



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

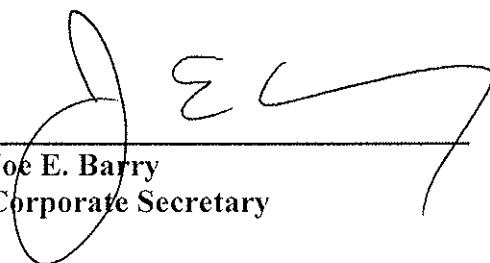
DAY: THURSDAY

DATE: NOVEMBER 12, 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

THURSDAY, NOVEMBER 12, 2009

6:00 PM - CVRD BOARD ROOM

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	SR2 Staff Report from the Manager, Community and Regional Planning Div. Re: Zoning Amendment Bylaw No. 3334 Proposed amendment to the provisions of the Heavy Industrial 2 Zone (Electoral Area E)	27

- SR3 Staff Report from the General Manager, Planning & Development Dept. 28-29
 Re: OCP Amendment Bylaw No. 3238 and Zoning Amendment Bylaw
 No. 3239 (Malahat Joint Ventures/Lintaman)

10. PUBLIC HEARINGS:

11. BYLAWS:

- B1 "CVRD Bylaw No. 3280 - Dogwood Ridge Water System Service 30-31
 Establishment Bylaw, 2009" adoption.
- B2 "CVRD Bylaw No. 3281 - Dogwood Ridge Water System Service Loan 32-33
 Authorization Bylaw, 2009" adoption.
- B3 "CVRD Bylaw No. 3332 - CVRD - Emergency Telephone Extended 34-35
 Service (E9-1-1) Capital Reserve Fund Expenditure (Mount Wood
 Repeater Tower) Bylaw, 2009", 1st, 2nd and 3rd reading.
- B3 "CVRD Bylaw No. 3332 - CVRD - Emergency Telephone Extended
 Service (E9-1-1) Capital Reserve Fund Expenditure (Mount Wood
 Repeater Tower) Bylaw, 2009", adoption.
- B4 "CVRD Bylaw No. 3333 - Regional Park Reserve Fund Expenditure 36-37
 (Cowichan Valley Trail) Bylaw, 2009", 1st, 2nd and 3rd reading.
- B4 "CVRD Bylaw No. 3333 - Regional Park Reserve Fund Expenditure
 (Cowichan Valley Trail) Bylaw, 2009", adoption.
- B5 "CVRD Bylaw No. 3335 - Electoral Area C Community Parks Capital 38-39
 Reserve Fund Expenditure (Cenotaph Project, Farmers Institute and Park
 Land Acquisition Costs) Bylaw, 2009", 1st, 2nd and 3rd reading.
- B5 "CVRD Bylaw No. 3335 - Electoral Area C Community Parks Capital
 Reserve Fund Expenditure (Cenotaph Project, Farmers Institute and Park
 Land Acquisition Costs) Bylaw, 2009", adoption.
- B6 "CVRD Bylaw No. 3336 - Mesachie Lake Water System Capital Reserve 40-41
 Fund Expenditure (Well Protection Plan) Bylaw, 2009", 1st, 2nd and 3rd
 reading.
- B6 "CVRD Bylaw No. 3336 - Mesachie Lake Water System Capital Reserve
 Fund Expenditure (Well Protection Plan) Bylaw, 2009", adoption.

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

- B7 "CVRD Bylaw No. 3238 - Area B - Shawnigan Lake Official Community 42-50
 Plan Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008",
 adoption.

- | | | |
|-----|---|-------|
| B8 | "CVRD Bylaw No. 3239 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008", adoption. | 51-54 |
| B9 | "CVRD Bylaw No. 3241 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Cottyn Developments Ltd.), 2008" adoption. | 55-56 |
| B10 | "Cowichan Valley Regional District No. 3334 - Electoral Area F - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009", 1 st and 2 nd reading. | 58-59 |
| B11 | "Cowichan Valley Regional District Bylaw No. 3337 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Inwood Creek), 2009", 1 st and 2 nd reading. | 60-64 |
| B12 | "Cowichan Valley Regional District Bylaw No. 3338 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Inwood Creek Estates), 2009", 1 st and 2 nd reading. | 65-70 |
12. **RESOLUTIONS:**
- | | | |
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| RES1 | Appointment to the Electoral Area C - Cobble Hill Advisory Planning Commission | 71 |
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13. **UNFINISHED BUSINESS:**
14. **NOTICE OF MOTION:**
15. **NEW BUSINESS:**
16. **QUESTION PERIOD:**
- | | | |
|----|--------|--|
| a) | Public | |
| b) | Press | |
17. **CLOSED SESSION:**
- | | | |
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| CSM1 | Adoption of Closed Session Minutes of October 14, 2009 | 72-74 |
| CSM2 | Adoption of Special Closed Session Minutes of October 28, 2009 | 75-76 |
| CSCR1 | Potential Litigation {Sub (1) (g)} | 77 |
| CSR1 | Third Party Negotiations {Sub (2) (b)} | Verbal |
18. **ADJOURNMENT:**

The next Regular Board meeting will be held Wednesday, December 9, 2009 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

M1

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, October 14, 2009 at 6:01 pm.

PRESENT: Chair G. Giles,
Directors M. Dorey, L. Duncan, B. Harrison,
D. Haywood, R. Hutchins, L. Iannidinardo,
P. Kent <6:05 pm>, K. Kuhn, M. Marcotte <to 7:59 pm>,
T. McGonigle, I. Morrison, G. Seymour, T. Walker
and Alternate Director G. Gutensohn

ALSO Warren Jones, Administrator

PRESENT: Kathleen Harrison, Deputy Corporate Secretary
Sybille Sanderson, Acting General Manager Public Safety
Jim Wakeham, Manager,
Facility, Fleet & Transit Management

ABSENT: Director K. Cossey

APPROVAL OF AGENDA

09-512

It was moved and seconded that the agenda be amended with the addition of the following:

NB1 Staff Report from the Parks and Trails Manager

NB2 Report on Vancouver Island Health Authority

NB3 Chair's Report

CSNB1 Employee Relations {Sub (1) (c)}

and the deletion of Bylaws B10 and B11, and that the agenda, as amended, be approved.

MOTION CARRIED

6:05 pm

Director Kent joined the meeting at 6:05 pm.

ADOPTION OF MINUTES

09-513

It was moved and seconded that the minutes of the September 9, 2009 Regular Board meeting be adopted.

MOTION CARRIED

09-514

It was moved and seconded that the minutes of the September 23, 2009 Special Board meeting be adopted.

MOTION CARRIED

09-515

It was moved and seconded that the minutes of the September 14, 2009 Committee of the Whole meeting be adopted.

MOTION CARRIED

**BUSINESS ARISING
OUT OF MINUTES**

DELEGATIONS

REPORT OF CHAIR

RC1 The Chair discussed the appointment of a CVRD voting representative and alternate voting representative for the Cowichan Lake Community Forest Co-operative (CLCFC). The Chair further advised that the CLCFC Annual General Meeting will be held October 29, 2009 at 7:00 pm.

RC2 The Chair discussed the appointments required to the Cowichan Valley Regional Hospital District Health Advisory Committee and noted that Health Advisory Committee Chair Seymour will schedule a meeting at his earliest convenience.

09-516 **It was moved and seconded:**

- 1. That Director Kuhn be appointed voting representative and Director Morrison be appointed as alternate voting representative to the Cowichan Lake Community Forest Co-operative.**
- 2. That Directors Dorey, Iannidinardo and Kent be appointed to the Cowichan Valley Regional Hospital District Health Advisory Committee.**

MOTION CARRIED

RC3 The Chair forwarded an invitation from the Chemainus Branch of the Royal Canadian Legion to have a Director participate in the wreath laying at the Chemainus Cenotaph on November 11th at 10:30 am. Director Dorey kindly offered to participate in the ceremony.

RC4 Appointment to the Community Safety Advisory Committee

09-517 **It was moved and seconded that Candace Spilsbury be appointed to the Community Safety Advisory Committee.**

MOTION CARRIED

RC5 The Chair advised that the Boards of Education for School District No. 79 (Cowichan Valley) and School District No. 68 (Nanaimo-Ladysmith) have been requested to meet with the CVRD Board and senior staff to discuss areas of common concern and explore ways of working together to benefit communities.

It was the consensus of the Board that separate meetings be scheduled with SD79 and SD68 as each school district will have a different set of issues unique to their communities.

COMMITTEE REPORTS

CR1 The report and recommendations of the Regional Services Committee meeting of September 23, 2009 listing three items were considered.

- 09-518**
1. That "CVRD Bylaw No. 3252 - Chairperson, Directors and Alternate Directors Remuneration Amendment Bylaw, 2009" be forwarded to the Board for consideration of three readings and adoption.
 2. That the CVRD Car Allowance Policy, as attached to the Staff Report from the General Manager, Corporate Services dated September 14, 2009, be approved effective November 1, 2009.
 3. That the Chair and Corporate Secretary be authorized to sign the lease agreement with Rogers Communications Inc. for the Woodley Range Repeater Site that covers the period of January 1, 2007 to December 31, 2011.

MOTION CARRIED

CR2 The report and recommendations of the Electoral Area Services Committee meeting of October 6, 2009 listing eleven items were considered.

09-519 It was moved and seconded:

1. That the resignation of Lillian Talbot from the Area D Advisory Planning Commission, be accepted, and that a letter of appreciation be forwarded to Ms. Talbot.
2. That the request by Hylton McAlister to waive CVRD Noise Control Bylaw No. 1060, Section 3(G) for October 7th (midnight - 2:00 am) and October 8th (12:30 am - 3:00 am), to conduct low tide foundation work on the stilt home located at 1783B Cowichan Bay Road be approved.
3. That CVRD Building Permit fees be increased as per Option 2 of the Staff Report dated September 30, 2009, from Brian Duncan, Chief Building Inspector, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.

5. That a Reserve Fund Expenditure bylaw be prepared authorizing the expenditure of no more than \$50,000 from the community Parks General Reserve Fund (Area C - Cobble Hill) for the purpose of completing the Cenotaph Project, installation of pathway, electrical service and fencing at the Farmers Institute, and covering associated costs with acquisition of lands for park purposes; and that the bylaw be forwarded to the Board for consideration of three readings and adoption.
6. That a Grant-in-Aid request (Electoral Area F - Cowichan Lake South/Skutz Falls) in the amount of \$500 be given to the Sooke Region Museum, to assist with costs to produce and maintain a heritage sign for the giant spruce located along the Pacific Marine Route.
7. That a Grant-in-Aid request (Electoral Area E - Cowichan Station/Sahtlam/Glenora) in the amount of \$3,000 be given to the Cowichan Station Area Association, for costs to perform engineering assessments of the Cowichan Station School building.
8. That a Grant-in-Aid request (electoral Area B - Shawnigan Lake) in the amount of \$1,000 be given to the Shawnigan lake Community Association, to assist with costs associated with their Halloween event.

MOTION CARRIED

09-520

It was moved and seconded:

4. That the CVRD Dog Regulation bylaw No. 3032 be amended by changing the dog licence fee schedule to increase fees from \$20 to \$25 (before February) and from \$30 to \$35 (for remainder of year) plus, include a \$5 tag replacement fee, and further, that the amending bylaw be forwarded to the Board for consideration of three readings and adoption.

Opposed: Directors Duncan, Dorey and Harrison

MOTION CARRIED

09-521

It was moved and seconded:

9. That Application No. 3-I-09DVP by A. Gregory Woike for a variance to Section 3.20 and 3.2(1) of Zoning Bylaw No. 2465, by decreasing the setback to a watercourse for an accessory building from 15 metres down to 10.5 metres, and increasing the permitted size of an accessory building from 25 m² to 53 m² on Lot 2, Section 44, Renfrew District, Plan 79237, be approved, subject to:

- a) Receipt of a remedial landscaping plan of native riparian vegetation along the natural boundary of the lake, prepared by a registered professional biologist and approved by the CVRD,
 - b) Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 120% of the landscape costs, to be refunded after two years only if the plantings are successful and to the satisfaction of the registered professional biologist.
 - c) Registration of a protective covenant on the subject property, for an area 30 metres from the high water mark of Cowichan Lake prohibiting the building of structures and removal of vegetation, unless authorized by development permit.
10. That Application No. 6-B-09DVP by Andrew Smith for a variance to Section 5.10(b) of Zoning Bylaw No. 985, by increasing the maximum height of a fence from 1.2 metres (4 ft) and 1.8 metres (6 ft) to 3.66 metres (12 ft) at the north east end and 7.3 metres (24 ft) at the south east end of the length of the fence, on Lot 12, Block 4, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218, be approved, subject to receipt of an Engineer's report regarding construction of the fence, and registration of a save harmless covenant.
11. That a community sign be approved on South Shawnigan Lake Road in accordance with Schedules A and B of Staff Report dated September 29, 2009, from Rob Conway, Manager, subject to approval from the Ministry of Transportation and Infrastructure.

MOTION CARRIED

CR3

The report and recommendations of the Engineering and Environmental Services Committee meeting of September 23, 2009 listing four items were considered.

09-522

It was moved and seconded:

1. That the "CVRD Bylaw No. 3322 - Landclearing Management Regulation Amendment Bylaw, 2009" be forwarded to the Board for consideration of three readings and adoption.
3. That the purchase of office dividers from Remco Systems Ltd., which entails borrowing a maximum of \$22,000 through short-term borrowing to be paid back within 5-years under the Liabilities Agreement, Section 175 of the Community Charter, and further, that the 2009 Engineering & Environmental Services Control Budget 575 be amended accordingly, be forwarded to the Board for authorization.

MOTION CARRIED

09-523 It was moved and seconded:

2. That staff be directed to proceed with immediate full enforcement of "CVRD Bylaw No. 2020 - Landclearing Management Regulation Bylaw, 2009", now, rather than January 1, 2010.

Opposed: Directors Marcotte, Dorey, Morrison and Kuhn

MOTION CARRIED

09-524 *(Amended from original Committee recommendation):*

4. That a reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$15,000.00 from the Mesachie Lake Water System capital reserve fund to help finance a Well Protection Plan, and further, that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

CR4 The report and recommendation from the Island Savings Centre Commission meeting of October 8, 2009 listing one item was considered.

6:43 pm Director Hutchins left the Board Room at 6:43 pm.

09-525 It was moved and seconded that the Chair and Corporate Secretary be authorized to sign, on behalf of the CVRD, the "License of Occupation" for the front of the Aquannis Centre between the Cowichan Valley Regional District, the Corporation of the District of North Cowichan and the City of Duncan.

MOTION CARRIED

6:44 pm Director Hutchins returned to the Board Room at 6:44 pm.

CR5 The report and recommendations of the Cowichan Lake Recreation Commission meeting of September 24, 2009 listing three items were considered.

09-526 It was moved and seconded:

1. That the Chair and Corporate Secretary be authorized to sign a three-year agreement with a two-year renewal option, between the CVRD and Super Save Propane Enterprises Ltd. For the supply of propane to all the Cowichan Lake Recreation facilities. The estimated total yearly cost based on the same volume used in past years of 48,000 litres is \$23,500.

2. That the Chair and Corporate Secretary be authorized to enter into year 1 of a three-year option to renew with Pepsi Bottling Group for the provision of soft drinks for the period September 1, 2009 - August 31, 2010.
3. 1. That the CVRD Board request that the Liquor Control and Licensing Board approve the permanent change to Liquor License #300537 to allow for flexibility in programming and to allow for the extension of the liquor license to accommodate the annual Youbou Regatta Dance.
2. That the CVRD Board has taken into account:
 - The potential for noise if the application is approved: Noise is kept at a minimum as bowling occurs inside the facility.
 - The impact on the community if the application is approved: The bowling alley has been in existence since 1951 and bowling programs have been well received and supported by the community.
 - Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose: This is a liquor primary liquor license and Bowling is still the primary purpose of the facility
3. That the CVRD has invited comments from the Youbou residents regarding: the potential for noise if the application is approved; the impact on the community if the application is approved; the views of the residents on the application, by placing a public notice in two different local newspapers for two weeks. No comments were received.

MOTION CARRIED

STAFF REPORTS

SRI

The Staff Report from the Legislative Services Coordinator, dated September 21, 2009 re: Solid Waste Management Loan Authorization bylaw Nos. 3277 (Solid Waste Works) and 3278 (Operations Facility) - Notices of Alternative Approval Process and Elector Response Forms was considered.

09-527

It was moved and seconded:

1. That the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3277, be approved.

2. That the *Notice of Alternative Approval Process and the Elector Response Form* for CVRD bylaw No. 3278, be approved.

Opposed: Director Marcotte

MOTION CARRIED

SR2 The Staff Report from the Manager, Facility, Fleet and Transit Management dated September 30, 2009 re: Proposed Purchase of Two Ice Resurfacing Machines was considered.

09-528 It was moved and seconded:

1. That the CVRD Purchasing Policy be waived and staff be authorized to sole source the purchase of two propane fueled ice resurfacing machines from Crocker Equipment Company Ltd., one for the Island Savings Center and one for the Cowichan Lake Arena for a total amount not to exceed \$200,000 plus taxes.
2. That due to the lengthy delivery dates, approval be granted to order the machines in late 2009 with an approximate September 2010 delivery with the expenditure being funded out of the respective 2010 capital budgets.

Opposed: Directors Kent, Hutchins, Dorey and Iannidinardo

MOTION CARRIED

SR3 The Staff Report from the Acting General Manager Public Safety dated October 7, 2009 re: Mount Wood 9-1-1 Repeater Site Tower Replacement was considered.

09-529 It was moved and seconded:

1. That the tender bid received from Radian in the amount of \$197,030.43, including applicable taxes, be approved for the replacement of the Emergency 9-1-1 Repeater Tower located at the Mount Wood site.
2. That a reserve fund expenditure bylaw be prepared authorizing the expenditure of no more than \$198,000 from CVRD Bylaw No. 1734, cited as "CVRD - Emergency Telephone Extended Services E9-1-1) Capital Reserve Fund Bylaw, 1995", for the purpose of funding the replacement of the Emergency 9-1-1 Repeater Tower located at the Mount Wood site and that the bylaw be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

SR4 The Staff Report from the Finance Manager dated September 30, 2009 re: CVRD 5 Year Financial Plan Amendment was received for information.

SR5 The Staff Report from the Short Range Planner dated October 7, 2009 re: Zoning Amendment and Official Community Plan Amendment (Paul Cooper) was considered.

09-530 It was moved and seconded:

1. That Official Community Plan Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 be forwarded for consideration of first and second reading.
2. That a public hearing be scheduled with Directors Morrison, Marcotte, and Dorey delegated to the hearing.

MOTION CARRIED

BYLAWS

B1 It was moved and seconded that "CVRD Bylaw No. 3252 -
09-531 Chairperson, Directors and Alternate Directors Remuneration Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B1 It was moved and seconded that "CVRD Bylaw No. 3252 -
09-532 Chairperson, Directors and Alternate Directors Remuneration Amendment Bylaw, 2009" be adopted.

MOTION CARRIED

B2 It was moved and seconded that "CVRD Bylaw No. 3298 - Kerry
09-533 Village Water System Service Amendment Bylaw, 2009" be adopted.

MOTION CARRIED

B3 It was moved and seconded that "CVRD Bylaw No. 3299 - Kerry
09-534 Village Sewer System Service Amendment Bylaw, 2009" be adopted.

MOTION CARRIED

B4 It was moved and seconded that "Cowichan Valley Regional District
09-535 Bylaw No. 3318 - Tax Exemption (Permissive) Bylaw, 2009" be adopted.

MOTION CARRIED

**B5
09-536** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3326 - Five Year Financial Plan (2009 - 2013) Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B5
09-537** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3326 - Five Year Financial Plan (2009 - 2013) Amendment Bylaw, 2009" be adopted.

MOTION CARRIED

**B6
09-538** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3327 - Building Fee Amendment Bylaw, 2009" be referred back to staff for clarification of fees for Manufactured/Mobile homes and relocated buildings as noted on Appendix A of the bylaw.

MOTION CARRIED

**B7
09-539** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3328 - Ticket Information Authorization Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

**B7
09-540** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3328 - Ticket Information Authorization Amendment Bylaw, 2009" be adopted.

Opposed: Directors Marcotte and Morrison

MOTION CARRIED

**B8
09-541** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3329 - Dog Regulation and Impounding (Annual Fees) Amendment Bylaw, 2009" be granted 1st, 2nd and 3rd reading.

Opposed: Directors Duncan and Harrison

MOTION CARRIED

**B8
09-542** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3329 - Dog Regulation and Impounding (Annual Fees) Amendment Bylaw, 2009" be adopted.

Opposed: Director Harrison

MOTION CARRIED

B9
09-543 It was moved and seconded that "CVRD Bylaw No. 3234 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Bahler), 2009", be adopted.

MOTION CARRIED

B10 Deleted upon Approval of Agenda.

B11 Deleted upon Approval of Agenda.

B12
09-544 It was moved and seconded that "CVRD Bylaw No. 3282 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009" be granted 3rd reading.

MOTION CARRIED

B13
09-545 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3330 - Area E - Cowichan Station/Sahtlam/Glenora and Area F - Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Cooper), 2009" be granted 1st and 2nd reading.

MOTION CARRIED

B14
09-546 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3331 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cooper), 2009" be granted 1st and 2nd reading.

MOTION CARRIED

RESOLUTIONS

RES 1
09-547 It was moved and seconded that the following appointment to the Electoral Area A - Mill Bay/Malahat Parks and Recreation Commission be approved:

Term to expire December 31, 2009

Appointed:

Cathy Leslie

MOTION CARRIED

NEW BUSINESS

NB1 The Staff Report from the Parks and Trails Manager dated October 14, 2009 re: Expenditure of Island Coastal Economic Trust Grant Funding was considered.

It was noted that a Kinsol Trestle report will be coming forward in November with the question of tenure being resolved.

09-548 It was moved and seconded that the Chair and Corporate Secretary be authorized to execute the necessary documents on behalf of the CVRD and the Island Coastal Economic Trust (ICE-T) for the expenditure of grant funding approved by ICE-T for the Cowichan Valley Trail (CVT) Initiative project, inclusive of CVT Northern Completion components and the historic Kinsol Trestle Rehabilitation Project.

MOTION CARRIED

NB2 Director Seymour reported on the Vancouver Island Health Authority Annual meeting he attended September 25th. Issues discussed were: an update on the 5 year plan; the 2010/2011 planning process; impacts on budget management; and the role the CVRD should assume for funding projects at Cowichan District Hospital.

NB3 Noted previously under Report of the Chairperson.

7:59 pm Director Marcotte left the meeting at 7:59 pm.

**RESOLVING INTO
CLOSED SESSION**

09-549 It was moved and seconded that the meeting be closed to the public in
7:59 pm accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (f) Law Enforcement and (l) Regional Objectives.

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

09-554 It was moved and seconded that the Board rise with report on CSCRI
8:29 pm and return to the Regular portion of the meeting.

MOTION CARRIED

09-552 It was moved and seconded:

1. That a staff report be prepared outlining the financial implications that would result from the separation of Electoral Areas A, B and C from the Planning, Parks, Building and Bylaw

Enforcement functions; and further, that the report advise how separation would relate to existing services and budget costs for all nine electoral areas, review opportunities, show cost projections for provision of services, and provide delivery options.

MOTION CARRIED

RESOLVING INTO
CLOSED SESSION

09-555
8:30 It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (c) Employee Relations.

MOTION CARRIED

RISE FROM
CLOSED SESSION

09-557 It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.

MOTION CARRIED

ADJOURNMENT

09- 558
9:28 pm It was moved and seconded that the Regular Board meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 9:28 pm

Certified Correct:

Chairperson

Deputy Corporate Secretary

Dated: _____

M2

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, October 28, 2009 at 5:45 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey <5:48 pm> M. Dorey, L. Duncan,
B. Harrison, D. Haywood, L. Iannidinardo,
P. Kent, K. Kuhn, M. Marcotte, T. McGonigle,
I. Morrison, G. Seymour <5:51 pm>, and T. Walker

ALSO Warren Jones, Administrator
PRESENT: Kathleen Harrison, Deputy Corporate Secretary
Mark Kueber, General Manager, Corporate Services
Tom Anderson, General Manager, Planning and
Development
Brian Dennison, General Manager, Engineering and
Environmental Services
Jacob Ellis, Manager, Corporate Planning

ABSENT: Director R. Hutchins

APPROVAL OF AGENDA

09-559

It was moved and seconded that the agenda be amended with the addition of the following:

NB1 Electoral Area Services Committee Report;
NB2 CVRD Bylaw No. 3327, 1st, 2nd, 3rd reading and adoption;
CSC Third Party Negotiations {Sub (2) (b)}; and
that the agenda, as amended, be approved.

MOTION CARRIED

NEW BUSINESS

NB1

Report and recommendation of the Electoral Area Services Committee meeting of October 28, 2009 listing one item was considered.

09-560

It was moved and seconded:

That Building Fee Amendment Bylaw No. 3327 be referred back to the Regional Board for consideration of three readings and adoption.

MOTION CARRIED

NB2

09-561

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3327 - Building Fee Amendment Bylaw, 2009", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

09-562 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3327 - Building Fee Amendment Bylaw, 2009", be adopted.

MOTION CARRIED

5:48 pm Director Cossey joined the meeting at 5:48 pm.

**RESOLVING INTO
CLOSED SESSION**

09-563 It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1)(k) Proposed Services and (2)(b) Third Party Negotiations.
5:49 pm

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

09-566 It was moved and seconded that the Board rise with report regarding item CSSR1 and return to the Regular portion of the meeting.
6:04 pm

MOTION CARRIED

09-564 It was moved and seconded:

That the CVRD Board Chair and Corporate Secretary be authorized to sign the Memorandum of Understanding between the CVRD, the District of North Cowichan and the City of Duncan, which outlines the terms under which Electoral Area D will become a funding partner in the Cowichan Aquatic Centre.

MOTION CARRIED

ADJOURNMENT

09-567 It was moved and seconded that the Special Board meeting be adjourned.
6:05 pm

MOTION CARRIED

The meeting adjourned at 6:05 pm

Certified Correct:

Chairperson

Deputy Corporate Secretary

Dated: _____



CR1

REGIONAL SERVICES COMMITTEE REPORT

OF REGULAR MEETING HELD OCTOBER 28, 2009

DATE: November 3, 2009

To: Chairperson and Directors of the Board

Your Regional Services Committee reports and recommends as follows:

1. That the following appointments to the Environment Commission be approved:

Appointed for a term to expire December 31, 2010:

Chris Wood
Peter Keber
Rodger Hunter
Roger Wiles.



**ELECTORAL AREA SERVICES
COMMITTEE REPORT**

OF MEETING HELD OCTOBER 20, 2009

DATE: October 21, 2009

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That ticketing only be enforced respecting the “sale of fireworks” and “discharge of fireworks in public places” in accordance with CVRD Ticket Bylaw No. 3209; that the existing Fireworks Safety Awareness Information package be made available to the public and require that the Fireworks Operator form be signed and returned; and further, that the CVRD embark on setting up an education program and permit system for next year’s Halloween season.
2. That the resignation of Gary Fletcher from the Area H Advisory Planning Commission be accepted and that a very “Special” letter of appreciation for his valuable and lengthy term of service be forwarded to Mr. Fletcher.
3. That the resignation of John Bertinoli from the Area C Advisory Planning Commission be accepted and that a letter of appreciation be forwarded to Mr. Bertinoli.

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

4.
 1. That Application No. 4-I-09DP by Clem Huot for the construction of a single family dwelling on Lot 4, Section 45, Renfrew District, Plan 19229 be approved, subject to compliance with the measures and recommendations outlined in RAR assessment report No. 1327
 2. That Application No. 2-I-09DVP by Clem Huot for a variance to Section 5.1(5) of Zoning Bylaw No. 2465, by increasing the permitted height of a residence from 10 m to 11.5 m on Lot 4, Section 45, Renfrew District, Plan 19229, be approved, subject to the applicant providing a survey confirming compliance with the approved height limit.
5. That the request by Mill Bay Marina Residences Ltd. to extend the validity of CVRD Board Resolution No. 07-830 respecting Application No. 9-A-07DP, be denied and that Board Resolution 07-830 be rescinded.

6.
 1. That Application No. 1-A-09DP (Aecom Canada Ltd./Phase 10, Mill Springs) be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for an 18 lot phase of subdivision on District Lot 46, Malahat District, except parts in Plan VIP68911, VIP78297, VIP82480 and strata Plan VIS4795 (Phase 3, and 5 to 9) and Except Plan VIP83878, and VIP85356 and VIP85745.
 2. That the Ministry of Transportation and Infrastructure be requested to remove the fire gate at Deloume Road (west of Phase 10) and open the road to public traffic.

7. That Application No. 4-D-09DP (Craig Partridge/Ron Sharpe) be approved, and that a development permit be issued to 0708322 B.C. Ltd. for the construction of a 14-unit apartment building on Botwood Lane, Cowichan Bay, on Amended Lot 1 (DD 90309¹) Block N, Section 6, Range 4, Cowichan District, Plan 79 (PID: 009-325-298); Amended Lot 2 (DD EP44723) Block N, Section 6, Range 4, Cowichan District, Plan 79 (PID: 009-329-552); and Amended Lot 3 (DD EP44724) Block N, Section 6, Range 4, Cowichan District, Plan 79, except that part lying West of the East boundary of the Island Highway (PID: 009-329-889), subject to:
 - a. Submission of a suitable lighting plan which limits off-site glare, prior to permit issuance;
 - b. The protection of the building by sprinkling;
 - c. Access to the site being acceptable to Cowichan Bay Volunteer Fire Rescue, specifically NFPA 299 and 1141;
 - d. Consolidation of the three subject properties into a single lot.

8. That Application No. 1-F-07ALR submitted by Ian De Lisle of Hancock Forest Management made pursuant to Section 17(3) of the *Agricultural Land Commission Act* to include land within the Agricultural Land Reserve (ALR) be forwarded to the Agricultural Land Commission for their consideration with a recommendation to approve the application and further if the application is approved that the portions of the subject properties within the ALR be re-designated from Forestry to Agriculture within the Official Community Plan.

9. That Application No. 3-F-08RS (CVRD for Ministry of Environment) to amend Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 by rezoning Lot 1, Section 37, Renfrew District (Situate in Cowichan Lake District) Plan VIP82826, be approved and that proposed Zoning Amendment Bylaw No. 2981 be forwarded to the Board for consideration of first and second reading; that a public notice process occur in place of a public hearing; and further that the referral to the Ministries of Transportation and Infrastructure, Community and Rural Development, and Environment, the Agricultural Land Commission, Ditidaht First Nation, Lake Cowichan First Nation, Hul'qumi'num Treaty Group be accepted.



ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD NOVEMBER 3, 2009

DATE: November 4, 2009

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the resignation of Kashmir Dasanjh from the Board of Variance be accepted, and that the CVRD proceed with the appropriate process to fill the vacant Board of Variance position.
2. That a Grant-in-Aid (Electoral Area I – Youbou/Meade Creek) in the amount of \$1800 be given to Me and You Nites Social Association, to assist with general costs and insurance for events.
3. That an amending bylaw be prepared for a naming change of “CVRD Bylaw No. 2473 – South End Parks Commission Establishment Bylaw, 2003” to rename the “South End Parks Commission” to the “South Cowichan Parks Commission”, and that the amending bylaw be forwarded to the Board for consideration of three readings and adoption.
4. That an amending bylaw be prepared for a naming change of “CVRD Bylaw No. 2232 – South End Parks Service (Electoral Areas A – Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill, and D – Cowichan Bay, Establishment Bylaw, 2001” to rename the “South End Parks Service” to the “South Cowichan Parks Service”, and that the amending bylaw be forwarded to the Board for consideration of three readings and adoption.

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

5. That the request by Mill Bay Marina Residences Ltd. to extend the validity of CVRD Board Resolution No. 07-830 respecting Application No. 9-A-07DP, be approved, and that the applicants be given to December 31, 2009, to comply with the list of development permit conditions.
6. That Application No. 2-H-09ALR (Hobson) regarding a second dwelling on Lot A, District Lot 89, Oyster District, Plan 41057, be forwarded to the Agricultural Land Commission with a recommendation to approve. The ALC may wish to consider having the existing residence decommissioned when it is no longer required for farm or family use.

7. That Application No. 4-A-06RS (Bamberton) proceed as follows:
 - a. That detailed consultations with the Malahat First Nation, Ministry of Transportation and Infrastructure, and other agencies as appropriate, commence on the topic of the Bamberton application and that other local first nations on the original referral list plus Cowichan Tribes also be contacted regarding this application;
 - b. That a draft Official Community Plan amendment, Zoning amendment and Phased Development Agreement (PDA) be prepared in accordance with advice from the APC, staff and CVRD legal counsel over the coming months, and discussions with the applicants regarding proposed amenities be concluded in order to develop the PDA to draft stage;
 - c. That the draft documents and an accompanying detailed staff report including referral agency comments be brought before a future Electoral Area Services Committee with a recommendation as to whether it is appropriate to proceed with the amendments to the public meeting/public hearing stage.

8. That Amendment Bylaws for Application No. 2-E-08RS (Inwood Creek Estates) be forwarded to the Board for consideration of first and second reading ; that a public hearing be scheduled with Directors Duncan, Morrison and Iannidinardo appointed as delegates to the public hearing; and further, that the application referrals to the Ministry of Community Services, the Ministry of Transportation and Infrastructure, the Ministry of Forests, Sahtlam Volunteer Fire Department, Vancouver Island Health Authority, Cowichan Tribes and School District 79 be accepted.



ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD OCTOBER 28, 2009

DATE: November 2, 2009

To: Chair and Directors of the Cowichan Valley Regional District

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

1. That the 2009 Budget to *Transfer to Reserve* fund transfer for the Arbutus Mountain Sewer System be cancelled.
2. That the Board authorize short-term borrowing of \$50,000.00 for Honeymoon Bay Water System capital upgrades, to be paid back within 5-years under the Liabilities Agreement, Section 175 of the Community Charter.
3. That the Board authorize short-term borrowing of \$8,250.00 for Maple Hills Sewer System capital upgrades, to be paid back within 5-years under the Liabilities Agreement, Section 175 of the Community Charter.
4. That the Board authorize the allocation of funding under the 2007-2009 Community Works Fund for Mesachie Lake Sewer Collection and Disposal System Upgrade be deferred until the 2010-2014 Community Works Fund Program extension, and that the targeted funds of \$352,000 be allocated to the following three projects:
 - 1) Extension of the Lambourn Outfall Extension (\$328,116)
 - 2) Maple Hill Sewer Emergency RBC Repair (\$16,750)
 - 3) Shawnigan Lake Weir Fish Ladder (\$7,134).
5. That the Board authorize the *Transfer to Reserve* for Budget 800 – Cowichan Bay Sewer System be reduced in 2009 from \$56,295.00 to \$17,500.00.
6.
 - .1 That the CVRD (in conjunction with The District of North Cowichan) undertake to develop an emergency plan for the disposal of Farmed Animal Carcasses and that an application be submitted to UBCM for funding of this initiative.
 - .2 That the CVRD Board approve award of a \$12,500 contract (including taxes) to St. John & Associates Projects Inc. for development of an emergency plan for Farmed Animal Mass Carcass disposal for the region.



SR1

STAFF REPORT
BOARD MEETING
OF NOVEMBER 12, 2009

DATE: November 4, 2009 BYLAW No: 3320
FROM: J.E. Barry, Corporate Secretary
SUBJECT: Cowichan Aquatic Centre Annual Contribution Service – Notice of Alternative Approval Process and Elector Response Form

Recommendation:

That the *Notice of Alternative Approval Process* and the *Elector Response Form* for Bylaw No. 3320 be approved.

Purpose:

To set the deadline for *Elector Response Form* submissions for "CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009".

Background:

CVRD Bylaw No. 3320 was granted first three readings by the Board of Directors at its meeting held September 9, 2009, and was forwarded to the Inspector of Municipalities for approval. Provincial approval has now been received, and therefore, the Board may now proceed with obtaining elector consent through an alternative approval process.

Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses for an alternative approval process. The attached Notice of Alternative Approval Process and Elector Response Form set the deadline for responses at 4:30 pm on Tuesday January 12, 2010. The Board of Directors will receive the results at the Board meeting on January 13, 2010.

Submitted by,

A handwritten signature in black ink, appearing to read "J.E. Barry", is written over the printed name and title.

J.E. Barry
Corporate Secretary

Attachments



**NOTICE TO ELECTORS OF
ELECTORAL AREA D – COWICHAN BAY**

**OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR
CVRD SERVICE ESTABLISHMENT BYLAW NO. 3320**

NOTICE IS HEREBY GIVEN that the Board of the Cowichan Valley Regional District proposes to adopt “CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009”.

BYLAW SUMMARY

If adopted, Bylaw No. 3320 will allow the Cowichan Valley Regional District to provide the Cowichan Aquatic Centre with an annual financial contribution of up to \$132,000 per year. The purpose of the contribution is to assist the Cowichan Aquatic Centre with costs associated with the operation and maintenance of the facility. The maximum cost to residential property owners within Electoral Area D – Cowichan Bay with a residential property assessed at \$100,000. would be \$27.39 per annum, as set out in the table below. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:00 a.m. - 4:30 p.m., excluding December 25, 2009 to January 1, 2010 inclusive. A copy of the bylaw is also available on the CVRD website at www.cvrld.bc.ca

Calculation Table

Net Taxable Value (Land & Improvements)	Maximum Annual Cost Per Residential Property Owner	Number of Electors in the Service Area	10% of the Electors
\$100,000	\$27.39	2,898	290

ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later** than 4:30 p.m. on Tuesday January 12, 2010. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of Electoral Area D – Cowichan Bay, are entitled to sign. The service area includes all of Electoral Area D – Cowichan Bay. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

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

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

If less than 10% (290) of the service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 2,898.

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



**ELECTOR RESPONSE FORM
BYLAW NO. 3320**

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3320 – Cowichan Aquatic Centre Annual Contribution Service Establishment Bylaw, 2009" which authorizes the Regional District to provide an annual financial contribution to the Cowichan Aquatic Centre of up to One Hundred and Thirty-Two Thousand Dollars (\$132,000.) to assist with costs associated with the operation and maintenance of the facility. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this *Elector Response Form* to the Regional District office by Tuesday January 12, 2010. Only those persons who live or own property within Electoral Area D – Cowichan Bay and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

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

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

NAME OF ELECTOR:

(Please Print Full Name)

ELECTOR STREET ADDRESS:

or

Address of property in relation to which I am entitled to register as a non-resident property elector (**non-resident property electors only**)

(contact telephone number including area code)

SIGNATURE OF ELECTOR:

NOTE: The elector response form must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before **Tuesday January 12, 2010**. Regular office hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, (excluding December 25, 2009 to January 1, 2010 inclusive).

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



SR2

STAFF REPORT

REGULAR BOARD MEETING OF NOVEMBER 12, 2009

DATE: October 28, 2009 **FILE NO:** E Zoning Bylaw

FROM: Mike Tippett, Manager **BYLAW NO:** 1840
Community and Regional Planning Division

SUBJECT: Zoning Amendment Bylaw No. 3334
Proposed amendment to the provisions of the Heavy Industrial 2 Zone
(Electoral Area E)

Recommendation:

That Zoning Amendment Bylaw No. 3334 be forwarded to the Board for consideration of 1st and 2nd readings; that a public hearing be arranged and that Directors Duncan, Iannidinardo and Giles be appointed as delegates to the hearing; and further that the amendment be referred to the Ministry of Forests, Ministry of Transportation and Infrastructure, Ministry of Rural and Community Development, and Cowichan Tribes.

Purpose:

To advise the Board on the procedure required to consider the reduction of permitted uses on I-2 zoned properties in Electoral Area E. This matter rises with report from a closed session of the Electoral Area Services Committee, on this agenda.

Financial Implications:

Usual costs for a zoning process.

Interdepartmental/Agency Implications:

Referrals should address that question, which would be available before public hearing.

Background:

This report is supplemental to the item arising with report from closed session of the Electoral Area Services Committee and is focused on Bylaw 3334, also on this agenda. The EASC is recommending that Area E Zoning Bylaw #1840 be altered in order to bring it into compliance with OCP Policy 10.3.1 of the Cowichan Koksilah Official Community Plan. Policy 10.3.1 is very specific about what uses will be permitted on the three parcels in Electoral Area E that are in the I-2 Zone, and the Committee is recommending that this policy be implemented now.

Submitted by,

Mike Tippett, MCIP
Manager
Community and Regional Planning Division
Planning and Development Department
MT/ca

Department Head's Approval
Signature



SR3

STAFF REPORT

**REGULAR BOARD MEETING
OF NOVEMBER 12, 2009**

DATE: November 4, 2009 **FILE NO:** 10-B-07RS
FROM: Tom Anderson, General Manager **BYLAW NO:** 3238/3239
SUBJECT: OCP Amendment Bylaw No. 3238 and
Zoning Amendment Bylaw No. 3239
(Malahat Joint Ventures/Lintaman)

Action:

That the Regional Board proceed with consideration of final adoption of OCP Amendment Bylaw No. 3238 and Zoning Amendment Bylaw No. 3239.

Purpose:

To provide the Regional Board an update on the status of the conditions that must be addressed prior to consideration of final adoption.

Financial Implications:

Not applicable

Interdepartmental/Agency Implications:

Not applicable

Background:

On May13, 2009 the Regional Board passed a resolution which required that the following conditions be addressed prior to consideration of final adoption of the above noted bylaws:

- The owner providing a work plan and a letter of credit in an amount deemed acceptable to the CVRD Planning and Development Department, along with the appropriate agreements necessary to undertake screening on the industrial parcels along the south side of Shawnigan Lake Road, adjacent to Stebbings Road.
- The owner providing a covenant on the title of the subject property, ensuring that a water source for the Malahat Fire Department, acceptable to the Protective Services Department, will be provided on the subject property prior to subdivision or construction taking place.

- The owner providing a community sign along South Shawnigan Lake Road, to the specifications acceptable to the CVRD Planning and Development Department, or providing a letter of credit in an amount appropriate to ensuring that the sign is erected as specified in an appropriate location.
- The owner establishing baseline noise levels prior to final adoption of the bylaws.

Please be advised that the conditions noted above have now been addressed by the applicant.

Submitted by,

A handwritten signature in black ink, appearing to read 'Tom Anderson', with a long horizontal flourish extending to the right.

Tom Anderson,
General Manager
Planning and Development Department

TA/ca



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3280

A Bylaw to Establish a Water Service in a Portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora

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

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a water service in a portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora;

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

AND WHEREAS pursuant to Section 797.4 of the *Local Government Act* the Board of the Cowichan Valley Regional District has received a sufficient "*petition for services*";

AND WHEREAS the Director of Electoral Area E – Cowichan Station/Sahtlam/Glenora has consented, in writing, to the adoption of this bylaw;

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. 3280 – Dogwood Ridge Water System Service Establishment Bylaw, 2009**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the service of the provision, distribution and treatment of water.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora shown outlined in Schedule A of this bylaw. The service area shall be known as the "Dogwood Ridge Water System Service Area".

.../2

4. PARTICIPATING AREA

Electoral Area E – Cowichan Station/Sahtlam/Glenora is the only participating area for this service.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by:

- (a) parcel taxes, to be requisitioned and collected by imposing the tax on the appropriate parcels within the participating area, on the basis of the parcel tax roll; and
- (b) the imposition of fees and other charges that may be fixed by separate bylaw.

6. MAXIMUM REQUISITION

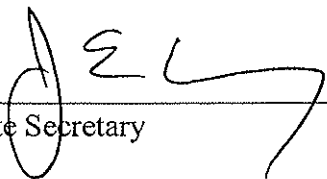
The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Twenty Three Thousand One Hundred Dollars (\$23,100.00).

READ A FIRST TIME this 12th day of August, 2009.

READ A SECOND TIME this 12th day of August, 2009.

READ A THIRD TIME this 12th day of August, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3280 as given Third Reading on the 12th day of August, 2009.



 Corporate Secretary

AUGUST 20, 2009

 Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

13th day of October 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3281

**A Bylaw to Authorize the Borrowing of Funds to Upgrade the Works of the
Dogwood Ridge Water System to Municipal Standards**

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

AND WHEREAS the Board of the Cowichan Valley Regional District established a *Water Service Area* pursuant to CVRD Bylaw No. 3280 cited as "CVRD Bylaw No. 3280 – Dogwood Ridge Water System Service Establishment Bylaw, 2009" for the provision, distribution and treatment of water within a portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to borrow money to complete the capital work necessary to upgrade the Dogwood Ridge Water System to a municipal standard;

AND WHEREAS the estimated total cost of upgrading the works of the Dogwood Ridge Water System is Two Hundred Twenty Thousand Dollars (\$220,000.00);

AND WHEREAS the sum to be borrowed is not to exceed Two Hundred Twenty Thousand Dollars (\$220,000.00), which is the amount of debt to be created by this bylaw;

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

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors for this bylaw and Bylaw No. 3280 in accordance with the *Local Government Act* and *Community Charter*;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3281 – Dogwood Ridge Water System Service Loan Authorization Bylaw, 2009**".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to complete the capital work necessary to upgrade the Dogwood Ridge Water System in general accordance with the plans on file in the Regional District office, and to do all things necessary in connection therewith and, without limiting the generality of the foregoing:

- a) to borrow upon the credit of the Regional District a sum not exceeding Two Hundred Twenty Thousand Dollars (\$220,000.00);
- b) to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the designing and constructing of the water works.

3. TERM OF DEBENTURES

The maximum term for which debentures may be issued to secure the debt created by this bylaw is 25 years;

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

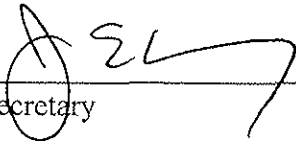
This bylaw relates to the *Dogwood Ridge Water System Service Area* established pursuant to CVRD Bylaw No. 3280, cited as "CVRD Bylaw No. 3280 - Dogwood Ridge Water System Service Establishment Bylaw, 2009".

READ A FIRST TIME this 12th day of August, 2009.

READ A SECOND TIME this 12th day of August, 2009.

READ A THIRD TIME this 12th day of August, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3281 as given Third Reading on the 12th day of August, 2009.


Corporate Secretary

AUGUST 20, 2009
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 13th day of October, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3332

A Bylaw Authorizing the Expenditure of Funds from the
Emergency Telephone Extended Service (E9-1-1) Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 1734

WHEREAS as of September 30, 2009 , there is an unappropriated balance in the *Emergency Telephone Extended Service (E9-1-1) Capital Reserve Fund* of Two Hundred Thirty-five Thousand Six Hundred and Thirty-Six Dollars (\$235,623.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2008	\$233,939.
ADD: Additions to the Fund, Including interest earned for the current year to date.	\$ <u>1,697.</u>
	\$235,636.
DEDUCT: Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE In Reserve Fund as at September 30, 2009:	<u>\$235,636.</u>

AND WHERAS it is deemed desirable and expedient to expend not more than One Hundred Ninety-Eight Thousand Dollars (\$198,000.) of the said balance for the purpose of funding the replacement of the Emergency 9-1-1 Repeater Tower located at the Mount Wood site;

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. 3332 - CVRD - Emergency Telephone Extended Service (E9-1-1) Capital Reserve Fund Expenditure (Mount Wood Repeater Tower) Bylaw, 2009".

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of One Hundred Ninety-Eight Thousand Dollars (\$198,000.), is hereby appropriated from the *Emergency Telephone Extended Service (E9-1-1) Capital Reserve Fund* for the purpose of funding the replacement of the Emergency 9-1-1 Repeater Tower located at the Mount Wood site.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution adopted October 14, 2009.

3. SUMS REMAINING

Should any of the said sum of One Hundred Ninety-Eight Thousand Dollars (\$198,000.) 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. 3333

A Bylaw Authorizing the Expenditure of Funds from the
Regional Park Reserve Fund
Established Pursuant to CVRD Bylaw No. 271

WHEREAS as of September 30, 2009 , there is an unappropriated balance in the *Regional Park Reserve Fund* of One Hundred Forty-Eight Thousand Two Hundred and Eighty-Four Dollars (\$148,284.) that has been calculated as follows:

BALANCE in Reserve fund as at
December 31, 2008: \$186,928.

ADD: Additions to the Fund,
Including interest earned
for the current year to date. \$ 1,356.
\$188,284.

DEDUCT: Commitments outstanding under
bylaws previously adopted. \$ 40,000.

UNCOMMITTED BALANCE
In Reserve Fund as at September 30, 2009: \$148,284.

AND WHERAS it is deemed desirable and expedient to expend not more than One Hundred Forty Thousand Dollars (\$140,000.) of the said balance for the purpose of carrying out capital improvements to the Cowichan Valley Trail on sections between the Town of Lake Cowichan and Duncan; and within the E&R rail corridor within Chemainus;

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. 3333 - Regional Park Reserve Fund Expenditure (Cowichan Valley Trail) Bylaw, 2009**".

.../2

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of One Hundred Forty Thousand Dollars (\$140,000.) is hereby appropriated from the *Regional Park Reserve Fund* for the purpose of carrying out capital improvements to the Cowichan Valley Trail on sections between the Town of Lake Cowichan and Duncan; and within the E&R rail corridor within Chemainus.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution adopted July 8, 2009.

3. SUMS REMAINING

Should any of the said sum of One Hundred Forty Thousand Dollars (\$140,000.) 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. 3335

A Bylaw Authorizing the Expenditure of Funds from the
Electoral Area C Community Parks Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 2734

WHEREAS as of September 30, 2009, there is an unappropriated balance in the *Electoral Area C Community Parks Capital Reserve Fund* of One Hundred Ninety Thousand Four Hundred Ninety-Four Dollars (\$190,494.) 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.	<u>\$ 1,804.</u>
		\$250,494.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>\$60,000.</u>
UNCOMMITTED BALANCE In Reserve Fund as at September 30, 2009:		<u>\$190,494.</u>

AND WHERAS it is deemed desirable and expedient to expend not more than Fifty Thousand Dollars (\$50,000.) of the said balance for the purpose of completing the Cenotaph Project, installation of pathway, electrical service and fencing at the Farmers Institute, and covering associated costs with acquisition of lands for park purposes;

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

.../2

1. CITATION

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3335 - Electoral Area C Community Parks Capital Reserve Fund Expenditure (Cenotaph Project, Farmers Institute and Park Land Acquisition Costs) Bylaw, 2009".

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Fifty Thousand Dollars (\$50,000.), is hereby appropriated from the *Electoral Area C Community Parks Capital Reserve Fund* for the purpose of completing the Cenotaph Project, installation of pathway, electrical service and fencing at the Farmers Institute, and covering associated costs with acquisition of lands for park purposes.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution adopted October 14, 2009.

3. SUMS REMAINING

Should any of the said sum of Fifty Thousand Dollars (\$50,000.) 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. 3336

A Bylaw Authorizing the Expenditure of Funds from the
Mesachie Lake Water System Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 1183

WHEREAS as of September 30, 2009, there is an unappropriated balance in the *Mesachie Lake Water System Capital Reserve Fund* of Eighty-Nine Thousand Seven Hundred Ninety-Four Dollars (89,794.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2008		\$109,003.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	\$ <u>791.</u>
		\$109,794.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	\$ <u>20,000.</u>
UNCOMMITTED BALANCE In Reserve Fund as at September 30, 2009:		\$ <u>89,794.</u>

AND WHERAS it is deemed desirable and expedient to expend not more than Fifteen Thousand Dollars (\$15,000.) of the said balance for the purpose of assisting with the financing of a Well Protection Plan;

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. 3336 - Mesachie Lake Water System Capital Reserve Fund Expenditure (Well Protection Plan) Bylaw, 2009".

.../2

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Fifteen Thousand Dollars (\$15,000.) is hereby appropriated from the *Mesachie Lake Water System Capital Reserve Fund* for the purpose of assisting with the financing of a Well Protection Plan.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution adopted October 14, 2009.

3. SUMS REMAINING

Should any of the said sum of Fifteen Thousand Dollars (\$15,000.) 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. 3238

A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 1010, Applicable To Electoral Area B – Shawnigan Lake

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 B – Shawnigan Lake, that being Official Community Plan Bylaw No. 1010;

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. 1010;

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. 3238 - Area B – Shawnigan Lake Official Community Plan Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1010, 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 14th day of January, 2009.

READ A SECOND TIME this 14th day of January, 2009.

READ A THIRD TIME AS AMENDED this 13th day of May, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3238

Schedule A to Official Community Plan Bylaw No. 1010, is hereby amended as follows:

1. That the following be added after Policy 12.8:

Policy 12.9 ECO-INDUSTRIAL DEVELOPMENT PERMIT AREA

I. Category

- (a) The Eco-Industrial Development Permit Area is designated pursuant to Section 919.1(1)(a), (b), (e), (f), (h), (i) and (j), for
 - (a) Protection of the natural environment, its ecosystems and biodiversity;
 - (b) Protection of development from hazardous conditions,
 - (c) Establishment of objectives for the form and character of intensive residential development;
 - (d) Establishment of objectives for the form and character of commercial, industrial and multifamily residential development;
 - (e) Establishment of objectives to promote energy conservation;
 - (f) Establishment of objectives to promote water conservation; and
 - (g) Establishment of objectives to promote the reduction of greenhouse gas emissions.

II. Justification

- (a) The CVRD Board wishes to encourage a very high standard of visual quality in the Shawnigan Lake area. The Shawnigan Lake Road corridor is a main corridor to the South Cowichan and shall leave a favourable impression upon visitors and residents, and enhance their enjoyment of the area.
- (b) The CVRD wishes to ensure that the design of any industrial development within Electoral Area B Shawnigan Lake has a very high standard of aesthetic quality, in keeping with the community's high expectations for visual quality.
- (c) The CVRD wishes to ensure that industrial lands shall be developed without negative impacts to adjacent lands.
- (d) Land uses within the Shawnigan Lake Industrial Development Permit Area may impact Shawnigan Lake and streams, wetlands and the underlying aquifer. An objective of the CVRD Board is to ensure that the integrity of surface water and groundwater is protected from inappropriate development.
- (e) The CVRD Board wishes to ensure that land (including wildlife habitat), water and air quality is protected.

.../2

- (f) The CVRD Board wishes to ensure that the industrial development offers safety and accessibility and is adequately landscaped and screened.
- (g) The Board wishes to promote energy conservation, water conservation and a reduction in greenhouse gas emissions.

III. *Scope*

The Eco Industrial Development Permit Area applies to those lands shown outlined in a thick black line on Figure 5f.

IV. *Guidelines*

Prior to commencing any development, including subdivision, construction or land clearing, on lands within the Eco Industrial Development Permit Area, the owner shall obtain a development permit that conforms to the following guidelines:

- (a) A Canadian Green Building Council LEED (Leadership in Energy and Environmental Design) rating system, or its equivalent, as determined by a LEED-accredited professional consultant retained by the owner, is required. Development shall be LEED certified and site preparation shall meet or exceed "Develop with Care" guidelines with any applicable criteria from the Canadian Green Building Council LEED rating system, or its equivalent, being used as a standard. The applicable LEED methodology, or its equivalent, shall be acceptable to the CVRD.
- (b) A treed buffer shall be provided between the industrial use and adjoining non-industrial parcels, South Shawnigan Lake Road and Stebbings Road. The buffer shall be densely vegetated such that parking areas, garbage collection areas, service areas, outdoor storage areas, fuel tanks, air conditioning units and delivery areas are buffered to reduce noise and visual impacts.
- (c) Landscaping shall be in keeping with the visual beauty of the area. Existing mature trees shall be incorporated into the landscape design.
- (d) Vehicle access points, circulation patterns and parking layouts shall be designed in such a way as to reduce impacts upon Shawnigan Lake Road, Stebbings Road and adjacent parcels. Sites shall be designed to allow delivery trucks to maneuver without having to block or back onto an adjacent street, parking aisle or pedestrian route. Emergency vehicles shall be able to reach all parts of the development easily.
- (e) The use of permeable parking materials such as hard grass (grass-crete) is strongly encouraged to soften the visual effect of parking lots and minimize changes to site drainage. Parking areas are required to contain oil/water separators where they are paved with impervious materials.
- (f) Parking lots containing over thirty spaces shall be located in discontinuous areas, or be separated by mid-lot landscaping, incorporated into the design.
- (g) Parking areas and pedestrian routes shall be well lit, without glare to adjoining non-industrial parcels or public roads.
- (h) Underground wiring shall be encouraged instead of overhead wiring.

- (i) Signs shall be designed to reflect the architecture of the site and be in harmony with the landscaping plans for the site, but shall be limited in height and area commensurate with the site characteristics. If multiple signs are required, they shall be grouped and shared. Florescent lighting shall not be used. Non-lit signs, or frontal lighting with incandescent bulbs is preferred.
- (j) All building and landscaping designs shall promote personal and public safety. Crime Prevention through Environmental Design (CPTED) shall be considered in landscaping plans and building designs.
- (k) Roofing materials and insulation must meet or exceed the appropriate fire rating requirements contained in the BC Building Code. Eaves, attics, decks and other building openings shall be screened to prevent the accumulation of combustible material. Fuel reduced buffers at least 10 metres in width shall be maintained around buildings to minimize fire risk.
- (l) A storm water management plan is required. Impervious surfaces shall be limited to protect property from flooding, erosion or other undesirable impacts as the result of changes to stormwater runoff.
- (m) A treed buffer 30 metres in width is required from the high water mark of Van Horn Creek. Wetland areas and streams are subject to the Riparian Areas Regulation Development Permit Area. Riparian areas shall be left natural and wild to protect surface waters and riparian ecosystems. Bark mulches, impermeable landscape fabric and plant species that require the use of pesticides or fertilizers shall not be located in these areas.
- (n) Proposed sewage treatment and disposal methods shall be designed to avoid impacts upon the environment and shall meet the requirements of the South Sector Liquid Waste Management Plan.
- (o) The use of rainwater catchment tanks and cisterns for re-use is required.
- (p) The use of alternative and renewable sources of energy shall be considered.
- (q) Site planning for buildings and land uses shall incorporate studies, submitted to the CVRD, to facilitate utilization of energy and water conservation measures, including solar orientation, prevailing wind direction, elevation contours, existence of significant vegetation and means to retain mature vegetation.
- (r) The latest best management practices for land development of the BC Ministry of Environment shall be respected.
- (s) Baseline noise levels shall be provided, and noise restrictions imposed.
- (t) All internal road building and drainage works shall conform with appropriate functioning condition assessment methods.
- (u) Grease traps are required for restaurant operations.

V. *Exemptions*

The terms of the Eco-Industrial Development Permit Area shall not apply to the following:

- Interior or minor exterior renovations to an existing building;
- Changes to the text or message of existing signage allowed by a previous development permit;
- Construction or renovation of single family dwellings.

VI. *Variances*

Where a proposed development plan adheres to the guidelines of this development permit area, the Regional Board may give favourable consideration to variances of the terms of its zoning, sign and parking bylaws, 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 would be incorporated into the development permit.

VII. *Application Requirements*

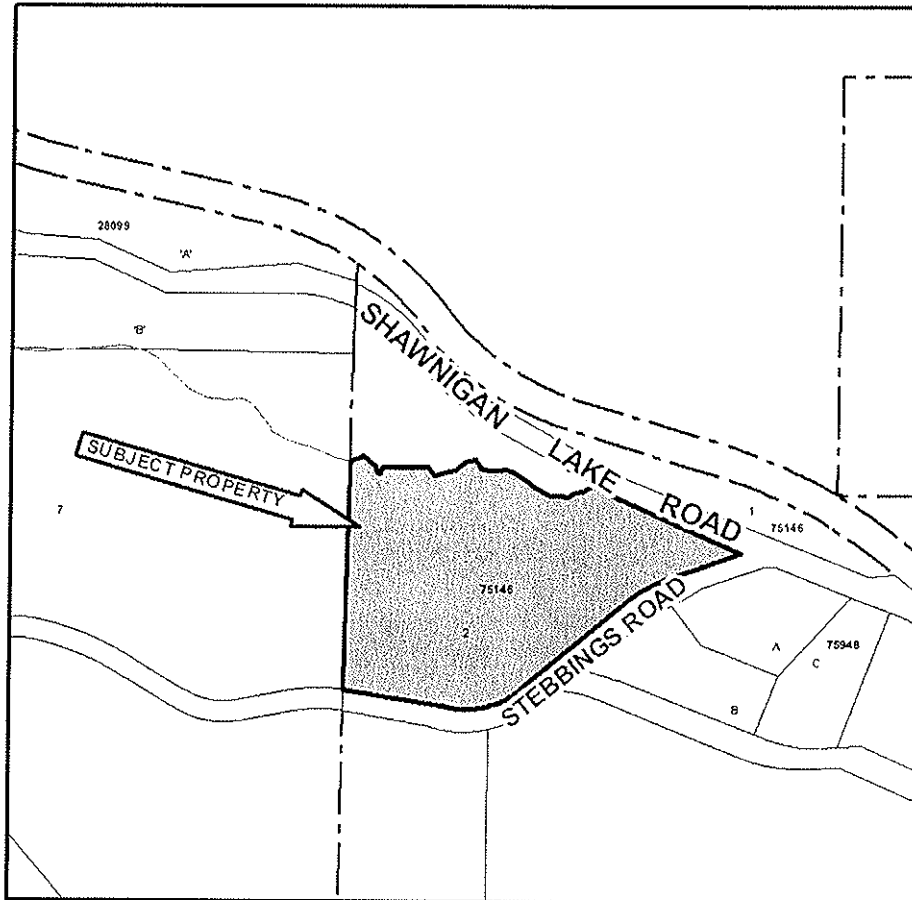
Before the CVRD Board authorizes the issuance of a development permit for a parcel in the Eco-Industrial Development Permit Area, the applicant's submission shall include:

- (a) A written description of the proposed development.
- (b) Information with respect to the subject property in the form of one or more maps/elevation drawings as follows:
 - Location and extent of proposed work;
 - Location of watercourses and water bodies, including top of bank;
 - Percentage of and location of impervious surfaces;
 - Setback distances from watercourses and waterbodies;
 - Existing tree cover, and proposed areas to be cleared;
 - Existing and proposed buildings and structures;
 - Location of existing and proposed parcel lines;
 - Existing and Proposed building setback distances from parcel boundaries;
 - Existing and proposed roads, driveways, parking and loading areas, vehicular access points, pedestrian walkways, and outdoor lighting design,
 - Existing and proposed drainage works, runoff mitigation, water retention areas, culverts and ditches;
 - Location of water lines, wells and utility lines;
 - Topographical contours, including location of slopes exceeding 25 percent grade;
 - Location of lands subject to periodic flooding;
 - Areas of sensitive native plant communities;
 - Proposed landscaping plan, identifying the number of plant species types proposed for all landscaping areas;
 - Existing and proposed septic tanks and sewage treatment systems, and drainage fields; and
 - Existing and proposed sign design and location.
- (c) A preliminary building design, including proposed roof and exterior finish details.
- (d) The CVRD may require the applicant to furnish, at the applicant's expense, a report certified by a professional engineer with experience in geotechnical engineering, which shall include:
 - i. A hydrogeological report/environmental impact assessment assessing any impact of the project on water surfaces in the area; and

.../5

-
- ii. A report on the potential impact of the development on the groundwater resource.
 - iii. For development that shall create more than 280 m² of new impervious surfacing, a report prepared by a professional engineer that determines the extent of changes to the natural drainage system, identifying any conditions that shall be incorporated into the development permit to protect property from flooding, erosion or other undesirable impacts as the result of changes to stormwater runoff. Particular attention shall be paid to ensuring that drainage changes shall not result in detrimental impact such as runoff conditions on adjacent lands or into nearby watercourses. A combination of natural wetland protection or artificial wetland creation, to buffer storm flows shall be incorporated, along with measures to minimize impervious surfaces.
 - iv. A baseline noise level study may be provided, and noise restrictions imposed.
2. That Schedule B (OCP Map) to Electoral Area B – Shawnigan Lake Official Community Plan Bylaw No. 1010 is further amended by redesignating part of Lot 2, District Lot 132, Malahat District, Plan VIP 75146, as shown outlined in a solid black line on Schedule B attached hereto and forming part of this bylaw, numbered Z-3238, from Forestry to Industrial.

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry TO
Industrial APPLICABLE
TO ELECTORAL AREA B



**Cowichan
Valley
Regional
District**

The map is compiled from various sources and is intended for general use and is not designed for reference purposes only.

The Regional District does not warrant the accuracy.

All persons making use of this map are advised that no responsibility is assumed for any errors or omissions that may have been made in the preparation of this map. The Regional District is not responsible for any errors or omissions that may have been made in the preparation of this map.

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

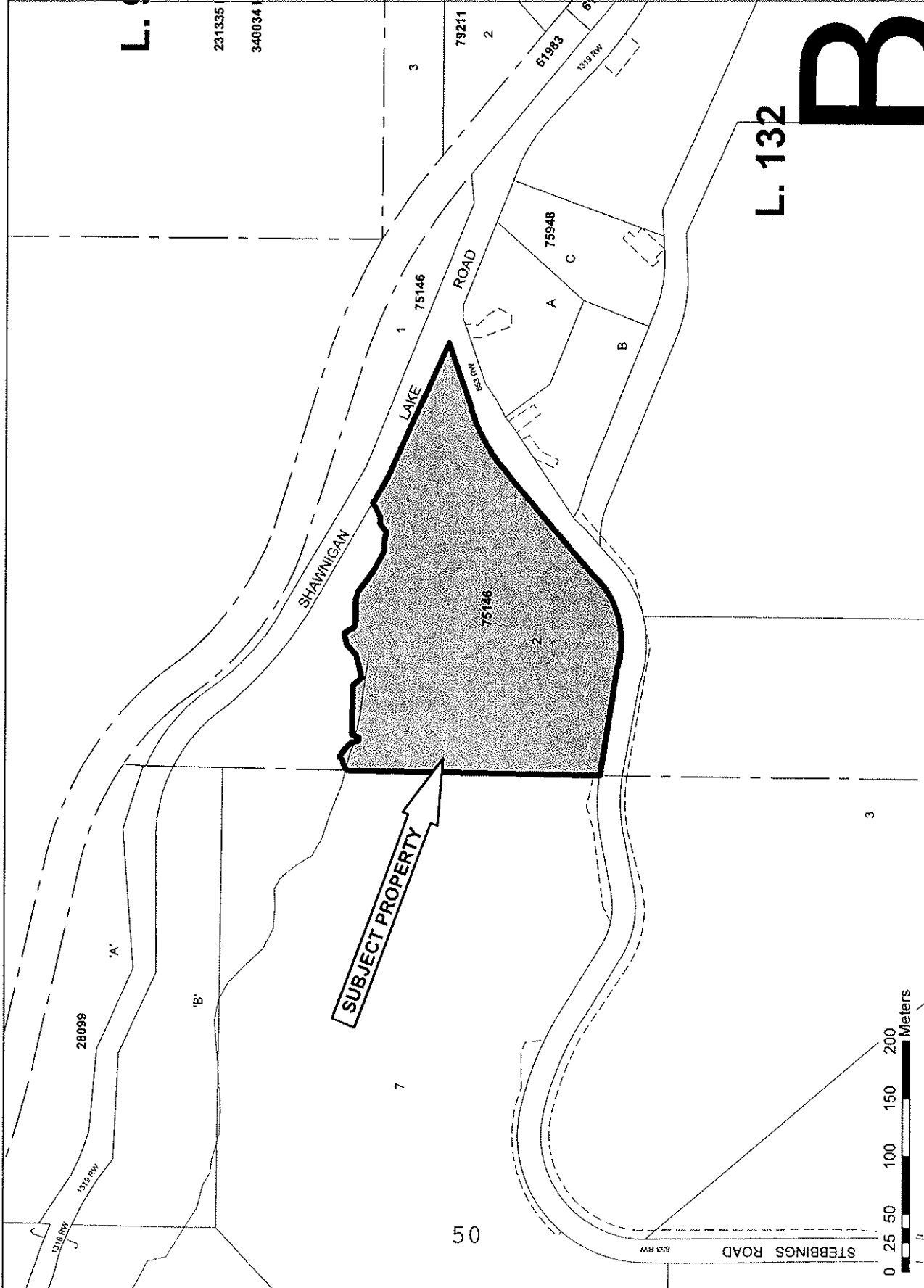
File: 10-B-07-RS

Figure 5F

Legend
 Subject Property



Printed: December 19, 2008



L. 132

B



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3239

A Bylaw for the Purpose Of Amending Zoning Bylaw No. 985
Applicable to Electoral Area B – Shawnigan Lake

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 B – Shawnigan Lake, that being Zoning Bylaw No. 985;

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. 985;

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. 3239 - Area B – Shawnigan Lake Zoning Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008".

2. AMENDMENTS

Cowichan Valley Regional District Zoning Bylaw No. 985, as amended from time to time, is hereby amended in the following manner:

- a) That Section 6.1 be amended by adding "I-5" in Column 1 following I-4, and by adding "Eco Industrial I-5" in Column B following "Aggregate and Mineral Processing Industrial";

.../2

- b) That the following text be added following Section 11.6 (I-4 - Aggregate and Mineral Processing Zone):

11.7 I-5 ZONE – ECO - INDUSTRIAL ZONE

(a) Permitted Uses

The following uses and no others are permitted in an I-5 Zone:

- 1) secondary processing and manufacturing of wood products, including the making of plywood, lath, particleboard and similar products, and the manufacturing of modular or pre-fabricated homes and structures, excluding sawmills, pulp and paper mills and log storage and sorting;
- 2) boat building, repair and storage;
- 3) book binding, publishing, and storage;
- 4) building supplies, sale and storage;
- 5) clothing cleaning, manufacture, repair and storage;
- 6) equipment repair, sales, storage and rental;
- 7) feed, seed and agricultural supplies, sales and storage;
- 8) food processing, storage, packaging, and catering, excluding fish cannery and abattoir;
- 9) industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- 10) laboratory, kennel and animal hospital;
- 11) lumber yards, storage yards, auction grounds;
- 12) recycling facility for bottles, wood, metal and/or paper, excluding automobile parts and any type of septage, animal material, or animal substance;
- 13) warehousing, mini-warehousing, freight handling and storage;
- 14) research and development education centre;
- 15) micro brewing outlet, excluding neighbourhood pub;
- 16) restaurant, excluding drive through;
- 17) research, development, incubation and high technology facilities;
- 18) incubator mall concept;
- 19) office, retail sales, accessory to a principal use;
- 20) one single-family dwelling unit or mobile home accessory to a use permitted in 11.7(a)1 to 18.

(b) Conditions of Use

For any parcel in an I-5 Zone:

- 1) the parcel coverage shall not exceed 50 percent for all buildings and structures;

.../3

- 2) the height for all buildings and structures shall not exceed 10 metres;
- 3) the setbacks for the types of parcel lines set out in Column 1 of this section are set out for all buildings and structures in column II:

Column I Type of Parcel Line	Column II Buildings and Structures
Front	9.0 metres
Interior Side	0 metres where the abutting parcel is zoned Industrial; 9.0 metres where the abutting parcel is not zoned Industrial
Exterior Side	4.5 metres
Rear	9.0 metres

- c) That Section 13.1 be amended by adding “1-5 Eco-Industrial ” in Column I following “I-1 Light Industrial” and by adding in the same table “1 ha” in the last row of the second column, “1 ha” in the last row of the third column, and “1 ha” in the last row of the fourth column;
- d) That part of Lot 2, District Lot 132, Malahat District Plan VIP 75146, as shown outlined in a thick black line on the Plan numbered Z-3239 and forming Schedule A of this bylaw, be rezoned from F-1 (Primary Forestry) to I-5 (Eco-Industrial), and that the Schedule B “Official Zoning Map” of CVRD Bylaw 985 be changed accordingly;

3. FORCE AND EFFECT

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

READ A FIRST TIME this 14th day of January, 2009

READ A SECOND TIME this 14th day of January, 2009.

READ A THIRD TIME this 13th day of May, 2009.

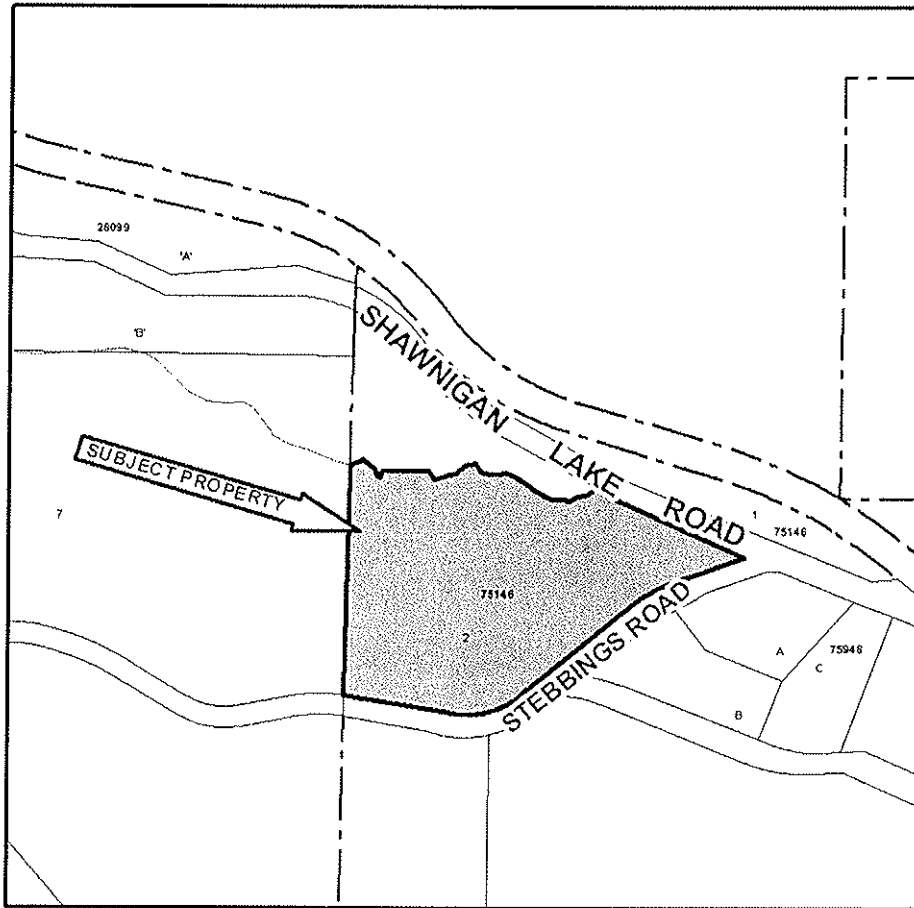
ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary

PLAN NO. Z-3239

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3239
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

F-1 (Primary Forestry) TO

I-5 (Eco-Industrial) APPLICABLE

TO ELECTORAL AREA B



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3241

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 985
Applicable To Electoral Area B – Shawnigan Lake**

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 B – Shawnigan Lake, that being Zoning Bylaw No. 985;

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. 985;

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. 3241 – Area B – Shawnigan Lake Zoning Amendment Bylaw (Cottyn Developments Ltd.), 2008**".

2. **AMENDMENT**

Cowichan Valley Regional District Zoning Bylaw No. 985, as amended from time to time, is hereby amended in the following manner:

- a) That Schedule B (Zoning Map) to Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985 is further amended by rezoning Lot 3, District Lot 96, Malahat District, Plan 32725, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3241, from A-1 (Primary Agricultural) to A-2 (Secondary Agricultural).

3. **FORCE AND EFFECT**

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

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

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

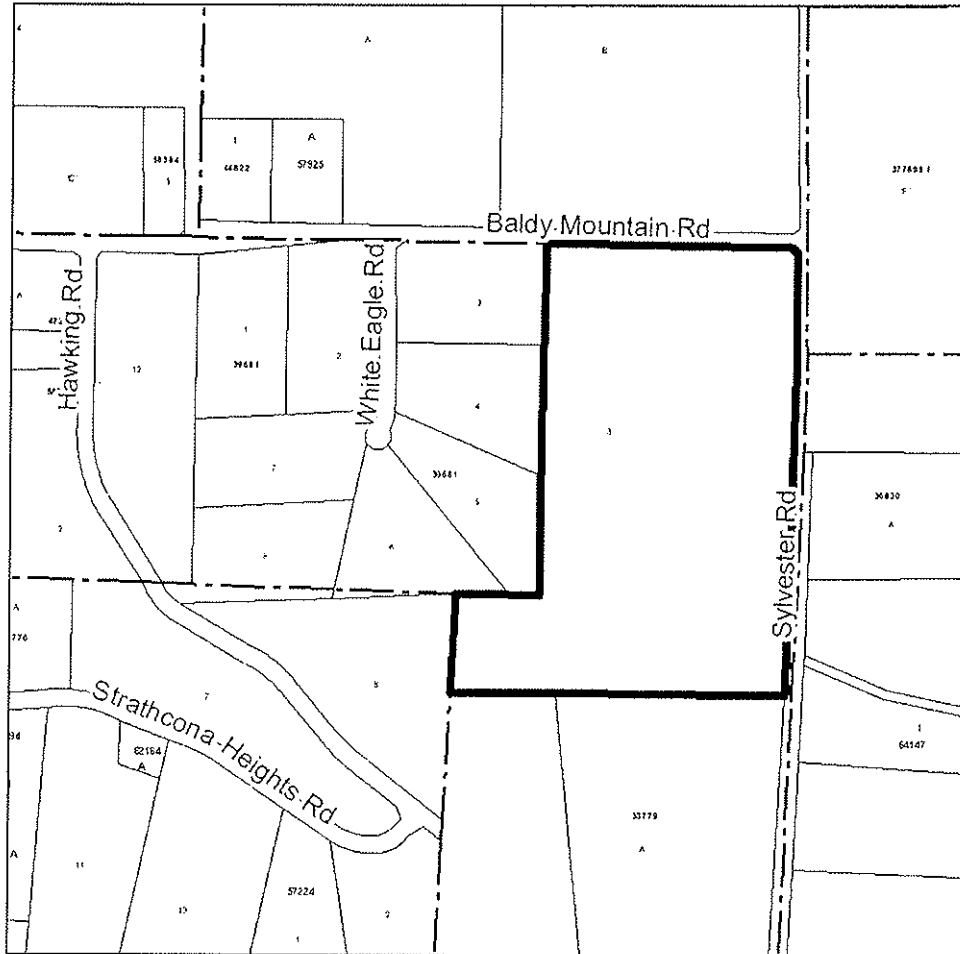
READ A THIRD TIME this 11th day of March, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

A-1 (Primary Agricultural) TO

A-2 (Secondary Agricultural) APPLICABLE

TO ELECTORAL AREA B



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3334

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

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

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

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

AND WHEREAS the Cowichan-Koksilah Official Community Plan contains a policy numbered 10.3.1, which gives clear direction as to what the implementing bylaws will contain;

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3334 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009**".

2. **AMENDMENT**

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

- a) Section 11.2 (a), Permitted Uses, is deleted and replaced with the following:

(a) Permitted Uses

The following *uses, uses* permitted under Section 4.4 and no others are permitted in an I-2 Zone:

- (1) Dry land log sorting operation;
- (2) Sawmilling;
- (3) Storage and maintenance of forestry machinery and equipment;
- (4) Uses customarily incidental to forestry operations;
- (5) Single family residence;
- (6) Buildings and structures accessory to a permitted use.

3. FORCE AND EFFECT

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

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

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

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

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3337

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

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

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

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

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

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

1. CITATION

This bylaw shall be cited for all purposes as "Cowichan Valley Regional District Bylaw No. 3337 - Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Inwood Creek), 2009".

2. AMENDMENTS

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

3. CAPITAL EXPENDITURE PROGRAM

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

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

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

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

I hereby certify this to be a true and correct copy of Bylaw No. 3337 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT UNDER SECTION 882(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. 3337

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

- a) That the following Section is added after Section 7.4.3:

7.5 Policies: Rural Residential / Forestry Conservation

POLICY 7.5.1

The primary focus of the Rural Residential / Forestry Conservation designation is the protection of forestry lands for wildlife habitat and the inherent value of forest land and riparian area ecology for sustaining flora and resident and transient fauna. Provision of habitat for threatened, endangered and protected species of mammals, amphibians and others creatures is a particular emphasis of the designation. Secondary objectives of the Rural Residential / Forestry Conservation designation may be the use of forestry conservation lands for parks, trails and publicly-owned green space.

POLICY 7.5.2

A preservation and restoration plan may be developed for forestry conservation lands, as necessary.

POLICY 7.5.3

The Rural Residential / Forestry Conservation designation shall only be considered for forested lands located between lands zoned for residential and agricultural use, and lands zoned for primary forestry. Isolated parcels away from existing residential settlement are not considered appropriate for the Rural Residential / Forestry Conservation designation.

POLICY 7.5.4

Lands designated Rural Residential / Forestry Conservation in the Plan Map must comply with the following criteria:

- i) Where the designation would result in five or more parcels, a detailed neighbourhood plan / conservation strategy be prepared by the land owner and a public meeting be held prior to the land being considered for rezoning.
- ii) The Rural Residential land is not anticipated to be serviced with community water for at least 20 years.
- iii) Lands must be within a fire protection service area.
- iv) Non-residential lands intended for Forestry Conservation shall be transferred to public ownership.

.../2

POLICY 7.5.5

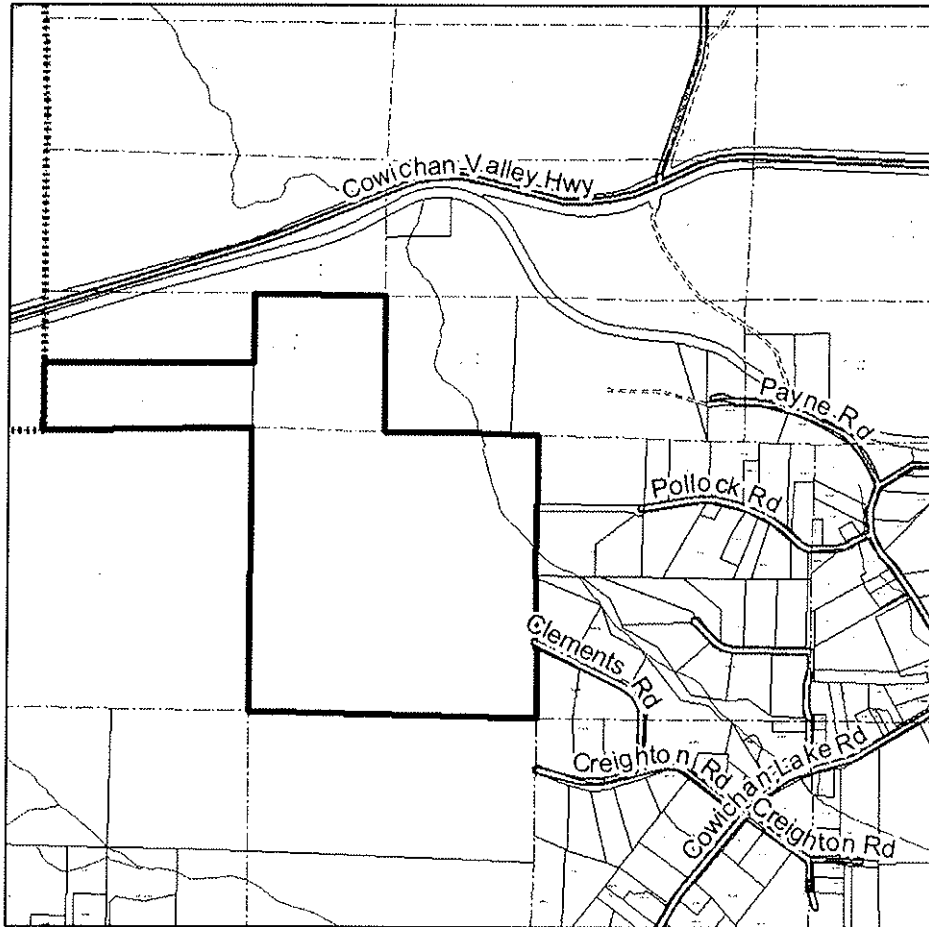
Lands designated Rural Residential / Forestry Conservation shall have a minimum parcel size of 1.0 hectare.

POLICY 7.5.6

Density bonusing, in accordance with Policy 3.1.17 of this Plan, may be used to protect environmentally sensitive areas and natural features.

- b) That Sections 7.5 to 7.8 are re-numbered to 7.6 to 7.9.
- c) That Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, as shown outlined in a solid black line on Plan number Z-3337 attached hereto and forming Schedule B of this bylaw, be re-designated from Forestry to Rural Residential / Forestry Conservation and that Schedule B of Bylaw 1490 be amended accordingly.

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry

TO

Rural Residential/Forestry Conservation

APPLICABLE

TO ELECTORAL AREA E



B12

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3338

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3338 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Inwood Creek Estates), 2009**".

2. **AMENDMENTS**

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

- a) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding "RF- 50/50 Rural Residential /Forestry Conservation Zone" to Section 6.1 – Creation of Zones.

.../2

b) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding the following after Section 8.9:

8.10 RF-50/50 ZONE – RURAL RESIDENTIAL/FORESTRY CONSERVATION ZONE

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in this Zone:

(a) Permitted Uses

The following *uses*, *uses* permitted under Sections 4.4 and 4.5, and no others are permitted in an RF-50/50 zone:

- (1) One single family *dwelling*;
- (2) *agriculture, horticulture, silviculture*;
- (3) *daycare* or nursery school *accessory* to a residential *use*;
- (4) *home occupation*;
- (5) *secondary suite*.

(b) Conditions of Use

For any *parcel* in the RF-50/50 zone:

- (1) the *parcel coverage* shall not exceed 30% for all *buildings* and *structures*.
- (2) the *height* of all *buildings* and *structures* shall not exceed 10.0 metres, except for accessory buildings, which shall not exceed a *height* of 7.5 metres.
- (3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this Section are listed for the residential, non-agricultural, agricultural and *accessory* uses in Column II and III.

COLUMN I Type of Parcel Line	COLUMN II Residential and Non-Agricultural Principal and Accessory Uses	COLUMN III Agricultural Principal and Accessory Uses
Front	7.5 m	30 m
Interior Side	3.0 m	15 m
Exterior Side	4.5 m	15 m
Rear	4.5 m	15 m.

.../3

- (4) Notwithstanding Section 8.10(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.
- (c) Density and Density Bonus
- (1) In no case shall the minimum parcel size be less than 1 hectare.
 - (2) The minimum parcel area for the purpose of s. 946(4) of the *Local Government Act* is 25 hectares.
 - (3) Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, as shown outlined in black on Schedule A of Bylaw No. 3338, shall be subject to Density and Density Bonus provisions of Section 13.1
- b) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding “Part 13 - Appendices” after Section 12.10.
- c) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding the following Section to Part 13.

Appendix 13.1:

Subject to Part 12, the following regulations apply to Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District as shown outlined in black on Schedule A of Bylaw No. 3338:

- (1) The number of residential parcels that may be created by subdivision on the subject lands must not exceed 3.
- (2) Despite Appendix 1(1), the number of parcels that may be created by subdivision may be increased to 25 if the conditions in Appendix 1(5) are met.
- (3) Despite Appendix 1 (5), the number of parcels that may be created by subdivision may be increased to 41 if the conditions in Appendix 1 (7) are met.
- (4) Density averaging is permitted, provided that the average density in any subdivision, including public land dedication, does not exceed one parcel per 2.0 hectares of gross land area.
- (5) In respect of any parcel created in excess of 3, an area of land equivalent to 47.13 hectares must be transferred to the Regional District for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances, at no cost to the Regional District.
- (6) Land provided to the Regional District described in Appendix 1 (5) may be phased, if the area of public land dedicated is at least proportional to the area of land to be subdivide.

.../4

- (7) In respect to any parcel created in excess of 25, one parcel must be transferred to the Regional District in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances including any statutory building scheme not specifically approved in writing by the Regional District, to be used for purposes set out in Appendix 1 (9) and the cost of transfer including the Regional District’s actual, reasonable legal costs must be paid by the subdivider.
- (8) The parcel transferred to the Regional District referred to in Appendix 1 (7) must generally be located in the northern portion of the subject property, with the location and boundaries of the parcel approved by the Regional District.
- (9) The parcel transferred to the Regional District under Appendix 1 (7) must be used for community park purposes, including the sale of the parcel and the deposit of the proceeds into an Electoral Area E parks statutory reserve fund.
- (10) Notwithstanding Appendix 1 (7), the subdivider may register a restrictive covenant against the parcel referred to in the Section, precluding sale of the parcel for five years following registration of the subdivision and the sale of the lot below market price.

d) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by renumbering Part 13 - Transition as “Part 14 – Transition”, and the Table of Contents is amended accordingly.

e) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding Rural Residential / Forestry Conservation Zone (RF-50/50) to the legend.

f) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District as shown outlined in black on Schedule A attached hereto and forming part of this bylaw, numbered Z-3338 from Primary Forestry (F-1) to Rural Residential / Forestry Conservation (RF-50/50).

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this _____ day of _____, 2009

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

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

I hereby certify this to be a true and correct copy of Bylaw No. 3085 as given Third Reading on the _____ day of _____, 2009.

Corporate Secretary

Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT
UNDER SECTION 882(1) OF THE *LOCAL GOVERNMENT ACT*

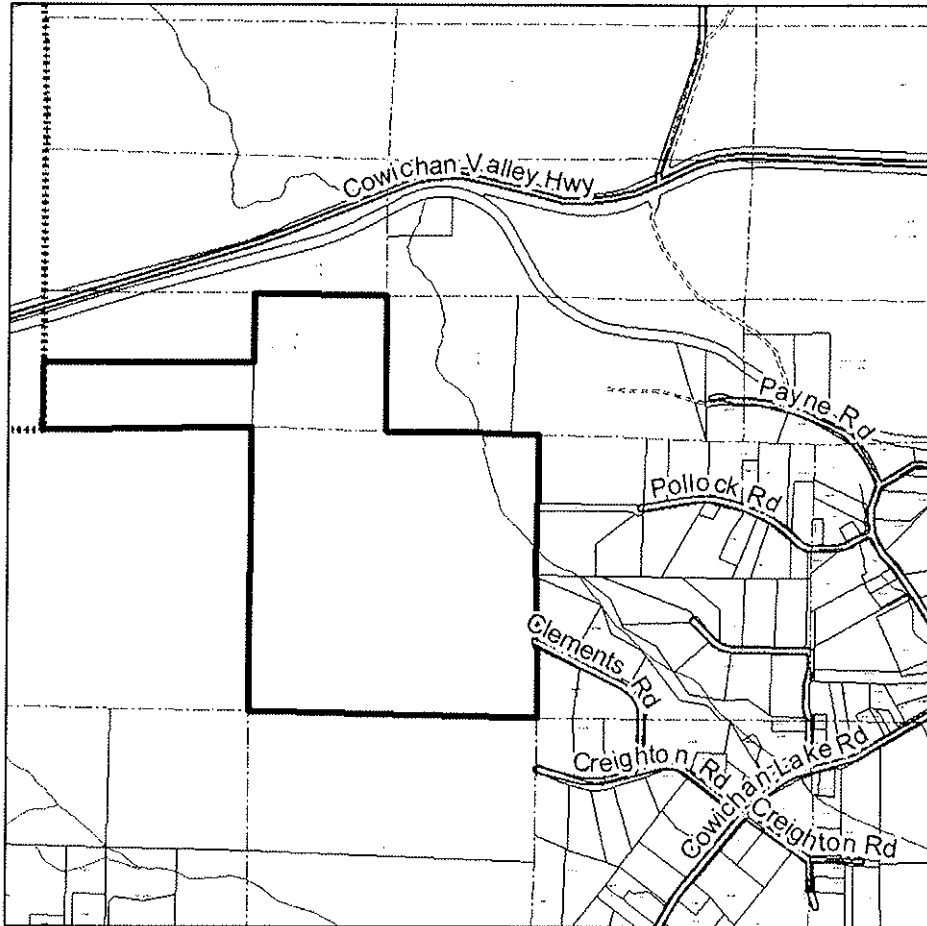
this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

Primary Forestry (F-1)

TO

Rural Residential / Forestry Conservation (RF-50/50)

APPLICABLE

TO ELECTORAL AREA E



RES1

COMMISSION APPOINTMENTS

**REGULAR BOARD MEETING
OF NOVEMBER 12, 2009**

DATE: October 21, 2009
FROM: Director Giles
SUBJECT: **Area C - Cobble Hill Advisory Planning Commission Appointment**

Recommendation:

That the following appointment to the Electoral Area C - Cobble Hill Advisory Planning Commission be approved:

Term to expire November 30, 2011:

Joanne Bond



NEW BUSINESS SUMMARY

BOARD MEETING - NOVEMBER 12, 2009

NBCR1 Environment Commission - Director Giles
Report and Recommendation of Meeting of November 5, 2009

NBSR1 Staff Report from the Administrator
Re: Pilot Project Program for Local Governments Supporting Treaty Implementation



NBCR1

ENVIRONMENT COMMISSION REPORT

OF MEETING HELD NOVEMBER 5, 2008

DATE: November 6, 2009

To: Chair and Directors of the Board

Your Environment Commission reports and recommends as follows:

1. That the CVRD Board initiate a Corporate Report on Energy Emissions so that they meet their obligations under the Climate Action Charter.



NBSR1

STAFF REPORT

**REGULAR BOARD MEETING
OF NOVEMBER 12, 2009**

DATE: November 10, 2009

FILE NO:

FROM: Administrator

**SUBJECT: Pilot Project Program for Local Governments
Supporting Treaty Implementation**

Recommendation:

That the CVRD Board of Directors supports the submission of an application to the Union of British Columbia Municipalities for funding for "TAC Operational Funding" for \$10,000. under the Pilot Project Program for Local Governments Supporting Treaty Implementation.

Financial Implications:

To offset expenses for local governments that are participating at a treaty negotiation table.

Interdepartmental/Agency Implications: N/A

Background:

On September 17, 2009, the UBCM advised local governments that the Ministry of Aboriginal Relations and Reconciliation would not be able to fund Treaty Advisory Committee (TAC) activities for the 2009/2010 fiscal year. However, recognizing the valuable role that TACs play in the province, they were able to work with the Ministry to identify a means of providing these funds by enhancing the existing Supporting Treaty Implementation (STIPP) Program.

TACs and/or local governments that are participating at a treaty negotiation table at Stage 4 or Stage 5 that meet eligibility criteria are able to apply for up to \$5,000 per table. The CVRD is presently involved in two treaty tables currently at Stage 4 in the treaty process. This funding will allow the CVRD to move the process forward.

Submitted by,

A handwritten signature in black ink, appearing to read 'W. Jones', is written over the printed name 'Warren Jones'.

Warren Jones

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

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10551 Shellbridge Way
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Fax: 604.270.9116
Email: ubcm@civicnet.bc.ca

PRESIDENT
ROBERT HOBSON

EXECUTIVE DIRECTOR
GARY MACISAAC

September 17, 2009

Mr. Warren Jones, CAO
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC, V9L 1N8

C.V.R.D.
RECEIVED
SEP 21 2009

RE: 2009/10 Operational Funding for Treaty Advisory Committees

Dear Mr. Jones,

Earlier this year UBCM learned that the Ministry of Aboriginal Relations and Reconciliation would not be able to fund Treaty Advisory Committee (TAC) activities for the 2009/10 fiscal year. Understanding the valuable role TACs play in the province, we began to work with the Ministry to identify a means of providing these funds.

Since 2007, UBCM has been managing funds on behalf of the Ministry in order to support increased transfer of knowledge between TACs and to support treaty implementation. The uptake on these funds has been quite low and it was agreed that it would be in keeping with the original intent of the contribution to allow the operational expenses of eligible TACs in the 2009/10 fiscal year to be considered an eligible activity.

Based on this, the existing Supporting Treaty Implementation (STIPP) program has been enhanced and a third call for applications has been announced. TACs and/or local governments that are participating at a treaty negotiation table at Stage 4 or Stage 5 and that meet the eligibility criteria are able to apply for up to \$5,000 per treaty table. The original pilot project component of the STIPP program will also continue to be available - but applicants may only apply for TAC funding or pilot project funding.

The enhanced STIPP program and application guide is attached and is available on UBCM's website.

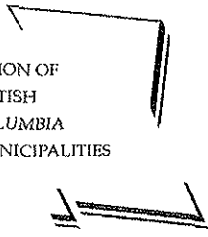
The current economy has created many challenges for our members and their communities. UBCM recognizes the need for consistent, adequate funding for TAC operations in BC and will continue to advocate for this. However, we also recognize the importance of funds to support TACs today and have amended the STIPP program to help bridge what we hope is only a temporary gap.

Sincerely,



Robert Hobson
President

Original:	<i>file</i>	Copies to:	<i>Chair</i>
Board:			<i>D, R, Duncan, etc.</i>
Committee(s):			<i>WJ</i>
Directed by:	<i>RH</i>	Date:	<i>Sept 20/09</i>
File #:			



Supporting Treaty Implementation Pilot Project Program for Local Governments

E-mail: lgps@civicnet.bc.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Fax: (250) 356-5119

Round 3 APPLICATION FORM

Please type directly in this form or print and complete. Applications are required to be submitted by October 30, 2009. Please use additional space or pages wherever required. Questions? Contact Danyta Welch at dwelch@civicnet.bc.ca or (250) 356-5134.

Applicant Information

Local Government/TAC:

Cowichan Valley Regional District

Contact person: Allison Nelson

Phone: 250.746.2502

Mailing Address:

175 Ingram Street, Duncan BC V9L 1N8

Position: Executive Assistant

E-mail: anelson@cvrld.bc.ca

Other Contact

Contact person: Jacob Ellis

Organization:

Cowichan Valley Regional District

Phone: 250 746.2520

Position: Manager, Corporate Planning

Mailing Address:

175 Ingram Street, Duncan BC V9L 1N8

E-mail: jellis@cvrld.bc.ca

1. DESCRIPTION OF PROJECT/ACTIVITIES. Provide a general overview of the pilot project or TAC operations, including specific activities. For One-time Operation Funding for TACs, please describe each treaty table you are active at.

The CVRD is currently involved in two treaty tables for: 1. The Te'mexw Treaty Association and, 2. The Hul'qumi'num Treaty Group.

2. LEVEL OF ACTIVITY AT TREATY TABLE. TAC OPERATIONAL FUNDING ONLY – Provide a description of the current and/or anticipated level of local government activity for each treaty table in 2009/10.

Based on last years activities and a projection of this years planned activities it is anticipated that:

1. For the Te'mexw Treaty, our representative at the treaty table will be attending 15 meetings per year. Travel will include \$513. It is not expected that staff still will be significant, although some staff time will be dedicated to support CVRD involvement as needed.

2. For the Hul'qumi'num Treaty Group, our representative at the table will be attending 13 meetings per year. Travel will included \$564. It is not expected that staff time will be significant, although some staff time will be dedicated to support CVRD involvement as needed.

3. OBJECTIVES. Describe what you hope the pilot project or TAC operations will achieve. How will the activities help to advance the treaty in the BC treaty process?

Funding for operational funding will provide support for travel, accomodation, meals and per diem for our representative, which will help ensure the CVRD is represented at the meetings and that where CVRD interests or First Nation's interests intersect, effective, informed dialogue can take place to move any issues forward in a timely manner.

4. PROPOSED PARTNERS. PILOT PROJECTS ONLY - List all partners and the role they will play in the pilot project

5. INTENDED OUTCOMES & DELIVERABLES. Describe the impact the pilot project or TAC operations will have on your local government and community and any specific items, such as plans, reports, agreements or processes, that will be produced.

Participation in this process is of high importance to the Regional District for a number of reasons including but not limited to: 1. Development and reinforcement of community and multi governmental partnerships. 2. The opportunity for information and technical briefings at the highest local level. 3. Developing and modelling respectful cross jurisdictional and multi level governance at a local watershed level. The development of provincial treaties and the new relationship process is very complex and will requires substantive changes to processes. The opportunity to participate meaningfully as local government on these TAC's will allow all levels of governments to move forward synergistically and incrementally where possible. It is anticipated that the participation will not simply entail meeting attendance but will develop institutional capacity and capital, as well as process to support ongoing integration of Treaty related issues into local governance and administration.

As such the CVRD representative will, where, and when possible, provide reports or briefings to the confidential CVRD internal TAC committee and/or the Board or specific individuals.

6. EVALUATION OF THE PILOT. PILOT PROJECTS ONLY - Outline the tools that will be used to evaluate the pilot project and how this information will be used.

7. ADDITIONAL COMMENTS. Please use this space to add any additional comments.

The CVRD has been involved for several years in the process that has lead to these two treaty groups getting to Stage 4 in the treaty negotiation process. This funding will allow us to continue to be a part of the process and to do anything we can from our end, to help move the process forward and provide information and feedback as needed.

8. ADDITIONAL INFORMATION (PLEASE ATTACH):

- Council/Board Resolution or copy of TAC meeting minutes
- Detailed Budget

For **Pilot Projects** – the budget should align with proposed activities and indicate how the matching requirement will be met.

For **One-time Operational Funding for TACs** – the maximum request is \$5,000 per treaty table where the TAC is active. The budget should clearly demonstrate the request for each table. The only eligible items are travel, accommodation, meals and per diems and staff time.