts 1 through 16 inclusive on the list of legal descriptions) from Industrial and Forestry to the following:

- Village Core (mixed commercial and multiple family residential use)
- Residential A (mixed development of single family and some multiple family residential use)
- Residential B (mixed development of single family and some multiple family residential use)
- Residential C (mixed development of single family and some multiple family residential use)
- Residential D (single family residential use)
- Residential E (mixed development of single family and some multiple family residential use)
- Public Utility (treated sewage effluent disposal area)
- Institutional and Community Facilities (public uses and possible single family residential use)
- Light Industrial
- Park
- Environmental Conservation

The purpose of Official Community Plan Amendment Bylaw No. 3213 is to add a new Secondary Plan, which will establish policy to explain the way in which this development, totalling about 2000 residential dwelling units at completion, would integrate with the community of Youbou.

Zoning Amendment Bylaw No. 3214 proposes to amend Cowichan Valley Regional District Electoral Area I – Youbou Meade/Creek Zoning Bylaw No. 2465, 2004 by rezoning the subject lands (parts 1 through 17 inclusive on the list of legal descriptions) from Forest Resource 1 and Heavy Industrial 2 to the following:

1. Residential 8 (R-8);
2. Residential 9 (R-9);
3. Lakefront Residential 3 (LR-3);
4. Multiple Family Residential 6 (RM-6);

5. Multiple Family Residential 7 (RM-7);
6. Village Core 1 (VC-1)
7. Light Industrial 3 (I-3);
8. Environmental Conservation 3 (P-3);
9. Institutional and Community Facilities 4 (ICF-4);
10. Community Sewer Utility 2 (U-2);
11. Water Marina (W-3).

The purpose of Zoning Amendment Bylaw No. 3214 is to permit the development of a new major urban addition to the community of Youbou, with about 2000 residential units being present at the completion of construction, a new community commercial area and related parklands, utilities and a business park.

Phased Development Agreement Authorization Bylaw No. 3242 proposes to authorize the Cowichan Valley Regional District to enter into a Phased Development Agreement pursuant to Section 905.1 of the *Local Government Act* with the owners of the properties listed above.

The purpose of the Phased Development Agreement is to specify requirements for the development of the subject lands, the provisions of amenities, and the phasing and timing of development and delivery of amenities. If approved, the Phased Development Agreement would grant the owner of the subject property development rights for the term identified in the agreement. The Phased Development Agreement for the Youbou Lands proposal is attached as a schedule to Phased Development Agreement Authorization Bylaw No. 3242.

Mr. Tippett stated that 33 submissions of response 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, May 14, 2009 at 4:30 pm and those submissions along with any others received at the Public Hearing will form part of the Minutes for the Public Hearing.

Messrs. Tippett and Conway gave a Power Point Presentation (EXHIBIT 1) for the Youbou Lands Rezoning Application and stated the following:

Mike Tippett

- Presentation Overview consisted of site description, policy context, project summary, OCP Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and PDA Bylaw No. 3242;
- Subject property is comprised of lands east of Cottonwood Creek on the old Youbou Mill site property and lands on undeveloped property west of Cottonwood Creek;
- OCP for Electoral Area I – Youbou/Meade Creek went through a previous review and different scenarios of development were brought forward during those discussions and stated that a Policy was adopted in the OCP that states the site was a good candidate for future development due to it

- being in close proximity to Youbou and the remediation issue of the old Mill site, as it was felt development on the site would get that site cleaned up. He further noted that the OCP encourages to some degree a development on the site but noted that it does not state the number of units;
- Current zoning on the former Mill site is Heavy Industrial 2 (I-2) and the balance of the property is zoned Forestry Resource 1 (F-1);
 - Before any zoning change can occur on the site a secondary plan must be prepared for the site and the developers have brought forward the secondary plan;
 - Concept is mixed residential/commercial use also with a business park/light industrial type use on site;
 - Single family residential would be located west of Cottonwood Creek and the east side of Cottonwood Creek is where the more intense development has been proposed;
 - Site consists of single family residential and multi family residential units, village core area with a hotel planned and mixed residential commercial uses. A site would be dedicated to the CVRD for public amenity purposes, possibly being an affordable housing recreation site, 50 hillside single family lots and a business park;
 - 1,950 residential dwelling units are proposed at build-out of the project and in addition to that there is the potential to have a further 96 affordable units in the area that is gifted to the CVRD;
 - The 1,950 residential dwelling units consist of: 50 hillside single family lots, up to 750 multi-family residential units in the Village Core, up to 330 multi-family units east of the Creek, 756 single family residential lots west of the Creek and 64 multi-family units west of the Creek;
 - Non-Residential land uses consist of an approximate 4 hectare Business Park; Resort with up to 225 hotel rooms; Village Core being a mixed use area consisting of retail commercial and cottage industrial uses; Marina and approximately 45% of the site (121 ha) will be set aside to the CVRD for Parks or Environmental Conservation purposes;
 - Zoning Amendment Bylaw No. 3214 would create 10 new Zones: [Lakefront Residential 3 Zone (LR-3); Residential 8 Zone (R-8); Residential 9 Zone (R-9); Multiple Family Residential 6 Zone (RM-6); Single and Multiple Family Residential Zone 7 (RM-7); Village Core 1 Zone (VC-1); Business Park Light Industrial 3 Zone (I-3); Environmental Conservation 3 Zone (P-3); Institutional and Community Facilities 4 Zone (ICF-4) and Community Sewer and Utility 2 Zone (U-2)] within the proposed development.
- Rob Conway**
- Phased Development Agreement Bylaw No. 3242 outlines the various commitments the developer has offered and is a form of a contract enabled by the *Local Government Act* which allows local governments to enter into development agreements to secure various things;
 - A PDA deals with the requirements of the development of land, the provision of amenities, the phasing and timing of development and other matters covered by the agreement;

- Agreement gives the CVRD a legal means of securing amenities and developer commitments and it gives the developer an assurance that the CVRD is committed to the project;
- Timing of the PDA is up to 10 years with an extension of up to 20 years and noted that the CVRD is seeking out a 20 year agreement for the proposed development. If the development goes beyond that 20 year period there would have to be re-negotiations of the agreement;
- Youbou Lands PDA content contains parties to the agreement; affected lands; applicable zoning; term of agreement; amenity requirement; Village Core Neighbourhood Plan requirement; density restrictions development phasing; agreement assignments; agreement amendments; general terms and conditions and "Schedule B" amenities;
- Phasing of the development must be brought forward in numerical sequence starting with Phase 1 and that has to be completed prior to proceeding onto Phase 2 or 3. He further advised that Phase 3b development can occur at any time but noted there is a requirement that a minimum of 1,000 sq. m. of commercial space be created before proceeding onto Phase 2 and a further 1,000 sq. m. of commercial space be created before proceeding onto Phase 3a;
- Agreement assignment means if the developer sells the property the terms and conditions carry over to the new owner;
- If there are any amendments to the development in the future it would depend on the type of amendment with regard to whether it would have to go back to a Public Hearing or not;
- Schedule "B" outlines the amenities being proposed on the site with regard to Parks, Trails and Conservation Areas [Youbou Beach Parkway and Trail; Lakefront Walkway - east and west of Cottonwood; Public Parks - west of Cottonwood Creek; Local Neighbourhood Parks; Cottonwood Creek Riparian Corridor; Expansion of Arbutus Park; Youbou Village Beach and Green; Environmental Conservation Area; Community Park and Affordable Housing.
- The developers have also committed up to a maximum in value of One Million Dollars to developing a multi use trail along Youbou Road to provide a safe passage for pedestrians;
- The developers are also proposing that there be a contribution to the Cowichan Lake Environmental Protection Fund, which is a fund that has been established that provides funds for the conservation and protection of the Lake. For each single family lot the developer will provide \$200. and each multi-family lot the developer will provide \$100. toward that fund;
- There is also requirements for off-site road improvements that will have to be addressed;
- A Fire Protection Review will have to be carried out by a third party prior to any development carrying out on the site and that will analyze the impact on emergency services associated with the development with regard to expansion of the firehall or further equipment requirements.

Correspondence

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

Exhibits:

- 1) CVRD Planning & Development Department Power Point Presentation (EXHIBIT 1);
- 2) Youbou Lands Power Point Presentation (EXHIBIT 2);
- 3) Memo dated May 7, 2009, from the Electoral Area I - Youbou/Meade Creek Area Planning Commission (EXHIBIT 3);
- 4) Email dated May 4, 2009, from Bill Gibson (EXHIBIT 4);
- 5) Email dated April 30, 2009, from Randall. C. Wilson & Julia V. Martinusen (EXHIBIT 5);
- 6) Email dated April 29, 2009, from Donna & Don Macdonald (EXHIBIT 6);
- 7) Memorandum from Jane Manning (EXHIBIT 7);
- 8) Letter dated May 2, 2009, from John M. Unwin, President, Pine Point Community Association (EXHIBIT 8);
- 9) Email dated May 6, 2009, from Diane Marson (EXHIBIT 9);
- 10) Email dated May 7, 2009, from Toni & Frank Chambers (EXHIBIT 10);
- 11) Email dated May 5, 2009, from Donna-Mai & Gerald Walker (EXHIBIT 11);
- 12) Email dated May 6, 2009, from Don & Linnea Fouracre (EXHIBIT 12);
- 13) Email dated May 6, 2009, from Garry Lee (EXHIBIT 13);
- 14) Email dated May 9, 2009, from Ash Knightley (EXHIBIT 14);
- 15) Email dated May 9, 2009, from Ash Knightley (EXHIBIT 15);
- 16) Email dated May 10, 2009, from John Jamieson, Treasurer, Pine Point/Wardroper Association (EXHIBIT 16);
- 17) Email dated May 11, 2009, from Sharon Bundon (EXHIBIT 17);
- 18) Email dated May 10, 2009, from Kim & Kerry Smith (EXHIBIT 18);
- 19) Email dated May 7, 2009, from Dave & Doreen Spoor (EXHIBIT 19);
- 20) Letter dated May 11, 200, from Smaalthun, Larry George, Land & Governance Manager, Cowichan Tribes (EXHIBIT 20);
- 21) Letter dated May 7, 2009, from Mike Gallop (EXHIBIT 21);
- 22) Email dated May 11, 2009, from Brian C. Roberts (EXHIBIT 22);
- 23) Email dated May 12, 2009, from Marie Augustine (EXHIBIT 23);
- 24) Email dated May 12, 2009, and attached photos from Barb Stewart (EXHIBIT 24);
- 25) Email dated May 13, 2009, from Tom & Trish Dohan (EXHIBIT 25);
- 26) Email dated May 13, 2009, from Steve & Dianne Hoel (EXHIBIT 26);
- 27) Letter dated May 7, 2009, from B & C, Members of Pine Point Wardroper Community Association (EXHIBIT 27);
- 28) Email dated May 13, 2009, from Greg Hall (EXHIBIT 28);
- 29) Email dated May 13, 2009, from Bill Clarke (EXHIBIT 29);
- 30) Email dated May 14, 2009, from Roger Wiles (EXHIBIT 30);
- 31) Letter dated May 14, 2009, from Leonard Mayea (EXHIBIT 31);
- 32) Fax dated May 14, 2009, from Sean and Erika Lucas (EXHIBIT 32);
- 33) Email dated May 14, 2009, from Len Barrie (EXHIBIT 33);
- 34) Email dated May 14, 2009, from Ken Cossey to Roger Wiles (EXHIBIT 34);
- 35) Letter dated May 14, 2009, from John Shaw (EXHIBIT 35);
- 36) Letter dated May 13, 2009, from Marilyn Marrs (EXHIBIT 30);

- 37) Letter dated May 14, 2009, from Wilma Hodson (EXHIBIT 37);
- 38) Letter dated May 14, 2009, from Kory Gronnestad (EXHIBIT 38);
- 39) Letter dated May 14, 2009, from Howard Smith (EXHIBIT 39);
- 40) Letter dated May 13, 2009, from Lorne Scheffer, Chair, Cowichan Lake Community Forest Co-operative (EXHIBIT 40);
- 41) Letter dated March 16, 2009, from Frank & Katherine Worsley (EXHIBIT 41);
- 42) Letter dated May 14, 2009, from Dave Johel (EXHIBIT 42);
- 43) Letter dated May 14, 2009, from Rod Owen-Flood (EXHIBIT 43);
- 44) Letter dated May 13, 200, from Greendrain Gardens & Coffee Mill (EXHIBIT 44);
- 45) Letter dated May 14, 2009, from Ross Forrest, Mayor, Town of Lake Cowichan (EXHIBIT 45);
- 46) Letter dated May 5, 2009, from Jim Humphrey, President, Cowichan Lake District Chamber of Commerce (EXHIBIT 46);
- 47) Letter dated May 5, 2009, from Bruce & Jayne Ingram, B.R.I. Security & Consulting Services (EXHIBIT 47);
- 48) Letter dated May 8, 2009, from Christine Thompson, Lake Cowichan Curves (EXHIBIT 49);
- 49) Letter dated May 13, 2009, from Ted Hayward, Point Ideal B & B (EXHIBIT 49);
- 50) Letter dated May 11, 2009, from Brian & Pat Peters (EXHIBIT 50);
- 51) Letter dated May 7, 2009, from Matthew Heyne, Cow Café Ltd. (EXHIBIT 51);
- 52) Letter dated May 13, 2009, from Barb Chorjinacki (EXHIBIT 52);
- 53) Letter dated May 14, 2009, Rita Dustow (EXHIBIT 53);
- 54) Letter dated March 16, 2009, from Beverly Kendall (EXHIBIT 54);
- 55) Letter dated May 14, 2009, from George deLure (EXHIBIT 55);
- 56) Letter dated May 13, 2009, from Joan McKenzie (EXHIBIT 56);
- 57) Letter dated May 13, 2009, from Ronald E. McKenzie (EXHIBIT 57);
- 58) Letter dated May 14, 2009, from Heidi McAlpine (EXHIBIT 58);
- 59) Letter dated May 14, 2009, from Paul Manhas (EXHIBIT 59);
- 60) Letter dated May 14, 2009, from Joe Allan (EXHIBIT 60);
- 61) Letter dated May 14, 2009, from Shelley Allan (EXHIBIT 61);
- 62) Letter dated May 13, 2009, from Brenda & Curtis Stretch (EXHIBIT 62);
- 63) Letter dated May 8, 2009, from Dave & Sonia Haberman (EXHIBIT 63);
- 64) Letter dated May 14, 2009, from Dorothy Alexander, Alexander & Co. (EXHIBIT 64);
- 65) Letter dated May 14, 2009, from Pat Weaver (EXHIBIT 65);
- 66) Letter dated May 13, 2009, from Shelley Harvey (EXHIBIT 66);
- 67) Letter dated May 11, 2009, from Ian Graeme (EXHIBIT 67);
- 68) Submission from Ian Graeme (email dated July 13, 2008, from Kate Miller, CVRD Environmental Manager) (EXHIBIT 68);
- 69) Submission from Ian Graeme (email dated November 6, 2007, from Kate Miller, CVRD Environmental Manager) (EXHIBIT 69).

Location of File

Director Kuhn advised that the Information Binder was available for review

on the side table, copies of the proposed Amendment Bylaws were located on the back table 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.

**APPLICANT,
Youbou Lands**

Thomas Kreilein, Mike Achtem and Dave Neal were present on behalf of Youbou Lands and made the following presentation:

Mike Achtem

- He is one of the owners of the Youbou Lands project and stated that they would also be giving a Power Point Presentation (EXHIBIT 2) with regard to the Rezoning Application and stated the following:
- Amenities and Features of the development include: the Business Park; Marina and Boat Launch; Resort and Spa; Conservation Covenants with The Land Conservancy on the Lakeshore and Riparian Areas; Cowichan Lake Environment Protection Fund; Sewage field reserve for the existing Town of Youbou (approximately 300 homes); Off site road and safety improvements; Fire protection review; Ongoing remediation process and Youbou Beach Parkway and Greenway through the site;
- The Business Park which is approximately 4 ha (10 acres) is located on the north side of the gravel road which they purchased half way through their remediation process. The land was purchased mainly to create some business interest and jobs at the beginning of their project and they hope to gift that land to the Lake Cowichan Forest Co-Op;
- Remediation of the site has been ongoing and they have carried out environmental investigations from when they purchased the property in 2005 to present. Approximately 354 holes and 100 test pits have been dug on site, 14 areas of contamination have been identified, including the landfill and dump. They received Approval in Principle from the Ministry of Environment in 2007 and the remediation started in 2007 and it is now 70% complete. All contaminated materials that were on the site have been removed and taken offsite to a safe location. They hope to have the site 100% cleaned up prior to the first building permit being issued by the CVRD.
- They hired Madrone Consultants to carry out a Lake Impact Study and a summary of all the environmental reports;
- Wastewater was addressed with regard to Municipal Sewage Regulation (MSR) monitoring and recharge;
- Under the MSR their site would require 6-8 days of subsurface travel time and advised that their tests have proven that it will take 220 travel days on their site adding that they have made that requirement easily. Monitoring regulations falls under the MSR jurisdiction of the Ministry of Environment and monitoring wells will be regularly monitored to ensure effluent quality meets the MSR requirements. Monitoring will be based on what the quality is and if they are meeting the MSR regulations;
- Treated wastewater will be recharging water back into the ground which will help out the overall groundwater cycle;
- Mill site remediation has a huge environmental impact and they have been

cleaning up that contaminated site, and at the end of the process there will be a positive benefit on the environment;

- All stormwater will be treated and there will be no impacts on either the Lake or Creek;
- Cottonwood Creek flood flows and hazardous conditions have been studied and it was determined that there would be a low impact and low risk of any Creek erosion or debris flow and any flooding in that area. He further advised that the report stated that the project poses a very low risk to Cowichan Lake and the Cottonwood Creek fan in terms of water quality, water quantity and aquatic ecology;
- Traffic issues have also been discussed over many meetings with the Ministry of Transportation. Youbou Lands are first committed to do, which is over and above any Ministry requirement, between 6-12 intersections in Youbou that are presently unsafe and they are committed to going out and improve the sight lines and safety issues before they build anything on site. They are also committed, which is also over and above the Ministry's requirements, to building a multi-use trail through Youbou. The Ministry of Transportation is requiring that widening of Youbou Road and upgrading of certain intersections be carried out and noted those upgrades will be based on ongoing traffic monitoring that their Traffic Consultant will be carrying out during the project. Their Traffic Consultant has already identified three intersections (Youbou Road and Highway 18; Youbou Road and North Shore and Youbou Road and Meades Creek) that will require constant monitoring to determine what types of upgrade will be required in the future;
- Existing logging road will remain status quo and they will not be putting up any gate or blocking entry for anybody and the road will continue to work as is. Their development is required to dedicate the road to the western property line and noted that there is a piece of property in between their western boundary and the existing logging road which they do not own and they have no control over it.

Thomas Kreilein

- He is one of the owners of the subject property and stated that he believes BC is one of the best places to live;
- First thing he believes in is creating employment and that he felt the proposed business park, which will not be owned by them as it would be gifted land, would be for the sole purpose of job creation. Numerous meetings have been held with regard to potential uses at the business park and noted that they have identified more than one business that could go on the site which could include a storage facility and a landscaping or garden facility. Their objective to giving away the property to the Cowichan Lake Forest Co-op ensures that the property cannot be sold and any business on site will have to provide full-time employment as they would like to create as much employment on site as possible;
- Their proposal is different than any other big developments as they will have only 63 waterfront lots on site and for the development to work it will not be because of selling those waterfront lots;

- Their development contains multi-family units which he feels will be suitable for families and older persons;
- He feels if they cannot create employment on site the project will fail.

Director Kuhn

Introduced and welcomed Director Mary Marcotte from Electoral Area H – North Oyster/Diamond who was in the audience at the Public Hearing.

QUESTION PERIOD

Director Kuhn 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.

**Cathy Woodrow,
10072 Lakeshore
Terrace**

- Asked how hydro, cable and other services would be getting to the development and if they would be located underground?

Mike Achtem

- Water servicing is from drilled groundwater wells located on the west side of Cottonwood Creek and noted that they have also carried out a hydrogeology study for the site;
- Studies and test wells have proven they have lots of water on site and noted that their intention is to not tap or draw from the existing Youbou water system. It might be possible in the future to tie their water system into the existing Youbou water system to help out that system with supply;
- Sewage disposal property is located on the north side that runs parallel to the existing logging road;
- There is also available area in that sewage disposal system for an additional 300 homes from Youbou into their site;
- Based under the MSR they are required to install a Class D sewage treatment system but noted that a Policy for Area I states a Class B system is required and advised that they would be installing a Class B system;
- Preliminary discussions have occurred with regard to hydro and telephone but noted that, at this time, it is still a bit premature to further those discussions.

Tim Roberts

- Lives in Victoria and his family has owned property to west of the subject for over 50 years;
- Concerned about the existing road to his property as legally they only have water access to their lots.
- Ministry of Transportation have made comments that they are not interested in the road as it is a private road but noted that he pays his taxes to the CVRD for road access and he wants some form of assurance that they will continue to have road access to his property.

Mike Achtem

- They have met with Ministry of Transportation & Infrastructure (MOTI) and their Consultant, Boulevard Consultants and MOTI told their Consultant that they do not want the road;
- During a second meeting they held with MOTI they have agreed to own a

small portion of road right-of-way through their property but noted that their condition was that the right-of-way on either side of the road would be owned by the CVRD for trails and that the CVRD has agreed to own and maintain all those amenities;

- They have no intention of blocking the gravel road or any people from getting west past their property and noted that under the *Act* they will dedicate the roads and build as far as their property goes and noted that the more people that go through their development the better for everyone.

**Tom Bjur,
10962 Alder Crescent**

- Does TimberWest own the road from the subject property's west boundary around the rest of the Lake and will TimberWest make a commitment to keeping that road open to the public?

Thomas Kreilein

- Cannot speak on behalf of TimberWest as they own the road but noted that as far as they are concerned the part of the road they own they will keep open and accessible for anyone who wants to use it but further advised he could not make a comment on the rest of the road as they do not own it.

Noni Baanstra

- Lives in Victoria but has owned property on Youbou Road for 38 years;
- When the Mill was closed the residents were asked to pay \$500 more on property taxes every year to put in the new firehall and asked if the proposed development proceeds will the property owners be taxed more?
- When the Lakeside Estates subdivision was approved the public was told a 60 ft. walkway was supposed to be put in but noted that has never happened and asked if that would be rectified as she has no faith when it comes to putting in walkway paths on the proposed site?
- When the proposed marina is put in will people have to pay to launch a boat as she heard in the past that there was supposed to have been a marina put in that was to be free to the Youbou people and noted that never happened?

Thomas Kreilein

- Fire Assessment Study will be carried out prior to any development of the site;
- Any improvements to equipment or the firehall will be paid by them and there would not be any burdens put on the existing taxpayers and advised that they cannot develop the property if they do not fulfil the requirements put forward;
- Lakefront walkway is part of the Phased Development Agreement and a commitment and if they do not follow through with it they cannot proceed with the development;
- After 100 lots or houses are sold a boardwalk will be built that runs from Arbutus Park to the boat launch and if they fail to do that they will not receive approval to move further in the development;
- There could be the possibility of posting a bond;
- Somebody will have to pay for maintenance of the boat launch by way of either taxpayers or a user fee and he stated he would like to see the people who use the boat launch pay for it as they would be the ones benefitting

from it.

- Paul**
- Owns property past the proposed development;
 - If 1,950 lots are going to be created on the property he feels the most valuable amenity is to make all the lakefront public land as that would create excitement and bring people into the development as an amenity.
- Thomas Kreilein**
- He also believes that the lakefront walkway would be a good amenity but noted that they cannot build a walkway around the entire lakeshore due to the 15 m riparian setback;
 - Continuous walkway would be a benefit for everyone but unfortunately due to the Department of Fisheries & Oceans, Ministry of Environment, a waterfront walkway likely could not be achieved. Policing and CVRD enforcement issues of such an area would also be a problem.
- Paul**
- There has to be a plan that allows public access for everyone along the entire lakeshore and noted that would also be a benefit to the Fire Department.
- Thomas Kreilein**
- Portions of that walkway would be located in the bush not along the lakeshore.
- Paul**
- They are blocking the lakeshore now with the proposed waterfront lots.
- Thomas Kreilein**
- Not true as they are giving up some of the nicest beaches that are on the property to the public for park.
- Myrna,
Alder Crescent
Youbou**
- The public deserves more public access to the Lake as she felt that property should belong to the community not the landowner and it would also be a better way of protecting the Lake;
 - What guarantee is there that the walkway would be built after the first 100 houses were built and stated that she felt the walkways needed to be built prior to any housing going in.
- Mike Achtem**
- Of the total property approximately 60 percent of the 4.5 km. shoreline is accessible to the public;
 - West side of creek 65 percent of the land is available to the public which is over half of the prime real estate;
 - Before they build their first house they have to spend approximately 15 Million Dollars for sewer, water and roadways and they have to put a lot of capital investment into the project in order to get the first house and that is another reason why the development is being brought in at phased stages.
- Thomas Kreilein**
- They will also be making improvements to Youbou Road with regard to sight lines prior to any development going in or selling any lots;
 - They are also committed to cleaning up and remediation of the old Mill site and noted that the OCP states that the remediation has to happen prior to

any substantial development but does not state that it has to be cleaned up prior to any development on site and advised that they have committed to cleaning up the entire site prior to any development.

**Ian Graeme,
Sa-Seen-Os
Crescent,
Youbou**

- He was previous Chair of the Area I APC but noted he was speaking at the hearing as an individual;
- Concerned about the statement regarding public ownership of the foreshore and that he understood Mr. Kreilein had stated that they were quite prepared to do that but due to Federal, Provincial and CVRD agencies that was impossible and asked if the developer was able to work through those agency issues would they be prepared to put all that land back into the public foreshore walkway?
- CVRD Staff Report prepared by Long Range Planner, Catherine Johnnie, recommended that the entire lakeshore including SPEA areas be publicly owned;
- If the developers could work around the SPEA and other issues would they put in the foreshore walkway.

Thomas Kreilein

- He would be prepared to construct the waterfront walkway but noted that he could not see the benefit as the walkway would not be located close to the water in some areas.

**Marcia Stewart,
10665 Youbou Road**

- Thanked the developers for their commitment on the road improvements but noted that she was concerned about some houses located along the road that could lose their property due to the proposed walkway;
- Will there be amenities for our existing community hall, church, school as she stated there has been no mention to the existing facilities being able to accommodate the new 7,000 residents in the area?
- Has any further research been carried out regarding the garbage dump located west of Youbou Creek as she was concerned about the proposed park in that area?

Mike Achtem

- Boulevard Transportation have identified in a report prepared by them areas on the high side where there is sufficient road right-of-way for a walkway and also identified areas on the low and south side where there was not sufficient road dedication. They have also recommended other route options rather than property acquisition. They do not want to build walkways on peoples properties;
- They are trying to preserve space within their development if a school site or new firehall site is required in the future and they want to ensure there is enough land set aside to the CVRD for future requirements if needed. They have not committed to building a community hall;
- Dave Neal from Active Earth, who is their Contaminated Sites and Hydrogeologist Specialist, will speak on the dump site located near Youbou Creek.

Dave Neal, Active

- Dump site is approximately 2-3 acres in size and drill holes were put in 4-5

- Earth** years ago.
- Mike Achtem** ➤ Stated that was the dump site they discovered a year after they purchased the property located west of Cottonwood Creek and asked if the dump she was speaking about was the one she mentioned to him about three days ago which was the first time he ever heard of it located very close to Youbou Creek?
- Marcia Stewart** ➤ She spoke to him about the dump at Youbou Creek at their first APC meeting.
- Mike Achtem** ➤ He misunderstood and thought she was speaking about the huge dump they found west of Cottonwood Creek which Mr. Neal spoke about.
- Marcia Stewart** ➤ Asked if Youbou's existing facilities would be improved to accommodate the people that would be coming into the area?
- Thomas Kreilein** ➤ School requirements are under the jurisdiction of the School District and noted that he was not sure about the requirements for a church facility;
 ➤ They will make lands available in their development to the CVRD to accommodate future needs if that is required;
 ➤ Any new contaminated sites that are identified will require a Certificate of Compliance from the Ministry of Environment;
 ➤ If there are any new amenities brought forward they will have to address and explore them;
 ➤ If any other dumps are found on the site they will have to clean them up too.
- Director Kuhn** Reminded the public that written submissions must be received at the head table prior to the close of the Public Hearing and asked for further questions from the public present with regard to the proposed Amendment Bylaws.
- Steven,
Price Road,
Youbou** ➤ With all the lots being created there should not be any increase in Youbou's property taxes;
 ➤ Looks like a lot of new jobs will be created through the proposed development and asked how soon would they be able to start the development?
- Thomas Kreilein** ➤ Assuming they receive approval the first thing they will do is finish the clean up of the Mill site and at the same time they will improve Youbou Road's sight lines to make it safer;
 ➤ They are in the process of trying to entice more businesses to be located on the site;
 ➤ Timing of the project, if everything was to run smoothly, could be by the end of next summer.
- Speaker** ➤ The walkway along the shoreline would be for everyone to use and noted

- that people would not be able to build or develop their lakefront lots down to the water;
- Will she be able to swim safely on the beaches at the proposed marina, what will happen to Arbutus Park and what will happen to the quality of the Lake?
- Thomas Kreilein** ➤ There will be an expansion to Arbutus Park making it bigger and noted that there will be another three park beaches to swim within their development.
- Speaker** ➤ How many boats will be docked at the marina?
- Thomas Kreilein** ➤ Number of boats will be subject to CVRD approval.
- Speaker** ➤ Will there be added pollution going into the water from those boats?
- Thomas Kreilein** ➤ Motor boats do have some sort of pollution;
➤ Additional beaches in the development will be for the public to use.
- Speaker** ➤ She will have to get into her car and drive to get to those beaches rather than walking to them and noted that it would not be the same with a marina in the area.
- Thomas Kreilein** ➤ There is a boardwalk planned from Arbutus Park to the marina and noted that it would be dangerous to swim where boat traffic would be at the boat ramp.
- Speaker** ➤ What happens if the development runs out of money?
- Thomas Kreilein** ➤ Very important question and stated that they do not do anything where they cannot pay for it and they have no debt.
- Speaker** ➤ She owns a house in the Lakeview subdivision in Duncan below The Cliffs development and she has seen development stop during the development stage.
- Thomas Kreilein** ➤ He knew before The Cliffs development started that it would not work due to its financial issues as he understood there was too much debt.
- Gerald Thom,
Youbou Road** ➤ He spoke with Ted Burns and he advised that initial digs for spawning channels to improve salmon habitat was somewhat unsuccessful due to deep groundwater levels and asked if a small Cut Throat Hatchery instead of the spawning channels could be part of the development plan as it could also be used as an educational facility on the site?
- Thomas Kreilein** ➤ They are in favour of a Hatchery on site and noted that it may be possible that the Lake Fund monies be used for that purpose.

- Art Watson Jr.,
210-1715 Cowichan
Bay Road**
- Lake Cowichan Salmon Enhancement Society had been looking for funding and Youbou Lands came forward and saved their programs with their funding and contributions and stated that they should be thanked for their financial contributions.
- Shawn Carlow
10479 Youbou Road**
- He has heard a lot of concerns regarding the waterfront walkway issue and asked if a floating walkway could be put in like the Town of Lake Cowichan has done?
- Thomas Kreilein**
- Nobody has come forward with that proposal but noted that area was subject to heavy winds and he personally could not see a floating walkway work;
 - On another issue he also noted that they have met with all First Nations groups in the area as they are considered to be part of the community.
- Andy,
Sa-Seen-Os Point
Road**
- Will there be any land available for a golf course?
- Thomas Kreilein**
- Golf courses are expensive developments and cater to high-end markets and stated that costs of homes associated with golf course are approximately One Million Dollars per hole;
 - If someone else wanted to build a golf course he would review that option but noted that he would not be building a golf course.
- Paul Henderson**
- Youbou Fire Department's jurisdiction extends to Wardroper and he felt access to that area was a key issue.
- Thomas Kreilein**
- They only have one dedicated road into their development but noted that there will be a second emergency exit on site.
- Paul Henderson**
- Road access past the proposed development should be addressed by the developer and CVRD.
- Director Kuhn**
- That comment should be made during the formal section of the Public Hearing.
- Ian Graeme**
- 1,950 lots are being proposed on site and asked if he was correct that under the present zoning 17 dwellings were permitted on site?
 - Has the Regional District carried out an Environmental Strategy for the proposed development and asked how the 12 CVRD Board policies/strategies form part of this development?
- Mike Tippett**
- 17 dwellings are permitted under the present zoning;
 - 12 environmental directives were adopted by the CVRD Board but noted that this development application came in prior to them being adopted and the Staff Report was completed beforehand too;

- The CVRD Staff Report contains the environmental information from various agencies.
- Howard Smith**
- Subject property is a real beautiful piece of property and a developer's dream;
- He has spent a lot of time on the site and he would like to see a Trout Hatchery on the Creek as he felt it would benefit the developers and the people of Youbou.
- Director Kuhn**
- Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Authorization Bylaw No. 3242.
- 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 Kuhn reminded the public that the Information Binder was available for review located on the side table, copies of the proposed Amendment Bylaws were located on the back table, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Director Kuhn**
- Introduced and welcomed Director Loren Duncan from Electoral Area E – Cowichan Station/Sahtlam/Glenora who was within the audience at the Public Hearing.
- Ross Forrest**
- He is the Mayor of the Town of Lake Cowichan and thanked Councillor Jayne Ingram also from the Town of Lake Cowichan for attending the Public Hearing;
- Read verbatim the Town of Lake Cowichan's letter dated May 14, 2009 (EXHIBIT 45) stating that they supported the proposed development with a mix of residential and non-residential land uses and their objective to create a complete and healthy community.
- George deLure,
9808 Miracle Way**
- He is not associated with the developers nor does he do business with them;
- Read verbatim his letter dated May 14, 2009, (EXHIBIT 55) stating that he supported the proposed development as it will include an industrial park creating employment opportunities and the fact that the Cowichan Lake Community Forest Co-op will assume ownership of the business park as well as the marina. He also encouraged the developer to follow through with a community fish hatchery on Cottonwood Creek.
- Beverly Kendall,
10508 Youbou Road**
- Read verbatim her letter dated March 16, 2009 (EXHIBIT 54) stating that she fully supported the proposed development as she would like to see growth and development in the area for the future of our children, the development would benefit the Cowichan Lake area businesses and communities as the development will provide jobs and create future business endeavours.

- Director Kuhn** Reminded the public that the file was available for inspection on the side table and copies of the proposed Amendment Bylaws were located on the back table. He requested that any letters or submissions be received by the head table prior to the close of the Public Hearing. Director Kuhn asked for further comments from the public present.
- Marie Augustine,
10214 Youbou Road**
- She sat on the Area I APC in 2005 when the OCP was reviewed and the community stated, at that time, that they wanted the Mill site remediated and cleaned up and noted that the developer is carrying that out;
 - She and her Husband, Floyd, support the proposed development and stated it should go ahead.
- Tim Roberts**
- Imperative that the access past the subject property is maintained. Noted that he heard conflicting statements at the Public Hearing with regard to access and the emergency exit and stated that the CVRD should preserve that road access and keep it opened and maintained as they pay their taxes and fire taxes to the CVRD.
- Rod,
Maple Bay**
- He has worked with the Film Industry and has been able to market and show the highlights of the southern Island to the world and he loves the Cowichan Valley;
 - He has seen development occur in the past on southern Vancouver Island and feels development is inevitable;
 - He had the opportunity to walk the property with one of the Developers, Chris Clement, and he took in the beauty of the subject property noting it is a jewel;
 - Felt the development would be an economic benefit and is a win-win situation;
 - He lives below the Cliffs Development in Maple Bay and has seen what happened in that development but noted that he is confident that this development will be a quality project.
- Lorne Scheffer,
7769 Sunset Park**
- He supports the project for the fact that he has raised a family in the area for 40 years and he has seen friends and his children have to move away as there are no employment opportunities in the area for them;
 - When he first moved to the Lake there were many jobs at the mills and opportunities for employment but noted that does not exist in the area anymore;
 - He is Chair of the Cowichan Lake Community Forest Co-Operative and their mandate is to create employment in the area and they found the developers to be very honest, sincere and very caring about the community and that is why he feels the Mayor of the Town of Lake Cowichan is also on board with the project;
 - Project is important to them as employment is needed and children need to work in the area and there needs to be recreation opportunities to see the area grow;

- Totally supports the proposed project.

**Rob Smith,
Cypress Road**

- He had the pleasure of owning a business in the area for 15 years where he had employed 30 people;
- He has seen the proposed development takeoff and hopes to see more jobs and employment created in the community;
- Get rid of the red tape and roll out the red carpet for the development;
- He supports the development 100 percent.

**Joe Allan,
6480 Cowichan Lake
Road**

- He has created his own Website and he has a blog about articles on local issues and advised he has written about the proposed project and stated the hits he has received about the development have been 99 percent positive;
- Read verbatim (EXHIBIT 56) one blog he received from Joan McKenzie advised that she supported the proposed application;
- He supports the proposed development.

Director Morrison left the meeting at 9:10 pm.

**Ian Graeme,
8181 Sa-Seen-Os
Crescent**

- Thanked the CVRD Staff and the developers for their presentations and for answering questions on the proposed development;
- His background is in Resource Management/Forestry Water Management/Community Planning and Economics and was involved in the past with the APC for six years. He was also the Chair of the Commission when the project first came forward and he is very familiar with it;
- He cannot support the development as it is proposed;
- There are some positive aspects with the development but noted that he felt overall it falls short and is mediocre;
- Limona development came forward and he stated at that time there needed to be more walkable communities and when the Mill project came forward he was very excited about the potential;
- What started as a redevelopment of the old Mill site has now become a very large scale development that is about greenfield development. The main footprint of the development is all Greenfield and is creating suburban sprawl as a huge area is being developed;
- One part of the development is good but the majority of the footprint is going down a suburban path;
- Everyone understood during the OCP review process that some mixed family rezoning would be accepted but noted it was not his impression that it would be to the proposed scale of urban sprawl west of Cottonwood Creek;
- Disappointed by the overall concept plan;
- CVRD Staff Report dated July 28, 2008, prepared by the Long Range Planner to the Electoral Area Services Committee is approximately 49 pages and it contains comprehensive recommendations and that he feels many of those recommendations have been lost. Issues were raised by the community, APC and Planner but they are not within the proposal before the public;

- CVRD Board acknowledges that the economy and environment are intertwined and have adopted 12 Environmental Strategy Policies that he feels all apply to Cowichan Lake and that all natural assets should be maintained;
- Form and character should also be noted as a 24 m height limit would permit up to 8 stories for a hotel and feels 8 stories is not in keeping with the area and a possible 3-4 stories would be better;
- Regarding public versus private lakeshore ownership the applicant originally stated that it would be publicly owned and then there were some strong voices that quashed that idea due to possible enforcement issues. Now is the time to get the lakeshore lands as the opportunity is before the CVRD before they are lost. Noted that at one time there was the opportunity to acquire the old CN Rail r/w but that did not happen. In Ucluelet 100% of the foreshore has been given up;
- Schematic is somewhat misleading as it does not show the docks in front of the waterfront homes and feels those docks would take away from canoeists and kayakers paddling along the entire foreshore. Do we want to create additional structures along the waterfront when a marina is being planned around the corner?
- Youbou Road functions as a residential street because of the close properties to it and a community at build out of 5,000 people will have a significant impact on liveability. Acknowledged the Developer for putting up 1 Million Dollars for the upgrades to Youbou Road but noted that he felt that figure will not go very far;
- Proposed densities west of Cottonwood Creek are not within walking distances to services and that he felt that could not support an economical transit system;
- Currently there are 17 units that are permitted under the present zoning and the applicants will get 1,950 units out of the proposed development which he felt is a significant increase in value compared to the permitted 17 units. With a change from 17 to 1,950 units he would expect a much larger public amenity and a lot more work should be carried out and felt the Applicant's Consultants can come up with something different;
- The Applicant is a Numbered Company and he has asked publicly and privately for some examples of where they have demonstrated the values they are talking about in the proposed development;
- Next to Bamberton this is the largest Rezoning Application received in the CVRD and he thinks the CVRD Board should have a better look at the development under a lot of scrutiny and there needs to be more debate over the issues that have come up at tonight's meeting and within the Long Range Planner's report. There needs to be a hard and thoughtful debate over the development proposal as he feels it is still a work in progress and that he does not want to see the development rubber stamped.

Director Kuhn

Asked for further comments or submissions from the public present with regard to proposed Bylaws No. 3213, 3214 and 3242.

- Tara Daly,
9750 Miracle Way**
- Supports the proposed development as she felt it will be a good for Youbou and she noted that Youbou also consists of the Creekside and Lakeside Estates developments;
 - The Cowichan Lake area has suffered greatly with job loss and she hopes the prospect of having jobs will bring young families back to the area and also increase the ability for the older people to stay in the area;
 - There will be humps and bumps and changes in the process and she hoped they could be solved and not have to go back to the community for approval.
- Marla Dennis,
Maple Bay**
- Owns property in Creekside Estates and moves her family in the Summer to the Creekside property;
 - There is a need for affordable housing in the area and that she felt it is quite expensive to purchase and have access to the waterfront and that she felt it was very important to offer affordable housing within the proposed developed and noted that the project supports that.
- Speaker,**
- He is a Director on the Cowichan Lake District Chamber of Commerce and stated on behalf of Jim Humphrey, President, that they are in total support of the proposed development.
- Catherine Worsley
#9-215 Madill Road**
- Representing the Lake Cowichan Food Bank Society and stated that they support the project;
 - Over the past 1½ years they have seen the numbers doubled in the Food Bank and in the past six months they have seen their numbers tripled and that is due to the lack of jobs in the area;
 - Proposed development brings economic growth that will be sustainable for all of Cowichan Lake which their Food Bank services;
 - If the proposal goes through their numbers will not stop, they will decrease as people will be back to work.
- Wayne Palliser
Youbou Road**
- He was born and raised in the Valley and he got to see three mills working in the past and over the years he has seen it go slowly downhill and that he wants to see it now go back uphill;
 - He has worked with a lot of great people in the past and he wants to see Thomas and his group succeed with their development;
 - Supported the proposed development.
- Stu Vinnells,
Price Road**
- Urges the CVRD Directors to support the proposed development as he feels there is a vast majority of people in the area that also support the development.
- Linda Bjur**
- Her property borders the proposed development and she and her Husband, Tom, support the proposed development.
- Dave Johel,
8800 North Shore**
- He was born and raised in the community and has seen the ups and downs in the area;

Road

- He has spoken with the developers and he is pleased to see the long range planning that is being proposed as compared to the smaller developments;
- The developers have carried out their long term planning and they should be applauded and not be held back as the development is forward thinking;
- If a community can plan for it and follow through on it there will be changes but noted it will happen;
- Developers have done a wonderful job.

ADJOURNMENT

Chairperson Kuhn asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3213, Zoning Amendment Bylaw No. 3214 and Phased Development Agreement Authorization Bylaw No. 3242.

Chairperson Kuhn declared the Public Hearing closed at 9:40 pm.

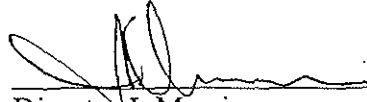
CERTIFICATION:

We attended the Public Hearing on Thursday, May 14, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.



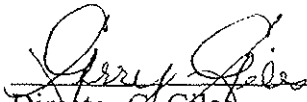
Director K. Kuhn

Date 2 June 2009



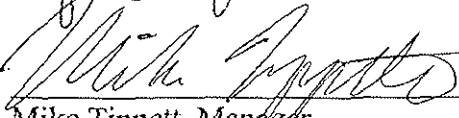
Director I. Morrison

Date JUNE 2, 2009




Director G. Giles

Date June 2, 2009



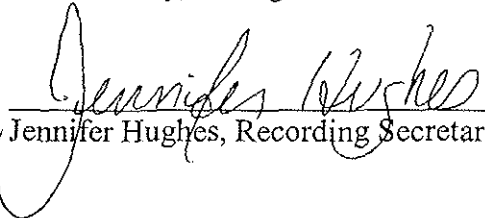
Mike Tippett, Manager

Date May 28, 2009



Rob Conway, Manager

Date May 28/09



Jennifer Hughes, Recording Secretary

Date May 28, 2009



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3266

A Bylaw Authorizing the Expenditure of Funds from the
Shawnigan Beach Estates Sanitary Sewage Local Service Area Reserve Fund
Established Pursuant to CVRD Bylaw No. 2019

WHEREAS as of March 31, 2009, there is an unappropriated balance in the *Shawnigan Beach Estates Sewer System Reserve Fund* of Thirty-Four Thousand One Hundred Thirty-Four Dollars (\$34,134.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2008:		\$33,739.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	<u>\$395.</u>
		\$34,134.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE In Reserve Fund as at March 31, 2009:		<u>\$34,134.</u>

AND WHERAS it is deemed desirable and expedient to expend not more than Thirty-Five Thousand Dollars (\$35,000.) of the said balance to assist with the financing of upgrades to the sewer treatment plant;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3266 - Shawnigan Beach Estates Sewer System Reserve Fund Expenditure (Treatment Plant Upgrades) Bylaw, 2009**".

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Thirty-Five Thousand Dollars (\$35,000.) is hereby appropriated from the *Shawnigan Beach Estates Sewer System Reserve Fund* to assist with financing of upgrades to the sewer treatment plant.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly defined by Board resolution adopted April 8, 2009.

3. SUMS REMAINING

Should any of the said sum of Thirty-Five Thousand Dollars (\$35,000.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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

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

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

ADOPTED this _____ day of _____, 2009.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3276

A Bylaw Authorizing the Expenditure of Funds from the
Community Parks Reserve Fund (Electoral Area C - Cobble Hill)
Established Pursuant to CVRD Bylaw No. 272

WHEREAS as of April 30, 2009, there is an unappropriated balance in the *Electoral Area C Community Parks Reserve Fund* of Two Hundred Forty-Nine Thousand Nine Hundred Eighty-One Dollars (\$249,981.) that has been calculated as follows:

BALANCE in Reserve fund as at
December 31, 2008: \$248,690.

ADD: Additions to the Fund,
Including interest earned
for the current year to date. \$1,291.

DEDUCT: Commitments outstanding under
bylaws previously adopted. NIL

UNCOMMITTED BALANCE
In Reserve Fund as at April 30, 2009: \$249,981.

AND WHERAS it is deemed desirable and expedient to expend not more than Sixty Thousand Dollars (\$60,000.) of the said balance to complete the Cobble Hill Train Station as part of the Cobble Hill Train Station "*Trees for Tomorrow*" Revitalization Project;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3276 - Community Parks Reserve Fund (Area C - Cobble Hill) Expenditure Bylaw, 2009**".

.../2

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Sixty Thousand Dollars (\$60,000.) is hereby appropriated from the *Electoral Area C Community Parks Reserve Fund* to to complete the Cobble Hill Train Station as part of the Cobble Hill Train Station "Trees for Tomorrow" Revitalization Project.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 09-261.1.2, adopted May 13, 2009.

3. SUMS REMAINING

Should any of the said sum of Sixty Thousand Dollars (\$60,000.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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

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

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

ADOPTED this _____ day of _____, 2009.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3141

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1210,
Applicable to Electoral Area C – Cobble Hill**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area C – Cobble Hill, that being Official Community Plan Bylaw No. 1210;

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 notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1210;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3141 - Area C – Cobble Hill Official Community Plan Amendment Bylaw (TCH Development Permit Area Expansion), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1210, 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 25th day of June , 2008

READ A SECOND TIME this 25th day of June , 2008.

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

ADOPTED this _____ day of _____ , 2009.

Chairperson

Corporate Secretary



C·V·R·D

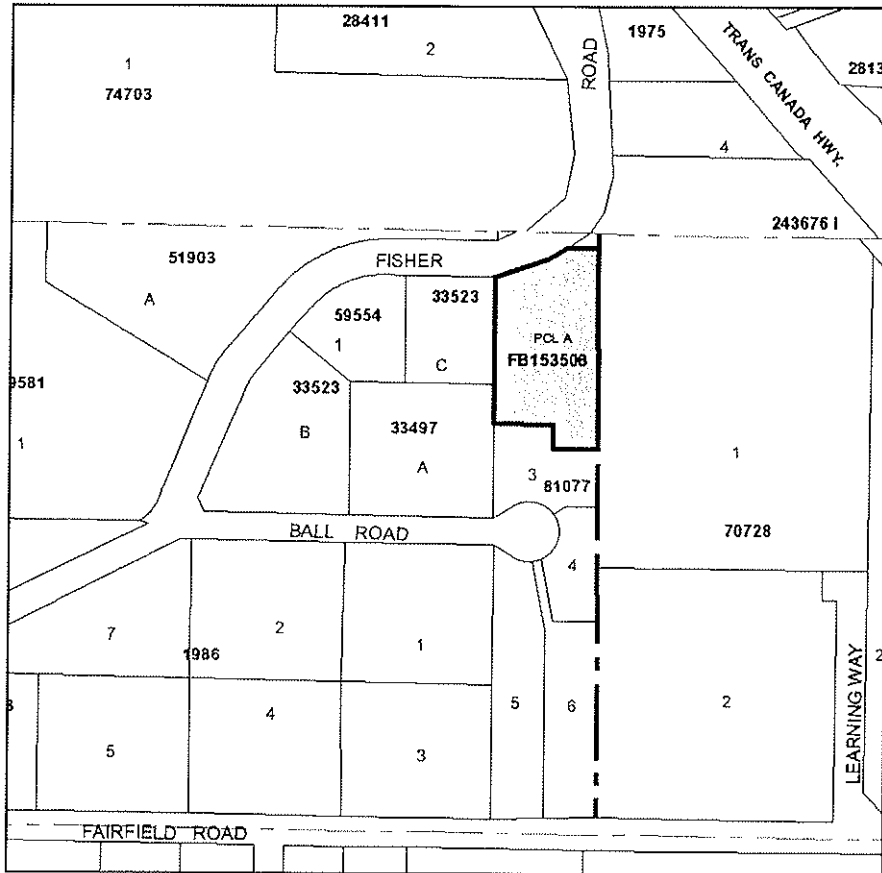
SCHEDULE "A"

To CVRD Bylaw No. 3141

Schedule A to Official Community Plan Bylaw No. 1210, is hereby amended as follows:

1. That Parcel A, Block 1475, Section 13, Range 6, Shawnigan District, Plan FB153508, as shown outlined in a solid black line on Plan number Z-3141 attached hereto and forming Schedule B of this bylaw, be added to Figure 7 – Trans Canada Highway Development Permit Area.

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS ADDED TO

Figure 7 – Trans Canada Highway Development Permit Area

APPLICABLE TO ELECTORAL AREA C



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3142

**A Bylaw For The Purpose Of Amending Zoning Bylaw No. 1405
Applicable To Electoral Area C – Cobble Hill**

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area C – Cobble Hill, that being Zoning Bylaw No. 1405;

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. 1405;

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

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3142 – Area C – Cobble Hill Zoning Amendment Bylaw (I-1B Parcel Coverage/Outdoor Storage), 2008**".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 1405, as amended from time to time, is hereby amended in the following manner:

a) Section 11.3(a)(1) is deleted and the following is added in its place:

(1) Mini warehousing, indoor storage, outdoor storage of boats and RV's only;

b) Section 11.3(b)(1) is deleted and replaced by the following:

(1) The parcel coverage shall not exceed 50 percent for all buildings and structures.

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 25th day of June, 2008

READ A SECOND TIME this 25th day of June, 2008.

SECOND READING RESCINDED this 8th day of April, 2009.

SECOND READING AS AMENDED this 8th day of April, 2009

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3210

**A Bylaw for the Purpose of Amending Cowichan-Koksilah 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 Cowichan-Koksilah 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. 3210 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008**".

2. **AMENDMENTS**

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

3. **CAPITAL EXPENDITURE PROGRAM**

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

READ A FIRST TIME this 30th day of September , 2008

READ A SECOND TIME this 30th day of September , 2008.

READ A THIRD TIME AS AMENDED this 28th day of January , 2009.

ADOPTED this day of , 2009.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3210

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

1. That Schedule A (Cowichan-Koksilah Plan text) is amended by adding the following after Section 13.7.9:

13.8 KOKSILAH DEVELOPMENT PERMIT AREA

13.8.1 CATEGORY

The **Koksilah Development Permit Area** is designated pursuant to Section 919(1)(a) and (f) of the *Local Government Act*, for the protection of the environment, its ecosystems and biodiversity, and establishment of objectives for the form and character of commercial, industrial, and multi-family residential development.

13.8.2 AREA OF APPLICATION

The **Koksilah Development Permit Area** applies to all commercially and industrially-designated lands within the OCP area, including: Lot 1, Section 13, Range 6, Quamichan District, Plan 9381, as shown on **Figure 15: Koksilah Development Permit Area**.

13.8.3 JUSTIFICATION

- a) The OCP aims to ensure that the design of any commercial and industrial development is in keeping with the community's expectations for visual quality, and that it is functionally compatible with surrounding land uses.
- b) The OCP aims to ensure that future commercial and industrial developments offer safety and accessibility, and are adequately landscaped.
- c) The OCP aims to ensure that the integrity of surface water and groundwater is protected from inappropriate development, in areas where land uses within the development permit area may directly impact surface and groundwater resources.

.../2

13.8.4 GUIDELINES

Within the **Koksilah Development Permit Area**, no person will:

- subdivide land;
- alter land, including the removal of trees or vegetation and removal/deposit of soil;
- construct a road, bridge or driveway; or
- construct a building or structure

prior to the owner of land applying for and receiving a development permit from the CVRD, which will sufficiently address the following guidelines:

Environmental Protection

- a) Runoff from the development will be limited in order to prevent storm flows from damaging riparian areas during normal rainfall events. Preferably, on larger sites, natural wetland protection and enhancement should be incorporated, along with measures to limit impervious surfaces. Parking areas should contain oil/water separators, and – where feasible – use pervious landscaping that can absorb runoff. Applicants should submit figures for total site imperviousness. The Board may specify maximum site imperviousness in a development permit;
- b) The latest Best Management Practices for land development of the Ministry of Environment and Fisheries and Oceans Canada, should be respected;
- c) The entire Koksilah Development Permit Area sits upon a valuable aquifer that supplies drinking water to local residents. Applicants will submit a plan describing how they will protect this community resource on their site;

Landscaping

- d) Landscaping will be provided around the periphery of the parcel. Particular attention will be paid to landscaping measures along road frontages and parcel boundaries that may abut other uses such as residential. A combination of low shrubbery, ornamental trees and flowering perennials is recommended.
- e) The use of landscaped berms and raised planter berms as a visual and noise barrier between commercial/industrial uses and the Trans-Canada Highway is strongly encouraged. Such raised features need not exceed 1.5 metres in height, but should be at least 0.75 metres in height;
- f) Owner-designed landscape plans may be reviewed in accordance with the Landscape Standard developed jointly by the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA);

.../3

Form and Character of Buildings and Structures

- g) Buildings and structures will be designed in consideration of improving upon the aesthetics of the surrounding area, with finishes that are attractive, such as tinted concrete, some natural materials and natural colours;

Vehicle Access, Pedestrian Access and Parking

- h) Where two or more commercial or industrial facilities adjoin one another, vehicle access points, pedestrian pathways and parking and circulation patterns should be linked and possibly shared in order to encourage as safe a flow of pedestrian and vehicle traffic as possible. This can be accomplished by reciprocal easements and or rights of way. Unnecessary duplication of access points is strongly discouraged;
- i) Parking areas will be designed to physically separate pedestrian and motorized traffic, for example, through the use of raised pedestrian routes;
- j) Parking surfaces will be paved in a suitable material, whether pervious or impervious, and will not be located within 3 metres from any major road network route and the Trans-Canada Highway;
- k) Where required, pedestrian routes across, within and between sites should be clearly delineated by means of separate, raised walkways, sidewalks or paths;

Signs

- l) Signs should be designed to reflect the site's architecture and landscaping and should be limited to not more than 5 metres in height and also of limited area;
- m) Translucent "can" or panel signs that are wholly illuminated from behind are not permissible whether free-standing or mounted on a building fascia; however, the Board may consider permitting backlit signs if only the lettering and logos are illuminated at a low intensity. Fluorescent lighting projected towards a sign is very strongly discouraged, and low intensity incandescent lighting is preferred for that purpose.
- n) If multiple signs are required, they should be grouped and shared, and moving signs or signs with moving images or text will not be supported;

Wiring

- o) Underground wiring is encouraged in preference to overhead wiring;

Lighting

- p) Parking areas and pedestrian routes should be well lit, without glare to other lands and roads;

.../4

13.8.5 EXEMPTIONS

The following is exempted from the requirement of obtaining a development permit in the **Koksilah Development Permit Area**:

- a) construction or renovations of single family dwellings and residential accessory uses;
- b) interior renovations to existing buildings; or
- c) changes to the text or message on an existing sign allowed by a previous development permit, provided the net illuminated area is at most equal to what was previously approved.

13.8.6 APPLICATION REQUIREMENTS

(a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the **Koksilah Development Permit Area**, the applicant must submit a development permit application, which at a minimum includes:

1. a written description of the proposed project;
2. reports or information as listed in the relevant Development Permit Guidelines;
3. information in the form of one or more maps, as follows:
 - location/extent of proposed work;
 - location of watercourses/waterbodies, including top of bank;
 - percentage of existing and proposed impervious surfaces;
 - existing tree cover and proposed areas to be cleared;
 - building elevation drawings for both existing and proposed structures complete with architectural details and a landscaping plan with drawings;
 - existing and proposed property parcel lines;
 - existing and proposed vehicular access points, roads and driveways;
 - existing and proposed pedestrian walkways and bike paths;
 - existing and proposed drainage ditches, septic tanks/fields;
 - existing and proposed water lines and well sites;
 - existing and proposed erosion mitigation measures and bank alterations;
 - location of slopes exceeding 25 percent grade;
 - location of lands subject to periodic flooding;
 - areas of sensitive native plant communities;
 - topographical contours;
 - existing and proposed parking and loading areas;
 - existing and proposed outdoor illumination points/areas;
 - existing and proposed sign design and location.

.../5

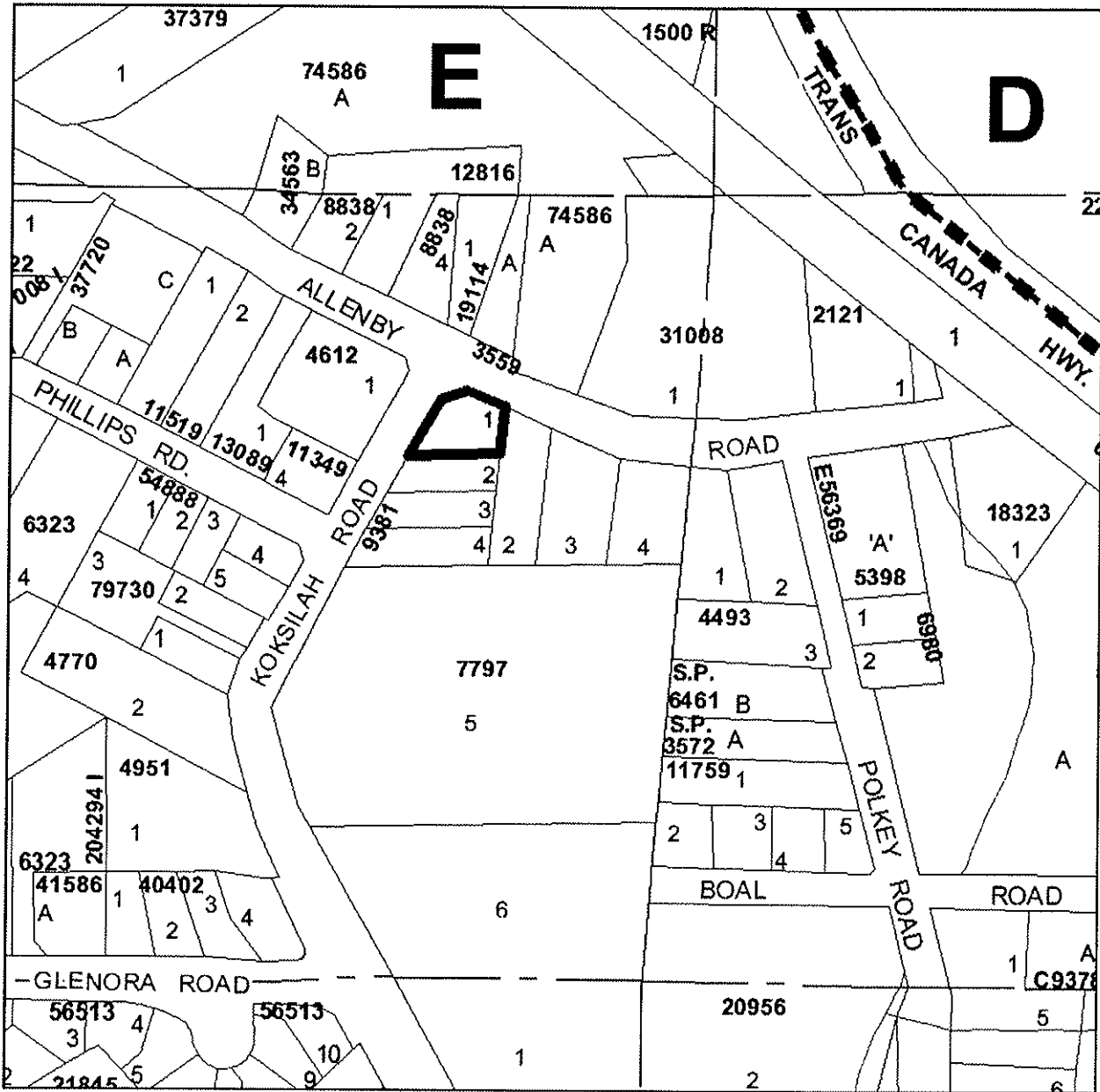
- (b) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense: , a report certified by a professional engineer with experience in geotechnical engineering which includes:
1. a hydrogeological report, certified by a professional engineer with experience in geotechnical engineering, which includes an assessment of the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition;
 2. a report certified by a professional engineer with experience in geotechnical engineering, on the safety of the proposed use and structures on-site and off-site, indicating that the land may be used safely for the use intended; and
 3. an environmental impact assessment, certified by a registered professional biologist, assessing any environmental impacts of the project.

2. That Policy 9.2.2 is deleted and replaced with the following:

POLICY 9.2.2

Infilling of light industrial and mixed commercial/industrial land uses on vacant commercially and industrially-designated sites in the Allenby and Koksilah areas will be encouraged.

FIGURE 15



KOKSILAH DEVELOPMENT PERMIT AREA



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3213

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 2650,
Applicable to Electoral Area I – Youbou/Meade Creek**

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 I – Youbou/Meade Creek, that being Official Community Plan Bylaw No. 2650;

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. 2650;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3213 – Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Youbou Lands), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 2650, 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 26th day of November, 2008

READ A SECOND TIME this 26th day of November, 2008.

SECOND READING RESCINDED this 8th day of April, 2009.

SECOND READING AS AMENDED this 8th day of April, 2009.

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

I hereby certify this to be a true and correct copy of Bylaw No. 3213 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY DEVELOPMENT
UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT*

this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3213

Schedule A to Official Community Plan Bylaw No. 2650, is hereby amended as follows:

1. Section 8 – Future Development Area – is deleted in its entirety and replaced by the following:

SECTION 8 - YOUBOU LANDS SECONDARY PLAN

Introduction

The purpose of this Secondary Plan is to implement development that was approved in principle in the former "Future Development Area" section of this Official Community Plan. The former Future Development Area was intended to promote a healthy, sustainable land use by encouraging development within clearly defined boundaries, and developing an integrated planning approach that allows for a community focus, as opposed to urban and suburban sprawl.

The intent of this Secondary Plan is to promote the creation of a complete, healthy, livable community, by providing opportunities for new residential, commercial and recreational development in close relation to one another, and in very close proximity to the existing Youbou residential area. The primary goal of this Secondary Plan is to not only re-invigorate the progression of the Youbou community, but also to stimulate economic activity by actively encouraging the development of new businesses, both commercial and light industrial in nature. The cleanup of the former site of the sawmill was also among the main reasons that this site was designated for development, and the creation of a suitable community core for Youbou is also a principal goal of this Secondary Plan.

Promotion of compact residential living areas and a walkable community will advance the standard of development in the CVRD, heralding a more harmonious relationship between community growth and the natural environment. With more recreational opportunities, affordable lake access, remediation of the former mill site, and concentrated mixed land uses, dependence on the automobile can be reduced, resulting in less pollution. Controlled, concentrated development means more efficient, effective, and affordable services such as public transit, police, education and health care, and better infrastructure throughout Youbou. At the same time, the working forest land base outside of the Secondary Plan area and large amounts of the natural environment within the Secondary Plan area are preserved, and Cowichan Lake as a whole will be better protected from over-development.

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In approving the Youbou Lands application, the CVRD Board of Directors has committed the developer to the creation of a very significant amount of public infrastructure, mainly in the form of a community water system and community sewer system. It has also committed itself to the ownership and operation of this infrastructure. Aside from sewer and water, drainage, street lighting, parklands and trailways are also proposed, and each of these also represents significant public infrastructure.

Where such public infrastructure is created, there immediately develops a public imperative to maximize its efficient use. The CVRD Board of Directors intends to enter into a phased development agreement with the Youbou lands, to provide a degree of immunity from regulatory changes that could impact development of the site and thereby increase the likelihood that public infrastructure supporting the project will be efficiently used. In addition, other provisions of this Official Community Plan, including future land use designations, are intended to direct development pressures to the Youbou Lands and other appropriately serviced areas until those areas are substantially built out.

Secondary Plan Process

Development of this Secondary Plan was triggered by the application for an Official Community Plan and zoning amendment. Extensive public consultation was conducted at an early stage of the application review process, in the form of three open houses held by the applicant and two public meetings hosted by the CVRD, at which various concepts for the development of this site were presented to the community. Later, a public hearing was held to present the Secondary Plan and complementary zoning amendment to the community. Public feedback from those sessions assisted the CVRD in the development and refinement of this Secondary Plan.

Phased Development Agreement

A Phased Development Agreement (PDA) adopted pursuant to Section 905.1 of the *Local Government Act* complements this Secondary Plan. The PDA is briefly described in Policy 8.4 below. The PDA would not be assignable by the developer to a third party that is not listed in the PDA, without the written consent of the Cowichan Valley Regional District, pursuant to Section 902(5)(c) of the *Local Government Act*.

YUBOU LANDS SECONDARY PLAN - OBJECTIVES

The principal objective of this Secondary Plan is to encourage a complete, healthy, liveable community by encouraging growth mainly within the Secondary Plan area and, in doing so, to:

- (1) Provide for a mix of housing opportunities that would enable all ages and people of various means to reside in the community;

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- (2) Encourage the provision of a firm economic base, to provide local employment opportunities and shopping opportunities, and thus ensure that Youbou/Meade Creek does not become merely an automobile dependent bedroom community of Lake Cowichan or Duncan;
- (3) Support the landowners in their commendable efforts to ensure the timely environmental remediation (clean-up) of the former Youbou sawmill site;
- (4) Encourage a community that is integrated with the natural environment, and includes measures to support the local populations of Roosevelt Elk;
- (5) Encourage the provision of adequate and efficient services commensurate with the degree of new residential development proposed, including road upgrades and servicing, utilities, policing, parks and recreation, Cowichan Lake access, schools, transit, fire services, and health care;
- (6) Require the provision of community sewer services, with a Class B (plus tertiary) level of treatment, that can be shared by the existing Youbou Community, should residents so desire;
- (7) Encourage urban design that will enable the provision of efficient public transit and non-motorized transportation modes;
- (8) Provide for the establishment of an affordable public access marina, boat launch and beach area;
- (9) Concentrate future urban development in Youbou/Meade Creek in the Future Development Area and, in doing so, to ensure a sustainable community, with the renewable forest resource and the natural environment values protected for future generations;
- (10) Establish development permit areas as required to ensure that the development proceeds in a fashion that is consistent with state-of-the-art environmental practices, and that the community's expectations of a high-quality development are met.

YOUBOU LANDS SECONDARY PLAN – GENERAL POLICIES

POLICY 8.1: Lands subject to the Youbou Lands Secondary Plan are shown on Schedule “B”, the Plan Map.

POLICY 8.2: The intent of this Secondary Plan is to permit the development of a mixed-use residential/commercial/light industrial addition to the community of Youbou, and to provide for a new focal centre for the community of Youbou. It is also intended to accommodate most of the anticipated population growth in this electoral area for a period of at least twenty years from the date of adoption of this Secondary Plan.

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POLICY 8.3: Until the Youbou Lands site is approximately 75% built out (at least 1600 residential dwelling units), the CVRD Board will not give favourable consideration to proposals to amend this Official Community Plan (OCP) to permit the development of significant alternative large-scale residential sites. This policy complements other policies of this OCP that discourage speculative residential developments in areas that are not already designated or serviced for that purpose.

YUBOU LANDS SECONDARY PLAN – COMPREHENSIVE POLICIES

POLICY 8.4: The CVRD Board, as a condition of permitting the Youbou Lands site to be developed, requires that the owners of these lands enter into a **Phased Development Agreement (PDA)** – pursuant to Sections 905.1 through 905.5 of the *Local Government Act* – with the CVRD. The PDA:

- i. Specifies the lands to which particular zoning provisions apply;
- ii. Requires the inclusion of certain features within the development;
- iii. Contains requirements concerning the provision of amenities related to the development;
- iv. Contains a phasing schedule with respect to matters contained in the PDA;
- v. Contains provisions for making minor adjustments to the PDA;
- vi. Protects the developer, for a period of up to 20 years from effective date of the PDA, from zoning changes that are not required by a Provincial or Federal Enactment.

The implementing zoning bylaw will not be adopted until the PDA is in place and has been adopted by the CVRD Board.

POLICY 8.5: The implementing zoning bylaw will identify the various portions of the Youbou Lands development area, and within some of those areas, comprehensive zones may be developed in the implementing bylaw. The comprehensive zones would identify the type and density of housing units to be permitted within the area and the other land uses such as commercial, industrial and institutional, and the densities that are permitted within each.

POLICY 8.6: Overall, the Youbou Lands development will be permitted to develop up to 1950 residential dwelling units, in a mixture of single-family, townhouse and multiple family buildings. Tourist accommodation, local commercial and light industrial uses are also incorporated. It is anticipated that the designation of these lands for development will address the majority of the Youbou/Meade Creek community's growth need for a period of at least twenty years. Community water and community sewer services, as defined by the Youbou/Meade Creek Zoning Bylaw, will be required for all development in this area.

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POLICY 8.7: For the purposes of the Sections that follow, Schedule B indicates the approximate boundaries of the Secondary Plan Designations listed below. These boundaries shown on Schedule B are not intended to be interpreted as definitive; rather, they are intended to convey the relationship between uses in the various portions of the Youbou Lands development.

- **Village Core (mixed use commercial and residential)**
- **Residential A**
- **Residential B**
- **Residential C**
- **Residential D**
- **Residential E**
- **Public Utility**
- **Institutional and Community Facilities**
- **Light Industrial**
- **Park**
- **Environmental Conservation**

VILLAGE CORE DESIGNATION– POLICIES

POLICY 8.8: The Village Core – shown on Schedule B - is the heart of the Youbou Lands site and will become the focus – in due course – for Youbou itself. It is therefore necessary to permit a wide range of mixed commercial, institutional, park and residential land uses in this area.

POLICY 8.9: The Village Core will be a pedestrian-oriented area within which people will be encouraged to live, work, shop, assemble, socialize and recreate. While many of the residents of the Youbou Lands site will not live in or immediately next to the Village Core, measures will be put in place to ensure that the community remains well suited to walking, even for those who may live on the western fringes of the Youbou Lands site.

POLICY 8.10: The Youbou Lands Development Permit Area (DPA) respecting the form and character of the development in the Village Core focus on creating a very attractive, safe and functional heart of the community, built on a scale that is comfortable for residents. The intent is to provide the highest quality of urban fabric that excellent design can offer. The DPA also contains guidelines respecting natural hazards and environmental protection, intended to ensure the safety of the Village Core and appropriate consideration of environmental matters in design and execution. Finally, the DPA contains provisions respecting the order in which development will take place.

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POLICY 8.11: Residential density permitted in the Village Core will naturally be the highest on the Youbou Lands site. The Phased Development Agreement, in conjunction with the implementing zoning bylaw, will permit a total of up to 750 residential units in this area. Residential densities on individual sites within the village core may be as high as 80 units per hectare of land. In order to approach such densities while still allowing for open space and views, taller buildings will be permitted, up to 17 metres or 4 storeys in height for multiple family residences and buildings other than resorts or hotels, and 24 metres for hotels and resorts. Floor area ratios in such areas may be as high as 2.0.

POLICY 8.12: The implementing zoning bylaw for the Village Core will permit multiple family residential use, a variety of commercial uses and some institutional uses. These uses may be apportioned to sub-units of the Village Core in a variety of combinations.

POLICY 8.13: Commercial uses in the Village Core will be limited to those that are related to the local commercial and service needs of the community of Youbou, and those required to support resort guests, visitors and marina users. Large-scale shopping centres will not be permitted.

POLICY 8.14: Prior to finalizing zoning provisions or issuing any development permit related to building construction for the Village Core area, the CVRD will require that the owner of the development undertake a detailed Village Core Neighbourhood Plan. The purpose of this plan will be to define the layout of the entire Village Core area, with roads, plazas, pedestrian walkways, building footprints and massing, view corridors and solar access for all proposed buildings and development prescribed. Site-specific zoning details such as setbacks and buildings heights will be established through the neighbourhood plan process. Gross densities and permitted uses have been established in zoning and are protected by the Phased Development Agreement. In recognition of the fact that the entire core area will not be built out at one time, the Neighbourhood Plan will be general in nature and not require development permit detail. Upon approval of the Neighbourhood Plan by the CVRD, it will be incorporated into this Official Community Plan by amendment, and the implementing zoning bylaw may be altered only with respect to matters other than permitted use and overall site density.

POLICY 8.15: The resort/hotel area will be within the Village Core designation on Schedule B, and it will be the focus for visitors seeking lodging in Youbou. It is intended to provide the opportunity for a major hotel to be established along with associated accessory uses such as – but not limited to – personal service establishment, convention centre, pub/bar, restaurants and retail use, as specified in the implementing zoning bylaw. The floor area ratio may be as high as 2.0.

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POLICY 8.16: Building height for resort purposes may be up to 24 metres and 6 storeys for the area designated as Village Core, as specified in the implementing zoning bylaw. However, the horizontal extent of a building in this designation will be limited in order to preserve views around the building. In achieving high density on this site, the CVRD will have regard for the preservation of views to the lake from properties to the north, and will strive to protect these through the Village Core Neighbourhood Plan process and development permit area guidelines.

POLICY 8.17: For parking in the Village Core, should the CVRD ever enact a parking function at Youbou, variances from parking requirements will not be considered, but instead, cash in lieu of parking under Section 906(1)(d) of the *Local Government Act* may be required if the number of parking spaces cannot be provided on site. This cash in lieu may be used in the provision of alternative transportation modes, including cycling paths and pedestrian pathways.

RESIDENTIAL A DESIGNATION - POLICIES

POLICY 8.17: The Residential A portion of Youbou Lands – shown on Schedule B – will permit single-family, multiple family and lakefront residential uses on defined portions of the Youbou Lands site. The primary focus of this area is single family residential development, with two small clusters of townhouses.

POLICY 8.18: For the non-waterfront single family areas within Residential A, the implementing zoning bylaw will permit parcel sizes that range from 450 to 750 m².

POLICY 8.19: For the lakefront single family areas within Residential A, the implementing zoning bylaw will permit parcel sizes that range from 1000 to 2200 m².

POLICY 8.20: For the multiple family areas within Residential A, the maximum permissible density will be 30 units per gross hectare, with a maximum Floor Area Ratio of 0.8.

POLICY 8.21: The maximum number of dwelling units permitted within the Residential A portion of Youbou Lands is 385.

RESIDENTIAL B DESIGNATION - POLICIES

POLICY 8.22: The Residential B portion of Youbou Lands – shown on Schedule B – will permit single-family, multiple family and lakefront residential uses on a defined portion of the Youbou Lands site. The primary focus of this area is single family residential development, with one small townhouse cluster.

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POLICY 8.23: For the non-waterfront single family areas within Residential B, the implementing zoning bylaw will permit parcel sizes that range from 450 to 1100 m².

POLICY 8.24: For the lakefront single family areas within Residential B, the implementing zoning bylaw will permit parcel sizes that range from 1000 to 2200 m².

POLICY 8.25: For the multiple family areas within Residential B, the maximum permissible density will be 30 units per gross hectare, with a maximum Floor Area Ratio of 0.8.

POLICY 8.26: The maximum number of dwelling units permitted within the Residential B portion of Youbou Lands is 250.

RESIDENTIAL C DESIGNATION - POLICIES

POLICY 8.27: The Residential C portion of Youbou Lands – shown on Schedule B – will permit single-family and lakefront residential uses on a defined portion of the Youbou Lands site.

POLICY 8.28: For the non-waterfront single family areas within Residential C, the implementing zoning bylaw will permit parcel sizes that range from 650 to 1100 m².

POLICY 8.29: For the lakefront single family areas within Residential C, the implementing zoning bylaw will permit parcel sizes that range from 1000 to 2200 m².

POLICY 8.30: The maximum number of dwelling units permitted within the Residential C portion of Youbou Lands is 185.

RESIDENTIAL D DESIGNATION - POLICIES

POLICY 8.31: The Residential D portion of Youbou Lands – shown on Schedule B – will permit single-family uses on a defined portion of the Youbou Lands site. This area is single-family residential development.

POLICY 8.32: For Residential D, the implementing zoning bylaw will permit parcel sizes that range from 650 to 1100 m².

POLICY 8.33: The maximum number of dwelling units permitted within the Residential D portion of Youbou Lands is 50.

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RESIDENTIAL E DESIGNATION - POLICIES

POLICY 8.34: The Residential E portion of Youbou Lands – shown on Schedule B – will permit single-family, multiple family residential uses and congregate care facilities on a defined portion of the Youbou Lands site. This area is intended for a combination of multiple family residential and single family residential development.

POLICY 8.35: For the single family areas within Residential E, the implementing zoning bylaw will permit parcel sizes that range from 450 to 2000 m².

POLICY 8.36: For the multiple family areas within Residential E, the maximum permissible density will be 37 units per hectare, with a maximum building height of 16 metres and a maximum floor area ratio of 0.8.

POLICY 8.37: The maximum number of dwelling units permitted within the Residential E portion of Youbou Lands is 330.

LIGHT INDUSTRIAL DESIGNATION – POLICIES

POLICY 8.38: The Light Industrial portion of Youbou Lands – shown on Schedule B – will permit uses that relate to watercraft, wood processing, value-added wood product manufacturing, artisan businesses and other low-impact light industrial uses, as set out in the implementing zoning bylaw.

POLICY 8.39: Density in the light industrial area will be limited to a floor area ratio of 0.75.

POLICY 8.40: Restrictions on the form and character of industrial development are contained within the development permit guidelines, with a view to minimising the risk of undesirable impacts upon other parts of the Youbou Lands development.

INSTITUTIONAL & COMMUNITY FACILITIES DESIGNATION - POLICIES

POLICY 8.41: The Institutional and Community Facilities portion of Youbou Lands – shown on Schedule B – will permit uses that are civic in nature, as well as permitting multiple family residential use with the intent of allowing some low income housing to be developed.

POLICY 8.42: Where residential uses are proposed, density will not exceed 30 units per hectare and for all other uses in the ICF designation, density will not exceed a floor area ratio of 0.8.

PUBLIC UTILITY DESIGNATION – POLICIES

POLICY 8.43: The Public Utility portion of Youbou Lands – shown on Schedule B – is considered to be suitable for sewage treatment and disposal purposes.

PARK DESIGNATION – POLICIES

POLICY 8.44: The Park portion of Youbou Lands – shown on Schedule B – is intended for the use, recreation and enjoyment of the public, and limited structures, landscaping, play fields, playgrounds, swimming beaches and other improvements to enhance this may be permitted in the implementing zoning bylaw. Aside from lands designated as park in this Plan, parks are a permitted use in all zones.

ENVIRONMENTAL CONSERVATION – POLICIES

POLICY 8.45: The Environmental Conservation portion of Youbou Lands – shown on Schedule B – is intended to leave a suitably large floodway and riparian zone for Cottonwood Creek and also to protect other areas that have high value as forest and habitat for native flora and fauna, notably including the Vancouver Island herd of Roosevelt Elk. These areas will have minimal improvements to them, which might include public trails on existing alignments, and a pedestrian bridge in the lower reaches of Cottonwood Creek. There will also be a public highway bridge that passes through this area.

POLICY 8.46: Flood protection works may be built within part of the area designated as Environmental Conservation, provided the necessary Provincial and Federal approvals can be achieved and the CVRD approves of them and a suitable administrative arrangement for their maintenance, in a development permit.

2. The following is added after Section 16.7:

17. YOUBOU LANDS COMPREHENSIVE DEVELOPMENT PERMIT AREA

17.1 CATEGORIES OF DEVELOPMENT PERMIT AREA

The Youbou Lands Comprehensive Development Permit Area is designated pursuant to Sections 919.1(a), (b), (e), (f), (h), (i) and (j) of the Local Government Act, for the purpose of providing guidelines for:

- protection of the natural environment, its ecosystems and biological diversity;
- protection of development from hazardous conditions;
- the form and character of intensive residential development;

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- the form and character of commercial, industrial or multi-family residential development;
- promotion of energy conservation;
- promotion of water conservation;
- promotion of the reduction of greenhouse gases.

17.2 SCOPE OF DEVELOPMENT PERMIT AREA

The Youbou Lands Comprehensive Development Permit Area applies only to lands shown on Schedule D: Youbou Lands Comprehensive Development Permit Area, within Electoral Area I.

17.3 JUSTIFICATION OF DEVELOPMENT PERMIT AREA

Environmental Justifications

The Youbou Lands development site is located in an area with a number of environmental constraints. First and foremost, most of the site is comprised of an alluvial fan, part of which remains active, and protecting development from the possibility of flooding, erosion and associated accumulation of debris is necessary.

Cowichan Lake is a very sensitive feature of the entire region that warrants special protective measures along the shoreline areas. Additionally, Cottonwood Creek is a major tributary of Cowichan Lake, and it too deserves protective measures to ensure adequate riparian function and habitat for plants and animals.

Form and Character Justifications

The designation of the Youbou Lands site for development was in part predicated on the form and character of this new central focus for Youbou being developed in a very attractive and sensitive way. Appropriate site layout, good landscaping, attractive public spaces and parkland locations, high quality building design that evokes the history of the site and the existing community are all important to the success of this Secondary Plan area. This development permit area will therefore strive for high quality design and site planning in all phases of this development.

Sustainability Guidelines

It is very important to the community of Youbou and the region as a whole that the area subject to this Secondary Plan be implemented with due regard to resource and energy conservation, through minimising the ecological “footprint” of the development.

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17.4 DEVELOPMENT PERMIT AREA PROCEDURE & GUIDELINES

In the Village Core designation, no development permit for any construction will be issued until after a Neighbourhood Plan has been prepared under Policy 8.14, and has been approved by the Regional District Board of Directors. Following approval, any development permits issued subsequently in these areas will comply with the footprint, site layout and building mass provisions contained in the approved Neighbourhood Plan.

Prior to commencing any development, including land clearing, on lands within the Youbou Lands Comprehensive Development Permit Area (DPA), the owner shall submit information that demonstrates how the proposed development meets the following guidelines:

Natural Hazard Guidelines For All Development

Note: A development permit issued under the guidelines which follow may vary the use and density of land, insofar as doing so is necessary to protect development from hazardous conditions.

- (a) The first application for a development permit in the Youbou Lands Development Permit Area will be accompanied by:
 - topographic mapping for the entire Youbou Lands site with a one metre contour interval;
 - cross-sections of Cottonwood Creek, prepared by a BCLS, taken at 100 to 150 metre intervals between the apex of the alluvial fan and Cowichan Lake shoreline;
 - the location of the 167.33 metre contour interval on the ground, representing the calculated 1 in 200 year flood construction level;
 - a report by a qualified engineer with experience in natural hazard assessment, management and mitigation, which will identify areas that ought to remain free of development, areas that may be used for development provided that specified engineering measures are employed, and areas that may be developed without constraint. These areas will be set out on a map in the report, with a different colour being used to indicate each of these three categories. The CVRD will follow the recommendations of the qualified engineer in all subsequent phases of development. Where protective structures are proposed, the proponent will recommend an administrative process to maintain the structures through time, and the CVRD will have to approve of this arrangement in the course of processing the application, for the development permit to be issued.
- (b) Habitable portions of buildings and structures will be elevated above the 167.33 metre 200-year Flood Construction Level on Cowichan Lake and where this would require that fill be placed on the land prior to development, a report certified by an engineer with experience in geotechnical engineering will be required, indicating that the fill is a suitable load-bearing substrate for the proposed buildings and structures.

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Subdivision Layout Guidelines

- (c) The subdivision of all lands within Youbou Lands will require a development permit, and the applicant will be required to demonstrate how the proposed subdivision addresses the following matters:
- (i) The development will have a looping public road system that provides alternative access and egress points for each area to be subdivided, and in cases where this would be impractical, alternative emergency access will be provided;
 - (ii) Pedestrian walkways and connections to all park areas will be made at the subdivision stage ensuring, for example, that pedestrian walkways between parcels of land will be located to maximize access to all public lands;
 - (iii) The road network in the single-family subdivision areas will include laneways behind lots;
 - (iv) Portions of road rights-of-way not required for traffic or parking will have street trees and boulevard landscaping;
 - (v) The CVRD will require sidewalks where these are necessary for pedestrian traffic, and will take on maintenance responsibility for these where they are required;
 - (vi) Parcels to be subdivided will be of a shape that allows practical building sites, without the need to resort to setback variances;
 - (vii) Panhandle lots are strongly discouraged;
 - (viii) Subdivision of parcels within the Village Core will be in strict conformity with the Village Core Neighbourhood Plan;
 - (ix) Wildfire interface zones will be examined at the subdivision stage and measures to reduce the interface risk may be specified in a development permit.

Environmental and Water Protection Guidelines for all Development

- (d) Land clearing, tree cutting and alteration of vegetation and earthworks will not be permitted prior to the receipt of a Development Permit under this DPA.
- (e) If adequate, suitable areas of land for the use intended exist on a portion of the proposed parcel that lies outside of the 30 metre Riparian Assessment Area, the proposed development should be directed to those areas in order to minimize development in the potentially sensitive Riparian Assessment Area. In all other cases, the applicant will have to demonstrate with the support of a Qualified Professional, to the satisfaction of the CVRD Board that developing in the Riparian Assessment Area is necessary or advisable due to circumstances such as topography, hazards or lack of alternative developable land, and that every effort has been made to minimize adverse impacts.
- (f) Any proposed land development activities in this DPA must be set out in a manner that minimizes the need for vegetation clearing. This would support objectives for protecting ungulate habitat, in addition to aquatic habitat. Owing to the sensitive nature of this site, the development permit may specify the amount and location of tree and vegetative cover to be retained during development, or planted following development.

- (g) A drainage plan prepared by a qualified professional is required at the subdivision stage for single-family parcels, and at the building stage for multiple-family, commercial and industrial parcels. The purpose of the drainage plan is to strive to maintain post-development flows and water quality at pre-development levels, or better. Impervious surfaces and new sources of runoff must be kept to a bare minimum. Figures for total imperviousness on sites within the area being proposed for development should be calculated by the professional and submitted at the time of development permit application. The Board may specify maximum site imperviousness or effective imperviousness in a development permit, and require, where necessary, the establishment of service areas for drainage control.
- (h) Recommendations in the Ministry of Environment's various Best Management Practices guides, such as that for rainwater management and habitat protection should be addressed in detail in the application. On-site rainwater management techniques that do not impact surrounding lands, should be used, rather than traditional engineering methods.
- (i) Riparian Areas Regulation matters will be dealt with concurrently with this DPA, using the provisions of the Watercourse Protection DPA of this Bylaw.
- (j) Where a Streamside Protection and Enhancement Area (SPEA) is designated in a Riparian Assessment Report, the CVRD will require that development be set back from the SPEA boundary by at least 5 metres, and may require an additional setback in a development permit, where justified by the particular site development plan.

Resource Conservation and Energy Efficiency Guideline For All Development

- (k) Applicants will demonstrate how the proposed development is advancing the standard of resource conservation and energy efficiency in the CVRD, in such matters as:
- Reduced automobile dependency, including transit and car pooling programs;
 - Promotion of a compact urban form that encourages pedestrian and bicycle traffic;
 - High standards of building energy efficiency, through innovative heating and cooling systems, efficient appliances, high insulation standards and other means;
 - Landscape plantings that minimize the need for water use;
 - Low flow plumbing fixtures and similar water conservation measures;
 - Not restricting the use of outdoor clotheslines for the air-drying of garments;
 - Such other measures as may be feasible.

The CVRD may specify measures for resource conservation and energy efficiency in a development permit.

Form and Character of Intensive/Multi-Family and Commercial Sites and Buildings

- (l) Applicants will demonstrate through the submission of architectural renderings and such other materials as may be necessary that the proposed residential buildings achieve high aesthetic standards of design, preferably aided through the use of natural materials such as wood and rock on external finishes, earth tones and colours. Ground floors of buildings in the Village Core will have ceilings of at least 3.6 metres in height in order to facilitate conversion to commercial uses in the future. Parcel line setbacks may be reduced to between 3 metres and zero metres in order to provide a suitable streetscape for pedestrians.
- (m) For multiple family residences exceeding 7.5 metres in height, and commercial buildings exceeding 10 metres in height, view preservation and solar access of surrounding properties will be considered and analyzed through shading analysis and other suitable graphic methods. The applicant will provide such material as is necessary to demonstrate that these values have been appropriately protected. Generally, very tall buildings will be discouraged on the waterfront, with the preference being for lower buildings near the water, rising in height gradually as the distance from the water increases.
- (n) Owing to the history of the core of the Youbou Lands site as a major industrial sawmilling operation, the form and character of proposed commercial buildings may reflect this industrial heritage in their design. While the intent is not to replicate the form of previous buildings, appropriate design cues and materials from that era may be proposed.
- (o) The CVRD will place the highest priority on providing a built environment that welcomes human use and respects the perception of streetscapes by people on foot. To this end, every wall of a building at street level will be required to present either a welcoming façade (for example: picture windows, entrances, attractive architectural features). Where no reasonable alternative to a concrete firewall exists in certain areas, patterned, toned concrete with architectural treatment, embossed designs or similar finishes in other materials will be the minimum requirement.

Form and Character Guidelines of Industrial Sites and Buildings

- (p) Applicants will demonstrate through the submission of architectural drawings and renderings and such other materials as may be necessary that the proposed industrial buildings achieve high aesthetic standards of design, appropriate to the overall context of Youbou Lands and the proposed uses.
- (q) Where an industrial area abuts a residential area, buffering in the form of landscape or visual screening will be required, in order to minimize the possibility of land use conflicts.
- (r) Outdoor storage is strongly discouraged, and where it is unavoidable and permitted in the implementing zoning bylaw, it will be screened from the perspective of surrounding non-industrial parcels.

Landscaping Guidelines

- (s) In support of the high standards expected of the form and character of intensive residential, multi-family residential, light industrial and commercial development, applicants whose proposals involve the initial development or redevelopment of a site will submit a landscape plan, which will be reviewed in accordance with the Landscape Standard developed jointly by the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA). A Security in the form of an Irrevocable Letter of Credit in the amount of 110% of the estimated cost of all hard and soft landscaping will be required to ensure that the landscaping is done as planned, and survives for at least two years after planting.
- (t) Dumpsters and large recycling containers will be located in such a way as to not be visible, either by locating them inside a parking level under a building, or by highly effective screening measures.

Other Guidelines

- (u) Signs will be discreet and unobtrusive to the design of buildings and landscaping – directly backlit signs will be strongly discouraged, particularly where this would illuminate not only a commercial logo, but all the area around it. Where feasible, signs will be made of natural or natural-looking materials and their scale will be appropriate for the village character that is intended for the Youbou Lands site. Remote signs advertising business will not be approved; however, as part of an integrated, comprehensive directional sign program for the entire Youbou Lands development area, business locations may be indicated on signposts, along with footpath, recreational facility, other public facility and related directional arrows. Consolidated monolith signs advertising multiple businesses and facilities may be permitted in limited circumstances.
- (v) Integrated planning of public pathways, sidewalks, bicycle paths, parking areas, roads, publicly accessible plazas and parkland will be done, with a view to making the community non-automobile dominated. Parking areas will preferably be underground or otherwise concealed; where surface parking is proposed, it will be well planted with landscaped areas, and where pedestrian pathways traverse a surface parking area, these will be raised and visually set apart from the parking and maneuvering area by different colours, materials or pavement textures, in order to give clear priority to pedestrians.

17.5 EXEMPTIONS FROM DEVELOPMENT PERMIT PROCESS

The terms of the Youbou Lands Comprehensive Development Permit Area does not apply to:

- (a) Construction or renovation of single family dwellings on parcels larger than 450 m²;
- (b) Interior renovations to existing buildings;
- (c) Changes to the text or message on an existing sign allowed by a previous development permit.

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17.6 REQUIREMENTS FOR DEVELOPMENT PERMIT APPLICATION

Before the CVRD Board authorizes the issuance of a development permit for a parcel of land in the Youbou Lands Development Permit Area, the applicant for a development permit shall submit a development permit application, which at a minimum, shall include:

- (a) A written description of the proposed development;
- (b) A scalable site plan showing the general arrangement of land uses including the following:
 - i. Parcel lines
 - ii. Existing buildings
 - iii. Proposed buildings
 - iv. Parking areas
 - v. Vehicular access points
 - vi. Pedestrian access points
 - vii. Outdoor illumination design
 - viii. Recreation areas
 - ix. Drainage details
- (c) Elevation drawings for all sides of the proposed buildings and structures;
- (d) A scalable site landscaping plan, identifying the plant species, quantities and sizes proposed for all landscaped areas, as well as all proposed hard landscaping works such as rock walls.

17.7 VARIANCES IN A DEVELOPMENT PERMIT

Where a proposed development plan adheres to the guidelines of this Development Permit Area, the Regional Board may give favorable consideration to variances of the terms of its zoning, sign and parking regulations, where such variances are deemed by the Regional Board to have no negative impact on adjacent parcels and would enhance the aesthetics of the site in question. Such variances may be incorporated into the development permit.

17.8 VIOLATION

- (a) Every person who:
 1. violates any provision of this Development Permit Area;
 2. causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
 3. neglects to do or refrains from doing any act or thing required under this Development Permit Area;
 4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
 5. fails to comply with an order, direction or notice given under this Development Permit Area; or

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6. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator; commits an offence under this Bylaw.
- (b) Each day's continuance of an offence constitutes a new and distinct offence.
3. That the following new land-use designations be added to the legend of Schedule B – Plan Map: Village Core; Village Resort; Residential A; Residential B; Residential C; Residential D; Residential E; Public Utility; Institutional and Community Facilities; Light Industrial; and Environmental Conservation.
- a) Schedule B (Plan Map) of Electoral Area I – Youbou/Meade Creek Official Community Plan Bylaw No. 2650 is amended by redesignating:
1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
 2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
 3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
 5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
 8. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
 9. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
 10. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
 11. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
 12. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;

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13. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
14. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
15. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District;
16. That Part of District Lot 35, Cowichan Lake District, lying to the north of the right-of-way of the Canadian Northern Pacific Railway as said right-of-way is shown on Plan 172RW;
17. Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on Plan Marked B (DD40883I); except part shown outlined in red on Plan 283R; and except parts in Plans 20033, 31184 and VIP63536.

all as shown outlined in a solid black line on Plan number Z-3213 attached hereto and forming Schedule B of this bylaw, from Future Development Area to:

1. Village Core;
2. Residential A;
3. Residential B;
4. Residential C;
5. Residential D;
6. Residential E;
7. Public Utility;
8. Institutional and Community Facilities;
9. Light Industrial;
10. Park; and
11. Environmental Conservation;

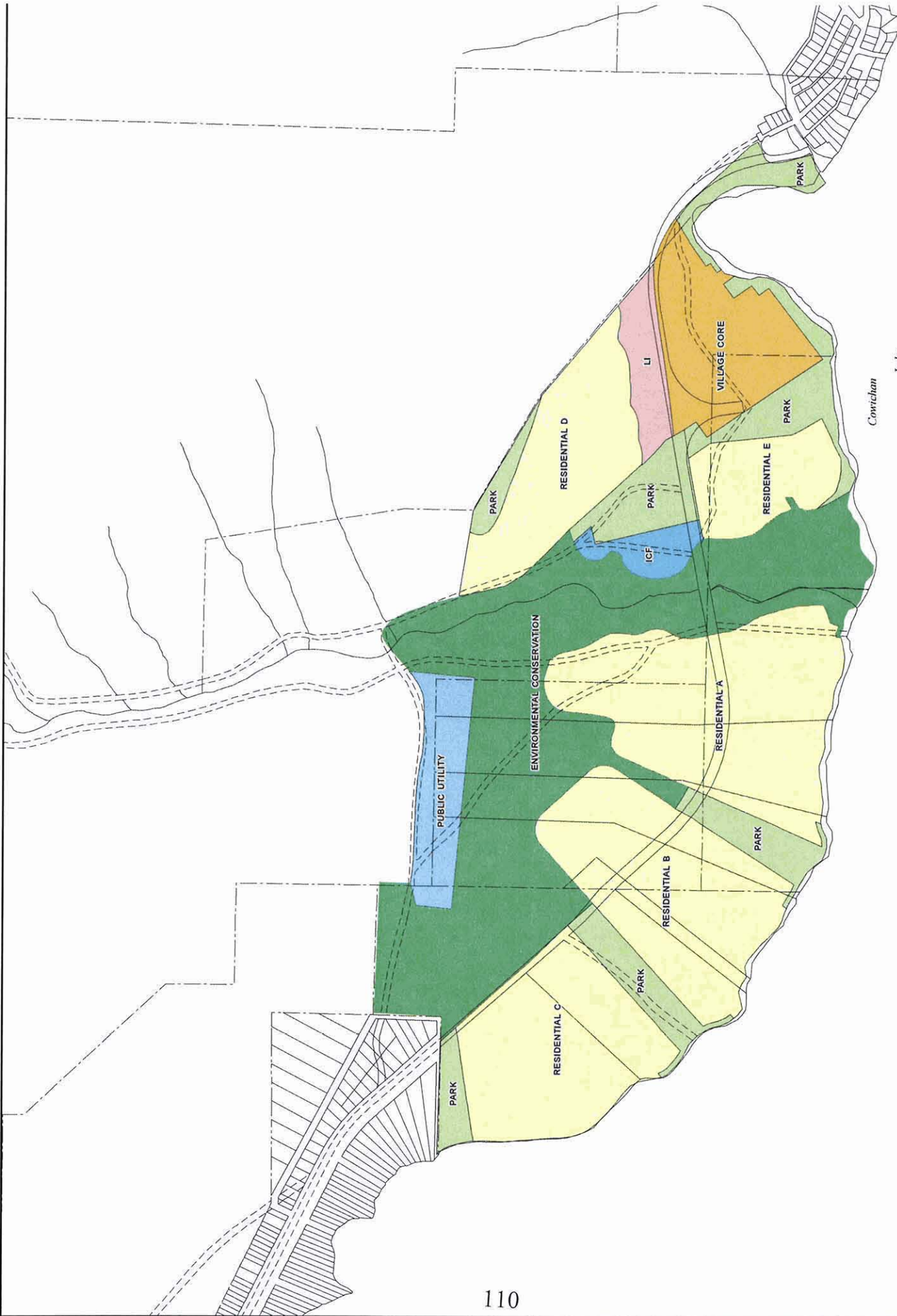
4. That:

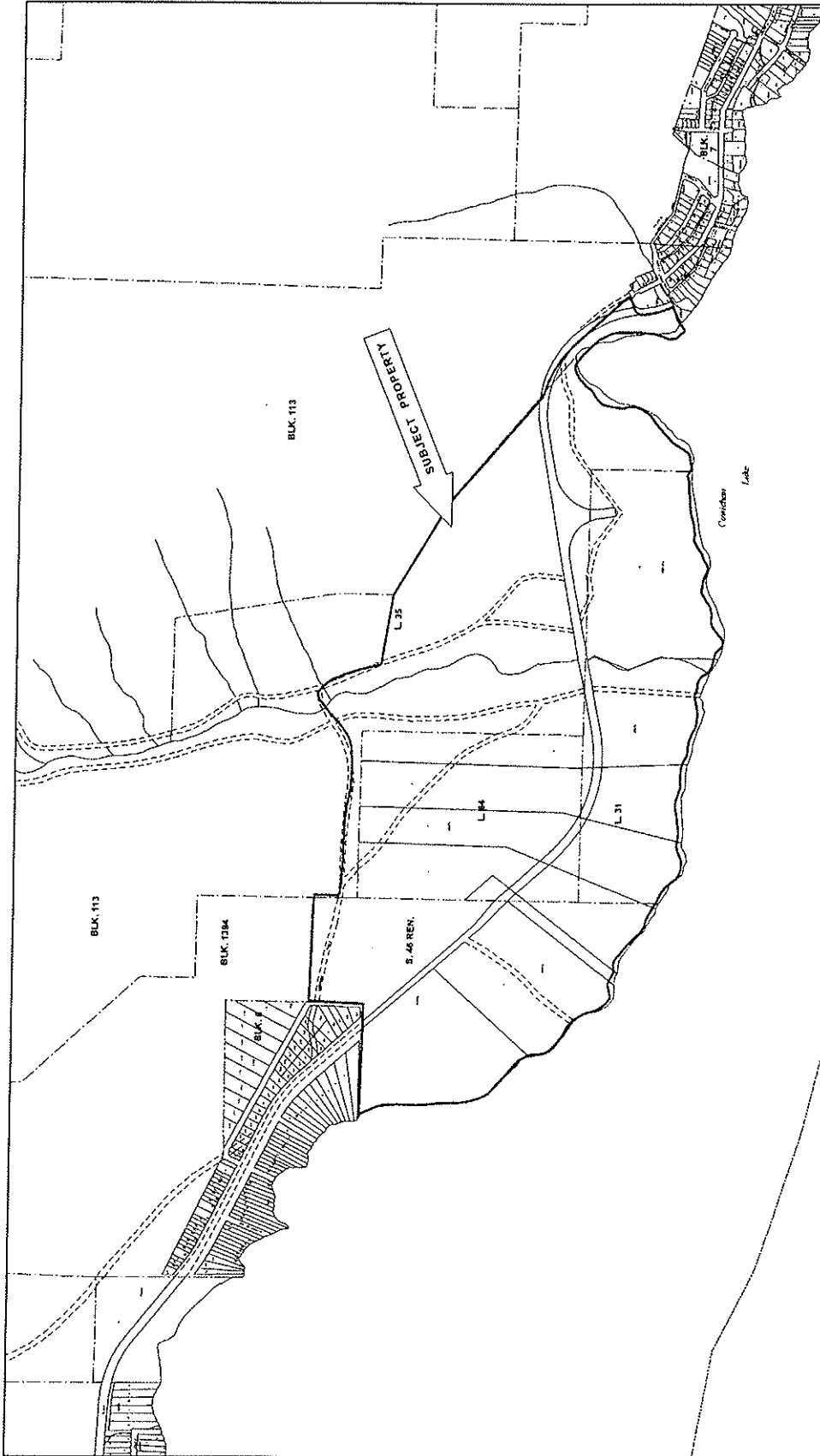
1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
8. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;

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9. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
10. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
11. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
12. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
14. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
15. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District;
16. That Part of District Lot 35, Cowichan Lake District, lying to the north of the right-of-way of the Canadian Northern Pacific Railway as said right-of-way is shown on Plan 172RW;
17. Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on Plan Marked B (DD40883I); except part shown outlined in red on Plan 283R; and except parts in Plans 20033, 31184 and VIP63536.

all as shown outlined in a solid black line on Plan number Z-3213 attached hereto and forming Schedule C of this bylaw, be designated as Youbou Lands Comprehensive Development Permit Area.





Schedule C: Youbou Lands Comprehensive Development Permit Area

Plan No. Z-3213



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3214

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2465
Applicable to Electoral Area I – Youbou/Meade Creek**

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 I – Youbou/Meade Creek, that being Zoning Bylaw No. 2465;

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. 2465;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3214 - Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Youbou Lands), 2009**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2465, as amended from time to time, is hereby amended in the following manner:

a) That the following is added to Section 1.3 – Definitions:

“environmental conservation” means activities directed towards the protection of natural areas and reduction of natural hazards, including the development of trails and associated facilities to allow the public to better understand the importance of protecting such areas;

“frontage” means the side of a parcel abutting on a highway, other than a lane or walkway;

“high water mark”, with respect to Cowichan Lake, means the 164 metre contour above mean geodetic sea level;

“two family residence” means two dwelling units that are attached either side by side or one above the other, in a principal building on a single parcel;

- b) That the following is added to the table in Section 4.1 Creation of Zones, after LR-2:

Waterfront	LR-3	Lakefront Residential 3 Zone
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- c) That the following is added to the table in Section 4.1 Creation of Zones, after R-7:

Residential	R-8	Residential 8 Zone
	R-9	Residential 9 Zone

- d) That the following is added to the table in Section 4.1 Creation of Zones, after RM-5:

Multi-Family Residential	RM-6	Multiple Family Residential 6 Zone
	RM-7	Single & Multiple Family Residential 7 Zone

- e) That the following is added to the table in Section 4.1 Creation of Zones, after the Multi-Family Residential Category:

Village Core	VC-1	Village Core 1 Zone
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- f) That the following is added to the table in Section 4.1 Creation of Zones, after I-2:

Industrial	I-3	Business Park Light Industrial 3 Zone
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- g) That the following is added to the table in Section 4.1 Creation of Zones, after P-2:

Parks/Institutional	P-3	Environmental Conservation 3 Zone
	ICF-4	Institutional and Community Facilities 4 Zone

- h) That the following is added to the table in Section 4.1 Creation of Zones, after U-1:

Utility	U-2	Community Sewer Utility 2 Zone
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- i) That the following is added after Section 5.4.9, and all subsequent sections are renumbered consecutively:

5.5 LR-3 LAKEFRONT RESIDENTIAL 3 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the LR-3 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the LR-3 Zone:

- a. Single family dwelling;

The following accessory uses are permitted in the LR-3 Zone:

- b. Home occupation;
- c. Bed and Breakfast accommodation;
- d. Secondary dwelling unit or secondary suite;
- e. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the LR-3 Zone is 1600 m².

3. Parcel Area Averaging

Parcel area averaging is permitted in the LR-3 Zone, provided that the smallest parcel in any subdivision plan is at least 1000 m² and the largest not more than 2200 m² in area. For certainty, highways and parks dedicated by subdivision plan shall be excluded from parcel area averaging calculations.

4. Minimum Water Frontage

The parcel line of all parcels in the LR-3 Zone that is contiguous with or parallel to the shore of Cowichan Lake shall be not less than 22 metres in length as measured by a straight line drawn between where the two parcel lines intersect the high water mark.

5. Servicing

All parcels in the LR-3 Zone shall be connected to both a community water system and a community sewer system.

6. Number of Dwellings

Not more than one principal single family dwelling plus one secondary dwelling unit or one secondary suite is permitted on a parcel that is zoned LR-3, subject to Sections 317 and 318.

7. Setbacks

The following minimum setbacks apply in the LR-3 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	10 m
Interior Side Parcel Line	3 m
Exterior Side Parcel Line	4.5 m
Basic lakefront setback (from High Water Mark of Cowichan Lake)	15 metres, or any line that is identified as a streamside protection and enhancement area in a development permit, whichever is greater
Supplementary lakefront setback (measured from the Basic lakefront setback)	An additional 7.5 metres or 12.5% of the average parcel depth, measured between the basic lakefront setback line and the front parcel line, whichever is greater

8. Height

The following maximum height regulations apply in the LR-3 Zone:

- a. Principal Buildings and structures: 11 m;
- b. Accessory buildings and structures: 6 m.

9. Parcel Coverage

The parcel coverage shall not exceed 30 percent of parcel area for all buildings and structures in the LR-3 Zone.

10. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

- j) That the following is inserted following the end of the “R-7 Residential 7 Zone”, and the RM-1 Zone is renumbered 5.20, with all subsequent sections to be renumbered consecutively:

5.18 R-8 RESIDENTIAL 8 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-8 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the R-8 Zone:

- a. Single family dwelling;

The following accessory uses are permitted in the R-8 Zone:

- b. Home occupation;
c. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the R-8 Zone is 650 m².

3. Parcel Area Averaging

Parcel area averaging is permitted in the R-8 Zone, provided that the smallest parcel in any subdivision plan is at least 450 m² and the largest not more than 750 m² in area. For certainty, highways and parks dedicated by subdivision plan shall be excluded from parcel area averaging calculations.

4. Minimum Parcel Frontage

The minimum parcel frontage in the R-8 Zone is:

- a. 15 m where there is no lane behind the parcel;
b. 12 m where motor vehicle access is from a lane behind the parcel.

5. Servicing

All parcels in the R-8 Zone shall be connected to both a community water system and a community sewer system.

6. Number of Dwellings

Not more than one dwelling is permitted on a parcel that is zoned R-8.

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7. Setbacks

The following minimum setbacks apply in the R-8 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	6 m
Interior Side Parcel Line	1.5 m
Exterior Side Parcel Line	4.5 m
Rear Parcel Line not touching a lane	7.5 m
Rear parcel Line touching a lane, accessory building only	1 m
Parcel line next to P-1 or P-3 Zone	5 m

8. Height

The following maximum height regulations apply in the R-8 Zone:

- a. Principal Buildings and structures: 11 m;
- b. Accessory buildings and structures: 6 m.

9. Parcel Coverage

The parcel coverage shall not exceed 35 percent of parcel area for all buildings and structures in the R-8 Zone.

10. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

5.19 R-9 RESIDENTIAL 9 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R-9 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the R-9 Zone:

- a. Single family dwelling;

The following accessory uses are permitted in the R-9 Zone:

- b. Home office;
- c. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the R-9 Zone is 925 m².

3. Parcel Area Averaging

Parcel area averaging is permitted in the R-9 Zone, provided that the smallest parcel in any subdivision plan is at least 650 m² and the largest not more than 1100 m² in area. For certainty, highways and parks dedicated by subdivision plan shall be excluded from parcel area averaging calculations.

4. Minimum Parcel Frontage

The minimum parcel frontage in the R-9 Zone is:

- a. 18 m where there is no lane behind the parcel;
- b. 15 m where motor vehicle access is from a lane behind the parcel.

5. Servicing

All parcels in the R-9 Zone shall be connected to both a community water system and a community sewer system.

6. Number of Dwellings

Not more than one dwelling is permitted on a parcel that is zoned R-9.

7. Setbacks

The following minimum setbacks apply in the R-9 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	6 m
Interior Side Parcel Line	2.5 m
Exterior Side Parcel Line	4.5 m
Rear Parcel Line not touching a lane	7.5 m
Rear parcel line touching a lane, accessory building only	1 m
Parcel line next to P-1 or P-3 Zone	5 m

8. Height

The following maximum height regulations apply in the R-9 Zone:

- a. Principal Buildings and structures: 11 m;
- b. Accessory buildings and structures: 6 m.

9. Parcel Coverage

The parcel coverage shall not exceed 30 percent of parcel area for all buildings and structures in the R-9 Zone.

10. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

- k) That the following is inserted following the end of the RM-5 Zone regulations, and the C-2 Zone is renumbered as 5.29, with all subsequent sections renumbered accordingly:

5.25 RM-6 MULTIPLE FAMILY RESIDENTIAL 6 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RM-6 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the RM-6 Zone:

- a. Multiple family residence;
- b. Community Care facility and assisted living facility;

The following accessory uses are permitted in the RM-6 Zone:

- c. Home office;
- d. Community service facility;
- e. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the RM-6 zone is 5000 m².

3. Density

Not more than 30 dwelling units per hectare of parcel area are permitted on a parcel that is zoned RM-6.

4. Floor Area Ratio

The maximum floor area ratio (FAR) in the RM-6 Zone is 0.8 for all buildings and structures.

5. Servicing

All buildings with plumbing in the RM-6 Zone shall be connected to both a community water system and a community sewer system.

6. Setbacks

The following minimum setbacks apply in the RM-6 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front Parcel Line	6 m
Interior Side Parcel Line	6 m
Exterior Side Parcel Line	6 m
Basic lakefront setback (from High Water Mark of Cowichan Lake)	15 metres, or any line that is identified as a streamside protection and enhancement area in a development permit, whichever is greater
Supplementary lakefront setback (measured from the Basic lakefront setback)	An additional 7.5 metres or 12.5% of the average parcel depth, measured between the basic lakefront setback line and the front parcel line, whichever is greater
Rear Parcel Line (non-waterfront only)	5 m

7. Height

The following maximum height regulations apply in the RM-6 Zone:

- a. Principal Buildings and structures: 12 m and not more than three storeys;
- b. Accessory buildings and structures: 6 m.

8. Parcel Coverage

The parcel coverage shall not exceed 40 percent of parcel area for all buildings and structures in the RM-6 Zone.

9. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

5.26 RM-7 SINGLE AND MULTIPLE FAMILY RESIDENTIAL 7 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the RM-7 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the RM-7 Zone:

- a. Multiple family residence on a parcel at least 2000 m² in area;
- b. Single family dwelling on a parcel at least 450 m² in area;
- c. Two family residence on a parcel at least 600 m² in area;
- d. Community Care Facility and Assisted Living Residence on parcels at least 2000 m² in area;

The following accessory uses are permitted in the RM-7 Zone:

- e. Home office;
- f. Community service facility;
- g. Buildings and structures accessory to a principal permitted use.

2. Density

The following density regulations apply in the RM-7 Zone:

- a. For a multiple family residence, not more than 37 dwelling units per hectare of parcel area are permitted on a parcel;
- b. Not more than one single family dwelling is permitted on a parcel;
- c. Not more than one two family residence is permitted on a parcel.

3. Floor Area Ratio

The maximum floor area ratio (FAR) in the RM-7 Zone is 0.8 for all multiple family residential buildings and structures; single and two family residential buildings on are not subject to a FAR limit.

4. Minimum Water Frontage for

The parcel line of all parcels in the RM-7 Zone under 2000 m² in area, that is contiguous with or parallel to the shore of Cowichan Lake shall be not less than 22 metres in length as measured by a straight line drawn between where the two parcel lines intersect the high water mark.

5. Servicing

All buildings with plumbing in the RM-7 Zone will be connected to both a community water system and a community sewer system.

6. Setbacks

The following minimum setbacks apply in the RM-7 Zone:

Type of Parcel Line	Multiple Family Residential Buildings and Accessory Structures	Single and Two Family Residential Buildings and Accessory Structures
Front Parcel Line	6 m	
Interior Side Parcel Line	6 m	1.5 m
Exterior Side Parcel Line	6 m	4.5 m
Basic lakefront setback (from High Water Mark of Cowichan Lake)	15 metres, or any line that is identified as a streamside protection and enhancement area in a development permit, whichever is greater	
Supplementary lakefront setback (measured from the Basic lakefront setback)	An additional 7.5 metres or 12.5% of the average parcel depth, measured between the basic lakefront setback line and the front parcel line, whichever is greater	
Rear Parcel Line (non-waterfront only)	5 m	

7. Height

The following maximum height regulations apply in the RM-7 Zone:

- a. Multiple Family Residence and structures: 16 m and not more than four storeys;
- b. Single and Two Family Residential buildings and structures: 11 m;
- c. Accessory buildings and structures: 6 m.

8. Parcel Coverage

The parcel coverage of buildings and structures in the RM-7 Zone shall not exceed:

- a. 40 percent of parcel area for multiple family residences;
- b. 30 percent for single family dwellings and two family residences.

9. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

5.27 VC-1 VILLAGE CORE 1 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the VC-1 Zone:

1. Permitted Uses

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

- a. Automobile service station;
- b. Bakery;
- c. Café, restaurant, catering;
- d. Clinic;
- e. Convenience store;
- f. Convention centre;
- g. Day care facility;
- h. Equipment sales, servicing and repairs;
- i. Financial establishment;
- j. Hotel, resort accommodation units including guest cottages;
- k. Laundromat or dry cleaning establishment;
- l. Liquor store;
- m. Marina operations;
- n. Multiple family residence;
- o. Neighbourhood public house;
- p. Office;
- q. Outdoor recreation equipment sales and service;
- r. Personal service use;
- s. Plant nursery;
- t. Recreational use;
- u. Retail store;
- v. School;
- w. Single family and two family dwellings;

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The following accessory uses are permitted in the VC-1 Zone:

- x. Community service facility;
- y. Facilities and uses that are customarily incidental to a hotel and resort; Boat sales, rental, servicing and fuel sales accessory to a marina;
- z. Home office;
- aa. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the VC-1 zone is 0.5 hectares.

3. Density

Not more than 80 dwelling units per hectare are permitted on a parcel in the VC-1 Zone.

4. Floor Area Ratio

The maximum floor area ratio (FAR) in the VC-1 Zone is 2.0 for all buildings and structures.

5. Servicing

All buildings with plumbing in the VC-1 Zone shall be connected to both a community water system and a community sewer system.

6. Setbacks

The following minimum setbacks apply in the VC-1 Zone:

Type of Parcel Line	Buildings and Structures other than Resort and Hotel	Hotel or Resort Buildings and Structures
Front Parcel Line	3 m	8 m
Interior Side Parcel Line	0 m	8 m
Exterior Side Parcel Line	4.5 m	8 m
Rear Parcel Line (non-waterfront only)	5 m	8 m
Basic lakefront setback (from High Water Mark of Cowichan Lake)	15 metres, or any line that is identified as a streamside protection and enhancement area in a development permit, whichever is greater	
Supplementary lakefront setback (measured from the Basic lakefront setback)	An additional 7.5 metres or 12.5% of the average parcel depth, measured between the basic lakefront setback line and the front parcel line, whichever is greater	

7. Height

The following maximum height regulations apply in the VC-1 Zone:

- a. Resort and hotel buildings: 24 m;
- b. Principal Buildings and structures other than a resort or hotel: 17 m;
- c. Accessory buildings and structures: 6 m.

8. Parcel Coverage

For the uses listed below, the parcel coverage in the VC-1 shall not exceed the following percentage of parcel area:

- a. 35% for hotel and resort buildings;
- b. 60% for all other buildings and structures in the VC-1 Zone.

9. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

- j) That the following is inserted following the end of the Heavy Industrial 2 Zone regulations, and the P-1 Parks 1 Zone is renumbered as 5.36, with all subsequent sections renumbered accordingly:

5.35 I-3 BUSINESS PARK LIGHT INDUSTRIAL 3 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the I-3 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the I-3 Zone:

- a. Artisan's and artist's workshop;
- b. Automotive repair and maintenance shop and parts sales;
- c. Automotive rental;
- d. Building supply sales;
- e. Café, restaurant, catering;
- f. Car and truck wash;
- g. Construction, repair, sales, service, storage and rental of boats, watercraft and related equipment, including fuel sales;
- h. Food products manufacturing;
- i. Laboratory;
- j. Manufacturing and sales of modular, log and pre-fabricated homes, components and structures;
- k. Manufacturing within a wholly enclosed building;
- l. Plant nursery, garden centre and related uses;
- m. Printing and publishing establishment;
- n. Secondary wood products manufacturing and sales;
- o. Soil and aggregate sales;
- p. Warehousing, mini-warehousing and storage;
- q. Wood product manufacturing, including cabinet and furniture manufacturing and sawmilling;

The following accessory uses are permitted in the I-3 Zone:

- r. One single family dwelling per parcel, accessory to a principal permitted use;
- s. Buildings and structures accessory to a principal permitted use.

.../13

2. Minimum Parcel Area

The minimum parcel area in the I-3 zone is 2500 m².

3. Residential Density

Not more than one accessory dwelling unit is permitted per building on a parcel that is zoned I-3.

4. Floor Area Ratio

The maximum floor area ratio (FAR) in the I-3 Zone is 0.75 for all buildings and structures.

5. Servicing

All buildings with plumbing in the I-3 Zone shall be connected to both a community water system and a community sewer system.

6. Setbacks

The following minimum setbacks apply in the I-3 Zone:

Type of Parcel Line	Industrial and Accessory Buildings and Structures
Front Parcel Line	10 m
Interior Side Parcel Line	3 m
Exterior Side Parcel Line	10 m
Rear Parcel Line	10 m

7. Height

The following maximum height regulations apply in the I-3 Zone:

- a. Principal Buildings and structures: 11 m;
- b. Accessory buildings and structures: 6 m.

8. Parcel Coverage

The parcel coverage shall not exceed 75 percent of parcel area for all buildings and structures in the I-3 Zone.

9. Parking

Off-street parking shall be provided in accordance with Section 3.13 of this Bylaw.

- k) That the following is inserted following the end of the Institutional Retreat P-2A Zone regulations, and the Water Conservation W-1 Zone is renumbered as 5.41, with all subsequent sections renumbered accordingly:

5.39 P-3 ENVIRONMENTAL CONSERVATION 3 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the P-3 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the P-3 Zone:

- a. Environmental conservation;

The following accessory uses are permitted in the P-3 Zone:

- b. Structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the P-3 zone is 5 hectares.

5.40 ICF-4 INSTITUTIONAL AND COMMUNITY FACILITIES 4 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the ICF-4 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the ICF-4 Zone:

- a. Multiple family residence;
- b. Civic use;
- c. Institutional use;

The following accessory uses are permitted in the ICF-4 Zone:

- d. Home occupation;
- e. Community service facility;
- f. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the ICF-4 zone is 2000 m².

3. Density

Not more than 30 dwelling units per hectare of parcel area are permitted on a parcel that is zoned ICF-4.

4. Floor Area Ratio

The maximum floor area ratio (FAR) in the ICF-4 Zone is 0.8 for all buildings and structures.

5. Servicing

All buildings with plumbing in the ICF-4 Zone shall be connected to both a community water system and a community sewer system.

6. Setbacks

The minimum setback in the ICF-4 Zone is 6 metres from all parcel lines.

7. Height

The following maximum height regulations apply in the ICF-4 Zone:

- a. Principal Buildings and structures: 12 m;
- b. Accessory buildings and structures: 6 m.

8. Parcel Coverage

The parcel coverage shall not exceed 40 percent of parcel area for all buildings and structures in the ICF-4 Zone.

9. Parking

Off-street parking will be provided in accordance with Section 3.13 of this Bylaw.

l) That the following is inserted following the end of the Private Utility U-1 Zone regulations:

5.47 U-2 COMMUNITY SEWER UTILITY 2 ZONE

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the U-2 Zone:

1. Permitted Uses

The following principal uses and no others are permitted in the U-2 Zone:

a. Community sewer treatment facility, sewage drainfields;

The following accessory uses are permitted in the U-2 Zone:

b. Buildings and structures accessory to a principal permitted use.

2. Minimum Parcel Area

The minimum parcel area in the U-2 Zone is 2 hectares.

3. Setbacks

All buildings and structures in the U-2 Zone shall be set back a minimum of 4 metres from all parcel lines.

m) Schedule A (Zoning Map) to Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 is amended by adding the following zones to the legend:

- R-8 Residential 8 Zone
- R-9 Residential 9 Zone
- LR-3 Lakefront Residential 3 Zone
- RM-6 Multiple Family Residential 6 Zone
- RM-7 Multiple Family Residential 7 Zone
- VC-1 Village Core 1 Zone
- I-3 Light Industrial 3 Zone
- P-3 Environmental Conservation 3 Zone
- ICF-4 Institutional and Community Facilities 4 Zone
- U-2 Community Sewer Utility 2 Zone

n) Schedule A (Zoning Map) to Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 is further amended by rezoning:

.../16

1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672 (see Plan as to limited access);
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672 (see Plan as to limited access);
8. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
9. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
10. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
11. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
12. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. That Part of Block 113, Cowichan Lake District, containing 0.54 acres , more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
14. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;
15. Part of the surface of the water over the bed of Cowichan Lake, Cowichan Lake District;
16. That Part of District Lot 35, Cowichan Lake District, lying to the north of the right-of-way of the Canadian Northern Pacific Railway as said right-of-way is shown on Plan 172RW;
17. Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on Plan Marked B (DD40883I); except part shown outlined in red on Plan 283R; and except parts in Plans 20033, 31184 and VIP63536.

.../17

all as outlined in solid black lines on Plan number Z-3214 attached hereto and forming Schedule A of this bylaw, from Forest Resource 1 (F-1), Heavy Industrial (I-2) and Water Conservation (W-1) to:

1. Residential 8 (R-8);
2. Residential 9 (R-9);
3. Lakefront Residential 3 (LR-3);
4. Multiple Family Residential 6 (RM-6);
5. Multiple Family Residential 7 (RM-7);
6. Village Core 1 (VC-1)
7. Light Industrial 3 (I-3);
8. Environmental Conservation 3 (P-3);
9. Institutional and Community Facilities 4 (ICF-4);
10. Community Sewer Utility 2 (U-2);
11. Water Marina (W-3)

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 26th day of November, 2008

READ A SECOND TIME this 26th day of November, 2008.

SECOND READING RESCINDED this 8th day of April, 2009.

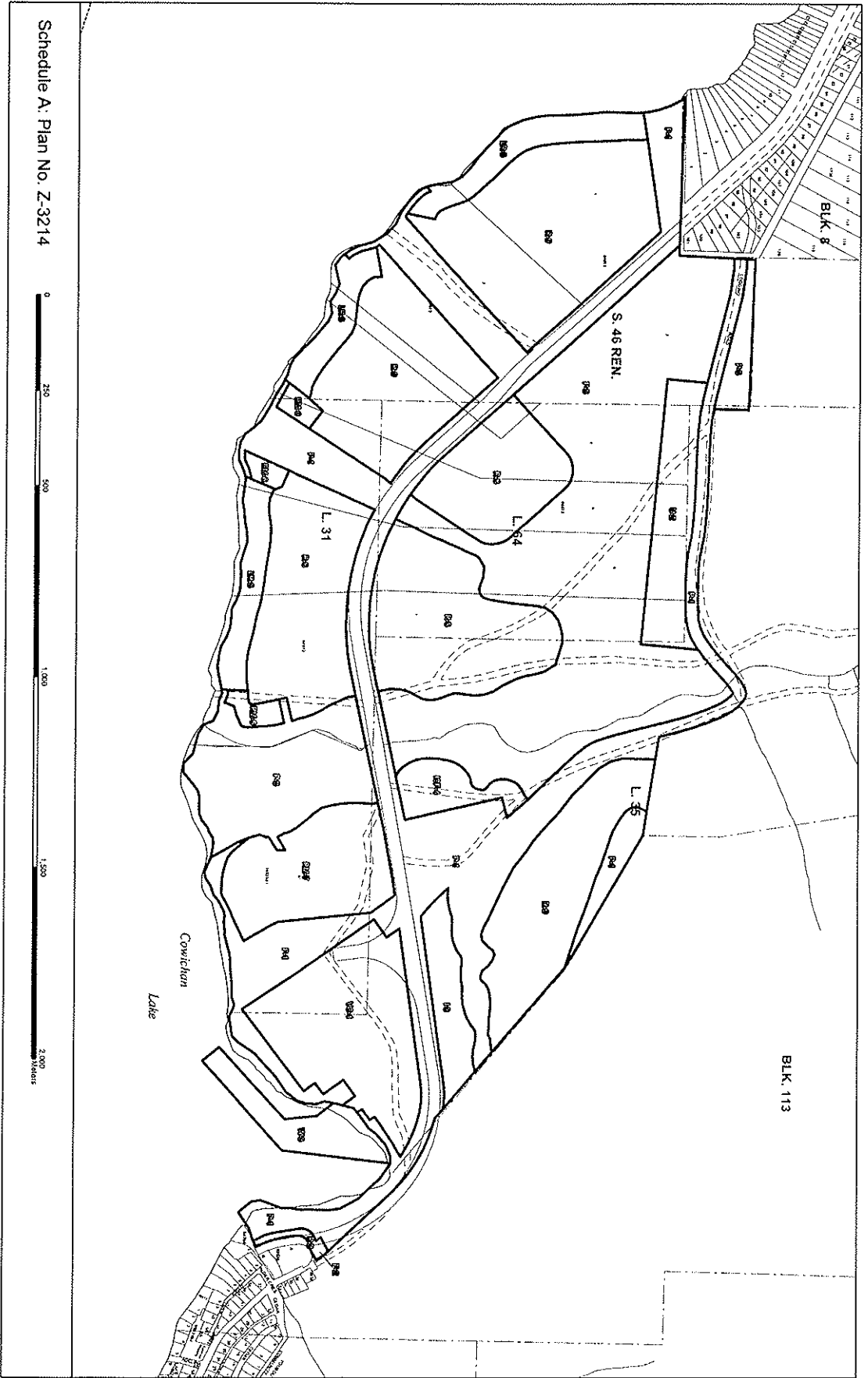
SECOND READING AS AMENDED this 8th day of April, 2009.

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary





COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3242

A Bylaw to Authorize a Phased Development Agreement

WHEREAS the *Local Government Act*, hereafter referred to as the "*Act*", as amended, empowers the Regional Board to enter into Agreements;

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 enter into the Agreement;

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. 3242 Phased Development Agreement Authorization Bylaw (Youbou Lands), 2008**".

2. **AUTHORIZATION**

The Cowichan Valley Regional District may enter into and the Chair and Corporate Secretary may execute and deliver an agreement with 0741817 BC Ltd. and Timberwest Forest II Limited in the form attached as Schedule A to this bylaw.

3. **FORCE AND EFFECT**

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

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READ A SECOND TIME this 10th day of December, 2008.

READ A SECOND TIME this 10th day of December, 2008.

SECOND READING RESCINDED this 8th day of April, 2009.

SECOND READING AS AMENDED this 8th day of April, 2009.

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3242

PHASED DEVELOPMENT AGREEMENT

This Agreement dated for reference the __ day of _____, 2009 is

AMONG:

COWICHAN VALLEY REGIONAL DISTRICT, a regional district incorporated under the *Local Government Act* having an office at 175 Ingram Street, Duncan, B.C. V9L 1N8

(the "District")

AND: **0741817 B.C. LTD.** (Incorporation No. 0741817), a corporation having an office at _____

(the "Developer")

AND: **TIMBERWEST FOREST II LIMITED** (Incorporation No. 459438), a corporation having an office at 7th Floor, 700 West Georgia Street, Vancouver, B.C. V7Y 1A1

("Timberwest")

(the Developer and Timberwest are referred to collectively as the "Owner")

WHEREAS:

- A. The Developer is the registered owner of land legally described in Schedule A (the "Developer's Land");
- B. Timberwest is the registered owner of Block 113, Cowichan Lake District, except parts containing 6.34 and 0.54 of an acre more or less shown coloured red on plan marked 'B' (DD 40883I); Except part shown outlined in red on plan 283R; and except parts in plan 20033, 31184 and VIP63536 and That part of District Lot 35, Cowichan Lake District, lying to the north of the right of way of the Canadian Northern Pacific Railway as said right of way is shown on Plan 172 RW, portions of which (the "Timberwest Development Lands") are shown in Schedule A1;
- C. Timberwest intends to subdivide and sell and the Developer intends to purchase the Timberwest Development Lands;

.../2

- D. The Developer has applied to the District for an amendment to CVRD Zoning Bylaw No. 2465 by way of CVRD Bylaw No. 3214 – Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Youbou Lands), 2009 (the “Zoning Amendment Bylaw”) to permit the development on the Developer’s Land and the Timberwest Development Lands (referred to collectively as the “Land”) of a range of residential and non-residential uses;
- E. The Owner wishes to provide certain amenities and features in the development of the Land, and the parties wish to ensure that the provisions of the District’s zoning bylaw as amended by the Zoning Amendment Bylaw continue to apply to the Land for the period more particularly set out in this Agreement; and
- F. The Board of the District has given notice and held a public hearing and has, by bylaw, authorized the execution of this Agreement;

NOW THEREFORE in consideration of the mutual promises set out in this Agreement, the parties agree pursuant to section 905.1 of the *Local Government Act* as follows:

APPLICATION OF AGREEMENT

- 1. This Agreement applies to the Land, including any parcels of land into which the Land may be subdivided. This Agreement applies to the Land and to no other land.

BYLAW AMENDMENTS NOT TO APPLY

- 2. For the term of this Agreement, any amendment or repeal of the following sections of Cowichan Valley Regional District Zoning Bylaw No. 2465 as amended by the Zoning Amendment Bylaw shall not apply to the Land, except:
 - (a) as provided in section 905.1(6) of the *Local Government Act*; or
 - (b) to the extent that the Owner of any parcel comprising the Land agrees in writing that the amendment or repeal shall apply to that Land:
 - Lakefront Residential 3 (LR-3) Zone
 - Residential 8 (R-8) Zone
 - Residential 9 (R-9) Zone
 - Multiple Family Residential 6 (RM-6) Zone
 - Single and Multiple Family Residential 7 (RM-7) Zone
 - Village Core 1 (VC-1) Zone
 - Business Park / Light Industrial 3 (I-3) Zone
 - Institutional and Community Facilities 4 (ICF-4) Zone
- 3. For certainty, and without limiting section 2, the District agrees that any development permit or building permit that would be issuable in respect of the Land on the date of adoption of the Zoning Amendment Bylaw will be issued throughout the term of this Agreement in accordance with CVRD Official Community Plan Bylaw No. 2650, 2005, Electoral Area 1 – Youbou/Meade Creek and Building Bylaw No. 143 respectively and the provisions and terms of this Agreement, despite any amendment or repeal of the bylaw provisions specified in section 2 that would otherwise prevent the issuance of the permit.

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TERM OF AGREEMENT

4. The term of this Agreement is twenty years from the date of adoption of the Zoning Amendment Bylaw.
5. The parties may terminate this Agreement at any time by written agreement.
6. If the amenities and features of the development are not provided to the standards and at the times set out in Schedule B, on which question the opinion of the District shall be determinative provided that the District may not act unreasonably, the District may at its option terminate this Agreement by providing notice in writing to the Owner, provided that the District has at least two (2) months prior to giving such notice advised the Owner in writing of any alleged failure (the "Default Notice") to provide such amenities and features in accordance with this Agreement and the Owner has not corrected the deficiency to the reasonable satisfaction of the District, or if such default reasonably requires longer than two (2) months to remedy, the Owner has failed to substantially commence remedying such default within two (2) months after receipt of the Default Notice to the reasonable satisfaction of the District, or has failed to substantially complete remedying the default within six (6) months after receipt of the Default Notice to the reasonable satisfaction of the District. The Owner acknowledges that, in the event that this Agreement is terminated under this Section, the District may further amend its zoning bylaw to reverse or modify the effect of the Zoning Amendment Bylaw, without compensation to the Owner.

AMENITIES AND FEATURES OF THE DEVELOPMENT

7. The Owner shall provide the amenities listed in Schedule B at the times specified in Schedule B.
8. The Owner acknowledges that the amenities described in Schedule B are not "excess or extended services" as defined in section 939 of the *Local Government Act*, and are not works or services included in the calculations used to determine the amount of any development cost charge.

PUBLIC LAND USE DESIGNATIONS

9. The Owner acknowledges that the Zoning Amendment Bylaw designates certain portions of the Lands for public uses only, in contemplation of those portions being transferred to other parties pursuant to this Agreement, and agrees that such designations do not, considered together with the provisions of the Zoning Amendment Bylaw in respect of other portions of the Lands, effect any reduction in the value of the Owner's interest in the Lands. The Owner agrees that such designations accordingly do not entitle the Owner to compensation under s. 312 of the *Local Government Act* or otherwise, and irrevocably waives any entitlement to such compensation.

VILLAGE CORE NEIGHBOURHOOD PLAN

10. Prior to any development permit, building permit or subdivision approval being granted for development or subdivision of portions of the Land within the Village Core zone designated in the Zoning Amendment Bylaw, the Owner shall prepare a Village Core neighbourhood plan defining the layout of the Village Core area, including the location of roads, plazas, pedestrian walkways, building footprints and massing and view corridors. The neighbourhood plan must consider waterfront and mountain views and solar access and promote a human-scale, pedestrian oriented site layout and built form.

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The plan should be conceptual in nature and need not exhibit the level of detail necessary for subsequent site-specific development permit applications. Development standards such as building setbacks and height and design guidelines may be established through the neighbourhood planning process and land uses and densities may be

assigned to particular locations within the area. The Village Core neighbourhood plan must be adopted as an amendment to the Official Community Plan and Zoning Bylaw prior to the issuance of development permits, building permits or subdivision approval within the Village Core area.

DENSITY OF DEVELOPMENT

11. Residential and hotel density on the Land shall not exceed that specified on Schedules C and C1.
12. The Land shall not be subdivided unless, concurrently with the subdivision,
 - (a) the Owner grants to the District a covenant under section 219 of the *Land Title Act* restricting the residential and hotel density of the parcels being created by the subdivision such that the restrictions in Schedule C and C1 are made applicable to the parcels in a manner satisfactory to the District, acting reasonably; or
 - (b) prior to the approval of the subdivision, the District has amended Zoning Bylaw No. 2465 to establish density limits in respect of the parcels being created,

unless the District determines, in its sole discretion, that such additional density regulation is not required in view of the nature and effect of the proposed subdivision.

PHASING OF DEVELOPMENT

13. The phases of development shown on Schedule B1 must be developed in numerical order, except that at least 1000 square metres of gross commercial floor area must be developed in Phase 3b prior to the subdivision or development of any portion of Phase 2a, at least 1000 additional square metres of gross commercial floor area must be developed in Phase 3b prior to the subdivision or development of any portion of Phase 3a, and the balance of the permitted commercial floor area in Phase 3b may be developed at any time subject to the remainder of this Agreement.
14. No portion of the Land shall be subdivided or development permit application made for a residential use until the Ministry of Environment has issued a certificate of compliance in respect of the Land under the *Environmental Management Act*, unless the Ministry of Environment has expressly authorized the subdivision or development in advance of the issuance of the certificate of compliance.

ASSIGNMENT OF AGREEMENT

15. Any Owner may assign this Agreement in whole or in relation to any parcel into which the Land of that Owner may be subdivided, if the District, acting reasonably, consents in writing to the assignment and the assignee has executed and delivered to the District a notice of assumption and has entered into an assignment agreement with the Owner assigning the Agreement. In consenting to such assignment, the District may require the Owner and the assignee to enter into further agreements with the District concerning the performance of the obligations contained in this Agreement in relation to the parcel of which the assignee is or will become the owner.

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AMENDMENT OF AGREEMENT

16. The parties may in writing agree to minor amendments to this Agreement, and for that purpose a “minor amendment” is an amendment to Schedule B or to Schedule B1 except that areas of land to be transferred or dedicated to the District for public use as park, trail, or walkway or for conservation or environmental protection purposes may not vary in area from the areas specified in Schedule B by more than 10% and such amendments may not reduce the total area of such areas to less than 121.4 ha (300 acres). For certainty, an amendment to Schedule B1 undertaken to reflect adjustment of the boundaries of the zones established by the Zoning Amendment Bylaw by further zoning bylaw amendment is a “minor amendment”.
17. The District may, prior to agreeing to such an amendment, convene a public hearing or other proceeding for the purpose of determining the opinion of members of the public to such amendment, notwithstanding that such a hearing or other proceeding is not required by the *Local Government Act*, and the Owner agrees to participate in such proceeding for the purpose of providing information to the public on the proposed amendment.

SPECIFIC PERFORMANCE

18. The Owner agrees that the trails, walkways, riparian and elk habitat areas, Arbutus Park expansion, and other park areas described in Schedule B are uniquely located properties and if the Owner fails to dedicate such lands to the District, as described in Schedule B, the Owner agrees that the District shall be entitled to an order of specific performance for the dedication, but the District is not precluded from claiming an award of damages for the Owner’s breach.

GENERAL TERMS AND CONDITIONS

19. The obligations of the parties comprising the Owner shall be joint and several. The parties acknowledge and agree that as between the District and the parties comprising the Owner, the Developer may carry out all responsibilities, obligations and covenants under this Agreement on behalf of the Owner and any decision, agreement, or act by the Developer with respect to the terms and conditions of this Agreement shall bind each of the parties comprising the Owner. The Developer and Timberwest may make agreements between themselves as to their obligations under this Agreement.
20. Any notice permitted or required by this Agreement to be given to either party must be given to that party at the address set out above, or to any other address of which the party has given the other party notice in writing expressly for the purposes of this Agreement.
21. Except as expressly set out in this Agreement, nothing in this Agreement shall prejudice or affect the rights and powers of the District in the exercise of its functions under the *Community Charter* or the *Local Government Act* or any of its bylaws, or those of the approving officer of the Ministry of Transportation and Infrastructure or the District, as the case may be, under the *Land Title Act*, *Strata Property Act* or Bare Land Strata Regulations.
22. Any opinion, decision, act or expression of satisfaction or acceptance provided for in this Agreement may be taken or made by the District’s General Manager of Planning and Development, unless expressly provided to be taken or made by another official of the District.

23. No provision of this Agreement is to be considered to have been waived by the District unless the waiver is expressed in writing by the District. The waiver by the District of any breach by any of the other parties of any provision is not to be construed as or constitute a waiver of any further or other breach.
24. Whenever in this Agreement the District is required or entitled to exercise any discretion in the granting of consent or approval, or is entitled to make any determination, take any action or exercise any contractual right or remedy, the District may do so in accordance with the contractual provisions of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice or otherwise, shall have any application in the interpretation or implementation of this Agreement except to the extent that such duty arises as a matter of public law.
25. The Owner shall indemnify and save harmless the District, its officers, employees, Council members, agents and others (the "District Representatives") from and against any and all actions, causes of action, liabilities, demands, losses (but not loss of profits), damages, costs, expenses (including actual fees of professional advisors), remediation of contamination costs, fines, penalties and other harm of any kind whatsoever, whether related to death, bodily injury, property loss, property damage, property contamination or consequential loss or damage, suffered or incurred by the District or any of the District Representatives, directly or indirectly, arising from, resulting from, connected with or related to:
- (a) death, bodily injury, damage to or loss of any property or other incident or occurrence during the construction or provision of the amenities and other development contemplated by this Agreement;
 - (b) any default or breach of this Agreement by the Owner; and
 - (c) any wrongful act, omission or negligence of the Owner or its directors, officers, employees, agents, contractors, subcontractors, licensees, or others for whom they are responsible in law with respect to the covenants and obligations of the Owner pursuant to this Agreement.
26. This indemnity shall survive any conclusion or other termination of this Agreement, in relation to any matter arising prior to it.
27. If any Owner is delayed or prevented from the performance of any covenant or agreement required hereunder by reason of any unavoidable cause, then performance of such covenant or agreement shall be excused for the period during which such performance is delayed or prevented and the time for the performance thereof shall be extended accordingly. For the purposes of this section, "unavoidable cause" means any event or contingency beyond the reasonable control of the Owner, including without limitation a delay caused by weather conditions, power failure, fire or other casualty, governmental laws, regulations or controls, civil commotion, insurrection, sabotage, invasion, rebellion, military or usurped power, war or war-like operations and acts of God, but excluding a delay caused by lack of funds.
28. Time is of the essence of this Agreement and will remain of the essence notwithstanding the extension of any dates.
29. The Owner acknowledges and agrees that the District, acting reasonably, may, despite any public law limitations on the withholding of development permits, building permits and occupancy permits, withhold such permits for the purpose of ensuring compliance with and administering the terms of this Agreement.

30. The District may, during the construction of any amenity required by this Agreement, appoint from time to time an employee or official to represent the interests of the District under this Agreement and advise the Owner in writing of such appointment, and the Owner shall for that purpose provide to the District's representative reasonable access to all documents related to the construction including but not limited to plans, permits, specifications, Building Code analyses, receipts, waybills, shipping documents and contracts, and reasonable access to the site of construction and all construction facilities. The Owner agrees that the viewing of this documentation by the District's representative does not create any legal obligation, in tort or otherwise, on the part of the District or its representative whether or not comments are given to the Owner and whether or not the Owner chooses to act on comments that are given.

31. This Agreement may be executed in counterparts.

COWICHAN VALLEY REGIONAL DISTRICT

By its authorized signatories:

TIMBERWEST FOREST II LIMITED

By its authorized signatories:

0741817 B.C. LTD.

By its authorized signatories:

SCHEDULE A

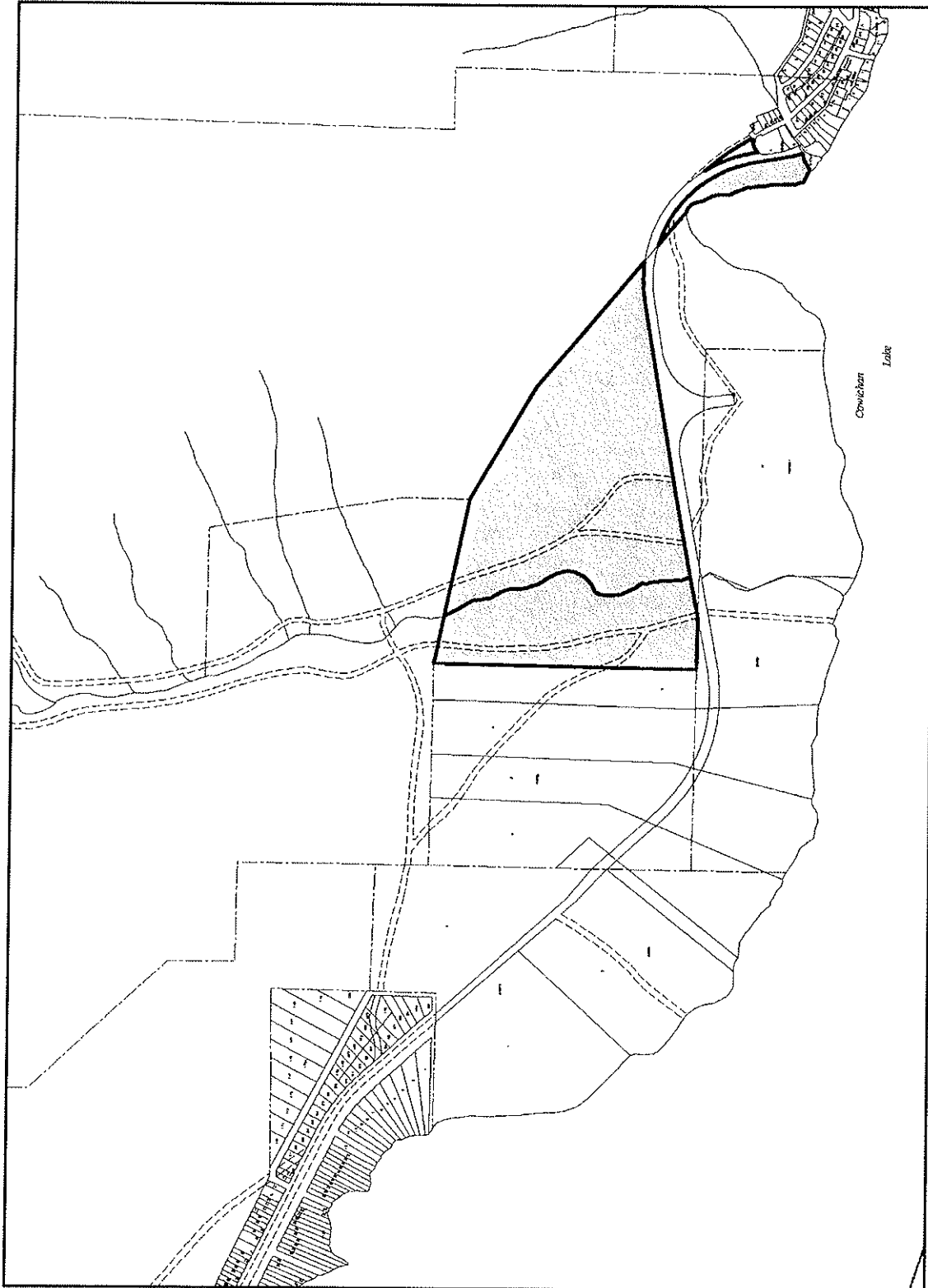
To CVRD Bylaw No. 3242

1. Lot 1, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672
2. Lot 2, Section 46, Renfrew District (situate in Cowichan Lake District), Plan VIP84672;
3. Lot 3, Section 46, Renfrew District (situated in Cowichan Lake District) and District Lot 64, Cowichan Lake District, Plan VIP84672;
4. Lot 4, District Lots 31 and 64, Cowichan District and Section 46, Renfrew District (situated in Cowichan Lake District), Plan VIP84672;
5. Lot 5, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672;
6. Lot 6, Section District Lots 31 and 64, Cowichan Lake District, Plan VIP84672;
7. Lot 7, District Lots 31 and 64, Cowichan Lake District, Plan VIP84672;
8. Those Parts of District Lot 35, Cowichan Lake District lying south of said Plan 172 RW;
9. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the west of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
10. That Part of District Lot 35, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
11. Parcel A, Plan (DD 163332I), of Lot 31 Cowichan Lake District;
12. That Part of District Lot 31, Cowichan Lake District, outlined in red on Plan 172 RW lying to the east of a straight line drawn at right angles to the centre line of Plan 172 RW from a point thereon distant 610.8 feet easterly from the intersection of said centre line and the northerly boundary of District Lot 31;
13. That Part of Block 113, Cowichan Lake District, containing 0.54 acres, more or less, and shown coloured in red on Plan Marked 'B' Deposited under DD 40883I;
14. That Part of Block 113, Cowichan Lake District, containing 6.34 acres, more or less, and shown coloured red on Plan Marked 'B' in DD 40883I, except those parts in Plans 20033 and VIP54704;

SCHEDULE A1

To CVRD Bylaw No. 3242

[MAP OF PORTIONS OF TIMBERWEST LANDS]



SCHEDULE B

To CVRD Bylaw No. 3242

AMENITIES AND FEATURES OF THE DEVELOPMENT

(References to Phases are references to phases described on Schedule B1.)

PARKS AND TRAILS

Youbou Beach Parkway and trail

1. In developing the major east-west extension of Youbou Road through the Lands, the Owner must provide a parallel multi-use trail of between 3 and 4 metres in width for pedestrians, cyclists and other non-motorized traffic, to the south of vehicle traffic lanes and physically separated from such lanes by a landscaped buffer, constructed to District standards. The multi-use trail must be linked at its westerly limit to the waterfront trail described in Section 3 and at its easterly limit to the Village core area. The Owner must also provide, to the north of vehicle traffic lanes and physically separated by another landscaped buffer, a stormwater bio-swale and elk corridor adjacent to the elk habitat described in Section 19. The aggregate width of the highway right of way, multi-use trail right of way and habitat corridor must be at least 60 metres. The trail must be constructed from the Village core area to the westerly edge of Phase 1a prior to the deposit of a subdivision plan of that phase; to the westerly edge of Phase 2a prior to the deposit of a subdivision plan of that phase; and to the westerly edge of Phase 3a prior to the deposit of a subdivision plan of that phase. In addition, the portions of the multi-use trail right of way on which the trail is constructed, and the portions of the stormwater bio-swale and elk corridor immediately adjacent to such constructed portions of the trail, must be transferred to the District in fee simple prior to or concurrently with the deposit of such subdivision plans. Landscaping must comprise native, drought-tolerant species and the Owner must maintain the landscaping for at least one year following completion of the works, replacing any plant specimens that do not survive transplant during that period. Prior to dedication or transfer to the District of the trail areas, buffer areas and elk corridor, the Owner must restore the land to the standard reasonably required by the District, including any reforestation and removal of invasive species specified by the District.

Lakefront walkway east of Cottonwood

2. The Owner must construct in the area described in Section 12 and 17 a hard-surfaced multi-use trail 3 to 4 metres in width, between the easterly boundary of Arbutus Park and Cottonwood Creek, complete with low level lighting, seating, landscaping, interpretive signage, and three viewing platforms, all as approved in writing by the General Manager of Parks, Recreation and Culture of the District. The portion of the walkway from Arbutus Park west to the boat launch facility must be constructed not later than the date of transfer to a purchaser by the Owner of the 101st building lot in Phase 1a, and the remaining portion prior to the date of registration of the last subdivision in Phase 1a. For the purpose of this Section, the Owner must notify the District of the transfer to purchasers of the 26th, 51st, 76th, and 101st building lots in Phase 1a within five business days of the deposit of the transfer in the Land Title Office, and upon any failure of the Owner to do so, the Owner shall be obliged upon receiving notice from the District to such effect, to forthwith construct such portions of the trail required by this Section as the District may specify in the notice. The Owner acknowledges that the District may, in giving such notice, require the construction of all portions of the trail remaining to be constructed at the time the notice is given.

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Lakefront walkway west of Cottonwood

3. The Owner must provide in the area west of Cottonwood Creek to the western boundary of Phase 3a and extending along the western boundary of Phase 3a to connect with the Youbou Beach Parkway trail described in Section 1, a hard-surfaced mixed-use trail 3 metres in width, complete with low level lighting, landscaping including street trees, and irrigation works, all as approved in writing by the District. The portion of the walkway adjacent to each phase or sub-phase of the development must be constructed no later than the date of deposit of the subdivision plan creating the lots in that phase or sub-phase, and all walkway areas must be dedicated as highways where the Ministry of Transportation approves the walkway within the road allowance, and otherwise transferred to the District in fee simple. Driveway crossings over the walkway shall not be permitted and the District may require restrictive covenants at the time of subdivision prohibiting driveway crossings.
4. The alignment of the walkway may be landward of any single-family dwelling lots abutting Cowichan Lake, but must be between the Lake and any multi-family dwellings in Phase 1a or Phase 2a. Where the walkway does not abut Cowichan Lake, it must be located on the north side of the most southerly road in the subdivision approximately paralleling the natural boundary of the Lake.

Public parks west of Cottonwood Creek

5. The Owner must transfer to the District in fee simple, park areas south of Youbou Beach Parkway between Phases 1a and 2a and Phases 2a and 3a having an aggregate area of at least 10.1 ha, and prior to transfer must improve the park areas by reforestation and similar restoration of natural areas; the development of washroom facilities in each park area; the development of picnic areas, grassed areas, picnic tables and benches, barbecue pits, District Parks signage, information kiosks, parks access controls and irrigation works, integrating into the design the lakefront walkway described in Section 3, all as approved by the District in writing prior to construction.
6. The first such park area must be transferred prior to the registration of any subdivision plan of Phase 2b and must be developed with at least twelve motor vehicle parking spaces, and the second park area must be transferred prior to the registration of any subdivision plan of Phase 3a and must be developed with at least six motor vehicle parking spaces to a design and standard approved by the District in writing prior to construction.

Local neighbourhood parks

7. The Owner must transfer to the District five local neighbourhood parks having an aggregate area of at least 1.6 ha, at the time of subdividing the portion of the Lands in which the park is located, and must not subdivide any parcel comprising the Lands until the District has approved in writing the approximate location of each of the five parks. Prior to transferring each park, the Owner must undertake basic site preparation work including grading, irrigation and basic landscaping, and must construct on the park such improvements as may be approved in writing by the District.
8. The Owner is not obliged to expend more than \$425,000 on park improvements under Section 7, apart from basic site preparation work and subject to Section 28.

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Youbou Road multi-use trail

9. The Owner must, subject to Section 28, provide to the District the sum of \$1,000,000.00 to be used for the development of a multi-use trail for non-vehicular traffic on Youbou Road to the east of the Lands, including design and acquisition of additional highway right-of-way as deemed necessary by the District. The Owner must provide to the District a completed design of the works approved by the District prior to the deposit of a subdivision plan of Phase 2a; must pay to the District 1/3 of the funds not expended on the design prior to deposit of a subdivision plan of Phase 2a; must pay 1/2 of the remaining funds prior to deposit of a subdivision plan of Phase 3a; and must pay the balance prior to deposit of a subdivision plan so as to create more than 50% of the lots proposed in Phase 3a.
10. The construction of the trail contemplated by this Section is subject to the approval of the Ministry of Transportation and Infrastructure and timing of construction shall be at the discretion of that agency and the District.

Cottonwood Creek pedestrian crossing

11. The Owner must, prior to the deposit of a subdivision plan of Phase 2a, construct a pedestrian crossing over Cottonwood Creek to the south of the Youbou Beach Parkway highway crossing, to connect the trails described in Sections 2 and 3. Design of the crossing including specification of materials shall be subject to the approval of the District, which in granting approval may take into consideration the recommendations of the Ministry of Environment and Department of Fisheries and Oceans. In the event that the District determines that the Owner cannot comply with this requirement because either the Ministry of Environment, the Department of Fisheries and Oceans or any other authority having jurisdiction will not issue required approvals for construction of the crossing, the Owner must provide alternative pedestrian network improvements for a creek crossing approved by the District prior to the deposit of a subdivision plan of Phase 2a.

Expansion of Arbutus Park

12. The Owner must, prior to the deposit of the subdivision plan creating the 101st parcel from the Lands, transfer to the District an area of land having a minimum area of 2.8 hectares to the northwest of and abutting Arbutus Park, shown as Phase 1c on Schedule B1, for park expansion and fire department facilities.

Youbou Village beach and green

13. The Owner must transfer to the District in fee simple prior to the deposit of any subdivision plan for Phase 3a, a park area south of Youbou Beach Parkway between Phases 2b and 3b, and having an area of at least 4.45 hectares and a waterfront frontage of at least 200 metres. Prior to transfer the Owner must improve the park area by the development of a water park feature and children's playground; the development of picnic areas, grassed areas, picnic tables and benches, barbecue pits, basic washrooms and irrigation works, integrating into the design the lakefront walkway described in Section 2, all as approved by the District in writing prior to site preparation and construction. The improvements shall, subject to Section 28, have a value of \$400,000.00 inclusive of the cost of site preparation work.

COMMUNITY USES AND AFFORDABLE HOUSING**Community use/affordable housing site**

14. Prior to or concurrently with the deposit of any subdivision plan of Phase 2, the Owner must transfer to the District in fee simple, free and clear of all encumbrances other than those approved by the District, for community park, affordable housing, seniors' housing, school or other public use, a portion of the Lands adjacent to Youbou Beach Parkway shown as Phase 1c on Schedule B1, having a minimum area of 6.5 hectares.
15. The transfer may be made subject to a right of first refusal in favour of the Owner exercisable in the event of any proposed sale of the site to any party for purposes other than a purpose mentioned in the foregoing paragraph, such right of first refusal to expire within 25 years of the transfer.

ENVIRONMENTAL PROTECTION**Lakeshore riparian area**

16. Concurrently with the deposit of any subdivision plan of any portion of the Lands abutting Cowichan Lake west of Cottonwood Creek, the Owner must grant to the District and any third party conservation organization nominated by the District a covenant under s. 219 of the *Land Title Act* providing for the conservation of the riparian area whose width at each point is the greater of 15 m measured from the 164 metre contour around Cowichan Lake, measured from mean geodetic sea level, and the width of the Streamside Protection and Enhancement Area as determined in accordance with the Riparian Areas Regulation. The terms of the covenant shall provide a high level of protection to the area and may differ in accordance with whether the lands charged by the covenant are private building lots or lands dedicated to the public.

Riparian area Arbutus Park to Cottonwood Creek

17. Concurrently with the deposit of any subdivision plan of any portion of the Lands abutting Cowichan Lake east of Cottonwood Creek, the Owner must transfer to the District in fee simple, subject to a covenant under s. 219 of the *Land Title Act* in favour of any third party conservation organization nominated by the District providing for the conservation of the area, an area upland of Cowichan Lake whose width is the width of the Streamside and Protection Enhancement Area as determined in accordance with the Riparian Areas Regulation. In addition, an uninterrupted 7.0 metre corridor on the upland side of such area, for the walkway corridor described in Section 2, shall be transferred in fee simple to the District.
18. Notwithstanding Section 17, the Owner may maintain ownership of the lakefront at two locations to accommodate access to a boat launch and marina. Each access may have a width of up to 20 metres and shall be in a location approved by the District. The Owner shall grant the District a statutory right of way with a minimum width of 7 metres over the access to accommodate the lakefront walkway described in Section 2, and the location of the right of way shall be suitable, in the opinion of the District, to provide safe public access across any ramp or other boat launch facility by all users of the walkway, including those with reduced mobility.

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Environmental Conservation Area

19. Prior to or concurrently with the deposit of a subdivision plan creating Phase 2a north of Youbou Beach Parkway, the Owner must transfer to the District in fee simple, an area of the Lands comprising at least 48.6 hectares, generally to the north of Phases 3a, 2a and 1a, connecting Cowichan Lake at the northwest boundary of the Lands and the Cottonwood Creek riparian corridor. Prior to dedication of the area the Owner must restore the area to the standard reasonably required by the District, including any reforestation and removal of invasive species that may be consistent with the management of the area as an environmental conservation area. The area must be free and clear of all utility easements, corridors, statutory rights of way and other encumbrances other than those approved in writing by the District and those in existence on the date of this Agreement. The parties acknowledge that up to 6.5 ha of the area may, concurrently with or prior to the transfer of the area to the District as an environmental conservation area, be transferred to the District in fee simple as a site for a wastewater treatment plant and disposal area.
20. The Owner must provide to the District, concurrently with the transfer or dedication of the environmental conservation area and subject to Section 28, the sum of \$10,000 to be used for elk habitat stewardship programs which may include access control, community education, interpretive signage, and wildlife viewing platforms.

Cottonwood Creek riparian corridor

21. Prior to or concurrently with the deposit of a subdivision plan creating Phase 1a, the Owner must transfer to the District in fee simple or otherwise dedicate to the public a riparian corridor comprising an area on each side of Cottonwood Creek at least 30 metres wide measured from top of bank of Cottonwood Creek within the Lands, and comprising at least 34.4 hectares in total area. Prior to dedication of the area the Owner must restore the area to the standard required by the District, including any reforestation that may be consistent with the function of the area as fish habitat and any removal of invasive species and industrial debris required by the District.

Cowichan Lake environmental protection

22. The Owner must provide to the District the sum of \$200 per single-family dwelling lot and \$100 per multi-family dwelling unit permitted by the Zoning Amendment Bylaw on a lot, subject to Section 28, for deposit to the reserve fund established by the District's Bylaw No. 2805 for the protection of waters and riparian areas on Cowichan Lake. Prior to or concurrently with the deposit of a subdivision plan creating any lot in Phase 2a, the Owner must provide contributions in respect of Phase 1 development, and prior to or concurrently with the deposit of a subdivision plan creating any lot in Phase 3a, the Owner must provide contributions in respect of all Phase 2 development and Phase 3 development.

SERVICING AND INFRASTRUCTURE**Sewage treatment for existing development**

23. The Owner must make available to the District, in providing sewage treatment facilities for the Lands to be owned and operated by the District, sufficient sewage disposal capacity (land only) to accommodate up to 300 single-family dwellings not located on the Lands. The determination as to the capacity of the works shall be in the discretion of the District, acting reasonably in accordance with generally accepted civil engineering standards.

Youbou Road safety improvements

24. The Owner must carry out the Youbou Road safety improvements that are recommended in the Boulevard Transportation Group's May 25, 2008 Traffic Impact Study and required by the Ministry of Transportation and Infrastructure. Such improvements must be carried out prior to the deposit of a subdivision plan creating Phase 1, except that improvements recommended in the study or required by the Ministry may be deferred to future phases where agreed to in writing by the Ministry.

EMERGENCY SERVICES**Fire protection review**

25. The Owner must, prior to the deposit of a subdivision plan creating any part of Phase 1, prepare and provide to the District at the Owner's cost a fire protection review of the Land and the Youbou Fire Protection Area, prepared by an accredited professional approved by the District, to identify the level of increased fire protection services and fire protection infrastructure required as a result of the Owner's development of the Land. Before undertaking the review, the Owner must submit proposed terms of reference for the District's approval.
26. The Owner must not subdivide any portion of the Land or construct any building or structure on the Land unless the Owner has provided, at the Owner's cost, all fire protection infrastructure and improvements recommended in the fire protection review and approved by the District's General Manager of Public Safety in respect of the particular phase of development of which that subdivision or portion of the Land forms a part. The Owner acknowledges that required fire protection infrastructure and improvements may include the dedication of land referred to in Section 12 of this Schedule; construction of an addition to the Youbou fire hall to the District's specifications; and the procurement of one or more fire trucks or other fire fighting apparatus and equipment and communications equipment complying with the specifications of the General Manager of Public Safety.

Secondary access

27. The Owner must provide, prior to the subdivision of land to the west of Phase 1a, a secondary access to the Land for emergency purposes only, connecting the east-west extension of Youbou Beach Parkway to a publicly accessible forestry road northwest of the westerly boundary of the Land. The secondary access must be constructed to a standard appropriate for the year-round travel of emergency vehicles, as determined by the General Manager of Public Safety of the District.

GENERAL PROVISIONS

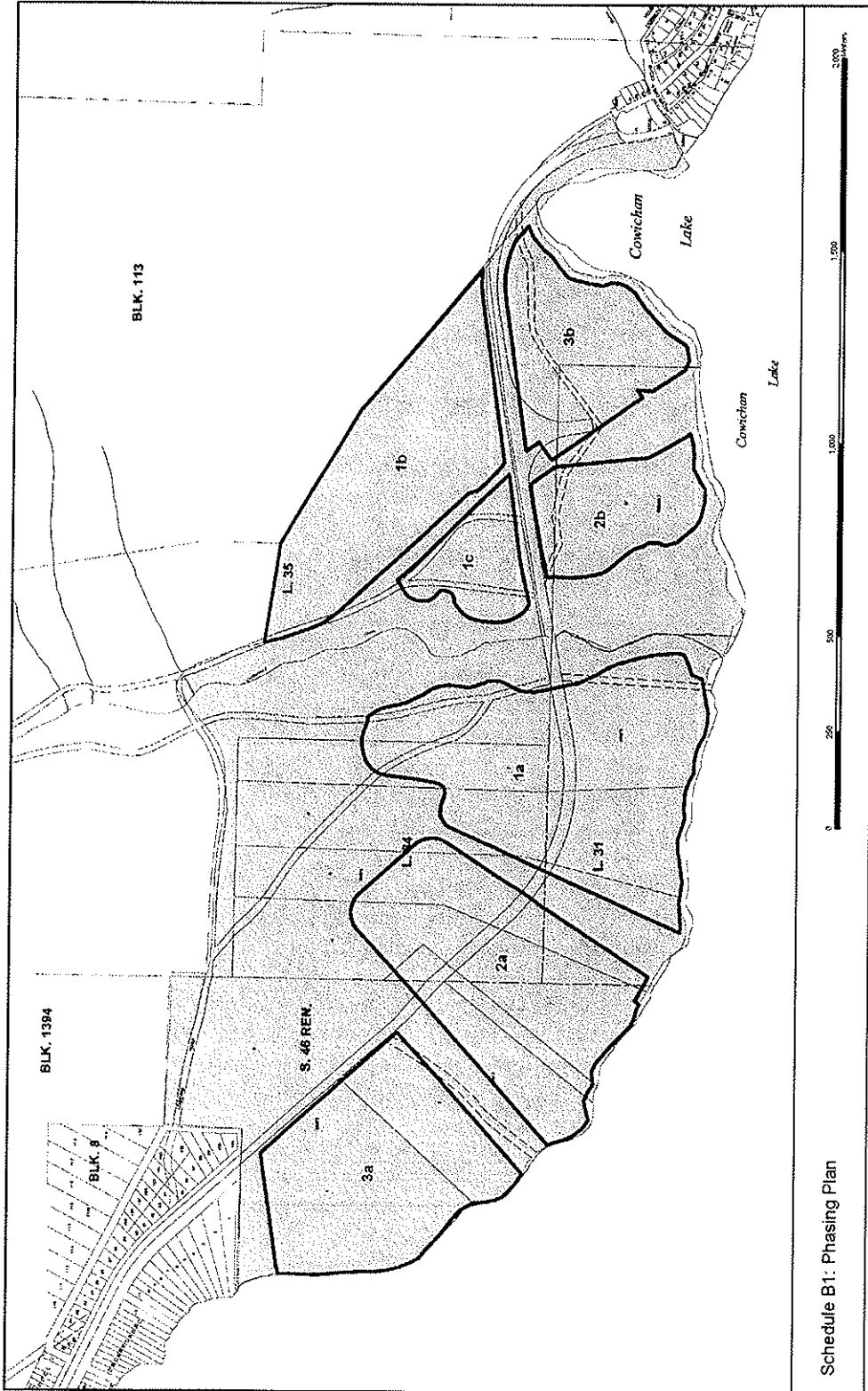
28. Where in this Schedule the Owner is obliged to provide a sum of money to the District, the sum shall be the sum specified plus, commencing in December 2010, an additional amount in respect of construction cost increase calculated on the basis of the Non-Residential Building Construction Price Index compiled by Statistics Canada for Metropolitan Vancouver for the quarter immediately preceding the date on which the sum is to be provided to the District.
29. Where this Agreement provides for the transfer of land to the District for park, environmental conservation, riparian area protection, or trail corridor purposes, the following procedure shall apply:
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- (a) the Owner must, prior to the transfer and the undertaking of any work required by this Agreement, submit to the District for review and approval plans and drawings of the proposed areas and improvements prepared by a member of the B.C. Society of Landscape Architects;
 - (b) the plans and drawings shall be in sufficient detail to demonstrate compliance of the areas and any proposed alterations and improvements with this Agreement, the standards and guidelines of the BCSLA and the District, and where the planning or design of proposed alterations or improvements require, in the District's opinion, the services of an engineer or other professional, the Owner must engage such person at the Owner's cost to provide such services;
 - (c) all park improvements must be constructed at the Owner's cost in accordance with the approved plans and any alterations that are approved in writing by the District during the construction process, as well as any applicable federal, provincial or local government regulations; and
 - (d) the Owner must notify the District on completion of construction, and must not transfer the land to the District until the District has inspected the works and accepted them in writing.
30. Where this Agreement requires the Owner to undertake works for the benefit of or to be transferred to the District, the parties may enter into further agreements obliging the Owner to provide the works by a specified date, which agreement the District may require to be registered in the form of a covenant under s. 219 of the *Land Title Act*, if the Owner provides security in a form and amount acceptable to the District to secure the Owner's performance of such obligations in accordance with the agreement. Such further agreements must enable the District to draw on the security to undertake the works if the Owner fails to do so by the date specified in the agreement.
31. In lieu of paying to the District the amounts specified in Section 9, the Owner may propose to undertake the works described in that Section by submitting to the District a plan of the works in sufficient detail that the District may have the plan reviewed by a quantity surveyor or similar consultant in order to advise the District on the fair market value of the work. The District may approve the plan if the works are satisfactory to the District and have a fair market value of at least \$1,000,000, and upon such approval being given in writing the Owner shall construct the works to the satisfaction of the District. Any costs incurred by the District in reviewing and approving the Owner's proposal for the works or inspecting the construction of the works shall be paid by the Owner, and may form part of the cost of the works.
32. Prior to the deposit of any subdivision plan of the Lands, the Owner shall prepare and provide for review and approval by the District an overall plan identifying the location and areas of all land to be transferred or dedicated to the District under this Agreement for public use as park, trail or walkway corridors, or conservation or environmental protection purposes, the total area of such areas to be not less than 121.4 hectares (300 acres), and the District shall approve the plan provided that it complies in all respects with this Agreement. Thereafter, upon the deposit in the Land Title Office of any subdivision plan or other instrument transferring or dedicating land to the District under this Agreement, the Owner shall provide a further copy of the approved plan indicating the amount of land that has been, is being, and remains under this Agreement to be, transferred or dedicated to the District.

SCHEDULE B1

To CVRD Bylaw No. 3242

PHASING PLAN



SCHEDULE C

To CVRD Bylaw No. 3242

DENSITY RESTRICTIONS

(References to zones and sub areas described on Schedule C1)

1. The total number of residential lots that may be created within the LR-3 Zone and LR-3 sub areas are as follows:
 - a. LR-3A: 26 lots
 - b. LR-3B: 16 lots
 - c. LR-3 C: 21 lots

Total Lots: 63

2. The total number of residential lots that that may be created in the R-8 Zone and R-8 sub areas are as follows:
 - a. R-8 A: 95 lots
 - b. R-8 B: 163 lots
 - c. R-8 C: 158 lots

Total Lots: 416

3. The total number of residential lots that may be created in the R-9 Zone and R-9 sub areas are as follows:
 - a. R-9 A : 159 lots
 - b. R-9 B: 118 lots
 - c. R-9 C: 50 lots

Total Lots: 327

4. The total number of residential dwelling units that may be created in the RM-6 Zone and sub areas are as follows:
 - a. RM-6 A: 21 units
 - b. RM-6B: 21 units
 - c. RM-6 C: 22 units

Total Units: 64

5. The total number of residential dwelling units that may be created in the RM-7 Zone is 330.

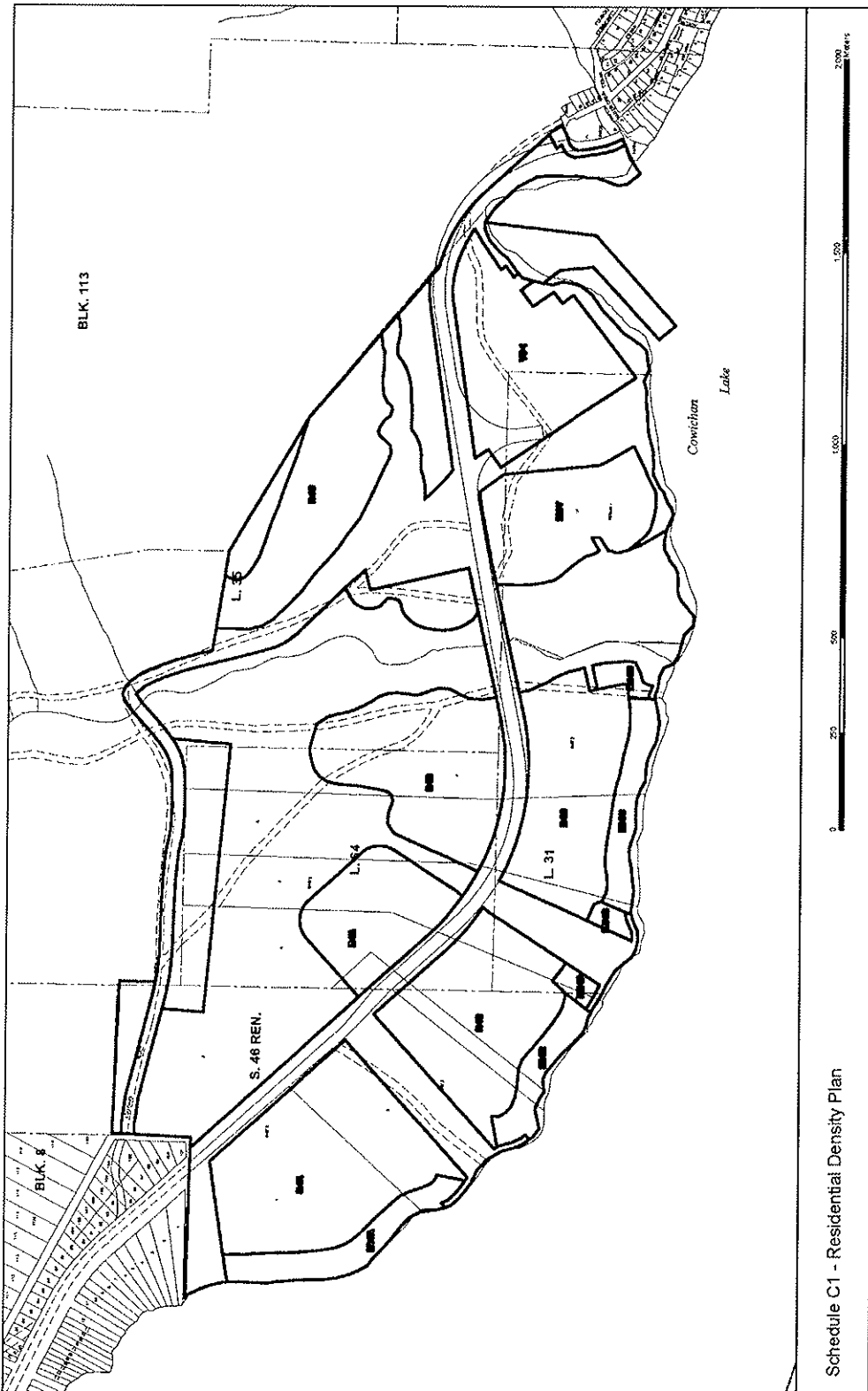
6. The total number of residential dwelling units that may be created in the VC-1 Zone is 750.

7. The total number of hotel rooms that may be created in the VC-1 zone is 225.

SCHEDULE C1

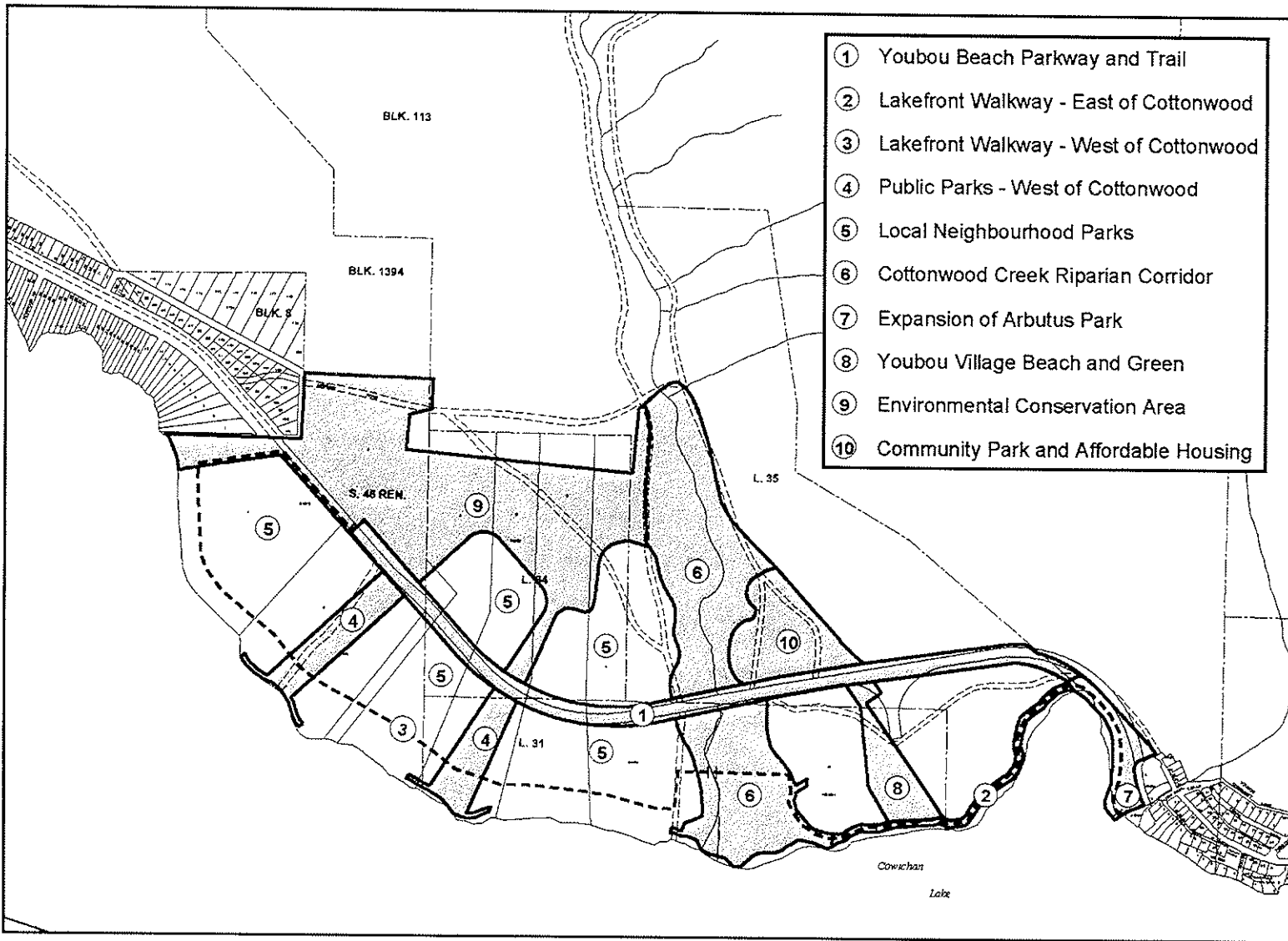
To CVRD Bylaw No. 3242

DENSITY PLAN



SCHEDULE D

To CVRD Bylaw No. 3242





NEW BUSINESS SUMMARY

BOARD MEETING – JUNE 10, 2009

CSCR2 Land Acquisition {Sub (1) (e)}.