



**COWICHAN VALLEY REGIONAL DISTRICT**

**NOTICE OF REGULAR BOARD MEETING**

**DAY: WEDNESDAY**

**DATE: DECEMBER 9, 2009**

**TIME: → REGULAR SESSION  
6:00 P.M.**

**PLACE: BOARD ROOM**

**175 INGRAM STREET**



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**Kathleen Harrison  
Deputy Corporate Secretary**



C·V·R·D

**REGULAR BOARD MEETING**

**WEDNESDAY, DECEMBER 9, 2009**

**6:00 PM - CVRD BOARD ROOM**

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**AGENDA**

**PAGES**

1. **CALL TO ORDER:**
2. **ELECTIONS:**
  - A. Nominations for Chair
  - B. Nominees – Brief Address to Board
  - C. Election by Ballot
  - D. Proclaim Chair for 2010
  - E. Nominations for Vice Chair
  - F. Election by Ballot
  - G. Proclaim Vice Chair for 2010
3. **APPROVAL OF AGENDA:** 1- 5
4. **ADOPTION OF MINUTES:**
  - M1 Adoption of minutes of Board meeting November 12, 2009 6-16
  - M2 Adoption of minutes of Special Board meeting November 25, 2009 17-24
5. **BUSINESS ARISING FROM THE MINUTES:**
6. **DELEGATIONS**
  - D1 Rodger Hunter, Cowichan Basin Water Management Plan 25-38  
Re: Update on the Implementation of the Cowichan Water Basin  
Management Plan
7. **REPORT OF THE CHAIRPERSON:**
8. **CORRESPONDENCE:**
9. **INFORMATION:**
10. **COMMITTEE REPORTS:**
  - CR1 Regional Services Committee – Director Kent 39  
Report and Recommendations of Meeting of November 25, 2009
  - CR2 Electoral Area Services Committee – Director Harrison 40-41  
Report and Recommendations of Meeting of December 1, 2009

To Be  
Distributed

CR3	Engineering Services Committee - Director Cossey Report and Recommendations of Meeting of November 25, 2009 Report and Recommendations of Meeting of December 1, 2009	42-44  45 To Be Distributed
CR4	Transit Committee - Director Seymour Report and Recommendations of Meeting of December 9, 2009	46 To Be Distributed
CR5	Cowichan Lake Recreation Commission - Director Kuhn Report and Recommendation of Meeting of November 30, 2009	47

**11. STAFF REPORTS:**

SR1	Staff Report from the Deputy Corporate Secretary Re: Results of Alternative Approval Process for CVRD Bylaw Nos. 3277 - Solid Waste Management Loan Authorization (Solid Waste Works) and 3278 - Solid Waste Management Loan Authorization (Operations Facility).	48-51
SR2	Report from the Chief Election Officer Re: Report of the Chief Election Officer for the Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Referendum 2009.	52-55
SR3	Staff Report from the Manager Development Services Re: Third Reading and Adoption of Official Community Plan Amendment Bylaws No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Estates)	56-60

**12. PUBLIC HEARINGS:**

PH1	Public Hearing Report and Minutes Re: Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 (Cooper), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora	61-65
PH2	Public Hearing Report and Minutes Re: Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Park Dev. Corp./Anasona Investments Ltd. (Robin Mayo), applicable to Electoral Area E - Cowichan Station/Sahtlam/Glenora	66-92

**11. BYLAWS:**

B1	"CVRD Bylaw No. 3277 - Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009", adoption	93-94
B2	"CVRD Bylaw No. 3278 - Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009", adoption	95-96
B3	"CVRD Bylaw No. 3286 - Arbutus Ridge Water System Service Establishment Bylaw, 2009", adoption	97-99

**PENDING PROVINCIAL APPROVAL**

B4	"CVRD Bylaw No. 3287 - Arbutus Ridge Water System Service Loan Authorization Bylaw, 2009", adoption	100-101
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**PENDING PROVINCIAL APPROVAL**

B5 "CVRD Bylaw No. 3288 - Arbutus Ridge Sewer System Service Establishment Bylaw, 2009", adoption 102-104

**PENDING PROVINCIAL APPROVAL**

B6 "CVRD Bylaw No. 3289 - Arbutus Ridge Sewer System Service Loan Authorization Bylaw, 2009", adoption 105-106

**PENDING PROVINCIAL APPROVAL**

B7 "CVRD Bylaw No. 3290 - Arbutus Ridge Drainage System Service Establishment Bylaw, 2009", adoption 107-109

**PENDING PROVINCIAL APPROVAL**

B8 "CVRD Bylaw No. 3296 - Brulette Place Sewer System Service Establishment Bylaw, 2009", adoption 110-112

B9 "CVRD Bylaw No. 3297 - Brulette Place Sewer System Service Loan Authorization Bylaw, 2009", adoption 113-114

B10 "CVRD Bylaw No. 3313 - Dogwood Ridge Water System Management Bylaw, 2009", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading 115-144

B10 "CVRD Bylaw No. 3313 - Dogwood Ridge Water System Management Bylaw, 2009", adoption

B11 "CVRD Bylaw No. 3314 - Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading 145-146

B11 "CVRD Bylaw No. 3314 - Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009", adoption

B12 "CVRD Bylaw No. 3315 - Dogwood Ridge Water System Parcel Tax Roll Bylaw, 2009", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading 147-148

B12 "CVRD Bylaw No. 3315 - Dogwood Ridge Water System Parcel Tax Roll Bylaw, 2009", adoption

B13 "CVRD Bylaw No. 3339 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2009", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading 149-152

B13 "CVRD Bylaw No. 3339 - Solid Waste Management Charges and Regulations Amendment Bylaw, 2009", adoption

B14 "CVRD Bylaw No. 3343 - Fern Ridge Water System Service Amendment Bylaw, 2009", 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading 153-154

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

B15 "CVRD Bylaw No. 3119 - Area C - Cobble Hill Official Community Plan Amendment Bylaw (C. Little/TCH Screening Guidelines), 2008", adoption 155-157

B16 "CVRD Bylaw No. 3120 - Area C - Cobble Hill Zoning Amendment Bylaw (C. Little), 2008", adoption 158-161

B17 "CVRD Bylaw No. 3282 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009", 146-165

adoption

B18	"CVRD Bylaw No. 3284 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 2009", 3 <sup>rd</sup> reading	166-173
B19	"CVRD Bylaw No. 3285 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom Estates), 2009", 3 <sup>rd</sup> reading	174-179
B20	"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", 3 <sup>rd</sup> reading	180-183
B21	"Cowichan Valley Regional District Bylaw No. 3331 - Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cooper), 2009", 3 <sup>rd</sup> reading	184-186

**12. RESOLUTIONS:**

RES1	Appointments to the Electoral Area A - Mill Bay/Malahat Advisory Planning Commission	187
RES2	Appointments to the Cowichan Lake Recreation Commission	188

**13. UNFINISHED BUSINESS:**

**14. NOTICE OF MOTION:**

**15. NEW BUSINESS:**

**16. QUESTION PERIOD:**

- a) Public
- b) Press

Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

**17. CLOSED SESSION:**

CSM1	Adoption of Closed Session Minutes of Meeting of November 12, 2009	189-190
CSCR1	Land Acquisition {Sub (1) (e)}	191
CSSR1	Law Enforcement {Sub (1) (f)}	Verbal
CSR1	Third Party Negotiations {Sub (2) (b)}	192
CSR2	FOI POP Act Section 21 {Sub (1) (j)}	Verbal

**18. ADJOURNMENT:**

The next Regular Board meeting will be held January 13, 2010 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Thursday, November 12, 2009 at 6:12 pm.

**PRESENT:** Chair G. Giles,  
Directors M. Dorey, L. Duncan, B. Harrison  
D. Haywood, R. Hutchins, L. Iannidinardo,  
K. Kuhn, M. Marcotte, T. McGonigle,  
I. Morrison, G. Seymour and T. Walker and  
Alternate Directors G. Gutensohn and R. Cadorette

**ALSO** Warren Jones, Administrator  
**PRESENT:** Joe Barry, Corporate Secretary

**ABSENT:** Directors K. Cossey and P. Kent

**APPROVAL OF  
AGENDA  
09-568**

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

**New Business**

**NBCR1 Environment Commission Report**  
**NBSR1 Staff Report from the Administrator**

**Closed Session**

**CSNBR1 Bylaw Enforcement {Sub (1) (f)}**

and that the agenda as amended be approved.

**MOTION CARRIED**

**ADOPTION OF  
MINUTES  
09-569**

It was moved and seconded that the minutes of the October 14, 2009 Regular Board meeting be adopted as amended by replacing "Candace Spilsbury" with "Michelle Nowzek" under Resolution No. 09-517.

**MOTION CARRIED**

**09-570**

It was moved and seconded that the minutes of the October 28, 2009 Special Board meeting be adopted.

**MOTION CARRIED**

**BUSINESS ARISING  
OUT OF MINUTES**

Director Morrison distributed an item of correspondence dated October 15, 2009 questioning the change to the Board's adopted resolution.

The Administrator advised that he would look into the matter and advise Director Morrison of his findings.

**COMMITTEE REPORTS**

**CR1** The report and recommendation of the Regional Services Committee meeting of October 28, 2009 listing one item was considered.

**09-571** It was moved and seconded 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

**MOTION CARRIED**

**CR2** The report and recommendations of the Electoral Area Services Committee meeting of October 20, 2009 listing nine items were considered.

**09-572** It was moved and seconded:

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.

**MOTION CARRIED**

09-573

It was moved and seconded:

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.
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 90309<sup>1</sup>) 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.

**MOTION CARRIED**

Recommendation No. 5 was not dealt with as it appears on the EASC November 3, 2009 recommendations updated.

**CR2**

The report and recommendations of the Electoral Area Services Committee meeting of November 3, 2009 listing eight items were considered.

**09-574**

It was moved and seconded:

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.

**MOTION CARRIED**

**09-575**

It was moved and seconded:

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.

**MOTION CARRIED**

09-576

*(Amended from original Committee recommendation)*

It was moved and seconded:

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 April 30, 2010, to comply with the list of development permit conditions.

**MOTION CARRIED**

09-577

It was moved and seconded:

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.

**MOTION CARRIED**

09-578

It was moved and seconded:

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.

**MOTION CARRIED**

09-579

It was moved and seconded:

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.

MOTION CARRIED

CR3

The report and recommendations of the Engineering and Environmental Services Committee meeting of October 28, 2009 listing six items were considered.

09-580

It was moved and seconded:

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.
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.

MOTION CARRIED

09-581 It was moved and seconded:

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).

Opposed: Director Dorey

**MOTION CARRIED**

SR1 The Staff Report from the Corporate Secretary dated November 4, 2009 re: Cowichan Aquatic Centre Annual Contribution Service - Notice of Alternative Approval Process and Elector Response Form was considered.

09-582 It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for Bylaw No. 3320 be approved.

**MOTION CARRIED**

SR2 The Staff Report from the Manager, Community and Regional Planning Division dated October 28, 2009 re: Zoning Amendment Bylaw No. 3334 - Proposed amendment to the provisions of the Heavy Industrial 2 Zone (Electoral Area E) was considered.

09-583 It was moved and seconded that Zoning Amendment Bylaw No. 3334 be forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> 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.

**MOTION CARRIED**

SR3 The Staff Report from the General Manager, Planning and Development Department dated November 4, 2009 re: OCP Amendment Bylaw No. 3238 and Zoning Amendment Bylaw No. 3239 (Malahat Joint Ventures/ Lintaman) was received for information.

**BYLAWS**

**B1** It was moved and seconded that "CVRD Bylaw No. 3280 - Dogwood  
**09-584** Ridge Water System Service Establishment Bylaw, 2009" be adopted.

**MOTION CARRIED**

**B2** It was moved and seconded that "CVRD Bylaw No. 3281 - Dogwood  
**09-585** Ridge Water System Service Loan Authorization Bylaw, 2009" be adopted.

**MOTION CARRIED**

**B3** It was moved and seconded that "CVRD Bylaw No. 3332 - CVRD -  
**09-586** Emergency Telephone Extended Service (E9-1-1) Capital Reserve  
Fund Expenditure (Mount Wood Repeater Tower) Bylaw, 2009", be  
granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B3** It was moved and seconded that "CVRD Bylaw No. 3332 - CVRD -  
**09-587** Emergency Telephone Extended Service (E9-1-1) Capital Reserve  
Fund Expenditure (Mount Wood Repeater Tower) Bylaw, 2009", be  
adopted.

**MOTION CARRIED**

**B4** It was moved and seconded that "CVRD Bylaw No. 3333 - Regional  
**09-588** Park Reserve Fund Expenditure (Cowichan Valley Trail) Bylaw,  
2009", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B4** It was moved and seconded that "CVRD Bylaw No. 3333 - Regional  
**09-589** Park Reserve Fund Expenditure (Cowichan Valley Trail) Bylaw,  
2009", be adopted.

**MOTION CARRIED**

**B5** It was moved and seconded that "CVRD Bylaw No. 3335 - Electoral  
**09-590** Area C Community Parks Capital Reserve Fund Expenditure  
(Cenotaph Project, Farmers Institute and Park Land Acquisition  
Costs) Bylaw, 2009", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B5** It was moved and seconded that "CVRD Bylaw No. 3335 - Electoral  
**09-591** Area C Community Parks Capital Reserve Fund Expenditure  
(Cenotaph Project, Farmers Institute and Park Land Acquisition  
Costs) Bylaw, 2009", be adopted.

**MOTION CARRIED**

B6  
09-592 It was moved and seconded that "CVRD Bylaw No. 3336 - Mesachie Lake Water System Capital Reserve Fund Expenditure (Well Protection Plan) Bylaw, 2009", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

MOTION CARRIED

B6  
09-593 It was moved and seconded that "CVRD Bylaw No. 3336 - Mesachie Lake Water System Capital Reserve Fund Expenditure (Well Protection Plan) Bylaw, 2009", be adopted.

MOTION CARRIED

B7  
09-594 It was moved and seconded that "CVRD Bylaw No. 3238 - Area B - Shawnigan Lake Official Community Plan Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008", be adopted.

MOTION CARRIED

B8  
09-595 It was moved and seconded that "CVRD Bylaw No. 3239 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008", be adopted.

MOTION CARRIED

B9  
09-596 It was moved and seconded that "CVRD Bylaw No. 3241 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Cottyn Developments Ltd.), 2008", be adopted.

MOTION CARRIED

B10  
09-597 It was moved and seconded that "Cowichan Valley Regional District No. 3334 - Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

MOTION CARRIED

B11  
09-598 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3337 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Inwood Creek), 2009", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

MOTION CARRIED

B12  
09-599 It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3338 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Inwood Creek Estates), 2009", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

MOTION CARRIED

**RESOLUTIONS**

**RES 1  
09-600**                    **It was moved and seconded that the following appointment to the Electoral Area C - Cobble Hill Advisory Planning Commission be approved:**

**Term to expire November 31, 2011:**

**Joanne Bond**

**MOTION CARRIED**

**NEW BUSINESS**

**NBCR1**                    **The report and recommendation from the Environment Commission meeting of November 5, 2009 listing one item was considered.**

**09-601**                    **It was moved and seconded that the CVRD Board initiate a Corporate Report on Energy Emissions so that they meet their obligations under the Climate Action Charter.**

**MOTION CARRIED**

**NBSR1**                    **The Staff Report from the Administrator dated November 10, 2009 re: Pilot Project Program for Local Governments Supporting Treaty Implementation was considered.**

**09-602**                    **It was moved and seconded 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.**

**MOTION CARRIED**

**RESOLVING INTO  
CLOSED SESSION**

**09- 603  
7:01 pm**                    **It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (g) Potential Litigation, (f) Bylaw Enforcement and Subsection (2) (b) Third Party Negotiations.**

**MOTION CARRIED**

**RISE FROM  
CLOSED SESSION**

**09- 607  
8:40 pm**

**It was moved and seconded that the Board rise with report and return to the Regular portion of the meeting.**

**MOTION CARRIED**

**09-606**

**It was moved and seconded that a zoning amendment bylaw be prepared to amend the Electoral Area E Zoning Bylaw No. 1840 to rezone existing I-2 (Heavy Industrial) zoned properties to a new Forest Industrial zone in order to achieve compliance with Electoral Area E Official Community Plan Bylaw No. 1490.**

**MOTION CARRIED**

**ADJOURNMENT**

**09-608  
8:40 pm**

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

**MOTION CARRIED**

The meeting adjourned at 8:40 pm

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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



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, November 25, 2009 at 6:04 pm

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

**ALSO PRESENT:** Warren Jones, Administrator  
Joe Barry, Corporate Secretary  
Mark Kueber, Treasurer  
Sharon Moss, Manager, Finance Division  
Steve Hurcombe, Budget Coordinator  
Sybille Saunderson, Acting General Manager Public Safety  
Ron Austen, General Manager, Parks Recreation & Culture  
Kate McIntosh, Human Resources Manager  
Brian Dennison, General Manager  
Engineering and Environmental Services  
Tom Anderson, General Manager  
Planning and Development  
Brian Farquhar, Manager, Parks & Trails Division  
Geoff Millar, Manager, Economic Development Division  
Dominique Beesley, Secretary I

**ABSENT:** Directors P. Kent and T. Walker

## **APPROVAL OF AGENDA 09-609**

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

- NBSR1 Staff Report from the Parks and Trails Manager  
Re: Kinsol Trestle Revitalization Grant Funding Status  
Update**
- NBRES1 Appointments to Area C - Cobble Hill Advisory Planning  
Commission**
- NBRES2 Appointments to Area I - Youbou/Meade Creek Advisory  
Planning Commission;**

**and that the agenda be approved as amended.**

**MOTION CARRIED**

**COMMITTEE REPORTS**

**CRI** The report and recommendations of the Electoral Area Services Committee meeting of November 17, 2009 listing 12 items were considered.

**09-610** It was moved and seconded:

1. Pursuant to the provisions of Section 73 of the Community Charter and the Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, IT IS HEREBY RESOLVED that the owners and occupiers of the respective premises set forth below are required to remedy the unsafe condition by demolishing the remains of the fire damaged house, and remove the accumulation thereon of the unsightly materials and rubbish specified or take such remedial measures as are specified:

Property Description: Lot 1, Section 3, Oyster District, Plan 14037, PID 004 502 299

Location: 10505 Maytree Road, Saltair (Area G), B.C.

Unsafe Condition—Section 73 Community Charter: Remaining structure is unsafe.

Unsightly Accumulation – Section 725 Local Government Act and CVRD House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341: Accumulation of rubbish and burnt down house and contents.

Remedial measures: Demolish and remove the remaining structure and clean up and remove remains of the house and its contents and all other rubbish down to grade.

AND BE IT FURTHER RESOLVED that the CVRD Bylaw Enforcement Official BE AND IS HEREBY AUTHORIZED in default of such demolition and removal or remedial measures being undertaken by the owners or occupiers, within thirty (30) days of receipt of notice to do so, to carry out or have such work carried out and the expense charged to the owner or occupier. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

2. That Doug Higginson be appointed to the South Cowichan Official

**Community Plan Steering Committee.**

3. That Tom Anderson be appointed to the Island Corridor Foundation Transportation Workshop Advisory Planning Commission.
4. That the resignation of Ron McKenzie from the Area F Parks Commission be accepted and that a letter of appreciation be forwarded to Mr. McKenzie.
5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$1000 be given to Frances Kelsey Secondary School, to provide a bursary to a deserving Shawnigan Lake graduating student.
6. That a Grant-in-Aid (Electoral Area D – Cowichan Bay) in the amount of \$975 be given to Cowichan Bay Improvement Association, to assist with costs for recycling bins and signage.
7. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$1000 be given to CMS Foodbank Society, to assist with local community needs.
8. That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Chemainus Secondary School, to provide a bursary to a deserving Saltair graduating student.
9. That a Grant-in-Aid (Electoral Area G – Saltair) in the amount of \$500 be given to Nanaimo-Ladysmith Schools Foundation, to provide a Saltair Community Bursary.

**MOTION CARRIED**

09-611

It was moved and seconded:

10. That Development Permit Application No. 2-I-08DP by Jan and Gary Harvey for the expansion of a single family dwelling on Lot 1, Block 4, DL 72, Cowichan Lake District, Plan 16535, be approved, subject to compliance with the measures and recommendations outlined in RAR report No. 1011.
11. That Development Variance Permit Application No. 7-B-09DVP by Frank and Lynn Scott for a variance to Section 8.5(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to an exterior parcel line for an accessory building from 4.5 metres down to 3 metres on Lot 1, Shawnigan Suburban Lots, Shawnigan District,

Plan 25740, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.

**MOTION CARRIED**

09-612 It was moved and seconded:

12. That Rezoning Application No. 1-D-09RS (Kolenberg) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Opposed: Directors Morrison, Dorey and Marcotte

**MOTION CARRIED**

CR2 The report and recommendations of the Parks Committee meeting of November 24, 2009 listing five items were considered.

09-613 It was moved and seconded:

1. That a letter of appreciation be sent to Cowichan Tribes acknowledging their efforts to bring together the working partnerships to successfully achieve approval of the Job Opportunities Program work crews and for administering a successful program.
2. That a letter of appreciation be forwarded to Dan Brown, Parks Planning Technician (Trails) for his work with volunteer and the community on the Cleasby Bike Park and the Cobble Hill Mountain Regional Recreation Area.

*(Amended from original Committee recommendation)*

3. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to secure access to the recently acquired Heart and Stocking Lake Regional Park property across adjoining crown lands legally described as Lot A, Blocks 1 and 731, District Lot 121, and Part of the Unnumbered part, Oyster District, Plan VIP78445 (PID 026-313-031); and that an Interim Management Plan be developed by staff.
4. That the Board Chair and Corporate Secretary be authorized to execute the documents to secure Trail Access License Agreements across TimberWest's privately owned lands legally described as Lot 691, Block 5, Bright and Oyster Land Districts as well as the property Block 1242, Malahat Land District, VIP 78495 for segments of the Cowichan Valley Trail.
5. That the Board Chair and Corporate Secretary be authorized to

execute the necessary documents applicable to the approved Recreation Infrastructure Canada Program's \$650,000 funding assistance to the expansion and construction of major sections of the Cowichan Valley Trail.

**MOTION CARRIED**

**CR3** The report and recommendations of the Kinsol Trestle Revitalization Committee of November 24, 2009 listing three items were considered.

**09-614** It was moved and seconded:

1. That the Kinsol Trestle Rehabilitation Project be formally approved to proceed based on the \$5.671 million in funding secured to date for the project; and that the Board Chair and Corporate Secretary be authorized to execute the necessary documents to enter into a License Agreement with the Ministry of Transportation and Infrastructure for construction, operation and maintenance of the Cowichan Valley Trail within the former CNR railway corridor, inclusive of undertaking the full rehabilitation and ongoing maintenance of the historic Kinsol Trestle, for the sections of the former railway corridor between Sooke Lake Road and the eastern boundary of Cowichan River Provincial Park to the Pine Street intersection in the Town of Lake Cowichan.

**MOTION CARRIED**

**09-615** It was moved and seconded:

2. That a sole services contract in the amount of \$15,000 plus taxes and disbursements be awarded to Commonwealth Historic Resource Management to provide specialized heritage design and preservation consulting services to the historic Kinsol Trestle Rehabilitation Project.

**MOTION CARRIED**

**09-616** It was moved and seconded:

3. That a sole services contract in the amount of \$98,000 inclusive of taxes and disbursements be awarded to MMM Group Limited to provide the specialized services of Joost Meyboom, P. Eng., Regional Manager – Western Canada Project Delivery and Management for overall project management coordination of the historic Kinsol Trestle Rehabilitation Project.

**MOTION CARRIED**

## **BYLAWS**

**B1** It was moved and seconded that "CVRD Bylaw No. 3322 -

09-617                    Landclearing Management Regulation Amendment Bylaw, 2009" be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

Opposed: Director M. Marcotte

**MOTION CARRIED**

B1  
09-618                    It was moved and seconded that "CVRD Bylaw No. 3322 - Landclearing Management Regulation Amendment Bylaw, 2009" be adopted.

Opposed: Director M. Marcotte

**MOTION CARRIED**

**RESOLUTIONS**

RES1                    It was moved and seconded that the following Commission  
RES2                    appointments be approved:

RES3

09-619

Electoral Area B - Shawnigan Lake Advisory Planning Commission:

*Term to expire November 30, 2011:*

John Clark  
Cynara de Goutiere  
Rod Macintosh  
Carol Lane  
Sara Middleton  
Roger Painter  
Graham Ross-Smith

Electoral Area D - Cowichan Bay Advisory Planning Commission:

*Term to expire November 30, 2011:*

Hilary Abbott  
Cal Bellerive  
Dan Butler  
Brian Kosking  
Al Jones  
Kevin Maher  
Gordon Rutherford  
Calvin Slade  
David Slang

**Electoral Area H - North Oyster Advisory Planning Commission:**

*Term to expire November 30, 2010:*

**Ben Cuthbert  
Mike Fall  
Chris Gerrand  
John Hawthorn  
Alison Heikes  
Jody Shupe  
Janice Tukham**

**MOTION CARRIED**

**NEW BUSINESS**

**NBSR1** The Staff Report from the Parks and Trails Manager dated November 25, 2009 re: Kinsol Trestle Revitalization Grant Funding Status Update was considered for information.

**NBRES1  
09-620** It was moved and seconded that the following appointments to the Electoral Area C - Cobble Hill Advisory Planning Commission be approved:

*Term to expire November 30, 2010:*

**Jens Liebgott  
Jerry Tomljenovic**

**MOTION CARRIED**

**NBRES2  
09-621** It was moved and seconded that the following appointments to the Electoral Area I - Youbou/Meade Creek Advisory Planning Commission be approved as amended:

*Term to expire November 30, 2010:*

**Jeffrey Abbott  
Shawn Carlow  
George deLure  
Erica Turner  
Mike Marrs  
Gerald Thom  
Patricia Weaver**

**MOTION CARRIED**

**ADJOURNMENT**

09-622  
6:32 pm

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

**MOTION CARRIED**

The meeting adjourned at 6:32 pm.

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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



**D1****Request to Appear as a Delegation****Meeting Information**

Request to Address:\*

 CVRD Board Committee

If Committee, specify the Committee here:\*

CVRD Board

Meeting Date:\*

12/10/2009

Meeting Time:\*

6 pm

**Applicant Information**

Applicant Name:

Rodger Hunter

Representing:

Cowichan Basin Water Management Plan

(Name of organization if applicable)

As:

Coordinator of CBWAC

(Capacity / Office)

Number Attending:

1

**Applicant Contact Information**

Applicant Mailing Address:

3961 Riverside Road

Applicant City:

Duncan

Applicant Telephone:

250-701-0143

Applicant Fax:

Applicant Email:

visavis@uniserve.com

**Presentation Topic and Nature of Request:**

The presentation will provide an update on the implementation of the Cowichan Water Basin Management Plan (Plan) and include a request that the CVRD Board endorse a proposed governance document for the Cowichan Basin Water Advisory Board (CBWAC) that was recommended to be established in the Plan.

\* indicates required fields.

## **Prepared for the CVRD Board for endorsement.**

### **Subject: Board Endorsement of Cowichan Watershed Board (CWB) Governance**

#### **Background:**

The Cowichan Water Basin Management Plan (the Plan) was completed in March 2007. The Plan includes 89 recommendations that fall under 6 general topics:

- Reduce water demand.
- Manage water supply.
- Protect and enhance ecosystems.
- Manage storm water and flooding.
- Increase knowledge and awareness.
- Improve governance of water.

The CVRD Board endorsed 87 of the 89 recommendations. The two that were not endorsed involved:

- Raising the Catalyst weir by 30 cm and installing pumps below zero storage to pump water when required; and,
- modifying “rule curve” that governs weir operations to a “rule band”.

Although there have been a few significant accomplishments in implementing the Plan since early 2007 (e.g. completion of a flood plan mapping project for the lower floodplain in particular, plus some fisheries habitat enhancement projects and acquisition of LIDAR data that can be used to support flood analysis, infrastructure and habitat mapping at Lake Cowichan) direct progress in implementing the remainder of the 87 recommendations has been limited. Reasons for the lack of progress include:

- A daunting number of recommendations combined with inadequate priority setting;
- Lack of focused leadership in water resource management where responsibility is both diverse and somewhat diffuse; and,
- Lack of clear accountability and funding mechanisms

In addition, there is still some distrust regarding the overall intent of the plan particularly among some shoreline property owners.

Goal 6 of the Plan *Establish Clear, Accountable and Responsive Water Management Decision Processes and Governance Structures* was intended to overcome these potential barriers to progress.

## **Request**

This submission seeks CVRD Board endorsement of the key element in Goal 6. Specifically it seeks endorsement of the creation of a CWB and the governance framework under which it would operate.

Key aspects of the governance are summarized below. For CVRD directors who are interested in more detail on how the CWB would operate, a detailed summary of the CWB and the governance framework is found in Attachment 1 in the form of a draft Governance Manual.

## **CWB and Governance**

### Purpose of CWB

The CWB will serve as a watershed advisory body that, as stated in the Plan, “represents basin-wide interests, maintains on-going dialogue among stakeholders, and builds trust and ownership among the participants and the public.” The CWB will help guide the implementation of the Cowichan Basin Water Management Plan in order to improve the quality of water management decisions and the outcomes arising from those decisions. The CWB addresses the need to improve how decisions about water are made and how the people making those decisions are held accountable for them.

The CWB governance model is intended to support collaborative, local decision making at the regional/watershed-scale within the existing institutional and legal water framework. As an advisory body, the CWB’s role includes actively working with and encouraging regulatory agencies to base their water management decisions on the Board’s recommendations. It is anticipated that as the province adopts water management reforms, the CWB model will co-evolve and could potentially receive some form of delegated authority to make some local water management decisions.

### Mandate

The CWB’s mandate is to provide leadership for sustainable water management to protect and enhance environmental quality and the quality of life in the Cowichan watershed and adjoining areas.

The CWB does not have regulatory authority but shall promote wise water management practices throughout the watershed by:

- advocating for the well-being of the watershed;
- guiding and coordinating the implementation of the Plan;
- providing timely, balanced and thoughtful advice to senior and local government authorities including First Nations;
- securing stable funding sources to support water management activities,
- engaging local stakeholders in water management decisions;
- gathering information on and monitoring the health of the watershed;
- providing and accessing specialized expertise and knowledge for sustainable water management in the Cowichan watershed; and
- developing public outreach and extension tools to enhance watershed thinking and increase understanding of water science, stewardship and management activities.

### Board Composition and Accountabilities

The CWB is jointly established by the Department of Fisheries and Oceans, Ministry of Environment, CVRD, and Cowichan Tribes with the support of the Living Rivers Trust Fund, the Fraser Basin Council and Catalyst Paper. Twelve members make up the Board and will be appointed by the government partners as follows:

- The CVRD will appoint three members from the CVRD Board including one member who will serve as a Co-Chair of the Board.
- Cowichan Tribes will appoint two members from among the chief and councillors of Cowichan Tribes including one who will serve as a Co-Chair of the Board.
- The CVRD and Cowichan Tribes will jointly appoint three or four members-at-large from the community to provide specific local watershed knowledge.
- One or two members will be recommended by the federal government.
- Two members will be recommended by the provincial Ministry of Environment.

### Co-Chairs

The CVRD will appoint a director and Cowichan Tribes will appoint its Chief or a Councillor to serve as Co-Chairs of the Board.

### Principles

The CWB will be guided by the principles of *partnership, representation, watershed emphasis, and transparency.*

### Meetings

Meetings will be held regularly at a minimum of every two months and at the call of the Co-Chairs. Meetings will be open to the public except when the CWB closes the meeting for reasons given in Section 90 of the Community Charter which require confidentiality.

### Committees, Task Groups and Advisory Bodies

The CWB may form committees or task groups to assess and report on specific issues. It will seek technical advice from and will refer research and restoration decisions to a Cowichan Watershed Technical Working Committee comprised of the partners and other knowledgeable individuals as well as the members of the Cowichan Stewardship Round Table and other local stewardship groups like the Lake Cowichan Stewardship Roundtable, Somenos Marsh Wildlife Society, and Quamichan Watershed Stewardship Committee.

### Planning and Reporting

The Cowichan Basin Water Management Plan will be reviewed and revised every three years or sooner if required. An annual CWB report/business plan will be prepared by February 15<sup>th</sup> each year. The business plan will be based on priorities derived from the Plan and the previous year's achievements and findings and consultation with the organizations cited above and other interests.

### Review

An evaluation of the CWB actions and progress will be completed at the end of year two for consideration by the funding partners. Subsequently comprehensive 3d party program evaluations of the CWB and its activities will be conducted at three year intervals.

### Funding

Funding for the establishment and basic operations of the CWB, including a part time coordinator and in-kind administrative support will be provided, in the short term, by the partners.

Project funding will be pursued opportunistically and as required. For the long term sustainability of the CWB, options will be explored with the partners for acquiring a stable revenue stream or streams to support Board activities. Revenue sources may include surcharges on water licenses, and possibly water use, sewerage fees or other sources.

### **Pros and Cons of Endorsing the Proposal**

<b>Issue</b>	<b>Pros</b>	<b>Cons</b>
<b>Implementation for the Plan</b> (addressing leadership and diverse and diffuse mandates issues)  Success under the status quo model has been very limited.	The CWB will bring focus to implementing the plan by establishing annual priorities for implanting the Plan and offering its support and influence to encourage action on those priorities.	The CWB will not have statutory authority. Success will depend on inclusion of government bodies, private sector orgs, NGOs and other interests and power derived from influence, communication, cooperation, collaboration, partnering and suasion.
<b>Accountability</b>  Under the current model accountability is diffuse and weak.	The CWB will enhance accountability at the watershed level by setting priorities, tracking progress and reporting publicly on results.	Same as above.
<b>Watershed Thinking</b>  A siloed approach to water management can result in unintended negative consequences.	The CWB will encourage and support approaches to water management are based on whole watershed thinking.	This represents a significant change from business as usual and will require some adjustments in practice by some players. Full implementation of the approach will require time.
<b>Communications</b>  Current awareness and understanding of the Plan,	The CWB will work with others to develop, support and encourage distribution of objective information about the Plan,	None.

water and watershed issues is limited.	water and watershed issues. In its absence communications will continue to be limited, ad hoc and of questionable benefit.	
<b>Relationship Building</b>  There is an opportunity to build on the relationships that exist among the existing partners and expand relationships to be more inclusive of other partners and increase public confidence and trust.	Through its make-up and actions including public outreach the CWB is expected promote trust and build on existing cooperative relationships among Cowichan Tribes, the CVRD, federal and provincial agencies, private sector orgs, NGOs and other interests.	None.
<b>Funding</b>  In the short term the partners will be required to provide annual support for the CWB.	Besides benefits related to cost savings and avoidance, revenue enhancement and protection and human health and safety. The CWB is expected result in the leveraging of significant funds for watershed related projects in the region.	Funding has not yet been confirmed by all of the partners.  It is anticipated that approval of this request by the CVRD will be a pivotal in encouraging other partners to make funding commitments.

**Recommendation**

Endorse immediate establishment of the CWB and the general governance framework as outlined above.

**Attachment 1**

**Cowichan Watershed Board**

# **Governance Manual**

*Draft December 2009*

## Introduction

The Cowichan Basin Water Management Plan (the Plan) ([http://www.cvrld.bc.ca/water\\_cowichan/index.htm](http://www.cvrld.bc.ca/water_cowichan/index.htm)) was completed in 2007 to provide a framework for:

- learning more about the basin system and water issues;
- protecting the ecological function of the system;
- balancing water supply and use; and
- building broad public understanding and support for the Plan.

The Plan was commissioned by the Cowichan Valley Regional District (CVRD), Cowichan Tribes, Ministry of Environment, Fisheries and Ocean Canada, Catalyst Paper, and the Pacific Salmon Commission who recognized that a more formal and proactive approach to water management was needed in the Basin in the face of continued population growth, climate change and the cumulative impacts of uncoordinated decision-making on the watershed in the past.

Effective water management in the Cowichan Basin has been hampered by the fact that legislative authority and responsibility for water and water resources is complex and spread among federal, provincial and local governments and agencies. Legislation associated with water lies in seven federal and 12 provincial *Acts*, as well as the *Community Charter* and *Local Government Acts*. As a result, leadership and coordinated decision making among the many agencies responsible for water and related resources have been challenging. In the Cowichan watershed crisis management associated with summer drought became the default approach.

Goal Six of the Plan addresses the need to improve governance of Cowichan Basin water including how decisions about water are made and how the people making those decisions are held accountable for them. Specifically, the Plan proposes establishing and funding “a water management advisory council that represents basin-wide interests, maintains on-going dialogue among stakeholders, and builds trust and ownership among the participants and the public.” This advisory council herein referred to as the Cowichan Watershed Board (CWB) would essentially focus on guiding the implementation of the Plan. Its success would be judged by how well it achieves progress in implementing the Plan and Plan related activities.

The CWB governance model presented here is intended to support collaborative, local decision making at the regional/watershed-scale within the existing institutional and legal water framework. As an advisory entity, the CWB’s role includes actively working with and encouraging the regulatory agencies to base their water management decisions on the Board’s recommendations. It is anticipated that as the province adopts water management reforms, the CWB model will co-evolve and could potentially receive some form of delegated authority to make some local water management decisions.

This governance manual is a living document that outlines Board’s governance framework and operating policies and procedures.



## Governance Framework

### Purpose

The purpose of the CWB is to provide a formal entity to help guide the implementation of the Cowichan Basin Water Management Plan and improve the quality of water management decisions and the outcomes arising from those decisions within the Cowichan watershed.

### Mandate

The CWB's mandate is to provide leadership for sustainable water management to protect and enhance environmental quality and the quality of life in the Cowichan watershed and adjoining areas.

The Board does not have regulatory authority but shall promote wise water management practices throughout the watershed by:

- advocating for the well-being of the watershed;
- guiding and coordinating the implementation of the Water Management Plan;
- providing timely, balanced and thoughtful advice to senior and local government authorities including First Nations;
- securing stable funding sources to support water management activities;
- engaging local stakeholders in water management decisions;
- gathering information on and monitoring the health of the watershed;
- providing and accessing specialized expertise and knowledge for sustainable water management in the Cowichan watershed; and
- developing public outreach and extension tools to enhance watershed thinking and to increase residents' understanding of water science, stewardship and management activities.

### Principles

The CWB is committed to the following principles:

- *Partnership*: The Board is built on a collaborative partnership among Cowichan Tribes, the CVRD, the Ministry of Environment, and the Department of Fisheries and Oceans, Catalyst Paper, the Fraser Basin Council and the Living Rivers Trust Fund (the partners) and seeks to engage and bridge the interests of regulatory agencies, local water stakeholders and citizens.
- *Representation*: The Board members are appointed to serve the best interests of Cowichan Basin citizens and the region as a whole in a manner that is consistent with federal and provincial interests that support sound watershed management. Members are to the greatest extent possible selected from local community leaders and/or known water management champions-related experts.

- *Watershed Emphasis:* The CWB's priorities and activities are guided by a vision for the watershed as a whole that is based on ecological sustainability and meeting local needs.
- *Transparency:* To the greatest extent possible, the actions and decisions of the CWB will be transparent and open.

### **Roles and Responsibilities of the CWB**

- Advocating for the well-being of the watershed and policies and decisions that reflect watershed thinking and positive outcomes for the watershed;
- Developing a process for seeking input from basin residents on CWB activities and for reporting back on activities;
- Reviewing and updating the Cowichan Basin Water Management Plan;
- Seeking input from the Technical Advisory Committee, governments, watershed groups, interests and residents as part of the annual business planning process;
- Preparing an annual business plan and budget based on the Plan;
- Ensuring appropriate financial controls;
- Preparing and distributing an annual report/business plan;
- Adhering to the principles and carrying out the responsibilities set out in the governance manual;
- Appointing, monitoring and evaluating the coordinator;
- Regularly reviewing and revising policies and procedures to ensure that the CWB is effective.

## Operating Policies and Procedures

### Membership

#### Appointment

- The Board will consist of 12 members who will be appointed by the government partners as follows:
  - The CVRD will appoint three members from the CVRD Board including one member who will serve as Co-Chair of the Board.
  - Cowichan Tribes will appoint two members from among the chief and councillors of Cowichan Tribes including one member who will serve as Co-Chair of the Board.
  - The CVRD and Cowichan Tribes will jointly appoint three or four members-at-large from the community to provide specific local watershed knowledge.
  - One or two members will be recommended by the federal government.
  - Two members will be recommended by the provincial Ministry of Environment.
  
- A member may be removed if the Co-Chairs and a majority of the other members believe such action is in the best interest of Board's deliberations and effectiveness.

#### Terms

- The Board's initial mandate will be for two years, notionally ending on December 31, 2011. Subsequent mandates will be for three years beginning January 1, 2011, consistent with the local government election cycle.
- Subsequently, terms of elected officials will be commensurate with their respective terms of office. Other members will serve for two years. All members may be reappointed for subsequent terms. If a member resigns before the full term the appropriate government partner(s) will nominate a successor to complete the term.

### Co-Chairs

#### Appointment

- The Co-Chairs will be a CVRD Director and Cowichan Tribe's Chief/Councillor selected jointly by the CVRD and Cowichan Tribes.

#### Duties

- The Co-Chairs will work with the coordinator to lead CWB in fulfilling its mandate. A Co-Chairs has the responsibility to:
  - Set agendas, call and preside over meetings to:
    - ensure that the CWB follows its adopted meeting procedures,

- ensure that priorities are addressed, the best possible information is brought to the table, and all issues are thoroughly discussed and views fairly heard and represented, and
- influence the course of meetings as necessary to meet the agenda;
- Provide leadership to the CWB and assist it in reviewing and monitoring implementation of its strategies and policies;
- Build consensus, foster effectiveness and develop teamwork within the CWB;
- Coordinate CWB communications and activities and act as spokespersons for the Board;
- Liaise with and establish positive relationships with the senior government partners, funding partners and others;
- Consult with CWB members and address any issues that arise relating to Board's governance and operating policies,
- Ensure the evaluation of the coordinator takes place in a timely manner; and
- Ensure the other Co-Chair is kept informed of current and pending CWB issues.

### Meetings

- The CWB may establish its own procedures by consensus of the members.
- Members will work to achieve consensus as much as possible.
- Decisions are made by simple majority; each member has one equal vote.
- A quorum exists when two thirds of members are present.
- Objections may be registered in meeting minutes through:
  - Reservations or Non-Support* – a CWB member disagrees with a decision but will not stop a majority from supporting it.
- Meetings are held regularly at a minimum of every two months and at the call of the Co-Chairs.
- Members who are unable to attend a meeting can provide their written input to the Co-Chairs and/or coordinator prior to a given meeting. If required members will be given the opportunity to join meetings via teleconference.
- Members who are not covered by their employers or organizations for travel expenses will be paid for travel to and from the meetings at rates consistent with "industry standards" for local/regional government officials.
- Meetings are open to the public except when the CWB closes the meeting for reasons given in Section 90 of the Community Charter, which include discussions involving personnel, land or legal matters that require confidentiality.
- Public notification of meetings will be provided two weeks in advance of regularly scheduled meetings.
- A Co-Chair may extend invitations to resource people or community representatives to attend meetings where their input would be of benefit.

### Committees

- The CWB may form sub-committees or task groups to assess and report on specific issues.
- Terms of reference will be established for each committee or task group and the CWB will assess the performance of that committee against its terms of reference annually.

- The CWB will seek technical advice from and will refer research and restoration decisions to a Cowichan Watershed Technical Working Committee comprised of the partners and other knowledgeable individuals as well as the Cowichan Stewardship Round Table and other local stewardship groups like the Lake Cowichan Stewardship Roundtable, Somenos Marsh Wildlife Society, and Quamichan Watershed Stewardship Committee.

### **Timelines**

- The Cowichan Basin Water Management Plan will be reviewed and revised every three years or sooner if required.
- An annual CWB report/business plan will be prepared by February 15<sup>th</sup> each year. The business plan will be based on priorities derived from the Plan and the previous year's achievements and findings.

### **Roles and Responsibilities of the CWB Coordinator**

- The role of the coordinator is to provide leadership and administrative and technical support for the establishment and implementation of the Board. The coordinator reports directly to the Co-Chairs and with the Co-Chairs is the primary spokesperson for the Board. The CWB members have full access to the coordinator.
- Specific responsibilities include:
  - Implement code of conduct, dispute resolution and communication protocols to guide Board members in their deliberations and decision-making.
  - Prepare and coordinate CWB meeting agendas, backgrounders, briefing notes, minutes, press releases, and responses to public inquiries about the Board's mandate and business outcomes.
  - Provide administrative and technical support to the Co-Chairs and Board on emerging water management issues and programs/actions pursuant to recommendations of the Plan.
  - Manage jointly contributed funds dedicated to the CWB's formation and operations.
  - Liaise/consult with governments elected officials and staff, NGO's and individual citizens on water-related issues, particularly those identified as priorities by the CWB and its member organizations.
  - Develop RFP's, terms of reference, award and manage contracts for specific tasks approved by the Board. Certify contractor performance and recommend payment of fees/expenses.
  - Prepare progress reports and prepare/oversee production of the CWB's annual business report/business plan for public distribution summarizing the CWB's business achievements towards its primary goals and objectives.
  - Coordinate and/or attend media interviews related to major water issues before the Board; prepare media advisories/backgrounders; lead development of a public education strategy in cooperation with the Board and communications consultants.

- Ensuring that an objective internal program evaluation is completed prior to the completion of year two of CWB operations and that a comprehensive third party program evaluation is conducted at three year intervals thereafter.

### **Funding and Resources**

- Funding for the establishment and basic operations of the CWB, including a part time coordinator and in-kind administrative support like meeting rooms, communications, and secretarial services, will be provided, in the short term, by the partners.
- Project funding will be pursued opportunistically and as required.
- For the long term sustainability of the CWB, options will be explored with the partners for acquiring a stable revenue stream or streams to support Board activities. Revenue sources may include surcharges on water licenses, and possibly water use, sewerage fees or other sources.

### **Communication Policies**

- The Coordinator, on behalf of the CWB, may prepare and submit briefing notes, position papers, letters or verbal presentations to various levels of government reflecting the Board's decisions and recommendations.
- CWB will communicate with the public in the following manner:
  - It will provide its decisions and recommendations directly to government elected officials and/or agency staff, at which time they will become public unless involving personnel, land or legal matters;
  - The Co-Chairs may speak publicly about CWB's business on behalf of the members;
  - The Co-Chairs may designate the Coordinator or another member of CWB to speak on the Board's behalf;
  - Individual CWB members will not speak to the public on behalf of Board unless so designated; and
  - CWB members must clarify they are not speaking for Board if they speak publicly on behalf of their organizations on a Board-related matter.
- Media releases, interviews, web-postings and other outreach materials produced by the CWB must be approved by the one of the Co-Chairs in advance as determined by procedures agreed upon by the Co-Chairs.



**REGIONAL SERVICES COMMITTEE REPORT**  
**OF REGULAR MEETING HELD NOVEMBER 25, 2009**

**DATE:** November 27, 2009

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

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Your Regional Services Committee reports and recommends as follows:

1. That the Chair and Corporate Secretary be authorized to sign the renewal agreement for the use of the Mt. Bruce CI911 Antenna Site.

**ELECTORAL AREA SERVICES  
COMMITTEE REPORT**

**OF MEETING HELD DECEMBER 1, 2009**

**DATE:** December 8, 2009

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

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Your Electoral Area Services Committee reports and recommends as follows:

1. 1. That the Board Chair and Corporate Secretary be authorized to execute the necessary documents to amend the existing Parks and Trails Deficiencies Agreement with Woodland Shores to reduce the outstanding deficiencies value from \$44,400 to \$10,000, and furthermore that Woodland Shores be reimbursed \$34,400 from the deficiencies fund currently held by the Regional District under the terms of the existing agreement.
2. That the following transfer of 2009 yearend surplus amounts be approved for Electoral Area Community Parks functions 231 (Area A), 235 (Area E) and 237 (Area G):
  - Area A Community Parks Capital Reserve Fund - \$15,000
  - Area E Community Parks Capital Reserve Fund - \$70,000
  - Area G Community Parks Capital Reserve Fund - \$40,000
3. That a Grant-in-Aid (Electoral Area F – Cowichan Lake South/Skutz Falls) in the amount of \$2000 be given to Caycuse Volunteer Fire Department to assist with equipment and building repair costs.
4. That a Grant-in-Aid (Electoral Area A – Mill Bay/Malahat) in the amount of \$2205 be given to Sussex Consultants to assist with a funding shortfall for the South Cowichan Governance Study.
5. That a Grant-in-Aid (Electoral Area B – Shawnigan Lake) in the amount of \$2205 be given to Sussex Consultants to assist with funding for the South Cowichan Governance Study.
6. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$2205 be given to Sussex Consultants to assist with funding for the South Cowichan Governance Study.
7. That a Grant-in-Aid (Electoral Area C – Cobble Hill) in the amount of \$1000 be given to CMS Foodbank Society to assist with local community needs.



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

8.
  1. That Rezoning Application 4-A-07RS (Logan) be approved;
  2. That prior to any reading of the amendment bylaws, the Ministry of Transportation and Infrastructure indicate in writing to the CVRD that the sight distance issue has been resolved or can be resolved to their satisfaction; AND a landscaping plan be submitted with cost estimates;
  3. That prior to consideration of adoption of the amendment bylaws, the owner register a covenant on title prohibiting any signs from being posted along the southern boundary of the property along the Trans Canada Highway; and
  4. That a BCLS survey be done of the 0.8 ha site being rezoned and that portion be fenced, or that a security (ILOC) sufficient to ensure fencing is installed be received by the CVRD; and that a security (ILOC) sufficient to ensure that landscape screening in the plan will be done is deposited with the CVRD.
  
9. That Application No. 1-G-09DVP by Reg and Anne Mann for a variance to Section 5.4(4) of Zoning Bylaw No. 2524, by decreasing the setback to a side interior parcel line from 1.8 metres down to 0.94 metres on Lot 20, District Lot 34, Oyster District, Plan 6095, be approved, subject to the applicant providing a survey confirming compliance with the approved distance.



## ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD NOVEMBER 25, 2009

**DATE:** November 30, 2009

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

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

1. That the Board authorize staff time to continue with the process of investigating takeover of the Carlton Improvement District Water system, located in Electoral Area B, as requested by Carlton Improvement Trustees, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
  - All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
  - A utility transfer agreement be executed between the CVRD and the owners;
  - A CVRD review of the system be undertaken in order to address deficiencies in the water system;
  - The owner of utility be willing to sell and/or transfer the system to the CVRD;
  - A public consultation process regarding CVRD takeover be undertaken;
  - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
  - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executedand further that an assessment of the system be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.
2. That the Board accept the Briarwood/Kerry Village Capital Works Agreement between Briarwood Estates Ltd. and the CVRD, as amended, and further that the Board Chair and Corporate Secretary be authorized to sign the agreement.
3. That CVRD Bylaw No. 3339 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2009 be forwarded to the Board for consideration of three readings and adoption.

4. That the Board provide first stage approval and authorize staff time to continue with the process of investigating takeover of the Shellwood Improvement District Water System, located in Electoral Area H – North Oyster/Diamond, as requested by Shellwood Improvement Trustees, subject to the following conditions and with the understanding that nothing is intended by this approval to fetter future CVRD Board decisions on required bylaws:
- All lands on which infrastructure works are located will be placed within registered Statutory Rights-of-way, using the CVRD's standard charge terms;
  - A utility transfer agreement be executed between the CVRD and the owners;
  - A review of the system be undertaken in order to address deficiencies in the water system;
  - The owner of utility be willing to sell and/or transfer the system to the CVRD;
  - A public consultation process regarding CVRD takeover be undertaken;
  - A petition process be carried out and completed by at least 50% of the owners of parcels within the proposed service area with the total value of the parcels representing at least 50% of the net taxable value of all land and improvements in the service area.
  - This list is not exhaustive and items may be added, deleted or altered prior to a formal agreement being executed.

and further that an assessment of the system be carried out, funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Feasibility Study Function and \$10,000 through a Provincial Feasibility Study Grant; and that, upon completion of a successful petition process, bylaws be prepared to create a service area for this utility.

5. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Fern Ridge Water System Service Area be received.
- .2 That the boundaries of the Fern Ridge Water System Service Area be amended to include "*Lot 9, District Lot 107, Malahat District, Plan VIP32245 except plan 32821*" and "*Lot 12, District Lot 107, Malahat District, Plan 32245*".
- .3 That "CVRD Bylaw No. 2994 – Fern Ridge Water System Service Establishment Bylaw, 2007", be amended to include Lot 9 and Lot 12, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.
6. .1 That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
- .1 CVRD Bylaw No. 3305 – Arbutus Ridge Water System Management Bylaw, 2009
  - .2 CVRD Bylaw No. 3306 – Arbutus Ridge Sewer System Management Bylaw, 2009
  - .3 CVRD Bylaw No. 3307 – Arbutus Ridge Drainage System Management Bylaw, 2009
  - .4 CVRD Bylaw No. 3308 – Arbutus Ridge Water Capital Reserve Bylaw, 2009
  - .5 CVRD Bylaw No. 3309 – Arbutus Ridge Water Parcel Tax Bylaw, 2009
  - .6 CVRD Bylaw No. 3310 – Arbutus Ridge Sewer Capital Reserve Bylaw, 2009
  - .7 CVRD Bylaw No. 3311 – Arbutus Ridge Sewer Parcel Tax Bylaw, 2009.

- .2 That the Board accept the Utility Transfer Agreement between the CVRD and CRC Canadian Retirement Corporation and Strata Plan VIS 1601 for CVRD takeover of the sewer, water and drainage systems for the Arbutus Ridge Strata Corporation in Electoral Area C, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
7. That the CVRD apply a Water Conservation Fee of \$10,000 per connection to the following subject properties requesting inclusion into the Shawnigan Lake North Water System Service Area for the purpose of funding a Water Conservation, Metering And Backflow Prevention Program.

PID NOs.

001-429-876	003-122-310	009-481-079
004-166-248	009-255-702	006-121-161
009-480-901	009-255-753	006-121-179
001-959-646	008-441-804	009-255-516
003-126-102		

8. That the CVRD request that the Capital Regional District consider temporary acceptance of out-of-region municipal solid waste from the CVRD, commencing in 2012.
9. .1 That the Board accept the Utility Transfer Agreement between the CVRD and Dogwood Ridge Improvement District for CVRD takeover of the water system in Electoral Area E, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
2. That the following bylaws be forwarded to the Board for consideration of three readings and adoption:
  - .1 CVRD Bylaw No. 3313 – Dogwood Ridge Water System Management Bylaw, 2009
  - .2 CVRD Bylaw No. 3314 – Dogwood Ridge Water Capital Reserve Bylaw, 2009
  - .3 CVRD Bylaw No. 3315 – Dogwood Ridge Water Parcel Tax Bylaw, 2009.



## TRANSIT COMMITTEE REPORT

OF MEETING HELD DECEMBER 9, 2009

**DATE:** December 9, 2009

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

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Your Transit Committee reports and recommends as follows:

1. That the change in scope to the revised Public Transit Agreement and Public Transit Infrastructure Program Funding Agreement be approved; and that the Board Chair and Corporate Secretary be authorized to sign the revised Agreement.
2. That the Board Chair and Corporate Secretary be authorized to sign Amendment #1 to the Cowichan Valley Regional Transit *Annual Operating Agreement* for the period April 1, 2009 to March 31, 2010.
3. That the Board Chair and Corporate Secretary be authorized to sign Amendment #1 to the Cowichan Valley Regional Transit *Youbou Annual Operating Agreement* for the period April 1, 2009 to March 31, 2010.



CR5

## COWICHAN LAKE RECREATION COMMISSION REPORT

OF MEETING HELD NOVEMBER 26, 2009

**DATE:** November 30, 2009

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

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Your Cowichan Lake Recreation Commission reports and recommends as follows:

1. That the CVRD Chair and Corporate Secretary be authorized to execute the Community Access Program site funding agreement with the Victoria Free-Net Association for funding and operation of the Industry Canada Community Access (CAP) Program at the Youbou Community Hall operated under the function of Cowichan Lake Recreation.
2. That the CVRD Board support the grant application, in Phase 4 of the Community Grant Portion of the "Healthy Eating Strategy", for \$7,500 for funding to proceed with a healthy food and beverage initiative in the Cowichan Lake Area.



**STAFF REPORT**

**REGULAR BOARD MEETING  
OF DECEMBER 9, 2009**

**DATE:** December 1, 2009 **BYLAW NO:** 3277 & 3278  
**FROM:** Kathleen Harrison, Deputy Corporate Secretary, Corporate Secretariat Division  
**SUBJECT:** Results of Alternative Approval Processes for CVRD Bylaw Nos. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) and 3278 - Solid Waste Management Loan Authorization (Operations Facility).

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**Recommendations:**

1. That the *Certificate of Results*, confirming that the CVRD Board may proceed to adopt Bylaw No. 3277, be received.
2. That the *Certificate of Results*, confirming that the CVRD Board may proceed to adopt Bylaw No. 3278, be received

**Purpose:**

To present the results of the Alternative Approval Processes for “CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009” and “CVRD Bylaw No. 3278 - Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009”.

**Financial Implications:**

Bylaw No. 3277 authorizes the Regional District to borrow up to \$1,800,000.00 for a 20-year period to help finance the remediation of three CVRD ashfills, upgrade and expand three existing CVRD recycling depots and construct a new recycling depot in South Cowichan within the Solid Waste Management Service Area. If the maximum is borrowed, the cost to property owners within the service area with a residential property assessed at \$100,000.00. is estimated at \$1.13 per annum.

Bylaw No. 3278 authorizes the Regional District to borrow up to \$590,000.00 for a 20-year period to help finance the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex within the Solid Waste Management Service Area. If the maximum is borrowed, the cost to property owners within the service area with a residential property assessed at \$100,000.00. is estimated at \$0.37 per annum.

.../2

**Interdepartmental/Agency Implications:**

Following adoption of Bylaw Nos. 3277 and 3278, and the legislated 30 day quashing period, the Corporate Secretariat Division can apply to the Province for a Certificate of Approval. Once the Certificate is received the Finance Division can proceed with the necessary borrowing and the Engineering and Environmental Services Department may proceed with the projects.

**Background:**

Following provincial approval, an alternative approval process for both CVRD Bylaw Nos. 3277 and 3278 was launched on October 16, 2009 and closed November 30, 2009. As outlined in the attached *Certificate of Results* for Bylaw No. 3277, there were Twenty-One (21) valid *Elector Response Forms* submitted in opposition to the adoption of the Bylaw. The attached *Certificate of Results* for Bylaw No. 3278 notes that there were Twenty-One (21) valid *Elector Response Forms* submitted in opposition to the adoption of the Bylaw. The submissions of objection to the adoption of the bylaws do not exceed the 10% threshold for each opportunity and therefore the Board may proceed to adopt both Bylaw Nos. 3277 and 3278.

Submitted by:



Kathleen Harrison  
Deputy Corporate Secretary

<p><i>Division Manager's Approval:</i></p> <p><b>NOT AVAILABLE</b></p> <p><i>Signature</i></p>
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Attachment: Certificate of Results – Bylaw Nos. 3277 and 3278





**C·V·R·D**

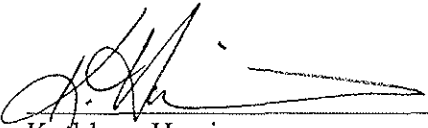
**CVRD Bylaw No. 3277  
Certificate of Results - Alternative Approval Process**

I hereby certify that Twenty-One (21) valid *Elector Response Forms* were received in opposition to the adoption of "CVRD Bylaw No. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009". CVRD Bylaw No. 3277 authorizes the Regional District to borrow up to One Million Eight Hundred Thousand Dollars (\$1,800,000.00) for a period of 20 years to help finance the remediation of three CVRD ashfills; upgrade and expand three existing CVRD recycling depots; and construct a new recycling depot in South Cowichan, within the Solid Waste Management service area comprised of the: City of Duncan; District of North Cowichan; Town of Lake Cowichan; Town of Ladysmith; Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek.

The total number of electors in the service area to which the Alternative Approval Process applies is estimated at 56,610.

In accordance with Section 86 (1) of the *Community Charter*, the number of elector response forms received represents less than 10% of the electors in the area to which the Alternative Approval Process applies, and the Cowichan Valley Regional District may proceed to adopt CVRD Bylaw No. 3277.

DATED at Duncan, British Columbia  
this 1<sup>st</sup> day of December, 2009

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)  
  
Kathleen Harrison  
Deputy Corporate Secretary

<b>Number of Electors in the Service Area</b>	<b>10% of the Electors</b>	<b>Elector Response Forms Received</b>
56,610	5,661	21



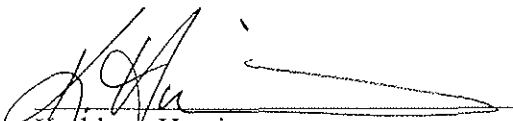
**CVRD Bylaw No. 3278  
Certificate of Results - Alternative Approval Process**

I hereby certify that Twenty-One (21) valid *Elector Response Forms* were received in opposition to the adoption of "CVRD Bylaw No. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009" which authorizes the Regional District to borrow up to Five Hundred and Ninety Thousand Dollars (\$590,000.00) for a period of 20 years to help finance the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex, within the Solid Waste Management service area comprised of the: City of Duncan; District of North Cowichan; Town of Lake Cowichan; Town of Ladysmith; Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek.

The total number of electors in the service area to which the Alternative Approval Process applies is estimated at 56,610.

In accordance with Section 86 (1) of the *Community Charter*, the number of elector response forms received represents less than 10% of the electors in the area to which the Alternative Approval Process applies, and the Cowichan Valley Regional District may proceed to adopt CVRD Bylaw No. 3278.

DATED at Duncan, British Columbia  
this 1<sup>st</sup> day of December, 2009

)  
)  
)   
) Kathleen Harrison  
) Deputy Corporate Secretary

<b>Number of Electors in the Service Area</b>	<b>10% of the Electors</b>	<b>Elector Response Forms Received</b>
56,610	5,661	21



**REPORT OF THE CHIEF ELECTION OFFICER TO THE  
COWICHAN VALLEY REGIONAL DISTRICT BOARD MEETING  
OF DECEMBER 9, 2009**

**DATE:** December 1, 2009

**FROM:** Kathleen Harrison, Chief Election Officer

**SUBJECT:** Report of the Chief Election Officer for the Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Referendum 2009.

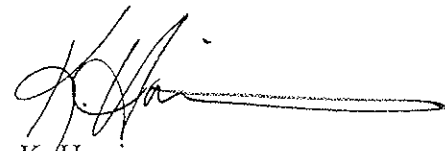
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The Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Referendum 2009 was held on Saturday November 21<sup>st</sup>. There were two advance voting opportunities held on Thursday, November 12, 2009 and Tuesday, November 17, 2009, at the Shawnigan Lake Community Centre. Voting places were also located in all three participating electoral areas on November 21<sup>st</sup>.

Pursuant to CVRD Board Resolution 09-447-3, the Referendum was held over the entire service area which included Electoral Areas A – Mill Bay/Malahat, B – Shawnigan Lake and C – Cobble Hill. Overall 63% of the electorate voted in opposition of the Board adopting "Cowichan Valley Regional District Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009", and "Cowichan Valley Regional District Bylaw No. 3301 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Loan Authorization Bylaw, 2009". Therefore, the Board may not proceed with CVRD Bylaw Nos. 3300 and 3301.

Attached for information are copies of the: Chief Election Officer's Determination of Official Referendum Results; Statement of Vote; and Declaration of Official Referendum Results that also contain voter turnout information for the Referendum.

Respectfully submitted,



K. Harrison  
Chief Election Officer



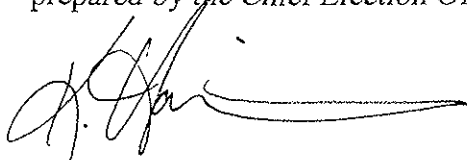
KERRY PARK RECREATION CENTRE

CAPITAL RENOVATION AND AQUATIC CENTRE REFERENDUM, 2009

**DETERMINATION OF OFFICIAL REFERENDUM RESULTS**

<b>Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Referendum</b>	Ballots Collected at:	<b>YES</b>	<b>NO</b>
	ADVANCE AND MAIL BALLOT VOTING	303	490
	AREA A – FRANCES KELSEY SECONDARY SCHOOL	443	575
	AREA B – ELSIE MILES ELEMENTARY SCHOOL	658	859
	AREA C – COBBLE HILL COMMUNITY HALL	338	1027
	<b>TOTAL VOTES</b>	<b>1742</b>	<b>2951</b>

This determination of official referendum results was made by the Chief Election Officer on Tuesday November 24, 2009 at 4:30 p.m. and is based on ballot accounts as amended or prepared by the Chief Election Officer.



K. Harrison  
Chief Election Officer



Referendum November 21, 2009 for: Kerry Park Recreation Centre Capital Renovation  
and Aquatic Centre Referendum

Total Number of Voters: 4, 718

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**BALLOT ACCOUNT:**

Ballots Printed:	15, 000
Ballots Used:	
Ballots Counted as Valid:	4, 693
Ballots Rejected:	25
Ballots Spoiled and replaced:	1
Ballots Unused:	10, 281
Total Ballots Accounted For:	15, 000
Total Ballots Not Accounted For:	Ø
Ballots Rejected as Invalid to which Objection Has Been Made:	Ø
Ballots Counted as Valid to which Objection Has Been Made:	Ø

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**STATEMENT OF VOTE:**

<u>ANSWER:</u>	<u>VOTE:</u>
Yes	1, 742
No	2, 951

Dated this 24<sup>th</sup> day of November, 2009

  
\_\_\_\_\_  
CHIEF ELECTION OFFICER



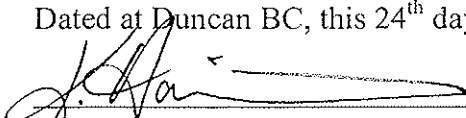
KERRY PARK RECREATION CENTRE  
CAPITAL RENOVATION AND AQUATIC CENTRE REFERENDUM, 2009

**DECLARATION OF OFFICIAL REFERENDUM RESULTS**

VOTING LOCATION	YES	NO	TOTAL NUMBER OF VOTES	
Advance Voting and Mail Ballot Voting (Areas A, B & C): Shawnigan Lake Community Centre November 12 <sup>th</sup> and 17 <sup>th</sup> . <b>Total Ballots Cast</b>	<b>303</b>	<b>490</b>	<b>793</b>	
% of Vote	38%	62%		
Frances Kelsey Sr. Secondary (Area A): November 21 <sup>st</sup> . <b>Total Ballots Cast</b>	<b>443</b>	<b>575</b>	<b>1018</b>	
% of Vote	44%	56%		
Elsie Miles Elementary (Area B): November 21 <sup>st</sup> . <b>Total Ballots Cast</b>	<b>658</b>	<b>859</b>	<b>1517</b>	
% of Vote	43%	57%		
Cobble Hill Community Hall (Area C): November 21 <sup>st</sup> . <b>Total Ballots Cast</b>	<b>338</b>	<b>1027</b>	<b>1365</b>	
% of Vote	25%	75%		
<b>Total Ballots Cast Over Entire Service Area</b>	<b>1742</b>	<b>2951</b>	<b>4693</b>	
<b>Total % of Vote Over Entire Service Area</b>	<b>37%</b>	<b>63%</b>		
<b>VOTER TURNOUT</b>				
	ADVANCE	AREA A	AREA B	AREA C
Electors Registered in Advance	12, 218	3110	5375	3733
New Registrations	94	112	214	146
<b>Total Number on Voters List</b>	<b>12, 312</b>	<b>3222</b>	<b>5589</b>	<b>3879</b>
Total Votes Cast	793	1018	1517	1365
<b>Total Voter Turnout</b>	<b>6%</b>	<b>32%</b>	<b>27%</b>	<b>35%</b>

I hereby declare that "Cowichan Valley Regional District Bylaw No. 3300 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Service Establishment Bylaw, 2009", and "Cowichan Valley Regional District Bylaw No. 3301 - Kerry Park Recreation Centre Capital Renovation and Aquatic Centre Loan Authorization Bylaw, 2009" did not receive the assent of the electorate.

Dated at Duncan BC, this 24<sup>th</sup> day of November, 2009.

  
K. Harrison  
Chief Election Officer



## STAFF REPORT

### REGULAR BOARD MEETING OF DECEMBER 9, 2009

**DATE:** December 3, 2009 **FILE NO:** 7-E-07RS  
**FROM:** Rob Conway, Assistant Manager **BYLAW NO:** 3284 & 3285  
**SUBJECT:** Third Reading and Adoption of Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw 3285 (Cherry Blossom Estates)

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**Recommendation:**

For information.

**Purpose:**

To consider issues discussed at the public hearing for Bylaws 3284 and 3285.

**Financial Implications:** NA

**Interdepartmental/Agency Implications:** NA

**Background:**

A public hearing for OCP Amendment Bylaw 3284 and Zoning Amendment Bylaw 3285 was held on the evening November 10, 2009 at the Sahtlam Fire Hall. The proposed bylaws would amend OCP Bylaw No. 1490 and Zoning Bylaw No. 1840 to permit a 7.53 hectare (18.6 acre) property at 5611 Culverton Road to be developed for up to 50 residential dwellings (modular homes or single family dwellings) and park land. Minutes from the public hearing are included on the December 9, 2009 Regional Board agenda.

Directors Loren Duncan, Ian Morrison and Klaus Kuhn attended the public hearing as delegates of the Board. Following the hearing, the delegates met to review issues raised at the hearing and to obtain technical clarification from planning staff.

This report is intended to identify issues the Board delegates felt should be addressed prior to adoption of bylaws being considered.

Issues Raised at Public Hearing:

**1. *Water Supply:***

A concern of many at the hearing was the potential impacts of the proposed development on adjacent wells. Although the applicants provided a groundwater quantity and quality assessment report prior to the hearing that indicated there is an adequate water supply available for the project, the report also acknowledged that such assessments are not conclusive and that it is not possible to determine all potential impacts on ground water prior to development.

A number of local residents at the hearing requested a guarantee that their wells would not be negatively impacted. Provision of security by the developer to fund connection of adjacent properties to the proposed water system was the most common form of guarantee suggested. Staff recommend against requiring the applicant funding the connection of adjacent property owners to a future water system as a condition of rezoning, since it can be very difficult to determine impacts on individual wells and to conclusively link reduced well water supply to adjacent development.

*Suggested Approach:*

The approach for addressing community concerns about potential impacts on ground water and adjacent wells favoured by the Board delegated is to focus minimizing water consumption. This could be achieved by adding the following requirements to the Section 219 Covenant that will be registered against the subject property prior to adoption of the amendment bylaws:

- Construction of recycled water system (“purple pipes”) that would supply treated water from the project’s waste water treatment system for irrigation and toilets;
- Implementation of water metering for individual homes and establishment of rate structure that encourages conservation;
- Installation of “low flow” water fixtures and appliances in the construction of new homes.
- Require landscaped areas to use native and drought tolerant plant species.

Combined, staff estimates these measures would reduce water consumption by approximately 50%.

**2. *Energy Consumption:***

The applicant has committed to providing air-to-air heat pumps for each of the proposed dwellings in order to reduce energy consumption and to promote housing affordability by reducing long term heating costs. Other energy conservation measures include high insulation standards for dwellings and rough-ins for secondary heat systems (wood or propane).

It was noted at the public hearing that air-to-air heat pumps can be noisy, and may negatively impact adjacent property owners if they are not located sensitively. An amendment to the covenant to require heat pumps with maximum decibel rating could help to reduce noise impacts associated with the heat pumps.



Another alternative for reducing potential noise while still encouraging energy conservation would be to consider ground source heat pumps as an alternative. As there can be a substantial capital cost for such systems, it may be costly and contrary to the housing affordability objectives of the project to require ground source heat pump system as a condition of development approval. It may, however, be feasible to establish a centralized “district energy” system that would provide ground source energy for the entire development, particularly if low-interest financing can be obtained. Planning and Development Department staff has discussed this possibility with the Engineering and Environmental Services Department, and there appears to be a high level of interest in exploring this development as a pilot for a CVRD operated district energy system. Since there are many unknowns about the design and cost of a ground source district heating system, and establishment of such a system would be subject to Board approval, staff does not recommend making it a condition of rezoning approval. The Board delegates are, however, interested maintaining ground source energy as an option that could be required should the CVRD Board choose to finance the incremental cost of a district energy system.

*Suggested Approach:*

Amend the proposed Section 219 covenant to:

- Establish a maximum decibel standard for air-to-air heat pumps.
- Permit ground source heat pumps to be used as an alternative to air-to-air heat pumps
- Require ground source heat pumps for all dwellings where the CVRD chooses to establish and finance a district energy system.

**3. Food Security:**

Some public hearing attendees felt garden plots should be accommodated in the proposal and edible landscaping such as fruit and nut trees should be planted in the landscaped areas. The applicant confirmed at the hearing that he is willing to provide garden plots and edible landscaping within the development.

As the development permit area that is proposed in OCP Amendment Bylaw 3284 does not include guidelines for market gardens or edible landscaping, the Board delegates request amendments to the guidelines to address these matters:

*Suggested Approach:*

That Bylaw No. 3284 be amended by adding the following guidelines to Schedule “A”, under the Open Space and Recreation Area Guidelines heading:

- Outdoor recreation areas shall include a minimum area of 4 square metres per residential dwelling for use as fenced community garden;
- Landscaped open space shall incorporate fruit trees, nut trees, and other edible plantings.

**4. Street Lighting**

The absence of street lights in the area was brought-up at the hearing as a concern. Staff believe this issue can be addressed by adding appropriate development permit guidelines to Schedule “A” of Bylaw No. 3284, under the Road Layout Guideline heading.

*Suggested Approach:*

That Bylaw No. 3284 be amended by adding the following guidelines to Schedule "A", under the Road Layout Guidelines heading:

- Street lighting will be provided to safely light the entrance and Culverton Road intersection.
- Internal street lighting shall be provided that is designed in a manner that minimizes spill light, glare, and sky glow and utilizes low energy fixtures.

*Site Remediation*

The Board should also be aware that the subject property has had a Stage 1 environmental assessment completed that identified contamination associated with past industrial activity. Until a certificate of compliance or approval in principle for a remediation plan is issued by the Ministry of Environment, the Board cannot adopt Zoning Amendment Bylaw No. 3285. Should the Board choose to give the amendment bylaws third reading, staff suggests that the applicant be given up to one year to obtain the required approvals from the Ministry, so that consideration of the amendment bylaws are not left unresolved for an indefinite period.

Summary:

The Board delegates that attended the public hearing for Bylaw No. 3284 and 3285 recommend adding the following development permit guidelines to Bylaw No. 3284:

- Outdoor recreation areas shall include a minimum area of 4 square metres per residential dwelling for use as fenced community garden.
- Landscaped open space shall incorporate fruit trees, nut trees, and other edible plantings.
- Street lighting will be provided to safely light the entrance and Culverton Road intersection.
- Internal street lighting shall be provided that is designed in a manner that minimizes spill light, glare, and sky glow and utilizes low energy fixtures.

Suggested conditions for adoption of Bylaw No. 3284 and 3284 are:

1. Amendment of the proposed Section 219 covenant to:
  - Require construction of recycled water system ("purple pipes") that would supply treated water from the project's waste water treatment system for irrigation and toilets;
  - Require water metering for individual homes and rate structure that encourages conservation;
  - Require installation of "low flow" water fixtures and appliances in the construction of new homes.
  - Require landscaped areas to use native and drought tolerant plant species;
  - Establish a maximum decibel standard for air-to-air heat pumps;
  - Permit ground source heat pumps to be used as an alternative to air-to-air heat pumps;
  - Require ground source heat pumps for all dwellings where the CVRD chooses to establish and finance a district energy system.

2. Issuance of a Certificate of Compliance or Approval in Principle by the Ministry of Environment for remediation of the subject property by January 1, 2011.

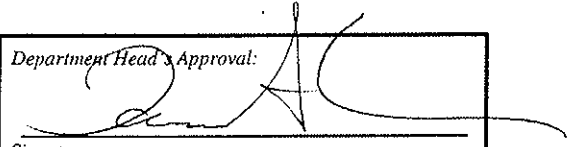
Submitted by,



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

RC/ca

Department Head's Approval:



Signature



C·V·R·D

**PUBLIC HEARING REPORT**  
**Bylaws No. 3330 and 3331**

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Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 (Cooper), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora and Part of Electoral Area F – Cowichan Lake South/Skutz Falls, held on Tuesday, November 24, 2009, at the Sahtlam Fire Hall, 4384 Cowichan Lake Road, Sahtlam, BC, at 7:03 pm:

**HEARING  
DELEGATES**

Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls,  
Chairperson  
Director M. Marcotte, Electoral Area H – North Oyster/Diamond  
Director M. Dorey, Electoral Area G – Saltair/Gulf Islands

**CVRD STAFF  
PRESENT**

Ms. D. Beatson, Short Range Planner, Planning & Development Department  
Ms. J. Hughes, Recording Secretary, Planning & Development Department

Members of the Public:  
There were 8 members of the public present.

**CALL TO ORDER**

Director I. Morrison Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD staff present.

**PROCEDURES**

Ms. Beatson explained the requirements under Section 890 of the *Local Government Act*. She advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, November 18, 2009 and Friday, November 20, 2009) and in the *Leader Pictorial* (Friday, November 13, 2009 and Wednesday, November 18, 2009) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3330 proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490 by re-designating a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, from Forestry to Suburban Residential.

Zoning Amendment Bylaw No. 3331 proposes to amend Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Bylaw No. 2600 by rezoning a portion of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, from F-1 (Forest Resource 1 Zone) to R-1 (Rural Residential 1 Zone).

The purpose of OCP Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331 is to permit the rezoned area to be subdivided into 3 new rural residential lots and park land.

Ms. Beatson stated that no letters of response have been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, November 24, 2009 at 4:30 pm.

**Correspondence**

There was no correspondence received.

**Location of File**

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

**APPLICANT,  
Paul Cooper**

Paul Cooper was present and stated the following with regard to the Rezoning Application:

- Applied for rezoning to permit subdivision of the property into 4 parcels, each parcel is no smaller than 5 acres in size with one of the parcels dedicated as parkland which is approximately 2.4 ha (6 acres);
- Two lots will have access off the Old Lake Cowichan Road before the curve and the third lot's access will be located off a long panhandle driveway located presently where the hydro r/w runs through the property;
- Wet area will be protected as parkland;
- He wants to retain one of the lots for himself and his family;
- Septic disposal fields will be on each lot;
- Two wells presently on site that pump approximately 5 gallons per minute and advised that he will have to also drill one more wells;
- Reviewing the option of possibly retaining rainwater and reusing it within the development;
- Trail dedication on site will follow the edge of the property boundary along the north boundary of proposed Lot 3;
- In conclusion if the application is approved the property would be zoned to R-1, the new lots could not be subdivided below 5 acres in size unless someone applied for a brand new rezoning application.

**QUESTION  
PERIOD**

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

**George Girolami,  
5491 Cowichan Lake  
Road**

- Will the proposed parkland be turned over to the CVRD or will the applicant retain it?

**Paul Cooper**

- Park will be gifted to the CVRD.

**Dana Beatson**

- Confirmed that the parkland would be gifted to the CVRD.

**George Girolami**

- Are there any plans for development of that parkland?

**Dana Beatson**

- Presently there are no plans of development that she was aware of and advised that property would fall under environmental protection through

the Riparian Areas Regulations (RAR). She advised that the CVRD Parks Department could also be contacted in regard to information on development of the parkland.

- Paul Cooper** ➤ That property falls under the RAR and is considered as wetlands.
- George Girolami** ➤ Would there be any benefit in creating a small cul-de-sac for the proposed two accesses off the road rather than having separate driveway accesses.
- Paul Cooper** ➤ Cannot create a cul-de-sac due to the RAR wetlands protected area as streams flow onto the property and that protected area cannot be disturbed;  
➤ The two proposed driveways off Old Lake Cowichan Road would not be threatening.
- George Girolami** ➤ Wells that pump 5 gallons should be considered a good source.
- Director Morrison** ➤ When the application was referred to the Area F Parks Commission it was felt by the Commission that park trail dedication was very important as that area is a potential through way to get to the other trails and properties in the area.
- Mike Lees,  
4948 Arla Court** ➤ What are the depths of the wells?
- Paul Cooper** ➤ Wells are quite shallow approximately 60-80 feet.
- Mike Lees** ➤ For information the well located on the adjacent property is an artesian well.
- Director Dorey** ➤ What is the proposed acreage of each lot?
- Paul Cooper** ➤ Three lots and dedicated parkland is proposed;  
➤ Property has not yet been officially surveyed and that process would be carried out after the rezoning stage;  
➤ Minimum lot sizes proposed is approximately 5 acres.
- George Girolami** ➤ What is the parcel size of the subject area being rezoned?
- Paul Cooper** ➤ 9.1 hectares or approximately 22.5 acres.
- Director Dorey** ➤ Has perc testing been carried out on the proposed three lots?
- Paul Cooper** ➤ Perc testing has not yet been carried out.
- Director Dorey** ➤ How many more wells were required for the proposed lots?
- Paul Cooper** ➤ Presently they have 2 out of 3 wells drilled.
- Roy Parkhouse,  
Payne Road** ➤ What is the difference between the two proposed Amendment Bylaws?

**Dana Beatson** ➤ One is the Zoning Amendment Bylaw to change the zoning and the other is the Official Community Plan (OCP) Amendment Bylaw to change the OCP designation.

**Roy Parkhouse** ➤ Asked why Area E and Area F are listed on the OCP Amendment Bylaw.

**Dana Beatson** ➤ The OCP that applies to the subject property falls under the Area E OCP Bylaw No. 1490 and the zoning falls under the Area F Zoning Bylaw No. 2600.

**Director Morrison** ➤ There is an overlap of Area E's OCP in that particular area and that does sometimes cause confusion.

**Mike Lees** ➤ The reason for that Area E coverage was that it was felt the majority of Sahtlam falls within Area E and that particular area was felt to be in Area E.

**Director Morrison** Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331.

#### **PUBLIC COMMENTS**

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

**Director Morrison** Asked for public comments a first and second time with regard to Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331.

**Mike Lees,  
4948 Arla Court** ➤ He presently uses the Hydro R/W as access to the Island Timberlands property and if there is to be dedicated trail access on the subject property he wants consideration to be given for motorized use over that dedicated trail.

**George Girolami** ➤ No problem with the proposed subdivision of the subject property.

**Ed Lundahl,  
5030 White Road** ➤ One of the better thought out plans in the area and he had no problems with the proposal.

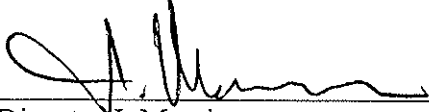
#### **ADJOURNMENT**

Chairperson Morrison asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3330 and Zoning Amendment Bylaw No. 3331.

Chairperson Morrison declared the Public Hearing closed at 7:20 pm.

CERTIFICATION:

We attended the Public Hearing on Tuesday, November 24, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.



Director I. Morrison

Date

12/01/09



Director M. Marcotte

Date

12/01/09



Director M. Dorey

Date

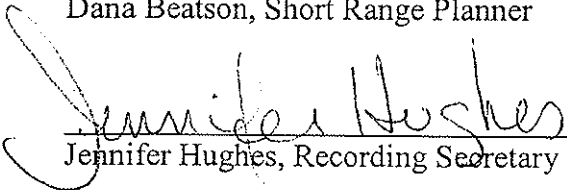
Dec 1/09



Dana Beatson, Short Range Planner

Date

Dec 1/09



Jennifer Hughes, Recording Secretary

Date

Nov. 30/09





**PUBLIC HEARING REPORT**  
**Bylaws No. 3284 and 3285**

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Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 (Cherry Blossom Park Dev. Corp./Anasona Investments Ltd [Robin Mayo]), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Tuesday, November 10, 2009, at the Sahtlam Fire Hall, 4384 Cowichan Lake Road, Sahtlam, BC, at 7:05 pm:

**HEARING  
DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora, Chairperson  
Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls  
Director K. Kuhn, Electoral Area I – Youbou/Meade Creek

**CVRD STAFF  
PRESENT**

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

Members of the Public:

There were approximately 55 members of the public present.

**CALL TO ORDER**

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

- Director Duncan explained the outline and procedures of the Public Hearing and stated that he wanted the Hearing to be considered a safe meeting where people can share their views and to also show respect for their neighbours.
- He further explained that a Public Meeting was previously held and the main issue at that meeting was felt to be with regard to density of the proposed development and advised that the applicants have now changed the density within the proposed development;
- There are three other properties like this within the CVRD and two exist in the Glenora area;
- There is also a Zoning Bylaw review underway with regard to the presently I-2 zoned lands within Electoral Area E to bring the zoning permitted uses into compliance with the OCP and noted that something should be forthcoming in the near future to a Public Hearing for further discussion.

**PROCEDURES**

Mr. Conway explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Public Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, November 4, 2009 and Friday, November 6, 2009) and *Leader Pictorial* (Friday, October 30, 2009 and Wednesday, November 4, 2009) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

**Official Community Plan Amendment Bylaw No. 3284** proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490 by re-designating Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157, from Industrial to Manufactured Home Park Residential. OCP Amendment Bylaw No. 3284 also creates a “Bare Land Strata Subdivision Development Permit Area” and includes the subject property in the new development permit area.

**Zoning Amendment Bylaw No. 3285** proposes to amend Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 by creating a new Bare Land Strata Residential Zone (R-6) and rezoning Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157, from Heavy Industrial (I-2) to Parks and Institutional (P-1) and Bare Land Strata Residential Zone (R-6).

The purpose of OCP Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285 is to permit the subject property to be developed for up to 50 residential dwellings (modular homes or single family dwellings) and park land.

Mr. Conway stated that one letter of response had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office today, November 10, 2009, at 4:30 pm and further that one letter was received prior to the opening of the Public Hearing.

Mr. Conway gave further explanation of the proposed development stating the development permit establishes guidelines for how development will occur on the site and includes objectives to:

1. establish buffers between residential and agricultural uses;
2. establish buffers between intensive residential housing and adjacent rural and suburban residential development;
3. ensure amenities and open space are provided;
4. to protect groundwater quality and maintain natural drainage patterns and hydrology.

The Zoning Amendment Bylaw basically removes the current Heavy Industrial zoning from the property and replaces it with a new Bare Land Strata Residential Zone, or R-6 Zone that would be applied to the subject property.

If approved, the Bylaw would zone the north-west corner of the property to Parks and Institutional, where a two acre park dedication is proposed.

The R-6 Zone has been written specifically for the subject property and notable features of the R-6 Zone are:

1. It includes “modular home” as permitted uses. Modular home is defined as a conforming to the A277 CSA standard, being on a permanent foundation and having a pitched roof with a minimum slope of 4 and 12;
2. “single family dwelling” is also permitted, which means site-built homes

- are also possible;
3. "single wide mobile homes" which are certified under the CSA Z240 standard are not permitted;
  4. Maximum permitted height of dwellings and other principal structures is 6 metres (20 feet). Accessory buildings have a maximum height of 4.5 metres (15');
  5. It is a requirement of the zoning that if the applicant develops more than three parcels, an 8000 sq. m. or 2 acre park must be dedicated to the Regional District;
  6. For the owner to develop more than 18 lots the owner must construct an amenities building with a minimum floor area of 650 sq. m. (7000 sq. ft.), interior improvements, parking and landscaping;
  7. The maximum number of residential parcels that may be created is limited to 50;
  8. The minimum parcel size is 400 sq. m. (4300 sq.) and the maximum parcel size is 460 sq. m. (5000 sq. ft.).

The applicant has also made some additional commitments that are not contained with the amendment bylaws, but would be contained within a restrictive covenant that would be registered against the title of the subject property if the proposal is approved.

1. The sewer and water systems would be constructed to standards specified by the CVRD's Engineering and Environmental Service Department;
2. All dwellings will be heated primarily by heat pumps;
3. All dwellings will be insulated to an R2000 standard or higher;
4. All dwellings will contain roughed in facilities for auxiliary wood or gas heating.

#### **Director Duncan**

- Stated that the original application was for a 90 unit modular home park and that after that Public Meeting the main comment received was reducing the density, a possible 50 units is now the proposed density;
- He also felt that it may be construed to be a better development if there was a mix between modular home park models and single family dwellings;
- Building single family dwellings on the site would also add some construction labour in the area;
- Property backing any greenspace area of the property will be fenced and boundaries will be noted.

#### **Correspondence**

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

- 1) Letter dated November 10, 2009, from Gerald Edward Lundahl (EXHIBIT 1);
- 2) Letter dated November 10, 2009, from Michael and Linda Lees (EXHIBIT 2);
- 3) Letter dated November 10, 2009, from Susan and Pat Buttle (EXHIBIT 3);
- 4) Letter dated November 10, 2009, from Gene Foss (EXHIBIT 4);
- 5) Letter dated November 10, 2009, from Cavetta Tarr (EXHIBIT 5);
- 6) Email dated November 9, 2009, from Liz Cage (EXHIBIT 6);

- 7) Letter dated November 10, 2009, from Beverly Bell (EXHIBIT 7);
- 8) Letter dated November 10, 2009, from Rose Rogan (EXHIBIT 8);
- 9) Letter dated November 10, 2009, from Sandy McPherson (EXHIBIT 9);

**Location of File**

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

**APPLICANT,**

Robin Mayo and Wayne Allen were present with regard to the proposed Rezoning Application.

Mr. Mayo stated the following:

- Public Information Meeting was previously held and the Planning Department came back to them with their comments and suggestions and stated the main comment received at that Public Meeting was to bring the density down 50 units are now proposed;
- Other comment was for a possible senior's development;
- They have decided to move the development from strictly modular homes to also include stick built patio homes where the local economy can also be used;
- They will be incorporating as much "green" into the development as possible using heat pumps and there will be lots of large buffers around the site;
- They have carried out a traffic impact assessment and the report stated that there would be no major impact to the area as long as the development stays a retirement development;
- Pump tests have been carried out on the well and noted that they have almost two thirds more water than what they need on site and it is also a good quality drinking water;
- They will be putting in a Class A sewer treatment plant and the water and sewer plants will be turned over after they have been built, to the CVRD to operate and maintain.

**QUESTION PERIOD**

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

**Cavetta Tarr,  
5020 Culverton  
Road**

- Heat pumps are very green but noted that she was concerned about the noise they generate as they make loud buzzing sounds;
- Asked if there was any awareness in other jurisdictions where people were suing due to noise concerns from heat pumps?

**Gene Foss**

- Is it possible to have a peer review of the water and sewage treatment systems and asked if a peer assessment had been carried out and brought forward to the CVRD?

- Director Duncan**
- CVRD Engineering Department will set the standards that the applicant will have to meet with regard to the water and sewer treatment plants and once constructed and approved those plants will be turned over to the CVRD to operate;
  - CVRD has its own Engineering Department who will be reviewing the proposed systems.
- Robin Mayo**
- With the proposed water system they will have to apply with the Water Management Branch and follow all their guidelines as well as having to go through the Ministry of Environment with regard to the proposed Class A sewage treatment plant;
  - All systems will be reviewed by Engineers and will have to be approved prior to construction.
- Gene Foss**
- Have any emergency response people been contacted about the proposed development?
- Robin Mayo**
- They have spoken with the local Fire Department about their proposal but not the local RCMP and advised that their proposed development is now being planned as a retirement complex.
- Gene Foss**
- The intent of his question was to have someone else review the proposed development.
- Dean McIlroy,  
4920 Cowichan Lake  
Road**
- Have pump tests been carried out on the subject well and have there been any tests carried out on surrounding wells in the area as he is very concerned about the aquifer in the area;
  - If people run out of water on their property he felt a 1 million dollar bond would not be enough money to cover it.
- Robin Mayo**
- Correct, it is impossible to monitor surrounding wells while they were pump testing their well as nobody would be permitted to use their wells during that pump test period;
  - Their Hydrologist monitored their own well on the property that was drilled previously and noted that well has since been cleaned out;
  - That well was originally left uncapped and it had not been cleaned out;
  - Their pump tests have far exceeded the requirements they require for water supply to the proposed development but noted that there was no guarantees on what was happening underground;
  - They have carried out the necessary reports they were requested to undertake with regard to water supply.
- Dean McIlroy**
- Will a bond be in place with regard to water?
- Robin Mayo**
- After the water system is constructed it will be turned over to the CVRD to operate and maintain and it will not be left with a private developer to operate.

- Dean McIlroy** ➤ Concerned about water and the possibility of wells running dry if the proposed development is approved.
- Director Duncan** ➤ Water issues are taken seriously and the CVRD is looking at the possibility of placing a covenant against the property.
- Dean McIlroy** ➤ A 1 million dollar bond was not enough money to ensure there would be enough water supply for the surrounding area.
- Director Duncan** ➤ His question would be how far away the CVRD should look at the possible impact on neighbouring wells.  
➤ Asked how much water is presently pumped from Mr. McIlroy well?
- Dean McIlroy** ➤ 6 gallons per minute.
- Director Duncan** ➤ Water has tested to be sufficient on the property for the proposed development.
- Dean McIlroy** ➤ Wants to know what will happen if he runs out of water on his property and stated that he wanted a guarantee that his water would not run out.
- Director Duncan** ➤ If adjacent wells run dry then there would be the possibility to hook-up into the proposed new water system.
- Robin Mayo** ➤ His pump tests have shown they could supply and handle up to 150 homes on the system and noted that they are only proposing 50 homes in the development;  
➤ People that surround the subject development who were concerned about water supply should look into the possibility of hooking into the new water system.
- Director Duncan** ➤ CVRD regulations state that users have to be metered and people have to pay for what they use which is also a measure of conservation;  
➤ He cannot see immediate problems for the neighbours with regard to water but also stated that he could not see how the CVRD could guarantee that;  
➤ If neighbouring wells started running dry that would create a big problem.
- Sandy McPherson,  
5734 Van Coy Road** ➤ When the subject area operated as industrial land how much water was used at that time from that well on site and are there any well records?
- Robin Mayo** ➤ He was not aware of any old well records when it was used for industrial purposes.
- Teresa Cairns,  
5156 Culverton  
Road** ➤ She lives at the end of Culverton Road and does not actually surround the subject property and noted her concern about her property running out of water;  
➤ Will the proposed Bylaws extend out to other properties in the area?

- Director Duncan** ➤ The proposed Bylaws applied to the subject property with regard to rezoning and if someone else was interested in the same type of rezoning they could apply to rezone.
- Teresa Cairns** ➤ She is new to the area and she was told that they have never run out of water but noted she was concerned about that possibly happening in the future.
- Paul Slade,  
Wheatley Road** ➤ 500 gallons a day usage is ample for most domestic use and that equates to less than 1/3 gallon per minute;  
➤ On rural properties the water that is taken from the ground is approximately 90 percent of what goes back into the ground through septage;  
➤ On the subject development water will be treated and there will be very low net loss;  
➤ Aquifers are likely connected somewhere and somehow but it is assumed that when testing wells they are not connected;  
➤ There are thousands of aquifers and a lot of unknowns in the ground.
- Speaker** ➤ Asked how he knows that information?
- Paul Slade** ➤ He is part of Drillwell Enterprises and they have been in business for 45 years.
- Chuck Jordan** ➤ Water is not going back onto the subject property, it is going back onto his lot and asked what will stop his property from flooding in the future?
- Wayne Allen** ➤ Explained the drainage on site will go into a holding pond and that no more water that comes off the subject property will flow into that drainage ditch onto his property;  
➤ Drainage from roofs will go back into the grasses and flow into the retention pond and will disperse into the ditch very slowly.
- Chuck Jordan** ➤ Are two bedroom homes being planned within the development?
- Wayne Allen** ➤ Proposed development is for two bedroom homes on each site;  
➤ There will be a treated sewage disposal system installed;  
➤ Their Hydrologist report states their site has a completely different water source from the surrounding area.
- Chuck Jordan** ➤ Was the well pump tested for a long period of time?
- Robin Mayo** ➤ Well was pumped according to requirements and noted that they could not pump that well dry.
- Chuck Jordan** ➤ Will the broom on the site be taken care of during the landscaping stage of the development?

- Peter Buckins**           ➤ Greenspace area will be watered from the stormwater or treated water?
- Robin Mayo**            ➤ Broom would be taken care of during landscaping stage;  
➤ Greenspace area will not be watered from the drinking water well but from a purple pipe system.
- Wayne Allen**            ➤ Rainwater will also be used for irrigation.
- Peter Buckins**           ➤ Will there be any covenants registered with regard to water?  
➤ 500 gallons per day is normal and during the summer months irrigation could use up to 10,000 gallons per day.
- Director Duncan**       ➤ After being constructed and approved the CVRD will operate the water system and all water is metered and the more water people use the more they will have to pay.
- Peter Buckins**           ➤ No way to assure people that the buffer area would not be irrigated by well water;  
➤ If people do not irrigate he felt then more people would be happy.
- Rob Conway**            ➤ Possible to restrict irrigation through a covenant but noted that you have to be cautious with regard to new tree plantings until they are established;  
➤ To say there would be no irrigation would have to be reviewed;  
➤ Could look at native plantings to try to minimize water consumption.
- Wayne Allen**            ➤ They will also be putting in a reservoir for fire protection that will hold one million gallons of water.
- Director Duncan**       ➤ A one million gallon tank was high and it was more likely to be 75,000 gallons that will be put in.
- Wayne Allen**            ➤ Tests have shown that there is a tremendous supply of water available for the subject property.
- Peter Buckins,  
Aquino Road**            ➤ His well has never run out of water and he runs it all summer for irrigation and also noted that his neighbour's wells have never run dry either and that he felt water should not be an issue.
- Robin Mayo**            ➤ Pumping tests were carried out in the best time of year and it was also actually one of the driest times of year.
- Director Duncan**       ➤ Water will be metered and they were also looking at using low flush appliances in the development. With a 55+ age range the traditional numbers for water requirements will exceed what will likely be required.
- Peter Buckins**           ➤ Concerned about future bylaws coming forward stating how much water people can use on their private property.



- Gerry Haarbrucker, 5000 White Road** ➤ Lives adjacent to the old mill site and asked how deep the well was?
- Robin Mayo** ➤ Well is 134 feet deep.
- Gerry Haarbrucker** ➤ That was a different number from what he originally had heard from the well driller.
- Paul Slade** ➤ They did not drill the original well but noted that they did clean it out and it is 134 feet deep and it was drilled in 1987.
- Robin Mayo** ➤ Well is 134 feet deep and it pumped 85 gallons.
- Norman Knodel, 4775 Cowichan Lake Road** ➤ Does each house have metered water?
- Director Duncan** ➤ Yes each house is metered and people will pay for what they use.
- Dena Nickerson, Jordan's Lane** ➤ Ms. Cage who lives on Jordan's Lane could not be at tonight's meeting and wanted her to relay her concern with regard to water and shortage of water and asked if they did run out of water could they hook up into the development's water system at the developer's cost not at her cost? She wants to see a guarantee that there would be no cost to her should her water supply be affected by the proposed development;  
➤ Will the septic field be tested continually?
- Director Duncan** ➤ If there was to be water quantity problems in the area people would be encouraged to be metered;  
➤ Septic is proposed to be a Class A system and the effluent quality from the treatment plant will be very high quality.
- Dena Nickerson** ➤ Asked if there would be a definite 55+ and over age restriction in the complex and what guarantees would be in place for that?
- Director Duncan** ➤ Personally feels that communities need children and advised that at a local government level the CVRD could not state an age restriction but noted that the developer could commit through strata bylaws to a 55+ age restriction.
- Robin Mayo** ➤ They are committed to place in their strata bylaws a 55+ age community within the proposed development.
- Dena Nickerson** ➤ Will it be a gated community?
- Robin Mayo** ➤ He is against a gated community but noted that would be up to the strata corporation.

- Speaker**
- How high would the fencing be, what is the definition of buffer and how big can trees grow and how far apart?
  - Has there been any thought for edible landscaping on site as she noted there is a great deal of buffer and greenspace on site?
- Rob Conway**
- OCP Amendment Bylaw No. 3284 contains design guidelines with regard to landscaping and fencing and explained the landscaped buffer guidelines found within the Bylaw but noted that fence height was not specified;
  - Developer would have to bring in a landscaping plan that would have to be submitted to the CVRD prior to the issuance of the Development Permit.
- Director Morrison**
- Asked if any thought had gone into community gardens on site as he noted in his community of Honeymoon Bay they have found that there is an advantage to have a central area where people can plant gardens.
- Robin Mayo**
- They have given some thought for that type of environment within their development;
  - They would like to also see the community garden area in the common area located middle of the development.
- Lorena Lamont,  
White Road**
- Why is the development going to be restricted to the 55+ age group which in turn precludes younger families?
- Robin Mayo**
- The 55+ age restriction was mainly due to potential traffic issues.
- Lorena Lamot**
- The original plan was for younger families to be within the development and stated that she felt it was a real shame that aspect of the application has changed.
- Mary Anne  
Robinson**
- Agreed that it was a real shame not to have the development open for younger families.
- George White,  
Jordan's Lane**
- Moved into the community a year ago and commended Mr. Mayo for making the changes after the last meeting but noted he still has his own concerns;
  - There is fear from people in the area about a noisy mill going on site if the subject rezoning is not approved and asked what could actually go on that site?
  - Two acre lots would be better suited for the subject property but noted that the bottom line was more lots makes more money for the developer.
- Director Duncan**
- If the rezoning was not approved the present permitted uses in the I-2 (Heavy Industrial) Zone would remain in place.
- Robin Mayo**
- Under the existing zoning they could apply to subdivide for more lots than what they are presently proposing within the development and that they felt the proposed development would be down zoning the property.

- George White** ➤ He personally supports the property but noted he does not see a modular home fitting into the community.
- Robin Mayo** ➤ They have now brought stick built patio style homes into the proposed development.
- Mike Lees,  
4948 Arla Court** ➤ What is permitted in an I-2 Zone on that property at the present time is anything other than a pulp mill;  
➤ Over the years he has seen many uses on that industrial site with noise running 24 hours per day.
- Speaker** ➤ Asked how long Director Duncan has he been the Area Director at the CVRD?
- Director Duncan** ➤ He has been Director for Area E approximately 10 years.
- Speaker** ➤ Who originally approved the rezoning of that property to Heavy Industrial?
- Robin Mayo** ➤ The property was rezoned to I-2 prior to Director Duncan's term and it was the previous Director John Clarkson who approached him to purchase the property and do something positive with it.
- Speaker** ➤ The property should be subdivided into two acre parcels instead of the proposed development.
- Robin Mayo** ➤ Over the years the soil from that property has been removed and now that property cannot perc;  
➤ It does not pay to have sewer system in place for only 8 lots.
- Speaker** ➤ There are individual treatment plants that could be investigated for the site.
- Robin Mayo** ➤ Water and sewer for the proposed development must be brought forward as a community water and community sewer system;  
➤ The easiest thing for a developer would be to subdivide the property and leave but noted that does not work for the subject property due to the perc issues.
- Director Duncan** ➤ The property was rezoned in 1984.
- Daryl Robinson** ➤ What is the timeframe for the proposed development?
- Robin Mayo** ➤ If approved and in a perfect scenario he would like to see construction in the spring and the development could be in as early as Summer 2010.
- Mare Anne  
Robinson** ➤ Will there be a street light installed at the end of Culverton Road?
- Director Duncan** ➤ Street lighting has to be petitioned before the CVRD and it must be for

safety purposes.

- Mary Anne Robinson** ➤ Asked if there was still a chance for residents of all age or is it in stone that it is a 55+ development?
- Robin Mayo** ➤ He wants to hear the public's comment about an age restriction or not during the Public Hearing.
- Teresa Cairns, 5156 Culverton Road** ➤ Will they be using local workers on site?
- Robin Mayo** ➤ No doubt about it.
- Speaker** ➤ How much will it cost for a lot and home?
- Robin Mayo** ➤ They are looking in the approximate range of \$249,900 for a lot and home but noted that they have not yet set a definite price?
- Ben Tweten, Culverton Road** ➤ If a house will cost \$250,000 why would a senior not want to live in Duncan where they are living closer to their needs?
- Robin Mayo** ➤ He developed a retirement village in the Nanaimo area and stated that they had 93 units with 350 names on the waiting list. The proposed development is a very appealing concept and that he felt it would not be a problem drawing people to the site.
- Ben Tweten** ➤ People will want to live closer to town and asked why they would want to spend \$250,000 in the development?
- Robin Mayo** ➤ The Sahtlam area is not as far out as people think and also noted that living in a city can also take time to get around;  
➤ Understands his concerns but noted that they feel as developers they can attract the people to the area.
- Ben Wade** ➤ Concerned about a trailer park going on site.
- Robin Mayo** ➤ They are not planning a trailer park on the site they are bringing in small patio style homes.
- Director Duncan** ➤ Clarified that modular homes and small patio homes would be permitted under the proposed zoning.
- Speaker** ➤ Could it be possible to have a set amount of funding set aside for the strata to make some decisions with regard to landscaping and possible edible landscaping within the buffer where fruit and nut trees could be grown?  
➤ Can an edible landscaping requirement be placed within the Bylaw?

- Robin Mayo**                   ➤ They are hoping that the common area located in the middle area of the property is where they would set aside a community garden.
- Speaker**                       ➤ Will the designated CVRD greenspace and park areas be able to be used by people who do not live on site or not?
- Director Duncan**           ➤ Parkland will be gifted to the CVRD and at this time he was unsure what that community parkland area will be used as.
- Speaker**                       ➤ She is presently home schooled and stated that they walk in the area everyday and is supportive of the proposed parkland as she felt it would be great for the community.
- Wayne Allen**                 ➤ When a strata corporation is created the common property cannot be subdivided unless Provincial laws are changed and stated that the greenspace will remain;  
 ➤ There is second growth Fir trees in the dedicated area and those trees will remain on site and walking trails will also be constructed on site.
- Speaker**                       ➤ Will people in the neighbourhood be able to walk the trails in the greenspace areas?
- Wayne Allen**                 ➤ That property would belong to the strata corporation and they will have their own rules and regulations but noted that they would like to see the whole community enjoy that area.
- Robin Mayo**                 ➤ The whole community area will have to be made available to everyone and stated that the strata will have to run it that way?
- Speaker**                       ➤ Would any of the 55+ people be permitted to have dogs and pets?
- Robin Mayo**                 ➤ Yes pets would be permitted but noted that would also fall under the strata regulations.
- Director Duncan**           ➤ Asked for further questions from the public present with regard to the proposed Amendment Bylaws.
- Matt McGonigle,  
5066 Ellison Place**         ➤ What happens to solids in a Class A sewage treatment system?
- Wayne Allen**                 ➤ Each lot will have a septic tank that will then flow to a main treatment tank where there are various stages it has to go through prior to it being discharged at back into the ground at Class A standards.
- Hans Tweten,  
5651 Culverton  
Road**                         ➤ Is it the community's decision whether the application proceeds and who makes the final decision to approve the application or not?

- Director Duncan** ➤ The Public Hearing Minutes are prepared and forwarded onto the Regional Board for consideration of Third Reading or denial of the application. The nine Electoral Area Directors of the Regional Board make that decision.
- Hans Tweten** ➤ People should state at the Public Hearing if they support the application or not.
- Director Duncan** Asked for further questions from the public present three times regarding Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285.
- PUBLIC COMMENTS** The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Duncan reminded the public that the Information Binder was available for review located on the back table, along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Mike Lees,  
4984 Arla Court** ➤ He has heard lots of comments about modular and mobile homes in the proposed development and stated that there are several modular and mobile homes that already exist in the area;  
➤ Read verbatim his letter (EXHIBIT 2) stating his concerns over the existing Heavy Industrial zoning;  
➤ Supports the proposed zoning amendments and development.
- Matt McGonigle,  
5066 Ellison Place** ➤ The CVRD is solving a problem but noted that density and water issues are what most people are having a problem with;  
➤ If sewage is an honest answer then he supports it;  
➤ If the 55+ age restriction is not written in stone what assurances will be in place to retain his quiet rural pastoral lifestyle?
- Gerry Haarbrucker** ➤ Does not like the density proposed in the present application or at the previous public meeting as it is too much for the subject property;  
➤ There will be too much traffic in front of his house;  
➤ Does not support the development.
- Ben Tweten,  
5615 Culverton  
Road** ➤ Proposed 50 homes is not as bad as the previous 86 homes;  
➤ Wants to see the houses constructed by local Cowichan Valley people.
- Daryl Robinson,  
Cowichan Lake  
Road** ➤ His property backs the subject property and stated that he would prefer to see a 2 acre lot subdivision but if something has to happen on this site this is what he would prefer rather than the previous 86 units;
- Mary Anne  
Robinson** ➤ Does not support the 55+ age restriction as she felt vandalism caused by younger people is blown out of proportion and that stated she supports anyone in the area.

- Director Duncan** Asked for public comments with regard to Amendment Bylaws No. 3284 and 3285 and reminded the public that submissions must be received at the head table prior to the close of the Public Hearing?
- Norman Knodel**
- The revised proposal is better than the original proposal;
  - There will be less traffic running past his home with a 55+ development.
- Director Duncan** Asked for further comments from the public present with regard to Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285.
- Dena Nickerson,  
Jordan's Lane**
- Water and density is her main issues and that she felt there was an effort being made on the developer's part;
  - Proposal is better than heavy industrial zoning but noted that density is still an issue;
  - Within a high density area with young children vandalism could be an issue and that is why she supports the 55+ age restriction.
- Chuck Jordan**
- Property could be developed on the east side of the property as ½ acre lots as that area's soil has not been disturbed;
  - The property could be built up with soil to get it to perc as that has been done in other areas;
  - Against the proposed development.
- Al Lamont,  
White Road**
- He believes that septic cannot be imported anymore;
  - Supports acreage lots but if perc is not possible then work with something the developer and surrounding neighbours can live with;
  - Supports the proposed development as he is opposed to the present industrial zoning.
- Peter,  
Aquina Road**
- Positive for the area and this could be used as an experiment to test urban development in a rural area

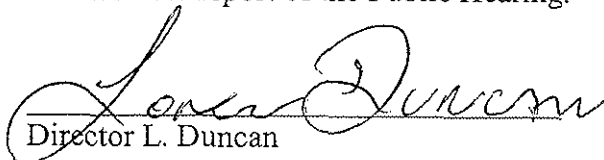
**ADJOURNMENT**

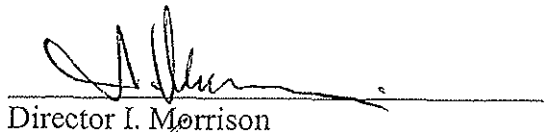
Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3284 and Zoning Amendment Bylaw No. 3285.

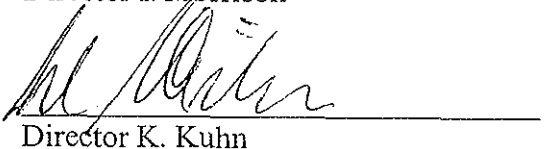
Chairperson Duncan declared the Public Hearing closed at 9:05 pm.

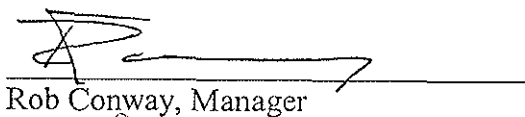
CERTIFICATION:

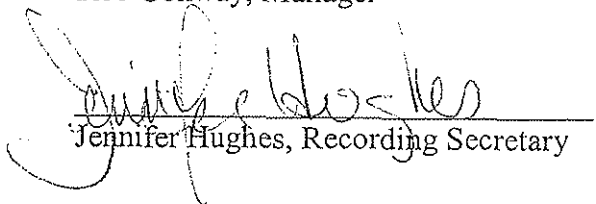
We attended the Public Hearing on Tuesday, November 10, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.

 Date 12/01/09  
Director L. Duncan

 Date 12/01/09  
Director I. Morrison

 Date 1 Dec 2009  
Director K. Kuhn

 Date Dec 1/09  
Rob Conway, Manager

 Date Dec. 1/09.  
Jennifer Hughes, Recording Secretary





COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3277

**A Bylaw to Authorize the Borrowing of Funds to Help Finance  
Solid Waste Works**

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Solid Waste Management Service* under the provisions of Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996";

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to borrow money to help finance the remediation of three CVRD ashfills, upgrade and expand three existing CVRD recycling depots, and construct a new recycling depot in South Cowichan;

**AND WHEREAS** the estimated total cost for the remediation of three CVRD ashfills, upgrades and expansion of three existing CVRD recycling depots, and construction of a new recycling depot in South Cowichan, including expenses incidental thereto, is Three Million Dollars (\$3,000,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00), 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 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. 3277 – Solid Waste Management Loan Authorization (Solid Waste Works) Bylaw, 2009".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to remediate three CVRD ashfills, upgrade and expand three existing CVRD recycling depots, and construct a new recycling depot in South Cowichan 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, to borrow upon the credit of the Regional District a sum not exceeding One Million Eight Hundred Thousand Dollars (\$1,800,000.00).

3. TERM OF DEBENTURES

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

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

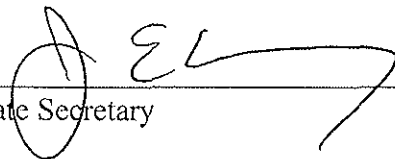
This bylaw relates to the *Solid Waste Management Service Area* established pursuant to Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996".

READ A FIRST TIME this 8<sup>th</sup> day of July, 2009.

READ A SECOND TIME this 8<sup>th</sup> day of July, 2009.

READ A THIRD TIME this 8<sup>th</sup> day of July, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3277 as given Third Reading on the 8<sup>th</sup> day of July, 2009.

  
Corporate Secretary

AUGUST 20, 2009  
Date

RECEIVED the approval of the Inspector of Municipalities this 14<sup>th</sup> day of September, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3278**

**A Bylaw to Authorize the Borrowing of Funds to Help Finance the Design  
and Construction of a new Operations Facility at the  
Bings Creek Solid Waste Management Complex**

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Solid Waste Management Service* under the provisions of Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996";

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to borrow money to help finance the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex;

**AND WHEREAS** the estimated total cost for the design and construction of a new operations facility at the Bings Creek Solid Waste Management Complex, including expenses incidental thereto, is Six Hundred and Ninety Thousand Dollars (\$690,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed Five Hundred and Ninety Thousand Dollars (\$590,000.00), 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 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. 3278 – Solid Waste Management Loan Authorization (Operations Facility) Bylaw, 2009".

2. LOAN AUTHORIZATION

The Cowichan Valley Regional District is hereby empowered and authorized to design and construct a new operations facility at the Bings Creek Solid Waste Management Complex 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, to borrow upon the credit of the Regional District a sum not exceeding Five Hundred and Ninety Thousand Dollars (\$590,000.00).

3. TERM OF DEBENTURES

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

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

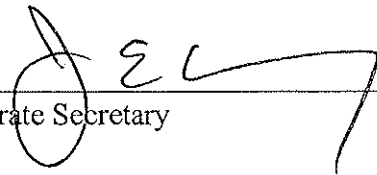
This bylaw relates to the *Solid Waste Management Service Area* established pursuant to Bylaw No. 1758, cited as "CVRD – Solid Waste Management Local Service Establishment Bylaw No. 22, 1996".

READ A FIRST TIME this 8<sup>th</sup> day of July, 2009.

READ A SECOND TIME this 8<sup>th</sup> day of July, 2009.

READ A THIRD TIME this 8<sup>th</sup> day of July, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3278 as given Third Reading on the 8<sup>th</sup> day of July, 2009.

  
Corporate Secretary

JULY 14, 2009  
Date

RECEIVED the approval of the Inspector of Municipalities this 14<sup>th</sup> day of September, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3286**

**A Bylaw to Establish a Water Service in a Portion of  
Electoral Area C – Cobble Hill**

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**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 C – Cobble Hill;

**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 C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3286 – Arbutus Ridge Water System Service Establishment Bylaw, 2009**".

2. **SERVICE BEING ESTABLISHED**

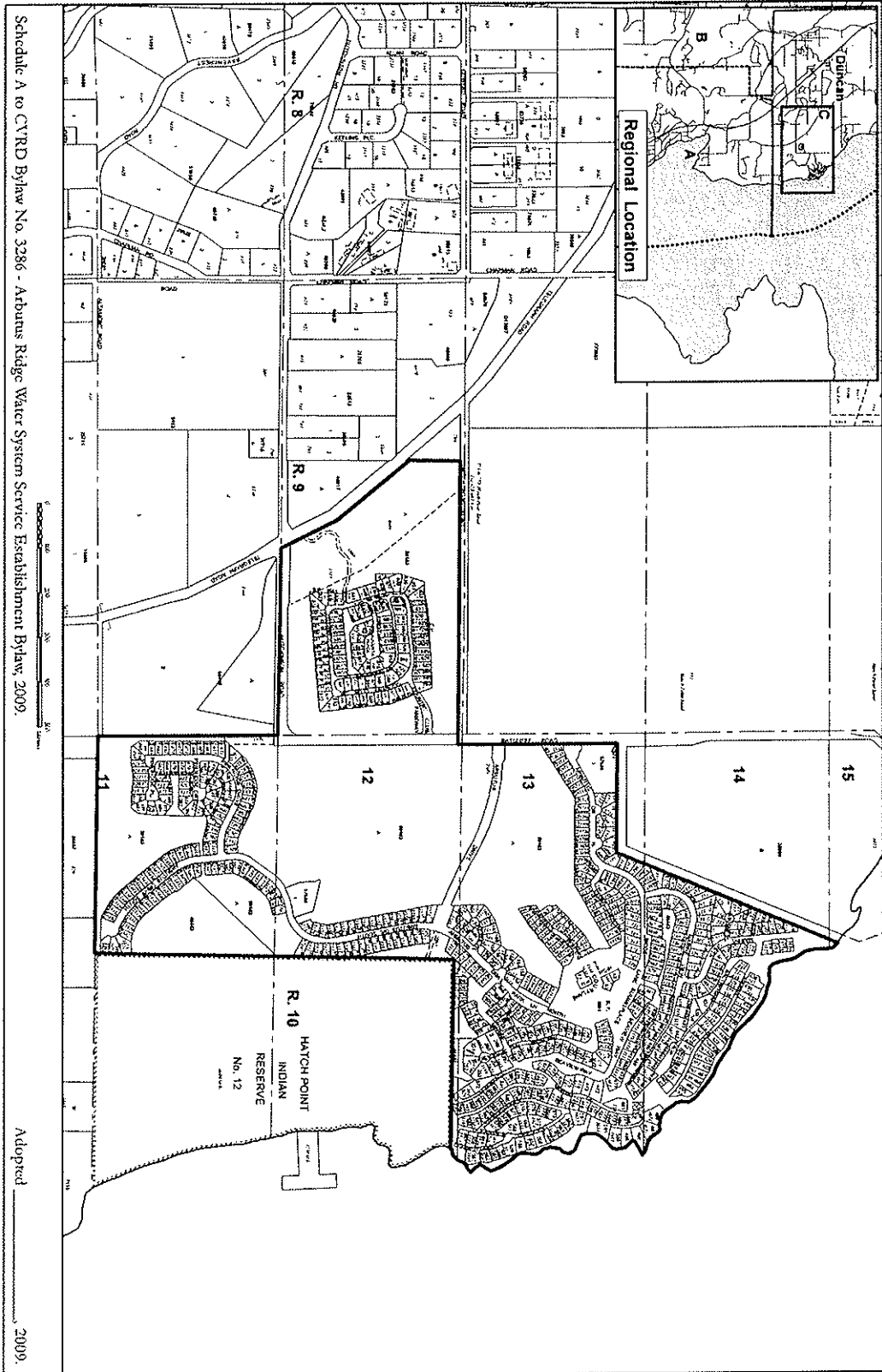
The service being established under the authority of this bylaw is the service of the provision, distribution and treatment of water.

3. **SERVICE AREA BOUNDARIES**

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

.../2





Schedule A to CVRD Bylaw No. 3286 - Arbutus Ridge Water System Service Establishment Bylaw, 2009.

Adopted \_\_\_\_\_, 2009.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3287**

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

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**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. 3286 cited as "CVRD Bylaw No. 3286 – Arbutus Ridge Water System Service Establishment Bylaw, 2009" for the provision, distribution and treatment of water within a portion of Electoral Area C – Cobble Hill;

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

**AND WHEREAS** the estimated total cost of upgrading the works of the Arbutus Ridge Water System is One Hundred Thousand Dollars (\$100,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed One Hundred Thousand Dollars (\$100,000.00), 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. 3286 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. 3287 – Arbutus 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 Arbutus 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 One Hundred Thousand Dollars (\$100,000.00);
- 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 20 years;

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *Arbutus Ridge Water System Service Area* established pursuant to CVRD Bylaw No. 3286, cited as "CVRD Bylaw No. 3286 – Arbutus Ridge Water System Service Establishment Bylaw, 2009".

READ A FIRST TIME this 12<sup>th</sup> day of August, 2009.

READ A SECOND TIME this 12<sup>th</sup> day of August, 2009.

READ A THIRD TIME this 12<sup>th</sup> day of August, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3287 as given Third Reading on the 12<sup>th</sup> day of August, 2009.

[Signature]  
Corporate Secretary

AUGUST 20, 2009  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3288**

**A Bylaw to Establish a Sewer Service in a Portion of  
Electoral Area C – Cobble Hill**

---

**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 sewer service in a portion of Electoral Area C – Cobble Hill;

**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 C – Cobble Hill has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3288 – Arbutus Ridge Sewer System Service Establishment Bylaw, 2009**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the service of the collection, conveyance, treatment and disposal of sewage.

3. **SERVICE AREA BOUNDARIES**

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

.../2

4. PARTICIPATING AREA

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

5. METHOD OF COST RECOVERY

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

- (a) the imposition of fees and other charges that may be fixed by separate bylaw; and
- (b) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. MAXIMUM REQUISITION

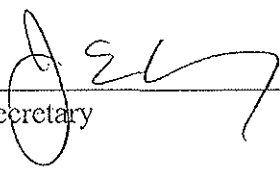
The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Two Hundred Twenty Thousand Five Hundred and Fifty-Eight Dollars (\$220,558.00).

READ A FIRST TIME this 12<sup>th</sup> day of August, 2009.

READ A SECOND TIME this 12<sup>th</sup> day of August, 2009.

READ A THIRD TIME this 12<sup>th</sup> day of August, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3288 as given Third Reading on the 12<sup>th</sup> day of August, 2009.

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

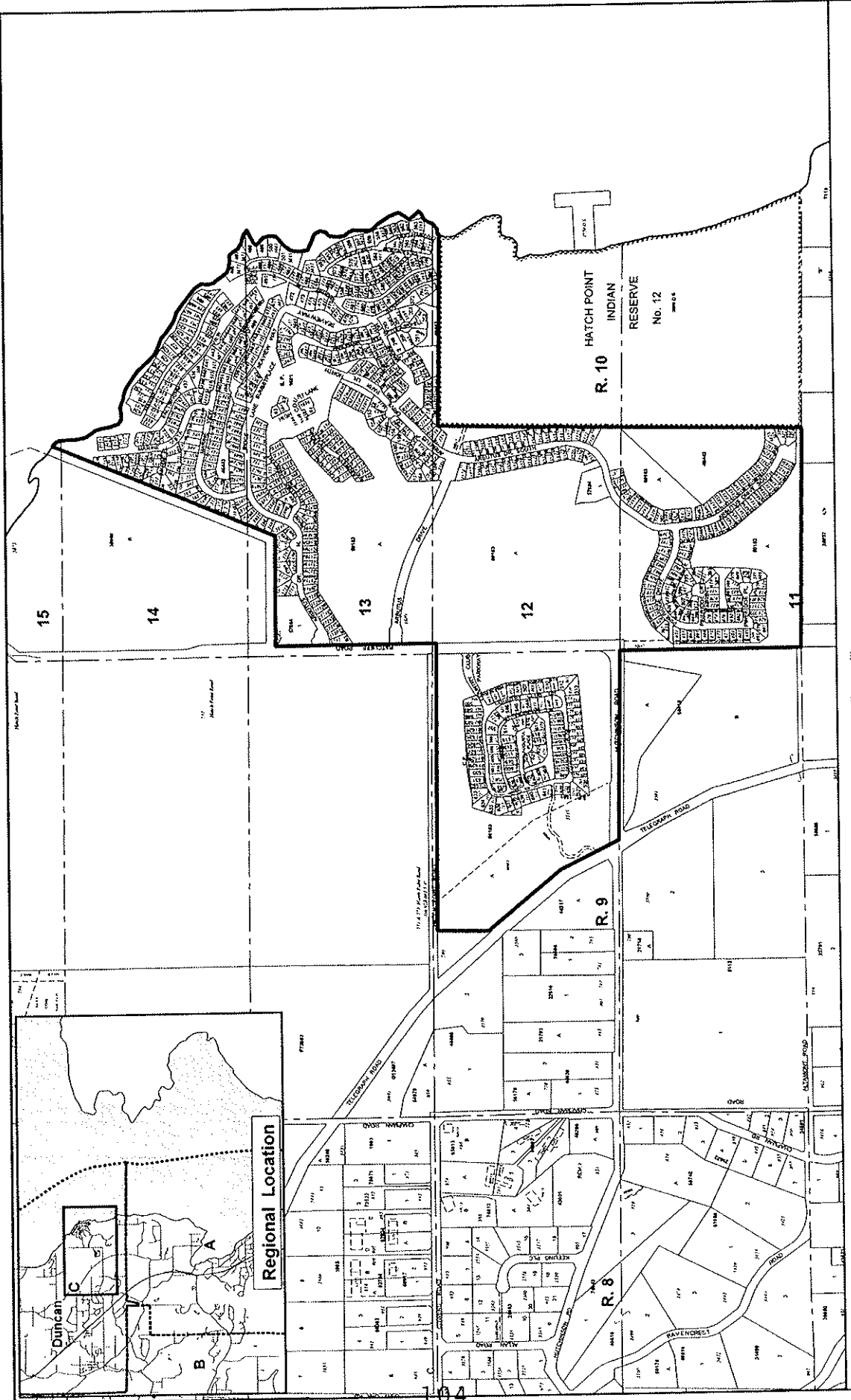
AUGUST 20, 2009  
 \_\_\_\_\_  
 Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
 Chairperson

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



Schedule A to CVRD Bylaw No. 3288 - Arbutus Ridge Sewer System Service Establishment Bylaw, 2009. Adopted \_\_\_\_\_, 2009.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3289**

**A Bylaw to Authorize the Borrowing of Funds to Upgrade the Works of the  
Arbutus Ridge Sewer 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 *Sewer Service Area* pursuant to CVRD Bylaw No. 3288 cited as "CVRD Bylaw No. 3288 – Arbutus Ridge Sewer System Service Establishment Bylaw, 2009" for the collection, conveyance, treatment and disposal of sewage within a portion of Electoral Area C – Cobble Hill;

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

**AND WHEREAS** the estimated total cost of upgrading the works of the Arbutus Ridge Sewer System is One Hundred Twenty-Five Thousand Dollars (\$125,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00), 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. 3288 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. 3289 – Arbutus Ridge Sewer 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 Arbutus Ridge Sewer 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 One Hundred Twenty-Five Thousand Dollars (\$125,000.00);
- 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 sewer works.

3. TERM OF DEBENTURES

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

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

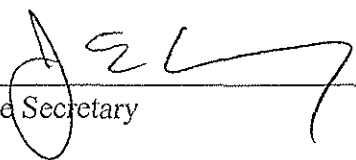
This bylaw relates to the *Arbutus Ridge Sewer System Service Area* established pursuant to CVRD Bylaw No. 3288, cited as "CVRD Bylaw No. 3288 – Arbutus Ridge Sewer System Service Establishment Bylaw, 2009".

READ A FIRST TIME this 12<sup>th</sup> day of August, 2009.

READ A SECOND TIME this 12<sup>th</sup> day of August, 2009.

READ A THIRD TIME this 12<sup>th</sup> day of August, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3289 as given Third Reading on the 12<sup>th</sup> day of August, 2009.

  
Corporate Secretary

AUGUST 20, 2009  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 12<sup>th</sup> day of August, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3290**

**A Bylaw to Establish a Drainage Service in a Portion of  
Electoral Area C – Cobble Hill**

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

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to establish a drainage system service in a portion of Electoral Area C – Cobble Hill;

**AND WHEREAS** pursuant to section 797.4 of the *Local Government Act* the Board has received a sufficient "*petition for services*";

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3290 – Arbutus Ridge Drainage System Service Establishment Bylaw, 2009**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the operation and maintenance of a drainage service system.

3. **SERVICE AREA BOUNDARIES**

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

4. **PARTICIPATING AREA**

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

5. METHOD OF COST RECOVERY

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

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

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$31,104.00 or an amount that equals the amount raised by applying a property value tax rate of \$0.0995 per \$1,000.00 to the net taxable value of land and improvements in the service area.

READ A FIRST TIME this 12<sup>th</sup> day of August, 2009.

READ A SECOND TIME this 12<sup>th</sup> day of August, 2009.

READ A THIRD TIME this 12<sup>th</sup> day of August, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3290 as given Third Reading on the 12<sup>th</sup> day of August, 2009.

[Signature]  
Corporate Secretary

AUGUST 20, 2009  
Date

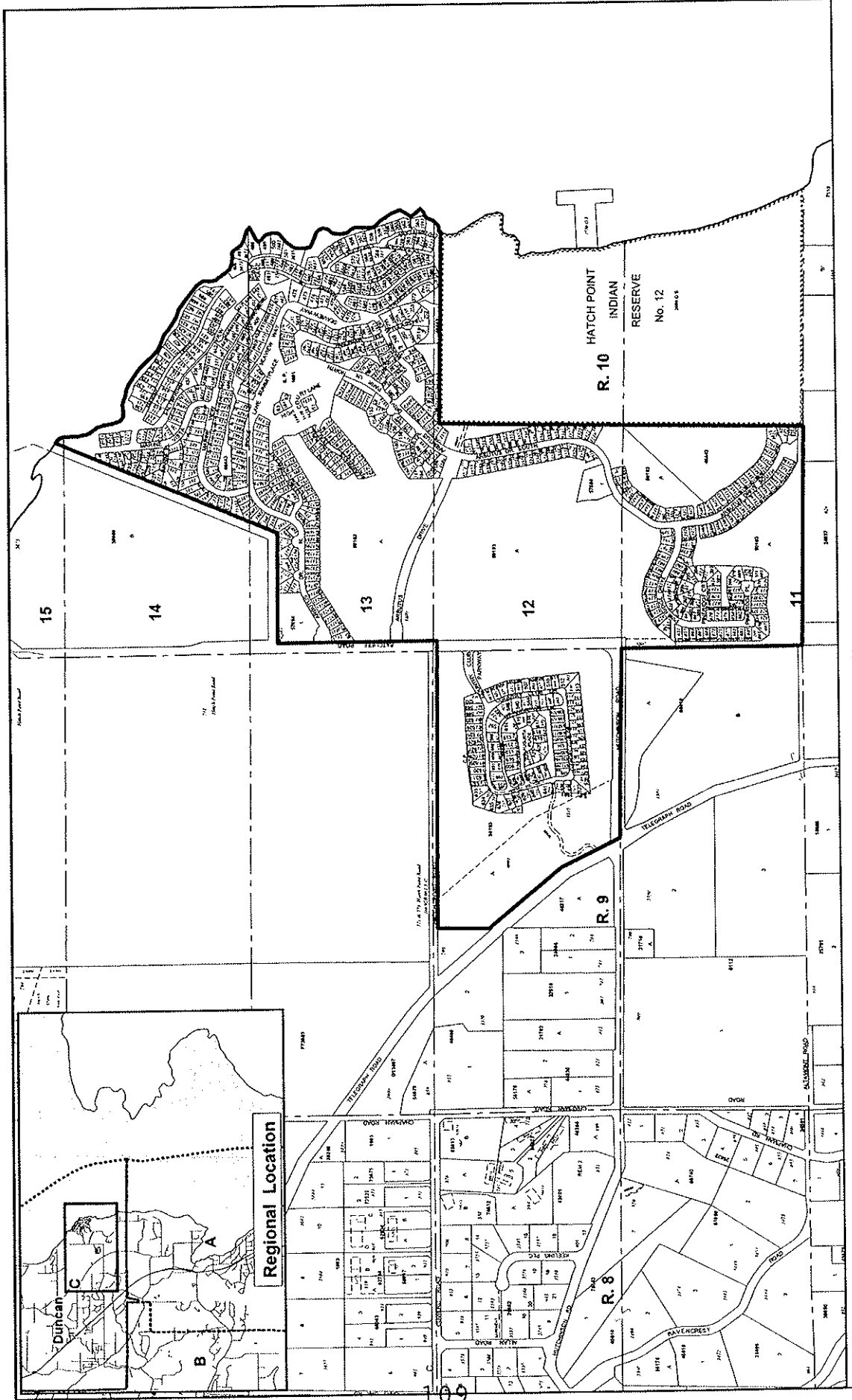
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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





Schedule A to CVRD Bylaw No. 3290 - Arbutus Ridge Drainage System Service Establishment Bylaw, 2009. Adopted \_\_\_\_\_, 2009.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3296**

**A Bylaw to Establish a Sewer Service in a Portion of  
Electoral Area A – Mill Bay/Malahat**

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**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 sewer service in a portion of Electoral Area A – Mill Bay/Malahat;

**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 A – Mill Bay/Malahat has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is the service of the collection, conveyance, treatment and disposal of sewage.

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are that portion of Electoral Area A – Mill Bay/Malahat shown outlined in Schedule A of this bylaw. The service area shall be known as the "Brulette Place Sewer System Service Area".

.../2

4. PARTICIPATING AREA

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

5. METHOD OF COST RECOVERY

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

- a) parcel taxes, to be requisitioned and collected by imposing the tax on the appropriate parcels within the participating area, on the basis of the parcel tax roll;
- b) the imposition of fees and other charges that may be fixed by separate bylaw; and
- c) revenues raised by other means authorized by the *Local Government Act* or another Act.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall not exceed Twenty-Four Thousand Seven Hundred and Eighty Dollars (\$24,780.00).

READ A FIRST TIME this 9<sup>th</sup> day of September, 2009.

READ A SECOND TIME this 9<sup>th</sup> day of September, 2009.

READ A THIRD TIME this 9<sup>th</sup> day of September, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3296 as given Third Reading on the 9<sup>th</sup> day of September, 2009.

  
 Deputy Corporate Secretary

October 16, 2009  
 Date

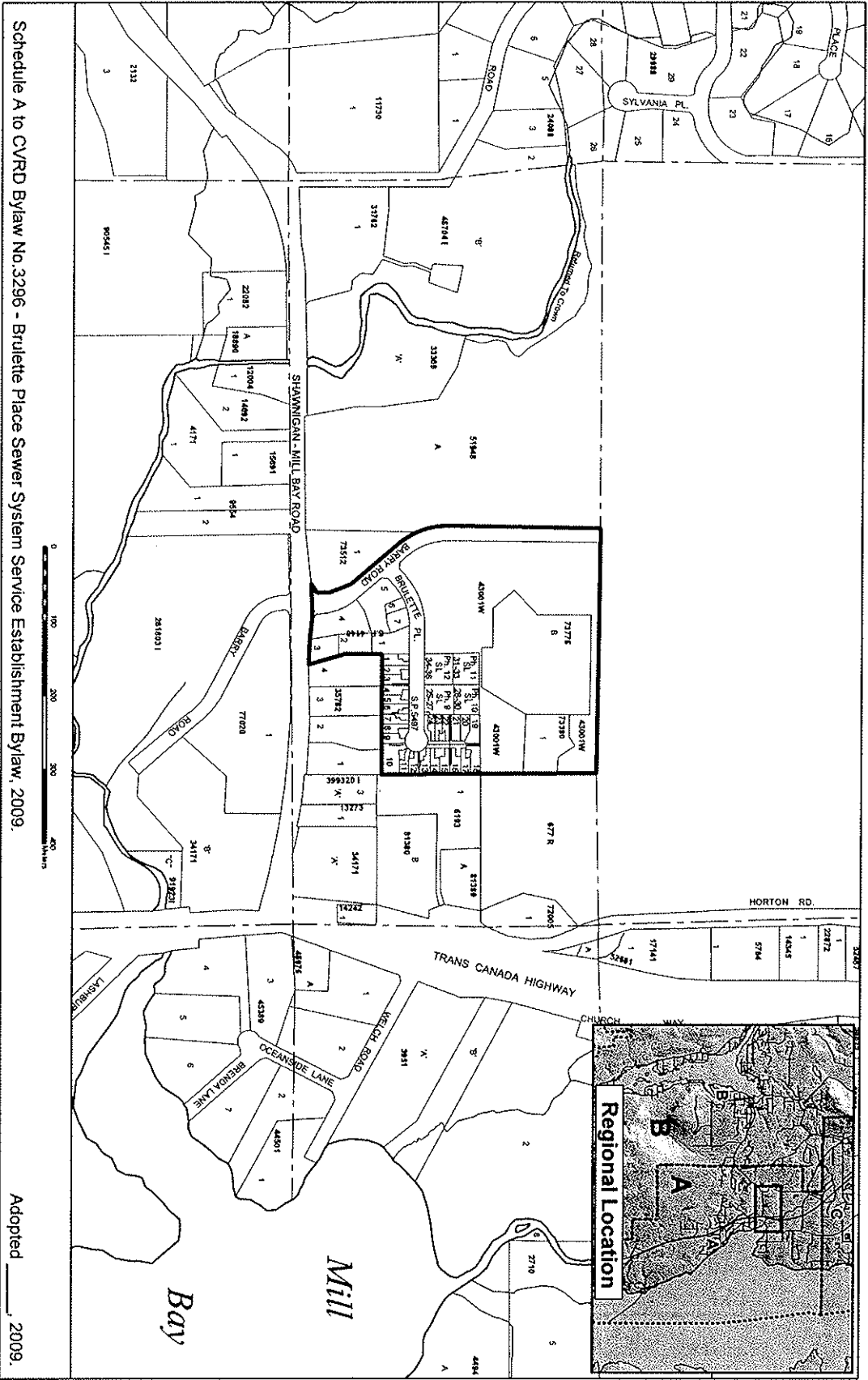
APPROVED BY THE INSPECTOR OF MUNICIPALITIES this

27<sup>th</sup> day of November 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



Schedule A to CVRD Bylaw No. 3296 - Brulette Place Sewer System Service Establishment Bylaw, 2009.

Adopted \_\_\_\_\_, 2009.



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3297

**A Bylaw to Authorize the Borrowing of Funds to Upgrade the Works of the Brulette Place Sewer 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 *Sewer Service Area* pursuant to CVRD Bylaw No. 3296 cited as "*CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009*" for the collection, conveyance, treatment and disposal of sewage within a portion of Electoral Area A – Mill Bay/Malahat;

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to borrow money to complete the capital work necessary to upgrade the Brulette Place Sewer System to a municipal standard;

**AND WHEREAS** the estimated total cost of upgrading the works of the Brulette Place Sewer System is Two Hundred Sixty-Five Thousand Dollars (\$265,000.00);

**AND WHEREAS** the sum to be borrowed is not to exceed Two Hundred Sixty-Five Thousand Dollars (\$265,000.00), 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. 3296 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. 3297 – Brulette Place Sewer 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 Brulette Place Sewer 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 Sixty-Five Thousand Dollars (\$265,000.00);
- 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 sewer works.

3. TERM OF DEBENTURES

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

4. SERVICE TO WHICH THE LOAN AUTHORIZATION RELATES

This bylaw relates to the *Brulette Place Sewer System Service Area* established pursuant to CVRD Bylaw No. 3296, cited as "CVRD Bylaw No. 3296 – Brulette Place Sewer System Service Establishment Bylaw, 2009".

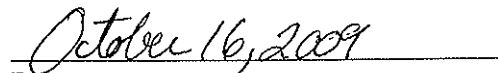
READ A FIRST TIME this 9<sup>th</sup> day of September, 2009.

READ A SECOND TIME this 9<sup>th</sup> day of September, 2009.

READ A THIRD TIME this 9<sup>th</sup> day of September, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3297 as given Third Reading on the 9<sup>th</sup> day of September, 2009.

  
 Deputy Corporate Secretary

  
 Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 2<sup>nd</sup> day of December, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3313

A Bylaw for the Regulation and Management of the Dogwood Ridge Water System

WHEREAS the Board of the Cowichan Valley Regional District established the *Dogwood Ridge Water System Service Area* under the provision of CVRD Bylaw No. 3280, cited as "CVRD Bylaw 3280 - Dogwood Ridge Water System Service Establishment Bylaw, 2009", for the purpose of providing water services to a defined portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of the Dogwood Ridge Water System and for terms and conditions upon which water services may be provided, and for a tariff of charges for such services;

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. 3313 - Dogwood Ridge Water System Management Bylaw, 2009".

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

*"Allotment"* means the maximum amount of water that may be used by a classification of user to which the minimum user charge for a specific billing period is applied.

*"Applicant"* means an owner or his agent making application for water services and from whom the District may expect to receive revenue on a continuing basis for this service.

*"Building Service"* means a water pipe extending from the property line to the plumbing system at the building or buildings on the subject property whether for domestic, or fire use.

.../2

**"Capable of Connection"** means that the parcel of land abuts a street, lane, public water right-of-way or easement, upon or under which there is a main water pipe with excess capacity and that the service connection will have adequate cover at the property line.

**"Committee"** means a standing committee, comprised of representatives from the **Regional Board**, which the Engineering and Environmental Services Department reports to.

**"Consumer"** means the **Owner** or occupant of property which is serviced by, connected to and uses **District Water**.

**"District"** means the Cowichan Valley Regional District.

**"District Water"** means water carried by the **Dogwood Ridge Water System Service Area**.

**"Dogwood Ridge Water System"** means the water system currently servicing the **Dogwood Ridge Water System Service Area**, including all **District** water supply plants, intakes, wells, outlets, equipment, water storage tanks and reservoirs, water supply lines, pumping stations, watermains, appurtenances, water service connections, water meters and all other waterworks designated for the supply and distribution of water together with all other works related to the operation of the system, including electrical pumps and components, control systems and signal cable and all lands appropriated for such purposes and uses.

**"Dogwood Ridge Water System Service Area"** means the service area established and defined by bylaw within which the **District** manages and operates a Community Water System.

**"Extension"** means an extension to the main water pipe forming part of the **Dogwood Ridge Water System**.

**"Main Water Pipe"** means a pipe forming part of the public distribution system.

**"Manager"** means the person duly appointed General Manager of the Engineering and Environmental Services Department by the **Regional Board**, or his designate.

**"Metered Water"** means **District Water** supplied to **Consumers** through meters.

**"Owner"** means the person or persons holding a fee simple or equitable interest in land.

**"Parcel Tax"** means an annual tax levied on each parcel of land within the **Dogwood Ridge Water System Service Area** and as established by a separate bylaw.

**"Private Water Supply System"** means an assembly of pipes, fittings, valves, equipment and appurtenances that supplies water from a private source.

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

.../3



**"Treasurer"** means the person duly appointed Treasurer by the Regional Board, or his duly appointed delegate.

**"Unit"** means an "area within" a building which is segregated and self-contained and, in the case of multiple units, the units may be owned or rented by different persons or organizations.

**"Unmetered Fire Line"** means a *Water Service* supplying *Unmetered Water* directly to *Consumers* for purposes of fire protection and does not include a watermain serving fire hydrants owned and maintained by the *District*.

**"Unmetered Water"** means *District Water* supplied to *Consumers* without the use of meters.

**"Water Charges"** means the charges set out in Schedules A, B, C, D, E, F, and G to this bylaw.

**"Water Meter"** means a device used for measuring water consumption and used for revenue purposes by the *District*.

**"Water Rates"** means the rates set out in Schedules A, B, C, D, E, F, and G to this bylaw.

**"Water Service"** means the conduit connecting a watermain, which is part of the *Dogwood Ridge Water System*, to a building or buildings whether for domestic or fire purposes and such conduit shall consist of a *Water Service Connection* and a *Building Service*.

**"Water Service Connection"** shall mean the water pipe and its integral appurtenances that are placed (and generally at right angles thereto) from the watermain to near the *Owner's* property line or edge of statutory right-of-way and includes the curb stop and meter.

**"Water Service Connection Charge"** means the charges as set out in Schedule A.

### 3. ADMINISTRATIVE POLICY

1. (a) The responsibility for the construction, operation and maintenance of the *Dogwood Ridge Water System* is hereby vested in the *Manager* who shall operate the same under the established policy of the *Regional Board*.
- (b) No construction, operation or maintenance work of any kind or nature not specifically authorized by this bylaw shall be performed on the whole or any part of the *Dogwood Ridge Water System* except as authorized in writing by the *Manager*.
- (c) Ownership Of Water System - All water pipes, connections, appurtenances or facilities required for water distribution to the *Owner's* property line which are constructed, whether at the *Owner's* expense or *District* expense in present or future public highways or within *District* right-of-way or property, shall be the property of the *District*.

.../4

2. (a) The *District* may supply *District Water* as circumstances, equipment and water supply permit.
- (b) No *District Water* shall be supplied to any parcel of land or buildings outside of the *Dogwood Ridge Water System Service Area* except by special agreement with the *District*.
- (c) All reasonable efforts will be made to ensure a supply of *District Water* to the consumer; however, the *District* does not guarantee to the *Consumer* an uninterrupted supply of *District Water* or that any standard of water pressure, water quantity or water quality will be met or maintained nor shall any failure to provide an uninterrupted supply of *District Water* or to meet any such standard be construed as neglect on the part of the *District*.
3. Any person authorized by the *Manager* shall have free access at all reasonable times, and upon reasonable notice being given to all parts of every building, chamber or other facility to which *District Water* is supplied, to inspect, observe, measure, sample and test any *Building Service* and its appurtenances within or without the building in order to ascertain whether or not the provisions of this bylaw are being obeyed.
4. (a) The *Manager* may upon reasonable notice shut off water within all or any part of the *Dogwood Ridge Water System*, however, in emergency situations, notice may not be given.
- (b) The *District* is not liable for damages caused by the breaking of any *Water Service*, watermain or appurtenance.
5. In the event of water shortage, the *Manager* may prescribe restrictions on the consumption, hours of consumption, and use of *District Water*.
6. Any person(s) before proceeding with, or authorizing, any construction which is proposed to be located under, across or along any watermain or other water works forming part of the *Dogwood Ridge Water System* shall notify the *Manager* in writing of his intention to proceed with the same, and if, in the opinion of the *Manager*, it becomes necessary to support or relocate such watermain or other water works, the cost of supporting or relocating the watermain or other water works shall be charged against that person and the *Manager* shall have the power to supervise and direct the supporting or relocating of such watermains or other water works.
7. Any person(s) who has proceeded with, or who has authorized any construction which is located under, over, across or along any watermain or other water works forming part of the *Dogwood Ridge Water System* shall be liable for any damage caused by such construction. If the damage is not remedied to the satisfaction of the *Manager* in a reasonable time as determined by him, the *Manager* may have such damage repaired, upon giving notice to such person(s), and the cost of the repairs shall be borne by such person(s).

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#### 4. WATER RATES, CHARGES AND REVENUES

1. (a) Revenues for the *Dogwood Ridge Water System* may be raised by *Water Rates, Water Charges* and *Parcel Taxes*.
- (b) If in any fiscal year the revenues generated by the rates and charges set out in subsection (a) do not meet the expenditures of the *Dogwood Ridge Water System Service Area*, the deficit may be covered by a duly authorized increase in any or all of the charges set out in subsection (a) for the succeeding fiscal year.
- (c) All revenue raised by the methods herein described or authorized shall be applied to the *Dogwood Ridge Water System*.
2. (a) *Consumers* of *Metered Water* shall be billed on the basis of their consumption of *District Water* and shall be charged *Water Rates* in accordance with Schedule B.
- (b) *Consumers* of *Unmetered Water* shall pay the *Water Charges* set out in Schedule C.
- (c) *Consumers* with *Unmetered Fire Lines* shall pay the *Unmetered Fire Line Rates* set out in Schedule D.
- (d) Persons requiring the miscellaneous services set out in Part VII of this bylaw shall pay the *Water Charges* set out in Schedule G for such services.
- (e) No charge will be made for the volume of *Unmetered District Water* used for fire protection purposes or the testing of fire protection equipment.
3. (a) The Rates and Charges set out in Schedules A, B, C, D, E, F and G shall be subject to periodic review by the *Manager* and the Electoral Area Services *Committee* may make recommendations on the revision of the said Schedules to the *Regional Board*.
- (b) Schedules A, B, C, D, E, F and G may be revised by bylaws enacted by the *Regional Board*.

#### 5. METERED WATER SERVICE

1. (a) All *Water Services* shall be metered unless otherwise directed by the *Manager*.
- (b) All *Consumers* shall be responsible for providing suitable plumbing for the installation of a *Water Meter*.
- (c) The *Water Meter* shall be installed on the *Water Service Connection* in a readily accessible location in close proximity to the property lines or location approved by the *Manager*.
- (d) The rates shall be due and payable at the offices of the *District* on or before the date shown in Schedule E of this bylaw.

.../6

- (e) When a new *Water Service Connection* is installed, the water rate levied shall be prorated in accordance with appropriate charges set out in Schedule B and shall be computed from the month following the month in which the *Water Service Connection* is completed or one month after the water application is completed.
  - (f) *Water Meters* shall be installed, sealed, maintained, repaired and disconnected only by employees or agents of the *District*, or other persons duly authorized by the *Manager*.
  - (g) The *District* shall not be responsible for any damage to buildings or property occasioned by, or in the course of, the installation, maintenance, repair or disconnection of any *Water Meter* or *Water Service Connection* provided that reasonable care has been taken by the employees or agents of the *District*, or other persons duly authorized by the *Manager*, in the course of such installation, maintenance, repair or disconnection.
  - (h) Where a metered *Water Service* is in use, all *District Water* consumed on the property shall pass through the *Water Meter* authorized by the *District* for use on the property unless the water in question is authorized by this bylaw for unmetered use.
  - (i) Where an *Unmetered Fire Line* is provided, no water shall be taken other than for fire protection or testing of the fire protection system unless authorized by the *Manager*.
  - (j) Only one *Water Meter* shall be installed on a *Water Service* whether the *Water Service* serves a single building or a number of buildings on a lot, parcel or block of land unless otherwise approved by the *Manager*. For the purposes of this section, each half of a semi-detached dwelling and each unit of street townhouses or street link houses is to be considered a single building.
  - (k) If a *Consumer* now receiving *Unmetered Water* requests that a *Water Meter* be installed on his building service, the *Manager* may, at his discretion, comply with such request with all related cost to be borne by the *Consumer*.
  - (l) At the time of applying for an Application for *Water Service*, the *Applicant* shall deposit an amount equal to the *Water Service Connection Charge* plus the *Manager's* estimated cost of providing the *Water Service Connection*.
2. (a) If the *Manager* directs that the *Water Meter* be installed in a meter chamber, the meter chamber shall be constructed and maintained by the *Consumer* in a manner satisfactory to the *Manager* and shall be kept accessible and safe to the employees or agents of the *District*.
- (b) The *Consumer* shall pump all water from the meter chamber if required by the *Manager*.

.../7

- (c) The size of *Water Meters* to be installed shall be approved by the *Manager*.
  - (d) Unless otherwise approved by the *Manager*, no pipe connection shall be made to a *Water Service* other than after the outlet side of a *Water Meter*, except where required by the *Manager*, properly valved and sealed by-passes around the *Water Meter* shall be provided by and at the expense of the *Consumer*.
  - (e) The *Manager* may replace the valve on the inlet side of a *Water Meter* with a full port corporation valve and install a full port corporation valve on the outlet side during the replacement of the *Water Meter*.
  - (f) *Consumers* shall immediately notify the *Manager* of any breakage, stoppage or irregularity in a *Water Meter* and/or a *Building Service* and/or the plumbing system or fixtures within the building or buildings.
3. (a) All *Water Meter* readings shall be performed under the co-ordination and control of the *Manager*.
- (b) *Water Meter* readings may be performed by duly authorized employees or agents of the *District* who must carry with them, while performing *Water Meter* reading duties, identification designating them as employees or agents of the *District*.
  - (c) *Consumers* shall provide to the duly authorized employees or agents of the *District* access to buildings, chambers or other facilities in which *Water Meters* are situated at all reasonable hours and shall facilitate such access in all reasonable ways.
  - (d) *Water Meters* shall be read annually, semi-annually, quarterly, bi-monthly, monthly or at any interval deemed necessary by the *Manager*.
  - (e) The *Treasurer* may estimate the quantity of water used by the *Consumer* since the date of the last accurate meter reading, or the last satisfactory estimate of consumption, and bill the *Consumer* accordingly, under circumstances where:
    - (i) the *Water Meter* is broken, stopped or irregular;
    - (ii) the *Water Meter* or meter seal has been disconnected, altered or tampered with in any way;
    - (iii) the *Water Meter* has been incorrectly read;
    - (iv) the *Water Meter* reading has been incorrectly recorded;
    - (v) a *Water Meter* by-pass has been used or the by-pass seal has been disconnected, altered or tampered with;
    - (vi) the person duly authorized to do so has been unable to obtain a *Water Meter* reading;
    - (vii) it is deemed necessary by the *Treasurer* for any other circumstances.

- (f) Where the quantity of water used by a *Consumer* has been estimated pursuant to subsection (e), the *Treasurer* may, at the time of the first accurate meter reading subsequent to such estimate, make a new estimate of the quantity of water used by the *Consumer* and increase or decrease the billing to the *Consumer* accordingly.
  - (g) Under circumstances where it is in the opinion of the *Manager* expedient to allow a *Consumer* to run water continuously, the *Manager* may authorize such usage and in such cases the *Treasurer* may adjust the *Consumer's* metered billing to conform with the *Consumer's* normal pattern of water use.
4. (a) A *Consumer*, upon written application to the *Manager* may have his *Water Meter* tested.
- (b) Every application for testing shall be accompanied by a deposit of the fee for testing *Water Meters* set out in Schedule G.
  - (c) If the *Water Meter* is shown by the test to measure the flow of water within AWWA specifications, the *Consumer* shall be charged the fee for the test set out in Schedule G and the deposit set out in Section 1 shall be credited against that charge.
  - (d) If the *Water Meter* is shown by the test to measure the flow of water outside AWWA specifications, whether high or low, no fee shall be charged for the test, the *Consumer's* deposit shall be returned and the *Consumer's* water bill adjusted in an amount to be determined by the *Treasurer* and the *Water Meter* shall be replaced or repaired at the cost of the *District*.

## 6. WATER SERVICE CONNECTION

1. (a) A person desiring *District Water* and who owns or occupies a building(s) on lands within the *Dogwood Ridge Water System Service Area*, which abuts a watermain that is a part of the *Dogwood Ridge Water System*, shall apply to have his building(s) connected to the watermain.
- (b) No connection shall be made to the *Dogwood Ridge Water System* until an Application for *Water Service* has been completed and approved by the *Manager*.
  - (c) An Application for *Water Service* shall be completed on a form provided by the *Manager*, and the information shall be certified to be correct and signed by the *Applicant* or his agent, and shall be completed and approved at least three weeks prior to the date by which connection to the *Dogwood Ridge Water System* is requested, or as deemed a reasonable time by the *Manager*.

.../9

- (d) Where a *Water Service Connection* is to be installed as part of an *Unmetered Fire Line*, or for any use other than single family residential use, or where the proposed *Water Service Connection* is greater than 25 mm in diameter, detailed plans of the *Water Service* or *Unmetered Fire Line* acceptable to the *Manager* shall be submitted with each Application for *Water Service*.
  - (e) An Application for *Water Service* shall be accompanied by a payment equal to the *Water Service Connection* charge plus a deposit in accordance with the conditions and requirements as set out in Schedule A. The deposit shall be applied against the actual cost of the *Water Service Connection* installation.
  - (f) The *Manager* may refuse approval of an Application for *Water Service* where, in his opinion, the *Dogwood Ridge Water System* may be adversely affected, where, in his opinion, there is insufficient water supply available or where a watermain does not abut the *Applicant's* lands.
  - (g) Every *Water Service Connection* shall be installed prior to installation of the *Building Service*. The *District* shall not be responsible for meeting the location or for connecting to an existing *Building Service* installed prior to the installation of the *Water Service Connection*.
2. An Application for *Water Service* must be completed prior to connecting the *Building Service* to the *Water Service Connection* for each separate *Water Service Connection* in housing developments built on lands subject to registered plans of subdivision where the *Water Service Connection* has been provided by the subdivider. The Application for *Water Service* will be issued at a charge set forth in Schedule A to the subdivider under these circumstances.
3. (a) Where the *Owner* of property wishes to re-use an abandoned *Water Service Connection* that previously served a building on the *Owner's* property, the *Owner* shall apply to re-use the *Water Service Connection* and such application shall require the inspection of the *Water Service Connection*. The *Owner* shall pay the inspection fee set out in Schedule A, expose the *Water Service Connection* and prepare it for inspection, and the *Manager* may, upon inspecting such *Water Service Connection*, refuse to allow the re-use of it if it is in the *Manager's* opinion defective. The *Manager's* opinion on this matter shall be final.
- (b) Where the *Manager* has deemed an abandoned *Water Service Connection* defective, the *Owner* shall apply for a new *Water Service Connection* and pay the charge or deposit as set out in Schedule A.

.../10

4. (a) *Building Services* shall be installed in accordance with the requirements of the British Columbia Plumbing Code, as amended from time to time, and shall be constructed by the *Owner* entirely at the *Owner's* expense.
- (b) The *Building Service* shall be maintained and repaired by the property *Owner* at his sole expense. Whenever a malfunction occurs in the *Building Service* or *Water Service Connection*, the *Owner* or occupier of the premises served shall first determine that the failure is not located in the *Building Service* before notifying the *Manager* who shall, as soon as practicable, arrange to have the *Water Service Connection* restored to serviceable condition.
5. (a) All work involved in the installation and maintenance of *Water Service Connections* shall be performed only by duly authorized employees or agents of the *District*.
- (b) Every *Water Service Connection* is to be laid, as nearly as practicable, in a generally straight line and at a right angle to the watermain.
- (c) Where the *Applicant* for a *Water Service Connection* indicates in his application a desired location for the *Water Service Connection*, the *Water Service Connection* will be located as indicated providing the proposed location is approved by the *Manager*.
- (d) Where the *Applicant* for a *Water Service Connection* does not indicate in his application a desired location for the *Water Service Connection*, the *Water Service Connection* will be located as determined by the *Manager* and if the *Applicant* subsequently requires a relocation of the *Water Service Connection*, such relocation shall be at the expense of the *Applicant*.
- (e) No *Water Service* shall be installed in, over or across the property of another person or located on an easement in favour of one *Owner* to another except by the written consent of the *Owners* concerned and the approval of the *Manager*.
- (f) Only one *Water Service* shall be installed for each lot, block or parcel of land unless otherwise approved by the *Manager*.
- (g) A *Water Service* shall be installed to each unit of semi-detached buildings, street townhouses and street link houses, except for townhouses registered under the British Columbia Strata Property Act.
- (h) Where more than one lot, block or parcel of land under separate ownership are served by a single *Water Service*, the *Manager* may order the affected *Consumers* to disconnect from the single *Water Service* and to conform to Item f above, and all costs including those for installing new *Water Service Connections* shall be borne by the *Consumers*.

.../11



6. When a *Consumer* requires the *Water Service Connection* to his land or premises to be replaced, the existing *Water Service Connection* shall be disconnected and the cost of disconnecting the *Water Service Connection* as set out in Schedule A, shall be borne by the *Consumer*.
7. When the *Manager* determines that a *Water Service Connection* is no longer required and can be abandoned, the *Water Service Connection* shall be disconnected at the watermain and the cost of the disconnection, as set out in Schedule A, shall be borne by the *Owner* of the lot, block or parcel of land, which the *Water Service Connection* served, or was intended to serve or as otherwise directed by the *Manager*.
8. (a) The *Consumer* is responsible for the repair or replacement of a leaking or defective *Building Service* or appurtenance and if, after written notice, it is not remedied in reasonable time, the water supply may be temporarily interrupted until the necessary repairs are completed to the satisfaction of the *Manager* and the cost of such repair or replacement shall be borne by the *Consumer*.
- (b) The *Manager* may turn off or restrict the supply of water to any building in which any leaking or defective pipe, tap or fixture, or any cross connection exists and shall require that the pipe, tap or fixture be repaired or replaced by the *Consumer* in such manner as the *Manager* may approve before the water is turned fully on again.

## 7. USE OF WATER SERVICE FOR FIRE PROTECTION

1. (a) No person other than duly authorized employees or agents of the *District* or Local Fire Department shall operate or use any *District* or private fire hydrant.
- (b) The *Manager* may, by means of a "Hydrant Permit" issued by him, authorize the use of a specified *District* or private hydrant for a specified time under specified conditions, including the supervision of such use by the *Manager*, at the charges set out in Schedule F.
2. (a) The *Manager* may approve the supply of *District Water* to *Consumers* within the *Dogwood Ridge Water System Service Area* who have *Unmetered Fire Lines* for fire protection purposes and such water may serve private fire hydrants, automatic sprinkler systems and standpipes.
- (b) An *Unmetered Fire Line* shall be separate from the domestic *Water Service*. An *Unmetered Fire Line* and a *Water Service Connection* may be combined within a public road allowance or easement providing separation takes place within the public road allowance or easement and providing a valve is installed on each branch within the public road allowance or easement.

.../12

- (c) An *Unmetered Fire Line* whether separate or combined with a domestic *Water Service* as in (b), shall be isolated to prevent back flow in accordance with the current British Columbia Building Code and the British Columbia Plumbing Code and other applicable regulations.
- (d) No *Private Water Supply System* shall be interconnected with the *Dogwood Ridge Water System*.
- (e) Private fire hydrants shall be maintained by the *Consumers* thereof to the satisfaction of the *Manager* and such *Owners* may be required from time to time to establish to the satisfaction of the *Manager* that such hydrants are sound, do not leak and are in good operating order.
- (f) *Unmetered fire lines* shall be utilized for no other purpose than fire fighting without written permission from the *Manager*.

## 8. MISCELLANEOUS SERVICES AND REQUIREMENTS

- 1. (a) The *Manager* shall at the request of a *Consumer* turn the *Consumer's* supply of *District Water* "off" or "on" and the *Consumer* shall pay a fee for this service as prescribed in Schedule G.
- (b) A *Consumer* who has had his supply of *District Water* turned off shall not be required to pay the *Water Charges* while such supply is turned off, provided the "water off" charges as described in Schedule G have been paid.
- 2. The *Treasurer* shall, upon written request in respect to each separate parcel of land or buildings, furnish any *Applicant* with a written verification showing the arrears of *Water Charges* due on, or in respect of, any parcel of land or buildings up to the date to which such water charges were last computed, the duration of the last billing period, and the net amount billed during that period.
- 3. In the event of a *Building Service*, an *Unmetered Fire Line* located on private property, or a private fire hydrant becoming frozen, the *Consumer* shall notify the *Manager* and shall take steps to have such *Building Service*, Fire Line or hydrant thawed. The repair costs for damages caused by the thawing operation shall be assumed by the *Consumer*.
- 4. (a) Anti-tampering devices shall be installed on hydrants when deemed necessary by the *Manager*.
- (b) Where anti-tampering devices are installed on hydrants in new developments such as industrial or residential subdivisions, the cost of purchasing, installing and maintaining such devices shall be borne by the developer or *Owner*.

.../13

5. Plants, shrubs, trees, hedges, fences and other structures shall not be so close to a meter box, hydrant or valve box as to obstruct the siting of, or access to, the hydrant, air relief, *Water Meter*, or valve box by duly authorized employees or agents of the *District*.
6. A driveway shall be constructed no closer than 1 metre from a hydrant.

## 9. BILLING & COLLECTING WATER RATES & WATER CHARGES

1. (a) All *Water Rates* and *Water Charges* shall be payable for water consumed and services provided and shall be due and payable when rendered.
- (b) Regular billings for *Water Charges* may be rendered annually, semi-annually, quarterly, bi-monthly, monthly or at any other periodic interval as set out in Schedule E, or as determined by the *Manager*.
- (c) The *Treasurer* may with reasonable notice advance or delay any regular billing of *Water Rates* or *Water Charges*.
- (d) To protect the *District* against potential losses from unpaid water billings, the *Treasurer* may, at his discretion, demand in writing, a security deposit by way of cash, certified cheque, letter of credit or guarantee from an *Owner* from whom delinquent charges and fees can not be applied to property taxes.
- (e) The amount of the security deposit shall be no less than an amount equal to a *Consumer's* estimated water bill for a period of 180 days.
2. All *Water Rates* or *Water Charges* set out in Schedule B and Schedule C are established in amounts that reflect a discount for prompt payment in the percentages set out in Schedule E.
3. (a) All water bills shall be distributed to the *Consumer* by ordinary, prepaid mail or by any other means as deemed expedient and necessary by the *Treasurer*.
- (b) *Water Rates* and *Water Charges* may at the discretion of the *Treasurer* be charged and billed to:
  - (i) the person requesting that water services be provided, or
  - (ii) the person in occupation of the building serviced by the *Dogwood Ridge Water System*, or
  - (iii) the *Owner* of the building served by the *Dogwood Ridge Water System*.

.../14

- (c) All *Water Rates* and *Water Charges* for services rendered to buildings having multiple units shall be charged and billed to the *Owner* of the property unless otherwise directed in writing by the *Treasurer*.
- (d) All *Water Rates* and *Water Charges* for services rendered to buildings registered under The Condominium Act shall be billed to the Condominium Corporation unless otherwise directed in writing by the *Treasurer*.
- (e) Payment may be made, with no additional service charge, by personal cheque through the mail, by personal cheque, cash or debit in person at the *District* office or at any location or via internet or telephone banking as directed by the *Treasurer*.

## 10. EXTENSIONS TO THE LOCAL SERVICE (WATER SUPPLY) AREA

### 1. (a) Applications and Fees:

Where, after a review of a request for servicing, the *Manager* has determined the need for an *Extension* to the *Dogwood Ridge Water System* in order to provide *District Water* to property located within the boundaries of the Dogwood Ridge Water System Service Area, the *Owner* of the property shall make written application for an *Extension* to the *Manager*.

The application shall be accompanied by the fee as set out in Schedule A.

### (b) Approval:

Following a review of the proposed *Extension* of the *Dogwood Ridge Water System* the *Manager* shall advise the *Applicant* in writing if the *Extension* is approved or denied.

### (c) Conditions:

An approved *Extension* to the *Dogwood Ridge Water System* may proceed provided the *Applicant* complies with the following conditions:

- i. The *Applicant* shall complete a *Water Service Connection* Application for each and every *Unit* or parcel of land to be serviced together with the applicable *Water Service Connection Charge*.
- ii. Where the *Manager* concludes the *Extension* will be undertaken by the *District*, the *Applicant* shall deposit with the *District* monies in the amount of the estimated cost of both the *Extension* and the required *Water Service Connection* as determined by the *Manager*.

.../15

- iii. Where the *Manager* grants a request by the *Applicant* for an *Extension* to be undertaken by others considered in the opinion of the *Manager* to be professionally competent, then the *Applicant* shall ensure that the work complies with the plans and specifications submitted by the *Applicant* and approved for construction by the *Manager*. Following completion of the *Extension* and other related work, the *Applicant* shall submit "As Constructed" drawings in a format acceptable to the *Manager* together with written verification that the completed work complies with the requirements of the *District*. The *Applicant* shall guarantee the work for a period of two years from the date this work is accepted by the *Manager*. The *Manager* may require certification of the above by a Professional Engineer registered in the Province of British Columbia.
- iv. The pipe size of the *Extension* shall not have less than a 150 mm inside diameter and shall include all appurtenances as determined by the *Manager*, including, but not limited, to main line valving and fire hydrants. The *Manager* may allow a 100 mm inside diameter *Extension* on a cul-de-sac, which in the opinion of the *Manager* has fire protection.
- v. The point at which the *Extension* may connect to the *Dogwood Ridge Water System* shall be determined by the *Manager*.
- vi. The *Extension* to the *Dogwood Ridge Water System* shall extend to a point opposite the furthest boundary of the last property to be serviced by the *Extension* unless otherwise approved in writing by the *Manager*.
- vii. The final cost to the *Applicant* shall include all costs directly or indirectly associated with the *Extension* including, but not limited to the following items:
  - design
  - preparation of drawings, specifications and tender documents
  - approval applications to other agencies
  - survey and layout
  - legal fees
  - supervision and inspection
  - site restoration
  - upgrade of the Service Area to accommodate the proposed development.
  - testing, disinfection and sampling.

## 11. OFFENCES AND SANCTIONS

1. Every person who:
  - (a) hinders or interrupts, or causes or procures to be hindered or interrupted, the *District*, or any of its officers, contractors, employees or agents, in the exercise of any of the powers conferred by this bylaw;
  - (b) lets off or discharges water so that the water runs to waste out of the *Dogwood Ridge Water System* unless duly authorized to do so, in writing, by the *Manager*;

.../16

- (c) being a consumer, tenant, occupant, or inmate of any house, building or other place supplied with water from the *Dogwood Ridge Water System*, lends, sells, or disposes of the water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit of another, or to any use and benefit other than his own, increases the supply of water agreed for, or improperly wastes the water;
  - (d) without lawful authority, opens or closes or tampers with any hydrant, valve, curb stop or other appurtenances or obstructs the free access to any hydrant, valve, service box, chamber, pipe, or hydrant-chamber or other appurtenances by placing on it any building material, rubbish, or other obstruction;
  - (e) throws or deposits any injurious, noxious or offensive matter into the water of the *Dogwood Ridge Water System*, or upon the ice, if the water is frozen, or in any way fouls the water or commits any damage, or injury to the works, pipes, or water, or encourages the same to be done;
  - (f) removes or alters any *Water Meter* or meter seal or opens any *Water Meter* by-pass placed upon any *Building Service* or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered;
  - (g) lays or causes to be laid any pipe or main to communicate with any pipe or main of the *Dogwood Ridge Water System*, or in any way obtains or uses the water without the written consent of the *Manager*;
  - (h) obstructs or refuses entry to any employee or agent of the *District* in the discharge of any duty under this bylaw;
  - (i) establishes, maintains or uses any connection to any part of the *Dogwood Ridge Water System* whereby foreign matter, non-potable water, or water from a *Private Water Supply System* may enter the *Dogwood Ridge Water System*;
  - (j) fails to notify the *Manager* of any breakage, stoppage or irregularity in any *Water Meter* for which he is responsible;
  - (k) fails to obey any restriction on consumption, hours of consumption and use of water pursuant to Part II, Section 5; or
  - (l) contravenes any section of this bylaw, is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00 or may be imprisoned, without the option of a fine, for a term of not more than one month.
2. In addition to all other sanctions and remedies provided in this bylaw, the *Manager* may turn off or restrict the supply of water to any *Consumer* where such *Consumer* has violated any of the provisions of this bylaw and may refuse to restore normal service until the violation complained of has been terminated or remedied.

.../17

- 3. That pursuant to the *Local Government Act*, any rates, charges and/or fees which remain unpaid after December 31 in any year shall be deemed to be taxes in arrears on the property concerned, with interest on those taxes in arrears calculated in accordance the *Local Government Act*.

**12. REMAINDER OF BYLAW TO REMAIN INTACT:**

In the event that any portion of this bylaw is declared *ultra vires* by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaw to the intent that the remainder of the bylaw shall continue in full force and effect.

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



C·V·R·D

SCHEDULE A

TO CVRD BYLAW NO. 3313

WATER SERVICE CONNECTION CHARGES

1. Water Service Connection

.1 EXISTING LOT (permits servicing of one unit or building).

(a) An application for *Water Service* shall be accompanied by a payment equal to the *Water Service Connection Charge* of:

- 19-mm diameter connection .....\$300.00
- 25-mm diameter connection .....\$300.00

plus a deposit in the amount of the *Manager's* estimate to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the *Water Service Connection* installation.

(b) Where the *Water Service Connection* has been installed by the subdivider entirely at his cost and the *Water Service Connection Charge* for each connection has been prepaid, the *Applicant* for *Water Service* shall not be required to pay any additional fees.

.2 EXISTING LOT TO BE SUBDIVIDED:

(a) Lot presently serviced:

- \*First lot exempt.....n/a
- Each additional lot created.....\$3,500.00

\*Where the existing *Water Service Connection* is not utilized, the *Subdivider* will pay a *Water Service Connection Charge* of \$300.00

(b) Lot not presently serviced:

- First lot.....\$300.00
- Each additional lot created.....\$3,500.00

(c) Pre-installed Water Connection – where the *Water Service Connection* has been installed by the subdivider entirely at his own cost, but the *Water Service Connection Charge* has not been prepaid, then the *Applicant* for *Water Service* shall be required to pay the *Water Service Connection Charge* of \$3,500.00.

.../2



.3 WATER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:

Where a *Water Service Connection* is to be installed to additional *Units* or buildings on an existing lot and the lot is:

- (a) Vacant: First Unit or building.....n/a  
 (included under Sub-Section 1.1)  
 Each additional *Unit* or building.....\$3,500.00
- (b) Presently Occupied and Serviced  
 Each additional *Unit* or building.....\$3,500.00

2. Disconnection of a Water Service Connection

Where a *Water Service Connection* is to be abandoned and must be disconnected as determined by the *Manager*, the cost to the *Owner* of the property serviced shall be based on the actual cost to complete the work required, **plus a 10% administration charge.**

3. Re-use of Abandoned Water Service Connection

Inspection fee of previously abandoned or disused *Water Service Connection*: \$50.00

4. Extension to Service Area

Where an *Extension* to the *Dogwood Ridge Water System* is required, the *Owner* of the property to be serviced shall, upon application for an *Extension*, pay the fee as calculated below:

- .1 Applications to Serve Residential Developments:  
 A fee of \$500.00 plus \$50.00 per dwelling unit to be created by the development.
- .2 Applications to Serve Industrial and Commercial Developments:  
 A fee of \$500.00 plus \$100.00 per hectare (or part thereof) of land proposed to be serviced.



SCHEDULE B

TO CVRD BYLAW NO. 3313

METERED WATER RATES AND CHARGES

Water Rates and Charges

The *Consumer* of *District Water* supplied through *Water Meters*, shall pay the minimum charge set out in subsection (b) below. A 10% discount will be applied for timely payment.

Water Rates and Charges per Classification per six (6) month period:

CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
<b>Group A</b>				
Single Family Dwelling: Per Dwelling	0	- 200 m <sup>3</sup>	\$ 300.00	
Laundromat: Minimum charge for each washing machine	201	- 300 m <sup>3</sup>	\$ 300.00	+ 1.50 per m <sup>3</sup> over 200 m <sup>3</sup>
	301	- 400 m <sup>3</sup>	\$ 450.00	+ 2.00 per m <sup>3</sup> over 300 m <sup>3</sup>
Elementary/Middle Scholl: Minimum charge per 20 students or portion thereof	over 400	m <sup>3</sup>	\$ 650.00	+ 2.50 per m <sup>3</sup> over 400 m <sup>3</sup>
<b>Group B</b>				
Apartment: Per Unit	0	- 160 m <sup>3</sup>	\$ 225.00	
Mobile/Modular Home Park: Per Unit	161	- 240 m <sup>3</sup>	\$ 225.00	+ 1.50 per m <sup>3</sup> over 160 m <sup>3</sup>
	241	- 320 m <sup>3</sup>	\$ 345.00	+ 2.00 per m <sup>3</sup> over 240 m <sup>3</sup>
	over 320	- m <sup>3</sup>	\$ 505.00	+ 2.50 per m <sup>3</sup> over 320 m <sup>3</sup>
<b>Group C</b>				
Commercial: Minimum charge for each 10 employees or portion thereof per shift	0	- 130 m <sup>3</sup>	\$ 180.00	
	131	- 195 m <sup>3</sup>	\$ 180.00	+ 1.50 per m <sup>3</sup> over 130 m <sup>3</sup>
	196	- 260 m <sup>3</sup>	\$ 277.50	+ 2.00 per m <sup>3</sup> over 195 m <sup>3</sup>
	over 260	- m <sup>3</sup>	\$ 407.50	+ 2.50 per m <sup>3</sup> over 260 m <sup>3</sup>
<b>Group D</b>				
Continuing Care Facility: Minimum charge for each bed	0	- 100 m <sup>3</sup>	\$ 150.00	
	101	- 150 m <sup>3</sup>	\$ 150.00	+ 1.50 per m <sup>3</sup> over 100 m <sup>3</sup>
	151	- 200 m <sup>3</sup>	\$ 225.00	+ 2.00 per m <sup>3</sup> over 150 m <sup>3</sup>
	over 200	- m <sup>3</sup>	\$ 325.00	+ 2.50 per m <sup>3</sup> over 200 m <sup>3</sup>
<b>Group E</b>				
RV Trailer Park/Campground-Site Connected to Sewer: Per service pad or Site	0	- 67 m <sup>3</sup>	\$ 100.00	
Restaurant: Per 10 seats or patrons, or portion thereof	68	- 100 m <sup>3</sup>	\$ 100.00	+ 1.50 per m <sup>3</sup> over 67 m <sup>3</sup>
Hotel/Motel: per housekeeping unit	101	- 133 m <sup>3</sup>	\$ 149.50	+ 2.00 per m <sup>3</sup> over 100 m <sup>3</sup>
	over 133	- m <sup>3</sup>	\$ 215.50	+ 2.50 per m <sup>3</sup> over 133 m <sup>3</sup>
<b>Group F</b>				
Bed & Breakfast House: includes the minimum charge for a single family dwelling unit as defined in Group A above, plus a minimum charge per each Guest Group	0	- 40 m <sup>3</sup>	\$ 100.00	
	41	- 60 m <sup>3</sup>	\$ 100.00	+ 1.50 per m <sup>3</sup> over 40 m <sup>3</sup>
	61	- 80 m <sup>3</sup>	\$ 130.00	+ 2.00 per m <sup>3</sup> over 60 m <sup>3</sup>
	over 80	- m <sup>3</sup>	\$ 170.00	+ 2.50 per m <sup>3</sup> over 80 m <sup>3</sup>
<b>Group G</b>				
RV Trailer Park/Campground-Site not Connected to Sewer: - Per service pad or Site	0	- 20 m <sup>3</sup>	\$ 30.00	
	21	- 30 m <sup>3</sup>	\$ 30.00	+ 1.50 per m <sup>3</sup> over 20 m <sup>3</sup>
	31	- 40 m <sup>3</sup>	\$ 45.00	+ 2.00 per m <sup>3</sup> over 30 m <sup>3</sup>
	over 40	- m <sup>3</sup>	\$ 65.00	+ 2.50 per m <sup>3</sup> over 40 m <sup>3</sup>

CLASSIFICATION	USER CHARGES			
	Water Use	Charge		
<b>Group H</b> High School: Minimum charge per 20 students or portion thereof per shift	0 - 270 m <sup>3</sup>	\$ 375.00		
	271 - 405 m <sup>3</sup>	\$ 375.00	+ 1.50 per m <sup>3</sup> over	270 m <sup>3</sup>
	406 - 540 m <sup>3</sup>	\$ 577.50	+ 2.00 per m <sup>3</sup> over	405 m <sup>3</sup>
	over 540 - m <sup>3</sup>	\$ 847.50	+ 2.50 per m <sup>3</sup> over	540 m <sup>3</sup>
<b>Group I</b> Hotel/Motel: per room or suite	0 - 50 m <sup>3</sup>	\$ 75.00		
	51 - 75 m <sup>3</sup>	\$ 75.00	+ 1.50 per m <sup>3</sup> over	50 m <sup>3</sup>
	76 - 100 m <sup>3</sup>	\$ 112.50	+ 2.00 per m <sup>3</sup> over	75 m <sup>3</sup>
	over 100 - m <sup>3</sup>	\$ 162.50	+ 2.50 per m <sup>3</sup> over	100 m <sup>3</sup>
<b>Group J</b> Licensed Premises: Per 10 seats or portion thereof	0 - 83 m <sup>3</sup>	\$ 120.00		
	84 - 125 m <sup>3</sup>	\$ 120.00	+ 1.50 per m <sup>3</sup> over	83 m <sup>3</sup>
	126 - 167 m <sup>3</sup>	\$ 183.00	+ 2.00 per m <sup>3</sup> over	125 m <sup>3</sup>
	over 167 - m <sup>3</sup>	\$ 267.00	+ 2.50 per m <sup>3</sup> over	167 m <sup>3</sup>
<b>Other:</b> The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of development that, in the opinion of the <i>Manager</i> , do not fall within the above classifications, shall be determined by the <i>Manager</i> and his decision shall be final.  Aggregate Allotment - Where more than one of the above classifications including " <i>Other</i> " is in use, or intended for use, then the applicable charges shall be applied to each and every classification				

**UNDETECTED LEAKS**

User Charges will be adjusted on a one-time forgiveness basis where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classifications(s), and where there is no indication that water was knowingly allowed to run to waste. Additionally, a cap of \$1,500.00 per owner is in place for subsequent leaks after the first "forgiveness" of a water overage charge. Written verification from the *Consumer* describing the nature of the leakage and the action taken to rectify the problem must be received by the *Manager* before the one-time forgiveness will be granted. The leakage problem must be rectified by the *Consumer* within 30 days upon discovery or notification of the problem.

**USER CLASSIFICATION DESCRIPTIONS**

**Single Family Dwelling:**

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for, the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to, a townhouse, semi-detached residential home, duplex or a cabin.

**Apartment:**

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

**Mobile/Modular Home Park:**

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

**RV Trailer Park/Campground:**

Applies to any connection servicing land used or temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a *Sanitary Sewer* disposal system, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate *Sanitary Sewer* disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s).

**Hotel/Motel:**

Applies to any connection servicing a building or structure that contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

Where units contain cooking facilities, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per housekeeping or kitchenette unit.

Where units contain sleeping and sanitary facilities only, the minimum charge shall be based on the charges set forth in the applicable schedule(s) per room or suite.

**Restaurant:**

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended to be used for, the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

**Licensed Premises:**

Applies to the connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board of British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

**Laundromat:**

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available for public use for a fee or charge.

**Commercial:**

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to, retail stores, offices, convenience stores, service establishments, and light industrial uses.

**Elementary School and High School:**

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the *School Act*.

**Continuing Care Facility:**

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include residents requiring full-time professional care, including living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

**Bed & Breakfast:**

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

**Rooming House:**

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.



SCHEDULE C

TO CVRD BYLAW NO. 3313

UNMETERED WATER CHARGES

Water Rates:

The *Consumer of Unmetered District Water* shall pay the charges set out below.

Water Rates and Charges per Classification per six (6) month period:

Group	Classification	Charge	10% Discount	Discounted Amount
A	<i>Single Family Dwelling: Laundromat Elementary/Middle School</i>	\$ 300.00	\$ 30.00	\$ 270.00
B	<i>Apartment Mobile Home Park</i>	\$ 225.00	\$ 22.50	\$ 202.50
C	<i>Commercial:</i> Minimum charge for the first 10 employees or portion thereof per shift	\$ 180.00	\$ 18.00	\$ 162.00
D	<i>Continuing Care Facility</i> Minimum charge for each bed	\$ 150.00	\$ 15.00	\$ 135.00
E	<i>RV Trailer Park / Campground:</i> Site Connected to Sewer: per serviced pad or site <i>Restaurants:</i> Minimum charge for the first 10 seats or patrons or portion thereof <i>Hotel / Motel:</i> Per Housekeeping Unit	\$ 100.00	\$ 10.00	\$ 90.00
F	<i>Bed &amp; Breakfast / Rooming House:</i> The minimum charge for such facility shall include the minimum charge for a single family dwelling unit plus a minimum charge for each and every guest room	\$ 60.00	\$ 6.00	\$ 54.00
G	<i>RV Trailer Park / Campground:</i> Site Not Connected to Sewer: per pad or site	\$ 30.00	\$ 3.00	\$ 27.00
H	<i>High School</i> Minimum charge for the first 20 students or portion thereof	\$ 375.00	\$ 37.50	\$ 337.50
I	<i>Hotel / Motel:</i> Room or Suite: per room or suite	\$ 75.00	\$ 7.50	\$ 67.50
J	<i>Licensed Premises:</i> Minimum charge for the first 10 seats or patrons or portion thereof	\$ 120.00	\$ 12.00	\$ 108.00

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***Other:***

The minimum charge and the volume of water to be apportioned for a six (6) month period for other types of developments that, in the opinion of the *Manager*, do not fall within the above classifications shall be determined by the *Manager* and his decision shall be final.

***Aggregate Allotment:***

Where more than one of the above classifications including "*Other*" is in use, or intended for use, then the applicable charges shall be applied to each and every classification.

***Single Family Dwelling***

Applies to any connection servicing a single segregated self-contained residential dwelling used for, or intended for the domestic use of one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities including, but not limited to a townhouse, semi-detached, residential home, duplex and a cabin.

***Apartment:***

Applies to any connection servicing a multiple occupancy residential building(s) with self-contained and segregated units consisting of two or more rooms used for, or intended for the domestic use by one or more individuals as a single housekeeping unit with cooking, living, sleeping and sanitary facilities.

***Mobile/Modular Home Park:***

Applies to a connection servicing land used or occupied for the purposes of providing space for the accommodation of mobile homes either on a rental or ownership basis. A mobile home means any structure containing one dwelling whether ordinarily equipped with wheels, or not, that is designated, constructed or manufactured to be moved from one place to another by being towed, or carried, but not including travel trailers, campers, or other vehicles exempt from the provisions of the Mobile Home Act.

***RV Trailer Park/Campground:***

Applies to any connection servicing land used, or temporarily occupied for the purpose of providing space for the accommodation of recreational vehicles or recreational structures. A recreational vehicle or recreational structure means a vehicle, trailer, coach, tents, structure, or conveyance designed to travel, or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters for travellers.

Where individual spaces for the above accommodations are connected directly to a sanitary sewer disposal system, the minimum charge shall be based on the *Allotment* of water as set forth in the applicable schedule(s).

Where individual spaces or sites are not serviced directly by an individual and/or separate sanitary sewer disposal system, but have the use of common or centrally located sanitary facilities, the minimum charge shall be based on the *Allotment* of water as set forth in the applicable schedule(s).

***Hotel/Motel:***

Applies to any connection servicing a building or structure, which contains sleeping units for the overnight accommodation of transient paying guests. Auxiliary assembly, commerce, entertainment, or restaurant uses as well as areas licensed to service alcoholic beverages and staff accommodation shall pay the charges according to the classification set forth in the applicable schedule(s).

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***Restaurant:***

Applies to any connection servicing a building or structure, or segregated self-contained unit used for, or intended use for the commercial sale of refreshments, prepared or assembled food, and/or meals together with non-alcoholic beverages for sale to the public.

***Licensed Premises:***

Applies to a connection servicing a licensed beverage establishment as governed by the Liquor Licensing Board to British Columbia, and includes, but is not limited to pubs, restaurants, eateries, lounges, cafeterias and private clubs where alcoholic beverages are served.

***Laundromat:***

Applies to a connection servicing a building, self-contained unit, or separately owned business entity where washing machines are available to public use for a fee or charge.

***Commercial:***

Applies to a connection servicing a complex, facility, or parcel of land used to manufacture, sell, repair goods, or provide a service including, but not limited to retail stores, offices, convenience store, service establishment, and light industrial.

***Elementary School and High School:***

Applies to a connection servicing an institution of learning, or teaching facility, as defined by the *School Act*.

***Continuing Care Facility:***

Applies to a connection servicing a multiple occupancy complex providing long-term care, and living accommodations that include for residents requiring full-time professional care that include living, sleeping, cooking, and sanitary facilities, but not including an acute care facility.

***Bed & Breakfast:***

Applies to any connection servicing a single family dwelling, with an accessory use for overnight accommodation for transient paying guests in which breakfast is the only meal served.

***Rooming House:***

Applies to any connection servicing a single family dwelling with an accessory use of rooms for rent by individuals for living and sleeping, but with common cooking and sanitary facilities shared by the occupants.





C·V·R·D

SCHEDULE D

TO CVRD BYLAW NO. 3313

UNMETERED FIRE LINES

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(a) The *Consumers* with an *Unmetered Fire Line* shall pay the rates set out in subsection (b) below:

(b) Fire Line Size (mm)	Rates (dollars per month)
25 mm	3.00
38 mm	7.50
50 mm	12.00
75 mm	30.00
100 mm	48.00
150 mm	22.00
200 mm	96.00
300 mm	144.00



## SCHEDULE E

### TO CVRD BYLAW NO. 3313

#### METER READING DATES, DUE DATES AND DISCOUNTS

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(a) **Meter Reading Dates and Due Dates**

*Metered Water* connections serving a residential property shall normally be read during regular CVRD business hours, biannually in the Spring and the Fall, as determined by the *Manager*, with the respective payments payable on the due date specified on the invoice.

*Metered Water* connections servicing *Consumers* with high usage and charges may normally be read during regular CVRD business hours quarterly each year, at the discretion of the *Manager* with the respective payment due as specified on the invoice.

In the event the last day of the month falls on a Saturday, Sunday, or Statutory Holiday, the due date shall then be the last business day before the Saturday, Sunday, or the Statutory Holiday.

(b) **Discounts**

The water consumption rates and charges outlined in Schedules "B" and "C" shall be discounted by 10% if payment in full is received on or before the due dates at the designated business office of the CVRD, or other approved locations.

(c) **Transfer to Taxes**

Amounts remaining outstanding at the close of business on December 31 of each calendar year, shall be added to the property taxes and shall be deemed taxes in arrears on the property in question.



SCHEDULE F  
TO CVRD BYLAW NO. 3313  
HYDRANT PERMIT

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The charge for drawing *District Water* from hydrants for purposes other than fire protection shall be as follows:

A deposit of \$300.00 per permit and refundable if the hydrant and appurtenances used in the opinion of the Manager have not been damaged.

The minimum charge shall be \$200.00 or the charge when the consumption rate is applied to the amount of water used whichever is the greater.

**Consumption Rate:                      \$4.00 per cubic metre**

A hydrant permit shall be permitted at the discretion of the *Manager*.

The *Manager* shall determine and designate which hydrant, if any, shall be used.

Only the designated hydrant may be used unless otherwise approved by the *Manager*.

The *Manager* reserves the right to terminate the use of the hydrant permit at any given time.

Where the actual amount of water used is unknown, the *Manager* may estimate the quantity used and charge accordingly.



SCHEDULE G  
TO CVRD BYLAW NO. 3313  
MISCELLANEOUS CHARGES

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1. Testing of *Water Meter*

An application for testing the *Water Meter* shall be accompanied by a deposit in the amount of: \$50.00

2. Charge to Customer

Where the *Water Meter* is found to measure the flow of water accurately: \$50.00

3. Turning *Water Service* on each time: \$25.00

Turning *Water Service* off each time: \$25.00

Note:

The charges for "turn on" or "turn off" shall **not** be levied where:

1. it is necessary to interrupt the supply of water so as to permit the consumer to correct faults on the building service.
2. the water is to be "turned on" for newly installed or water service connection.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3314**

**A Bylaw to Establish a Capital Reserve Fund for the  
Dogwood Ridge Sewer System**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Dogwood Ridge Sewer System Service Area* under the provisions of the CVRD Bylaw No. 3280, cited as "CVRD Bylaw No. 3280 – Dogwood Ridge Sewer System Service Establishment Bylaw, 2009";

**WHEREAS** the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

**AND WHEREAS** the Board wishes to establish a capital reserve fund to be used for the purposes of constructing, altering, extending, replacing and/or upgrading the works of the Dogwood Ridge Sewer System;

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

**1. CITATION**

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3314 – Dogwood Ridge Sewer System Capital Reserve Fund Establishment Bylaw, 2009".

**2. ESTABLISHMENT OF FUND**

A capital reserve fund to be known as the "Dogwood Ridge Sewer System Capital Reserve Fund" is hereby established.

**3. PAYMENTS INTO FUND**

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Capital Reserve Fund.

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**4. EXPENDITURES FROM FUND**

- a) Money in the Capital Reserve Fund, and interest earned on it, shall only be used for expenditures relating to constructing, altering, extending, replacing and/or upgrading the work in the Dogwood Ridge Sewer System Service Area.
- b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

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. 3315**

**A Bylaw to Authorize the Preparation of a  
Parcel Tax Roll for the Dogwood Ridge Water System**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Dogwood Ridge Water System Service Area* under the provisions of CVRD Bylaw No. 3280, cited as "CVRD Bylaw No. 3280 – Dogwood Ridge Water System Service Establishment Bylaw, 2009";

**AND WHEREAS** the Board of the Cowichan Valley Regional District is empowered under Section 803 of the *Local Government Act* and Section 5 of CVRD Bylaw No. 3280 to recover annual servicing costs by imposing a parcel tax on lands within the service area;

**AND WHEREAS** it is deemed desirable and expedient to impose a parcel tax on land benefiting from such service to meet such costs;

**AND WHEREAS** for the purpose of imposing a parcel tax the Board must, pursuant to Section 806.1 of the *Local Government Act*, provide for the preparation of a parcel tax roll for the service area;

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

**1. CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3315 – Dogwood Ridge Water System Parcel Tax Roll Bylaw, 2009**".

**2. DEFINITIONS**

In this bylaw, unless the context otherwise requires:

**"Parcel"** means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

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**3. PREPARATION OF PARCEL TAX ROLL**

Beginning in the year 2010 and annually thereafter, a parcel tax roll shall be prepared in accordance with Division 4 of Part 7 of the *Community Charter* and will include all parcels of land within the boundary of the Dogwood Ridge Water System Service Area.

**4. BASIS OF PARCEL TAX**

The said parcel tax shall be imposed on the basis of a single amount for each parcel.

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. 3339

A Bylaw to Amend Bylaw No. 2108  
– Solid Waste Management Charges and Regulations Bylaw

---

WHEREAS the Board of Directors of the Cowichan Valley Regional District established a scale of charges for its solid waste disposal facilities under the provisions of Bylaw No. 2108, cited as "CVRD Bylaw No. 2108 – Solid Waste Management Charges and Regulations Bylaw, 2000";

AND WHEREAS the Board deems it desirable and expedient to revise Schedule B - Charges for Solid Waste, Controlled Waste and Recyclable Materials;

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. 3339 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2009".

2. AMENDMENT

- a) Under Section 2 – Definitions, remove "*Electronic Products*" from "*Prohibited Waste*", and add under "*Recyclable Materials*".
- b) That the following be added to Section 3 – Conditions:
  - k) No person shall deposit *Sewage Screenings* at the disposal facility unless the *Sewage Screenings* are contained in a double bag system.
- c) That "SCHEDULE B" to Bylaw No. 2108 be deleted in its entirety and replaced with Schedule B attached hereto and forming part of this bylaw.

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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



SCHEDULE B

TO CVRD BYLAW NO. 2108

**CHARGES FOR SOLID WASTE,  
CONTROLLED WASTE AND RECYCLABLE MATERIALS**

1. The charge for depositing *Solid Waste, Controlled Wastes and Recyclable Materials* at the *Disposal facility* is:

ITEM	#	DESCRIPTION	IN-AREA CHARGE	OUT-OF-AREA CHARGE
<b>REFUSE</b>	1a	As measured by weight on the scale provided at the <i>Disposal facility</i> by the <i>CVRD</i> ; or	\$135.00/tonne	\$500.00/tonne
	1b	As a minimum charge for <i>Loads</i> weighing not more than 25 kilograms (55 pounds) and delivered by a <i>Vehicle</i> .	\$5.00/load	\$50.00/load
<b>ASPHALT ROOFING</b>	2	As measured by weight on the scale provided at the Bings Creek Solid Waste Management Complex <i>Disposal facility</i> by the <i>CVRD</i> .	\$110.00/tonne	Not Accepted
<b>CFC APPLIANCES</b>	3a	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 1 unit.	No Charge	Not Accepted
	3b	No charge for <i>CVRD</i> residents or non-profit groups for quantities greater than 1 unit if the units have had all CFCs removed by a certified professional and have been labelled as such.	No Charge	Not Accepted
	3c	Per unit charge for quantities greater than 1 unit if the units have not had CFCs removed.	\$15.00/unit	Not Accepted
<b>COMMERCIAL ORGANIC WASTE</b>	4	As measured by weight on the scale provided at the Bings Creek Solid Waste Management Complex <i>Disposal facility</i> by the <i>CVRD</i> .	\$95.00/tonne	Not Accepted
<b>FLUORESCENT LAMP BALLASTS</b>	5a	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 6 units weighing not more than 2 kilograms (4.4 pounds) each.	No Charge	Not Accepted
	5b	Commercial generator/collector fees will apply to units weighing greater than 2 kilograms (4.4 pounds) each.	\$5.00/unit	Not Accepted
<b>FLUORESCENT TUBES</b>	6a	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 12 units.	No Charge	Not Accepted
	6b	Commercial generator/collector fees: <ul style="list-style-type: none"> <li>• Straight Fluorescent Lights (any length), U-Tubes and Compact Fluorescents</li> <li>• Mercury, High-Pressure and Sodium Vapour Lamps.</li> </ul>	\$0.50/unit \$3.00 /unit	Not Accepted

.../2

ITEM	#	DESCRIPTION	IN-AREA CHARGE	OUT-OF-AREA CHARGE
<b>GYP SUM BOARD OR DRYWALL</b>	7	As measured by weight on the scale provided at the Bings Creek Solid Waste Management Complex <i>Disposal facility</i> by the <i>CVRD</i> .	\$180.00/tonne	Not Accepted
<b>HOUSEHOLD/ DISPOSABLE BATTERIES</b>	8a	No charge to <i>CVRD</i> residents or non-profit groups for quantities up to 24 units.	No Charge	Not Accepted
	8b	Commercial generator/collector fee (flat rate) will apply to a volume of material lesser than or equal to that which can be contained within a 23 litre (5 gallon) bucket.	\$120.00	Not Accepted
<b>LUBRICATING OIL</b>	9	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 20 litres.	No Charge	Not Accepted
<b>NON-COMMERCIAL ORGANIC WASTE</b>	10a	As measured by weight on the scale provided at the Bings Creek Solid Waste Management Complex <i>Disposal facility</i> by the <i>CVRD</i> ; or	\$95.00/tonne	Not Accepted
	10b	A minimum charge for <i>Loads</i> exceeding 23 litres (5 gallons) in volume, but weighing not more than 25 kg (55 pounds) and delivered by a <i>Vehicle</i> .	\$3.00/load	Not Accepted
	10c	For a volume of material lesser than or equal to that which can be contained within a 23-litre (5-gallon) bucket.	No Charge	Not Accepted
<b>SCRAP LUMBER AND WOOD PRODUCTS</b>	11	As measured by weight on the scale provided at the Bings Creek Solid Waste Management Complex <i>Disposal facility</i> by the <i>CVRD</i> .	\$85.00/tonne	Not Accepted
<b>TIRE PRODUCTS</b>	12a	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 4 units, per day, with an inner diameter not exceeding 43 centimetres (17 inches) each.	No Charge	Not Accepted
<b>USED ANTIFREEZE</b>	13	No charge for <i>CVRD</i> residents or non-profit groups for quantities up to 4 litres.	No Charge	Not Accepted

2. The charge for depositing *Solid waste* that is not *Source-separated waste* at the *Disposal facility* is as outlined in Section 5 of this bylaw.
3. In the event that the scales provided are not operational, or in the event of traffic congestion, or at the discretion of the *Engineer*, weights of *Loads* and *Small loads* shall be as estimated by the *Engineer* and a fee shall be charged as outlined in Section 1 above.
4. Where the charge for depositing *Solid waste* at the *Disposal facility* is described under Section 4 of this bylaw, the charge payable shall be paid following the weighing of the empty *Vehicle* after the load is deposited and shall be based on the difference in weight between the loaded weight and the weight of the empty *Vehicle*.
5. Notwithstanding Section 5 hereof, any person depositing *Solid waste* at the *Disposal facility* on a regular basis may apply in writing to the *CVRD* for credit and if the *Treasurer* is satisfied of the credit worthiness of the person, he or she may grant credit to that person, in which case payment of the charge imposed under Section 4 shall be made and the credit extended on the conditions of the application.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3343**

**A Bylaw to Amend the Boundaries of the Fern Ridge Water System Service Area**

---

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

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

- Lot 12, District Lot 107, Malahat District, Plan 32245, PID 001-080-822; and
- Lot 9, District Lot 107, Malahat District, Plan 32245, Except that part in Plan 32821, PID 001-080-768;

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

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3343 – Fern Ridge Water System Service Amendment Bylaw, 2009**".

2. **AMENDMENT**

That bylaw No. 2994 be amended by deleting and replacing the existing Schedule A with the Schedule A attached to this bylaw.

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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairperson

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





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW NO. 3119

#### A Bylaw For The Purpose Of Amending Official Community Plan Bylaw No. 1210, Applicable To Electoral Area C – Cobble Hill

---

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

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

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1210;

**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. 3119 - Area C – Cobble Hill Official Community Plan Amendment Bylaw (C. Little/TCH Screening Guidelines), 2008**".

#### 2. AMENDMENTS

Cowichan Valley Regional District Official Community Plan Bylaw No. 1210, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

#### 3. CAPITAL EXPENDITURE PROGRAM

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

.../2

READ A FIRST TIME this 14<sup>th</sup> day of May, 2008

READ A SECOND TIME this 14<sup>th</sup> day of May, 2008.

READ A THIRD TIME this 12<sup>th</sup> day of November, 2008.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Chairperson

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





C·V·R·D

## SCHEDULE "A"

To CVRD Bylaw No. 3119

---

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

The following is added after Section 11.1.3(l):

- m) Sites which are directly visible from the Trans-Canada Highway shall be buffered and screened from the highway by setting back displayed goods, buildings and structures back an appropriate distance from the parcel line, preferably in accordance with the required zoning setbacks. Screening with offsetting rows of vegetation is preferred, where the parcel adjoins any road rights-of-way or residential zones. The Board may reduce the requirement for screening where it believes it to be unnecessary. Where required, a vegetative screen shall consist of mature evergreen trees or shrubs not less than two metres in height when planted, and spaced in such a way as to make a continuous vegetative barrier. Fencing such as chain link will be discouraged, unless it is completely screened by vegetation. Alternatives to fully screened chain link fencing will be encouraged, such as landscape fencing (for example, brick finished low walls with large gauge chain in between brick pillars), in which case less vegetative screening may be required.
- n) Where Tourist Accommodation use is proposed, the CVRD Board will only permit such uses to be located in such a manner as to minimize the potential nuisance to the occupants of nearby or adjacent residential parcels. Although this use will not be prohibited in a permit, it may not be permitted in close proximity to residences, but rather be located towards the Trans Canada Highway, and that berms, screening and buffering to minimize visual and noise impacts to residents of the area will be required, in addition to screening under guideline (m) above.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3120**

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

---

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

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

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1405;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3120 - Area C – Cobble Hill Zoning Amendment Bylaw (C. Little), 2008**".

2. **AMENDMENTS**

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

a) The following is added after Section 9.7:

9.8 **C-9 ZONE – MIXED USE COMMERCIAL**

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in the C-9 Zone:

(a) **Permitted Uses:**

The following uses and no others are permitted in a C-9 Zone:

- (1) sale, rental or servicing of recreational vehicles and accessory part sales;

- (2) sale, rental or servicing of mobile homes and accessory part sales;
- (3) sale, rental or servicing of boats and accessory part sales;
- (4) sale, rental or servicing of farm equipment and accessory part sales;
- (5) indoor mini warehouse and storage;
- (6) tourist accommodation, mini golf and accessory gift shop;
- (7) office use;
- (8) outdoor storage of recreational vehicles, mobile homes or boats;
- (9) one single family residential dwelling or mobile home per parcel accessory to a use permitted in (1) to (8) above.

(b) Conditions of Use:

For any parcel in a C-9 Zone:

- (1) the parcel coverage is limited to 30% for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 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 set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Setbacks for Buildings and Structures
Front	7.5 metres
Side (interior)	6.0 metres
Side (exterior)	4.5 metres
Rear	6.0 metres

- (4) No parcel shall be used for a junk yard or for the storage, collection or accumulation of all or part of any automobile wreck or all or part of any motor vehicle which is not:
  - i) validly registered and licensed in accordance with the Motor Vehicle Act; or
  - ii) capable of motivation under its own power;
- (5) For permitted use No. 9.8(a)(6) – Tourist Accommodation, the density of the tourist accommodation shall not exceed:
  - i) one (1.0) tourist accommodation unit(one guest room) per 1000 m<sup>2</sup> of total land area, where a parcel is not connected to a community water system and a community sewer system;

ii) four (4.0) tourist accommodation units (four guest rooms) per 1000 m<sup>2</sup> of total land area, where a parcel is connected to both a community water system and a community sewer system.

(6) Notwithstanding any other regulation in this Bylaw, not more than six (6) Recreational Vehicles shall be occupied overnight in a C-9 Zone.

b) Mixed Use Commercial 9 is added to Section 6.1: Creation of Zones.

c) Schedule B, Zoning Map to Bylaw No. 1405, is amended by adding Mixed Use Commercial 9 to the legend.

d) Schedule B, Zoning Map to Bylaw No. 1405, is further amended by rezoning:
• Lot 1, Sections 10 and 11, Range 7, Shawnigan District, Plan 20128
• That part of the west 40 acres of Section 11, Range 8, Shawnigan District, lying to the south west of the Island Highway as said highway is shown on Plan 1288 O.S., Except part in Plan 46300, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3120, from C-4 (Tourist Recreational Commercial) and C-7 (Marine and Recreational Vehicle Commercial) respectively, to C-9 (Mixed Use Commercial).

3. FORCE AND EFFECT

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

READ A FIRST TIME this 14<sup>th</sup> day of May, 2008

READ A SECOND TIME this 14<sup>th</sup> day of May, 2008.

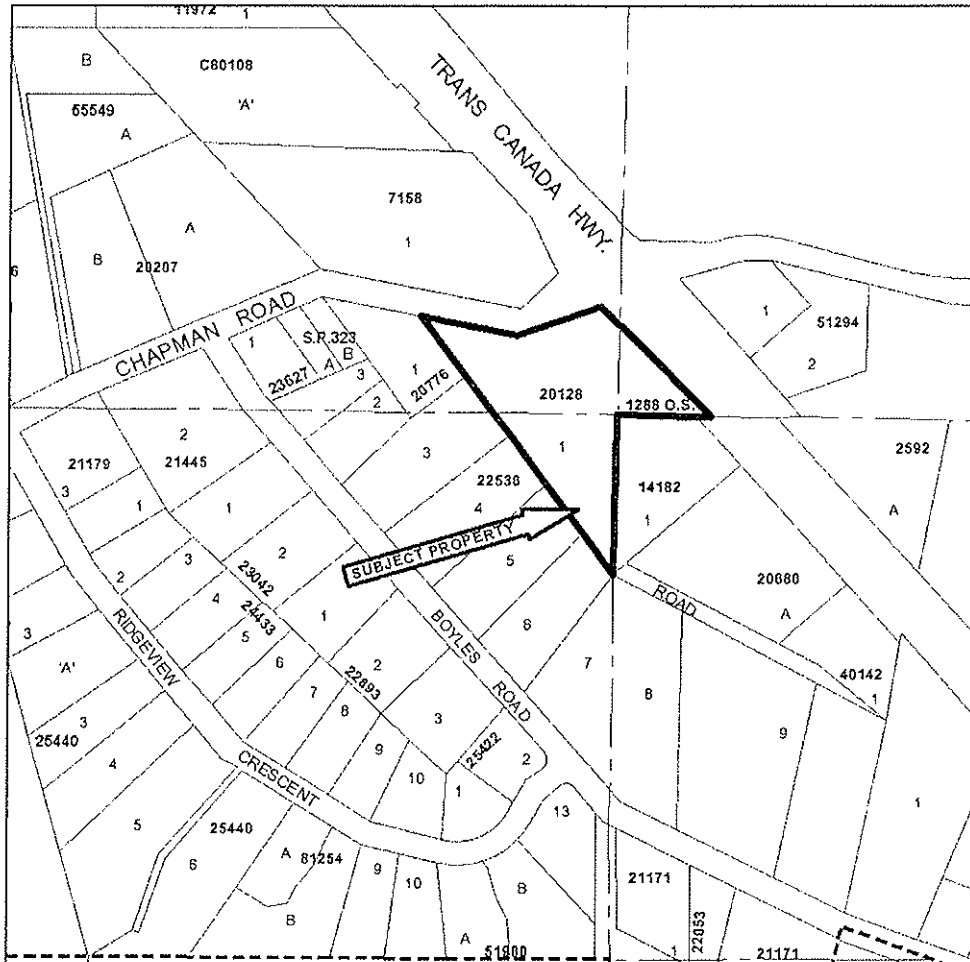
READ A THIRD TIME this 12<sup>th</sup> day of November, 2008.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Chairperson

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

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3120  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM  
C-4 (Tourist Recreational Commercial) and C-7 (Marine and Recreational Vehicle Commercial) TO  
C-9 (Mixed Use Commercial) APPLICABLE  
TO ELECTORAL AREA C



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3282**

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2600  
Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**

---

**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 F – Cowichan Lake South /Skutz Falls, that being Zoning Bylaw No. 2600;

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

**AND WHEREAS** after the close of the notification period and with due regard to the public comments received, the Regional Board considers it advisable to amend Zoning Bylaw No. 2600;

**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. 3282 - Area F – Cowichan Lake South / Skutz Falls Zoning Amendment Bylaw (Cowichan River Bible Camp), 2009**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2600, as amended from time to time, is hereby amended in the following manner:

- a) That Schedule A (Zoning Map) to Electoral Area F – Cowichan Lake South / Skutz Falls Zoning Bylaw No. 2600 is further amended by rezoning Lot 3, Section 6, Range 5, Sahtlam District, Plan 2771, Except That Part Thereof Lying To The South of Sahtlam Road And To The West and North West Respectively of Boundaries Parallel To And Perpendicularly Distant 100 Feet From The Westerly And North Westerly Boundaries of Said Lot And The Productions of Said Boundaries and Except Part In Plan 32679, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3282, from P-1 (Parks 1 Zone) to P-2 (Institutional 2 Zone).

.../2

b) That Schedule A (Zoning Map) to Electoral Area F – Cowichan Lake South / Skutz Falls Zoning Bylaw No. 2600 is further amended by rezoning That Part of Lot 3, Section 6, Range 5, Sahtlam District, Plan 2771, Lying To The South of Sahtlam Road as Said Road is Shown on Said Plan, And To West And North West Respectively of Boundaries Parallel To And Perpendicularly 100 Feet From the Westerly and North Westerly Boundaries of Said Lot And Productions of Said Boundaries as shown outlined in a solid black line on Schedule B attached hereto and forming part of this bylaw, numbered Z-3282, from P-1 (Parks 1 Zone) to P-2 (Institutional 2 Zone).

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this      8<sup>th</sup>      day of      July      , 2009

READ A SECOND TIME this      8<sup>th</sup>      day of      July      , 2009

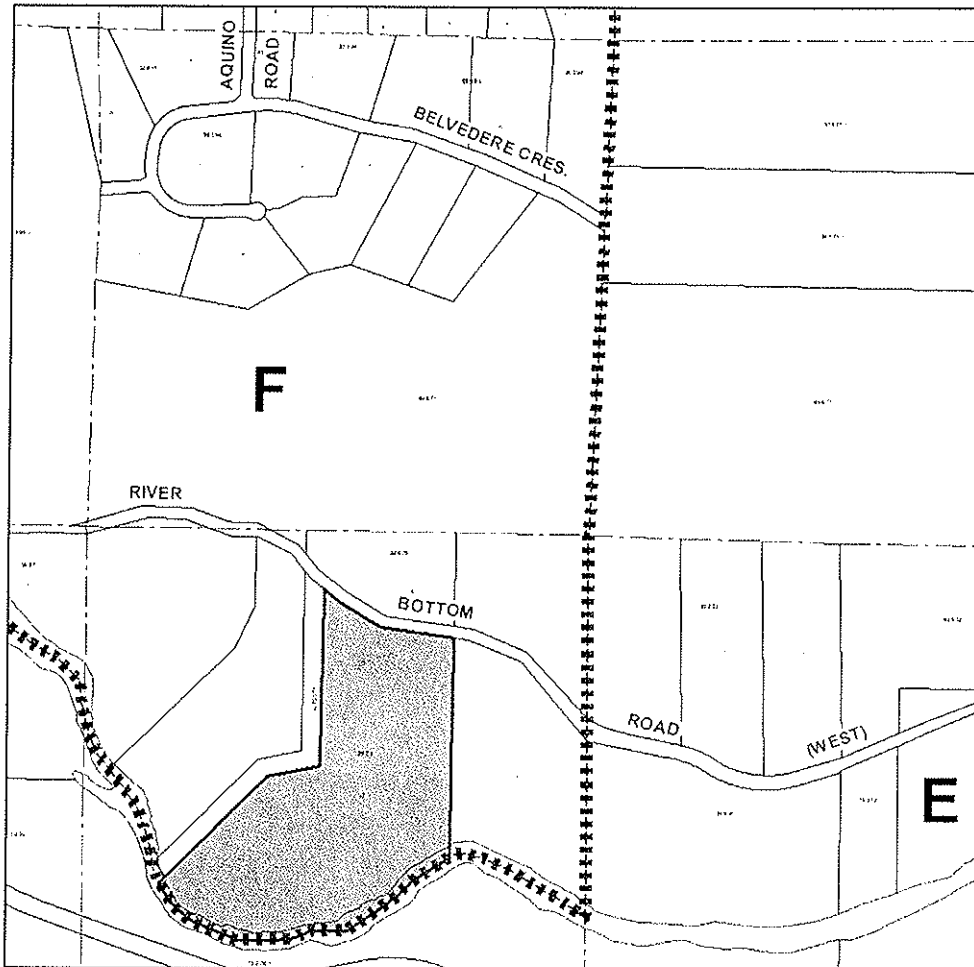
READ A THIRD TIME this      14<sup>th</sup>      day of      October      , 2009

ADOPTED this      \_\_\_\_\_      day of      \_\_\_\_\_      , 2009

\_\_\_\_\_  
Chairperson

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

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3282  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

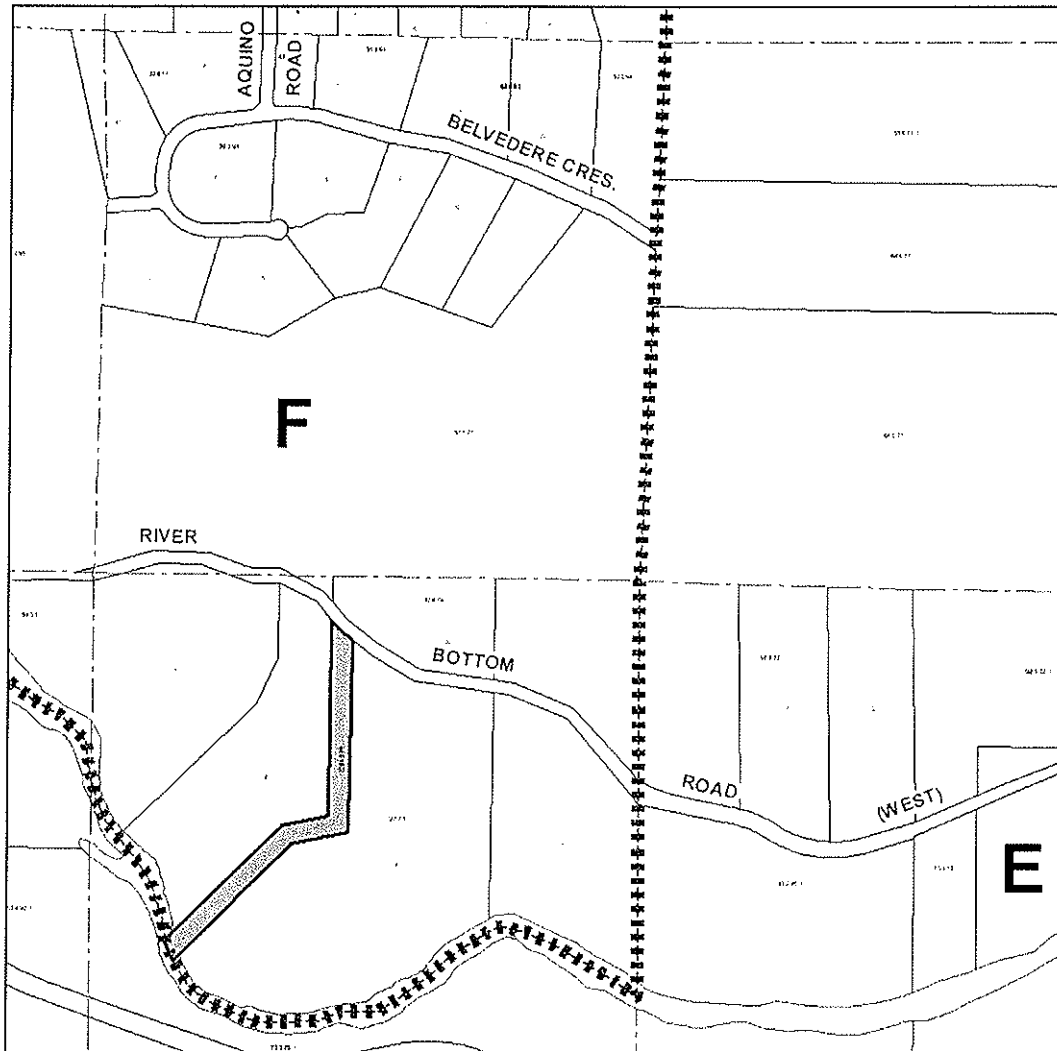
P-1 (Parks 1 Zone) TO  
P-2 (Institutional 2 Zone) APPLICABLE  
TO ELECTORAL AREA F



PLAN NO. Z-3282

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

3282



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

P-1 (Parks 1 Zone)

TO

P-2 (Institutional 2 Zone)

APPLICABLE

TO ELECTORAL AREA F



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3284**

**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 "**CVRD Bylaw No. 3284 - Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Cherry Blossom Estates), 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 12<sup>th</sup> day of August, 2009.

READ A SECOND TIME this 12<sup>th</sup> day of August, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3284 as given Third Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

\_\_\_\_\_  
Date

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT  
UNDER SECTION 913(1) OF THE *LOCAL GOVERNMENT ACT*  
this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



# C·V·R·D

## SCCHEDULE "A"

To CVRD Bylaw No. 3284

---

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

1. That the following is added to the "Table of Contents" at the end of Part Fourteen:

14.9 Bare Land Strata Subdivision Development Permit Area

2. That the following is added after Section 14.8:

**14.9 BARE LAND STRATA SUBDIVISION DEVELOPMENT PERMIT AREA**

14.9.1 *Category*

The Bare Land Strata Subdivision Development Permit Area is designated pursuant to Section 919.1(1)(a) and (e) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity and establishment of objectives for the form and character of intensive residential development.

14.9.2 *Justification*

The CVRD Board recognizes that the development of lands within the Bare Land Strata Subdivision Development Permit Area represents an urban land use in a rural setting. To ensure that these lands are developed in manner that minimizes impacts on adjacent agricultural uses and rural residential lands and protects the natural environment, the Board wishes to establish objectives and guidelines for bare land strata subdivision based on the following objectives:

- To establish buffers between residential and agricultural uses.
- To establish buffers between intensive residential housing and adjacent rural and suburban residential development.
- To ensure amenities and open space are provided.
- To protect ground water quality and maintain natural drainage patterns and hydrology.

14.9.3 *Applicability*

The Bare Land Strata Subdivision Development Permit Area applies to those lands highlighted on Figure 15, Bare Land Strata Subdivision Development Permit Area. A development permit shall be required prior to subdivision of the subject land, as defined by section 872 of the *Local Government Act*.

.../2

14.9.4 *Guidelines*

Development permits shall be issued where proposed development complies with the following guidelines:

Lot Layout Guidelines:

1. No residential lot shall be within 30 metres of any adjacent residential or agricultural property on the perimeter of the site comprising the bare land strata subdivision.
2. Pedestrian trail corridors with a minimum width of 4.0 metres shall be provided.
3. All lots are to be designed in a manner that ensures a building site and on-site parking for two vehicles.
4. Recreational vehicle storage areas should be fenced and screened with landscaping, and shall not exceed 500 square metres in area.

Road Layout Guidelines:

5. Internal roadways shall have a minimum width of 10 metres and be designed to accommodate the turning radius of emergency vehicles.
6. A secondary emergency access constructed to standard acceptable to the local fire department shall be provided.
7. Roadways will include meridian or boulevard landscaping, including street trees, shrubs, grass or groundcover.

Landscaped Buffers Guidelines:

8. A landscaped buffer with a minimum width of 15 metres shall be provided and maintained along the entire length of all parcel lines contiguous to the Agricultural Land Reserve. The buffer shall be constructed in accordance with standards specified in *Guide to Edge Planning, Ministry of Agriculture and Lands, June, 2009* or to an alternate standard approved by the Agricultural Land Commission.
9. A landscaped buffer with a minimum width of 7.5 metres shall be provided and maintained along the entire length of any parcel line contiguous to a public roadway and the perimeter of the lands comprising the bare land strata subdivision. The landscaped buffer shall be bermed and planted with trees, shrubs and groundcover so as to maintain the privacy of adjacent properties. Fencing shall be provided between any lot and common property other than strata roadways.
10. Required landscaped buffers are to be designated common property and shall be exclusive of residential lot area.
11. No structure, parking or storage is permitted in a required buffer area.
12. Landscaped buffers shall be planted with native plants and plant material that requires minimal watering.

Open Space and Recreation Area Guidelines:

13. A minimum of 5% of the bare land strata site area shall be designated and developed as outdoor recreation area. Such areas shall be developed for active and passive recreation, including lawn bowling, horse shoe pitch, dog run, picnic area, or similar type uses.
14. All common open space and recreation area shall be landscaped.

Ground Water Protection Guidelines:

15. Storm water systems shall be designed by a professional engineer in a manner that maintains the natural hydrology of the subject property and pre-development drainage patterns and flow rates.
16. Storm water management techniques such as bio swales, pervious pavements, detention and retention, and infiltration shall be incorporated into the storm water management design.

14.9.5 *Exemptions*

Development permits are not required for:

- a) Building or landscaping on approved and registered bare land strata lots.
- b) Construction of sewer or water utilities approved by the CVRD.
- c) Emergency works to repair or replace utilities or infrastructure.

14.9.6 *Application Requirements*

Before the CVRD Board considers the issuance of a development permit for a parcel in the Bare Land Strata Subdivision Development Permit Area, the application shall submit an application that includes:

- a) Written description of the proposed development
- b) Subdivision plan showing the proposed lot layout, size and dimension of proposed lots, road network, trail way, landscaped buffers, watercourses and other natural features, recreation area and open spaces.
- c) Conceptual servicing plan, showing the location of all utilities and sewage disposal areas
- d) Storm water management plan
- e) Landscape plan prepared in accordance with BCLSA standards showing a proposed hard and soft landscaped areas, grading, and a plant list indicating the size, quantity and species of all proposed plant material.
- f) Prior to issuance of a development permit, a cost estimate for all required landscaping and security in a form acceptable to the CVRD is required. 75% of the security shall be returned to the applicant upon confirmation that landscaping has been installed in accordance with the permit drawings. The remainder shall be returned upon successful completion of a one year maintenance period.

.../4

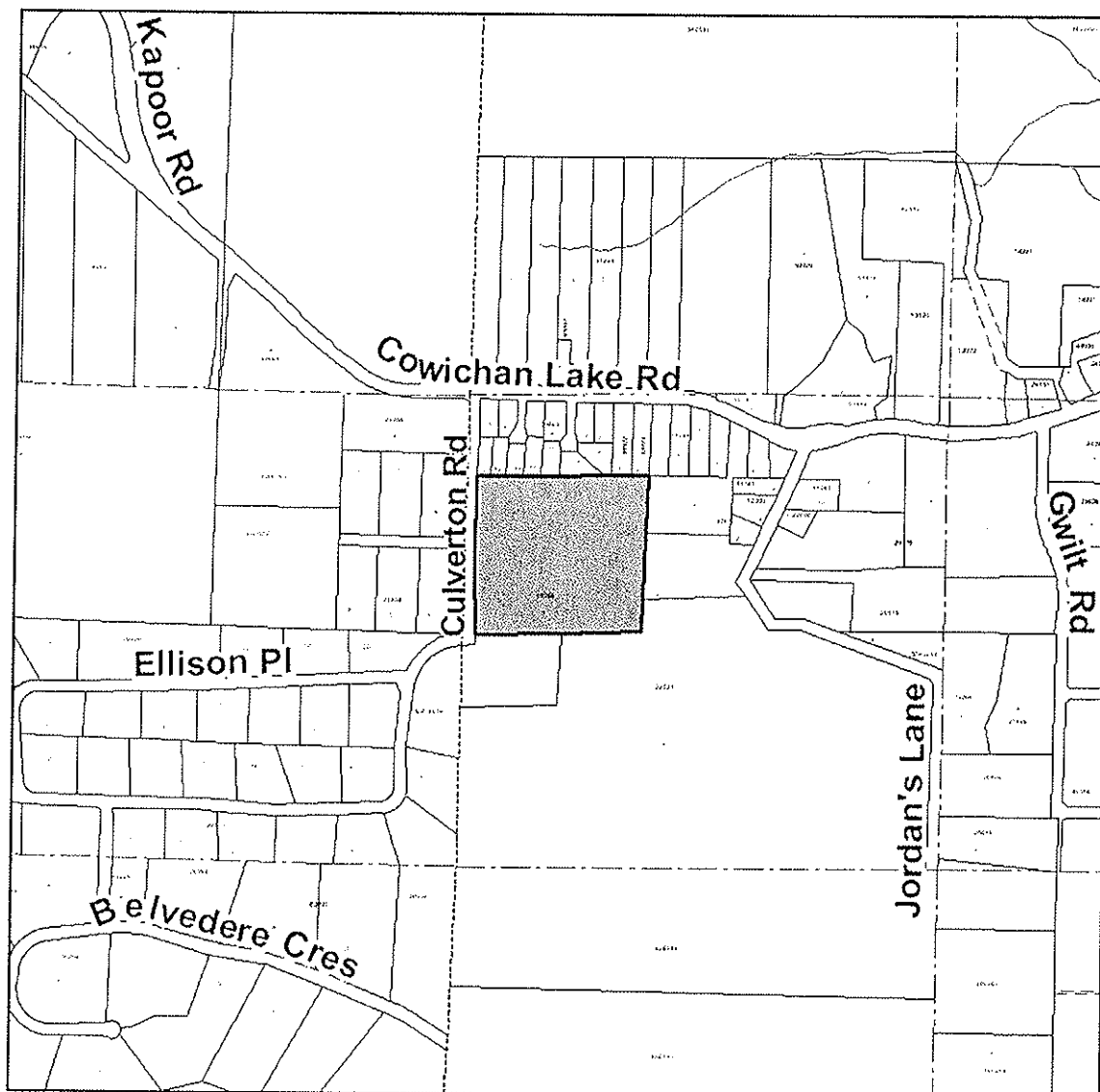
14.9.7 *Concurrent Development Permit Areas*

Where more than one development permit area applies to land in the Bare Land Strata Development Permit Area, a single development permit may be issued.

3. Schedule B (Plan Map) to Official Community Plan Bylaw No.1490 is hereby amended as follows:

That Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157, as shown outlined in a solid black line on Plan number Z-3284 attached hereto and forming Schedule B of this bylaw, be re-designated from Industrial to Manufactured Home Park Residential

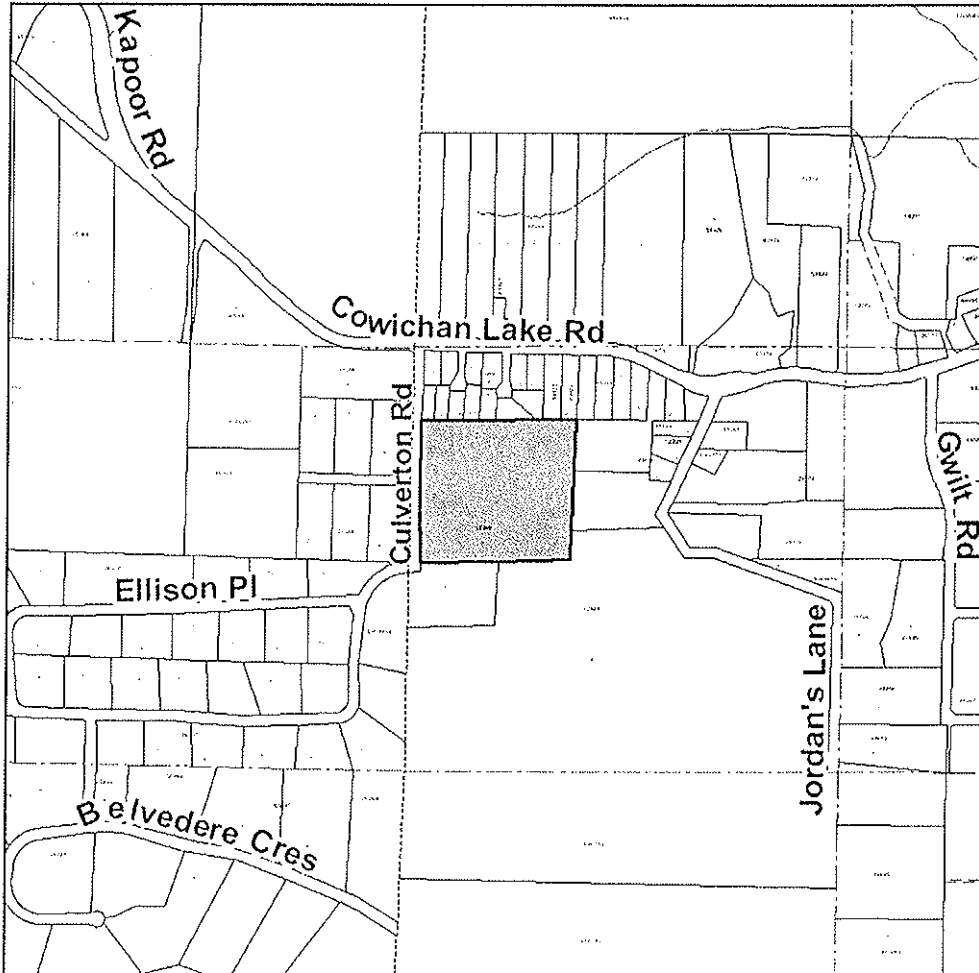
# FIGURE 15



BARE LAND STRATA SUBDIVISION DEVELOPMENT PERMIT AREA



SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO. 3284  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA IN A GREY TONE IS REDESIGNATED FROM

Industrial TO

Manufactured Home Park Residential APPLICABLE

TO ELECTORAL AREA E



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW NO. 3285

#### 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 enacts as follows:

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3285 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cherry Blossom 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 "R-6 Bare Land Strata Residential" to Section 6.1 – Creation of Zones.
- b) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding the following after Section 8.9:

.../2

8.10 R-6 ZONE – BARE LAND STRATA RESIDENTIAL 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 Section 4.4, and no others are permitted in an R-6 zone:

- (1) *modular home*
- (2) *single family dwelling*
- (3) *daycare* or nursery school *accessory* to a residential use;
- (4) *home occupation*
- (5) *horticulture*

(b) Conditions of Use

For any *parcel* in the R-6 zone:

- (1) the *parcel coverage* shall not exceed 35%
- (2) the *height* of all *buildings* and *structures* shall not exceed 6.0 metres, except for accessory buildings, which shall not exceed a *height* of 4.5 metres.
- (3) *Buildings* shall not exceed a single *storey*.
- (4) *Dwellings* shall not exceed a *gross floor area* of 120 square metres.
- (5) *Accessory Buildings* shall not exceed a combined *gross floor area* of 30 square metres.
- (6) The minimum *setbacks* for the types of *parcel lines* set out in *Column I* of this section are set out for the *principal* and *accessory uses* listed in *Column II* and *III*;
- (7) In no case shall the number of *dwelling units* per *parcel* exceed one.

COLUMN I Type of Parcel Line	COLUMN II Principal Use	COLUMN III Accessory Use
Front	5.5 m	5.5 m
Interior Side	2.0 m	1.0 m
Exterior Side	3.0 m	2.0 m
Rear	4.5 m	1.0 m.

(c) Density and Density Bonus

Subject to Part 12, the following regulations apply in the R-6 Zone

- (1) The number of residential parcels that may be created by subdivision in the R-6 zone must not exceed 3, including any remainder parcel.
  - (2) Despite Section 8.10(c)(1), the number of residential parcels that may be created by subdivision in the R-5 zone may be increase to 18 if park land in the form of a title lot, with a minimum area of 0.81 hectares, in a location acceptable to the Regional District, is provided at no cost.
  - (3) Despite Section 8.10(c) (1) and (2), the number of residential parcels that may be created by subdivision in the R-5 zone may be increased to 50 if the conditions in Sections 8.10(7) are met.
  - (4) The minimum parcel area for the purposes of s. 946(4) of the *Local Government Act* is 25 hectares.
  - (5) The minimum residential parcel size is 400 square metres.
  - (6) The maximum residential parcel size is 460 square metres.
  - (7) In order to develop any residential lot in excess of 18, a strata-owned amenity building and grounds must be constructed that will include:
    - i) A minimum gross floor area of 650 square metres;
    - ii) Interior improvements and furnishings, including a common kitchen and dining room, workshops, dance studio and meeting rooms;
    - iii) A minimum of 20 paved parking spaces;
    - iv) Site landscaping.
- c) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended BY adding the following definition to Part Three, between “manufactured home park” and “motel”:
- “**modular home**” means a factory built dwelling that:
- (a) conforms to CSA A277 series standard;
  - (b) has a pitched roof with a minimum slope of 4:12; and
  - (c) is assembled on a permanent foundation.
- d) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding Bare Land Strata Residential Zone (R-6) to the legend.
- e) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Part of Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157 as shown outlined in a grey tone on Schedule A attached hereto and forming part of this bylaw, numbered Z-3285 from Heavy Industrial (I-2) to Bare Land Strata Residential (R-6).

.../4

f) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Part of Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, Except Those Parts in Plans 22890, 23708, 25003 and 29157 as shown outlined in a grey tone on Schedule B attached hereto and forming part of this bylaw, numbered Z-3285 from Heavy Industrial (I-2) to Parks and Institutional (P-1).

3. FORCE AND EFFECT

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

READ A FIRST TIME this 12<sup>th</sup> day of August, 2009

READ A SECOND TIME this 12<sup>th</sup> day of August, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3285 as given Third Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

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

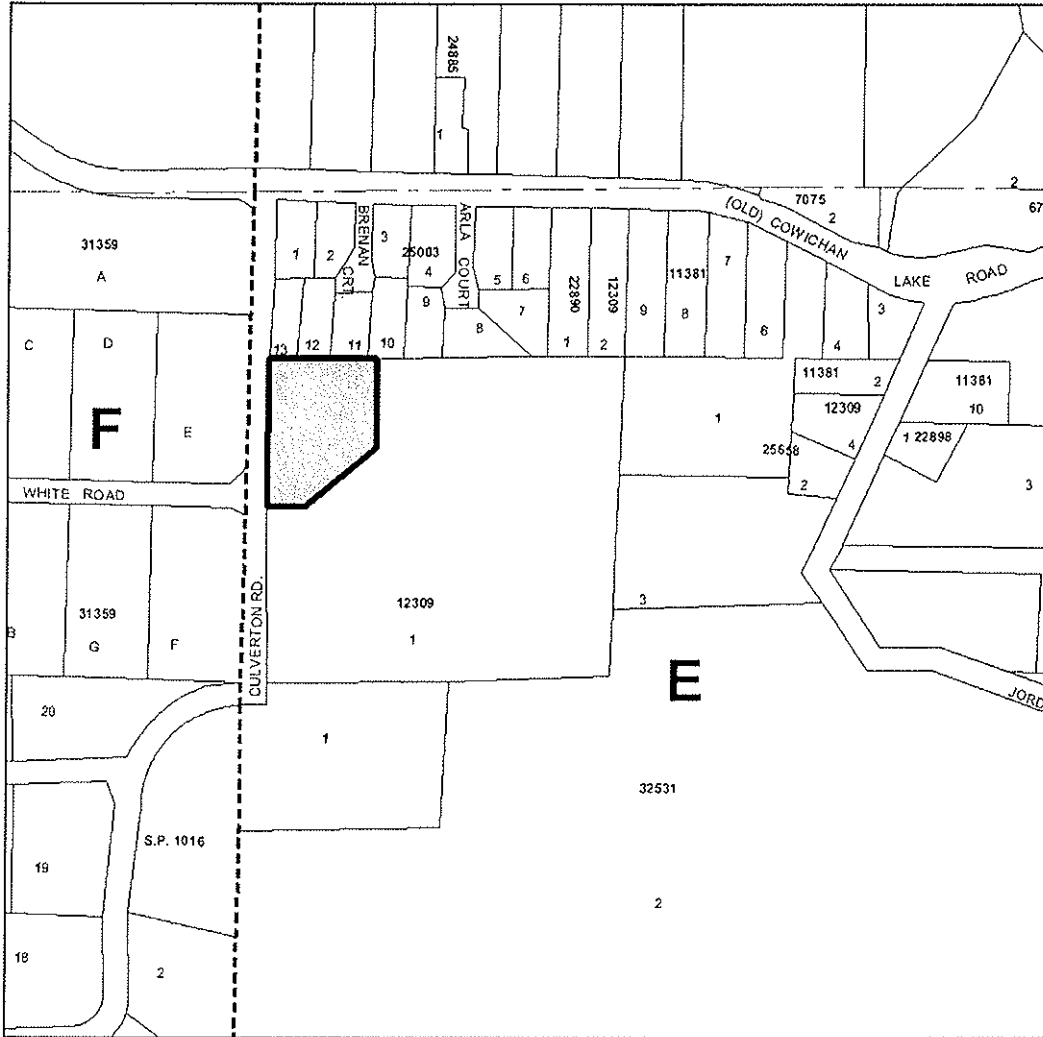
this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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



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



THE AREA IN A GREY TONE IS REZONED FROM

Heavy Industrial (I-2)

TO

Parks and Institutional (P-1)

APPLICABLE

TO ELECTORAL AREA E



C·V·R·D

## COWICHAN VALLEY REGIONAL DISTRICT

## BYLAW NO. 3330

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1490  
Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora and Part of  
Electoral Area F – Cowichan Lake South/Skutz Falls**

**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 and Part of Electoral Area F – Cowichan Lake South / Skutz Falls, 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. 3330 - Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Cooper), 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     14<sup>th</sup> day of     October , 2009.

READ A SECOND TIME this   14<sup>th</sup> day of     October , 2009.

READ A THIRD TIME this     \_\_\_\_\_ day of     \_\_\_\_\_ , 2009.

ADOPTED this                 \_\_\_\_\_ day of     \_\_\_\_\_ , 2009.

\_\_\_\_\_  
Chairperson

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



C·V·R·D

**SCHEDULE "A"**

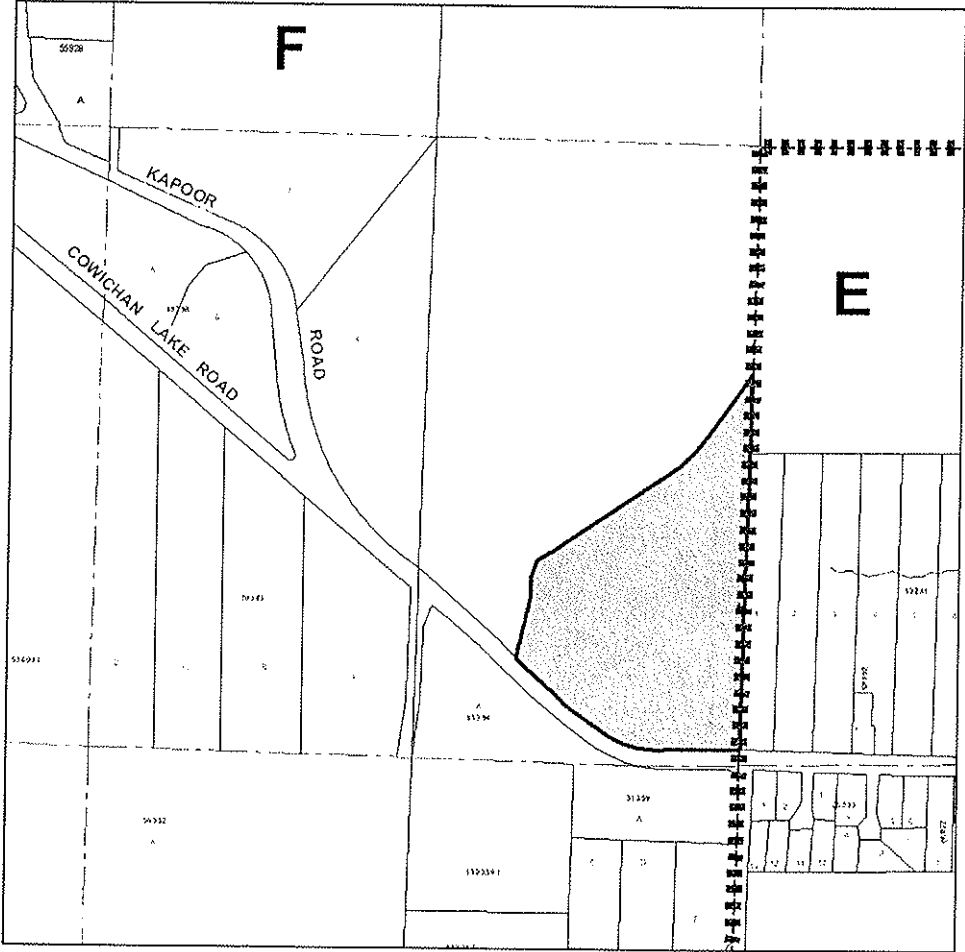
**To CVRD Bylaw No. 3330**

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Schedule B (Official Community Plan Map) to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

1. That a part of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, as shown outlined in a solid black line on Plan number Z-3330, attached hereto and forming Schedule B to this bylaw, be redesignated from Forestry to Suburban Residential; and that Schedule B to Official Community Plan Bylaw No. 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

Suburban Residential APPLICABLE

TO ELECTORAL AREA E



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3331**

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 2600  
Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**

---

**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 F – Cowichan Lake South/Skutz Falls, that being Zoning Bylaw No. 2600;

**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. 2600;

**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. 3331 - Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cooper), 2009**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2600, as amended from time to time, is hereby amended in the following manner:

.../2

- a) Schedule A (Zoning Map) to Electoral Area F – Cowichan Lake South / Skutz Falls Zoning Bylaw No. 2600 is further amended by rezoning a part of the East 1/2 of Section 9, Range 5, Sahtlam District, Except Part in Plan VIP85260 and VIP85984, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3331, from Forestry Resource 1 (F-1) to Rural Residential 1 (R-1).

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this     14<sup>th</sup>   day of     October   , 2009.

READ A SECOND TIME this     14<sup>th</sup>   day of     October   , 2009.

READ A THIRD TIME this              day of              , 2009.

ADOPTED this              day of              , 2009.

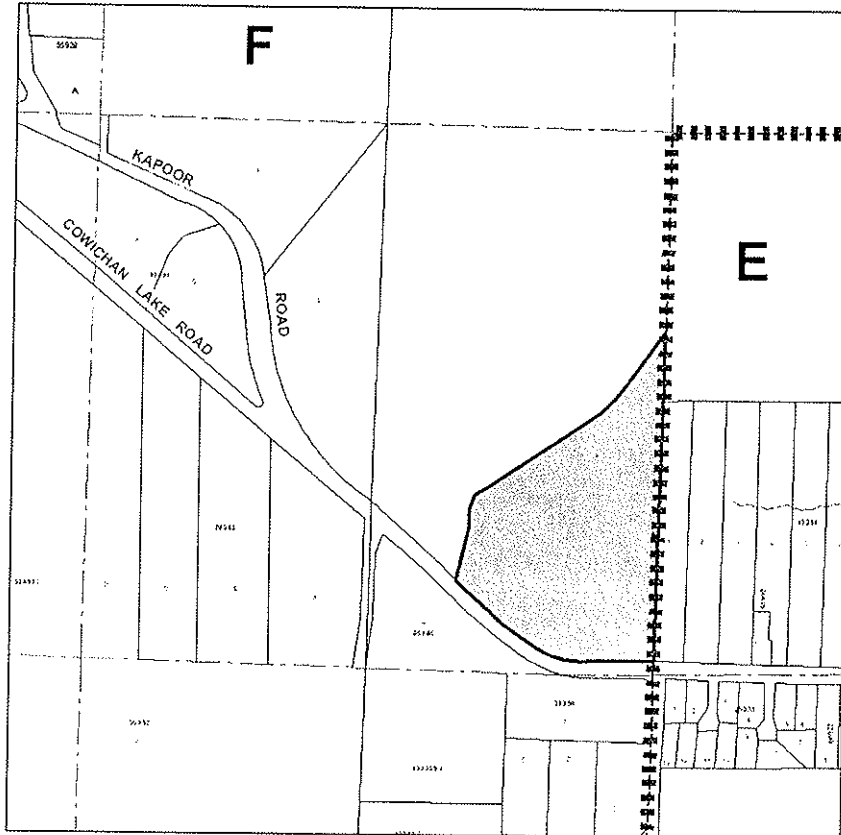
\_\_\_\_\_  
Chairperson

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

PLAN NO. Z-3331

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

3331



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

F-1 (Forestry Resource)

TO

R-1 (Rural Residential)

APPLICABLE

TO ELECTORAL AREA F



**RES1**

## COMMISSION APPOINTMENTS

**BOARD MEETING  
OF DECEMBER 9, 2009**

DATE: November 24, 2009  
FROM: Director Harrison  
SUBJECT: **Area A - Mill Bay/Malahat Advisory Planning Commission**

---

**Recommendation:**

That the following appointments to the Electoral Area A - Mill Bay/Malahat Advisory Planning Commission be approved:

*Term to expire November 30, 2011:*

Dola Boas  
Cliff Braaten  
David Gall  
Geoff Johnson  
Margo Johnston  
June Laraman  
Deryk Norton  
Ted Stevens  
Archie Staats



**RES2**

**COMMISSION APPOINTMENTS**

**BOARD MEETING  
OF DECEMBER 9, 2009**

DATE: December 2, 2009  
FROM: Director Morrison  
SUBJECT: **Cowichan Lake Recreation Commission**

---

**Recommendation:**

That the following appointments to the Cowichan Lake Recreation Commission be approved:

*Term to expire December 31, 2010:*

Dave Darling  
Sheila McFarlane  
Bill Peters  
Rocky Wise  
Larry Olson  
Corey Bath





## NEW BUSINESS SUMMARY

BOARD MEETING – DECEMBER 9, 2009

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- NB1** Staff Report from the Manager, Community and Regional Planning Division  
Re: OCP Amendment Bylaw No. 3119 and Zoning Amendment Bylaw No. 3120 – C. Little (Cobble Hill)
- NB2** Staff Report from the Manager, Development Services Division  
Re: Agricultural Land Commission Subdivision and Non-Farm Use Application
- NB3** Public Hearing Report  
Re: Zoning Amendment Bylaw No. 3334, applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora
- NB4** "Cowichan Valley Regional District Bylaw No. 3334 – Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Forest Industrial Use), 2009", 3<sup>rd</sup> reading and adoption
- NB5** Grant-in-Aid Request—Electoral Area C – Cobble Hill (Warmland House)
- NB6** Grant-in-Aid Request—Electoral Area D – Cowichan Bay (Warmland House)
- NB7** Grant-in-Aid Request—Electoral Area E – Cowichan Station/ Sahtlam/ Glenora (Warmland House)



**NB1**

**STAFF REPORT**

**REGULAR BOARD MEETING  
OF DECEMBER 9, 2009**

**DATE:** December 8, 2009 **FILE NO:** 2-C-07RS  
**FROM:** Mike Tippett, Manager **BYLAW NO:** 3119, 3120  
Community and Regional Planning Division  
**SUBJECT:** OCP Amendment Bylaw 3119 and Zoning  
Amendment Bylaw 3120 – C. Little (Cobble Hill)

---

**Recommendation:**

That the Board accepts the cash deposit in the amount of \$5000 as security for the proposed landscaping at the Arbutus RV site in Cobble Hill, and that the security be held for a period of one year from the date of adoption of Bylaws 3119 and 3120, and be used to correct any deficiencies if the landscaping as shown on the attached map fails to survive or is not done in the first place.

**Purpose:**

To apprise the Board of the status of the Craig Little OCP and zoning amendment application.

**Financial Implications:**

Security has been received

**Interdepartmental/Agency Implications:**

None apparent

**Background:**

Items B 15 and B 16 on tonight's agenda are with respect to the adoption of Bylaws 3119 and 3120, rezoning the Arbutus RV site in Cobble Hill to a new C-9 Zone.

Director Giles has worked with the applicant to ensure that a landscaping plan is implemented on this parcel at the time of rezoning. The proposed landscaping regime is outlined on the attached map. In support of the landscaping proposal, the applicant has submitted on December 8<sup>th</sup> a \$5000 cash deposit as a security with the CVRD, which would be used to implement the proposed landscaping in the event that Arbutus RV does not do the work or the landscaping does not survive.

The proposed period for holding this security is one year, after which the security would be refunded if the landscaping is in good condition.

Submitted by,



Mike Tippett, MCIP  
Manager  
Community and Regional Planning Division

<p><i>Department Head's Approval:</i></p> <hr/> <p><i>Signature</i></p>
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On August 26, 2009 the CVRD Board authorized purchase of the subject land. The staff report that was considered by the Board at the time acknowledged that the property is in the Agricultural Land Reserve and that ALC approval would be required. Since the CVRD has received funding from the Canada-British Columbia Municipal Rural Infrastructure Program for the water system upgrades, it will be necessary to complete the property transfer and water system improvements within the estimated project schedule to access the grant funding. The timetable submitted with the grant application anticipates the subject property being subdivided and purchased by the end of March, 2010, and construction of improvements completed by the end of 2010.


**Agricultural Capabilities**

The Canada Land Inventory soil classification indicates 80% of soils on the land to be Class 3 and 20% Class 4. With irrigation, drainage and other improvements, 100% of the subject property is improvable to Class 2. Class 2 soils are generally considered suitable for agriculture, with only minor limitations for agricultural production. Please note that these soil classifications are approximations, as a site specific assessment has not been completed.


**Summary:**

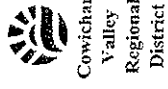
Although the subject land appears to have good agricultural capabilities, the proposed land is at a strategic location immediately adjacent to the existing subdivision. Since the Board has previously authorized purchase of the subject property, it is assumed that the Board supports the ALR subdivision and non-farm use application. A resolution from the Board supporting the application would allow it to be forwarded to the ALC for their decision.

Submitted by,



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

Department Head's Approval:  
  
Signature



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



The Regional District does not warrant the accuracy.

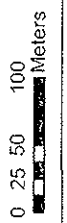
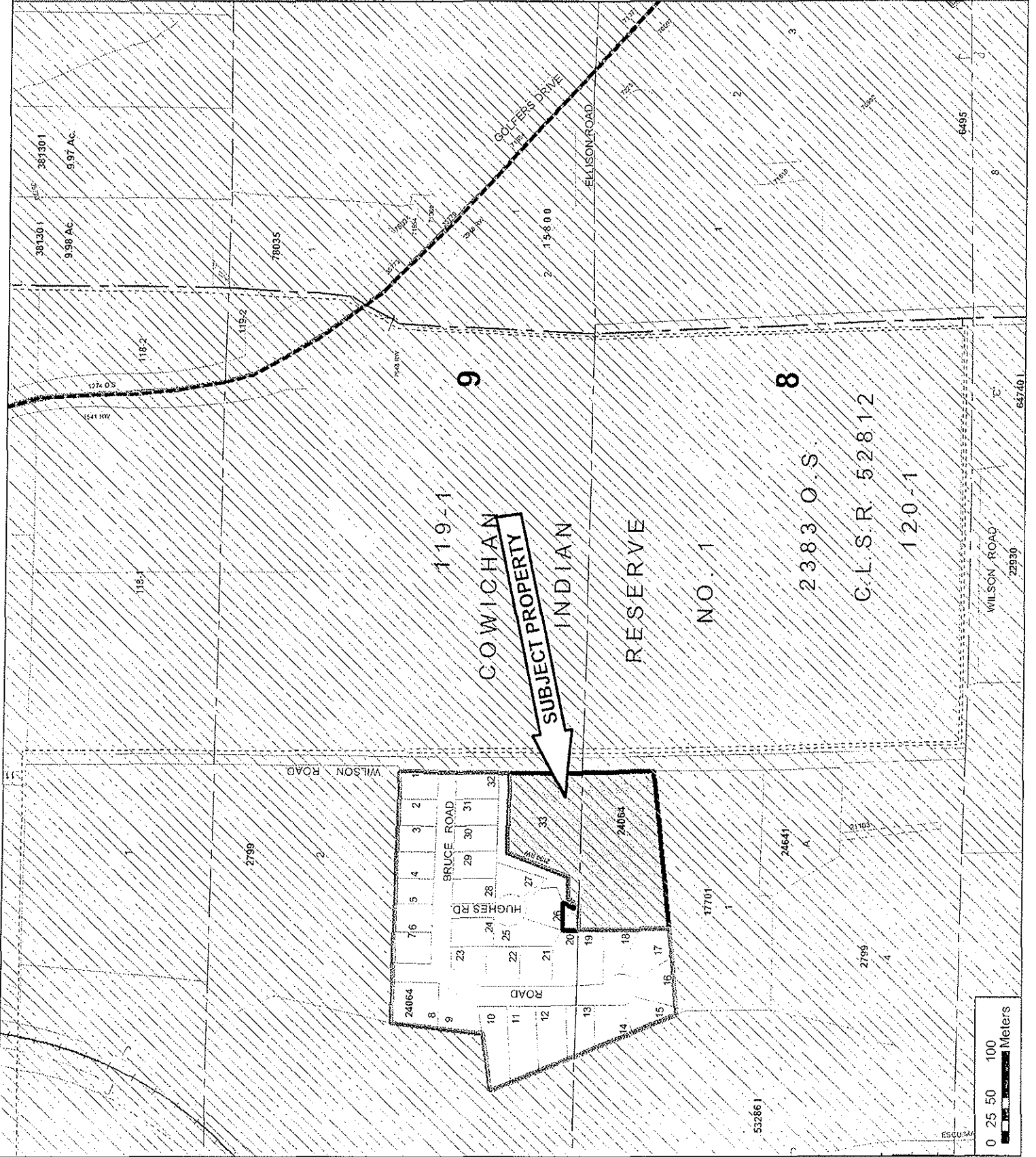
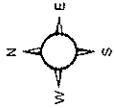
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

FILE: 2-E-09  
-ALR

ALR

Legend  
 Subject Property  
 E\_ALR







C·V·R·D

PUBLIC HEARING REPORT  
Bylaw No. 3334

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Following is a summary of the proceedings of the Public Hearing for Zoning Amendment Bylaw No. 3334 (Forest Industrial Use), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Wednesday, December 2, 2009, at the Glenora Community Hall, 3660 Glenora Road, Duncan, BC, at 7:05 p.m.

**HEARING  
DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora,  
Chairperson  
Director L. Iannidinardo, Electoral Area D – Cowichan Bay  
Director G. Giles, Electoral Area C – Cobble Hill

**CVRD STAFF  
PRESENT**

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

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

**CALL TO ORDER**

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

Director Duncan stated the following:

- He wanted the Hearing to be considered a safe meeting where people can share their views and to also show respect for their neighbours.
- He requested that public comments be kept to a reasonable length of time but noted that any person could come up to speak at the microphone as many times as they wanted.

**PROCEDURES**

Mr. Tippet explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, November 25, 2009, and Friday, November 27, 2009) and in the *Leader Pictorial* (Wednesday, November 25, 2009, and Friday, November 27, 2009) and letters have also been sent to property owners, adjacent owners and occupiers of the property as required by the *Local Government Act*.

Zoning Amendment Bylaw No. 3334 proposes to make a text amendment to the Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 by **deleting** the list of permitted uses presently in the Heavy Industrial (I-2) Zone (summarized as follows):

- (1) auction grounds;



- (2) automotive repair, sales, body repair, painting, wrecking, storage, salvage;
- (3) café, restaurant, take out service, catering;
- (4) clothing and garment manufacturing, laundry, dry cleaning, repair and storage;
- (5) contractor's workshop, yard and storage;
- (6) electric and electronic equipment manufacturing;
- (7) equipment repair, sales, storage and rental;
- (8) feed, seed and agricultural supplies, sales and storage;
- (9) food and candy products manufacturing, storage, processing, packaging, frozen food locker, cold storage plant, but excluding fish cannery and abattoir;
- (10) industrial processing, manufacturing, repair, storage and packaging;
- (11) kennels for the keeping, boarding, raising, training and/or breeding of cats and dogs and animal hospital;
- (12) laboratory;
- (13) lumber and storage yards, sale of wholesale and retail building supplies;
- (14) modular or prefabricated home structure and truss manufacturing and sale;
- (15) parking garage, recreational vehicle storage and sale;
- (16) processing and sale of gardening and landscaping supplies and materials;
- (17) publishing;
- (18) retail and wholesale sale of petroleum products and accessory storage of petroleum products not exceeding 455,000 litres;
- (19) secondary processing and manufacturing of wood products, including the making of cabinets, furniture, plywood, lath and particle board and similar products; but excluding sawmills, pulp and paper mills and log storage and sorting;
- (20) recycling, sorting and storage of substances or materials, including in-vessel composting;
- (21) warehouse, including mini-warehouse, freight handling and storage;
- (22) welding shop;
- (23) retail sales accessory to a principal use permitted in Section (1) to (22);
- (24) dry land log sorting;
- (25) forest products processing, milling, and storage, excluding pulp and paper mill;
- (26) manufacturing, processing, repair, treatment and storage of products, materials, fabric or compounds;
- (27) office accessory to a principal use permitted in Section (1) to (22) and (25) and (26);
- (28) one single family dwelling per parcel accessory to a principal use permitted in Section (1) to (22) and (25) and (26).

and **replacing** the above list with the following list of permitted uses:

- (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.

The purpose of Zoning Amendment Bylaw No. 3334 is to bring the list of permitted uses into compliance with Section 10.3 of the Cowichan Koksilah Official Community Plan, specifically Policy No. 10.3.1, which states:

Permitted uses within a Forestry Industrial area shall be restricted to:

- Log sorting operations;
- Sawmills;
- Forestry-based equipment storage and maintenance;
- Other forestry-related uses;
- Buildings and structures accessory to any one of the above;
- Single family dwelling.

If Zoning Amendment Bylaw 3334 – which implements the above-noted policy very closely – is adopted, the range of permitted uses on the three parcels that are in the Heavy Industrial 2 (I-2) Zone would be considerably narrowed; however, single family residential use would become permitted as a stand-alone use under the proposed amendment, something that is not permitted in the present I-2 Zone.

Legal descriptions and street addresses of the affected parcels:

1. That part of Section 8, Range 2, Quamichan District, lying to the east of the right of way of the Canadian Northern Pacific Railway Company, except Parcel A (DD 38366I and DD 56015I) and Parcel C (DD 89280I) thereof, and except parts in Plans 4701, 6992, 7049, 7867, 8335 and 25654 (4885 Waters Road);
2. Parcel A (DD 42118I) of Section 10, Range 1, Quamichan District, except part in Plans 20284 and VIP63884 (4005 Rowe Road);
3. Lot 1, Section 8, Range 6, Sahtlam District, Plan 12309, except those parts in Plans 22890, 23708, 25003 and 29157 (5611 Culverton Road).

Mr. Tippett stated that 80 emails and letters of response to the proposed Bylaw have been received from the date the advertisement was placed within the local newspapers to the start of the Public Hearing.

## Correspondence

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

- 1) Email dated November 23, 2009, from Julie Cook (EXHIBIT 1);
- 2) Email dated November 29, 2009, from Dave Godfrey (EXHIBIT 2);
- 3) Email dated November 26, 2009, from Jason Williams (EXHIBIT 3);
- 4) Email dated November 29, 2009, from Karin von Gaza (EXHIBIT 4);
- 5) Email dated November 29, 2009, from Sadie Bartram (EXHIBIT 5);
- 6) Email and letter dated November 29, 2009, from Jennifer Apostoli (EXHIBIT 6);

- 7) Email dated November 29, 2009, from George and Dianne Kolenosky (EXHIBIT 7);
- 8) Email dated November 28, 2009, from Timothy Mock (EXHIBIT 8);
- 9) Email dated November 28, 2009, from Joe Howse (EXHIBIT 9);
- 10) Email dated November 28, 2009, from John Ramsey (EXHIBIT 10);
- 11) Email dated November 27, 2009, from Marcie & Len Cardiff (EXHIBIT 11);
- 12) Email dated November 26, 2009, from Ann Lindwall (EXHIBIT 12);
- 13) Email dated November 26, 2009; from Neil and Sharon Predy (EXHIBIT 13);
- 14) Email dated November 26, 2009, from Gail Robertson (EXHIBIT 14);
- 15) Email dated November 26, 2009, from Karen Humber (EXHIBIT 15);
- 16) Email dated November 25, 2009, from Sylvia and Gordon Bligh (EXHIBIT 16);
- 17) Email dated November 25, 2009, from Alan Chabot and Lorena Benoit (EXHIBIT 17);
- 18) Email dated November 30, 2009, from Laurie Arrowsmith (EXHIBIT 18);
- 19) Email dated November 30, 2009, from Sandra McManus (EXHIBIT 19);
- 20) Email dated December 1, 2009, from Laura Maben (EXHIBIT 20);
- 21) Email dated November 30, 2009, from Alex Apostoli (EXHIBIT 21);
- 22) Email dated November 30, 2009, from Robert Rensing (EXHIBIT 22);
- 23) Email dated November 30, 2009, from Gail Ramsey (EXHIBIT 23);
- 24) Email dated November 30, 2009, from Jim Moody (EXHIBIT 24);
- 25) Email dated November 30, 2009, from Margaret Hess (EXHIBIT 25);
- 26) Email dated December 1, 2009, from Marina Carroll (EXHIBIT 26);
- 27) Email dated December 1, 2009, from Dr. Stephen Faulkner (EXHIBIT 27);
- 28) Email dated December 2, 2009, from Bill and Lynn Jones (EXHIBIT 28);
- 29) Email dated December 2, 2009, from Vanessa Maben-Hamer & Seamus Kelly (EXHIBIT 29);
- 30) Email dated December 2, 2009, from Paul and Rosemarie Painchaud (EXHIBIT 30);
- 31) Letter dated December 1, 2009, from Anne Wilkinson (EXHIBIT 31);
- 32) Letter dated December 1, 2009, from Doug and Wanda Tattersall (EXHIBIT 32);
- 33) Email dated December 2, 2009, from Stephanie Collins (EXHIBIT 33);
- 34) Email dated December 2, 2009, from D. Sheffield (EXHIBIT 34);
- 35) Email dated December 2, 2009, from Darwin and Frances Generous (EXHIBIT 35);
- 36) Email dated December 2, 2009, from C. Chipperfield (EXHIBIT 36);
- 37) Email dated December 2, 2009, from Bernie Woollam Julsing (EXHIBIT 37);
- 38) Email dated December 2, 2009, from Susan Lowther (EXHIBIT 38);
- 39) Email dated December 2, 2009, from Camila Gaza Manly (EXHIBIT 39);

- 40) Email dated December 2, 2009, from Joy Larson (EXHIBIT 40);
- 41) Letter dated December 2, 2009, from Michael and Linda Lees (EXHIBIT 41);
- 42) Letter dated December 2, 2009, from Albert and Alicia Todd (EXHIBIT 42);
- 43) Letter dated November 29, 2009, from Anne Wilkinson for Rodney and Faye Hankins (EXHIBIT 43);
- 44) Letter dated December 2, 2009, from Jennifer McCorkell (EXHIBIT 44);
- 45) Letter dated December 2, 2009, from Curtis McCorkell (EXHIBIT 45);
- 46) Letter dated December 2, 2009, from Don Tymusko (EXHIBIT 46);
- 47) Letter dated December 2, 2009, from Larry Lakos (EXHIBIT 47);
- 48) Letter dated December 2, 2009, from Deborah Flinn (EXHIBIT 48);
- 49) Letter dated December 2, 2009, from Nikolai Lampson (EXHIBIT 49);
- 50) Letter dated December 2, 2009, from Penny McFarlane (EXHIBIT 50);
- 51) Letter dated December 2, 2009, from Tim Creighton (EXHIBIT 51);
- 52) Letter dated December 2, 2009 from Donni-Jo Tymusko (EXHIBIT 52);
- 53) Letter dated December 2, 2009, from Anne Wilkinson (EXHIBIT 53);
- 54) Letter dated December 2, 2009, from Laurie Gibson (EXHIBIT 54);
- 55) Letter dated November 29, 2009, from Stafford Reid (EXHIBIT 55);
- 56) Letter dated December 1, 2009, from George and Dianne Kolensoky (EXHIBIT 56);
- 57) Letter dated December 2, 2009, from A. Richard (EXHIBIT 57);
- 58) Letter dated December 2, 2009, from Dr. Jenny Horn (EXHIBIT 58);
- 59) Letter dated December 2, 2009, from Gordon Truswell, Koksilah Land Services Ltd. (EXHIBIT 59);
- 60) Letter dated December 2, 2009, from Katy Ehrlich (EXHIBIT 60);
- 61) Letter dated December 2, 2009, from Emilija Djordjevic Mima (EXHIBIT 61);
- 62) Letter dated December 2, 2009, from Kari Kelloway (EXHIBIT 62);
- 63) Letter dated December, 2009, from Susan Karamessines (EXHIBIT 63);
- 64) Letter dated December 2, 2009, from Jacquie de Jong-Seinen (EXHIBIT 64);
- 65) Letter dated December 2, 2009, from Heather Campsall (EXHIBIT 65);
- 66) Letter dated December 2, 2009, from Daphne Zeitz (EXHIBIT 66);
- 67) Letter dated December 2, 2009, from Noah Huston (EXHIBIT 67);
- 68) Letter dated December 2, 2009, from Daryl and Linda Quesnel (EXHIBIT 68);
- 69) Email dated December 2, 2009, from Heather Campsall (EXHIBIT 69);
- 70) Email dated December 2, 2009, from John and Katy Ehrlich (EXHIBIT 70);
- 71) Email dated December 2, 2009, from Fiona Connon (EXHIBIT 71);
- 72) Letter dated December 2, 2009, from Lawrence Lampson (EXHIBIT 72);
- 73) Letter dated December 2, 2009, from Denise Schnattler (EXHIBIT 73);
- 74) Letter dated December 2, 2009, from Miriam Hallarek (EXHIBIT 74);
- 75) Letter dated December 2, 2009, from Pete Nunn (EXHIBIT 75);

- 76) Letter dated December 2, 2009, from Samina Qureshi (EXHIBIT 76);
- 77) Letter dated December 2, 2009, from Katria Batje (EXHIBIT 77);
- 78) Letter dated December 2, 2009, from Faua Cunliffe (EXHIBIT 78);
- 79) Letter dated December 2, 2009, from Annette Lampson (EXHIBIT 79);
- 80) Letter dated December 2, 2009, from Lahna Lampson (EXHIBIT 80);
- 81) Letter dated December 2, 2009, from Lisa Whitehead (EXHIBIT 81);
- 82) Letter dated December 2, 2009, from Gary Williams (EXHIBIT 82);
- 83) Letter dated December 2, 2009, from Matthew Carr (EXHIBIT 83);
- 84) Letter dated December 2, 2009, from Craig Jones (EXHIBIT 84);
- 85) Letter dated December 2, 2009, from Andrew Martin (EXHIBIT 85);
- 86) Letter dated December 2, 2009, from Chris Wendall (EXHIBIT 86);
- 87) Letter dated December 2, 2009, from Kristi Fehr (EXHIBIT 87);
- 88) Letter dated December 2, 2009, from Adola McWilliam (EXHIBIT 88);
- 89) Letter dated December 2, 2009, from Olaf Lampson (EXHIBIT 89);
- 90) Letter dated December 2, 2009, from Martha Miller (EXHIBIT 90);
- 91) Letter dated December 2, 2009, from Nikolai Lampson (EXHIBIT 91);
- 92) Letter dated December 2, 2009, from Wenzel Kruger (EXHIBIT 92);
- 93) Letter dated December 2, 2009, from Joosi Van Ryn (EXHIBIT 93);
- 94) Letter dated December 2, 2009, from Jasper Van Ryn (EXHIBIT 94);
- 95) Letter dated December 2, 2009, from Kara Van Ryn (EXHIBIT 95);
- 96) Letter dated December 2, 2009, from Sebastian Biell (EXHIBIT 96);
- 97) Letter dated December 2, 2009, from Marilyn Lange (EXHIBIT 97);
- 98) Letter dated December 2, 2009, from Hye Won Choi (EXHIBIT 98);
- 99) Letter dated December 2, 2009, from Simon Schmider (EXHIBIT 99);
- 100) Letter dated December 2, 2009, from Karin Weber (EXHIBIT 100);
- 101) Letter dated December 2, 2009, from George Brown (EXHIBIT 101);
- 102) Letter dated December 2, 2009, from Chris Wendel (EXHIBIT 102).

**Location of File**

Director Duncan advised that the Information Binder was available for review on the back table, along with copies of the Amendment Bylaw, and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

**QUESTION PERIOD**

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

**Susan  
Karamessines,  
5205 Jeffries Road**

➤ The preamble of Zoning Bylaw Amendment No. 3334 where it states, "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". Asked what that meant and when the public hearing was held?

**Director Duncan**

➤ This is the official Public Hearing for Zoning Amendment Bylaw No. 3334.

- The Bylaw was brought forward after a discussion at a previous Electoral Area Services Committee (EASC) meeting whereas the 9 Electoral Area Directors instructed staff to prepare the proposed Bylaw and the Bylaw was then given First and Second Reading by the Regional Board. The process is between Second and Third Readings of the Bylaw where a Public Hearing must be held.
- Susan Karamessines** ➤ Why was that question not asked prior to the Bylaw being prepared and stated that the question should have been, “Do you want to have any heavy industrial zoning?”
- Director Duncan** ➤ Presently there are two Heavy Industrial spot zones in Glenora and one in Sahtlam.  
➤ There are comments in regard to the industrial zoned properties within the Official Community Plan (OCP) and noted that there is a statement in the OCP that states, “shall be only” and that was occurring at the Public Hearing. The Bylaw is looking at bringing the permitted uses on those three properties into compliance with the OCP.  
➤ Simply looking at bringing the Zoning Bylaw into compliance with the OCP.
- Susan Karamessines** ➤ Does this meeting have any power to take out sawmilling?
- Director Duncan** ➤ No, that is not being considered at the Public Hearing. The proposed Bylaw would bring the Zoning Bylaw into compliance with the existing Cowichan-Koksilah OCP.  
➤ May be possible to review that matter within the OCP at some time in the future.
- Mike Tippett** ➤ The preamble is written not to presume the outcome of a Public Hearing, it is a standard format of the CVRD Bylaws and if a Public Hearing does not go well and a Bylaw is not favoured by the public the Regional Board can decide to deny a bylaw.
- Gordon Bligh,  
Rowe Road** ➤ If the proposed Bylaw is approved, the land is restricted. Asked if the property owners are going to be compensated for that, as there will be an obvious drop in price?  
➤ If there is compensation, who gets to pay that Area E or the entire Regional District?
- Director Duncan** ➤ No they do not get compensated.  
➤ Bylaw is dealing with land use matter.
- Gordon Bligh** ➤ Does that also apply to a farm parcel as he noted the Bylaw would be putting restrictions on those lands which will reduce the price of those lands?

- Director Duncan**
- No, the proposed Bylaw applies to the I-2 Industrial zoned lands and does not apply to Agricultural Zones.
  - OCP was adopted in 1994 and it contains Policies pertaining to forest industrial uses.
- Mike Tippett**
- *Local Government Act* is the *Act* under which Regional Districts were brought into existence and it exercises the planning powers that the CVRD has to follow.
  - Read verbatim Section 949 of the *Local Government Act* entitled “Limit on Compensation” and noted that compensation is only payable for certain heritage designations.
  - Province has given power to Local Governments to make planning decisions in the public’s interest and they are not compensable under that *Act*.
- Gordon Truswell**
- As a property owner he is not overly happy about the prospect of being down zoned.
  - He does not get too carried away with the industrial zoning on his property but noted that they do appreciate the variety of uses within it.
  - They bought the property so they can carry on their businesses, and down zoning would detract from that.
- Lindsay LeBlanc**
- Agent for Richard Margetts who is Legal Counsel for Rocky Point Metal Craft Ltd., registered owners of 4885 Waters Road, which is one of the affected properties of the proposed amendment.
  - Has the District undertaken any investigation or consideration of the proposed economic utility of the land after the proposed rezoning - and that would be the three lots that are affected?
- Director Duncan**
- No.
- Lindsay LeBlanc**
- Why not?
- Director Duncan**
- Looking at bringing the zoning into compliance with the OCP that was brought forward in 1994.
- Lindsay LeBlanc**
- Does the District have any reason to take issue with the following statement, “If the land is rezoned for limited forest industry uses it will have no practical economic utility”.
- Director Duncan**
- Believes that is her opinion and he does not have an opinion in regard to that.
- Lindsay LeBlanc**
- The District is taking no opinion with respect to that statement.
- Director Duncan**
- Correct.

- Lindsay LeBlanc** ➤ Does the District understand that the limited uses proposed for the land will reduce the consumption of water reasonably anticipated for the parcel of land under the existing zoning?
- Director Duncan** ➤ Not sure if I understand the question?
- Lindsay LeBlanc** ➤ Does the District understand that the limited uses proposed for the land will reduce the consumption of water reasonably anticipated for the parcel of land under the existing zoning? Consumption of water will be reduced.
- Director Duncan** ➤ Zoning Bylaw is dealing with all I-2 zoned properties and he was not familiar with the water use on any of the three at the present time other than he does not believe there is any industrial activity of consequence on any of the three properties at this time.  
➤ Has no idea what activities will be on those properties in the future, as the changes are all speculative.
- Lindsay LeBlanc** ➤ She can state that the CVRD has no comments on use of water on the property either as it exists now or as it will exist under the proposed Bylaw?
- Director Duncan** ➤ Would say that was an acceptable answer, yes.
- Bill Jones,  
4830 Steffox Road** ➤ Does the CVRD have any plans to compensate the local neighbours if their values are reduced by industrial activities or their water is compromised by any such activity?
- Director Duncan** ➤ No, not at this time.
- Dan Ferguson,  
4064 Vaux Road** ➤ Appreciates the initiative and is sorry for the land owners who are being inconvenienced but noted that it is a very ecologically sensitive area and he does not think industrial parks belong in the area.
- Director Duncan** ➤ That is more of a statement and stated that the Public Hearing was in the question section and asked that comments be made during the official comment section of the Public Hearing.
- Jennifer Apostoli,  
Cavin Road** ➤ Has lived in the area for 15 years and asked what has been carried out on Mr. Truswell's property as she has not seen any industrial activities?
- Gordon Truswell** ➤ Minor log activities carried out and noted they have been reasonably low key.
- Jennifer Apostoli** ➤ How long have the lands sat unused?
- Director Duncan** ➤ In 1991 a sawmill existed on the Cavin Road property but it burned down;  
➤ A small sawmill was operating on the Rowe Road property up until one



year ago when it was moved to Galiano Island and since that time he was unaware of any sawmill activity on that property.

- Around 1997 the Culverton Road site the mill was shut down and sold.
- The three sites were originally zoned Heavy Industrial but noted that they had not been used as that for quite some time.

**Jennifer Apostoli**

- Why were the properties zoned industrial instead of forestry?

**Gordon Truswell**

- There are still logs on site and stated that there are a couple of mobile mills that they do still work with.
- He tried to put in a larger mill operation on-site some time ago but they ran into some opposition with the neighbours.
- They have tried to stay in tune with the community.

**Mike Tippett**

- The question as to why could the property just not have been zoned forestry was that the F-1 (Primary Forestry) Zone does not actually allow sawmilling and sawmilling has to have some type of Industrial zoning to operate.
- The reason they were zoned I-2 is due to back in time there were mills operating in the area.

**Russ Crawford,  
4885 Waters Road**

- Why the property has not been used on Waters Road is because they have been waiting for a development permit from the CVRD for the past 26 months.
- It is now being used and will be used as per its zoning and noted that to state it has been vacant since 1990 is a false statement.

**Director Duncan**

- Major sawmill in 1991 was in place and operated by Ken Williams but noted that it burnt down and there have been smaller sawmill activities on site.
- Regarding the development permit status, litigation has been started and filed with the Crown against the Regional District and the Regional District has no comment with regard to that.

**Tim,  
3800 Glenora Road**

- They had to fight to stop from putting the dump in the area; they fought to get the chipper removed, and since then they have been thinking about what to do with the community since the decline of the forest industry.
- The agriculture industry is now the main focus in the area and asked if there was something they could put into the framework of the Bylaw to encourage people who own the industrial lands, which are useful and do have a purpose, to tailor their designs to industries that would support what is already happening in the community.
- Encourage the growth of secondary industries that are already related to what is now replacing the forest industry and the lands could be used for profitable purposes making it a win-win situation.
- It would also benefit the people who are already changing the direction of the community by bringing in new businesses, for example, possible

companies that produce wine corks or a company that produces and gathers all the apples for wine products, then industrial land would be a benefit to the community. Asked if there was any way this could be encouraged within the proposed Bylaw?

- Director Duncan** ➤ No, as the point of the proposed Bylaw is to bring the zoning into compliance with the OCP that was adopted in 1994.
- If a person wanted to change a use in the future they could apply for rezoning.
- Lawrence Lampson,  
4811 Waters Road** ➤ Is sawmilling permitted within the proposed Bylaw?
- Director Duncan** ➤ Sawmilling and log sorting is presently permitted and if the proposed Bylaw is adopted it will still be permitted under the OCP.
- Lawrence Lampson** ➤ Can the property owners still carry out sawmilling on their properties?
- Director Duncan** ➤ Yes, sawmilling will be permitted.
- Susan Lowther,  
Marshall Road** ➤ Does the proposed amendment include putting a chipper on the property?
- Director Duncan** ➤ Yes, it would allow a chipper on the property but advised that the property falls in a Development Permit Area and there is wording with regard to chippers.
- If it is a forestry related activity, it would be a permitted use now and in the future.
- Jason Williams,  
Hankins Road** ➤ What is the owner's intended purpose other than the present use and are they going to subdivide the properties?
- How long has the I-2 zoning been on the properties?
- Director Duncan** ➤ Forest Industrial uses are recognized as pre-dating the OCP and Zoning Bylaw which would likely be in late 1960s or early 1970s and noted that sawmills are quite old and established industrial uses on those properties.
- Joy Larson,  
3415 Glenora Road** ➤ Heavy industrial zoning has very diverse aspects to it and asked if heavy industrial zoning is a packaged deal in every municipality or regional district?
- Curious about the types of zoning throughout BC and if they are universal?
- Director Duncan** ➤ The word industrial is quite common in other zones throughout the Province but noted the nature of each type of industrial zone is specific to the jurisdiction it is in and there is not the same industrial zone found in other Electoral Areas of the Regional District or Municipality, as everything is customized.

- Joy Larson** ➤ When looking at the amendment which does permit log sorting and sawmills, is the main purpose of the proposed amendment to bring the zoning into compliance with the existing OCP?
- Director Duncan** ➤ Yes, read verbatim Section 10.3.1 from the OCP.
- Michelle,  
Vaux Road** ➤ Which zone does gravel pits fall under?
- Director Duncan** ➤ Gravel pits fall under the I-4 Industrial Zone.
- Mike Tippett** ➤ Major operations including processing, screening, crushing, washing and secondary processing of gravel is found in an I-4 Zone.  
➤ The removal of gravel falls under the Province's jurisdiction and gravel extraction can occur on any land if a person has been granted a *Mines Act* permit.
- Michelle** ➤ Gravel extraction falls under Provincial jurisdiction?
- Director Duncan** ➤ Yes, for the most part.
- Keith Williams,  
3775 Glenora Road** ➤ Sits on the Area E APC and he tries to listen to both sides.  
➤ Linking the zoning of the properties to the OCP sounds very good but also looks at what the zoning is being switched to which is a dead industry and it is a bad lack of creative activity.  
➤ Asked if the OCP is behind the curve from where it should be?
- Director Duncan** ➤ It is very sad about the forest industry predicament.  
➤ The CVRD is legislatively required to have a Zoning Bylaw in compliance with its OCP.  
➤ How to fix the forest industry is another issue that he hopes will come back in the future and not be considered a dead industry.
- Keith Williams** ➤ His question is not with regard to the state of the forest industry itself but with the specific pieces of property.
- Mike Tippett** ➤ One of the permitted uses within the proposed industrial zoning is a single family residence. Stated that there could be some subdivision under the present I-2 zoning.  
➤ Things have changed and evolution in the community has occurred; Director Duncan has asked the Regional Board to prioritize, after Cowichan Bay's OCP update, a review and update of the Area E OCP.  
➤ Presently it is a technical amendment being proposed and is not visionary but is being carried out for technical reasons.
- Cara Pike,** ➤ Confused about the process of the proposed amendment and asked "If all

- 3939 Vaux Road** comments received at the Public Hearing are negative, what is the next step in the planning process to address the communities concerns?"
- Director Duncan**
- The proposed Amendment is trying to bring compliance with the existing OCP.
  - If the Regional Board denies the amendment, the status quo would prevail.
  - Area E has one of the best and also one of the oldest OCPs but noted that it is time to update it.
  - There are current things within the OCP that will be reviewed in the next couple of years and stated there will be community meetings held during that OCP review process.
  - Noted that the Area B and C OCPs have been under review for the past 2½ years and that there are still some more processes to go through before completion.
- Alex Apostoli**
- Do the amended use changes create in any way a less or more stringent requirement on proving groundwater, drainage or pollution?
- Director Duncan**
- None what-so-ever, and advised that development permit requirements remain on all three of the properties as they are already found within the OCP.
- Alex Apostoli**
- Has the CVRD thought about reviewing a more stringent requirement for reports on groundwater?
- Director Duncan**
- The Regional District could look at additional policies within the OCP with regard to water in all zones.
  - There may be some initiatives coming from the Province and legislation to do that possibly in the future but noted that the Regional District has not yet been instructed to do that.
- Bernice Woolam-Julsing**
- Am I correct in understanding that when the proposed amendment is approved there will be stabilization and consistency within the Zoning Bylaw and the OCP?
- Director Duncan**
- Yes she was correct.
- Bernice Woolam-Julsing**
- Once that clarity and stabilization is in place sawmills will be able to continue to operate and the forestry nature can continue to function.
  - As a community they will be in a good position to pursue their new embraced community, work with something that is cohesive so forestry can continue; then they can pursue a new OCP.
- Director Duncan**
- That will be part of the OCP review process.
  - Asked for further questions from the public with regard to Zoning Amendment Bylaw No. 3334 and reminded the public that written submissions must be received at the front table prior to the close of the

## Public Hearing.

- Tim** ➤ What it is coming down to is the realization that the OCP is out-of-date, the community has changed over the last 20 years and that the OCP needs to be reviewed as soon as possible.
- Director Duncan** ➤ He has requested the EASC to put Area E on the list for an OCP review and further advised that Area D is on the list before Area E. He noted that Area D's document is so old it is called an Official Settlement Plan. Once the South Cowichan OCP is completed the next OCP review will occur but noted it will take some time as there is limited staff capacity.
- Tim** ➤ He wants to encourage the people to look at the needs and alternatives of the people rather than fall back on the mistakes that have happened.
- Gail Robertson,  
5160 Elliott Road** ➤ Is there any possible way to change how community plans are modified over time so that by the time the modifications have come to fruition they are not out-of-date in 5-6 years and is there a means of streamlining the process?
- Director Duncan** ➤ A Planner can produce a document very quickly but noted that when the community is involved in that review process it then takes quite some time to reach fruition.
- Mike Tippett** ➤ When an OCP review is carried out the Planners try to envision what will happen in a 5-year timeframe and stated that the Area E OCP is into a 15-year timeframe and it is now starting to show its age.  
➤ Internal amendments can be brought forward and advised that this occurred in Electoral Area I as an amendment was brought forward that reflected their Plan was out-of-date regarding some forestry uses and land development issues.  
➤ An overall complete re-write of a Plan does not always have to take place as he advised there could be an internal amendment made.  
➤ Area E is going to have an overall OCP review in the future.
- Dan Ferguson** ➤ In the future, if the landholders of the affected I-2 properties want to make cheese and that is in the agricultural aspect of the community, what happens to that use if they are only allowed a sawmill under the zoning?
- Director Duncan** ➤ That person would have to apply for rezoning to change the OCP and zoning on their property.
- Dan Ferguson** ➤ What are the costs and timeframe for rezoning?
- Director Duncan** ➤ Timeframe is six months to a year and costs start at a minimum of \$2,200.
- Dan Ferguson** ➤ If an OCP review takes place and the review stated that something should

be rezoned, would that happen for free under the review?

- Director Duncan** ➤ During an OCP review process a rezoning could happen without it having to go through the official rezoning process as it would be bringing the zoning into compliance with the OCP.
- Dan Ferguson** ➤ If the community speaks and they want to change the face of a community can it be done?
- Director Duncan** ➤ Yes it can happen when there is agreement with most of the community.
- Lindsay LeBlanc** ➤ Understands that the zoning and OCP have been at odds for decades now and asked why the importance now with the discussion of changing the OCP. It is important to have the Bylaw changed at this point, and what brought about the change after decades of having as it was?
- Director Duncan** ➤ Community comment was received by the Regional District and they would like to see the Zoning Bylaw and OCP brought into compliance.
- Director Duncan** ➤ Asked for further questions a first and second time with regard to Zoning Amendment Bylaw No. 3334.
- John Shield,  
Vaux Road** ➤ How big is the property on Rowe Road and is only a part of it zoned Industrial?
- Director Duncan** ➤ Only part of it is zoned Industrial and the other part is zoned Agricultural.
- Gordon Truswell** ➤ 2 acres in size;  
➤ Stated that it is zoned for sawmills but noted that with the homes in the area they would not want to see intensive sawmilling on that 2 acre parcel size.
- Director Duncan** ➤ The historical use on that property has been sawmilling.
- Gordon Truswell** ➤ With the other list there were other options that could work with the community.
- Director Duncan** Asked for further questions three times from the public present regarding Zoning Amendment Bylaw No. 3334.
- PUBLIC  
COMMENTS** The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaw. Chair Duncan reminded the public that the Information Binder was available for review and is located on the back table, along with copies of the Amendment Bylaw, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Maryanne Taros,** ➤ She lives for six months on Cavin Road.

- 3790 Cavin Road**
- Stated that George and Dianne Kolenosky were unable to attend the Public Hearing but asked that she read verbatim their submitted letter (EXHIBIT 56) dated December 1, 2009, noting their many concerns as to why they support Bylaw No. 3334.
- Stafford Reid,  
3790 Cavin Road**
- Also lives on Cavin Road seasonally and stated that he endorses proposed Bylaw No. 3334 as it will bring compliance with the OCP.
  - Recognizes the fact that the OCP is dated and it should be updated.
  - Forest activities that are or will be permitted under the proposed Bylaw are not denied to the community.
  - Read verbatim a portion of his submitted letter (EXHIBIT 55) with regard to the Policies the CVRD promised under the OCP.
- Keith Williams**
- Understands that in 2004 Director Duncan attempted to have the property on Cavin Road changed and at that time it would not have had a really serious impact on anyone but noted at that time there was not adequate community support for that amendment.
  - Presently property owners may be in mid-stream of trying to do something with their property and he personally felt that was unfortunate and stated that people should think about being a little more proactive and not reactive.
  - He has to deal with his own conscience with regard to what happens with the current property owners.
  - When the ALR was implemented a lot of people who owned farmland were designated agricultural and the potential for subdivision was taken away from them. He advised that they were not compensated. At that time it was supposed to be for the greater good of the community but noted that sometimes, unfortunately, that was the way it is.
- Susan Lowther,  
Marshall Road**
- Supports Mr. Williams' previous comments and stated that she now lives across from a gravel pit, which she did not live across from before;
  - She feels sympathy for the property owner but stated he knew what the community was like and what was there when he came into the community.
  - She now has a gravel pit across from her property and now has to deal with it and that was life.
- Lawrence Lampson,  
4811 Waters Road**
- Supports Bylaw No. 3334.
  - Does not see the proposed Bylaw being limiting and noted that it does not state the size of sawmilling.
  - Proposed Bylaw will bring the zoning into conformity with the OCP.
- Frank McCorkell,  
3965 John's Road**
- He has lived in the community for the past 45 years and his wife has lived in the community all her life, along with their son and his wife's brother.
  - Over the years they have fought airports, gravel pits and garbage dumps and stated that they are not fighting the rezoning now to get even with somebody, they were trying to get the community to go where it was supposed to be 15 years ago.

- Things have changed and it is time they keep up with the change or they will lose the battle and he does not want to see that happen to the community.
  - He has seen many changes with different types of people coming into the community from when he first moved into the area. Might not have the same views as some people but noted that they all call it home.
  - Supports the proposed Bylaw.
- Sadie Bartram,  
4949 McLay Road**
- Speaking on behalf of herself and her husband and stated that they both support the proposed Bylaw.
- Dan Ferguson,  
Vaux Road**
- He has absolutely no issue with his neighbour, Gord Truswell, and he does not foresee it in the future.
- Director Duncan**
- Stated that he did not hear the previous comments as clearly as he would have liked and asked that anyone wishing to speak to please come up to the microphone.
- Anne Wilkinson,  
3727 Cavin Road**
- Read verbatim her letter (EXHIBIT 53) and concluded by stating that she and her spouse, Gordon, support Zoning Amendment Bylaw No. 3334.
- Director Duncan**
- Asked for further comments from the public present with regard to Zoning Amendment Bylaw No. 3334 and reminded the public that the Information Binder was located on the back table and that submissions must be received at the front table prior to the close of the Public Hearing.
- Bernice Woolam-  
Julsing**
- Highly supports Bylaw No. 3334.
  - Many people knew her late husband's history in the area and thanked the CVRD Staff, Directors and the community for coming together.
  - Has now been in the community for approximately 35-40 years and stated she felt the community has gone through a lot over those years.
  - Remembers in the past only two or three people taking an interest in the community and stated that now there is an amazing out-pouring of response from the people. Feels everyone is a vital component of the community and it has been threaded together into a tapestry that is the future of the community.
  - Thanked everyone, on her and her late husband's behalf, and stated that she hopes the proposed Bylaw is passed.
- Dan Ferguson**
- Supports the proposed Bylaw.
- Jennifer Apostoli,  
Cavin Road**
- Has lived in the area for 15 years and feels the community she lives in is very special.
  - Grew up in Cowichan Bay and now sees the old Cowichan Bay moving into her area with young people and children moving into the community and the area should be preserved.
  - Supports the proposed Bylaw.



- George Stratemeyer,  
4876 Marshall Road**
- Has been in the community for 10 years.
  - Supports Bylaw 3334 for three reasons. It brings the zoning into compliance with the OCP; the Bylaw brings into line the properties with historical use; community development is not based on economic development alone, it must go hand in hand with social and environmental sustainability, and industrial use would not permit that, it would put that into conflict with those three aspects.
- Bill Jones,  
4830 Stelfox Road**
- Supports proposed Zoning Amendment Bylaw No. 3334.
  - What comes out of an OCP is a common interest in the community.
  - What comes with industrial zoning is that there is a lot of thought that the rights of those surrounding it with regards to noise, pollution and nuisances does not follow property boundaries - the onus is on the community to bear the brunt of the industrial activities.
- Jacque de Jong-  
Seinen,  
5080 Lee Road**
- Speaking on behalf of herself and her family. Stated that they supported proposed Bylaw No. 3334 as they want to appreciate the quality of life they have and want to maintain it.
- Mika Stafford,  
4965 McLay Road**
- Supports the proposed Bylaw.
- Laura Mock,  
3900 Rowe Road**
- She and her husband are in legal transition with their farm to organic status and stated that they supported proposed Bylaw No. 3334.
- Gail Robertson,  
5160 Elliott Road**
- Has moved 21 times in her lifetime throughout Canada and stated that in all those times there has only been one place that she ever felt home and that is in Glenora. Thanked the CVRD and community for continuing to keep it as Glenora.
- Susan Lowther**
- If people go to the bridge on Cavin Road they will see the fish in the creek.
- Director Duncan**
- Asked for further comments from the public present and that written submissions must be received at the head table prior to close of the Public Hearing.
- Vanessa Maben-  
Hamer,  
3800 Glenora Road**
- Supports Bylaw No. 3334 and thanked the CVRD for their efforts in sharing the community's vision.
- Al Richard,  
3360 Glenora Road**
- He owns a small hobby farm with horses and he plans to stay in the community for the rest of his life. Stated that he fully supported the proposed Bylaw.
- Gloria McKorkell**
- Will be 62 years old and was born and raised in Glenora. Stated that she wanted to see it go one step further into agriculture.

**Deborah Flinn,  
4820 Marshall Road**

- Has a bed, breakfast and bale on the Trans Canada Trail and has been living in the Glenora area for 7 years.
- Appreciates the proposed Bylaw.

**Seamus Kelly,  
3800 Glenora Road**

- Supports Bylaw No. 3334.

**Tim Mock,  
3900 Rowe Road**

- He and his wife support the proposed Bylaw.

**Director Duncan**

Asked if there were further speakers from the public present. Stated that there is a pad of paper at the back table and that all submissions must be received at the front table prior to the close of the Public Hearing. Director Duncan noted that there were people still writing their comments at the back table and that he would pause the Public Hearing for a couple of minutes so they could finish writing their submissions.

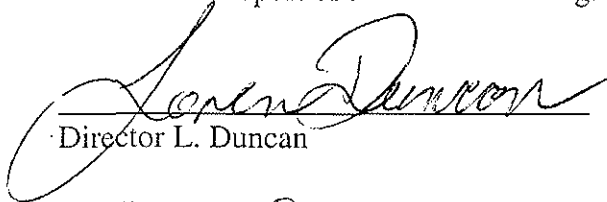
**ADJOURNMENT**

Chairperson Duncan asked for comments or submissions three times from the public present regarding Zoning Amendment Bylaw No. 3334.

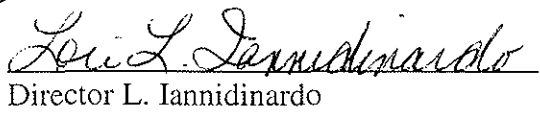
Chairperson Duncan declared the Public Hearing closed at 8:44 p.m.

CERTIFICATION:

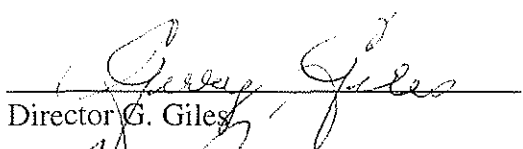
We attended the Public Hearing on Wednesday, December 2, 2009, and hereby certify that this is a fair and accurate report of the Public Hearing.

  
Director L. Duncan

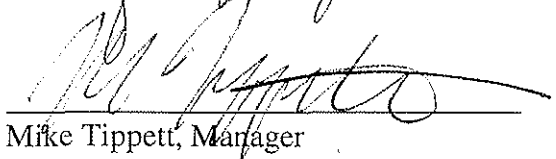
Date Dec 8, 09

  
Director L. Iannidinardo

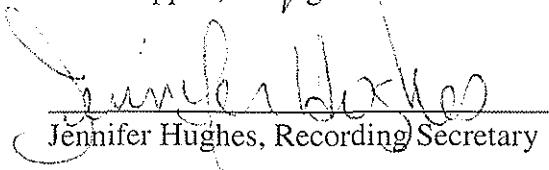
Date Dec 8/09

  
Director G. Giles

Date December 7, 2009

  
Mike Tippett, Manager

Date Dec 7, 2009

  
Jennifer Hughes, Recording Secretary

Date December 7, 2009



**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**

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

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

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

**AND WHEREAS** 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       12<sup>th</sup>   day of       November  , 2009.

READ A SECOND TIME this       12<sup>th</sup>   day of       November  , 2009.

READ A THIRD TIME this                day of               , 2009.

ADOPTED this                            day of               , 2009.

\_\_\_\_\_  
Chairperson

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



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director Gerry Giles Area C

Grant Name: \_\_\_\_\_ Grant Amount \$ 500.00

NAME: Warmland House

ADDRESS: \_\_\_\_\_

90 371 Festubert Street

Duncan, B.C. V9L 3T1

Contact Phone No: Luey Morton (250) 746-5521

PURPOSE OF GRANT: Help with startup

REQUESTED BY: \_\_\_\_\_  
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0371 - 113</u>	<u>500.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL \_\_\_\_\_ *[Signature]*

VENDOR NO. \_\_\_\_\_

Disposition of Cheque:

Mail to above address: \_\_\_\_\_

Return to \_\_\_\_\_

Attach to letter from \_\_\_\_\_

Other \_\_\_\_\_

Approval at Regional Board Meeting of \_\_\_\_\_

Finance Authorization \_\_\_\_\_

## Sharon Moss

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**From:** Gerry Giles [ggiles12@shaw.ca]  
**Sent:** Monday, December 07, 2009 8:29 PM  
**To:** Sharon Moss  
**Cc:** Loren Duncan; Lori Iannidinardo ; Mark Kueber  
**Subject:** FW: Warmland House...Grant-in-aid...\$\$\$\$

Hello Sharon,

As the representative for Cobble Hill, I would like to participate in this funding opportunity for Warmland House. Can you please confirm that \$500.00 remains in the grant-in-aid budget for Area 'C' and that I can provide this grant to Warmland House on Wednesday night. Thank you.

Gerry

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

**From:** Loren Duncan [mailto:loren\_duncan@telus.net]  
**Sent:** Sunday, December 06, 2009 3:33 PM  
**To:** Ken Cossey; Brian Harrison; Gerry Giles; Lori Iannidinardo; Mel Dorey; Mary Marcotte; k.k@shaw.ca; Ian Morrison  
**Cc:** George Seymour (E-mail); Dave Haywood; Tom Walker; Rob Hutchins; Phil Kent; Tim McGonigle  
**Subject:** Warmland House...Grant-in-aid....\$\$\$\$

Hello all., we all received an invitation for the opening of Warmland House on December 15.

It has been a long time coming and a lot of dedicated work by the advocates in behalf. That said, they have enclosed a "wish list" of items they need to help get things going. I will be raising an item of new business at the Wednesday Board meeting to give a grant-in-aid from Area "E" to Warmland House to help with the start up and in the spirit of the approaching Christmas season.

I believe we can do the work right at the Board table.

I ask everyone else to check if you have a few dollars left unspent in your own funds and can part with a few of them...a good natured challenge.

Cheers, Loren Duncan



NB6

COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director Lori Iannidinardo Area D

Grantee: \_\_\_\_\_ Grant Amount \$ 500.00

NAME: Warmland House

ADDRESS: \_\_\_\_\_  
90 371 Festubert Street  
Duncan BC V9L 3T1

Contact Phone No: Lucy Morton (250) 746-5521

PURPOSE OF GRANT: Help with startup

REQUESTED BY: Lori L Iannidinardo  
 Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0371-114</u>		<u>10.0</u>

**FOR FINANCE USE ONLY**

BUDGET APPROVAL [Signature]

VENDOR NO. \_\_\_\_\_

**Disposition of Cheque:**

Mail to above address: \_\_\_\_\_

Return to \_\_\_\_\_

Attach to letter from \_\_\_\_\_

Other \_\_\_\_\_

Approval at Regional Board Meeting of \_\_\_\_\_

Finance Authorization \_\_\_\_\_



## Sharon Moss

---

**Subject:** FW: Warmland House...Grant-in-aid....\$\$\$\$

---

**From:** Lori Iannidinaro [mailto:lianni@shaw.ca]  
**Sent:** Tuesday, December 08, 2009 8:23 AM  
**To:** Sharon Moss  
**Subject:** FW: Warmland House...Grant-in-aid....\$\$\$\$

Hi Sharon,  
Could you please also include Area D as well for \$500.00 Grant-in-Aid to Warmland House. Thanks Lori

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

**From:** Loren Duncan [mailto:loren\_duncan@telus.net]  
**Sent:** Sunday, December 06, 2009 3:33 PM  
**To:** Ken Cossey; Brian Harrison; Gerry Giles; Lori Iannidinaro; Mel Dorey; Mary Marcotte; k.k@shaw.ca; Ian Morrison  
**Cc:** George Seymour (E-mail); Dave Haywood; Tom Walker; Rob Hutchins; Phil Kent; Tim McGonigle  
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NB7



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director Loren Duncan Area E

Grantee: \_\_\_\_\_ Grant Amount \$ 500.00

NAME: Warmland House

ADDRESS: \_\_\_\_\_  
96 371 Festubert Street  
Duncan BC V9L 3T1

Contact Phone No: Lucy Morton (250) 746-5521

PURPOSE OF GRANT: Help with startup

REQUESTED BY: \_\_\_\_\_  
 Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0371-115</u>		<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL

VENDOR NO. \_\_\_\_\_

Disposition of Cheque:

Mail to above address: \_\_\_\_\_

Return to \_\_\_\_\_

Attach to letter from \_\_\_\_\_

Other \_\_\_\_\_

Approval at Regional Board Meeting of \_\_\_\_\_

\_\_\_\_\_  
Finance Authorization

**Sharon Moss**

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**Sent:** Sunday, December 06, 2009 3:33 PM

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**Subject:** Warmland House...Grant-in-aid....\$\$\$\$

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