



**C·V·R·D**

**COWICHAN VALLEY REGIONAL HOSPITAL DISTRICT**

**COWICHAN VALLEY REGIONAL DISTRICT**

**NOTICE OF REGULAR BOARD MEETING**

**DAY: WEDNESDAY**

**DATE: OCTOBER 13, 2010**

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

**PLACE: BOARD ROOM**

**175 INGRAM STREET**

  
\_\_\_\_\_  
**Joe E. Barry  
Corporate Secretary**



**REGULAR BOARD MEETING**  
**WEDNESDAY, OCTOBER 13, 2010**  
**6:00 PM - CVRD BOARD ROOM**

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**10. PUBLIC HEARINGS:****11. BYLAWS:**

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B3	"CVRD Bylaw No. 3407 - Douglas Hill Water System Capital Reserve Fund Establishment Bylaw, 2010", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	71-72
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B4	"CVRD Bylaw No. 3408 - Douglas Hill Water System Parcel Tax Roll Bylaw, 2010", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	73-74
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B5	"CVRD Bylaw No. 3409 - Lambourn Estates Sewer System Management Amendment Bylaw, 2010", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	75-78
B5	"CVRD Bylaw No. 3409 - Lambourn Estates Sewer System Management Amendment Bylaw, 2010", adoption.	75-78

B6	"CVRD Bylaw No. 3418 - Malahat Fire Protection Service Amendment Bylaw, 2010", adoption.	79-81
B7	"CVRD Bylaw No. 3427 - Cobble Hill Community Hall Annual Contribution Service Amendment Bylaw, 2010", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	82-83
B8	"CVRD Bylaw No. 3428 - Machinery and Equipment (Community Planning) Reserve Fund Expenditure Bylaw, 2010", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	84-85
B8	"CVRD Bylaw No. 3428 - Machinery and Equipment (Community Planning) Reserve Fund Expenditure Bylaw, 2010", adoption.	84-85
B9	"CVRD Bylaw No. 3429 - Shawnigan Lake Community Parks and Trails Master Plan Bylaw, 2010", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.	86-216
B9	"CVRD Bylaw No. 3429 - Shawnigan Lake Community Parks and Trails Master Plan Bylaw, 2010", adoption.	86-216

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

B10	"CVRD Bylaw No. 3405 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (Habitat Protection Development Permit Area), 2010", 1 <sup>st</sup> and 2 <sup>nd</sup> reading.	217-223
B11	"Cowichan Valley Regional District Bylaw No. 3420 - Area H - North Oyster/Diamond Zoning Amendment Bylaw (P-2A Zone), 2010", 3 <sup>rd</sup> reading.	224-225
B11	"Cowichan Valley Regional District Bylaw No. 3420 - Area H - North Oyster/Diamond Zoning Amendment Bylaw (P-2A Zone), 2010", adoption.	224-225
B12	"CVRD Bylaw No. 3430 - Area B - Shawnigan Lake Official Community Plan (Partridge), 2010", 1 <sup>st</sup> and 2 <sup>nd</sup> reading.	226-228
B13	"CVRD Bylaw No. 3431 - Area B - Shawnigan lake Zoning Amendment Bylaw (Partridge), 2010", 1 <sup>st</sup> and 2 <sup>nd</sup> reading.	229-232
B14	"CVRD Official Settlement Plan Amendment Bylaw No. 3432, 2010, Area D - Cowichan Bay (Marine Riparian DPA), Amendment to CVRD Bylaw No. 925", 1 <sup>st</sup> and 2 <sup>nd</sup> reading.	233-244

**12. RESOLUTIONS:**

RES1	Appointment to the Electoral Area C - Cobble Hill Parks and Recreation Commission.	245
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**13. UNFINISHED BUSINESS:****14. NOTICE OF MOTION:****15. NEW BUSINESS:****16. QUESTION PERIOD:**

- a) Public
- b) Press

**17. CLOSED SESSION:**

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.

CSM1	Adoption of Closed Session Minutes of September 8, 2010.	246-247
CSCR1	Potential Litigation {Sub (1) (g)}	248
CSSR1	Land Disposal {Sub (1) (e)}	249-250

**18. ADJOURNMENT:**

The next Regular Board meeting will be held Wednesday, November 10, 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 Wednesday, September 8, 2010 at 6:00 pm.

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

**ALSO PRESENT:** Tom Anderson, Acting Administrator  
Joe Barry, Corporate Secretary  
Ron Austen, General Manager  
Parks, Recreation & Culture  
Kate McIntosh, Manager, Human Resources  
Kate Miller, Manager, Regional Environmental Policy  
Jacob Ellis, Manager, Corporate Planning

## **APPROVAL OF AGENDA**

**10-478**

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

**NB1 Staff Report from the Legislative Services Coordinator  
Re: Electoral Area B - Shawnigan Lake Critical Location  
Streetlighting Service - Notice of Alternative Approval  
Process and Elector Response Form**

**NB2 "Cowichan Valley Regional District Bylaw No. 3419 - Tax  
Exemption (Permissive) Bylaw, 2010", 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> reading  
and adoption**

**NB3 Kerry Park Recreation Commission - Director Iannidinardo  
Report and Recommendation of Meeting of August 17, 2010**

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

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

**the deletion of CR3, and changing CSCR1 Third Party Negotiations  
{Sub (1) (b)} to Land Acquisition {Sub (1) (e)};**

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

**MOTION CARRIED**

**ADOPTION OF MINUTES**

**10-479**                    **It was moved and seconded that the minutes of the August 11, 2010 Regular Board meeting be adopted**

**MOTION CARRIED**

**10-480**                    **It was moved and seconded that the minutes of the August 25, 2010 Special Board meeting be adopted.**

**MOTION CARRIED**

**REPORT OF CHAIRPERSON**

**RC1**                    The Royal Canadian Legion - Chemainus Branch #191

The Chair reported that she has received an invitation from The Royal Canadian Legion - Chemainus Branch #191 to attend their Remembrance Day wreath laying ceremony on November 11, 2010 at the Chemainus Cenotaph and that she is unable to attend.

Director Dorey will attend and represent the CVRD on November 11, 2010 at the Chemainus Cenotaph.

**RC2**                    Agricultural Advisory Committee - Appointments

The Chair advised, that in accordance with the Terms of Reference adopted by the Board at its regular meeting of August 11, 2010, the following appointments to the Agricultural Advisory Committee:

Directors Marcotte, Duncan, Iannidinardo, Seymour and Giles.

**RC3**                    Cowichan Communities Health Network - Project Proposal  
- Community Environmental Health Profiles - Respiratory Health

The Chair asked Director Hutchins to provide the Board with the background and overview of the project proposed by the Cowichan Communities Health Network.

**10-481**                    **It was moved and seconded that the CVRD send a strong letter of support to the BC Lung Association encouraging their undertaking the Cowichan Communities Health Network air quality proposal.**

**MOTION CARRIED**

**CORRESPONDENCE**

**C1** Correspondence from the City of Duncan dated August 27, 2010 re: City of Duncan Public Health Smoking Protection Bylaw No. 2084, 2010 was considered.

**10-482** It was moved and seconded that the correspondence from the the City of Duncan dated August 27, 2010 be referred to the Electoral Area Services Committee and the member municipalities with a covering letter enquiring whether council is supportive of consideration of taking a regional approach to implementing a Public Health Smoking Protection bylaw.

Opposed: Director Haywood

**MOTION CARRIED**

**COMMITTEE REPORTS**

**CR1** The report and recommendations from the Regional Services Committee meeting held August 25, 2010 listing five items were considered.

**10-483** It was moved and seconded:

1. That Resolution No. 10-129.1. (pertaining to the creation of an Annual Financial Contribution Service for the Chesterfield Sports Society) be rescinded.
3. That the CVRD participate in the Provincial SmartTool Pilot Program currently underway to monitor and track corporate greenhouse gas emissions.
4. That the Board support the proposed Tier Two and Tier Three Cowichan-Koksilah Integrated Flood Management Plan Emergency Management BC funding applications that are being developed by CVRD and North Cowichan staff as outlined in the Regional Environmental Policy Manager's August 18, 2010 staff report.
2. That the 2011 Budget timeline and schedule be approved.

**MOTION CARRIED**

**10-484** It was moved and seconded that staff be directed that the Regional Budgets for 2011, excluding Parkland Acquisition, be limited to a combined 2% requisition increase.

**MOTION CARRIED**



10-485

*(Amended from original Committee recommendation)*

It was moved and seconded:

5. 1. That the Chair of the CVRD Board be requested to establish a committee comprised of Directors and staff to develop a public consultation process regarding the sub-regional recreation funding model for the Board's consideration; and
2. That the committee report back to the Board prior to October 30, 2010; and further
3. That staff be directed to commission an independent third party financial report on the model as soon as possible.

Opposed: Directors Kuhn, Duncan, Harrison, Morrison, Marcotte, Dorey  
and McGonigle

**MOTION CARRIED**

CR2

The report and recommendations from the Electoral Area Services Committee meeting held September 7, 2010, listing 29 items were considered.

10-486

It was moved and seconded:

1. That a Notice against Land Title be filed for the property owned by Robert and Lan Hockridge and Satellite Holdings Ltd. located at 780 Kilmalu Road legally described as: PID 002-285-991, Lot 5, Sections 4 & 5, Range 9, Shawnigan District, Plan 28093, Except part in Plan VIP52025 (File No. 9-A-06BE).
2. That legal action against the land owner of 2200 Sylvester Road be continued, and that a Notice against Land Title be filed for the property owned by Roger Brammall located at 2200 Sylvester Road legally described as Lot A, District Lot 49, Malahat District, Plan 33779, PID 000-257-630 and, District Lot 49, Malahat District, Except in Plan 33779, PID 003-952-576 (File No. 36-B-04BE).
3. That a letter be forwarded to the Ministry of Transportation and Infrastructure advising that the CVRD does not object to the release of Covenant EH138168 on strata lot 2 Plan 3436, located at 10894 Loyalist Lane, Electoral Area G - Saltair.
4. That a letter be forwarded to the Nanaimo Regional District advising that the CVRD declines comment respecting the NRD Regional Growth Strategy Amendment Application at 2610 Myles Lake Road.
5. That the request by the Sylvan United Church to waive building permit fees for the construction of a gazebo at the Shawnigan Cemetery, be approved.

6. That the Regional Board approve the use of Community Planning Reserve funds in the amount of \$22,000 for the purpose of funding a new photocopier that has been purchased by the Planning and Development Department.
7. That CVRD Bylaw No. 3418 – Malahat Fire Protection Service Amendment Bylaw, 2010, be forwarded to the Regional Board for consideration of three readings and adoption.
8. That a Grant-in-Aid (Area D – Cowichan Bay) be given to the Cowichan Valley Naturalists' Society in the amount of \$500 for their Estuary Protection Fund for on-going work to protect the waters of Cowichan Bay.
9. That a Grant-in-Aid (Area D – Cowichan Bay) be given to the Cowichan Bay Maritime Centre in the amount of \$400 to assist with the costs of a development permit application.
10. That the Board Chair and Corporate Secretary be authorized to sign the necessary documents related to execution of a license agreement with the Kerry Village Residents Association Strata (KVRA) permitting the CVRD to construct and maintain a public footpath on a portion of the KVRA's common property between Bourbon Road and Hollings Creek Park in Electoral Area A, legally described as "Common Property, Part of Lot A, Sections 1 and 2, Range 7, Shawnigan District, VIS 1337".
11. That a Grant-in-Aid (Area A- Mill Bay/Malahat) be given to the Mill Bay Community Tennis Club in the amount of \$2,500 to assist with costs to resurface the two tennis courts.
12. That a Grant-in-Aid (Area B – Shawnigan Lake) be given to the Cowichan Green Community in the amount of \$100 to assist with the third annual fall harvest and sustainability festival.
13. That a Grant-in-Aid (Area A – Mill Bay/Malahat) be given to the Shawnigan Cemetery in the amount of \$500 to assist with the costs of constructing a gazebo on the property.
14. That a Grant-in-Aid (Area B – Shawnigan Lake) be given to the Shawnigan Cemetery in the amount of \$500 to assist with the costs of constructing a gazebo on the property.
15. That a Grant-in-Aid (Area C – Cobble Hill) be given to the Shawnigan Cemetery in the amount of \$500 to assist with the costs of constructing a gazebo on the property.

**MOTION CARRIED**

10-487

It was moved and seconded:

17. That Application No. 1-E-10DP be approved, and that a development permit be issued to Cowichan Terrazzo and Ceramic Tile Ltd. for Lot 1, Section 13, Range 7, Quamichan District, Plan VIP87500 for an addition and exterior alterations, subject to:
  - a. Installation of underground wiring;
  - b. Landscaping installed in accordance with BCSLA standards, including an underground irrigation system;
  - c. Receipt of an irrevocable letter of credit in a form suitable to the CVRD equal to 125% of the value of the landscaping as depicted on the August 18, 2010 site plan; and an assessment of the value of the landscaping be done by a qualified landscape architect for bonding purposes.
18. That Application No. 6-G-10DP be approved, and that a development permit be issued to Sue Perrey for Lot 1, District Lot 34, Oyster District, Plan 22516 to legalize and finish construction of a retaining wall and landscape the area atop the retaining wall, subject to:
  - Compliance with the recommendations noted in the June 26, 2010 report by Ground Control Geotechnical Engineering Ltd.
  - Receipt of an irrevocable letter of credit in a form suitable to the CVRD, equivalent to 125% of the landscape costs, to be refunded upon completion of the landscaping plan; and landscape plans not to include ivy or periwinkle.
19. That application No. 1-D-10DP be approved, and that a development permit be issued to the Cowichan Wooden Boat Society for District Lots 173 and 2063, Cowichan District (1761 Cowichan Bay Road) to allow for construction of an addition to the Cowichan Bay Maritime Centre.
20. That Application No. 1-C-10ALR submitted by H.J. Kmit, on behalf of Olive Luscombe, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct a second dwelling be forwarded to the Agricultural Land Commission with a recommendation to approve, subject to decommission of the existing cottage.
21. That Application No. 4-E-10ALR, submitted by John and Athena Archer, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to place a fourth dwelling on the subject property be forwarded to the Agricultural Land Commission with a recommendation to approve.
22. That Application No. 2-C-10DVP by Kevin Lamont for a variance to Section 11.3(b)(3) Zoning Bylaw No. 1405, to decrease the setback to the rear parcel line from 7.5 metres (24.61 ft.) to 6.66 metres (21.85 ft.) be approved, subject to:

- applicant to provide a survey confirming compliance with approved setbacks; and
  - receipt of an irrevocable letter of credit in a form suitable to the CVRD equivalent to 125% of value of the landscaping plan, that includes irrigation, to be submitted by the applicant prior to issuance of the permit.
23. That Application No. 2-B-10 DVP by Dale Sheppard for a variance to Section 4.1 (a) of Bylaw No. 1001, to reduce the number of required parking spaces from 35 to 19 and the number of off-street loading spaces from 5 to 1 on Lot 1, Shawnigan Suburban Lots, Shawnigan District, Plan VIP55254 (PID 017-973-961) be approved, subject to:
- Secure bicycle parking being created, as shown on the site plan;
  - Improvements being made to the existing disability parking space by repainting lines, repainting the wheelchair symbol, installing protective barriers and installing signs, to the satisfaction of the Building Inspector;
  - The above conditions being met prior to issuance of a building permit.
25. That the request by Greg Bianchini and Heidi Derhousoff to allow a shower and kitchen sink, as well as the permitted bathroom sink and toilet, within a converted accessory building at 13100 Magdalena Drive (Lot 24, Block 567, Oyster District, Plan VIP71713, be approved, subject to registration of a covenant prohibiting occupancy of the accessory structure as a dwelling and removal of all additional facilities prior to change in ownership of the property.
26. That the request by David Lestock-Kay to allow one bathing facility (shower) in the planned agricultural accessory building located at 3086 Wilkinson Road (Section 6, Range 7, Shawnigan District (PID 024-091-596), be approved, subject to registration of a covenant prohibiting occupancy of the accessory structure as a dwelling and removal of all additional facilities prior to change in ownership of the property.
27. That Development Permit No. 1-D-08DP (1838 Cowichan Bay Road) issued to Silver Catch Processing Inc. Lapsing on December 10, 2010, be extended until December 10, 2011.
28. That Development Permit No. 5-A-07DP (2650 Partridge Road) issued to Dwain Walerius, which lapsed on November 28, 2009, be renewed until November 28, 2011.
29. 1. That proposed CVRD Bylaw No. 3421 (Bill 27/Greenhouse Gas Emissions) for Electoral Areas H proceed to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings;

2. That a public hearing be held for the amending bylaw in Electoral Area H- North Oyster/Diamond with Directors Marcotte, Dorey and Morrison named as delegates of the Board;
3. That the proposed bylaw be referred to the City of Duncan, Town of Lake Cowichan, District of North Cowichan, Town of Ladysmith, Nanaimo Regional District, Cowichan Tribes, Chemainus First Nation, Ministry of Community and Rural Development, and School Districts No. 68 and 79, for comment, in the form of a written referral, with a three week response period.

**MOTION CARRIED**

**10-488**

*(Amended from original Committee recommendation)*

**It was moved and seconded:**

16. 1. That Application No. 1-B-09RS (Craig Partridge) proceed and that the applicant be requested to provide a wildland urban interface assessment and confirm commitments with respect to park land dedication.
2. That application referrals be sent to the Ministry of Transportation and Infrastructure, the Central Vancouver Island Health Authority, the Ministry of Environment, Ministry of Forests; Malahat First Nations, Cowichan Tribes, School District 79, and Shawnigan Lake Fire Improvement District.
3. That draft bylaws be prepared and presented at a future EASC meeting for review.

**MOTION CARRIED**

**10-489**

**It was moved and seconded that Recommendation No. 24 regarding Jan and Marilyn van de Have, 2645 Mill Bay Road, be referred back to the Electoral Area Services Committee.**

**MOTION CARRIED**

**CR3**

Deleted upon Adoption of Agenda.

#### **STAFF REPORTS**

**SR1**

The Staff Report from the Administrator dated August 24, 2010 re: Letter of Support for Recreation Infrastructure Renewal In British Columbia was considered.

**10-490**

**It was moved and seconded that the Board acknowledge that B.C.'s parks, recreation, arts and culture facilities are in urgent need of upgrade or replacement, and that the Board respectfully request that the Government of Canada and the Province of British Columbia make recreation infrastructure renewal throughout the Province a funding priority.**

**MOTION CARRIED**

SR2 The Staff Report from the Legislative Services Coordinator dated August 25, 2010 re: Shawnigan Lake Historical Society Annual Financial Contribution Service - Notice of Alternative Approval Process and Elector Response Form was considered.

10-491 **It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3392, be approved.**

**MOTION CARRIED**

SR3 The Staff Report from the Manager, Corporate Planning dated August 31, 2010 re: Corporate Strategic Plan was considered.

10-492 **It was moved and seconded that the Board approve and endorse the Corporate Strategic Plan as a guide to establish corporate priorities.**

Opposed: Director Duncan

**MOTION CARRIED**

#### BYLAWS

B1  
10-493 **It was moved and seconded that "CVRD Bylaw No. 3412 - Lambourn Estates Sewer System Service Amendment Bylaw, 2010", be adopted.**

**MOTION CARRIED**

B2  
10-494 **It was moved and seconded that "CVRD Bylaw No. 3418 - Malahat Fire Protection Service Amendment Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

B3  
10-495 **It was moved and seconded that "CVRD Bylaw No. 3423 - Electoral Area D Community Parks Capital Reserve Fund Expenditure (\$25,000) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

7:32 pm Director Seymour left the Board Room at 7:32 pm.

B3  
10-496 **It was moved and seconded that "CVRD Bylaw No. 3423 - Electoral Area D Community Parks Capital Reserve Fund Expenditure (\$25,000) Bylaw, 2010", be adopted.**

**MOTION CARRIED**

B4  
10-497 **It was moved and seconded that "CVRD Bylaw No. 3424 - Electoral Area D Community Parks Park Land Acquisition Reserve Fund Expenditure (\$20,000.) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.**

**MOTION CARRIED**

**B4**  
**10-498** It was moved and seconded that "CVRD Bylaw No. 3424 - Electoral Area D Community Parks Park Land Acquisition Reserve Fund Expenditure (\$20,000.) Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B5**  
**10-499** It was moved and seconded that "CVRD Bylaw No. 3426 - Kerry Village Sewer System Capital Reserve Fund Expenditure (\$10,620.) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B5**  
**10-500** It was moved and seconded that "CVRD Bylaw No. 3426 - Kerry Village Sewer System Capital Reserve Fund Expenditure (\$10,620.) Bylaw, 2010", be adopted.

**MOTION CARRIED**

**B6**  
**10-501** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3421 - Area H - North Oyster/Diamond Official Community Plan Amendment Bylaw (Bill 27), 2010", be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

#### **RESOLUTIONS**

**RES1**  
**10-502** It was moved and seconded that following appointment to the Electoral Area H - North Oyster/Diamond Advisory Planning Commission be approved:

*Term to expire November 30, 2011:*  
Gordon Wyndlow

**MOTION CARRIED**

#### **NEW BUSINESS**

**NB1**  
The Staff Report from the Legislative Services Coordinator dated September 7, 2010 re: Electoral Area B - Shawnigan Lake Critical Location Streetlighting Service - Notice of Alternative Approval Process and Elector Response Form was considered.

**10-503** It was moved and seconded that the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3403, be approved.

**MOTION CARRIED**

**NB2**  
**10-504** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3419 - Tax Exemption (Permissive) Bylaw, 2010", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**7:35 pm** Director Seymour returned to the Board Room at 7:35 pm.

**NB2**  
**10-505** It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3419 - Tax Exemption (Permissive) Bylaw, 2010, be adopted.

**MOTION CARRIED**

**NB3** The report and recommendation from the Kerry Park Recreation Commission meeting held August 17, 2010 listing one item was considered.

**10-506** It was moved and seconded that staff at the Kerry Park Recreation Centre be authorized to expend an additional \$25,000 for the HVAC project, and further, that the 2010 budgeted transfer to Reserve Fund be reduced by \$25,000.

**MOTION CARRIED**

**RESOLVING INTO  
CLOSED SESSION**

**10-507**  
**754 pm** It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (e) Land Acquisition, (i) Legal Opinion, and (c) Employee Relations.

**MOTION CARRIED**

**RISE FROM  
CLOSED SESSION**

**10-512**  
**9:26 pm** It was moved and seconded that the Board rise with report on CSNB1 Eco Depot PowerPoint Presentation to be made Thursday to the South Cowichan Chamber of Commerce, and return to the Regular portion of the meeting.

**MOTION CARRIED**

**ADJOURNMENT**

**10-513**  
**9:26 pm** It was moved and seconded that the Regular Board meeting be adjourned.

**MOTION CARRIED**

The meeting adjourned at 9:26 pm

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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



**Request to Appear as a Delegation**

**D1**

**Meeting Information**

Request to Address:\*

CVRD Board

Committee

If Committee, specify the Committee here:\*

Full Board Meeting

Meeting Date:\* 10/13/2010

Meeting Time:\* 6:00pm (or schedule)

**Applicant Information**

Applicant Name: Bryan Wallis  
 Representing: Concerned Citizens of the Cowichan Valley  
 As: Spokesperson  
 Number Attending: 1

(Name of organization if applicable)

(Capacity / Office)

**Applicant Contact Information**

Applicant Mailing Address: 1359 Donnay Drive  
 Applicant City: Duncan  
 Applicant Telephone: 250-748-6368  
 Applicant Fax: n/a  
 Applicant Email: btwallis@shaw.ca

**Presentation Topic and Nature of Request:**

Trans Canada Highway #1 - inefficient, ineffective, and dangerous - By-pass or Alternatives Needed for Duncan & North Cowichan.

A request for local and regional government to support a resolution which would require them to put into place a working group (committee) and charge them with the roles and responsibilities to seek solutions concerning the topic above.

Including but not limited to initiating talks with the provincial government/federal government.

As required, provide budget support to assist in any required investigations, analysis, options plans, feasibility studies, impact assessments and develop

Original:	Copies to:
Board: <i>Board Oct 13/10</i>	
Committee(s): <i>RSC 9/22</i>	
Directed by: <i>JB</i>	Date: <i>8/24/10</i>
File #	

\* indicates required fields.

Trans Canada Highway #1 - inefficient, ineffective, and dangerous - By-pass or Alternatives Needed for Duncan & North Cowichan.

A request for local and regional government to support a resolution which would require them to put into place a working group (committee) and charge them with the roles and responsibilities to seek solutions concerning the topic above.

Including but not limited to initiating talks with the provincial government/federal government.

As required, provide budget support to assist in any required investigations, analysis, options plans, feasibility studies, impact assessments and develop mitigation measures/plans to remedy impacts.

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I am not clear if I would have additional attendees at this time

### Request to Appear as a Delegation

# D2

#### Meeting Information

Request to Address:\*

CVRD Board

Committee

If Committee, specify the Committee here:\*

Not sure

Meeting Date:\* 10/13/2010

Meeting Time:\* 3 PM ?

#### Applicant Information

Applicant Name: Stu Calder

Representing: Mill Bay/Malahat Historical Society

(Name of organization if applicable)

As: Treasurer

(Capacity / Office)

Number Attending: 1

#### Applicant Contact Information

Applicant Mailing Address: 2241 Benko Rd.

Applicant City: Mill Bay, B.C. V0R 2P4

Applicant Telephone: 250-743-5339

Applicant Fax:

Applicant Email: astuartcalder@gmail.com

#### Presentation Topic and Nature of Request:

Funding for Mill Bay/Malahat Historical Society

\* indicates required fields.



CR1

## ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD SEPTEMBER 21, 2010

**DATE:** September 27, 2010

**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 annual maximum requisition limit for the Cobble Hill Community Hall Annual Contribution Service be increased from \$15,000 to \$18,000.
2. That CVRD Bylaw No. 3427 – Cobble Hill Community Hall Annual Contribution Service Amendment Bylaw, 2010, be forwarded to the Board for consideration of three readings and adoption.
2. That the Cobble Hill Improvement District be permitted to build an above ground pump house at Galliers Park, subject to the design being approved by the Cobble Hill Parks and Recreation Commission and with the provision of a full service washroom being included in the design.
3. That a grant-in-aid, Area B – Shawnigan Lake, be given to O.U.R. Ecovillage in the amount of \$2,000 to assist with costs associated with the Cowichan Wine and Culinary Festival.
4. That a grant-in-aid, Area D – Cowichan Bay, be given to O.U.R. Ecovillage in the amount of \$300 to assist with costs associated with the Cowichan Wine and Culinary Festival.
5. That a grant-in-aid, Area E – Cowican Station/Sahtlam/Glenora, be given to Cowichan Green Community in the amount of \$250 to assist with costs associated with the Cowichan Community EATS Festival.
6. That a grant-in-aid, Area D – Cowichan Bay, be given to Cowichan Green Community in the amount of \$250 to assist with costs associated with the Cowichan Community EATS Festival.
7. That the CVRD deal with the 2010 Halloween season using the same practice as in 2009, whereby ticketing will only be enforced respecting the “sale of fireworks” and “discharge of fireworks in public places”, the Fireworks Safety Awareness Information package to be made available to the public, and require that the Fireworks Operator form be signed and submitted to the CVRD; and further, that the CVRD’s Information Package be sent to other local governments for distribution in their areas.

8. That the request to upgrade the part time Secretary I position to a full time Secretary I position within the Planning and Development Department be approved.

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

9. 1. That a Notice against Land Title be filed for the property owned by Tom & Corrine Jarvis located at 1695 Sandy Beach Road legally described as Lot 3, District Lot 79, Malahat District, Plan 13099, PID 004-716-655 (File No. 7-A-10BE).
2. That staff be directed to obtain an updated engineer's report respecting the stability of the bank, and if necessary seek legal counsel regarding risk associated with the unstable bank.
10. 1. That Application No. 2-H-09DP be approved, and that a development permit be issued to Yellow Point Ventures for the 6 lot subdivision of Lot A, District lot 13, Oyster District, Plan VIP 77718, subject to compliance with the following:
  - a. Compliance with the Riparian Areas Regulation Assessment dated May 12, 2009 by Madrone Environmental Services;
  - b. Compliance with the Preliminary Geotechnical Assessment by Levelton Consultants Ltd, dated August 5, 2010;
  - c. Compliance with the Groundwater Exploration Program by Levelton Consultants Ltd, revision dated July 23, 2010, including the following:
    - No underground heating oil storage tanks to be used, and containment systems be installed for any above ground storage tanks;
    - That future property owners be advised not to exceed the well rating estimates during long term pumping;
    - In compliance with Subdivision Bylaw No.1215, a covenant is registered on the proposed new lots, to ensure the wells are treated to the standards of the *Drinking Water Protection Act*, prior to residential use.
  - d. Development of the property occurs in compliance with the *Heritage Conservation Act*, and a recommendation for a archaeological overview assessment is forwarded to the Ministry of Transportation and Infrastructure during the subdivision review process.
2. That the CVRD respond to the Stz'uminus First Nation's letter dated September 21, 2010, respecting their concerns of Development Application – Lot A, DL 13, Oyster District, advising of the CVRD's application and bylaw consultation process, advise when the Official Community Plan was adopted, and advise that the application in question is for subdivision purposes and that the final subdivision approval is with the Ministry of Transportation and Infrastructure.

11. That the first event (September 29, 2010, only) of five proposed events (to March 2011) requested by Eric & Sally Smith and Robyn Quinn, be approved, that would relax the Area D – Cowichan Bay Zoning Bylaw to temporarily allow small scale events/meetings at 1781 Fenwick Road with a maximum of forty (40) attendees between the hours of 6:30 pm to 8:30 pm as part of the Cowichan Bay Maritime Centre “Ahoy! Campaign” and for utilizing the adjacent Lot A for the purpose of parking; and that, after the first event, the Bylaw Enforcement Officer will review any impacts, and if no concerns are reported, that the remaining four proposed events be approved, but if concerns are reported that the matter be brought back to EASC for further review.
  
12. That the draft Official Community Plan Amendment Bylaw, Area H (Habitat Protection Development Permit Area) for the protection of the Ladysmith Heron Colony, be forwarded to the Board for consideration of first and second readings, and that a public hearing be scheduled with Director M. Marcotte, Director M. Dorey and Director L Iannidinardo appointed as the hearing delegates.

**ELECTORAL AREA SERVICES  
COMMITTEE REPORT  
OF MEETING HELD OCTOBER 5, 2010**

**DATE:** October 7, 2010

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

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Your Electoral Area Services Committee reports and recommends as follows:

1. That a grant-in-aid, Area D – Cowichan Bay, be given to Cowichan Valley Arts Council in the amount of \$500 to assist with costs associated with holding workshops for their opera production of “Gloves Off”.
2. That a Stage 2 Detailed Project Proposal Grant application to the West Coast Community Adjustment Program for the redevelopment of the Mill Bay Public Boat Launch be submitted requesting \$250,000 for the project with the endorsement of the Regional Board.

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

3. That the request by Brenda Brompton to allow installation of a washer and dryer in an accessory building located at 7960 Greendale Road, be approved, subject to the registration of a covenant prohibiting occupancy of the accessory structure as a dwelling and removal of all additional facilities prior to change in ownership of the property.
4. That Application No. 2-E-10DVP by Trevor Gregson for a variance to Section 5.2 (e) of Zoning Bylaw No. 1840, increasing the permitted size of an accessory building from 100 square metres (1076 square feet) to 130 square metres (1398 square feet), be approved.
5. That the draft OCP and Zoning amendment bylaws regarding Application No. 1-B-09RS (Craig Partridge) be forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings; that a public hearing be scheduled and that Directors Cossey, Duncan and Kuhn be appointed as delegates of the Board.

6. That the request submitted by Eric and Sally Smith for a relaxation of the Area “D” Zoning Bylaw, be approved, to temporarily allow for an additional small scale event with a maximum of forty (40) attendees between the hours of 6:30 pm to 8:30 pm on October 13, 2010 for the Cowichan B&B Association AGM, and for utilizing the adjacent Lot A for the purpose of parking, on the condition that this or other authorized events do not significantly disturb the neighbourhood.
  
7. That the proposed amendment to the Cowichan Bay Official Settlement Plan that would introduce a new Marine Riparian Development Permit Area be approved and that the draft OSP Amendment Bylaw be forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings; that the bylaw be referred to Transport Canada, Ministry of Transportation and Infrastructure, Fisheries and Oceans Canada, School District 79, the City of Duncan, the Municipality of North Cowichan, Cowichan Estuary Environmental Management Committee Chair, and Cowichan Tribes, in the form of a written referral only with a four week response period; and further, that a public hearing be scheduled with Directors Iannidinardo, Giles and Dorey appointed as delegates of the Board.





CR2

**ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT  
OF MEETING HELD SEPTEMBER 22, 2010**

**DATE:** September 27, 2010

**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. .1 That CVRD Board Resolution No. 10-421-9-2 be rescinded.
- .2 That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$10,257.00 from the *Kerry Village Water System Capital Reserve Fund* to help finance upgrades to the water treatment plant, and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
2. .1 That a bylaw be prepared to amend "CVRD Bylaw No. 2193 – Electoral Area I – Youbou Street Lighting Service Establishment Bylaw, 2001, to increase the maximum requisition to \$21,800, and that the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
3. That the Board accept the Utility Transfer Agreement between the CVRD and Jim and Karen Taggart for CVRD takeover of the sewer system for the Brulette Sewer System in Electoral Area A, and further that the Chair and Corporate Secretary be authorized to sign the Utility Transfer Agreement.
4. .1 That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$15,000.00 from the *Youbou Sewer System Capital Reserve Fund* to help finance sewer pump station control upgrades and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
2. That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$5,000.00 from the *Cherry Point Water System Capital Reserve Fund* to help finance well head monitoring controls and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
- .3 That a capital reserve fund expenditure bylaw be prepared for withdrawal of funds not exceeding \$11,000.00 from the *Mesachie Lake Water System Capital Reserve Fund* to help finance preparation of a well protection plan and further that the bylaw be forwarded to the Board for consideration of three readings and adoption.
5. .1 That the CVRD Board support the refined Tier 2 and Tier 3 funding application to Emergency Management BC, currently being developed by the CVRD.
- .2 That the CVRD Board support the recommended development of the Draft 9 Cowichan Valley Flood Protection Memorandum of Understanding.



SR1

**STAFF REPORT**

**REGULAR BOARD MEETING  
OF OCTOBER 13, 2010**

**DATE:** September 29, 2010 **BYLAW NO:** 3389  
**FROM:** Kathleen Harrison, Deputy Corporate Secretary  
**SUBJECT:** Results of Alternative Approval Process - Bylaw No. 3389 – Cowichan Station Area Association Annual Financial Contribution Service.

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**Recommendation:**

**That the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3389, be received.**

**Purpose:**

To present the results of the Alternative Approval Process for "CVRD Bylaw No. 3389 – Cowichan Station Area Association Annual Financial Contribution Service Establishment Bylaw, 2010".

**Financial Implications:**

The requisition amount for this service will be ratified by the Board during the annual budget meeting and/or upon adoption of the Annual Budget Bylaw.

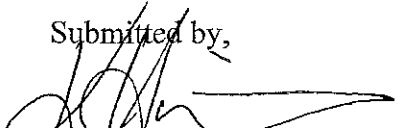
**Interdepartmental/Agency Implications:**

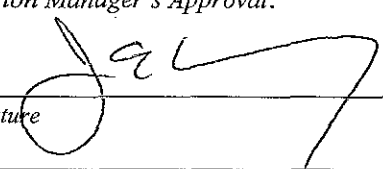
Once adopted, a certified copy of this bylaw must be filed with the Province. The Financial Services Department is responsible for grant administration.

**Background:**

As outlined in the attached *Certificate of Results*, the two (2) *Elector Response Forms* that were submitted in opposition to the adoption of Bylaw No. 3344, and accepted as valid, constitute less than 10% (or 0.62%) of the 322 eligible electors, and therefore the Board may proceed to adopt the bylaw.

Submitted by,

  
Kathleen Harrison  
Deputy Corporate Secretary

Division Manager's Approval:  
  
Signature

Attachment: Certificate of Results – Bylaw No. 3389



**CVRD Bylaw No. 3389**  
**Certificate of Results - Alternative Approval Process**

I hereby certify that Two (2) valid *Elector Response Forms* were received in opposition to the adoption of "CVRD Bylaw No. 3389 – Cowichan Station Area Association Annual Financial Contribution Service Establishment Bylaw, 2010", which establishes a service for the purpose of assisting with costs associated with the operation and maintenance of buildings and lands located at 2375 Koksilah Road and the delivery of community based programs and services, heritage projects, and community events by the Cowichan Station Area Association, within Electoral Area E – Cowichan Station/Sahtlam/Glenora.

The total number of eligible electors in the service area to which the Alternative Approval Process applies is estimated at 3224.

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. 3389.

DATED at Duncan, British Columbia )  
 this 29<sup>th</sup> day of September, 2010 )

  
 Kathleen Harrison  
 Deputy Corporate Secretary

<b>Number of Eligible Electors in the Service Area</b>	<b>10% of the Electors</b>	<b>Valid Elector Response Forms Received</b>
3224	322	2



C·V·R·D

STAFF REPORT

REGIONAL BOARD MEETING  
OF OCTOBER 13, 2010

DATE: September 30, 2010 FILE NO: 3-F-08RS

FROM: Mike Tippett, Manager  
Community and Regional Planning Division Bylaw No. 3420

SUBJECT: Zoning Amendment Bylaw No. 3420  
(P-2A Zone – Area H)

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**Recommendation:**

For information purposes.

**Purpose:**

To consider third reading and adoption of Zoning Amendment Bylaw No. 3420.

**Financial Implications:**

Advertising costs.

**Interdepartmental/Agency Implications:**

N/A


**Background:**

Zoning Amendment Bylaw No. 3420 was processed to second reading by the Regional Board and a public notice process in lieu of public hearing was initiated. To date, we have received no correspondence from the public with respect to the proposed amendment bylaw. A final check for correspondence will be made the afternoon of the Board meeting on the 13<sup>th</sup>, and if any correspondence is received, these will be passed on to the Board that evening.

Zoning Amendment Bylaw No. 3420 is on the October 13<sup>th</sup> Board agenda for consideration of third reading and adoption.

Submitted by,

Mike Tippett,  
Manager  
Community and Regional Planning Division  
Planning & Development Department

<p>General Manager's Approval:</p> 
<p>Signature</p>

# CVRD

COWICHAN VALLEY REGIONAL DISTRICT  
175 Ingram Street, Duncan, B.C. V9L 1N8  
Tel: (250) 746-2620 Fax: (250) 746-2621

CVRD Board Meeting October 13  
- Supplemental Information to  
SR2 and B11 (Bylaw No. 3420)

## BYLAW AMENDMENT REFERRAL FORM

Date: August 16, 2010

CVRD File: Bylaw 3420

We are proposing to amend the minimum parcel size of the P-2A Institutional Zone of the Electoral Area H - North Oyster/Diamond (Zoning Bylaw No. 1020) from 0.8 hectares for any level of community sewer and water services, downward to 0.6 hectares for any level of community sewer and water services.

The purpose of the proposed change is to permit the site of the North Oyster and Area Historical Society building to be subdivided from the large parcel of land that it is located upon. The land is in the Agricultural Land Reserve and the approval of the ALC for this subdivision will be sought.

General Property Location: **13467 Cedar Road, opposite North Oyster School, known as the North Oyster Community Centre.**

Legal Description: **Lot A, District Lot 39, Oyster District, Plan 29596**

You are requested to comment on this proposal for potential effect on your agency's interests. **We would appreciate your response by September 3, 2010.** If no response is received within that time, it will be assumed that your agency's interests are unaffected. If you require more time to respond, please contact Mike Tippett, Manager of Community and Regional Planning, at (250) 746-2602.

### Comments:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Approval recommended for reasons outlined below | <input type="checkbox"/> Interests unaffected                                   |
| <input type="checkbox"/> Approval recommended subject to conditions below           | <input type="checkbox"/> Approval not recommended due to reasons outlined below |

*I have inspected this proposal to witness no Health Hazard and both primary and reserve areas for the existing flow rates for on-site sewage disposal*

Signature: *Alan Gilson* Title: *Env. Health Officer* Your File #: *2010-02895*  
Date: *Sept 22/2010* *same as MoT + I*

This referral has been sent to the following agencies:

- Vancouver Island Health Authority
- Agricultural Land Commission

*250 947-8222  
local 39186  
fax 250 947 8223*

*Rec'd in VIHA  
by Sept 21/10*



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SR3

STAFF REPORT

REGULAR BOARD MEETING  
OF OCTOBER 13, 2010

DATE: October 6, 2010 BYLAW NO: 3380  
FROM: Kathleen Harrison, Deputy Corporate Secretary  
SUBJECT: Results of Alternative Approval Process - Bylaw No. 3380 – Mill Bay/Malahat  
Historical Society Annual Financial Contribution Service Establishment Bylaw.

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**Recommendation:**

That the *Certificate of Results* confirming that the CVRD Board must not proceed to adopt Bylaw No. 3380, unless it receives the assent of the electors, be received.

**Purpose:** To present the results of the alternative approval process for "CVRD Bylaw No. 3380 – Mill Bay/Malahat Annual Financial Contribution Service Establishment Bylaw, 2010", and seek direction on whether the Board wishes to proceed to referendum or not proceed with this bylaw at this time.

**Financial Implications:** When a referendum is held separate from other voting (e.g. General Local Elections) costs can be estimated in the range of \$8,000. to \$10,000. Currently there is a Zero (0) balance in the Referendum Budget. However, under the Elections cost centre in Budget 250 there is a balance of \$14,000. that this referendum may be charged against. Also, a public information campaign regarding the function should take place prior to voting day. Costs for hiring a consultant, conducting open houses, producing brochures, mail-outs etc., are estimated at \$12,000. Therefore, if the Board wishes to commit funds to an information campaign and a Referendum for the proposed function, the combined costs are estimated at \$22,000. If the referendum is successful, all costs would need to be recovered from the newly created Function in 2011. Any deficit would be carried over to subsequent Budgets until the expenses are paid and therefore it is unlikely that the Society would receive funding until 2013.

**Interdepartmental/Agency Implications:** The Legislative Services Division is responsible for the conduct of Other Voting (*Referenda*).

**Background:** Bylaw No. 3380 received a certificate of Statutory Approval from the Inspector of Municipalities on June 25, 2010. An alternative approval process was launched that closed September 27, 2010. A total of Four Hundred and Twelve (412) *Elector Response Forms* were submitted indicating opposition to the adoption of Bylaw No. 3380. Eight (8) forms were rejected as follows: three (3) altered forms; one (1) with more than one form submitted

.../2

per non-resident property elector for the same property; three (3) with unknown property addresses; and one (1) signed by more than one elector.

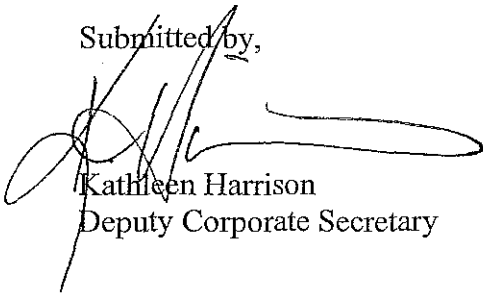
As outlined in the attached *Certificate of Results*, the Four Hundred and Four (404) *Elector Response Forms* that were accepted as valid in opposition to the adoption of Bylaw No. 3380 constitute more than 10% of the electors (12.45%), and therefore the Board must not adopt the bylaw without obtaining the assent of the electors.

If the Board wishes to proceed to adopt this bylaw, then a referendum must be held within 80 days of the close of the alternative approval process, pursuant to Section 162(2)(b) of the *Local Government Act*. The 80 day timeframe would necessitate that a referendum be held no later than December 16<sup>th</sup>. Further, in order to meet all legislative timelines, the Legislative Services Division requires a minimum of six (6) weeks to carry out a referendum.

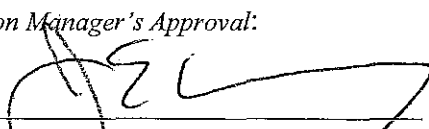
If the Board wishes to proceed with obtaining the assent of the electors at this time, the following recommendations would apply:

1. That "CVRD Bylaw No. 3380 – Mill Bay/Malahat Annual Financial Contribution Service Establishment Bylaw, 2010", be forwarded for assent of the electors in the service area;
2. That Kathleen Harrison be appointed as Chief Election Officer and Rosa Johnston be appointed as Deputy Chief Election Officer for the referendum regarding adoption of "CVRD Bylaw No. 3380 – Mill Bay/Malahat Historical Society Annual Contribution Service Establishment Bylaw, 2010"; and
3. That Saturday, December 11, 2010, be set as "Voting Day" for the referendum regarding adoption of CVRD Bylaw No. 3380.

Submitted by,



Kathleen Harrison  
Deputy Corporate Secretary

<p>Division Manager's Approval:</p>  <p>Signature</p>
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**C·V·R·D**

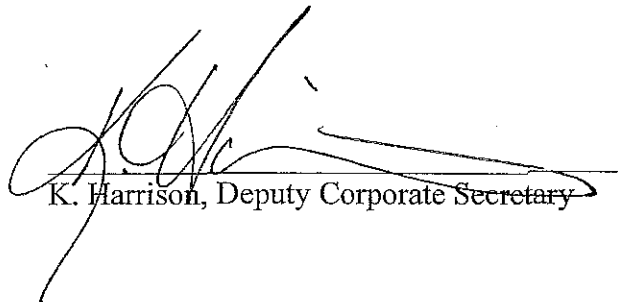
**CVRD Bylaw No. 3380  
Certificate of Results - Alternative Approval Process**

I hereby certify that Four Hundred and Four (404) valid *Elector Response Forms* were received in opposition to the adoption of "CVRD Bylaw No. 3380 – Mill Bay/Malahat Historical Society Annual Financial Contribution Service Establishment Bylaw, 2010", that will allow the Cowichan Valley Regional District to provide the Mill Bay/Malahat Historical Society with an annual financial contribution of up to \$10,000. per year to assist the Mill Bay/Malahat Historical Society with costs associated with the collection, preservation, restoration and presentation of historical artifacts and archives of Mill Bay/Malahat and the surrounding South Cowichan area.

The total number of electors in the service area to which the Alternative Approval Process applies is estimated at 3,244.

In accordance with Section 86 (1) of the *Community Charter*, the number of valid elector response forms received represents more than 10% of the electors in the area to which the Alternative Approval Process applies, and therefore, the Cowichan Valley Regional District must not proceed to adopt CVRD Bylaw No. 3380, unless it receives the assent of the electors.

DATED at Duncan, British Columbia )  
this 5<sup>th</sup> day of October, 2010 )

  
K. Harrison, Deputy Corporate Secretary

Number of Electors in the Service Area	10% of the Electors	Valid Elector Response Forms Received
3,244	324	404 - Bylaw No. 3380 may not proceed to adoption unless it receives the assent of the electors.



STAFF REPORT  
BOARD MEETING  
OF OCTOBER 13, 2010

DATE: October 6, 2010 BYLAW NOS.: 3359  
FROM: Kathleen Harrison, Legislative Services Coordinator  
SUBJECT: Environmental Initiatives Service – Notices of Alternative Approval Process and  
Elector Response Forms

**Recommendation:**

**That the *Notice of Alternative Approval Process and the Elector Response Form for CVRD Bylaw No. 3359*, be approved.**

**Purpose:** To set the deadline for *Elector Response Form* submissions for the *Alternative Approval Process* for, "CVRD Bylaw No. 3359 – Environmental Initiatives Service Establishment Bylaw, 2010".

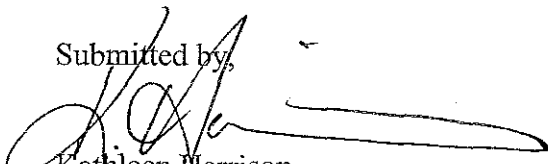
**Financial Implications:** Pursuant to Section 94(2)(b) of the *Community Charter*, two notices must be placed in a local paper in the proposed service area. This service area encompasses the whole of the Cowichan Valley Regional District and therefore notices will need to be placed in the *Citizen, Ladysmith/Chemainus Chronicle, Lake Cowichan Gazette* and the *Harbour City Star*. The cost of advertising varies from publication to publication and can range from \$250. to \$650. per issue with an estimated total cost of \$2,000. plus tax.

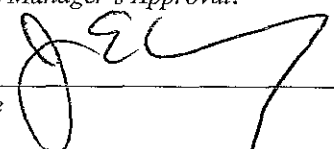
**Interdepartmental/Agency Implications:** The Legislative Services Division is responsible for the coordination and conduct of all Alternate Approval Processes and ensures compliance with the legislative requirements of the *Local Government Act* and *Community Charter*.

**Background:** CVRD Bylaw No. 3359 was granted third reading by the Board of Directors at its meeting held August 11, 2010, and was forwarded to the Inspector of Municipalities for approval. Provincial approval has now been received, and therefore, the Board may now proceed with obtaining elector consent through an alternative approval process.

Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses for an alternative approval process. The attached *Notice of Alternative Approval Process and Elector Response Form* set the deadline for responses for Bylaw No. 3359 for Monday, November 29, 2010.

Submitted by,

  
Kathleen Harrison  
Legislative Services Coordinator

Division Manager's Approval:  
  
Signature



# C·V·R·D

## NOTICE TO ELECTORS OF THE COWICHAN VALLEY REGIONAL DISTRICT

### OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR CVRD SERVICE ESTABLISHMENT BYLAW NO. 3359

**NOTICE IS HEREBY GIVEN** that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 3359 - Environmental Initiatives Service Establishment Bylaw, 2010".

#### BYLAW SUMMARY

If adopted, Bylaw No. 3359 will allow the Cowichan Valley Regional District to requisition up to \$590,000. per year to develop, operate, maintain and deliver environmental initiatives and programs for the whole of the Cowichan Valley Regional District. The maximum cost to residential property owners within the Cowichan Valley Regional District with a residential property assessed at \$100,000. would be \$3.98 per annum, as set out in the table below. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:00 a.m. - 4:30 p.m. (excluding statutory holidays). A copy of the bylaw is also available on the CVRD website at [www.cvrld.bc.ca](http://www.cvrld.bc.ca).

Calculation Table

Net Taxable Value (Land & Improvements)	Maximum Annual Cost to Residential Property Owner Per \$100,000.	Number of Electors in the Service Area	10% of the Electors
\$100,000.	\$3.98	57,156	5,716

#### ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY

The Regional District may adopt this bylaw unless at least 10% of electors within the service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later** than 4:30 p.m. on Monday, November 29, 2010. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of the Cowichan Valley Regional District comprised of 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; I - Youbou/Meade Creek; and the City of Duncan; District of North Cowichan; Town of Ladysmith; and Town of Lake Cowichan are entitled to sign. The service area includes the whole of the Cowichan Valley Regional District. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

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

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

If less than 10% (5,716) of the service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 57,156.

A copy of the bylaw and *Elector Response Form* is available from the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 250-746-2500/1-800-665-3955, e-mail [kharrison@cvrd.bc.ca](mailto:kharrison@cvrd.bc.ca) OR on the CVRD website at [www.cvrld.bc.ca](http://www.cvrld.bc.ca).



ELECTOR RESPONSE FORM
BYLAW NO. 3359

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3359 – Environmental Initiatives Service Establishment Bylaw, 2010" which authorizes the Regional District to requisition up to Five Hundred and Ninety Thousand Dollars (\$590,000.) to develop, operate, maintain and deliver environmental initiatives and programs for the whole of the Cowichan Valley Regional District comprised of 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; I - Youbou/Meade Creek; and the City of Duncan; District of North Cowichan; Town of Ladysmith; and Town of Lake Cowichan. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this Elector Response Form to the Regional District office by 4:30 p.m., Monday, November 29 , 2010. Only those persons who live or own property within the Cowichan Valley Regional District and meet the following qualifications are eligible to submit an Elector Response Form.

I hereby certify that:

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

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

NAME OF ELECTOR: (Please Print Full Name)

ELECTOR STREET ADDRESS:

OR

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

SIGNATURE OF ELECTOR:

ELECTORAL AREA (A – I)

OR Name of MUNICIPALITY
(contact telephone number including area code)

NOTE: The Elector Response Form must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before 4:30 p.m., Monday, November 29, 2010. Regular office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding statutory holidays.

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3389**

**A Bylaw to Establish a Service to Provide an Annual Financial Contribution to  
the Cowichan Station Area Association  
Within Electoral Area E – Cowichan Station/Sahtlam/Glenora**

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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 a regional district;

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of assisting with costs associated with the operation and maintenance of buildings and lands located at 2375 Koksilah Road and the delivery of community based programs and services, heritage projects, and community events by the Cowichan Station Area Association, within Electoral Area E – Cowichan Station/Sahtlam/Glenora;

**AND WHEREAS** the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3389 – Cowichan Station Area Association Annual Financial Contribution Service Establishment Bylaw, 2010**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to assist with costs associated with the operation and maintenance of buildings and lands located at 2375 Koksilah Road and the delivery of community based programs and services, heritage projects, and community events by the Cowichan Station Area Association, within Electoral Area E – Cowichan Station/Sahtlam/Glenora. The service shall be known as the "Cowichan Station Area Association Annual Financial Contribution Service".

3. SERVICE AREA BOUNDARIES

The boundaries of the service area are the boundaries of Electoral Area E – Cowichan Station/Sahtlam/Glenora.

4. PARTICIPATING AREA

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

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by 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

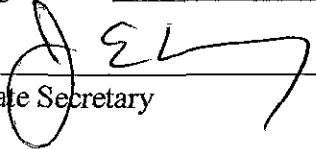
The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$20,000.00 or an amount equal to the amount that could be raised by a property value tax of \$0.03774 per \$1,000.00 of net taxable value of land and improvements within the service area.

READ A FIRST TIME this 9<sup>th</sup> day of June, 2010.

READ A SECOND TIME this 9<sup>th</sup> day of June, 2010.

READ A THIRD TIME this 9<sup>th</sup> day of June, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3389 as given Third Reading on the 9<sup>th</sup> day of June, 2010.

  
Corporate Secretary

JUNE 15 2010  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 25<sup>th</sup> day of June, 2010.

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

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3406**

**A Bylaw for the Regulation and Management of the  
Douglas Hill Water System**

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Douglas Hill Water System Service Area* under the provision of CVRD Bylaw No. 3382, cited as "CVRD Bylaw 3382 - Douglas Hill Water System Service Establishment Bylaw, 2010", for the purpose of providing water services to a defined portion of Electoral Area C – Cobble Hill;

**AND WHEREAS** it is deemed necessary and expedient that provisions be made for the regulation and management of the Douglas Hill 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, in open meeting assembled, enacts as follows:

**1. CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3406 - Douglas Hill Water System Management Bylaw, 2010**".

**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.

**"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 **Douglas Hill Water System Service Area**.

**"Douglas Hill Water System"** means the water system currently servicing the **Douglas Hill 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.

**"Douglas Hill 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 **Douglas Hill 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 **Douglas Hill 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.



**"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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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*.

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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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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.

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- (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*.

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- (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 *Douglas Hill Water System Service Area*, which abuts a watermain that is a part of the *Douglas Hill Water System*, shall apply to have his building(s) connected to the watermain.
- (b) No connection shall be made to the *Douglas Hill 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 *Douglas Hill Water System* is requested, or as deemed a reasonable time by the *Manager*.

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- (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 *Douglas Hill 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.

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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*.

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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 *Douglas Hill 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.

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- (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 *Douglas Hill 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*.

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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 *Douglas Hill Water System*, or
  - (iii) the *Owner* of the building served by the *Douglas Hill Water System*.

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- (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 *Douglas Hill Water System* in order to provide *District Water* to property located within the boundaries of the Douglas Hill 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 *Douglas Hill Water System* the *Manager* shall advise the *Applicant* in writing if the *Extension* is approved or denied.

### (c) Conditions:

An approved *Extension* to the *Douglas Hill 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*.

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- 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 *Douglas Hill Water System* shall be determined by the *Manager*.
- vi. The *Extension* to the *Douglas Hill 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 *Douglas Hill Water System* unless duly authorized to do so, in writing, by the *Manager*;

- (c) being a consumer, tenant, occupant, or inmate of any house, building or other place supplied with water from the *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill 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 *Douglas Hill Water System* whereby foreign matter, non-potable water, or water from a *Private Water Supply System* may enter the *Douglas Hill 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.

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

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chairperson

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



C·V·R·D

SCHEDULE A

TO CVRD BYLAW NO. 3406

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.

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.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 *Douglas Hill 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. 3406**

**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 Laundromat: Minimum charge for each washing machine Elementary/Middle Scholl: Minimum charge per 20 students or portion thereof	0 - 200 m <sup>3</sup>	\$ 125.00		
	201 - 300 m <sup>3</sup>	\$ 125.00	+ 1.00 per m <sup>3</sup> over	200 m <sup>3</sup>
	301 - 400 m <sup>3</sup>	\$ 225.00	+ 1.25 per m <sup>3</sup> over	300 m <sup>3</sup>
	over 400 m <sup>3</sup>	\$ 350.00	+ 2.25 per m <sup>3</sup> over	400 m <sup>3</sup>
<b>Group B</b> Apartment: Per Unit Mobile/Modular Home Park: Per Unit	0 - 160 m <sup>3</sup>	\$ 93.75		
	161 - 240 m <sup>3</sup>	\$ 93.75	+ 1.00 per m <sup>3</sup> over	160 m <sup>3</sup>
	241 - 320 m <sup>3</sup>	\$ 173.75	+ 1.25 per m <sup>3</sup> over	240 m <sup>3</sup>
	over 320 m <sup>3</sup>	\$ 273.75	+ 2.25 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>	\$ 75.00		
	131 - 195 m <sup>3</sup>	\$ 75.00	+ 1.00 per m <sup>3</sup> over	130 m <sup>3</sup>
	196 - 260 m <sup>3</sup>	\$ 140.00	+ 1.25 per m <sup>3</sup> over	195 m <sup>3</sup>
	over 260 m <sup>3</sup>	\$ 221.25	+ 2.25 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>	\$ 62.50		
	101 - 150 m <sup>3</sup>	\$ 62.50	+ 1.00 per m <sup>3</sup> over	100 m <sup>3</sup>
	151 - 200 m <sup>3</sup>	\$ 112.50	+ 1.25 per m <sup>3</sup> over	150 m <sup>3</sup>
	over 200 m <sup>3</sup>	\$ 175.00	+ 2.25 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 Restaurant: Per 10 seats or patrons, or portion thereof Hotel/Motel: per housekeeping unit	0 - 67 m <sup>3</sup>	\$ 41.67		
	68 - 100 m <sup>3</sup>	\$ 41.67	+ 1.00 per m <sup>3</sup> over	67 m <sup>3</sup>
	101 - 133 m <sup>3</sup>	\$ 74.67	+ 1.25 per m <sup>3</sup> over	100 m <sup>3</sup>
	over 133 m <sup>3</sup>	\$ 115.92	+ 2.25 per m <sup>3</sup> over	133 m <sup>3</sup>

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CLASSIFICATION	USER CHARGES			
	Water Use		Charge	
<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>	\$ 41.67
	41	- 60	m <sup>3</sup>	\$ 41.67 + 1.00 per m <sup>3</sup> over 40 m <sup>3</sup>
	61	- 80	m <sup>3</sup>	\$ 61.67 + 1.25 per m <sup>3</sup> over 60 m <sup>3</sup>
	over 80	-	m <sup>3</sup>	\$ 86.67 + 2.25 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>	\$ 12.50
	21	- 30	m <sup>3</sup>	\$ 12.50 + 1.00 per m <sup>3</sup> over 20 m <sup>3</sup>
	31	- 40	m <sup>3</sup>	\$ 22.50 + 1.25 per m <sup>3</sup> over 30 m <sup>3</sup>
	over 40	-	m <sup>3</sup>	\$ 35.00 + 2.25 per m <sup>3</sup> over 40 m <sup>3</sup>
<b>Group H</b> High School: Minimum charge per 20 students or portion thereof per shift	0	- 270	m <sup>3</sup>	\$ 156.25
	271	- 405	m <sup>3</sup>	\$ 156.25 + 1.00 per m <sup>3</sup> over 270 m <sup>3</sup>
	406	- 540	m <sup>3</sup>	\$ 291.25 + 1.25 per m <sup>3</sup> over 405 m <sup>3</sup>
	over 540	-	m <sup>3</sup>	\$ 460.00 + 2.25 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>	\$ 31.25
	51	- 75	m <sup>3</sup>	\$ 31.25 + 1.00 per m <sup>3</sup> over 50 m <sup>3</sup>
	76	- 100	m <sup>3</sup>	\$ 56.25 + 1.25 per m <sup>3</sup> over 75 m <sup>3</sup>
	over 100	-	m <sup>3</sup>	\$ 87.50 + 2.25 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>	\$ 50.00
	84	- 125	m <sup>3</sup>	\$ 50.00 + 1.00 per m <sup>3</sup> over 83 m <sup>3</sup>
	126	- 167	m <sup>3</sup>	\$ 92.00 + 1.25 per m <sup>3</sup> over 125 m <sup>3</sup>
	over 167	-	m <sup>3</sup>	\$ 144.50 + 2.25 per m <sup>3</sup> over 167 m <sup>3</sup>

**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.

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**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. 3406

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:</i>	\$ 125.00	\$ 12.50	\$ 112.50
	<i>Laundromat</i>	\$ 125.00	\$ 12.50	\$ 112.50
	<i>Elementary/Middle School</i>	\$ 125.00	\$ 12.50	\$ 112.50
B	<i>Apartment</i>	\$ 93.75	\$ 9.38	\$ 84.37
	<i>Mobile Home Park:</i>	\$ 93.75	\$ 9.38	\$ 84.37
C	<i>Commercial:</i> Minimum charge for the first 10 employees or portion thereof per shift	\$ 75.00	\$ 7.50	\$ 67.50
D	<i>Continuing Care Facility:</i> Minimum charge for each bed	\$ 62.50	\$ 6.25	\$ 56.25
E	<i>RV Trailer Park / Campground:</i> Site Connected to Sewer: per serviced pad or site	\$ 41.67	\$ 4.17	\$ 37.50
	<i>Restaurants:</i> Minimum charge for the first 10 seats or patrons or portion thereof	\$ 41.67	\$ 4.17	\$ 37.50
	<i>Hotel / Motel-</i> Housekeeping Unit:	\$ 41.67	\$ 4.17	\$ 37.50
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	\$ 41.67	\$ 4.17	\$ 37.50
G	<i>RV Trailer Park / Campground:</i> Site Not Connected to Sewer: per pad or site	\$ 12.50	\$ 1.25	\$ 11.25
H	<i>High School</i> Minimum charge for the first 20 students or portion thereof	\$ 156.25	\$ 15.63	\$ 140.62
I	<i>Hotel / Motel</i> Per room or suite	\$ 31.25	\$ 3.13	\$ 28.12
J	<i>Licensed Premises:</i> Minimum charge for the first 10 seats or patrons or portion thereof	\$ 50.00	\$ 5.00	\$ 45.00

.../2

***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).

.../3

***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. 3406

UNMETERED FIRE LINES

---

(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



C·V·R·D

SCHEDULE E

TO CVRD BYLAW NO. 3406

**METER READING DATES, DUE DATES AND DISCOUNTS**

---

(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. 3406

HYDRANT PERMIT

---

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. 3406**  
**MISCELLANEOUS CHARGES**

---

**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.



**SCHEDULE H**

**TO CVRD BYLAW NO. 3406**

**2010 FLAT RATE CHARGE**

---

A flat rate parcel tax of \$300 day will be invoiced to ALL properties within the service area boundary of the Douglas Hill Water System, pro-rated for the period of the CVRD takeover date to December 31, 2010.

This flat rate charge will be applied on a "one time" basis and will be replaced in 2011 by the application of the Parcel Tax Roll.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3407**

**A Bylaw to Establish a Capital Reserve Fund for the  
Douglas Hill Water System**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Douglas Hill Water System Service Area* under the provisions of the CVRD Bylaw No. 3382, cited as "CVRD Bylaw No. 3382 – Douglas Hill Water System Service Establishment Bylaw, 2010";

**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 Douglas Hill Water System;

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

**1. CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3407 – Douglas Hill Water System Capital Reserve Fund Establishment Bylaw, 2010**".

**2. ESTABLISHMENT OF FUND**

A Capital Reserve Fund to be known as the "Douglas Hill Water 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.

**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 Douglas Hill Water System Service Area.

.../2

b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chairperson

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



C·V·R·D

B4

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3408**

**A Bylaw to Authorize the Preparation of a  
Parcel Tax Roll for the Douglas Hill Water System**

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Douglas Hill Water System Service Area* under the provisions of CVRD Bylaw No. 3382, cited as "CVRD Bylaw No. 3382 – Douglas Hill Water System Service Establishment Bylaw, 2010";

**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. 3382 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** pursuant to Section 201(3) of the *Community Charter*, the Board wishes to provide service area participants with the option of paying, up front, their portion of borrowing costs pursuant to CVRD Bylaw No. 3383.

**AND WHEREAS** for the purpose of imposing a parcel tax the Board must, pursuant to Section 806.1(b) 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, in open meeting assembled, enacts as follows:

**1. CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3408 – Douglas Hill Water System Parcel Tax Roll Bylaw, 2010.**"

**2. DEFINITIONS**

In this bylaw, unless the context otherwise requires:

**"Financial Administration Officer"** means the officer assigned the responsibility of financial administration pursuant to Section 199 of the *Local Government Act*.

**"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.

.../2



**3. PREPARATION OF PARCEL TAX ROLL**

Beginning in the year 2011 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 Douglas Hill Water System Service Area.

**4. BASIS OF PARCEL TAX**

- (a) The said parcel tax shall be imposed on the basis of a single amount for each parcel.
- (b) Notwithstanding Section 4(a), any person may have the parcel tax reduced by making a one-time payment in cash equal to the portion of costs for long term borrowing in relation to CVRD Bylaw No. 3383, provided payment is received in accordance with the written instructions of the Financial Administration Officer.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chairperson

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



C·V·R·D

B5

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3409**

**A Bylaw to Amend the Lambourn Estates Sewer System Management  
Bylaw No. 3098**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the management of the *Lambourn Estates Sewer System* pursuant to CVRD Bylaw No. 3098, cited as "CVRD Bylaw No. 3098 – Lambourn Estates Sewer System Management Bylaw, 2008";

**AND WHEREAS** the Board of the Cowichan Valley Regional District deems it desirable to amend Schedule C.

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3409 - Lambourn Estates Sewer System Management Amendment Bylaw, 2010**".

2. **AMENDMENT**

That Schedule C be deleted in its entirety and replaced with Schedule C attached to and forming part of this bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chairperson

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



SCHEDULE C

TO CVRD BYLAW NO. 3098

1. Parcel Tax Being Paid

The *Sewer Service Connection Charges* for property, which has been paying the annual Parcel Tax, are outlined below:

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

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

100-mm or 150-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 *Sewer Service Connection* installation.

- (b) Where the *Sewer Service Connection* has been installed by the subdivider entirely at his cost and the *Sewer Service Connection Charge* for each connection has been prepaid, the *Applicant* for *Sewer Service* shall only be required to complete a Sewer Connection Application.

.2 EXISTING LOT TO BE SUBDIVIDED:

- (a) Lot presently serviced:
  - \*First lot exempt.....n/a
  - Each additional lot created .....\$10,000.00

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

- (b) Lot not presently serviced:
  - First lot.....\$300.00
  - Each additional lot created .....\$10,000.00

.../2

- (c) Pre-installed Sewer Connection – where the *Sewer Service Connection* has been installed by the subdivider entirely at his own cost, but the *Sewer Service Connection Charge* has not been prepaid, then the *Applicant* for *Sewer Service* shall be required to complete a *Sewer Service Connection* Application and pay the *Sewer Service Connection Charge* of \$10,000.00.

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:  
Where a *Sewer 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.....\$10,000.00
- (b) Presently Occupied and Serviced  
Each additional *Unit* or building.....\$10,000.00

2. Parcel Tax Not Being Paid

- .1 EXISTING LOT:  
(permits servicing of one *unit* or *building*) .....\$10,000.00

- .2 EXISTING LOT TO BE SUBDIVIDED:  
Each and every newly created *Lot* .....\$10,000.00

.3 SEWER SERVICE CONNECTION TO ADDITIONAL UNITS OR BUILDINGS:  
Where a *Sewer 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 Section 2.1 above)  
Each additional *Unit* or building.....\$10,000.00
- (b) Presently Occupied and Serviced  
Each additional *Unit* or building.....\$10,000.00

3. High Flow Rates

The above *Sewer Service Connection Charge* shall be levied where applicable; however, where in the opinion of the *District*, the flow rates from the intended use or from a change in use of a *Lot, Unit* or *Building*, exceeds maximum daily flow of 2.5 cubic metres per day (550 Imperial gallons per day), then the *Applicant* may be required to pay additional *Sewer Service Connection Charges* in proportion to the flow rates as determined by the *District*, and/or complete an application of a Waste Discharge Permit. The decision of the *District* shall be final.

.../3

**4. Other**

The above Sewer Service Connection Charge shall be levied where applicable, however, where in the opinion of the *District*, the flow rates from the intended use or change in use of a *Lot, Unit* or *Building* may be limited, temporary or seasonal, the *Applicant* may submit a detailed report for review by the District to determine if the *Sewer Service Connection Charge* may be adjusted to suit the intended use. The decision of the *District* shall be final.

**5. Disconnection of a Sewer Service Connection**

Where a *Sewer 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.

**6. Re-use of Abandoned Sewer Service Connection**

Inspection fee of previously abandoned, or disused,  
*Sewer Service Connection* -----\$50.00, plus the actual cost of a video inspection



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3418**

**A Bylaw to Amend the Boundaries of the Malahat Fire Protection Service Area**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Malahat Fire Protection Service Area* under the provisions of Bylaw No. 2414, cited as "CVRD Bylaw No. 2414 – Malahat Fire Protection Service Establishment Bylaw, 2003";

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

- PID 026-226-537, Lot 26, District Lot 201, Malahat District, Plan VIP78459;
- PID 009-395-172, Block 281, Malahat District;
- PID 009-395-075, That Part of Block 201, Malahat District, Including Part of Amended Parcel A (DD 1896741) of Said Block, Shown Outlined in Red on Plan 1522R;
- PID 009-395-130, District Lot 201, Malahat District; and
- PID 009-395-156, Block 270, Malahat District;

**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, in open meeting assembled, enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3418 – Malahat Fire Protection Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That Bylaw No. 2414 be amended by deleting the existing Schedule A and replacing it with the Schedule A attached to this bylaw.

READ A FIRST TIME this 8<sup>th</sup> day of September, 2010.

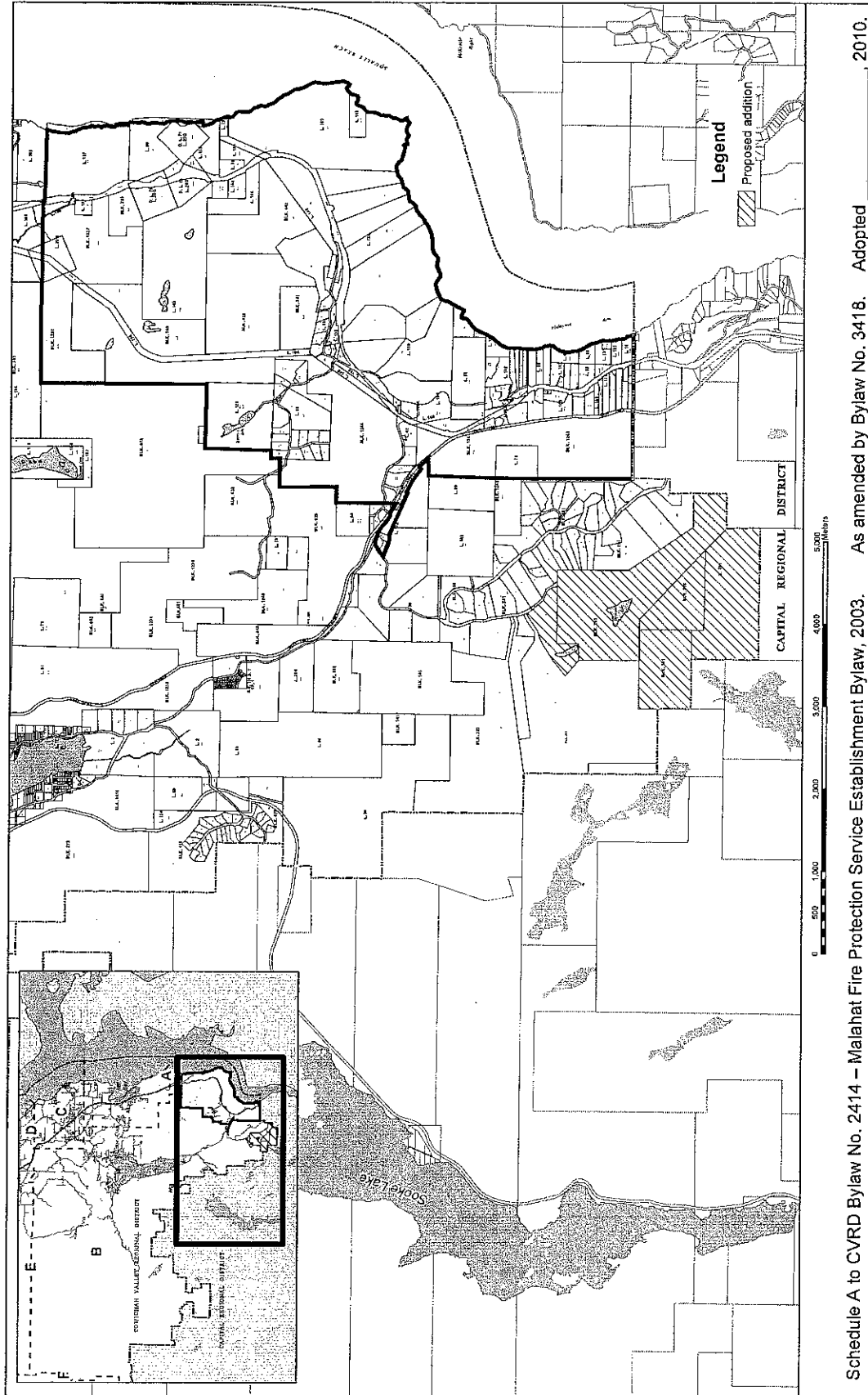
READ A SECOND TIME this 8<sup>th</sup> day of September, 2010.

READ A THIRD TIME this 8<sup>th</sup> day of September, 2010.

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

\_\_\_\_\_  
Chairperson

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



Schedule A to CVRD Bylaw No. 2414 – Malahat Fire Protection Service Establishment Bylaw, 2003. As amended by Bylaw No. 3418. Adopted \_\_\_\_\_, 2010.





**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3427**

**A Bylaw to Amend Cobble Hill Community Hall Annual Contribution Service  
Establishment Bylaw No. 2935**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Cobble Hill Community Hall Annual Contribution Service* under the provisions of Bylaw No. 2935, cited as "CVRD Bylaw No. 2935 - Cobble Hill Community Hall Annual Contribution Service Establishment Bylaw, 2007", for the purpose of assisting the Shawnigan Farmers Institute with costs associated with the operation and maintenance of the Cobble Hill Community Hall;

**AND WHEREAS** the Regional District wishes to amend Bylaw No. 2935 by increasing the maximum annual requisition limit from \$15,000. to \$18,000.;

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

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

1. **CITATION:**

This bylaw may be cited as "**CVRD Bylaw No. 3427 – Cobble Hill Community Hall Annual Contribution Service Amendment Bylaw, 2010**".

2. **AMENDMENT:**

Bylaw No. 2935, cited as "CVRD Bylaw No. 2935 – Cobble Hill Community Hall Annual Contribution Service Establishment Bylaw, 2007", is hereby amended as follows:

- a) That the Section 6 - Maximum Requisition text be deleted and replaced with the following:

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$18,000. or an amount equal to the amount that could be raised by a property value tax of \$.02105 per \$1,000. of net taxable value of land and improvements within the service area.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chair

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



C.V.R.D

B8

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3428**

**A Bylaw Authorizing the Expenditure of Funds from the  
Machinery and Equipment Reserve Fund,  
Established Pursuant to CVRD Bylaw No. 532**

**WHEREAS** as of July 31, 2010, there is an unappropriated balance in the *Machinery and Equipment Reserve Fund* of Thirty-Two Thousand Seven Hundred Seventy-Eight Dollars (\$32,701.) that has been calculated as follows:

<b>BALANCE</b> in Reserve Fund as at December 31, 2009:	\$32,701.
<b>ADD:</b> Additions to the Fund including interest earned for the current year to date.	\$ 77.
	\$32,778.
<b>DEDUCT:</b> Commitments outstanding under previously adopted bylaws.	NIL
<b>UNCOMMITTED BALANCE</b> in Reserve Fund as at July 31, 2010	<u>\$32,778.</u>

**AND WHEREAS** it is deemed desirable and expedient to expend not more than Twenty-Two Thousand Dollars (\$22,000.) of the said balance to finance the purchase of a photocopier for the Community Planning Function of Planning and Development;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3428 – Machinery and Equipment (Community Planning) Reserve Fund Expenditure Bylaw, 2010**".

.../2

2. **SUM TO BE APPROPRIATED:**

- a) An amount not exceeding the sum of Twenty-Two Thousand Dollars (\$22,000.) is hereby appropriated from the *Machinery and Equipment Reserve Fund* to finance the purchase of a photocopier for the Community Planning Function of Planning and Development.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified and authorized by Board Resolution No. 10-486.6 adopted September 8, 2010.

3. **SUMS REMAINING:**

Should any of the said sum of Twenty-Two Thousand Dollars (\$22,000.) remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chair

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3429**

**A Bylaw to Adopt the Shawnigan Lake Community Parks and Trails Master Plan**

---

**WHEREAS** the Board of the Cowichan Valley Regional District adopted "CVRD Bylaw No. 2669 – Electoral Area B Community Parks Service Establishment Bylaw, 2005" for the purpose of acquiring, developing, operating and maintaining community parks within Electoral Area B - Shawnigan Lake;

**AND WHEREAS** the Board of the Cowichan Valley Regional District deems it necessary to adopt a Community Parks and Trails Master Plan to provide an overall strategy for the planning, acquisition and management of community parks and trails within Electoral Area B - Shawnigan Lake;

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

**1. CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3429 – Shawnigan Lake Community Parks and Trails Master Plan Bylaw, 2010**".

- 2. The Shawnigan Lake Community Parks and Trails Master Plan, marked as "Schedule A" attached hereto and forming part of this bylaw is hereby designated as the *Shawnigan Lake Community Parks and Trails Master Plan*.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

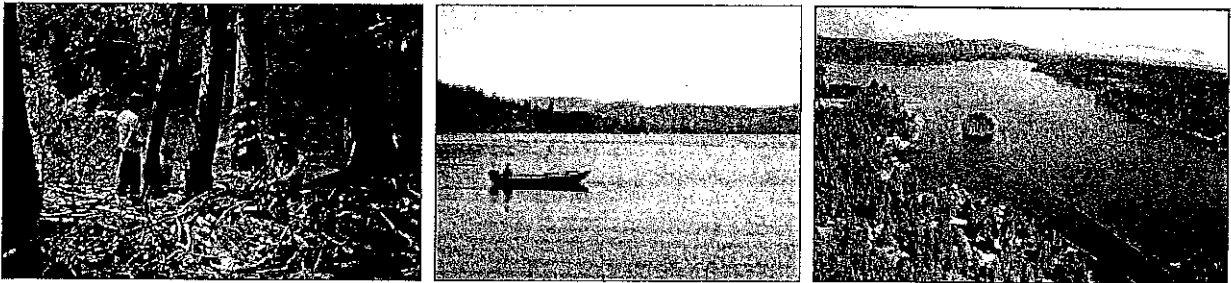
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairperson

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

**SCHEDULE A**  
**To CVRD Bylaw No. 3429**

*Shawnigan Lake*



*Parks and Trails Master Plan*

Prepared for: Cowichan Valley Regional District Parks and Trails Division



May 2010

*Prepared by: HB Lanarc Consultants Ltd.*

## ACKNOWLEDGEMENTS

We are very pleased to submit the Shawnigan Lake Community Parks and Trails Master Plan. This plan has been prepared for the Cowichan Valley Regional District (CVRD) by HB Lanarc Consultants Ltd. The project was conducted with the assistance of CVRD Parks staff, Tanya Soroka and Brian Farquhar, with additional support from CVRD staff. Their commitment and interest have been central to the project.

Input from the Shawnigan Lake Parks and Recreation Commission was instrumental in the development of the plan. The members' observations, knowledge, and ideas provided meaningful information which helped form the basis of the plan.

Shawnigan Lake Parks and Recreation Commission Members:

Ken Cossey –Area B Director	Bill Savage
Margaret Symon – Chair	Trina White
Al Brunet	Betty Lord
Lori Treloar	Catherine Whittome
Bob Austad (past member)	
Gerry Gustensohn (past member)	

Throughout the planning process, residents from the Shawnigan Lake community gave their time and perspectives through public response forms and attending open houses. Thank you for sharing your insights and ideas.



## EXECUTIVE SUMMARY

This Community Parks and Trails Master Plan was initiated for the community of Shawnigan Lake by the Cowichan Valley Regional District and the Shawnigan Lake Parks and Recreation Commission. The purpose of this plan is to set priorities for community parks and trails over the next 10 to 20 years in Shawnigan Lake. This plan outlines key linkages and parkland opportunities within the community that should be considered alongside future development -- to ensure an ecologically and socially cohesive network of parks and trails is accessible to residents and visitors, now and into the future.

In developing the Community Parks and Trails Master Plan, public input was sought through open houses and public response forms. The ideas and priorities for the future of parks and trails in the Shawnigan Lake community presented in this plan are based on input from the public, the Parks and Recreation Commission and the CVRD Parks staff. Each recommendation is weighted against four principles pulled from the Shawnigan Lake vision for community parks and trails:

Protecting the lake and its watershed,

Connecting people and places,

Providing opportunities for outdoor recreation, and

Enhancing daily life for all residents.

### Priority Recommendations (Years 1 - 10)

- Acquire Elsie Miles School and surrounding property to supplement the existing Shawnigan Lake Community Centre and Dougan Park.
- Proceed with Implementation of the Shawnigan Hills Athletic Park Plan.
- Update Masons Beach Park with the goal of improving safety and enhancing its role as a central recreational amenity.
- Pursue either a "lease to occupy" or enter into an agreement with the Ministry of Transportation and Infrastructure to acquire some or all of the road ends that abut Shawnigan

Lake to facilitate improved public access to the lake for recreation..

- Undertake a Shawnigan Lake Boat Launch Facility Review to assess options and the capacity to relocate the existing boat launch at Shawnigan Wharf Park (Phase 1).
- Develop and improve Old Mill Park's lakefront amenities (washroom and change room facilities) to help take pressure off Masons Beach and Shawnigan Wharf Park as beach destinations.
- Secure areas of Old Baldy Mountain as Community Park for the protection of its sensitive slopes and outdoor recreational resources.
- Improve public awareness for the Cowichan Valley Trail (CVT) and support the development of the Cowichan Valley Trail – CRD Connector by providing signage at key community trail connector locations in Electoral Area B neighbourhoods.
- Develop a multi-use rail/trail between Mason's Beach Park and Shawnigan Wharf Park along the E&N Rail Corridor.
- Upgrade Shawnigan Wharf Park to provide better separation of boating and swimming activities.
- Improve and extend the Silvermine Trail to connect Shawnigan Lake/Cobble Hill Road through to the Koksilah River.

### **Secondary Recommendations (Beyond Year 10)**

Additional detailed recommendations are also provided in the following categories: Improvements to Existing Parks; Trail Developments; Recommendations for Park Acquisitions; and System-Wide Improvements. Secondary recommendations have not been included within the 10 year implementation timeline.

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## 1. INTRODUCTION

Recognizing the need to create a community parks and trails system that will evolve alongside future development and growth within Electoral Area B (Shawnigan Lake), the Cowichan Valley Regional District (CVRD) along with the Shawnigan Lake Parks and Recreation Commission, launched a process to create a Community Parks and Trails Master Plan. This Master Planning document is intended to set direction and priorities for the next 10 to 20 years for community parks and public trail corridors in and around Shawnigan Lake.

### 1.1 WHAT ARE COMMUNITY PARKS & TRAILS?

Community parks and trails are established to provide local, publicly accessible green spaces for residents of the Shawnigan Lake Community. These sites often have a variety of purposes, including sports or passive recreation, environmental protection, access to the lakeshore, or preservation of unique landscapes or historical features.



*Community parks offer recreational opportunities for residents and visitors to Shawnigan Lake.*

Provincial Parks, Regional Parks and Regional Recreation Areas also make up a portion of Shawnigan Lake's larger recreation fabric, but are not part of the *community* parks function. Community Parks are typically smaller parks distributed throughout existing and developing residential neighbourhoods.

Each of the nine electoral areas in the CVRD have their own system of community parks as well as funds to acquire and develop Community Parks which are levied separately by each Electoral Area.

### Community Parks Administration

Within the Cowichan Valley Regional District, community parks are administered by the Regional District. However, community parks and trails are funded individually by each Electoral Area. This means that community parks and trails in Electoral Area B should directly benefit the people who live in the Shawnigan Lake community. The Shawnigan Lake Parks and Recreation Commission, encompassing residents of Shawnigan Lake appointed to the Commission by the Cowichan Valley Regional District Board makes recommendations to the CVRD Board on

park policy, various parks projects, and volunteer coordination in community parks.

### **The Benefits of Community Parks & Trails**

It can be difficult to quantify the benefits of parks and trails, but they are certainly worth investment and attention. As an essential part of any community, parks and trails contribute to many aspects of resident life.

**Community Health** – Parks and trails provide people with places to enjoy safe and convenient recreational activities. Health trends have shown a steady decline in activity levels of both adults and youth, a related increase in health problems and, in turn, increased health care costs. As physical activity has been consistently shown to reduce health risks, providing access to parks and trails will in turn help diminish physical inactivity and thus contribute to a healthier community.

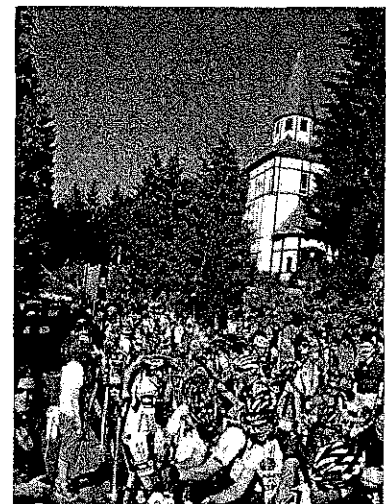
**Crime Prevention** – Programmed and unprogrammed recreation provide children and youth with a healthy and productive way to channel energy. Access to recreational resources in a community has been shown to reduce inappropriate or anti-social behaviour.

**Economic Development & Investment** – Parks and trails are considered a quality-of-life indicator for a community. Residents and businesses looking for a location that provides a high standard of living, are more likely to consider a community with a well-developed parks and trails system.

**Tourism** – A parks and trails system that offers unique and enjoyable outdoor experiences will bring tourism to a community. Various outdoor recreation events occur on a regular basis in the Shawnigan community such as the Shawnigan Lake Subaru Half Ironman, BC Bike Race, the Mind over Mountain Adventure Race, and the Shawnigan Lake Half Marathon, each bringing many people to the community.

**Social Interaction** – Parks and trails can be a focal point for a community. These areas are places for the community to come together in a friendly, interactive setting.

**Culture** – Parks and trails can often be part of a community's historic and modern culture. They can also be used to protect and interpret historical resources in a community. Art in parks is becoming more popular as a way to bring imagination and



*Cyclists prepare to depart from Shawnigan Lake School at the 2008 BC Bike Race. (Photo: Chris, Picasa Web)*

creativity to people's daily lives. Public art has the capacity to enhance our environment, heighten our awareness, and question our assumptions.

### **How are Community Parks Acquired?**

Community parks sites are added to the Shawnigan Lake parks and trails system in various ways, including:

1. Private or public donation.
2. Land dedication at the time of subdivision or re-zoning of individual properties.
3. Cash-in-lieu, as an alternative to land dedication at subdivision, whereby money received is held for future parkland purchase. These monies may only be used to purchase lands in the Electoral Area in which the subdivision occurred. (i.e.; Shawnigan Lake Electoral Area B)
4. Acquisition with funds generated through the Community Parkland Acquisition Reserve Fund. Each Electoral Area within the Cowichan Valley Regional District has their own parkland acquisition reserve fund.

## **1.2 PREVIOUS PUBLICATIONS & RELATED LITERATURE**

Community green space has long been an important part of Shawnigan Lake's planning and development. Multiple past studies, inventories and policies that recognize the importance and value of community parks and trails have been undertaken in Shawnigan Lake over the years and the information from these prior studies is relevant to the development of this Community Parks and Trails Master Plan.

The following key studies and documents provided background information and direction for the Shawnigan Lake Community Parks and Trails Master Plan:

### **South Cowichan Official Community Plan (OCP) Study – Ongoing**

A new South Cowichan Official Community Plan (OCP) encompassing Cobble Hill, Shawnigan Lake and the Mill Bay Electoral Areas Communities is being prepared. Key elements to



this Community Parks and Trails Master Plan emerging from the OCP update are:

- Support the identification, acquisition and development of multi-purpose community trails and pathways to improve non-automobile connections.
- Explore the potential need for additional active outdoor recreation areas.
- Support the continued development, expansion and formalization of community involvement in community parks development and acquisition, and park stewardship activities.

### **Shawnigan Lake Parks and Open Space User Survey Summary of Results – 2007**

This survey, performed through collaboration between the Shawnigan Lake Parks and Recreation Commission and the CVRD Parks and Trails Division, invited feedback from residents, landowners and visitors of Electoral Area B to record their perception of existing parks in the area, the importance of activities within these parks, as well as priorities for the near future. 108 people responded to the survey.

Key findings to this Community Parks and Trails Master Plan were:

- 40.7% of respondents were full-time residents of Shawnigan Lake,
- 2.8% were seasonal residents,
- 5.6% were long-term visitors,
- 5.6% were short-term visitors,
- 25.0% were day users, and
- 20.4% were from other neighbouring electoral areas.

Several parks were cited as favourites, along with suggestions for improving the parks:

**Old Mill Park** – Improve washrooms, clean beach, provide recycling, extend trail, allow more sun, additional picnic tables and swimming amenities (ie. diving board, slide, etc.),

maintenance, dog facilities, parking, improved security, extended beach area.



Williams River Park

**Shawnigan Wharf Park** – Improve washrooms, clean beach, add play facilities, concession, lifeguards, extended beach, remove boat launch, security, better signage, more amenities (ie. picnic tables, water fountain, garbage cans, etc), beach grade, better boat access, maintenance, more parking for swimmers, improve safety.

**Mason’s Beach Park** – Expand parking, improve washrooms, more amenities (ie. picnic tables, playground, garbage receptacles), larger area, screen from road, more separation from motorized boats, improved boat docking.

**West Shawnigan Lake Park** – Add boat launch, campground, picnic tables, garbage receptacles, washrooms, play structure, beach area.

**Cowichan Valley Trail (Regional Trail)**– Motorized vehicle conflicts, dog facilities, maintenance and clean-up, restore Kinsol Trestle.

**Gibsons Park** – Too shady, upgrade play equipment, improve washroom, parking.

**Dougan Park** – No improvements suggested.

**Shawnigan Hills Athletic Park** – Add playground, add water park, add washrooms, field maintenance, soccer nets, picnic area and shelter.

**Kingburne Park** – No improvements suggested.

**Old Baldy Mountain Trail** – Remove broom, improve trail, improve summit, security.

**Silvermine Park** – No improvements suggested.

**Memory Island Park** – Fix/add picnic tables, add sand, docking for boats, maintenance and clean-up.

**Suggestions of parks and trails to be added:**

- Sandy, sunny waterfront beach park on Shawnigan lake
- Playground Park
- Biking/Hiking area
- Spray park



Old Mill Park



Kingburne Park

- Trail/pathway Connection between Old Mill Park, Shawnigan Wharf Park and Masons Beach Park
- Path around lake
- Community hiking/walking trails
- Dog park
- Additional boat launch on the Lake
- Horse riding park
- Kayak launches
- Neighbourhood parks in: Strathcona Heights area, Ingot area, Melrose area, Beach Estates area

**Park activities received the following ranking of importance:**

1. Swimming
2. Hiking/Walking
3. Picnicking
4. Playground
5. Sunbathing
6. Sports Activities
7. Nature Viewing
8. Dog Walking
9. Boating – Non-motorized
10. Cycling
11. Jogging
12. Fishing
13. Nature Photography
14. Boating – Motorized
15. Mountain Biking
16. Horseback Riding

**Priorities for parks and trails received the following ranking of importance:**

1. Protect the natural environment
2. Maintain existing facilities
3. Secure additional lands for parks and trails
4. Undertake projects to enhance natural habitats
5. Enforce park regulatory bylaws
6. Provide more swimming beaches

7. Develop additional community pathways
8. Provide more beach access to the Lake
9. Develop additional hiking trails (tie)
10. Provide more washrooms (tie)
11. Provide designated dog off-leash areas
12. Provide more playgrounds
13. Develop additional cycling/mountain biking trails
14. Provide more information for park visitors
15. Improve existing boat launch facilities
16. Provide more volunteer opportunities
17. Provide more organized programs in parks
18. Provide more boat launch facilities

### **Shawnigan Lake Road ends study (2004 & 1978)**

Shawnigan Lake currently has 74 road ends owned by the Ministry of Transportation and Infrastructure (MOT), located around the Lake. Many provide public access to the water and beaches of Shawnigan Lake. While it would be impractical and costly to develop all these properties for water access, several key road end developments could reduce demand on existing water access points and provide additional recreational opportunities.

In order to develop any road end, the CVRD will have to either apply to the MOT for a “lease to occupy” and construct a trail, or enter into an agreement to acquire some or all of the road ends leading to Shawnigan Lake and take on as Community Park

### **CVRD South Sector Parks Strategy - 1996**

This strategy, prepared by CitySpaces Consulting Ltd., was developed as a guide for the selection, acquisition, development and management of a system of parks for the Mill Bay, Shawnigan Lake, and Cobble Hill areas of the CVRD.

Recommendations from the 1996 study that remain relevant to development of the Shawnigan Lake Community Parks and Trails Master Plan are:

- Establishment of a comprehensive system of natural trails and pathways should be a priority, providing a linkage

through the three communities. It should also include existing parks, natural areas and schools.

- Consider the following specific acquisitions in the Electoral Area B - Shawnigan Lake Area:
  - Crown land adjacent to Electoral Area C – Cobble Hill’s Quarry Nature Park. (These crown lands are located in Electoral Area B-Shawnigan Lake and are currently managed as the Cobble Hill Mountain Regional Recreation Area under the CVRD’s Regional Parks Program.)
  
  - Further lands along the Koksilah River corridor in addition to Koksilah Provincial Park, Koksilah River Community Park and Silvermine Park.
  
  - Shawnigan Creek corridor (one small portion secured to date as Campbell River Park ).

### **Shawnigan Village Comprehensive Development Plan – 1991**

The plan was developed to address planning and servicing issues in Shawnigan Lake including: water and sewer, revitalization opportunities, circulation, 'village' atmosphere preservation and improvements to lakeshore activities.

Recommendations from the 1991 Plan which remain applicable for consideration to the Shawnigan Lake Community Parks and Trails Master Plan are:

- Acquire and develop a new community park located between Mason's Beach and Dougan Park.
- Develop lakeshore road-ends, particularly for local pedestrian access.
- Create a lakeshore walkway from Mason's Beach to the public wharf (Shawnigan Wharf Park) with linkage to the Community Centre and commercial area.
- Improve pedestrian accessibility along the following routes:
  - Shawnigan/Cobble Hill Road from Mason's Beach to Malta Road
  - Shawnigan/Mill Bay Road from the Village Core for 5km
  - Heald Road, Shawnigan Lake Road south of the Village, and Dundas Road.

### **Shawnigan Lake Child Play Spaces Study - 1990**

The purpose of this study was to evaluate where child play spaces should be developed in Electoral Area B.

Recommendations key to the Shawnigan Lake Community Parks and Trails Master Plan are:

- Separate spaces for pre-school children and school age children where possible, as recreation needs of preschool children are significantly different than school-age children.
- Select children play spaces that are:
  - Visible to surrounding recreational uses or neighbourhood areas;

- Adjacent to school play spaces;
  - Adjoining community centres; or
  - Readily accessible to young children and their parents.
- Consider the following estimated “rules of thumb” when selecting a new play space:
    - For pre-school child play spaces: one facility for each 2000 persons with a parcel size of 0.40 hectares (1.0 acres).
    - For school-age play spaces: one facility for each 2500 persons with a parcel size of 1.21 hectares (3.0 acres).
  - Because of Shawnigan Lake’s rural nature, it is difficult to provide child play spaces within 0.81 km (0.5 miles) to all residents. A practical approach is to provide centralized areas which would have maximum utilization by all neighbourhoods.

Consider the following suitable locations for playgrounds:

- Old Mill Park
- Dougan Park expansion (between Dougan Park and Masons Beach)
- Discovery School (school playground with adjacent tot-lot)
- Elsie Miles School (school playground with adjacent tot-lot)
- Ceylon Road Park
- Wilmot Road Park (now Gibsons Park)

### **Shawnigan Lake Official Community Plan, Bylaw No. 1010 – Adopted 1987**

The purpose of the current OCP is to guide development in Electoral Area “B”, with the overall aim “to accept a reasonable share of Vancouver Island Growth while protecting and enhancing Electoral Area “B” recreation, scenic and forest resources.” While a new OCP is currently under development, policies within the adopted OCP with respect to parks and trails should be given consideration toward preparation of the

Shawnigan Lake Community Parks and Trails Master Plan, in particular:

- Endeavour to secure control over lands adjacent to lakes and watercourses when they become available. Where environmentally acceptable, establish a linear trail system along protected watercourses.
- Acquire West Shawnigan Lake Provincial Park.
- Develop a community park on the lakeshore between Dougan Park and Mason's Beach.
- When land is dedicated at subdivision, give preference to sites exhibiting good recreational capability or connections. Where parkland is deemed to be inadequate or poorly located, accept cash-in-lieu.
- Calculate cash-in-lieu for parkland on the basis of 5% of the value of the land before subdivision in accordance with the Municipal Act (Local Government Act).
- Encourage and support volunteer assistance in acquisition, development and management of community parks.
- Protect the Koksilah River and lands immediately adjacent to it.
- Acquire the private forest land that forms the summit of Old Baldy Mountain.
- Develop pedestrian trails to provide public access to beaches, parks and other areas of interest.
- Encourage all major roads to be designed to accommodate walking/cycling paths or sidewalks.

#### **A Recreation Survey of Electoral Districts A, B, C & D of the CVRD – 1981**

Completed in 1981, this survey was performed to provide the Recreation Commission with a base of information upon which to make decisions. While this information can be generally assumed to be outdated, a few key points continue to be relevant to outdoor recreation in Shawnigan Lake today, as follows:

- **Beach Access** – When this report was developed, only three public beaches existed on Shawnigan Lake. While it appeared to be sufficient at the time, the report predicted



growth would create demand for more public waterfront on the Lake.

- **Potential Areas to be Considered for Parkland** – In 1981, the following sites were considered valuable to outdoor recreation:
  - Old Baldy Mountain
  - Canadian National Railway corridor on the west side of Shawnigan Lake (now the Cowichan Valley Trail)
  - Koksilah River recreation corridor
  - Shawnigan hydro right-of-way
  - Malahat hydro right-of-way
  - Waterfront property on Shawnigan Lake
- **Eagle Heights** – At the time of this report, Eagle Heights was already a popular destination for trail bikers, off-road enthusiasts, and horse-back riders using logging roads. It was recommended that these trails be secured and developed.
- **Lakes** – Outside Shawnigan Lake, several opportunities for lake recreation were identified including:
  - Wild Deer Lake
  - Tadjiss Lake
  - Lois Lake
  - Grant Lake (identified as being privately owned)

### 1.3 PURPOSE OF THIS PLAN

Over the past five years, Shawnigan Lake's growth rate has matched the CVRD average, and growth and development in this area is predicted to continue. By recognizing that its population is changing, the community parks program of the Cowichan Valley Regional District also recognizes a need to plan how Shawnigan Lake's recreational spaces can accommodate this evolution.

In Spring 2008, the CVRD began to develop a Community Parks and Trails Master Plan specific to the Shawnigan Lake (Electoral Area B) community. This process unfolded to address seven key objectives:

- Develop a clear vision and mandate for the Electoral Area B Community Parks and Trails system;
- Describe the current Parks and Trails Inventory;
- Research historical, regional and site specific context of Electoral Area B Parks;
- Compile and review existing research and studies;
- Develop strategies to address gaps and priorities;
- Determine funding policy and opportunities; and
- Develop an implementation action plan based on community input.

## 1.4 MASTER PLANNING APPROACH

The Community Parks and Trails Master Plan for Shawnigan Lake was completed in four phases, beginning in Spring 2008.

### Phase 1 – Understanding the Current System

To begin thinking about the future of parks and trails in Shawnigan Lake the first step was to look at what currently exists, using the following key steps.

1. Held a start-up meeting with the Shawnigan Lake Parks and Recreation Commission and CVRD Parks and Trails Staff to clarify the objectives of the project, and develop a clear process.
2. Identified, with the assistance of CVRD Parks and Trails Staff, key stakeholder groups that would be invited to provide direct input in the plan.
3. Assembled and reviewed background documents and information related to Shawnigan Lake's parks and trails (summarized in Section 1.2).
4. Collected digital data for Shawnigan Lake, and developed a project GIS Database.
5. Researched trends and demographics relevant to parks, trails and recreation in Shawnigan Lake, BC and Canada as a whole.
6. Completed site visits and detailed analysis of existing parks and trails resources in Shawnigan Lake.

### Phase 2 – Community Outreach

The second phase focused on the future of parks and trails through the eyes of the public, stakeholders, CVRD staff and all those interested in Shawnigan Lake's parks and trails, using the following key steps:

1. Held an introductory open house in conjunction with an OCP open house event to inform residents of the development of the Community Parks and Trails Master Plan and to gather preliminary ideas and information.
2. Consulted with local stakeholders including Provincial and Federal agencies, the Electoral Area B Parks and Recreation Commission, Land Trust agencies, local First Nations, and

community groups. This was an opportunity to provide these groups with information on the master planning process and to gain preliminary feedback.

3. Worked with the Shawnigan Lake Parks and Recreation Commission to gather their knowledge of the area and begin identifying key issues, opportunities and ideas.

### **Phase 3 – Drafting a Plan**

Using the information gathered from the public, stakeholders and the Shawnigan Lake Parks and Recreation Commission, a Draft Parks and Trails Master Plan was prepared and reviewed using the following key steps:

1. Mapped proposed community parks and trails improvements and additions within the Shawnigan Lake Community (Electoral Area B).
2. Developed a preliminary vision to guide future decisions about community parks and trails in Shawnigan Lake.
3. Developed a draft implementation plan which included prioritizing community parks and trails projects and assigning preliminary cost estimation data to potential projects.
4. Held a public open house to review the ideas developed to date, provide feedback on any gaps in the information and review priorities for future community park and trail improvements and additions.
5. Made recommendations for policy, maintenance and operations, educational and volunteer opportunities, funding options and raising awareness about parks and trails in Shawnigan Lake.
6. Summarized all elements into a draft report prepared for CVRD Parks and Trails staff and the Shawnigan Lake Parks and Recreation Commission.
7. Worked with the Shawnigan Lake Parks and Recreation Commission to review, analyze, and finalize the report.

### **Phase 4 – Finalizing the Plan**

The final phase of the process was to revise the draft master plan in accordance with the input received during Phase 3, using the following key steps:

1. Incorporated CVRD Parks and trails staff and the Shawnigan Lake Parks and Recreation Commission feedback into the plan and modified it to develop the final Community Parks and Trails Master Plan.
2. Provided the plan to CVRD Parks and trails staff for final review and comment by staff and the Shawnigan Lake Parks and Recreation Commission.
3. Prepared the final plan inclusive of feedback from CVRD Parks and Trails staff and the Parks and Recreation Commission for presentation to the CVRD Board for consideration of adoption for implementation to guide the community parks and trails program in Shawnigan Lake for the next 10-15 years..

## 1.5 MAPPING

Mapping resources for this project were gathered from Provincial and Regional sources and compiled into working maps by the consulting team. Table 1 below provides a summary of source information used in the master planning process.

*Table 1. Data sources used for mapping purposes.*

Type of Information	Source
CVRD GIS Geodatabase Layers: contours, district roads, municipal boundary, parcels, parks, sewer, neighbourhoods, water, zoning	CVRD GIS Data
CVRD Orthophoto	CVRD
Sensitive Ecosystems Inventory for East Vancouver Island and Gulf Islands	SEI Mapping Project by Environment Canada, Ministry of Sustainable Resource Management, and Ministry of Water, Land and Air Protection, 1997, updated 2004
Old Growth Management Areas (OGMA) Non Legal	Strategic Land Policy and Legislation Branch, updated 2008

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Corporate Watershed Base (CWB) Lakes	Crown Registries and Geographic Base Branch (ILMB), updated 2006
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### Description of Maps:

Four maps were generated during this process and can be found at the end of Chapter 6.

**Map 1: Existing Parks in Shawnigan Lake** – This map shows all existing Electoral Area Community parks, identified by park type: Community Park; Neighbourhood Park; Nature Park; Community Forest; River Corridor Park; Special Purpose Park; Linear Park; and Lakefront Park in addition to parks and trails managed under the CVRD’s Regional Parks Program and those Provincial Parks under the jurisdiction of BC Parks.

**Map 2: Future Community Parks in Shawnigan Lake** – This map shows callouts that identify improvements to existing community parks and new potential park locations.

**Map 3: Future Community Trail Connections in Shawnigan Lake** – This map shows existing and proposed trails and roadway linkages. Priority projects are identified on the map.

*NOTE: This Map is intended for planning purposes only and is not to be used as an outdoor trail map.*

**Map 4: Potential Road Ends for Parkland** – This map identifies road ends that abut Shawnigan Lake which are under the ownership/administration of the Provincial Ministry of Transportation and Infrastructure. These road ends have the potential to offer community outdoor recreation value in the form of beach access, boat launch opportunities, and/or pocket picnic areas.

## 2. COMMUNITY PARKS CONTEXT

### 2.1 SHAWNIGAN LAKE WITHIN THE CVRD

Shawnigan Lake sits at the southern portion of the Cowichan Valley Regional District (CVRD), and is one of the few Electoral Areas within the Regional District not bordered by ocean (Figure 1). The area is comprised primarily of mature second growth forest (85%), with the remaining area consisting of rural residential and residential land surrounding the picturesque Shawnigan Lake. Smaller residential clusters are located in the Koksilah River area and along Royce Road and Campbell Road. The commercial core of the Electoral Area is centered at Shawnigan Village on the northeast side of the lake. In the northeast corner of the Electoral Area, there is a small amount of

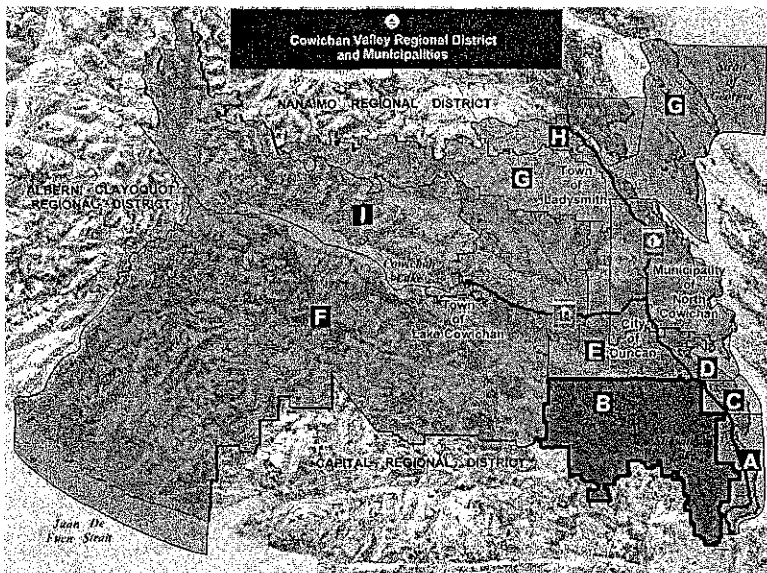


Figure 1. Shawnigan Lake, Electoral Area B, occupies over 300 km<sup>2</sup> of the southern CVRD.

farmland in the provincial Agricultural Land Reserve (ALR).

#### Key Facts

- Area = 306.23 km<sup>2</sup> (8.82% of CVRD Land Mass, third largest Electoral Area in the CVRD)
- Population = 7,562 (9.83% of CVRD total Population, most populated Electoral Area in the CVRD, excluding municipalities)

- Population Density = **24.7 people/km<sup>2</sup>** (Fourth lowest population density in the CVRD)
- Privately Held Land = **87.1%** of land base of the Electoral Area.
- Publicly Held Land = **12.9%** of land base (including Provincial Crown, Federal Crown, Provincial Parks, CVRD Parks)

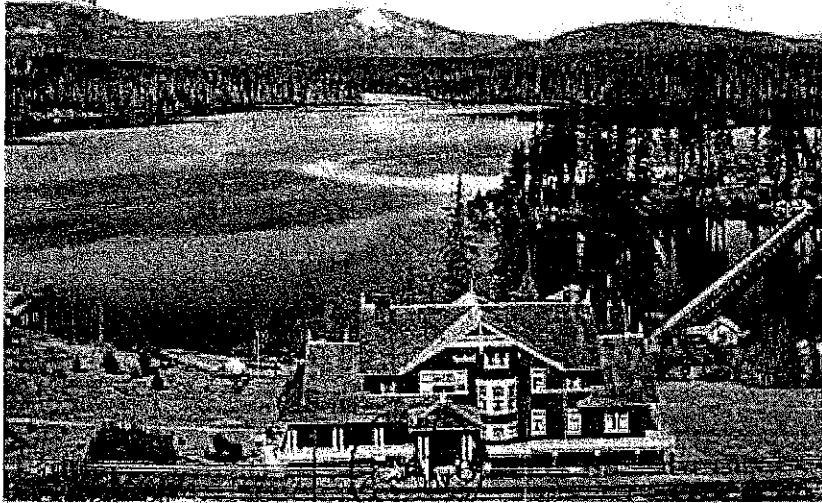
### Historical Context

Shawnigan Lake's development can be traced back to several historical growth periods. The first known visitors were the Quw'utsun people who hunted and fished near the lake. Many arrowheads and points have been found in the area and it is likely that the current East Shawnigan Lake Road, which was developed as the Goldstream Trail in 1862, is based on a much older Native trading route.

Late in the 19<sup>th</sup> century, homesteaders were encouraged to settle in the Cowichan Valley and a few made their way toward Shawnigan Lake. By 1885, a year before the rail line was in operation the first hotel, Morton House, was built on the waterfront at Shawnigan Lake. On August 13, 1886 the last spike of the rail line was driven at Shawnigan Lake by the Prime Minister, Sir John A. MacDonald. The Esquimalt to Nanaimo (E&N) Railway was the last piece of railroad necessary to fulfill Sir John's promise of a rail line that would connect Canada from sea to sea.

The E & N rail line was instrumental in the development of the community of Shawnigan Lake. By 1890, a sawmill on the lakeshore, and logging operations around the lake, attracted workers from India, China, Japan and other countries. Many of these workers had come to British Columbia to build the railroad and, with that done, turned their efforts to sawmilling and logging. The Shawnigan Lumber Company mill used the railroad to transport its lumber to markets rather than the more traditional method of floating logs to the ocean.





*The Strathcona Hotel developed to accommodate people coming to Shawnigan Lake via the E & N Railway was built in 1900 and was set to open in May but burned to the ground. It was rebuilt immediately and opened in September. It was a hotel until 1927 and then became a girls' boarding school. Unfortunately, the building was bulldozed in 1969.*

The Shawnigan Lake hotels relied on the railroad to bring people, from Victoria, on a regular basis thus making the area a popular resort destination.

The sawmill, and logging activities, played a significant role in the economic development at Shawnigan Lake. Many employees chose to buy property in the area, get married and raise their families in the community. It was difficult for the community when the sawmill burned down in the mid 1940s and was not replaced. *Old Mill Park* is a beautiful legacy of Shawnigan's industrial past.

Private Schools were another attraction that brought people to Shawnigan Lake and provided employment. Since 1916, Shawnigan's many well-respected boarding schools have brought boys and girls to the area. Many parents were wooed by the idea that the clean air at Shawnigan Lake had health benefits for young people.

The Malahat Drive portion of the Trans Canada Highway, built in 1911, improved access to Shawnigan Lake but the train continued to be the important transportation link until well into the 1930s as most people did not own automobiles. Malahat Drive was improved in 1958, which shortened the driving time and increased the number of summer homes around the lake.

Shawnigan Lake has had a small, but permanent, population since the turn of the 20<sup>th</sup> century and the community has always been strong and vibrant. A 1960s and 1970s residential housing boom made the Cowichan Valley one of Canada's fastest growing areas, and Shawnigan Lake felt the impact with a large influx of residents. Since that time, many summer homes have been transformed into permanent residences.

Shawnigan Lake's proximity to urban centres and amenities continues to attract residents seeking a mild climate and semi-rural lifestyle.

### Settlement Context

The official community plan adopted in 1987 suggests 10 loosely defined "neighbourhoods" for Shawnigan Lake. Development over the past 20 years have added to these areas, with the emergence of three additional distinct "neighbourhoods" for a total of 13 as follows (each area is characterized by a combination of having distinct location and physical features). (Figure 2).

1. **Hillbank Road** – At the north end of Electoral Area B, the Hillbank neighbourhood consists of relatively isolated rural properties. It is accessible only off the Trans Canada Highway through the adjoining Electoral Area E. Properties in this area are a mix of agricultural parcels and are of varying sizes.
2. **Riverside Road** – This rural community is separated from the rest of Shawnigan Lake's population by the Koksilah River. It is accessible via Cowichan Station in Electoral Area E.
3. **Kingburne Drive** – The Kingburne Drive neighbourhood sits on the east side of the river, with larger rural residential lots. Primary access to the community is via Electoral Area C - Cobble Hill, although Thain Road provides a connection to Shawnigan Lake Village.
4. **Royce Road – Campbell Road** – Situated between Shawnigan Lake and Cobble Hill villages, this area is a mixed neighbourhood with lots varying in size from 0.4 to 5 hectares. This area continues to develop, most recently developing around Ingot Road.

5. **Shawnigan Village – Mason’s** – The greatest concentration of settlement is on the north side of the lake in Shawnigan Lake Village and includes the commercial core and Shawnigan Lake community centre. The residential area in and around the village generally consists of lots between 0.2 to 0.8 hectares.
6. **Carlton Drive – Deloume Drive** – East of the village, this area is characterized by 0.8 hectare suburban lots, surrounded by agricultural lands. Much of the development

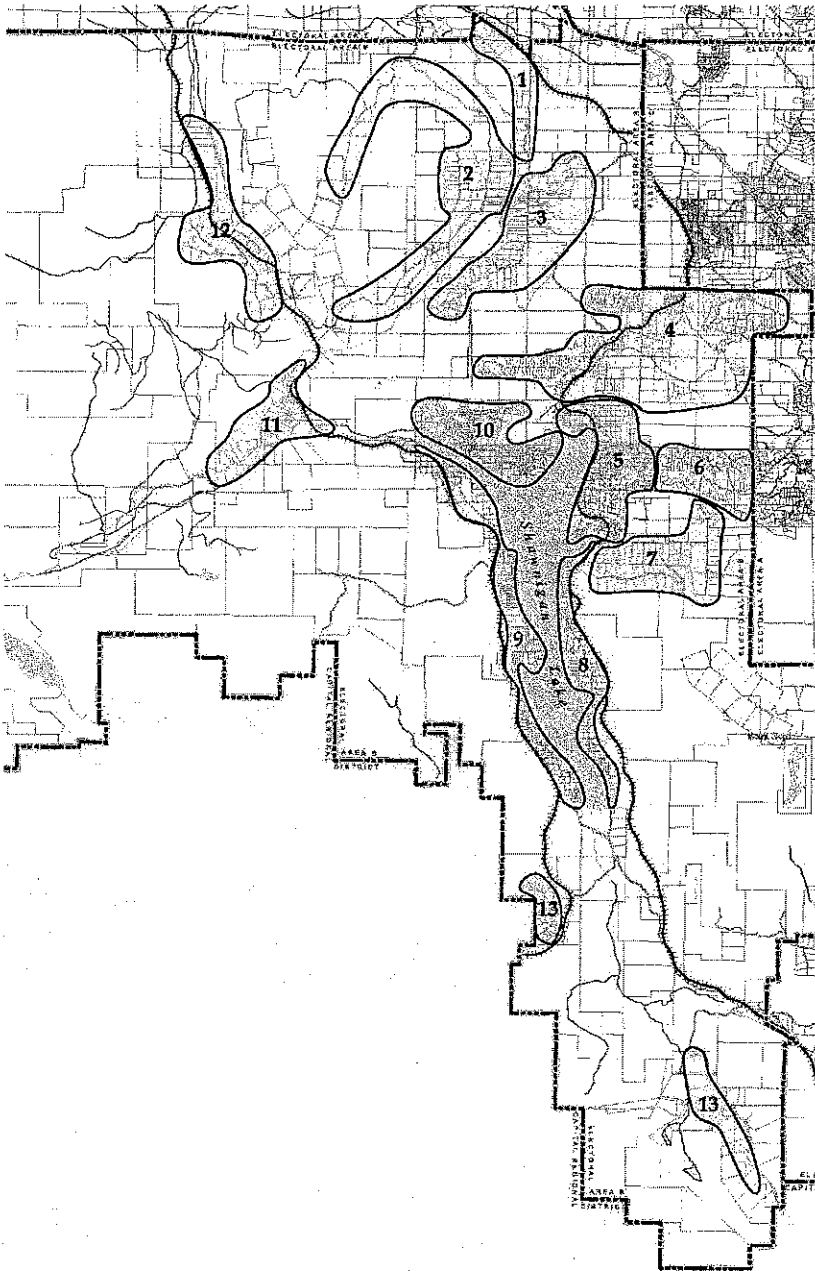


Figure 2. Shawnigan Lake's residential areas can be divided into 13 general neighbourhoods.

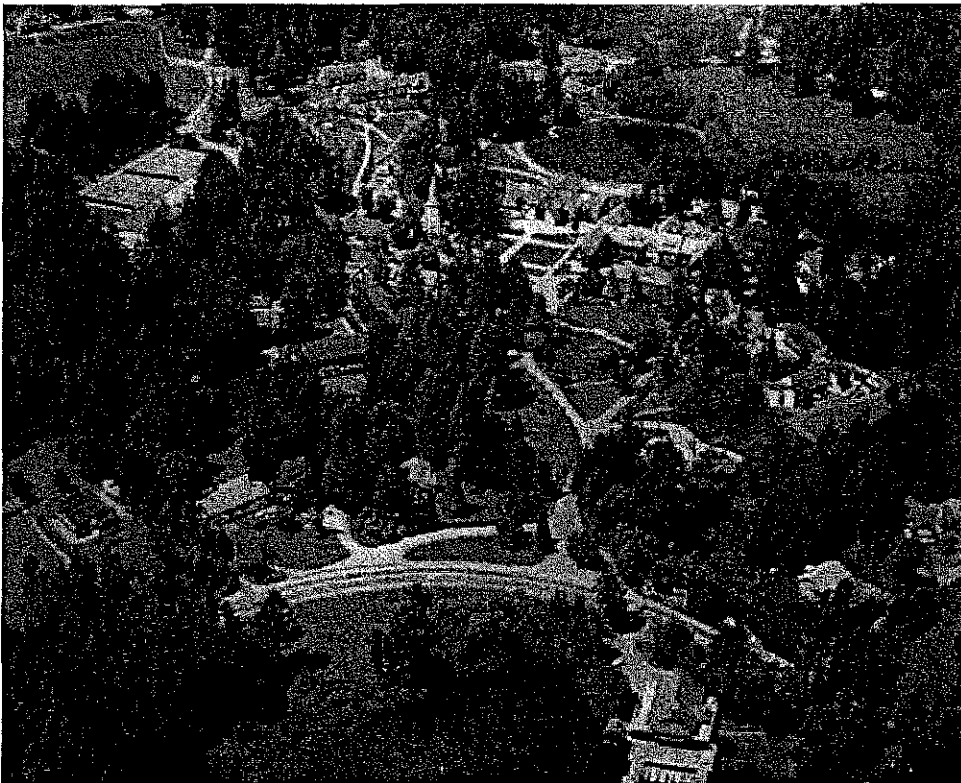
in this area occurred in the early 1980s.

7. **Baldy Mountain – Sylvester Road** – South of the main village, this area is a mix of agricultural lands and 5 hectare lots.
8. **East Shawnigan Lake** – South of the village, this is one of the oldest development areas, with residential lots stretching the entire east shore of the lake. The size of lots in this area are up to 0.8 hectares, and are built with a mix of permanent housing and summer cottages.
9. **West Shawnigan Lake** – Much like the east side of the lake, the west side of the lake is largely developed with very small to 0.8 hectare residential lots with a mix of permanent and summer housing.
10. **Shawnigan Beach Estates** – Beginning in the late 1970s, the development known as Shawnigan Beach Estates added +/- 300 small-lot parcels to the community. This area is also home to some long established housing at the north end of the lake.
11. **Glen Eagles** – West of the lake along Renfrew Road, Glen Eagles is comprised mostly of acreages and large-lot development. New subdivisions with higher densities.
12. **Mountain Road** – This rural residential area is characterized by 5 hectare lots along the Cowichan Valley Trail and is separated from the rest of Electoral Area B by the Koksilah River. It is accessed via Mountain Road from the Electoral Area E - Cowichan Station area.
13. **South Shawnigan** - Sooke Lake Road and Stebbings Road-Goldstream Heights areas are the most recently developed areas, providing medium-to-large-lot residential development south of Shawnigan Lake.

The western portion of Electoral Area B, beyond Koksilah River is largely undeveloped and unpopulated. Much of this area is privately owned forested lands.

One private school is significant to the population of Shawnigan Lake. Shawnigan Lake School, located on the north end of the lake, is a private boarding school for nearly 450 students grades 8 – 12.

The only public school in Shawnigan Lake is Discovery Elementary, which has about 350 students in Kindergarten through Grade 5. All Shawnigan Lake public school students Grade 6 and above must travel by bus to schools in other Electoral Areas or the City of Duncan.



*Shawnigan Lake School is the largest of Shawnigan Lake's private schools. (Photo: <http://www.sls.bc.ca/ourcampus.html>)*

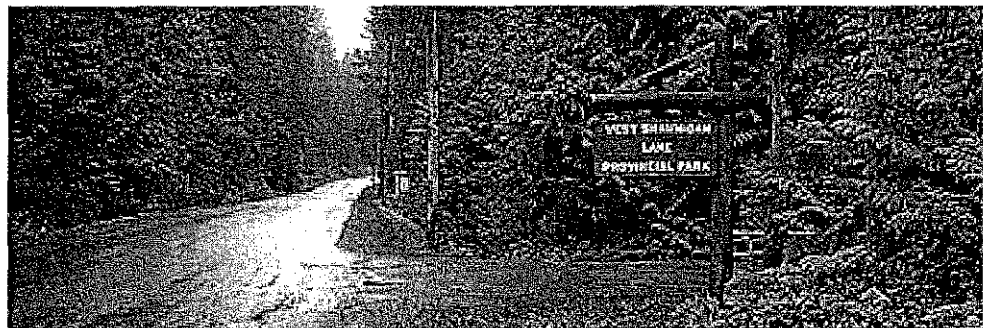
## Transportation Context

Transportation corridors have had a major impact on the composition and character of Shawnigan Lake.

**E&N Railway** - The Railway runs adjacent to the east side of Shawnigan Lake and passes between the Lake and Shawnigan Village. VIA Rail operates Budd cars on the E&N line, passing through Shawnigan twice daily; travelling north from Victoria in the morning and south from Courtenay in the afternoon. Currently rail traffic is minimal, and pedestrians and vehicles can readily cross the corridor. However, if rail traffic were to increase, the rail could present challenges for community access between the residential areas and public lakefront parks if not adequately planned and coordinated.

**Highway 1** - The Trans Canada Highway completely bypasses Shawnigan Lake.

**Main Roads** – Shawnigan Lake is accessed by three main routes: Shawnigan/Mill Bay Road from the east, Shawnigan/Cobble Hill Road from the North, or South Shawnigan Lake Road from the south. All three of these main roads connect directly to the Trans Canada Highway to the east, Shawnigan Lake East Road, Shawnigan Lake West Road and Renfrew Road form a complete loop around the lake. All main roads within Shawnigan Lake were developed as two-lane vehicle corridors, with narrow shoulders and no sidewalks, providing little to no accommodation for pedestrians and cyclists.



*West Shawnigan Lake Road is a typical example of the area's narrow roads without paved shoulders.  
(Photo: Explore Vancouver Island)*

## 2.2 STATISTICAL TRENDS

The composition of a population gives insight into the people living in a community and how parks and trails need to be planned to accommodate particular user groups, age ranges and predicted growth.



### Population Growth

Shawnigan Lake has experienced steady population growth over the last two decades. The 2006 census counted 7,562 residents. The mean annual population growth is approximately 192 persons/year since 1986 (SCH analysis, 2008 by CVRD)

Shawnigan Lake's growth rate mirrors growth rates in the rest of the CVRD, showing a 6.8% population increase between 2001 and 2006, slightly down from the 7.4% growth rate between 1996 and 2001. Census data predicts approximately 2,387 new residents in Shawnigan Lake by the year 2026 bringing the total population of Electoral Area B – Shawnigan Lake to an estimated 9,950 residents with 2100 people, <19 years of age, living in Electoral Area B (BC Stats, 2006).

### Housing Analysis

The CVRD performed a Housing Analysis study in February 2008, to review the supply and demand for housing in the South Cowichan Region (Mill Bay/Malahat, Shawnigan Lake, Cobble Hill). Shawnigan Lake has seen:

- On average, 61 housing starts per year over the past five years.
- On average, 115 new lots per year created over the past five years.
- 268 parcels of land presently coded as vacant by the BC Assessment Authority.

- An estimated 795 potentially sub-dividable lots, based on present land use zoning of properties in the Electoral Area.

These numbers show a moderately high growth rate in Shawnigan Lake, compared to other South Cowichan communities, and demonstrate a capacity for immediate continued growth in Shawnigan Lake.

### Population Age

Shawnigan Lake's current population shows a higher proportion of children between 0 – 19 and middle aged adults between 45 – 64 than elsewhere in British Columbia (Figure 3). As the baby boomer population ages, Shawnigan Lake, like the rest of British Columbia, may have seniors representing a greater proportion of the population. Migration trends also tend to favour older adults moving to Vancouver Island, although this is less prevalent in the CVRD than in neighbouring Regional Districts such as the Regional District of Nanaimo (RDN) and the Capital Regional District (CRD). The following quote speaks to this age shift as it will be seen in the entire province:

*"The proportion of age 65+ older adults will increase from 13.6% in 2001 to approximately 24.1% in 2031, while the proportion of children age 0-14 will decrease from 18.1 to 13.1% over that same period."(BCRPA, pg. 49, 2008).*

Currently, Electoral Area B's senior population (ages 65+) comprise only 9% of population, lower than BC's average of 14%. One of the reasons behind fewer seniors could be Shawnigan Lake's shortage of certain community attributes that help seniors "age in place."



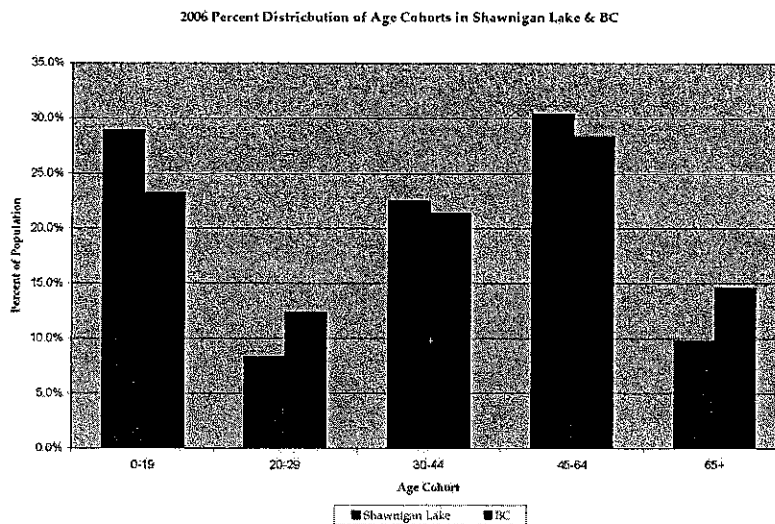


Figure 3. The 2006 Canadian Census for Shawnigan Lake shows the trend towards an increasing population of seniors in the next 10-20 years. Similarly, a large number of children and youth will be maturing to young adults and will potentially be seeking outdoor recreational opportunities in the Shawnigan Lake area.

Canadian Mortgage and Housing Corporation Research suggests six indicators for communities accommodating seniors:

1. Neighbourhood walkability
2. Transportation options
3. Access to services
4. Housing choice
5. Safety
6. Community engagement

Shawnigan Lake currently lacks several of these indicators, notably neighbourhood walkability and community engagement which are directly related to community parks and trails planning. These deficiencies will likely lead to greater demand for improvements to neighborhood walkability in and around Shawnigan Lake, as aging seniors may be less inclined to move from the community in which they have spent any years of their lives.

With BC's population trend leaning toward an aging population, parks and trails planning should take into account opportunities to accommodate this expected shift.



*Flyfishing - a quiet passive sport for all ages.*



*Kinsol Trestle prior to rehabilitation work beginning*

## Population Density

Population density refers to the number of people per square kilometre. Large urban centres, such as Victoria or Vancouver, have a much higher population density than village communities like Shawnigan Lake (Table 2).

*Table 2. When comparing BC communities, Shawnigan Lake Village and the overall Electoral Area B, have relatively small population densities.*

Community	2006 Population	Size (sq.km)	Population Density (Persons/sq.km)
Vancouver	578,041	114.7	5,039
Victoria	78,057	19.7	3,966
Duncan	4,986	2.1	2,432
Cobble Hill Village	1,775	3.7	477
Shawnigan Lake Village	1,262	6.7	188
Electoral Area B	7,562	306.23	25

A challenge faced by lower density communities is the provision of convenient access to open spaces for all residents. The spread-out nature results in a need for more parks and trails to serve a smaller population if achieving and maintaining reasonable and convenient access to community parks and trails across the spread out neighborhoods within the Electoral Area. Funding such a system can be more challenging, as a lower population means less resources are available to add and fund community parks and trails.

Shawnigan Lake has struggled with this issue, having numerous local parks, however, many have not received funding to be developed for recreational use, either active or passive in part due to limited funding resources.

### Transportation

Typical of a semi-rural community, Shawnigan Lake residents working outside the home mostly choose to drive independently to their jobs. About 83% of Shawnigan Lake’s labour force drives independently to work, while about 10% ride as passengers in vehicles; 6% walk or cycle and 1% use public transit. Fewer Shawnigan Lake residents are walking or cycling than elsewhere in the CVRD and BC (Figure 4).

These trends may be partly explained by the high number of Shawnigan Lake residents working outside their Electoral Area. Only about 11% of Electoral Area B residents work in the Shawnigan Lake Community; 43% work in other CVRD Electoral Areas or Municipalities; and 45% work outside the CVRD.

While Shawnigan Lake has a large population commuting to work outside the community, an improved, interconnected trails system could provide employees working in Shawnigan Lake and adjacent communities such as Cobble Hill and Mill Bay, increased alternatives for cycling and walking to work.

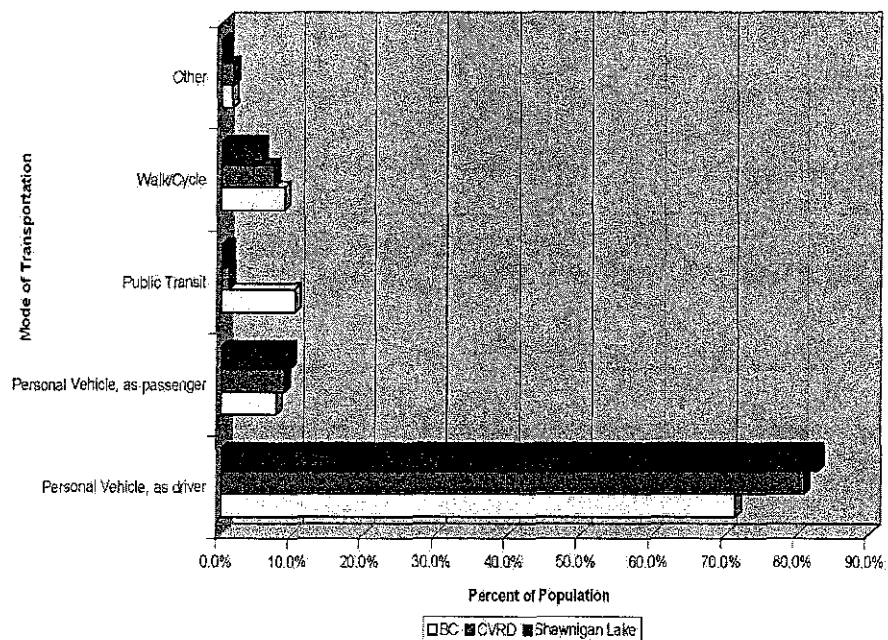


Figure 4. Almost 83% of Shawnigan Lake residents working outside their homes are driving personal vehicles to work, above the CVRD and BC averages.

## Other Relevant Statistics

Other local trends relevant to this Community Parks and Trails Master Plan:

- In Electoral Area B, the average number of children per family is 1.1, consistent with BC's average of 1.0. Ideally, residential areas with children should have play areas within walking distance (+/- 500m).
- 95.3% of Shawnigan Lake residents live in Single-Detached houses, much higher than BC's average of 49.0%. Shawnigan Lake has no high density development areas, Low density development consumes the most land, and recreational and environmental open space should be set aside prior to future development to ensure preservation.

## 2.3 COMMUNITY LIFESTYLES

Locally, Shawnigan Lake is known for its outdoor recreational amenities, specifically the lake itself. The lake has long been a destination for boating, fishing, swimming and sun-bathing. Multiple summer homes sit along the lake, intermixed with year-round dwellings. Shawnigan Lake's population increases sharply during the summer months.



*Waterskiing on Shawnigan Lake*

Canada-wide, Stats Canada (2007) found that rising incomes and interest in health and wellness have increased recreation spending across the country. The BCRPA (2008) noted an increase in walking, cycling, gardening, cultural activities, outdoor education and ecotourism. However, Sports Canada has seen a national decrease in sports participation for adults over the age of 16 (Conference Board of Canada, 2005). This shift from strenuous team-oriented activities to more culturally-based, low-impact activities is expected to continue.

## 2.4 LAND USE AND THE ENVIRONMENT

This section describes existing land uses and the local environment within Shawnigan Lake.

### **Sensitive Ecosystems Inventory**

The *Shawnigan Lake Official Community Plan Bylaw 1010 (adopted 1987)* specifies nine environmentally sensitive locations in Electoral Area B:

**Area 1: Shawnigan Lake** – Water surface, water source for residents of Shawnigan Lake.

**Area 2: Strathcona Bay** – Marsh and wetland area, winter flooding.

**Area 3: South End of Shawnigan Lake** – Low lying scrub bush, wetland vegetation, noted wildlife habitat and nesting ground . 18.9 hectares owned by CVRD and managed as a nature park reserve – Shawnigan Lake Nature Park.

**Area 4: End of West Arm** – Low lying scrub bush, wetland vegetation, important waterfowl area.

**Area 5: Devereux Lake** – Headwaters of Shawnigan Lake and Shawnigan Creek, important for water quality.

**Area 6: Old Baldy Mountain** – Significant regional feature, exposed bedrock and sparse vegetation, unique natural habitat.

**Area 7: Malahat Ridge** – Majority of south-east sector of Shawnigan, steep slopes, poor drainage, organic soils, potential use of Oliphant Lake as future water supply.

**Area 8: Shawnigan Creek between Cameron-Taggart Road and Bamberton Road** – Poorly drained, sensitive to erosion and run-off.

**Area 9: North of Renfrew Road** – Organic soils and swampy conditions, sensitive to run-off.

Additionally, in 1997 the Canadian Wildlife Service, the Ministry of Sustainable Resource Management, and the Ministry of Water, Land and Air Protection, conducted a Sensitive Ecosystems Inventory (SEI) for East Vancouver Island and the Gulf. The purpose of this inventory was: “to identify areas of greatest ecological concern...to promote a proactive approach to land use decisions” (SEI Introduction, 2004). Air photo analysis and field observations during 1993 to 1997 were the methods used to identify and then map rare and ecologically sensitive ecosystems

existing in a relatively natural state. Eight percent of the study area contained natural sensitive ecosystems. In 2004, the study was updated and areas of disturbance were mapped to determine the ecosystems lost during the previous decade. The outcome showed over 11% of these original sensitive areas had been lost.

There is consistency between the environmentally sensitive areas identified in Shawnigan Lake's OCP and the provincial SEI mapping. Of the nine Sensitive Ecosystems defined by the study, the following seven are situated within Shawnigan Lake:

**Terrestrial Herbaceous:** Terrestrial Herbaceous ecosystems are open wildflower meadows and grassy hilltops, usually interspersed with moss-covered rock outcrops. They typically occur as small openings in forested areas with gentle to moderate slopes and are found in areas of shallow soils and bedrock near shorelines and at the summit of hills and mountains. Mossy rock outcrops and upland meadows on the upper slopes of Mt. Baldy are designated as Terrestrial Herbaceous ecosystems. Encroachment from invasive species (i.e. broom) is a significant threat to native flora and fauna at these ecosystems.



**Older Forest:** Older Forest is defined as conifer-dominated forest with an average tree age of 100 years or greater. These stands are structurally complex, with an understory that may contain snags, coarse woody debris in all stages of decomposition and a fully developed moss layer. The trees are generally large and tall, reaching up to 1.5m in diameter and over 50m in height. Older Forest is often found in combination with Older Second Growth Forest and occasionally with Terrestrial Herbaceous ecosystems. At lower elevations (<150m), Douglas-fir is the dominant canopy tree. Low soil moisture conditions favour open stand structure and low growth of herbs, grasses and woody shrubs in the understory.



Proposed parkland additions along the Koksilah River will capture Older Forest (particularly old seral stage Douglas-fir, western red-cedar), helping to maintain natural processes in the Koksilah watershed.

**Riparian:** Riparian ecosystems are found on floodplains adjacent to lakes, streams and rivers, where high soil moisture and light conditions support distinct soils and plant communities. They



vary in width from less than one metre along stream banks to more than 100 metres near large rivers. Riparian ecosystems have largely been modified by human disturbance at Shawnigan Lake. Examples of intact riparian ecosystems are found in parkland at the southern end of Shawnigan Lake, and in several small MoTH road end public rights-of-way scattered around Shawnigan Lake.

**Wetland:** Wetland ecosystems are characterized by seasonal or year-round water, either at or above the soil surface, or within the root zone of plants. They are found in areas of flat, undulating terrain and colder, wetter climates. Wetlands encompass a range of plant communities unique to wet environments. Like riparian ecosystems, wetland ecosystems at and near developed areas of Shawnigan Lake have been significantly modified by human disturbance factors over the last 150 years. Small wetlands are distributed throughout Area B. A wetland is incorporated in the CVRD green space/parkland at the core of Shawnigan Beach Estates subdivision. Numerous small wetlands are found in the forests within Electoral Area B.



*Shawnigan .*


**Older Second Growth Forest:** Older Second Growth Forests are the most common forested ecosystem in the SEI study area. They function as both essential habitat areas for many wildlife species, and as primary connections between ecosystems in the highly fragmented landscape of the Georgia Basin. All Second Growth Forests have been disturbed by logging or other human activities since the settlement of Vancouver Island and the Gulf Islands began in the middle of the 19th century. Stands of Older Second Growth Forest are well represented in forested parklands throughout Electoral Area B. As an example, Dougan Park, which encompasses the Shawnigan Lake Community Centre, contains a stand dominated by older Douglas-fir/western red-cedar.




*Dougan Par  
Centre*

**Woodland:** Woodland ecosystems are open forested areas composed of pure stands of Garry oak (the only native oak species in western Canada) and mixed stands of Douglas-fir/Garry oak, arbutus/Garry oak, and arbutus/Douglas-fir. These ecosystems support a rich assemblage of plants, insects, reptiles, and birds. Garry oak woodlands boast an exceptionally high number of plant species. Woodland ecosystems on mid to upper slopes of Mt. Baldy support open stands of Garry oak/Douglas-fir/arbutus, and a wide diversity of flora and fauna. Like the





Terrestrial Herbaceous ecosystems, encroachment from broom is a threat to native flora and fauna, including many species red- and blue-listed by the BC Ministry of Environment Conservation Data Centre.



**Sparsely Vegetated:** Sparsely Vegetated lands are distinguished by shallow soils, usually without any organic layer and vegetation that comprises as little as 5%. Bedrock and sand typically make up the remaining area. Cliffs and bluffs would be the type of sparsely vegetated sensitive ecosystem found in the Shawnigan Lake area. Exposed upland slopes of Mt. Baldy and small rock outcroppings around Shawnigan Lake are examples of sparsely vegetated ecosystems.

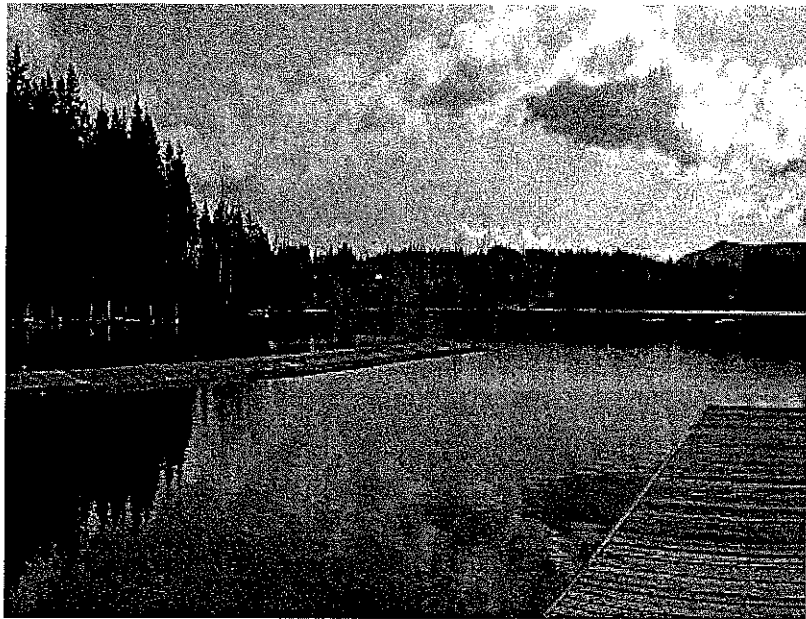
**Seasonally Flooded Agriculture Fields:** Seasonally Flooded Agricultural Fields are lands that have been modified for agricultural use, but have important wildlife habitat value during specific times of the year. They are especially valuable as migrating and wintering waterfowl habitats. Farmland comprises a small component of the land base in Electoral Area B. As such, existing parklands at Shawnigan Lake contain an insignificant proportion of seasonally flooded agricultural fields.

Because Vancouver Island is becoming an increasingly attractive place to live and more people are moving here, the need to identify, protect and monitor sensitive ecosystems is more important than ever. This Master Plan considers the potential of these areas for permanent protection as parkland. Sensitive ecosystems are significant for many reasons, they:

- Represent specific habitats that cannot be found elsewhere;
- Offer breeding and/or nesting grounds for numerous fauna species;
- Support rare soil and climatic conditions required for rare or endangered native plant species;
- Contribute greenway environmental corridor linkages; and
- Showcase historical value.

To help protect these habitats both for the functions they serve people and for the perseverance of other species, specific actions may be undertaken:

- place a vegetated buffer around sensitive ecosystems and their associated systems;
- allow natural ecological processes and succession to occur;
- restrict access by humans, livestock, pets, feral animals, etc.;
- control / prevent the introduction and spread of invasive plant species;
- prevent disturbance of nesting or breeding areas;
- prevent disturbance of hydrologic cycles and drainage patterns;
- conduct an ecological inventory prior to development; and
- plan and implement all development activities in a manner that will not adversely affect or disturb the ecosystem.



*View of Shawnigan Lake*

**Agricultural Land Reserve**

*“The Agricultural Land Reserve (ALR) is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are controlled.” (Provincial Agricultural Land Commission, 2008).*

In Electoral Area B, 4.20% of the land base, or 1,286.45ha (3178.89 acres), is designated within the ALR (Figure 5). These lands are given priority for agricultural use. Shawnigan Lake’s adopted OCP supports the ALR designation by encouraging future roads, highways and improvements to existing roads be routed around ALR lands. However, the OCP does not address the development of trails within Shawnigan Lake’s ALR.

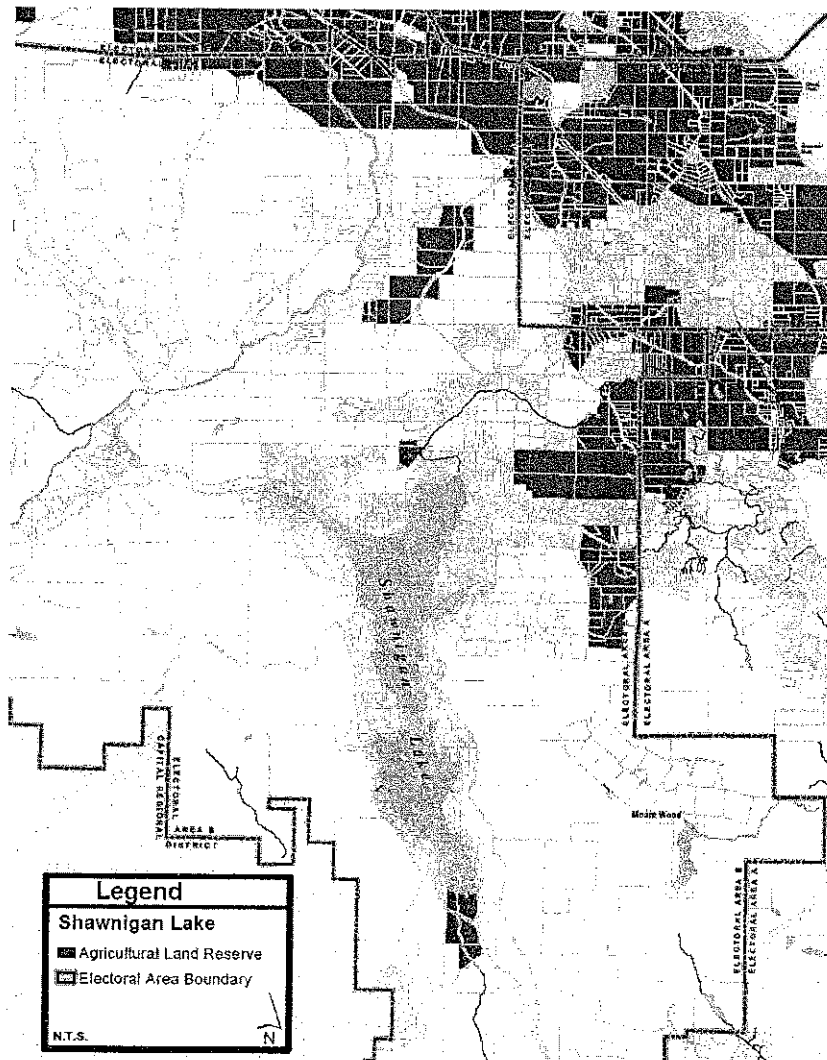


Figure 6. The majority of Shawnigan Lake’s dedicated ALR lands are in the northeast corner of the Electoral Area.

According to the ALR Planning Guidelines, proposed recreational trails through ALR lands require approval of the Agricultural Land Commission (ALC). Trail planning through ALR areas also requires early consultation with the ALC and affected landowners to ensure appropriate separation and buffering of trails from adjoining areas (ALR Planning Guidelines, 2008).

### Forestry Lands

A large area of the Shawnigan Lake Electoral Area is designated as forestry land by the adopted OCP (+/- 85%). Several OCP policies relate to recreational use of these forestry lands:

- Outdoor recreational activities are an appropriate use, provided these activities do not involve permanent structures.
- Uplands with potential for outdoor recreation should be protected for use by future generations in conjunction with the management of the forest.
- Controlled use of private logging roads and areas for public recreational activities is permitted where possible, pursuant to forest company policies and except during periods of high forest fire hazard.
- If a parcel of primary forestry is under application for re-zoning to secondary forestry, preference will be given to proposals that dedicate a substantial area to park and/or community forest. This not only serves as a buffer between active forestry and residential land uses, but also provides a public amenity.
- Recreational resources on forestry designated lands are not protected indefinitely. These areas are susceptible to development, logging activities and closure to reduce private landowner liability. Key recreation areas in forest lands should be identified and monitored closely. If the recreation area has potential to be lost, it could be considered for park.

In addition to the policies outlined in the OCP, the province has defined Old Growth Forest Management Areas (OGMAs). The purpose of these areas is to protect existing forest with high-quality old-growth attributes, or manage specific areas to become old-growth forests.

Fourteen non-legal OGMAs are currently identified by the Integrated Land Management Bureau for Shawnigan Lake. Forestry licensees are required to achieve old growth biodiversity targets in their Forest Stewardship Plans. OGMAs, defined by the Province, may be retained and referenced by the licensee as the area used to meet these targets. The Shawnigan Lake OGMAs are non-legal, meaning forest licensees are not required to follow these directions, and may choose to manage required old growth biodiversity targets in other ways.

Parks could potentially align with OGMAs, providing long-term protection for old-growth areas.

### 3. EXPLORING THE CURRENT COMMUNITY PARKS & TRAILS SYSTEM

#### 3.1 EXISTING PARKS

The current parks and trails system within Shawnigan Lake includes:

- CVRD managed/owned Community Park Properties = 38
- Community Park Area = +/-336 hectares (1.1% of Electoral Area B's land base)
- Provincial Parks = 4 (Koksilah River Provincial Park, West Shawnigan Lake Park, Spectacle Lake Park, Memory Island Park).
- Regional Recreation Areas = 1 (Cobble Hill Mountain)

Shawnigan Lake's parks and trails system has several significant assets including lakefront access, varied outdoor recreational opportunities and existing natural areas. However, it also faces challenges. Narrow vehicle roadways without pedestrian allowance, limited connections between parks and key areas, a dense village core, underused existing parkland and increasing population all present challenges to Shawnigan Lake's open space systems. It is necessary to analyze and understand gaps and opportunities in the existing system.

- Undeveloped Lakefront Ministry of Transportation Road Ends = 74  
(While not community parks, many are used by the community to access the lake shore).

#### Park Classes

The Shawnigan Lake community has a variety of parks varying in type, size and amenities. As with any community, the residents of Shawnigan Lake represent a wide-range of user groups with differing abilities and interests. To meet these diverse needs, a range of recreation options ranging from high-impact adventure to low-impact relaxation is required.

## Park Jurisdiction

Jurisdiction for local parks in Electoral Area B is under the Community Parks function of the Cowichan Valley Regional District. The community parks service for Shawnigan Lake was established by the Cowichan Valley Regional District at the formal request of residents in the community at the time. As with community parks services provided in both Shawnigan Lake and other Electoral Areas across the Region, each Electoral Area funds separately through local taxation the community parks service, which is administered and operated by the CVRD through the Community Parks and Trails Division. While the CVRD owns many of Shawnigan Lake's community parks, the Regional District can also enter into land use agreements with other agencies/landowners to manage non-CVRD owned lands as park for the local community. Table 3 details a list of jurisdictional arrangements the CVRD currently has for maximizing non-CVRD owned sites as local parks.

*Table 3. Jurisdictional arrangements for CVRD parks.*

Jurisdiction	Description
Crown Park	Parkland dedicated through subdivision that is parkland vested in the ownership of the Provincial crown. Under the Land Title Act, the CVRD as the local Regional District government, has the authority and control of these crown Parks to manage/develop as local community parks.
Crown Lease	Crown lands that are leased to the CVRD for use as community park sites.
MOTI	Lands owned by the Ministry of Transportation and Infrastructure and leased to the CVRD. Typically undeveloped road right of ways (ROW) for park or trail corridor development and use.
Strata Corp.	Parkland owned by a strata corporation but under an agreement to be managed by the CVRD as a community park.
CPR Lease	Canadian Pacific Railway lands that are leased to the CVRD to be managed as CVRD community park.(i.e. Masons Beach Park)

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BC Parks	Issuance of a Park operation Permit to CVRD for operation of one or more Provincial Parks (Currently Memory Island and West Shawnigan Lake Park are operated by CVRD under the Electoral Area B community Parks function).
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### Proposed Park Classification

The Community Parks and Trails Master Plan identifies eight park types for the community parks system in Shawnigan Lake:

- Community Park,
- Neighbourhood Park,
- Nature Park,
- Community Forest,
- River Corridor Park,
- Special Purpose Park,
- Linear Park, and
- Lakefront Park.

While some existing parks within Shawnigan Lake could fit into multiple park types, the predominant park type is identified for each park currently within the system. The following tables also summarize the area (in hectares) of each type of park type. The tables also identifies those parks which are developed with recreational amenities. Recreational amenities include: sports fields, trails, benches, signage, washrooms, or other user comforts. A detailed summary of existing parks and amenities is provided in Appendix A.

### Community Parks

“Community Parks” are intended to provide passive and/or active recreation for the entire community. These spaces are generally large, over 10 hectares in size (25 acres). Community parks can protect valuable environmental features and provide a diverse range of recreational and cultural facilities/venues. These parks may appeal to both residents and visitors, and typically offer some space for passive activities like walking and picnicking and/or space for active uses like sports and



community events. There are currently no community parks identified within the current system of parks within Electoral Area B – Shawnigan Lake

*Table 4. Existing Community Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Total Area (Ha)		0	

### Neighbourhood Parks

Neighbourhood parks respond to the open space and outdoor recreation needs of local residents at the neighbourhood level across the community/Electoral Area. These neighborhood Parks are generally smaller than community parks, with designation based on value to nearby residents. Neighbourhood parks are especially important in more developed neighbourhoods providing community space and outdoor recreation amenities. A combination of features and facilities are typical for neighbourhood parks including: lawn areas, picnic facilities, nature paths, tot lots/playgrounds, natural vegetation and un-programmed open space. Ideally, each neighbourhood should have easy access to a neighbourhood park. The parks are typically centralized and within walking distance (+/- 400m). The park size is generally 6 hectares (>15 acres) in size. The following Table 5 identifies developed neighbourhood Parks within Shawnigan Lake.

*Table 5. Existing Developed Neighbourhood Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Galland Road Park	Strata Corp.	0.46	Yes
Gibsons Park	Crown Park	0.61	Yes
Melrose Park	CVRD	0.61	Yes
Williams River Park	CVRD	0.26	Yes
Total Area (Ha)		1.94	

Table 6 identifies Proposed neighbourhood parks that are currently undeveloped but the potential to develop the park is high.

*Table 6. Proposed Neighbourhood Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Proposed Recreational Amenities
Courtenay Way Park	Crown	1.03	Picnic area, playground, trails
<b>Total Area (Ha)</b>		<b>1.03</b>	

Table 7 identifies the expansion potential of a current special purpose park into a community park through acquisition of the former Elsie Miles School site and upgrades to the existing park.

*Table 7. Proposed Community Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Proposed Recreational Amenities
Dougan Park expansion (Includes Elsie Miles property)	CVRD	3.5	Picnic area, field, playground, amphitheatre
<b>Total Area (Ha)</b>		<b>3.5</b>	

## Nature Parks

Nature parks protect natural systems and preserve sensitive features such as watercourses, plant communities, ravines, habitat, significant flora or other unique natural elements. By preserving these spaces, important environmental features may be protected now and for future generations. While Shawnigan Lake includes extensive undeveloped lands to the west, much of this area is privately owned, and could be subject to forestry or development in the future. Recreational use of nature parks is generally limited to pedestrian trails, although other amenities could be incorporated which do not unduly impact the environmental aesthetics of the park. The size of individual Nature Parks vary due to variety of factors including the attributes of the environmental feature being protected, the circumstances providing for the land acquisition, future land expansion opportunities etc.

*Table 8. Existing Nature Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Kingburne Park	Crown Park	5.99	Yes
Old Mill Park	CVRD	6.94	Yes
Nugget Park	CVRD	1.60	Yes
McGee Creek Park	CVRD	0.60	No
Shawnigan Beach Estates Greenbelt	Crown Park	15.00	No
Shawnigan Creek Nature Park	CVRD	18.90	No
Silvermine Park	Crown Park	3.66	Yes
<b>Total Area (Ha)</b>		<b>52.69</b>	

## Community Forests

Community forests are large tracts of public lands managed by the CVRD for the benefit of the entire community. Community forests support habitat protection and passive recreation, especially the development of public trails. While selective harvesting of community forests may be of consideration for these lands in the future, the Regional District would need to formally establish a community forest program through bylaw

to define the scope and terms of the program, as well as funding sources and direction for revenues raised through such a program.

*Table 9. Existing Community Forests in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Sooke Lake Road Community Forest	CVRD	67.27	No
Stebbings Road Community Forest	CVRD	156.70	No
<b>Total Area (Ha)</b>		<b>223.97</b>	

### River Corridor Parks

River corridor parks are nature parks that are designated specifically for their location along the path of a watercourse. These parks protect the river shores and riparian areas, and in some cases, provide access for people. Generally, river corridor parks protect lands along one or both sides of a river or stream course.

*Table 10. Existing River Corridor Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Campbell Park	Crown Park	2.99	No
Kelvin Creek Park	Crown Park	0.16	No
Koksilah River Park	Crown Park	28.15	No
Peerless Road Park	Crown Park	0.04	No
<b>Total Area (Ha)</b>		<b>31.34</b>	

### Special Purpose Parks

Special Purpose Parks are developed to serve specific user groups or protect particular community resources. A Special Purpose Park provides specific activities that may not fit a particular set of open space standards. These may include points of interest including historical, cultural, and social attractions or provide built facilities for specific outdoor recreational activities.

*Table 11. Existing Special Purpose Parks*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Dougan Park	CVRD	2.08	Yes
Shawnigan Hills Athletic Park	CVRD	3.77	Yes
Recreation Road Boat Launch	MOT	0.09	Yes
<b>Total Area (Ha)</b>		<b>5.94</b>	

### Linear Parks

Connecting open spaces and interconnecting neighbourhoods is one of the most important functions of a parks and trails system. While these connections are often made through trail and pathway development, linear parks also play a role in providing connections, as well as walking, hiking and cycling opportunities.

*Table 12. Existing Linear Corridor Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Bob O' Link Trail	Crown Park	0.23	Yes
Ida Road (CVT) Access	Crown Park	0.76	Yes
Jack Fleetwood Trail (Kinsol Bypass Trail)	Island Timberlands (Lease)	0.20	Yes
Millicent Road (CVT) Access	Crown Park	0.09	Yes
Old Baldy Mountain Trail	Crown Park	0.54	Yes
Royce Park	Crown Park	0.44	Yes
Silvermine Trail	CVRD	4.08	Yes
<b>Total Area (Ha)</b>		<b>6.34</b>	

### Lakefront Park

Access to Shawnigan Lake is one of the unique benefits of living in Electoral Area B. However, there are a limited number of

public parks around the lake that provide lake access. These parks include public beach areas, swimming areas and boat launches for motorized and non-motorized watercrafts. Lake access is also available in Old Mill Park (Nature Park).

*Table 13. Existing Lakefront Parks in Shawnigan Lake*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Masons Beach Park	CPR Lease	0.70	Yes
Memory Island Park	BC Park lease/CVRD Operated	0.97	Yes
West Shawnigan Lake Park	BC Park lease/CVRD Operated	11.05	Yes
Shawnigan Wharf Park	Crown Lease	1.24	Yes
<b>Total Area (Ha)</b>		<b>13.96</b>	

### Undefined Parks

The following Table 14 identifies all the other parks in the Shawnigan Lake Community Parks system that currently are indefinable in their use. There are no recreational amenities or trails in the parks and some could possibly be considered for disposal through sale of land or other means. Leonard Park, Meadowview Park and Hill Park are three examples of parks that could be disposed.

*Table 14. Existing undefined Parks (For future consideration of development or disposal)*

Park Name	Jurisdiction	Size (Ha)	Recreational Amenities
Ceylon Park	Crown Park	1.03	No
Courtney Way Park	Crown Park	1.34	No
Empress Park	CVRD	0.96	No
Highland Ridge Park	Crown Park	0.40	No
Leonard Park	Crown Park	0.07	No
Ingot Drive Park	CVRD	6.78	No
Mountain Park	Crown Park	1.23	No

Hill Park	Crown Park	0.88	No
Meadowview Park	CVRD	0.23	No
Taylor Park	CVRD	2.13	No
<b>Total Area (Ha)</b>		<b>15.05</b>	

### Regional Parks, Provincial Parks & Regional Recreation Areas

Beyond the scope of the CVRD Community Parks Program, there are areas managed by other agencies to provide additional open space accessible to Shawnigan Lake residents for outdoor recreation. While these areas are not managed under CVRD Community Parks jurisdiction, it is important to recognize the attributes and contributions these open space areas provide to the overall outdoor recreation and natural space values and opportunities within the community of Shawnigan Lake.

*Table 15. Regional Parks, Provincial Parks and Regional Recreation Area in Shawnigan Lake*

Park Name	Jurisdiction	Approx. Size (Ha)	Recreational Amenities
Koksilah River Provincial Park	BC Parks	221.10	Yes
Spectacle Lake Regional Park	BC Parks/CVRD Operated	61.77	Yes
Cobble Hill Mountain Regional Recreation Area	Crown Lease/CVRD Managed	64.91	Yes
<b>Total Area (Ha)</b>		<b>347.78</b>	

### Summary of Existing Parks

The existing parks system in Shawnigan Lake is summarized below (Table 16). It breaks down the amount of each type of park in the system, as well as the hectares of parkland / 1000 residents (parkland area divided by 7.6 given that approximately 7,600 people live in Electoral Area B).

A minimum of 5.0 ha/1000 residents is a common 'rule of thumb' for active parkland/open space within a community. This information is a general observation and is intended to provide a general idea of the level of investment other communities strive for in their parks programs. Shawnigan Lake's existing active

community park area (44.02 ha/1000 residents) is well above of the general rule. However, while Shawnigan Lake has extensive park space, a relatively small amount of this parkland is readily available for community recreation, as Nature Parks and River Corridor Parks incorporate the majority of parks land base under the Community Parks Program in Shawnigan Lake.

It should be noted that any area per population-based standard has limited utility as a measure of sufficient parks space. Rather than a standard, the appropriate amount of parks space should be targeted to the natural environmental sensitivities and the values and objectives of the community.

*Table 16. Summary of Existing Parks in Shawnigan Lake*

Park Classification	Area - Community Wide (Ha)	Ha / 1000 Population	% of Open Space
Community Parks	0	0	0
Neighbourhood Parks	1.94	0.25	1.5
Nature Parks	52.69	6.93	41.4
River Corridor Parks	31.34	4.12	24.6
Special Purpose Parks	5.94	0.78	4.7
Linear Parks	6.34	0.83	5.0
Lakefront Parks	13.96	1.84	11.0
Undefined Parks	15.05	1.98	11.8
<b>Shawnigan Lake Community Parks Total</b>	<b>127.26</b>	<b>16.7</b>	<b>100</b>

### Existing Passive vs. Active Parks

The following parks are categorized based on their active or passive recreational use.



**Active Park** – An Active Park refers to a mix of uses in a park that includes one or more of the following facilities or facility types:

- athletic fields,
- building or structures for recreational activities,
- concession,
- community garden,
- sport courts,
- children's play area,
- dog play area, or
- bike path.

**Passive Park** - A Passive Park refers to use(s) in a park, which can typically include one or more of the following which can be a formal or informal use/function of the park:

- landscaped area,
- natural area,
- ornamental garden,
- non-landscaped greenspace,
- stairway,
- decorative fountain,
- picnic area,
- water body, or
- trail.

*Table 17. Passive versus Active Parks in Shawnigan Lake*

Park Classification	Area – Community Wide (Ha)	Park Classification
<b>Passive Parks</b>		
Ceylon Park	1.03	Undefined Park
Courtney Way Park	1.34	Undefined Park
Empress Park	0.96	Undefined Park
Highland Ridge Park	0.4	Undefined Park
Meadowview Park	0.23	Undefined Park
Taylor Park	2.13	Undefined Park
Williams River Park	0.26	Neighbourhood Park

Hill Park	0.88	Undefined Park
Kingburne Park	5.99	Nature Park
Nugget Park	1.6	Nature Park
McGee Creek Park	0.6	Nature Park
Mountain Park	1.23	Undefined Park
Shawnigan Beach Estates Greenbelt	15.0	Nature Park
Shawnigan Creek Nature Park	18.9	Nature Park
Silvermine Park	3.66	Nature Park
Campbell Park	2.99	River Corridor Park
Kelvin Creek Park	0.16	River Corridor Park
Koksilah River Park	28.15	River Corridor Park
Peerless Road Park	0.04	River Corridor Park
Ingot Drive Park	6.78	Undefined Park
Leonard Park	0.07	Undefined Park
Recreation Road Boat Launch	0.09	Special Purpose Park
Bob O' Link Trail	0.23	Linear Park
Ida Road (CVT) access	0.76	Linear Park
Millicent Road (CVT) access	0.09	Linear Park
Old Baldy Mountain Trail	0.54	Linear Park
Royce Park	0.44	Linear Park
Memory Island Park	0.97	Nature Park
West Shawnigan Lake Park	11.05	Lakefront Park
<b>Total Passive Parks</b>	<b>106.57</b>	

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<b>Active Parks</b>		
Dougan Park	2.08	Special Purpose Park
Old Mill Park	6.94	Nature Park
Shawnigan Hills Athletic Park	3.77	Special Purpose Park
Galland Road Park	0.46	Neighbourhood Park
Gibsons Park	0.61	Neighbourhood Park
Melrose Park	0.61	Neighbourhood Park
Jack Fleetwood Trail	0.2	Linear Park
Masons Beach Park	0.7	Lakefront Park
Shawnigan Wharf Park	1.24	Lakefront Park
<b>Total Active Parks</b>	<b>16.61</b>	

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### 3.2 EXISTING TRAILS

Trails provide a diversity of opportunities that appeal to all ages and abilities – from athletes looking to train outdoors, to individuals looking for a pleasant place for an afternoon walk, to families who wish to cycle to the playground together. Research supports the concept that trails within a community encourage people to use alternative modes of transportation.

Currently pedestrian and cyclist routes in Shawnigan Lake are primarily limited to narrow road shoulders shared with vehicle traffic. However, there are several developed non roadside trail networks within Shawnigan Lake as follows:

- **The Cowichan Valley Trail** – +/- 19km of multi-use Regional Trail (part of the Trans Canada Trail) runs through Electoral Area B along the former CN Rail Bed from Sooke Lake Road to North of the Kinsol Trestle.
- **Jack Fleetwood Trail (Kinsol Bypass Trail)** – 4km of trail on the North side of the Koksilah River connecting the CVT to Renfrew Road (Burnt Bridge), across private lands and through the Koksilah River Provincial Park thus providing a bypass route around the Kinsol Trestle until the trestle rehabilitation is complete.
- **Silvermine Trail** – 4.08km trail from the start of Coleman Road running due West through the Ingot Drive development, then south into Nugget Park.
- **Trails in local Parks** – Many parks have existing trails inside their park boundaries.
- **Cobble Hill Mountain Regional Recreation Area** – A portion of the Recreation area which is managed under the CVRD Regional Parks Program is within the Shawnigan Lake Electoral Area. There are numerous designated trails in this area for hiking, cycling and horseback riding.
- **Informal trails** – Much of Shawnigan Lake's trail systems occur on informal trails located on private or Provincial crown lands, including old logging roads and footpaths that have been used for many years.

## Trails Classification

Four types of trails are identified for Shawnigan Lake. While not all of these classes are traditional trail types, it is important for the master plan to analyze and understand the extent of the entire pedestrian, cyclist and equestrian network.

### 1. Multi-Use Trails

Multi-use trails are ideal for walking, hiking, cycling and/or horseback riding.

*Key Characteristics:*

- Separate from roads and adjacent land uses.
- Generally part of a large system that connects to significant designations.
- Used by local residents, visitors and tourists for recreation and commuting.

*Examples in Shawnigan Lake:*

- Cowichan Valley Trail (Regional Trail)

### 2. Walking/Hiking Trails

Walking/hiking trails are smaller, neighbourhood-scale sections of the trail network.

*Key Characteristics:*

- Often only pedestrian access due to more demanding terrain, environmental sensitivity and/or local community desires.
- Used primarily by local residents providing: recreation, alternative transportation and access to natural areas.
- Often located within existing parks.

*Examples in Shawnigan Lake:*

- Trails in Old Mill Park
- Trails in Gibsons Park

### 3. Shared Roadway

Shared roadways are routes that incorporate cycling and/or pedestrian movement with vehicle traffic. The Ministry of Transportation and Infrastructure is the road authority for the development and maintenance of all public roads in Electoral Area B (Shawnigan Lake). Cycling in Shawnigan Lake already occurs on local roads shared with vehicle traffic as well as pedestrian use of road shoulders.

*Key Characteristics:*

- Lightly used rural roads can provide cycling and walking opportunities.
- Used mostly by cyclists, but also by pedestrians.

*Examples in Shawnigan Lake:*

- Streets in Shawnigan Beach Estates
- Courtney Way, Treit Road, Elford Road in the village



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### 4. Shoulder Walkway

A shoulder walkway is also a road that shares vehicle, cyclist and pedestrian traffic, but provides a shoulder divided by a painted line. Care must be taken to ensure signage, line painting, and maintenance to minimize conflict between uses. When road improvements are planned to possible shoulder walkways, cyclist and pedestrian facilities should be expanded to increase safety. As noted above the MoTI is responsible for public roadways within Shawnigan Lake.

*Key Characteristics:*

- Moderately used roadways that provide minimum 1m additional shoulder surfacing for cycling/pedestrian use.
- Moderate traffic speeds (typically 50 kph to 80 kph).
- Clearly painted white line to separate vehicle traffic from other uses.

*Examples in Shawnigan Lake:*



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No roadways have yet been developed in Shawnigan Lake that provide for <1 metre minimum shoulder walkway.

### **Informal Trails**

Informal trails are often on private or crown lands, and have no formal trail designation. These areas warrant monitoring and consideration for formal addition to the Shawnigan Lake community parks and trails system as opportunities arise.

#### *Key Characteristics:*

- Can have varied surfacing and width, based on use.
- Often developed for recreation use by: mountain bikers, hikers, walkers seeking a shortcut, horseback riders or ATV users.
- Often old logging roads are used as informal trails.
- Have no official designation or protection. Could be lost to forestry activity, development and/or closure.

## 4. PLANNING A FUTURE COMMUNITY PARKS & TRAILS SYSTEM

### 4.1 OUTDOOR RECREATION TRENDS

Studies in recreation trends throughout BC and Canada help us understand how people's outdoor recreation needs are changing. The information below is summarized from several resources to provide a brief outline of key trends significant to Shawnigan Lake's community parks and trails.

#### Demographics

##### More People Demanding Recreation Amenities

Population growth plays a role in the amount of recreation space that the community requires. Population estimates suggest over 2,300 more people may be living in Shawnigan Lake by 2026.

*Implications for community parks and trails:*

- Increasing population will place higher demand on existing parks, facilities and programs.
- High growth areas will need to be identified, to ensure parkland development coincides with these locations.



*Trying to get wet in Shawnigan Lake*

##### Changing Household Composition

Shawnigan Lake, like other Canadian communities, is seeing a change in its household composition. Generally, the number of people in each household is decreasing (from 2.9 persons in 1996



to 2.7 persons in 2006). Households without children and single-person households are increasing.

*Implications for community parks and trails:*

- Smaller families often exhibit a desire to spend leisure time in a setting that fosters social interaction, as it may not be available in the home setting.
- Fewer children affect the recreational services a community must provide.

### **Aging Population**

The Canada-wide aging population trend affects use of parks and recreation facilities in a community. Activity preferences, capability and time to participate in outdoor recreation changes with age. Studies have shown that the older a person, the less likely they are to participate in physical activity. The physical activities they choose to participate in are generally less physically rigorous and less structured such as gardening, golfing, hiking, walking and boating.

*Implications for community parks and trails:*

- Relatively few senior's outdoor recreation activities are currently available in Shawnigan Lake. To facilitate a population with more seniors, convenient access to multiple low-impact outdoor recreation activities and programs should be available.
- Shawnigan Lake's limited opportunities for safe roadside and non-roadside walking trails and pathways may discourage seniors from walking for exercise. Creating greater opportunity for walking through an integrated network of roadside and non-roadside pathways and trails can facilitate improved outdoor recreation access and participation by not only seniors, but the community at large.
- Activity Choices

### **Fewer People Participating in Sports**

A 2005 study by Statistics Canada developed from the results of a General Social Survey, shows that Canada's national sport participation rate continued to drop through 2005. "*Participation in sport declined from 45% in 1992 to 28% in 2005 in Canada*" (Statistics Canada, 2005).



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The study identifies multiple reasons that may contribute to this decline:

- **Aging population** – An increasing proportion of the Canadian population is over the age of 55, negatively influencing the levels of sport participation. As baby boomers age (the largest cohort), this trend will continue.
- **Family responsibilities and Time pressures** – Leisure time has declined 5% from 6.1 hours per day in 1998 to 5.8 hours



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per day in 2005.

- **Careers** – Canadians spend on average 7.9 hours a day on work related activities, up from 7.2 hours in 1992.
- **Lack of interest in participation and changes in leisure activities priorities** – Other leisure activities such as watching television and internet use have increased, reducing time available to participate in sport.

The study does note however, that while Canadians are participating less in organized sport, other activities such as physical programs or classes, jogging, gardening, etc. provide people with regular physical activity. According to the 2005 Canadian Health Survey in 2005, 51% of Canadians were participating in some type of leisure physical activity, up from 46% in 1999 (Statistics Canada, 2005).

Other relevant observations from the study:

- Participation is concentrated in about 20 sports. The top 10 sports include (in order): Golf, ice hockey, swimming, soccer,



basketball, baseball, volleyball, downhill skiing, cycling, and tennis.

- Volunteering in sports activities such as coaching and administration is increasing.
- Children aged 5 to 14 prefer to play soccer, making it the number one sport played by children in Canada.
- Spectators of amateur sports have almost doubled since 1992.
- The most important benefit of sport participation was listed to be relaxation, followed by health and fitness.

*Implications for community parks and trails:*

- Careful consideration and demand analysis should be undertaken when contemplating the addition of organized sport facilities to the system.
- Of the most common sports, facilities for soccer will likely be most important for youth recreation.
- Where sport facilities are developed, spectator participation should be accommodated.

### **More People Pursuing Individual Activities**

Related to the decline of sport participation is the shift to individual recreation. This trend may be attributed to several factors:

- Interest in exploring a greater diversity of individual pursuits.
- Desire for recreation that fits with individual schedules to accommodate the higher number of people with non-traditional work weeks and schedules.
- Interest in activities that require less commitment and more compressed timeframes.

*Implications for community parks and trails:*

- Informal recreation facilities should be considered a priority for addition to the system.

- Recreation systems that can be safely used at any time, to



accommodate people's shifting lifestyles.

### **Adult Lifestyle and Wellness**

Increased awareness around the health benefits of physical activity has outdoor recreation appealing to a greater number of people. People who place importance on a healthy lifestyle increase demand for recreation resources that support active living.

The 2007 BC Healthy Living Alliance (BCHLA) published a strategy that focused on improving inactivity of adults aged 35 to 54. This age range, which comprises 43% of BC's population, displays a high rate of physical inactivity and has the potential to influence other populations including children, older adults and parents. A key strategic initiative identified by the report was to improve the built environment and active transportation opportunities. The presence or absence of parks, trails and other quality public recreational facilities have been shown to affect people's ability to be physically active (BCHLA, 2007).

#### *Implications for community parks and trails:*

- Active planning to provide a linked system that satisfies a broad range of users will help facilitate adult physical activity.
- Awareness of recreational opportunities and locations of facilities in the community should be a priority to ensure people are aware of all that is available to them.

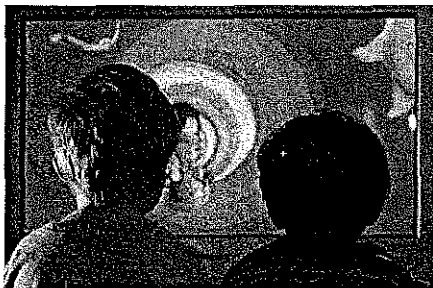
## Children & Youth Inactivity

Even as adult physical lifestyles are improving, children and youth inactivity is reaching unprecedented levels. "Screen time" or time spent with the television, video games and the internet, has dramatically increased. In turn, children are pursuing less active forms of recreation and may be developing lifestyles they maintain throughout their lifetime.

Children often exhibit a diversity of interests and values and one type of youth recreation, program or facility will most often not meet the needs of all children in a community.

### *Implications for community parks and trails:*

- A community must listen to its children and determine what types of facilities, programs and activities will encourage them to get out and play.
- Providing safe, convenient locations can encourage outdoor play which may reduce the need for parental supervision.
- Facilities that families can enjoy together will encourage outdoor play for all generations.



## Environmental Factors

### Public Stewardship

As environmental awareness increases, natural areas and nature-based recreation takes on additional significance. Parks programs are beginning to evolve beyond outdoor recreation, to also serve as spaces for preserving natural values such as clean air and water. Additionally, there is a growing desire by citizens to learn about the natural environment through outdoor

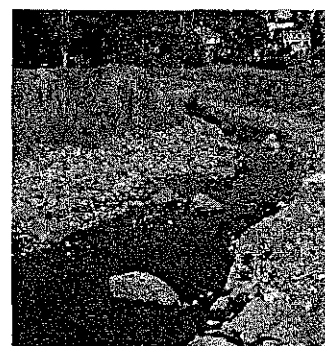
experience and a willingness to participate in projects that protect or restore sensitive environmental areas.

*Implications for community parks and trails:*

- Consideration of environmental values when setting out park acquisition priorities.
- Sound and sensitive operations and management policies for parks and trails.
- Increased visibility of the ecological contribution of community parks and open spaces.
- Engagement of local citizens and groups in environmental stewardship activities in parks.

### Stormwater Management

Parks and open spaces are highly valued for their ability to absorb rainfall and balance impacts of development on watersheds. Additionally, some parks have evolved to include stormwater collection and treatment facilities such as bioswales, detention ponds and constructed wetlands. In Shawnigan Lake, watershed protection is a high priority and community parks could play a role in this protection.



*Stormwater infiltration swale*

*Implications for community parks and trails:*

- Identification of where stormwater facilities can be designed and developed to include recreational aspects (ie. trails).
- Consider stormwater management techniques during parks development or improvement.
- Consider the educational and demonstrative benefits of stormwater techniques in parks.

### Social & Economic Factors

#### Social Services

In communities throughout BC, Parks and Recreation departments are being required to respond to a myriad of community-based social issues. Leisure is becoming more

widely recognized as a tool for social change. The use of recreation programs and services are advocated for reducing crime, reducing risk factors for youth, breaking down ethnic divisions, and creating better understanding between cultures.

*Implications for community parks and trails:*

- The positive social impacts of parks and trails projects should be considered when determining community funding.
- Developing parks and trails that foster social behaviours, such as gathering spaces, facilities that encourage active participation, and spaces that facilitate family recreation should be priorities.

### **Volunteerism**

Volunteers are important to recreational programs, but volunteerism is on the decrease. Attracting and keeping volunteers is vital to leisure and recreational development and is largely related to the quality of volunteer management strategies within local parks programs.

*Implications for community parks and trails:*

- Organized, quality volunteer programs help volunteers feel as if they have contributed to their community.
- Consider creative ways to communicate volunteer opportunities to the general public, user groups and community groups (ie. schools) and ways to show appreciation to these volunteers.

### **Recreation Tourism**

More and more community leisure programs and facilities are taking on a greater role in attracting tourism and economic development. In particular, games, tournaments, exhibitions and races are bringing more people into communities that attract and support such events.

*Implications for community parks and trails:*

- Develop recreation facilities with the capacity for increasing tourism in mind.

- Identify existing opportunities in outdoor recreation and



*Tour bus on Sooke Lake Road Cowichan Valley Trail head events to invite tourism into the community.*

### Ability to Respond to Demand

Leisure needs may be affected by fluctuations in economic growth, increasing costs for new development, need to address current facility maintenance and concerns over taxation increases.

*Implications for community parks and trails:*

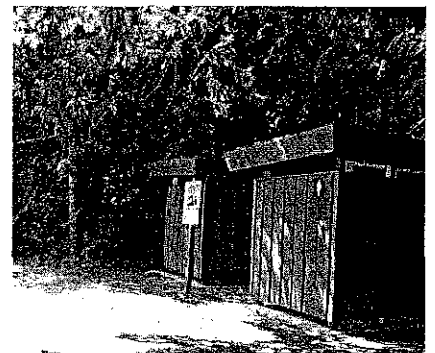
- A parks and trails plan must provide multiple opportunities and avenues for parks and trails improvements, that can be adjusted to reflect the changing needs of a community.
- By offering multiple priority levels for projects, priority shifts can be made in accordance to demand.
- Be flexible to redefine policy where necessary in response to changing economics.

### Aging Infrastructure

A BC-wide trend has been the aging of infrastructure due to lack of preventative maintenance.

*Implications for community parks and trails:*

- Some recreation infrastructure (ie. outdated playground structures) no longer meets current safety



*In time, existing infrastructure needs replacing or updating.*



regulations and need to be decommissioned or replaced.

- Careful planning around aging infrastructure to recognize where and when replacements will be necessary.

### **Local Finances**

Despite evidence that supports the need for strong parks and recreation programs in BC, budget pressures often reduce financing available for parks, trails, operations, and maintenance. Although the demand for more parks, recreation and cultural services is increasing, expectations still exist that service levels, labour costs and other costs for parks and trails systems will remain the same.

#### *Implications for community parks and trails:*

- Realistic parks and trails budgets must take into consideration development, operations and maintenance costs of all projects.
- Increase awareness among government representatives and the local community about the level of financial commitment that is required for a successful community parks and trails program.
- Development of low-maintenance parks and trails help extend a communities budget.
- Proper planning helps staff to make informed recommendations about the financing required to create a parks and trails system that satisfies its community.

### **Partnerships**

In order to develop facilities that support the requirements of a community, partnerships are becoming more common. These range from sharing of capital costs to the operation of entire facilities, to program operation and sponsorship.

#### *Implications for community parks and trails:*

- Active identification of potential partners for specific projects should be undertaken.

- A list of groups and organizations should be kept that would have similar interests for projects taken on by community parks and trails.
- Careful planning of clear agreements to ensure positive gain for all parties involved.

## 4.2 COMMUNITY PARKS FUNDING SOURCES

In planning, designing, developing and maintaining parks and trails, funds must be acquired, often from a variety of sources. Outside funding opportunities, such as provincial grants, NGO grants, fundraising opportunities or donations can help secure funds that would not normally be available for parks and trails. This section presents a variety of options for funding sources that are relevant to community parks and trails capital projects.

### Local Government Funds

**Community Parks Service Establishment Authority** - The authority to tax for and provide community parks and trails services in Electoral Areas is the Cowichan Valley Regional District, which under Province of British Columbia legislation is the local government authority for the unincorporated electoral areas within the region. Establishment of the community parks and trails services in Electoral Area B – Shawnigan Lake dates back to 1991 when the local community was formally asked if it approved creating such a service, which the community at the time supported. This authority for taxation for the service is currently provided through “Cowichan Valley Regional District Bylaw No 2669 – Electoral Area B Community Parks Service Establishment Bylaw, 2005” The community parks and trails service under the authority of the Bylaw provides for the acquiring, developing, operating and maintaining of community parks within Electoral Area B - Shawnigan Lake.

**Parkland Acquisition Reserve Funds** – Funds are accumulated in a Parkland Acquisition Reserve Fund held by the CVRD which can accrue from the sale of surplus parkland and/or cash-in-lieu funds received as part of subdivision developments. The funds are to be used for park acquisition projects in the respective Electoral Area.

**Cash-in-Lieu** – Section 941 of the Local Government Act provides for the acceptance of cash-in-lieu of parkland dedication under the provisions of the Act. Where cash-in-lieu is accepted by the Regional District for developments occurring in Electoral Area B – Shawnigan Lake, these funds must be held in the Parkland Acquisition Reserve Fund and can only be expended on the purchase of lands for park purposes within Electoral Area B – Shawnigan Lake.

**Residual Parks Capital** – Unspent annual parks and trails capital funds can be transferred to Reserve Funds for future expenditure on park development or land acquisition for park purposes in Electoral Area B.

**Parks Fees** – Revenue from user fees can provide funding to assist with operations and maintenance of community parks and trails. User fees are generally associated with booked group use of parks (i.e. sports field use) or can be used as a strategy to manage the number of visitors to parks (i.e. parking fees).

### **Senior Government Funds**

**Provincial and Federal Grant Programs** – Parks and trails specific funding programs from time to time are available through senior levels of government to assist local and regional governments at various stages of park planning, design and construction. Examples of such programs include:

- ActNowBC – Local*Motion* Program, which supports capital projects that build bike paths, walkways and greenways, and also enhance accessibility to seniors and those with disabilities. <http://www.localmotion.gov.bc.ca/>
- BikeBC – Cycling Infrastructure Partnership Program, which aims to support commuter cycling (to and from work, school, and errands) as a means of reducing traffic congestion and green house gas emissions. <http://www.th.gov.bc.ca/BikeBC/CIPP.html>
- Environment Canada’s EcoAction – Community Funding Program, which encourages project submissions that will protect, rehabilitate or enhance the natural environment. [http://www.ec.gc.ca/ecoaction/what\\_is\\_e.html](http://www.ec.gc.ca/ecoaction/what_is_e.html)

As the funding programs change and new ones are announced, it is important to regularly check on funding program updates and eligibility requirements.

### **Private Funds**

**Private Grant Programs** – Similar to senior government funding, several private funding programs that support parks and trails development exist and can be found on the internet. Examples of such programs include:

- The Victoria Foundation and other Community Foundations of Canada  
<http://www.victoriafoundation.bc.ca/web/grantingprograms/available>
- Endswell Foundation – Offers support to charitable organizations dedicated to conservation and related public education in British Columbia. <http://www.endswell.com/>
- Heritage Legacy Fund of British Columbia – A joint initiative between The Land Conservancy and Heritage Society of BC Conservation that supports local projects that protect, preserve or rehabilitate heritage resources.  
<http://www.heritagelegacyfund.ca/>

**Commemorative Gifting & Donations** – On occasion, private donors may give monies for the purposes of enhancing community parks and trails. If not used right away, these funds would be best placed in the Parkland Acquisition Reserve Fund. Donation of lands for community park purposes can also benefit the community. Evaluation of the lands being proposed for gifting is important to ensure the lands have suitable outdoor recreational/environmental value in keeping with the objectives and vision of the community parks and trails master plan and intent of the community. The Cowichan Valley Regional District is recognized as a charitable organization and can issue tax donation receipts under certain circumstances for donations of lands and in-kind contributions.

**In-kind Donation** – While not a direct source of funding, in-kind donations result in direct cost-savings as organizations or individuals donate their time or services for the parks and trails system.

### Partnerships

Partnering with interested agencies or organizations joins efforts for both funding and developing parks and trails. The Shawnigan Lake Parks and Recreation Commission and the CVRD could consider partnership opportunities for community parks and trails projects with:

- Sports/Outdoor Recreation Organizations
- Province of British Columbia
- Conservation Organizations

- Private Landowners
- Local First Nations

### 4.3 PUBLIC RESPONSE

An integral part of community parks and trails planning is public consultation. Two Open Houses were held during the development of the Shawnigan Lake Community Parks and Trails Master Plan to encourage public input on the future of parks and trails in Shawnigan Lake. Stakeholder input was also sought (Appendix B). In addition, meetings with the Shawnigan Lake Parks and Recreation Commission offered additional data and information about current and future parks and trails.

#### Shawnigan Lake Parks and Recreation Commission

The Shawnigan Lake Parks and Recreation Commission is comprised of members of the Shawnigan Lake community and helped to guide the Community Parks and Trails Master Plan process. During this process, meetings with the Commission served as milestones to assess progress and provide additional input as needed. Input from the commission, along with feedback from the general public and CVRD Parks Staff, provided direction for future acquisitions as well as improvements to existing parks and trails in Shawnigan Lake.

#### Community Outreach

Both open houses followed a similar format. Posters were displayed to explain the Master Planning process and maps showing the existing parks and trails in the Electoral Area were used to collect public input. At each outreach session, response forms were used to document public input.

The first Open House was held in the spring on May 23<sup>rd</sup>, 2008. Public insights on current issues as well as gaps and opportunities related to parks and trails in Shawnigan Lake were documented. A map of the Electoral Area served as a tool to identify gaps in the trail network, to locate sites the public felt warranted consideration for future parks, and to note any improvements that were important for existing parks and trails.

The second Open House was held in the fall on September 25<sup>th</sup>, 2008 and focused on setting priorities. Ideas for an enhanced trail network, potential future park sites, and proposed improvements to existing parks were identified. Key future beach access locations incorporating Ministry of Transportation and Infrastructure (MoTI) road ends along the lakefront were also presented on a separate map. Feedback from the public, the Parks and Recreation Commission and CVRD Parks Staff was used to identify high, medium and low priorities for improvements.

### What We Heard

Brief summaries of the public input received via the public response forms are presented here. Complete summaries of the response forms from Open House 1 and 2 can be found in Appendix C and D respectively.

### OPEN HOUSE 1 – Collecting ideas

The majority of the 36 respondents to the first Open House questionnaire were residents of Shawnigan Lake, and the greatest number of respondents was between the ages of 35 and 54.

### Vision

Respondents were asked to provide key words and phrases that should describe the future of Shawnigan Lake's parks and trails; these words and phrases were used to build a vision statement for the future of Shawnigan Lake Parks and Trails. A long list of ideas covering recreational, environmental, economical and aesthetic values were also suggested. These ideas were used to build the Vision and Objectives outlined in Section 4.4. A complete list of words and phrases are in Appendix C.

### Existing Community Parks & Trails

When asked to list their favourite parks in Shawnigan Lake, respondents most commonly cited:

- Old Mill Park
- Cowichan Valley Trail (*Managed under the CVRD Regional Parks Program*)
- Masons Beach Park
- Kinsol Trestle



When asked what their favourite outdoor recreations activities are, respondents most commonly cited:

- Hiking
- Biking
- Swimming/beach visits
- Walking

*Kinsol Trestle View from North side*

### Future Community Parks & Trails

When asked what the priority for future community parks and trails should be within Shawnigan Lake – Electoral Area B:

- 42% of respondents felt the acquisition of new parks and trails should be the main priority
- 28% felt that improvements to existing parks and trails should be the main priority
- 3% felt both of these actions should be weighted equally
- 27% of respondents did not respond

When asked which additions to the parks and trails system were the most important, respondents most commonly noted:

- hiking trails
- walking paths
- nature parks and protected greenspace
- beach access for swimming



*Old Mill Park swimming area*

Other main themes expressed by the questionnaire respondents included:

- better connections throughout the community for pedestrians and cyclists;
- a greater appreciation and protection of the natural landscape, including the forests, the lake and the watershed;
- greater community involvement in beautification efforts such as keeping parks clean of debris;
- compatibility between different users (ATV-use, dog-walkers, hikers and cyclists).



## OPEN HOUSE 2 – Setting priorities

The focus of this public session was to gain insight on project priorities.

The first question asked respondents to choose park projects they felt were highest priority for Shawnigan Lake. Most noted were:

- Potential Park Locations:
  - Old Baldy Mountain
  - Acquisition of parkland at the south end of Shawnigan Lake
  - Addition of Elsie Miles School land to Dougan Park.
  - Crown land at the end of Skrimshire Road (potential nature park)
- Existing Community Parks that need Improvements:
  - Masons Beach Park
  - Shawnigan Creek Nature Park
  - Shawnigan Wharf Park
  - Old Mill Park
  - Koksilah River Park

The second question asked respondents to identify MoTI lakefront road ends they felt should be highest priority for making improvements for public access in Shawnigan Lake. Most noted were:

- Shawnigan / Mill Bay Road (road end #1 on Map 4)
- Path from Dougan Park (road end #74 on Map 4)
- Bell-Irving Road (road end #18 on Map 4)
- Stowood Road (road end #8 on Map 4)
- Clearihue Road (road end #57 on Map 4)
- Worthington Road (road end #70 on Map 4)

The third question asked respondents to identify new trail projects they felt should be the priority for Shawnigan Lake. Most noted were:

- Old Baldy Mountain Trail

- Shawnigan Wharf Park to Masons Beach Park (part of E&N Rail Trail)
- Silvermine Trail
- Shawnigan Lake Walking Loop
- Beach Estates to Village Core (potential partnership)

#### **4.4 VISION & OBJECTIVES**

A Vision Statement is a guiding principle by which decisions about parks and trails are made, and which can measure progress and success as the plan unfolds.

##### **Community Parks & Trails Vision**

To develop a vision that clearly reflected Shawnigan Lake's character, the participants from the community attending the open houses were asked to contribute words or phrases that they felt would best describe the ideal future parks and trails system. These words and phrases were crafted, with the direction of the Shawnigan Lake Parks and Recreation Commission, into a vision. This vision was used to guide decisions of this master plan, and is intended to measure success of its implementation:

**The Proposed Vision statement is:**

*Set in a forested landscape, Shawnigan Lake is the central feature and focus of this community. While protecting the lake and its watershed, our community parks and trails will connect people and places; provide opportunities for recreation; and enhance daily life for all residents.*

## **Key Principles for Community Parks & Trails**

Embedded in the vision statement are four broad principles for community parks and trails within the Shawnigan Lake Community, and are as follows.

### **A) Protecting Shawnigan Lake and its Watershed**

Shawnigan Lake is the heart of the community, and above all else, should be protected and appreciated through:

- Identification, acquisition and preservation of key sensitive ecosystems, unique habitats and significant ecological sites.
- Enhancing the role of Community Parks to educate land owners, visitors and decision-makers on protecting and preserving the watershed.
- Fostering native flora and fauna within community park sites.

### **B) Connecting people and places**

Community parks and trails have the ability to bring together members of the community both physically and socially, while improving the overall liveability of the community through:

- Development of a community trails system that provides residents with alternatives to motorized travel and recreational connections.
- Creation of links between key places and neighbourhoods within the community as well as to neighbouring communities.
- Provision of recreational opportunities and public gathering spaces for all residents.
- Information that lets people know about the system available to them.

### **C) Providing opportunities for outdoor recreation**

The provision of recreational opportunities remains a fundamental purpose of a community parks system. The community has historically had fairly unrestricted access to large undeveloped private lands within the Electoral Area. However an increasing population, liability concerns of private landowners and private land use activities may limit in future the extent of public access to these lands. Safe, permanent and

accessible outdoor recreation should be therefore secured through:

- Provision of outdoor recreational opportunities for community members of all ages and abilities.
- Creation of a community parks and trails system that is compatible with a wide variety of uses.
- Development of an outdoor recreation system that can work in harmony with existing natural resources.
- Continued, improved and safe public access to Shawnigan Lake.

#### **D) Enhancement of daily life**

Community parks and trails are meant to improve the lives of people who live there. All people in the Shawnigan Lake community should have access to outdoor spaces that improve their daily lives through:

- Creation of a system that is accessible to residents of all ages, abilities and interests.
- Creation of a system that encourages active and healthy lifestyle choices.
- Provision of opportunities for community members to contribute to their local parks and trails system.



*View of Old Baldy Mountain from Shawnigan Lake.*

## 5. RECOMMENDATIONS

This section of the Shawnigan Lake Parks and Trails Master Plan presents recommendations for improvements to existing parks and trails and acquisition of new parkland to expand and enhance the network of local parks and trails for the residents of Shawnigan Lake to access, use and enjoy.

**Section 5.1** presents the approach taken to identify and assess potential projects.

**Section 5.2** presents those projects that are deemed a high priority by the community and ought to be pursued over the next 10 years.

**Section 5.3** outlines additional medium-priority parks and trails projects that are important to building a community parks and trails network in Shawnigan Lake; however, due to budget constraints, these projects will have to be completed beyond a 10-year time horizon, unless opportunities and funds arise sooner. This section groups projects as follows:

- Improvements to existing parks;
- Trail development; and
- Park acquisitions.

Table 19 in Chapter 6 summarizes the recommended community parks and trails capital projects identified and supported through this master planning process, which includes those presented in Sections 5.2 and 5.3 in addition to lower priority projects. Lower-priority projects are not described in detail in this plan because it is anticipated that funding would not be available within the 10-15 year timeframe horizon detailed in the plan, rather the summary provides long-term direction for the parks and trails program in Shawnigan Lake that will need to be updated with the community at appropriate intervals in future years to ensure the plans' objectives remain on track with community values and expectations..

**Section 5.4** presents system-wide recommendations that are not accounted for in the annual capital budget outlined in Chapter 6. These recommendations are included as important components

to a comprehensive parks and trails network in Shawnigan Lake and are categorized as:

- Park stewardship;
- Park operations; and
- Park planning.

## 5.1 DEVELOPING AN IMPLEMENTATION APPROACH

The final outcome of this plan is the development of a set of recommendations that carry forth the ideas, values and priorities generated through the master planning process. In developing this strategy, several sources of input were used:

- Feedback generated from the public open houses.
- Trends, demographics and land use.
- Input from CVRD Parks Staff and the Shawnigan Lake Parks and Recreation Commission.

The ideas generated were measured against the vision to determine their overall value for the community parks and trails system. Therefore, each of the following recommendations has been weighed against the four key principles set out in the vision.

### *Vision Principles*

- Protecting Shawnigan Lake and its watershed,
- Connecting people and places,
- Providing opportunities for outdoor recreation, and
- Enhancing daily life for all residents.

## 5.2 PRIORITY RECOMMENDATIONS (YEAR 1 - 10)

The following recommendations are intended to guide improvements to community parks and trails within the Shawnigan Lake Community over the next 10 years. These priorities have been identified through the community park planning process described in the previous chapter and support the vision for community parks in Shawnigan Lake. The capital projects described in this section are presented in order of priority as identified through this master planning process and follow the same order as outlined in the proposed capital budget (Table 19 in Chapter 6). All of the recommendations presented here are also presented on Maps 2, 3 and 4 at the end of Chapter 6.

- Park Improvements
- Parkland Acquisition

### *Recommendation:*

1. ● **Acquire the Elsie Miles School site to expand Dougan Park in creating a centralized “Shawnigan Lake Village Green” and provide capacity for expansion of the Shawnigan Lake Community Centre.**

### *Rationale:*

Acquisition of the Elsie Miles School site will provide a significant benefit for Shawnigan’s community park system. The lands are central to Shawnigan Lake Village and area key to establishing a “Village Green” space for the Shawnigan Lake Community, as a place for community activities and events. Acquisition of the site will also secure the long term capacity for expanded recreation centre programs through the Shawnigan Lake Community Centre, using existing school building space and providing the land base for future expansion of the centre, if/when supported by the Shawnigan Lake community. Shawnigan Lake Community Centre is very well-used, and additional space is required. The land acquired with Elsie Miles could be used to provide additional pedestrian connections to and from the commercial village core. This acquisition will help to make this a core village Park which has a very high appeal to the community as a community gathering place for events, that will embody the spirit of Shawnigan Lake.



*Recommendation:*

2. ● Proceed with Implementation of the Shawnigan Hills Athletic Park Plan.

*Rationale:*

The recently completed Shawnigan Hills Athletic Park plan describes an initial scope of work for this project expanding the usability of the field for baseball, soccer, and passive fitness. The scope of work includes a renovation of the existing fields including the installation of field lighting and irrigation. Also included within the first phase are site furnishings to support these field activities. When completed the project will provide Shawnigan Lake with a first class field sports athletic facility.

*Recommendation:*

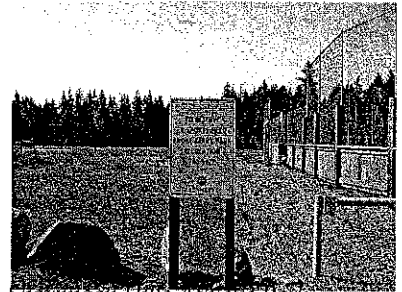
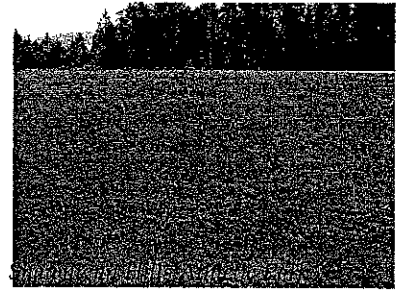
3. ● Update Masons Beach Park with the goal of improving safety and enhancing its role as a key outdoor recreational amenity on Shawnigan Lake.

*Rationale:*

Masons Beach Park is at the heart of the community and because of its central location it has the potential to be an inviting recreational amenity. It is one of the few beach access points around the lake with a designated swimming area. Its popularity in the summer as a swimming destination in combination with its small size and its location along busy Renfrew Road means that safety issues are of immediate concern. Additionally, increasing the amenities available to beach users and improving the aesthetic quality of the area will help showcase the space as the recreational destination that it is.

*Key improvements should include:*

- Replace log booms with buoys to delineate designated swimming area.
- Investigate site capacity to install playground amenities.
- Use fill to raise the park entrance to street level thereby enhancing its presence in the community. Landscape the new area with lawn and shrubs.
- Plant and maintain manicured vegetation under the existing entry sign.



*Shawnigan Hills Athletic Park*



*Masons Beach Park*

*Recommendation:*

4. ● Pursue either a “lease to occupy” or enter into an agreement with the Ministry of Transportation and Infrastructure to acquire some or all of the undeveloped road ends that abut Shawnigan Lake for the purpose of developing as public accesses to the lake.

*Rationale:*

Shawnigan Lake currently has 74 undeveloped road ends located around the Lake that are owned by the Ministry of Transportation and Infrastructure (MoTI). Many provide informal public access to the water and beaches of Shawnigan Lake, or remain natural, offering additional ecological integrity to the lakeshore. While it would be impractical and costly to develop all of these properties for water access, several key road end developments could reduce demand on existing Lakefront public parks and provide additional recreational opportunities. Appendix E of this Master Plan summarizes preliminary recommendations for potential road end uses. The Shawnigan Fire improvement District should also be involved in the process of identifying the best road ends to open up for public access including some areas for water access to fill up fire trucks.

*Recommendation:*

5. ● Undertake a Shawnigan Lake Boat Launch Facility Review as a first step in assessing the capacity to relocate the boat launch at Shawnigan Wharf Park (Phase 1).

*Rationale:*

Providing suitable facilities for boat launching on Shawnigan Lake is an issue as existing launch facilities at Shawnigan Wharf Park and Recreation Road are frequently overused and the availability of parking for day use is limited. The need for better separation between boating and swimming, and improved parking is desirable. Potential alternative public boat launch locations around the lake with suitable upland area for trailer parking need to be assessed with respect to determining long term solutions for managing safe and accessible access points to the lake for boaters. This feasibility review should include:

- Assessment of suitable alternative lake access locations;
- Availability of upland area for vehicle and trailer storage;

- Impact on adjacent properties;
- Impact on lake ecology in the immediate area;

*Shawnigan Wharf Park**Recommendation:*

6. ● **Designate Shawnigan Creek Park as an ecological protection area, and provide signage that encourages people to regard this area as a highly sensitive ecosystem and minimize human impacts.**

*Rationale:*

Shawnigan Creek Park was acquired to provide protection to the sensitive area where Shawnigan Creek enters Shawnigan Lake. It is a known bird nesting place and has been identified as having sensitive wetland ecosystems. Lake recreation often encroaches on the park, and proper information and signage would encourage people not to use motorized boats in the park and help identify the park as a significant environmental resource. In this situation, it is the intrinsic value of the park that should be appreciated rather than the potential recreational attributes.

*Shawnigan Creek Park**Recommendation:*

7. ● **Develop and improve Old Mill Park to offer more outdoor recreational amenities and help take pressure off Masons Beach Park and Shawnigan Wharf Park as beach destinations.**

*Rationale:*

Old Mill Park is a 6.94 ha Nature Park, one of Shawnigan Lake's larger community parks and is located on the lakefront. It is dominated by forest and offers a swimming area, sandy beach and playground to the community. The park has an historic value as an old mill site that is currently not emphasized and could serve as an educational outlet for the public. One of the primary management concerns for the park is to keep invasive species, English Ivy in particular, under control.

*Old Mill Park main trail**Key improvements for a Phase 1 project should include:*

- Develop an open grassy area for recreation and unstructured play;
- Manage invasive plants as part of an invasive species management program for CVRD community parks;

- Replace log booms with buoys to demark designated swimming area and improve existing dock;
- Undertake stabilization work to preserve remnant structures of the former mill site.;
- Install additional interpretive and directional signage throughout the park.



*Old Mill Park Beach*



*Old Mill Park – Trail to the beach*

*Recommendation:*

8. ● Secure areas of Old Baldy Mountain as a Nature Park in order to ensure protection of sensitive slopes and recreational resources.

*Rationale:*

Old Baldy Mountain is consistently identified as an environmental and passive outdoor recreational resource warranting protection. Public input strongly supports protection of the area as a potential community park. The SEI study identifies Old Baldy Mountain as having two significant areas of sensitive ecosystems: Terrestrial Herbaceous on its south slope and Older Second Growth Forest on its north slope. The 1987 adopted Shawnigan Lake Official Community Plan also identifies Old Baldy Mountain as a sensitive ecosystem with significant habitat. Old Baldy Mountain is the backdrop to Shawnigan Lake, visible from any place in the community.



*View from top of Old Baldy Mountain*

*Recommendation:*

9. ● Improve community access to the Cowichan Valley Trail (CVT) through integration of the Shawnigan Lake community trails network with the Cowichan Valley Trail.
- Ida Road CVT Connector
  - Millicent Road CVT Connector

*Rationale:*

While the CVT is a Regional Parks initiative, the trail is also a significant component of parks and trails in Shawnigan Lake. Shawnigan Lake directly benefits, recreationally, socially and economically from this multi-use pathway. The identification and development of key 'gateway' nodes, including signage and amenities, will help people get on and off the trail into Shawnigan Lake neighbourhoods. Ida Road and Millicent Road CVT accesses are good examples of how the Community trails network in Shawnigan Lake can be integrated with the Cowichan Valley Trail.

### *The E&N Rail Trail Initiative*

*Multiple recommendations in this Master Plan point to the development of a multi-use trail within the E&N rail corridor. The Island Corridor Foundation (ICF) is a not-for-profit organization striving to develop an inter-regional trail on Vancouver Island. The CVRD would work in coordination with ICF to see this vision through.*

#### *Recommendation:*

10. ● **Develop a multi-use Rail/Trail connection between Mason's Beach Park and Shawnigan Wharf Park along the E&N Rail Corridor:**

#### *Rationale:*

Mason's Beach Park and Shawnigan Wharf Park are two important community park destinations for residents of Shawnigan Lake. The establishment of a rail/trail between these two park sites along the E&N Rail corridor is important, with expanded connection opportunities to the village core.

This trail connector would be constructed within the E&N corridor and would be of a standard similar to other sections of the E&N trail on Vancouver Island as part of the Rail/Trail Corridor accommodating all forms of non-motorized traffic.

#### *Recommendation:*

11. ● **Develop a trail connection from Dougan Park to the proposed E&N waterfront Rail Trail.**

#### *Rationale:*

This short connector would link the existing facilities of Dougan Park with the lake, Mason's Beach and the Village core. This connection would be short but steep.

#### *Recommendation:*

12. ● **Upgrade Shawnigan Wharf Park to provide better separation of boating and swimming activities.**

#### *Rationale:*

Shawnigan Wharf Park is one of three beach access and swimming parks on the East side of the lake. It is currently also the location of a boat launch, which at times creates a safety conflict with the swimming area. Additionally, the park is bisected by the rail corridor, increasing the complexity of activities in the area. Shawnigan Wharf Park is situated very close to the Village, south of Masons Beach Park, and north of Old Mill Park. As with other parks in Shawnigan Lake that offer beach access, Shawnigan Wharf Park is a popular summer destination.

*Key improvements should include:*

- Make shoreline improvements using waterfront best management practices;
- Redevelop the dock for swimming;
- Add a public washroom building.
- Determine if the outcome of the Shawnigan Lake Boat launch study can facilitate the relocation of the existing boat launch at Shawnigan Wharf Park.



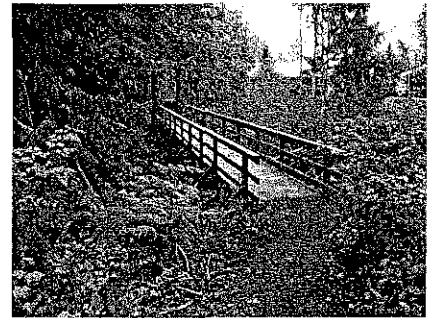
*The boat launch at Shawnigan Wharf Park.*

*Recommendation:*

13. ● **Improve and extend the Silvermine Trail to connect Shawnigan Lake/Cobble Hill Road through to the Koksilah River.**

*Rationale:*

A 3.23km portion of the Silvermine trail was dedicated prior to 2008 and an additional 850m of linear park was dedicated in 2008. This trail should be developed and continued west towards the Cowichan Valley Trail and Silvermine Park on the Koksilah River through negotiations with landowners along the proposed route. This link would require an additional +/- 4km of trail dedication and routing. It would also connect the Silvermine Trail to the trail system proposed between the Shawnigan Beach Estates and Kingburne Drive.



*Silvermine Trail section completed in 2009*

*Recommendation*

14. ● **Complete upgrades to Old Mill Park through provision of washroom and change-room facilities and assess capacity for additional historical interpretation of former Mill site.**

*Rationale:*

In its current form, Old Mill Park is substantially underutilized. With the site improvements contemplated by this phased project, the use of Old Mill Park would be expected to increase. With this increased use the addition of washroom facilities would be anticipated. With the improvements to the site, additional historic interpretation of the former mill site could be incorporated.

*Recommendation:*

15. ● Develop a new boat launch facility if recommended by the Shawnigan Lake Boat Launch Facility Review.

*Rationale:*

Public demand for additional locations to launch boats around Shawnigan Lake is high. If supported by the outcomes of the Shawnigan Lake Boat Launch Facility review moving forward with development of a new launch location would have high favorable support of the lake community. Noise is a common complaint from neighbours of boat launches, and sites that offer good separation are preferred.

Development of any new boat launch facilities on Shawnigan Lake must include the following to ensure effectiveness of launch site and minimize neighborhood concerns:

- A parking area for boat trailers;
- Public washroom facilities;
- Litter receptacles;
- A dock to temporarily moor boats while launching/retrieval is underway.

*Recommendation:*

16. ● Implement Phase 2 of the adopted 2007 Shawnigan Hills Athletic Park Plan.

*Rationale:*

The second phase of this plan provides changeroom/ washroom buildings and addition of play equipment. Described in detail in phase 2 of the 2007 plan includes:

- Play equipment for 5 – 12 year olds;
- Play equipment for younger children;
- Picnic shelter;
- Washroom/change-room building;
- Additional trails and site finishing;
- Bike racks, litter receptacles, and water fountain.







### 5.3 SECONDARY RECOMMENDATIONS (BEYOND YEAR 10)

This section outlines parks and trails capital projects that are proposed beyond the next 10 years, recognizing the capacity of the community parks budget requisition annually for Shawnigan Lake parks and trails will likely be limited to the projects outlined in Section 5.2 – Primary recommendations, and were deemed a medium priority by the community.

Unlike the Section 5.2, these ideas are not presented in a chronologically prioritized order. Rather, they are categorized as: Improvements to Existing Community Parks; Trail Development; and Recommendations for Park Acquisitions, and represent a record of community desires for the future of parks and trails in Shawnigan Lake. It is important to note that where capital budgets may allow, certain second priority recommendations could be advanced so that completion may be undertaken within the 10 year time horizon anticipated within this plan.

#### Improvements to Existing Community Parks

*Recommendation:*

**Undertake a community review of the 2007 Shawnigan Lake Hills Athletic Park Plan to reaffirm that the remaining improvements are still supported by the community or if changes/additions are required to address current community needs.**

*Rationale:*

After 10 years of operating the park, it will provide a basis for the community to reaffirm support for the remaining elements that have been identified. This project would provide:

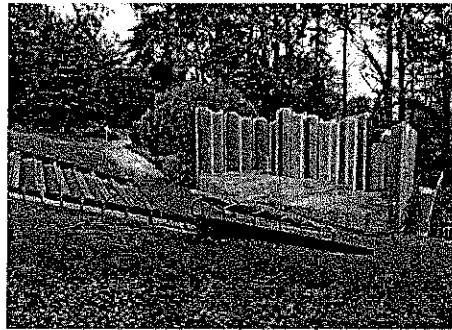
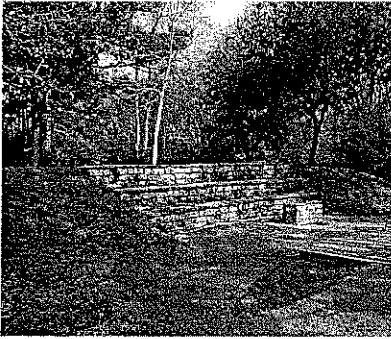
- Tennis courts,
- Parking, and
- Park entry features.

*Recommendation:*

Assess the addition of an outdoor theatre in either Dougan Park, the Elsie Miles School property, if acquired, or any other suitable park in Shawnigan Lake.

*Rationale:*

Currently there are no venues in the community for outdoor concerts, plays, or other community organized events. Provided Elsie Miles School is acquired by the CVRD, there would be ample space to accommodate such a use. The outdoor theatre would have to be sited such that potential noise minimally affects neighbours.



*Examples of small amphitheatres*



## Trail Development

Trail linkage is an important component of any community parks and trails system. Currently in Shawnigan Lake, safe convenient trails for pedestrians and cyclists are limited. Trends indicate that people are becoming more interested in pursuing individual activities and personal health, and trails are one of the most effective ways to get people moving.

### *Recommendation:*

**Acquire and develop a public trail route, cognizant of the area's sensitivity, to the top of Old Baldy Mountain.**

### *Rationale:*

Old Baldy Mountain has significant values to the community as a destination hiking area, given the extent of informal trail routes. Acquiring and formalizing a designated hiking trail route (preferably in conjunction with acquisition of the larger site) would assume continued recreational access and provide the opportunity to route trail access around or away from sensitive ecosystems on the hillside.

### *Recommendation:*

**Develop a partnership with the Shawnigan Lake School to create a pedestrian/cycle trail from Shawnigan Village to the Beach Estates.**

### *Rationale:*

Past studies and public response indicated a desire to develop Shawnigan Lake as a more 'walkable' community. Shawnigan Beach Estates is one of the most densely populated areas of Shawnigan Lake. The distance between the Beach Estates and the Village is +/- 3km; however, pedestrians and cyclists currently must travel a large portion of that route on Renfrew Road, which has narrow lanes and has extensive vehicle use.

Shawnigan Lake School sits between the Beach Estates and the Village. A trail route developed in cooperative partnership that utilizes both public and school land would be an advantage to those living in the Beach Estates as well as students and staff from the school. The partnership would have to carefully route the trail to ensure it would not impact negatively on school activities. Signage, fencing and pathway alignment would all be

important considerations to develop a pathway that encourages the public to respect private school property.

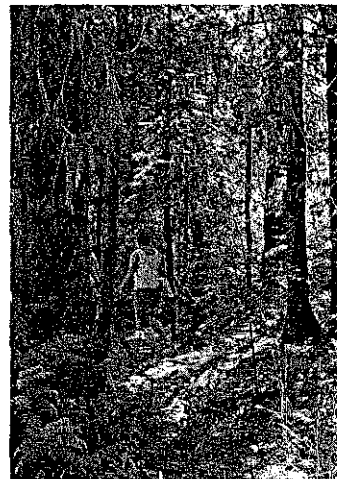
*Recommendation:*

**Formalize key portions of the existing informal trail routes that connect Beach Estates to the Kingburne Drive and Ingot Drive developments.**

*Rationale:*

An informal trail network north of Beach Estates has been developed over the years, creating key connections to Kingburne Drive and Ingot Drive. Most of these trails are located on Crown lands. However, a few main connections are on private lands, which could be formalized through negotiations for dedication as public trails if/when these lands are developed through subdivision.

CVRD Parks should endeavour to identify key trail routes, and secure them as designated park or trail, especially those connections on private land as opportunities arise (i.e. dedication through subdivision, rezoning, donation etc.). Consultation with the Crown regarding the trail on Crown lands should be undertaken to determine how these trails can become part of the CVRD's community trail system. Once identified, key routes should be developed with proper surfacing, entry points and wayfinding signage.



*Kingburne Park*

*Recommendation:*

**Extend the E&N Rail/Trail from Shawnigan Wharf Park to Old Mill Park.**

*Rationale:*

Old Mill Park, Shawnigan Wharf Park and Masons Beach are three key waterfront parks adjacent to the village. Currently, each park is only accessible by road, and there is no strong connection between the parks.

Public interest for such a connection has been demonstrated on several occasions, including at the open houses for this Master plan process, in the 2007 Parks User Survey and in the 1991 Shawnigan Village Comprehensive Development Plan. A lakefront walkway between these areas would strengthen the connection between the village and the lake.

Such a trail would make use of the E&N rail corridor, as well as potentially using shoreline trail and boardwalk to create a complete trail approximately 1.25km in length.

Several road ends along the pathway route could be considered for development of shoreline access and/or viewing platforms as part of the trail initiative including:

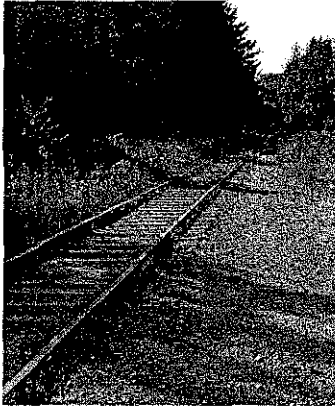
- Shawnigan – Mill Bay Road
- Norbury Road
- Elford Road

*Recommendation:*

**Develop a safe walking/cycling loop around Shawnigan Lake. A trail of this magnitude will require a long-term commitment to identify and pursue key connections.**

*Rationale:*

Residents of Shawnigan Lake showed a strong desire to have a walking loop around the entire Lake. The concept of this trail would be to provide access between neighbourhoods, schools, recreational resources and the village for all people living around the lake. The development of such a trail should be recognized as a long-term goal, that will require thoughtful acquisition, partnerships and development. The trail will



*Along some sections, the E&N rail corridor could accommodate trails.*

connect with existing trails such as the Cowichan Valley Trail, Silvermine Trail and trails in Old Mill Park.

*Key components of the route will include:*

- The CVT on the west side of the lake.
- Accessible portions of the E&N Rail Corridor on the east side of the lake.
- Shoulder walkways along roads to make connections.
- Identified entry points.
- Directional signage.

A successful 'Lake Loop' would encourage tourism and economic potential, improved commuting options and safe walking/cycling connections for all residents and visitors.

*Recommendation:*

**A. Additional land acquisitions for trail improvements should occur when any of the following materializes:**

- Opportunities arise to acquire additional lands,
- Development pressures occur that trigger the acquisition of a piece of land,
- The Community expresses strong support to acquire a piece of land that they wish for establishing a trail corridor and mechanisms (i.e willing donor, funding, etc) are in place to secure the acquisition.

**B. Future priorities for trails projects include:**

Providing trail connections:

- Between Shawnigan Village and Cobble Hill Mountain Regional Recreation Area
- Along the north side of the Koksilah River from the Kinsol Trestle east to Koksilah River Community Park.
- Along Old Haul Road between the Quarry and Electoral Area A, Mill Bay/Malahat.

- Within the Norbury Road Trail ROW/Bob O'Link Trail to Treit Road.
- Between Galland Park and Shawnigan Wharf Park.

Partner with MoTI for creating a shared Roadway along:

- Elford Road
- Treit Road
- Wooden Road to Williams River Park

*Rationale:*

Connections was one of the issues mentioned most often by the public throughout this process. Many trail improvement suggestions were made. Budget restrictions do not allow all these trail connections to be completed immediately. However, these projects are worthwhile long term considerations. Additionally, land development often leads to opportunities to secure trail linkages without requiring outright acquisition. Recognizing that community demands and interests may change over time, the above list of long-term trail ideas may be consulted for future trail linkage projects in Shawnigan Lake.

*Recommendation:*

**Develop an area near Mason's Beach Park that allows for intermodal connections between cars, bikes, buses and trains. This could include secure bike storage facilities and parking areas.**

*Rationale:*

End of trip facilities are necessary to encourage the use of trail systems as part of daily commuting decisions. Parking facilities provide an opportunity for distant users to arrive at Mason's beach by car or bike and transfer to bus, rail, or walking trail. With facilities in place the flexibility of trail use is enhanced as people can:

- Arrive by car and enjoy a walk or cycle around the lake;
- Arrive by car and walk into town;
- Arrive by bike and take a bus or train into Victoria or Nanaimo;



- Arrive by bike and enjoy the park without fear of loss or damage, etc.

### Recommendations for Community Park Acquisitions

Acquisition of new parkland is important to maintain a balance between development and population growth in one's community and availability of sufficient public greenspace to protect important/valued environmental landscapes and provision of public space for a range of active and passive outdoor recreation activities and pursuits. Planned acquisition ensures that new parks and trails are selected and developed based on their contribution to the parks and trails system and the community. The following acquisition recommendations were identified through this planning process by means of reviewing existing and future potential developments as guided by the adopted *Official Community Plan*. However, it is recognized that future updates of the Shawnigan Lake OCP may bring changes to the types and level of development within the community, for which the Shawnigan Lake Community Parks and Trails Master Plan will need to be responsive and adaptable to ensure the plans, principles and objectives continue to respond in achieving the distribution and types of parks. This plan should be flexible to allow for other quality acquisitions to occur should the opportunity and funding arise.

#### *Recommendation:*

**Acquire additional parkland along upper Shawnigan Creek to protect the waterway and riparian areas upstream of the Lake.**

#### *Rationale:*

Shawnigan Creek is a significant source of water for Shawnigan Lake and care should be taken to protect this source. Shawnigan Creek Nature Park currently provides protection to the portion closest to the south end of the lake, however, further upstream there is little or no protection for the creek. The Sensitive Ecosystem Inventory (SEI) that was done on Southern Vancouver Island identified a portion of Shawnigan Creek as significant wetland. The creek runs through private ALR lands, other private lands and eventually through Crown lands. The CVRD should strive to obtain as much land adjacent to Shawnigan Creek in order to provide a continued level of protection for water entering the Lake.

*Recommendation:*

**Acquire Crown Lands at Skrimshire Road to create a nature park.**

*Rationale*

The public process identified a portion of Crown lands located at the end of Skrimshire Road that would be an asset to the parks and trails system. Shawnigan Beach Estates is a densely developed neighbourhood, and the highly-used informal trail network that currently exists between the Beach Estates and Kingburne Road is accessed from this point. This site would ideally be maintained as a nature park, with trails and trailhead amenities added.

*Recommendation:*

**When opportunities arise to acquire land along the lakeshore of Shawnigan Lake for public access or to protect a sensitive environment, they should be considered a high priority.**

*Rationale:*

Throughout the parks and trails master planning process, additional public lakeshore was consistently identified as a priority. While much of Shawnigan Lake's shoreline is privately owned, future opportunities may arise to permit the acquisition of shoreline for park. The CVRD should monitor land opportunities along the lakeshore closely, and be prepared to act if such an opportunity arises.

*Recommendation:*

**Pursue acquisition of the following sites, as opportunities arise.**

- 3 acres adjacent to Courtenay Way Park
- Shawnigan Lake Islands
- Additional parklands on the east side of the lake
- Parkland in the Mines area
- Crown lands on Owl Road (Shawnigan Creek)
- Park near Sooke Lake Road

- Wooded lot adjacent to railway trestle on East Shawnigan Lake Road
- Land along Koksilah River – Ancient Forest (partner with BC Parks)
- Land near Wild Deer Lake

*Rationale:*

Over the long-term, acquisition of other properties should be considered for addition to the Community Parks and Trails system. When opportunities arise, properties that are at risk of being lost to development or reflect changing community priorities may become higher priority.

It is important for this Master Plan to recognize that as Shawnigan Lake develops, park priorities, opportunities and community demands will change as well. The master planning process identified a number of parks acquisition ideas. While not all these ideas could be fit into the 10-year budget plan, they should be identified and considered as future opportunities.

The above list was developed through public input during the consultation process when asked to identify areas in Shawnigan Lake as having outdoor recreation and/or environmental values to acquire for community park purposes. The above locations are shown on MAP 2 at the end of Chapter 6:

*Recommendation:*

**Priorities should be made to secure new trail linkages in existing neighbourhoods through land purchase, donation, shared roadways, rights-of-way or easements.**

*Rationale:*

There currently exists limited connection of designated trails throughout the Shawnigan Lake Electoral Area. Such trail networks can provide safe, sustainable, non-motorized alternatives for residents to travel within and around their community whether for recreation, social or commuting purposes.

## 5.4 SYSTEM-WIDE RECOMMENDATIONS

This section presents recommendations that are related to capital planning but are not accounted for in the capital spending described in Chapter 6. Rather, they are associated with parks and trails planning and operations, and are equally important in terms of developing a comprehensive Community Parks and Trails Master Plan.

### **Community Parkland Acquisition Strategy**

#### *Recommendation:*

**Continue to support the existing Shawnigan Lake Community Parkland Acquisition Reserve Fund (Bylaw No. 2733) that allows strategic parkland acquisitions.**

#### *Rationale:*

From time to time strategic park acquisition opportunities may occur that allow specific properties to be purchased that can support the development of a complete and integrated community park system. Several potential acquisition sites have been identified as part of the community parks master planning process. This Community Parkland Acquisition Reserve Fund allows specific properties to be acquired over time and derives funds from:

- Residual community parks capital funding from year to year.
- 10% of annual capital expenditures for community parks to be set aside for acquisition.
- Cash-in-lieu from development activities where land for parks is unsuitable for inclusion within the park system.

#### *Recommendation:*

**Where opportunities for park dedication during subdivision do not coincide with the parks and trails vision or are not supported by the *Community Parks Acquisition Criteria and Rating Scheme* (Appendix F), the CVRD should accept cash-in-lieu and supplement the Shawnigan Lake Community Parkland Acquisition Reserve Fund.**

#### *Rationale:*

The Shawnigan Lake community has numerous parks in its system. Community parks funding does not have the capacity to develop and maintain all these parks. Care must be taken to

ensure additional extraneous lands are not added if they do not contribute to the larger parks vision. Careful review of all subdivision parks dedication proposals should be undertaken, and the benefits of the proposed dedication lands be weighed against the vision and principles set out in this Master Plan and the rating scheme described in Appendix F. If the proposal does not meet these principles, cash-in-lieu should be accepted.

*Recommendation:*

**Update the CVRD park disposition policy and initiate public process to decommission and sell extraneous, underutilized park properties. Funds generated should be placed in the Parkland Acquisition Reserve Fund.**

*Rationale:*

Throughout the years many small, underutilized park spaces have been formed in Shawnigan Lake. These parks typically offer little in terms of recreational value or environmental value. Leonard Park is an example of such a park in Shawnigan Lake that could be suggested for disposition because of its small size and lack of potential uses.

*Recommendation:*

**In the long-term, park management plans should be completed for specific parks which are anticipated to have complex or multiple use issues, development of such plans provide the context for development, management, operation and funding support.**

*Rationale:*

Shawnigan Lake has a large number of properties within its parks and trails system. Many of these properties have been dedicated over the years, but have not been developed into recreational spaces likely due to budget constraints, even though the neighbourhoods could benefit from additional recreational resources.

Park management plans should be considered in:

- Old Mill Park
- Expanded Dougan Park (Addition of Elsie Miles)
- Shawnigan Wharf Park
- Shawnigan Hills Athletic Park

- West Shawnigan Lake Park

## Park Operations

Park operations recommendations apply to the overall parks and trails system. These recommendations fall under: Codes of Conduct; Policies and Partnerships; and Programs and Guides.

### Codes of Conduct

#### *Recommendation:*

**Work with other regulatory agencies to develop an Educational Code of Conduct for boaters on Shawnigan Lake to be posted at CVRD boat launch sites.**

#### *Rationale:*

Recreational motorized boating is a favourite use of Shawnigan Lake. However, boat wakes can have environmental impacts. Studies show that motorized watercraft operated at high speeds in shallow waters can stir up lake sediments; prevent light from getting to aquatic plants; as well as increase and distribute nutrients and contaminants. The West Arm of the lake and the area between Verlon Road and Bell-Irving Road were two areas identified by the public that could benefit from having slower boat speeds.

Although the lake is not directly part of the community park system, its use and enjoyment is a core part of the recreational experience in Shawnigan Lake. Boaters also frequent community parks, launch facilities, and waterfront access points.

A code of conduct can provide information to boaters on existing bylaws and rationale for adhering to the code, including:

- Boat launch and parking facilities
- Noise and times of use
- Boat wakes and impacts on shores
- Water quality impacts
- Regulatory and enforcement activities



*View up Shawnigan Lake*

*Recommendation:*

**Develop a Trails Code of Conduct that describes expectations for trail users.**

*Rationale:*

The Community Parks and Trails Master Plan includes an extensive network of established and backcountry trails. Some trails are located on road right-of-ways, working landscapes, or even private land. Maintaining these connections will require a high degree of cooperation between all landowners. This code of conduct may include:

- A review of codes from other jurisdictions;
- Development of policies for multi-use trails;
- Review and modifications based on consultation with stakeholders;
- Development and distribution of a trail brochure;
- Presentations to key trail user-groups to encourage adoption of the trail code.

*Recommendation:*

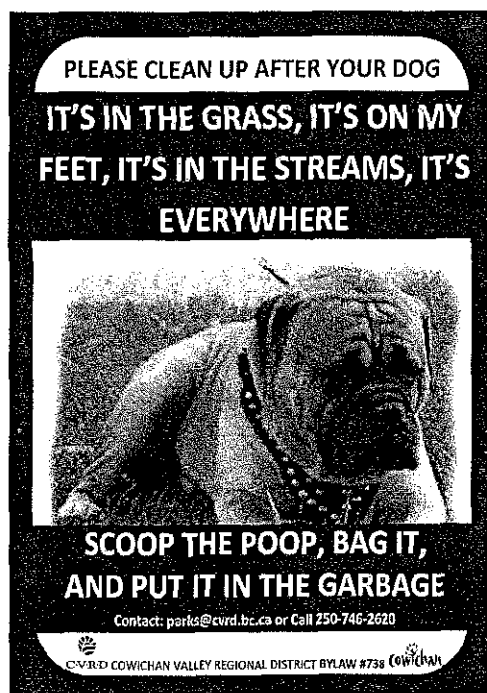
**Develop a Code of Conduct guiding expectations for Pets and their owners in CVRD Parks.**

*Rationale:*

Education about the expectations of pets and their owners is a first step in the development of this strategy. It is true that most people will do what is asked if they know what is being asked, and why. A "Pet's in Parks" code of conduct can identify appropriate dos and don'ts and provide a common starting point for users.

Many examples of Pet Codes have been developed in other park jurisdictions. As might be expected, these all have much in common. For example, a code may:

- Be written in a memorable way using a humorous or poetic style;
- Be illustrated with original artwork from local artisans or school children;





- Be designed and published with the support of local commercial interests, i.e. groomers, boarder, or suppliers.

## Policies and Partnerships

### *Recommendation:*

**Develop Community Park Revenue Generation Policies, including direction for implementation with the parks and trails system at Shawnigan Lake.**

### *Rationale:*

A revenue generation plan is important to provide consistency in all areas of parks; however, most importantly for various recreational programs in parks, such as sports field bookings and boat launch use. The policy would be intended to provide consistency in assessing and determining application of fees and charges, as appropriate for specific activities and users of local parks.

### *Recommendation:*

**Develop a policy on Donations and Commemorative Gifting.**

### *Rationale:*

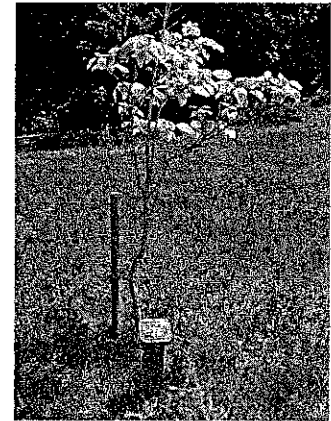
Public response indicated a desire to see additional amenities available in parks. Some existing park amenities have become outdated or degraded due to vandalism. Updated design of these amenities and consistent high quality of these elements will add to the community character of Shawnigan Lake and will reduce maintenance and replacement costs over the long term.

Many communities use a Commemorative Gifting Program to increase the number of amenities available to the public. Through such programs, a consistent design with donor information can be funded and planned for the community. Such a program requires commitment for development and marketing by CVRD staff.

### *Recommendation:*

**Develop an operational response plan to deal with fire risk in parks.**

### *Rationale:*



*Fuel Management in Shawnigan  
Hills Athletic Park, 2009*



*Fuel Management in Old Mill  
Park, 2009*

The CVRD received Provincial Grant funding for a Fuel Management Pilot Project in Silvermine Park to establish a program for reducing and managing fuel hazards in other CVRD community parks. Similarly, other Regional Districts in British Columbia have started thinking more seriously about how to maintain parks and trails so as to limit the risk of interface fires. Community park planning, design and management can contribute to reducing fire risk locally and regionally.

The province has prepared a report that speaks directly to the issue of interface fires; how to reduce the threat as well as emergency response. The report can be found at:

<http://www.2003firestorm.gov.bc.ca/firestormreport/default.htm>

*Recommendation:*

**Expand and support community partnerships between the CVRD and public/private schools; sports associations; trail groups, equestrian groups; and others.**

*Rationale:*

Shawnigan Lake already has a history of excellent collaboration among community organizations. Whether it is the management of Elsie Miles School or the cooperative use of sports fields and trails, there are many mutual and overlapping benefits for organizations in service delivery partnerships.

The community parks program should proactively seek out formal and informal partnerships that can provide for increased park use and share some of the operational mandate for community parks. Example of collaborative efforts could include:

- Coordinated facility bookings;
- Seasonal use agreements that accommodate usage peaks throughout the year;
- Shared facility security, surveillance, reporting, and enforcement;
- Joint community liaison;
- Collaborative volunteer activities.

*Recommendation:*

**Review Shawnigan Lake trail plans with local students, the general public and other community groups in Shawnigan Lake.**

*Rationale:*

Building partnerships and opening dialogue with students and other community groups will ensure that significant connections are incorporated into trail network plans. Encourage participation of community groups and local schools in reviewing and updating the Shawnigan Lake trails plan. This review may include an annual community trail workshop to review and update the Regional District's community trails database.

*Recommendation:*

**Work with the Ministry of Transportation and Infrastructure to develop signage and directional markings for Shared Roadways.**

*Rationale:*

Shawnigan Lake is a small community spread out around the perimeter of the lake. Historically the road network has provided important connections between homes, schools and local businesses. As the community grows there is an incremental increase in the volume and speed of traffic so that walkers and cyclists are less comfortable using roads as part of a community trail network. Roadway markings that indicate a special designation would remind drivers that they should expect to see walkers and cyclists using certain roads.

## **Programs and Guides**

*Recommendation:*

**Encourage the growth of the CVRD Parks Volunteer program in the Shawnigan Lake community.**

*Rationale:*

Communities throughout BC have seen tremendous support for parks and trails, with volunteers providing: passive reconnaissance and reporting, park and trail maintenance, and

park programming. Where these programs have been most successful there has been a recognition of the need to provide staff resources to support volunteer efforts. Staff support may include:

- **logistical** – arranging for hand tools or litter removal after a park clean-up; or
- **organizational** – providing a centralized web resource for volunteer opportunities or simply saying thank you on behalf of the community.

In all cases, modest investments of staff resources can be shown to provide significant paybacks in achieving the visions of the community and Park Commission.

The CVRD's regionally directed Volunteer in Parks program (found at <http://bccowichanvalley.civicplus.com/index.asp?nid=278>) invites the participation of Park Wardens. This program has started but could be expanded to include more opportunities for community park volunteers. Examples of Volunteer in Parks programs that are being done on a small basis in other CVRD Electoral Areas may include:

**Park Volunteers** – Individuals or groups who accept an overall responsibility to encourage positive community activity within a specific park. They may be responsible for organizing occasional park clean-up activities, park events and programming, or reporting vandalism or other circumstance that requires Parks Staff action. Example of resources for Park Volunteers may include:

- Volunteers may have access to a CVRD web resource that allows them to easily report current activities in a way that staff and other 'volunteers' can easily review;
- Volunteers may be invited to occasional training opportunities or special recognition events;
- Volunteers would be given a specific detailed description of their role.

**Program Volunteers** – Groups or individuals with a specific interest that



*Clean beaches are often due to the efforts of local volunteers.*

may be applied throughout the community park system. Many examples currently exist where sports associations assist in field or facility maintenance. This model could be expanded to provide increased volunteerism for services such as: trail maintenance, invasive plant species removal, and guided nature walks.

*Recommendation:*

**Prepare a local map and guide showing pedestrian or cycling ‘commuter’ pathway corridors within the Shawnigan area.**

*Rationale:*

This guidebook may initially highlight the value of shared roadways within the Shawnigan Lake Community. It may be distributed as a mail out to residents or as a rack brochure exclusively displayed by local businesses. An illustrated map could be a feature specific to historical facts and local artwork in Shawnigan Lake. Funding could be provided through advertisements featuring local businesses. In this way the guide is not only an informational tool, it can also be a source of local pride.

### **Park Stewardship**

Park stewardship ensures that all changes, policies and management of parks is done in a sustainable manner that respects natural systems, while maximizing human enjoyment.

*Recommendation:*

**Develop an Environmental Management Strategy in collaboration with the CVRD’s Environmental Division for Community Parks.**

*Rationale:*

Public process indicated a desire to see protection and improvement of the area’s natural character. An Environmental Management Strategy for the entire Electoral Area will help set priorities and strategically plan how protection, improvement and maintenance can collectively ensure longevity of the area’s environment. Components to be included or referenced within the Environmental Management Strategy include:

- Water conservation with respect to irrigation in community parks and other water conscious strategies.





*Ancient Forest – Koksilah River*

- A vegetation management plan that preserves sensitive ecosystems, unique habitats and significant ecological sites.
- An urban forestry plan that addresses tree management in parks.
- A wildlife management plan that addressed how to minimize conflicts with people.

*Recommendation:*

**Develop and implement a long-term invasive species management plan for community park sites in Shawnigan Lake.**

*Rationale:*

Invasive species are non-native plants and animals that have established themselves in existing natural areas. These species are generally very aggressive and are a significant threat to natural ecosystems all over Vancouver Island and beyond. The BC Ministry of Forests and Range states that “Invasive plants are a threat to our native environment and are recognized globally as the second greatest threat to biodiversity.”

The Management Plan should include:

- identification of key parks and trails for invasive species management;
- a regular, efficient maintenance schedule; and
- an implementation plan.

In order to support Shawnigan Lake’s native flora and fauna and support the integrity of natural environments, invasive species management should be an important component of parks and trails management. Targeted invasive species management should be undertaken in:

- Old Mill Park (English Ivy removal)
- Sooke Lake Road Community Forest (Broom removal)
- Stebbings Road Community Forest (Broom removal)
- Other parks identified as having invasive species concerns



*Giant Hogweed on CVT near Sooke Lake Road*

*Recommendation:*

Work with other CVRD Departments to educate residents about "living by water" principles, invasive species management, and important environmental processes that occur in community parks.

*Rationale:*

By working with other Departments within the CVRD, the Parks and Trails Staff can organize and promote environmental stewardship programs within community parks. Such programs can develop community awareness of not only how environmental sustainability can be achieved within local parks, but that such actions can also be applied to lands (i.e residential, private etc.) throughout the community. Multiple resources provide information and support for sensitive aquatic design. Many private land owners develop around water without fully understanding the impacts of their actions. The CVRD can help members of the community access valuable resources, which will help them make responsible decisions.

Promote and make resources readily available through:

- Interpretive Signage.
- Information on the CVRD Website.
- The development and distribution of a "living by water" information brochure.
- The development and distribution of an invasive species brochure.
- Arranging, supporting and/or developing community "living by water" workshops and programs.
- Arranging, supporting and/or developing community invasive species removal workshops or volunteer programs.

Multiple resources exist that can provide information, support and funding opportunities:

- The Living By Water Project has a mission of "working towards healthier human and wildlife habitat along the shorelines of Canada." The Project supports groups, agencies and individuals by providing services and materials related to shoreline stewardship.

[www.livingbywater.ca](http://www.livingbywater.ca)



*Old Mill Park – English Ivy covering historical artefact*

- The Province of BC's Stewardship Series developed a publication titled *Access Near Aquatic Areas: A Guide to Sensitive Planning, Design and Management*. This document provides a guide to balancing conservation with development of recreational space.  
[dev.stewardshipcanada.ca/sc\\_bc/stew\\_series/NSCbc\\_stewseries.asp#access](http://dev.stewardshipcanada.ca/sc_bc/stew_series/NSCbc_stewseries.asp#access)
- The Invasive Plant Council of BC is a non-profit society working to minimize the negative ecological, social, and economic impacts caused by the introduction, establishment and spread of invasive plants. The IPCBC is an extensive information source for identifying, monitoring and controlling invasive species, including T.I.P.S. a series of publications that focuses on Integrated Pest Management of common invasive plant species.  
[www.invasiveplantcouncilbc.ca](http://www.invasiveplantcouncilbc.ca)
- The Coastal Invasive Plant Committee is another non-profit society that mainly focuses on coastal British Columbia.  
[www.coastalinvasiveplants.com](http://www.coastalinvasiveplants.com)
- The Ministry of Forests and Range hosts the Invasive Alien Plant Program Application, a database for invasive plants in BC. It holds information about where invasive plant colonies have been identified in BC's communities.  
[www.for.gov.bc.ca/hra/Plants](http://www.for.gov.bc.ca/hra/Plants)



*Shawnigan Wharf Park*





## 6. IMPLEMENTING THE PARKS STRATEGY

### Parks & Trails Capital and Operating Budget Priorities

Planning for the future of parks and trails in Shawnigan Lake requires an understanding of the funding mechanisms which supports the program. Funding for maintenance of existing park facilities, as well as large and small capital projects is important for the long term sustainability of a well managed parks and trails system that meets the needs and desires of the community. Long term planning establishes priorities for parks and trails to provide guidance to the annual allocation of funds. These priorities are a guide and some measure of flexibility is built into this Community Parks and Trails Master Plan for changes in community priorities over the years.

*Table 18. Shawnigan Lake Community Parks and Trails Capital and Operating Budget 2010*

<b>Table 18. 2010 Shawnigan Lake Community Parks Budget</b>	
<b>Funding Sources (2010)</b>	
• 2010 Tax Requisition for Shawnigan Lake Community Parks	\$370,000
• Shawnigan Sports Field Rental Fees	\$ 2,000
• 2009 Unspent Surplus Carry forward <sup>1</sup>	\$200,396
• Transfer from Shawnigan Lake Community Parks Reserves	\$105,000
• Property Acquisition Loan <sup>2</sup>	\$390,000
<b>Available Funding Sources for 2010</b>	<b>\$1,067,396</b>
<b>Planned Expenditures (2010)</b>	
• Parks Operations and Maintenance	\$142,336
• Summer Playground Program	\$ 6,925
• Elsie Miles School Site Purchase Contribution <sup>3</sup>	\$545,000
• Shawnigan Hills Athletic Park (Phase 1 Development)	\$298,261
• Masons Beach Park Improvements	\$ 10,469
• Minor Capital Projects	\$ 20,905
• Loan Repayment (Elsie Miles Purchase)	\$ 43,500
<b>Planned Expenditures Total 2010</b>	<b>\$1,067,396</b>

<sup>1</sup> Unspent 2009 project funding carried forward for the Shawnigan Hills Athletic Park Phase I project

<sup>2</sup> Loan would only be drawn upon at time of property purchase

<sup>3</sup> Property purchase intended to be cost-shared with Shawnigan Lake Community Centre

In order to successfully implement this long term community parks and trails strategy, priorities were defined for the capital

projects to be implemented in the first 10 years of the Parks and Trails Master Plan. A detailed summary of these priorities that are planned for the community are identified in Table 19.

Prioritization was required for these capital projects as not all are achievable within a 10-year time horizon given the level of annual funding support for the Parks and Trails program. As the community grows, priorities can change therefore it is important for this plan to be dynamic and flexible. The plan should be reviewed every 5 years by the local Parks and Recreation Commission to assess whether the goals and vision are being achieved or whether the priority rating should be adjusted.

This summary Table 19 is based on the annual parks capital planning budget. The highest priority projects that could be completed from 2010 to 2020 are identified below.



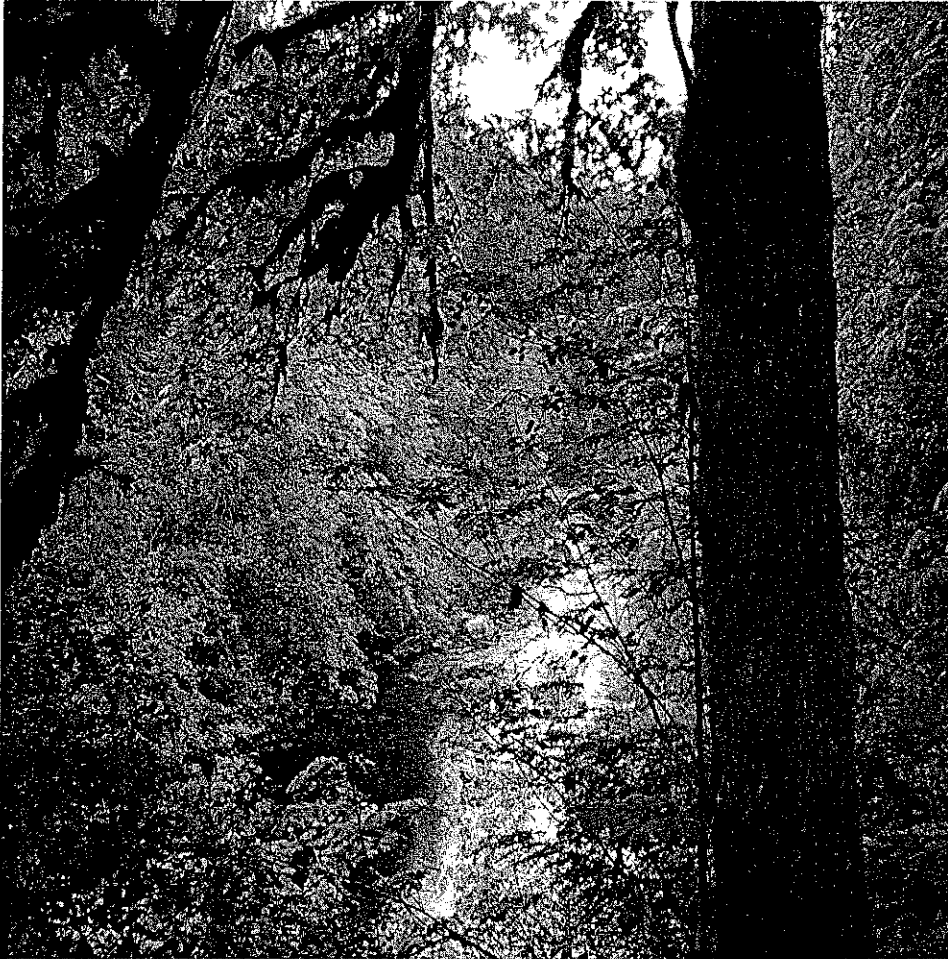
Table 20. Summary of unit costs for budget estimates

Component	Unit	Quantity	Budget Price / Unit
<b>Playing Fields</b>			
New Soccer Field	sq.m.	6000	\$ 98.00
Soccer field renovation	sq.m.	6000	\$ 35.00
New ball field	sq.m.	8000	\$ 65.00
Ball field renovation	sq.m.	8000	\$ 35.00
Manicured grass/tree landscape	sq.m.	100	\$ 44.00
Manicured shrub/tree landscape	sq.m.	100	\$ 77.00
Naturalized grass/tree landscape	sq.m.	100	\$ 19.00
Naturalized shrub/tree landscape	sq.m.	100	\$ 42.00
Selective pruning/dangerous tree clearing	sq.m.	100	\$ 5.00
Fire protection native woods	sq.m.	100,000	\$ 0.20
Invasive Plant Management	sq.m.	100	\$ 0.65
Green Shore restoration	sq.m.	100	\$ 133.00
<b>Infrastructure</b>			
New playground (10x15m)	sq.m.	150	\$ 324.00
Playground renovation (10x15m)	sq.m.	150	\$ 298.00
Paved playing court	sq.m.	400	\$ 157.00
Outdoor theatre	sq.m.	400	\$ 15.00
Waterplay park	sq.m.	900	\$ 416.00
Designated swim area	sq.m.	900	\$ 10.00
Fence	l.m.	10	\$ 183.00
Bollards	l.m.	10	\$ 58.00
Bench, table, bike rack on concrete pad	each	1	\$ 3,294.00
Drinking fountain	each	1	\$ 8,548.00
Litter receptacle on concrete pad	each	1	\$ 1,736.00
Picnic shelter and table	sq.m.	24	\$ 423.00
Concrete barrier	each	1	\$ 325.00
Lookout with wooden handrail	sq.m.	100	\$ 1,470.00
Washroom building	each	1	\$ 84,760.00
Composting toilet	each	1	\$ 3,120.00
Maintenance shed (50m2)	each	1	\$ 87,373.00
Irrigation system	sq.m.	50	\$ 16.00
Village plaza (hard landscape area)	sq.m.	400	\$ 227.00
Parking area (asphalt with curb & lighting)	stall	20	\$ 2,863.00
Kayak/Canoe float	each	1	\$ 70,208.00
Tidewater headway flooding resolution	each	1	\$ 975,000.00
Historic restoration	each	1	\$ 20,800.00
Dock (New or replacement)	each	1	\$ 65,000.00
New boat launch	each	1	\$ 45,500.00
Park plan	hectare	1	\$ 13,000.00
Park development	hectare	1	\$ 650,000.00
Earthworks/grading	sq.m.	100	\$ 7.00
<b>Trails and Linkages</b>			
Multi-use paved trail (4 m asphalt)	l.m.	500	\$ 300.00
Shoulder walkway	l.m.	500	\$ 163.00
Shared roadway	l.m.	500	\$ 4.00
Local trail (2 m gravel surface)	l.m.	500	\$ 33.00
Nature trail (1.2 m gravel surface)	l.m.	500	\$ 20.00
Concrete stair or ramp (2 m wide with metal handrail)	riser	1	\$ 749.00
Wood stair (1.2 m wide with handrail)	riser	1	\$ 485.00
Boardwalk/pedestrian bridge (2 m with handrail)	l.m.	10	\$ 3,825.00
Underground tunnel crossing (5 m wide)	l.m.	10	\$ 9.00
Trail overpass (4 m wide with metal handrail)	l.m.	10	\$ 8,284.00
Pedestrian/cyclist at grade street crossing	each	1	\$ 7,771.00
<b>Signage</b>			
Gateway entrance	sq.m.	100	\$ 151.00
Pedestrian gateway	each	1	\$ 1,560.00
Vehicle gateway	sq.m.	100	\$ 151.00
Park entrance sign	each	1	\$ 3,434.00
Park interpretive signs and shelter	each	1	\$ 12,505.00
Park directional signs and markers	each	1	\$ 445.00

Table 20 identifies the unit costs estimated to calculate the budgeted amounts for each park by year from Table 19.

### Maintaining Community Parks and Park Amenities

While the majority of park maintenance funds come from the community parks operating budget, some costs are supplemented with fees charged to use special use facilities, and/or volunteers who donate their time. Grant funding opportunities for various programs are also continuously sought after by the Regional District to supplement community parks budgets.



*View of the Koksilah River from Kingburne Park*

## 7. SOURCES

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**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3405**

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1497,  
Applicable to Electoral Area H – North Oyster/Diamond**

---

**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 settlement plan bylaw for Electoral Area H - North Oyster/Diamond, that being Official Community Plan Bylaw No. 1497;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Official Community Plan Bylaw No. 1497;

**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. 3405 - Area H – North Oyster/Diamond Official Community Plan Amendment Bylaw (Habitat Protection Development Permit Area), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1497, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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



READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3405 as given Third Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
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



C·V·R·D

## SCHEDULE "A"

To CVRD Bylaw No. 3405

---

Schedule B to Official Community Plan Bylaw No. 1497 is hereby amended as follows:

1. That Part 3 Natural Environment be amended by adding Section 3.9 as follows:

### **3.9 – HABITAT PROTECTION DEVELOPMENT PERMIT AREA**

#### 13.6.1 CATEGORY

The Habitat Protection Development Permit Area is designated pursuant to Section 919.1(1)(a) of the *Local Government Act*, to protect the natural environment, its ecosystems and biological diversity.

#### 13.6.2 JUSTIFICATION

Pursuant to Section 919.1 of the *Local Government Act*, the Habitat Protection Development Permit Area is established to address the following:

- (a) The OCP aims to provide for greater protection of Great Blue Heron nest habitat areas from direct and indirect development. The nests, eggs and young of Great Blue Herons are protected pursuant to the *Wildlife Act*; it is an offence to destroy, remove, or injure any of these features. However, only the actual nests, eggs and young are protected under the *Wildlife Act*. To ensure the viability of the nests and the rooting integrity of the nest trees, the Ministry of Environment recommends buffer areas surrounding these trees.
- (b) The OCP recognizes that Pacific Great Blue Herons are listed as a species of special concern in Canada and are blue-listed (Vulnerable) in British Columbia, and that there are very few viable nest sites to accommodate them on Vancouver Island, due to concerns around population levels, productivity, and habitat. Pacific Great Blue Herons are also protected by the Canadian *Species at Risk Act*.
- (c) The OCP recognizes that Great Blue Herons are sensitive to disturbance around their nest sites, and are particularly sensitive to loud sounds. Herons have been known to desert their nests and young due to disturbances taking place during nesting season.
- (d) The area of concern is surrounded by private properties, and the owners may require building permits for the construction of buildings, or may wish to harvest trees in the future. The Board intends to ensure that such activities can take place without negatively impacting the habitat area that the herons rely upon.

...2

### 13.6.3 AREA OF APPLICATION

The Habitat Protection Development Permit Area applies to areas of land shown on Figure 9 - Habitat Protection Development Permit Area Map.

### 13.6.4 GUIDELINES

Within lands located in the Habitat Protection Development Permit Area, no person shall:

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

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

- (a) Development will, wherever possible, be directed outside of the Habitat Protection Development Permit Area. In cases where there are no appropriate alternatives but to locate development within the Development Permit Area, the onus will be on the applicant to demonstrate that encroaching into the Habitat Protection Development Permit Area is necessary due to circumstances such as the entire parcel being located within the Development Permit Area;
- (b) Where a parcel of land is entirely or significantly within the Habitat Protection Development Permit Area, the development should be sited so as to maximize the separation between the proposed development and the wildlife tree or trees. The applicant may be required to provide, at his/her own expense, a report by a registered professional biologist, with experience and knowledge in dealing with Herons and their nesting requirements, which will identify the area of lowest environmental impact which is suitable for the use intended. In such cases, mitigation and restoration measures may be required to minimize the impact of the encroachment;
- (c) Breeding and nesting season is generally from mid February until mid August. Construction and development, including unusual or loud activities such as blasting, tree falling, chain saws, and concrete cutters, should not take place during breeding and nesting season;
- (d) Subdivisions should be undertaken in a manner that does not create parcels entirely within the Development Permit Area, or parcels that would require or encourage additional development to occur within the Development Permit Area.
- (e) Where development is proposed within the Habitat Protection Development Permit Area, all works will adhere to the *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia* (Ministry of Environment: 2004).

...3

### 13.6.5 EXEMPTIONS

Within the Habitat Protection Development Permit Area, the following activities are exempted from the requirement of obtaining a development permit:

- (a) Development proposed between September 1 and January 31, where a registered professional biologist, with experience and knowledge in dealing with Great Blue Herons and their nesting requirements, provides a report to the CVRD indicating that the birds are not present or would not be affected by the proposed development, and that the proposed work is taking place in compliance with the *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* ((Ministry of Environment: 2006).
- (b) Interior and minor exterior building renovations;
- (c) Construction, repair and public maintenance works by agents or contractors of the Government of Canada, British Columbia or the CVRD;
- (d) Fence building, growing, rearing, producing and harvesting of agricultural products in areas affected by the *Farm Practices Protection Act*, in accordance with recognized standards of the *Farm Practices Protection Act*;
- (e) The planting of trees, shrubs or groundcovers and manual removal of invasive plants or noxious weeds for the purpose of enhancing the habitat values and /or soil stability within the Habitat Protection Development Permit Area provided that the planting is carried out in accordance with the *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* ((Ministry of Environment: 2006).
- (f) The removal of a hazardous tree that could result in loss of life or damage the built environment.

### 13.6.6 APPLICATION REQUIREMENTS

- (a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the Habitat Protection Development Permit Area, the applicant must submit a development permit application, which at a minimum includes:
  - (1) a written description of the proposed project;
  - (2) information in the form of one or more maps, as follows:
    - location/extent of proposed work, including land clearing;
    - location of all Great Blue Heron nests;
    - location of watercourses, including top of bank;
    - topographical contours;
    - existing tree cover and proposed areas to be cleared;
    - existing and proposed buildings;
    - existing and proposed property parcel lines;
    - existing and proposed roads, vehicular access points, driveways, and parking areas;
    - existing and proposed trails;
    - existing and proposed septic tanks, treatment systems and fields;
    - existing and proposed community water lines and well sites.

- (b) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense, an impact assessment report prepared by a Registered Professional Biologist, with experience and knowledge in dealing with Great Blue Herons and their nesting requirements, indicating that the birds are not present and would not be affected by the proposed development, and that the proposed work is taking place in compliance with the *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia* ((Ministry of Environment: 2006).

#### 13.6.7 VIOLATION

Every person who:

- i. violates any provision of this Development Permit Area;
- ii. causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
- iii. neglects to do or refrains from doing any act or thing required under this Development Permit Area;
- iv. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
- v. fails to comply with an order, direction or notice given under this Development Permit Area;  
or
- vi. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;

commits an offence under this Bylaw. Each day's continuance of an offence under the Violations Section constitutes a new and distinct offence.

#### 13.6.8 PENALTY

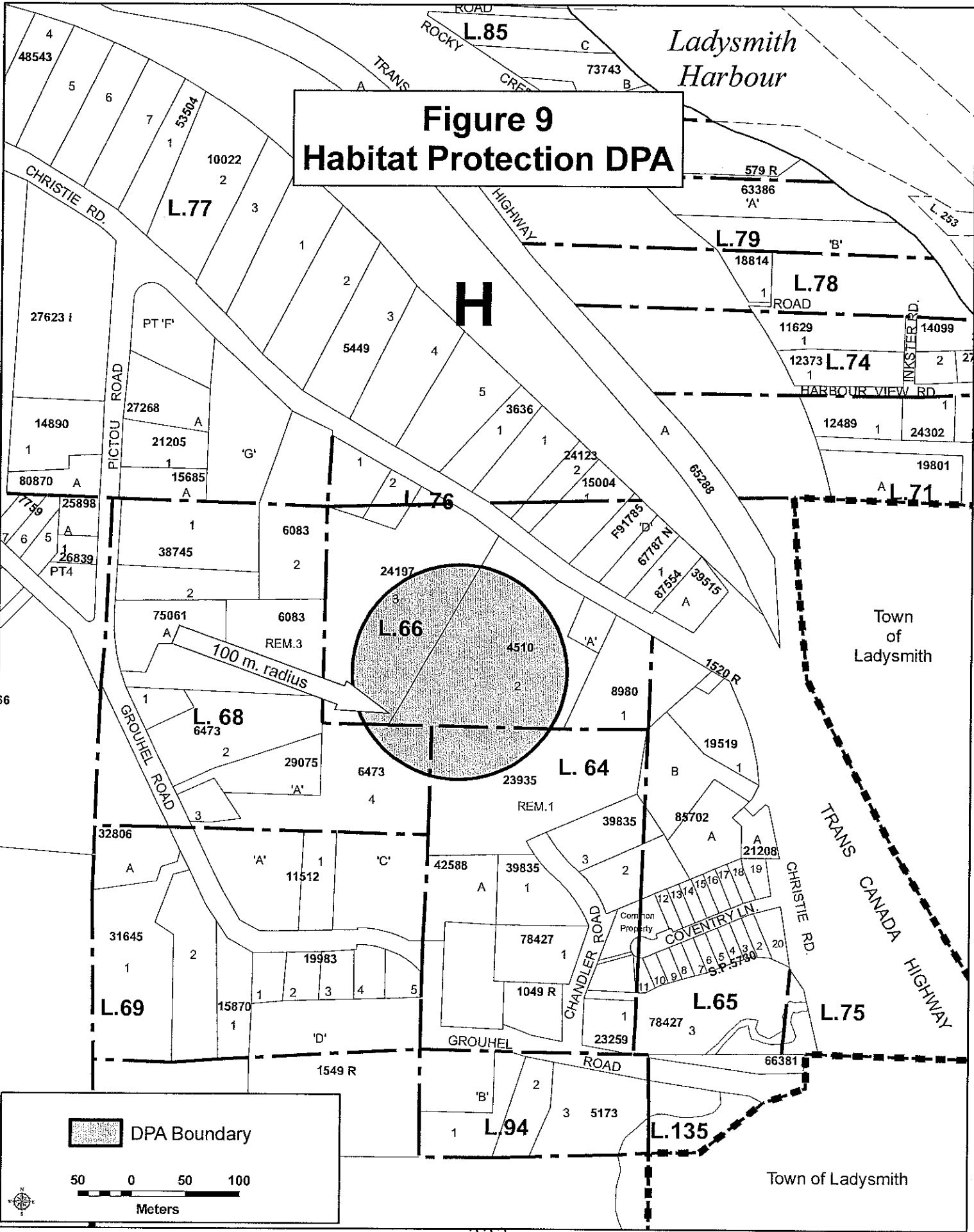
A person who commits an offence against this Bylaw is liable, upon conviction in a prosecution under the *Offence Act*, to the maximum penalties prescribed under the *Community Charter* for each offence committed by that person.

#### 13.6.9 SEVERABILITY

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

2. That existing Figure 9 "Agricultural Land Reserve" be renumbered to "Figure 10" and that all subsequent Figures be renumbered accordingly.

**Figure 9  
Habitat Protection DPA**





**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3420**

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 1020  
Applicable to Electoral Area H – North Oyster/Diamond**

---

**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 H - North Oyster/Diamond, that being Zoning Bylaw No. 1020;

**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. 1020;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3420 - Area H - North Oyster/Diamond Zoning Amendment Bylaw (P-2A Zone), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1020, as amended from time to time, is hereby amended in the following manner:

- a) That Section 13.1 of Electoral Area H – North Oyster/Diamond Zoning Bylaw No. 1020 is amended by reducing the minimum parcel size requirements in the P-2A Zone from 0.8 hectares for all levels of service, to 0.6 hectares for all levels of service.

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 25<sup>th</sup> day of August, 2010.

READ A SECOND TIME this 25<sup>th</sup> day of August, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chairperson

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





**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3430**

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1010,  
Applicable to Electoral Area B – Shawnigan Lake**

---

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area B – Shawnigan Lake, that being Official Community Plan Bylaw No. 1010;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1010;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3430 - Area B – Shawnigan Lake Official Community Plan Amendment Bylaw (Partridge), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No.1010, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Chairperson

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



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3430

---

Schedule A to Official Community Plan Bylaw No. 1010 is hereby amended by adding the following policy after Policy 2.10:

POLICY 2.11

The F-3 (Forestry Conservation) Zone will be considered within the Forestry designation as a transition between Primary Forestry and Residential zones, with a minimum lot size of 7 hectares. The zone is intended to maintain rural character, encourage conservation of wildlife habitat and forest ecosystems and accommodate rural residential use. In considering applications for the rezoning of F-1 (Primary Forestry) to F-3 (Forestry Conservation), the Regional Board will give preference to proposals that meet the following criteria:

- a) the subject lands are designated Forestry in the Official Community Plan;
- b) the lands are located adjacent to residentially-designated land and are not considered suitable for commercial forestry;
- c) Wildfire hazards have been assessed and potential risk has been reduced through mitigation measures;
- d) A substantial dedication of public land for park, trail, and/or community forest is provided in a location and of a character considered by the Board to be beneficial to the community and the Region.



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3431**

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

---

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area B – Shawnigan Lake, that being Zoning Bylaw No. 985;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 985;

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

**1. CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3431 - Area B – Shawnigan Lake Zoning Amendment Bylaw (Partridge), 2010**".

**2. AMENDMENTS**

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

- a) The Table of Contents are amended by adding “Section 7.7 F-3 Zone – Forestry Resource”
- b) Section 6.1 is amended by adding “F-3, Forestry Resource Zone”
- c) The following is added after Section 7.6:

.../2

7.7 F-3 ZONE – FORESTRY RESOURCE ZONE

(a) Permitted Uses

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

- (1) management and harvesting of primary forest products excluding sawmilling and all manufacturing and dry land log sorting operations;
- (2) silviculture;
- (3) agriculture;
- (4) horticulture;
- (5) single family residential dwelling or mobile home;
- (6) two single family dwellings on parcels 7.0 ha. or larger.
- (7) secondary suite or small suite.
- (8) home occupation – domestic industry;

(b) Number of Dwellings

No more than two dwellings per parcel are permitted, including secondary suite or small suite.

Prior to issuance of a building permit for a second dwelling, the applicant will be required to register a restrictive covenant in favour of the Regional District prohibiting fee simple or strata subdivision of the second dwelling.

(c) Conditions of Use:

For any parcel in the F-3 zone:

- (1) the parcel coverage shall not exceed 10 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres;
- (3) setbacks for buildings and structures shall comply with the following:

<b>COLUMN I Type of Parcel Line</b>	<b>COLUMN II Non-Agricultural and Accessory Uses</b>	<b>COLUMN III Agricultural Uses</b>
Front	7.5 metres	30 metres
Side (Interior)	3.0 metres	15 metres
Side (Exterior)	4.5 metres	30 metres
Rear	7.5 metres	15 metres

- d) Section 13.1 is amended by adding “F-3, Forestry Resource Zone” to the list of zoning classifications and identifying a minimum parcel size for the zone of 7.0 ha.
- e) Schedule B (Zoning Map) to Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985 is amended by rezoning Lot 10, District Lot 15, Helmcken District, Plan 2210, Except Parts in Plan 47997 and VIP76565, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3431 from F-1 (Primary Forestry) to F-3 (Forestry Resource)

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

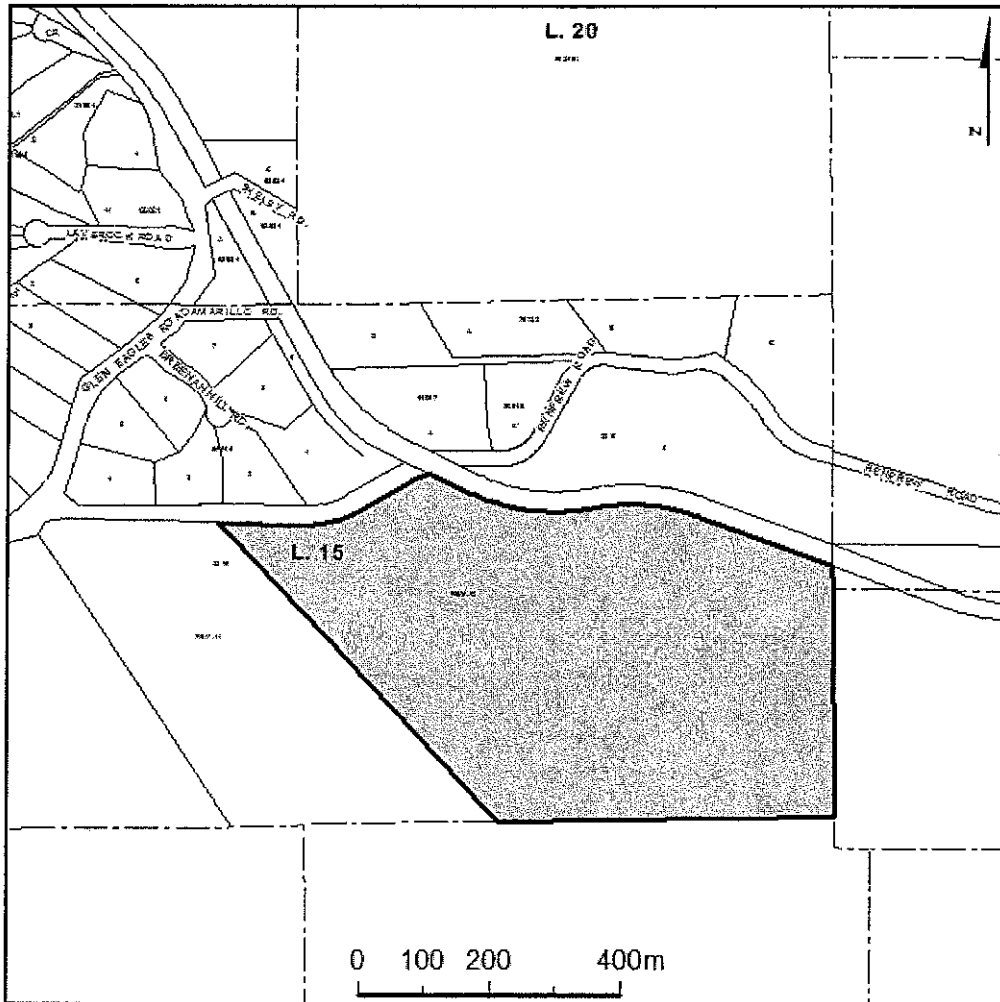
\_\_\_\_\_  
Chairperson

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

PLAN NO. Z-3431

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

3431



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

F-1 (Primary Forestry)

TO

F-3 (Forestry Resource)

APPLICABLE

**TO ELECTORAL AREA B**



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3432**

**A Bylaw for the Purpose of Amending Official Settlement Plan Bylaw No. 925,  
Applicable to Electoral Area D – Cowichan Bay**

---

**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 settlement plan bylaw for Electoral Area D – Cowichan Bay, that being Official Settlement Plan Bylaw No. 925;

**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 Settlement Plan Bylaw No. 925;

**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 Official Settlement Plan Amendment Bylaw No. 3432, 2010, Area D – Cowichan Bay (Marine Riparian DPA), Amendment to CVRD Bylaw No. 925**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Settlement Plan Bylaw No. 925, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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



READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3432 as given Third Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

\_\_\_\_\_  
Date

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

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

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

\_\_\_\_\_  
Chairperson

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



# C·V·R·D

## SCHEDULE "A"

### To CVRD Bylaw No. 3432

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Schedule A to Official Settlement Plan Bylaw No. 925, is hereby amended as follows:

1. That Section 13.8: "MARINE RIPARIAN DEVELOPMENT PERMIT AREA" be added after Section 13.7.6, as follows:

#### **13.8 MARINE RIPARIAN DEVELOPMENT PERMIT AREA**

##### **13.8.1 CATEGORY**

The **Marine Riparian Development Permit Area** is designated pursuant to Section 919.1(1)(a) and (b) of the *Local Government Act*, to protect the natural environment, its ecosystems and biological diversity, and for the protection of development from hazardous conditions.

##### **13.8.2 AREA OF APPLICATION**

The **Marine Riparian Development Permit Area** applies to all lands within 30 metres of the high tide mark of the ocean within Electoral Area D (Cowichan Bay), for parcels of land shown on **Figure 9: Marine Riparian Development Permit Area**.

##### **13.8.3 JUSTIFICATION**

Pursuant to Section 919 of the *Local Government Act*, the **Marine Riparian Development Permit Area** is established to address the following:

- (a) Cowichan Bay has several kilometres of marine shoreline along the estuary and Satellite Channel, ranging from high escarpments to beaches. The marine shoreline and adjacent coastal waters represent an important highly productive marine environment for forage fish and other species, which should not be negatively impacted by development. The cumulative impact of careless development on waterfront parcels will have a detrimental impact on habitat within the sensitive marine riparian zone, and interrupt natural beach processes of longshore drift, displacing erosional and depositional patterns, which will then affect other properties and marine habitat.
- (b) The marine foreshore is a valuable public (common property) resource, and the CVRD wishes to enhance the physical, recreational, aesthetic and natural values of this area for use by the public as well as marine life.

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- (c) An area consisting of natural vegetation, rocks, trees, and fallen trees can help protect land by dissipating wave energy, thereby protecting the bank from slumping or being washed away. Roots of plants and trees act to reinforce soil and sand and help hold them together, while the leaves of plants reduce the energy of wind and the force of falling rain, increase the evaporation rate and slow water runoff.
- (d) Research into watershed hydrology and environmental resilience has demonstrated that once certain thresholds of impervious surfaces (total area of roofs, paving, concrete slabs, accessory buildings and other hard surfaces) are exceeded, irretrievable harm may be done to aquatic life. This threshold is around 12% across a typical watershed in this region. The objective of this guideline is to maintain or improve water quality in the marine and estuarine environments.
- (e) Hard surfaces and reduced vegetation can cause surface water to be quickly and directly affected by pollution from sources such as poorly placed and maintained septic systems, fertilizer (nitrates, phosphates), oil leaks from motor vehicles and household or garden chemicals. A vegetated buffer can filter pollutants out of runoff from roads, yards, and septic systems before they reach the ocean.
- (f) Placing buildings and structures in areas that are directly or indirectly subject to natural erosion and mass movement is not responsible, because it can threaten the safety of those using the buildings and structures and result in economic loss. Once established in a precarious location, the owners of such buildings and structures will understandably want to protect them from destructive mass movements, which in turn could lead to major engineering works in the marine riparian area, irrevocably harming this important habitat. Therefore the objective of this guideline is to strongly support and accommodate sensitive residential and commercial development.

#### 13.8.4 DEFINITIONS

For the purposes of this Development Permit Area, the following definitions apply:

**“high tide mark”** means the upper boundary of distinctive marine or estuarine vegetation as determined by a qualified environmental professional, or where this cannot be determined, it means the natural boundary as determined by a BC Land Surveyor.

**“qualified environmental professional”** has the same meaning as under the Provincial *Riparian Areas Regulation*.

## 13.8.5 GUIDELINES

Subject to Section 13.8.7 below, within the **Marine Riparian Development Permit Area**, no person shall:

- subdivide land;
- alter land, including the removal or pruning/trimming of trees or vegetation;
- removal/deposit of soil, rocks, boulders, rip rap, gabions, prefabricated concrete elements or other materials;
- construct a road, bridge, driveway, parking area, patio, swimming pool, hot tub, spa, water feature, septic tank or sewage effluent drainfield;
- construct a seawall, retaining wall, dock abutment, patio, concrete stairway or similar structure;
- construct a dock, install a piling in the foreshore, construct a hydrothermal heating/cooling loop in the foreshore or beyond;
- remove logs from the shoreline; or
- construct any other type of building or structure

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

- (a) Where a report by a qualified environmental professional is required under the “Application Requirements” section, the report will consider the effects the development proposal will have on the subject property, all parcels with marine shorelines in the general area and the general marine ecology. Often a measure that may stabilize one site can lead to instability on other sites in the area, as wave and tidal actions combined with longshore drift energy are redirected in response to human interventions. The objective of this guideline is to minimize the degree to which this may happen, and preferentially employ natural measures to manage marine shores wherever possible. *On the Living Edge, Your Handbook to Waterfront Living (ISBN 0-9691633-4-7)* by Sarah Kipp and Clive Calloway is a suitable guide to using natural measures, which may be proposed in a development permit application.
- (b) Roads and driveways should be located as far as possible from the edge of a slope or from the marine riparian area, to keep turbidity of runoff low and generally prevent sediment, sand, gravel, oils, fuel and road salt from entering watercourses or the sea. Temporary sediment controls during construction may be specified in a development permit, and reclamation of disturbed areas will occur immediately following construction. Driveways, if proposed within the development permit area, should be angled across any slope’s gradient, where possible, and be composed of porous materials such as gravel, road mulch or grasscrete, to keep runoff to a minimum. For driveways that are already paved, a portion of the runoff can be diverted by the use of transverse channels or small berms at regular intervals;

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- (c) Recommendations in the Ministry of Environment's Best Management Practices (*Storm Water Planning – A Guidebook for British Columbia*) should be applied, to reduce areas of impervious surfaces and increase natural groundwater infiltration. On-site rainwater management techniques that do not impact surrounding lands should be used, rather than the culverting or ditching of water runoff. Increased soil depth is one proven method for achieving reduced rainwater runoff; rain gardens are another.
- (d) Footpaths or trails to the shoreline should be planned to avoid erosion, using slope contours rather than a straight downhill line, and be narrow to minimize impacts on drainage patterns. Impacts to a slope can be minimized by elevating stairways above the natural vegetation;
- (e) Tree and native brush retention is a priority within this development permit area; however, should there be a desire for pruning and thinning trees and shrubs in the marine riparian area to provide or enhance views, a report prepared by a certified arborist will be required. The author(s) of that report will take responsibility for ensuring that the pruning and thinning proposed in the report will not impair slope stability, lead to erosion or impair ecological function of the foreshore;
- (f) Site preparation and development should be carried out in a manner that minimizes the need for vegetation clearing. In order to control erosion and to protect the environment, the development permit may specify the amount and location of new tree and vegetative cover to be planted or retained;
- (g) Figures for total imperviousness on sites within this development permit area will be calculated by the proponent and submitted at the time of development permit application. The Board may specify maximum site imperviousness or effective imperviousness in a development permit;
- (h) Public access along the marine waterfront is important to Electoral Area D - Cowichan Bay residents and visitors and will not be prevented or impeded in the event that shoreline alterations are authorized in a development permit;
- (i) Retaining walls or any other structures that may be proposed along the marine shoreline or in the marine riparian area to protect buildings or prevent erosion will be designed by an Engineer or professional Geoscientist. Such structures shall be limited to areas above the high tide mark, and to areas of slope failure, rather than along the entire shoreline frontage. The height of any tier of such a structure will be kept to not more than 2 metres in any one section, and should a greater height be required, the strong preference is for another tiered wall to be built upslope, separated from the first wall by at least 2 vertical and 4 horizontal metres of vegetated area. This guideline is intended to avoid the appearance of massive barrier-like walls. Backfilling behind a wall, to extend the existing edge of the slope, is not permitted unless it can be clearly demonstrated by an engineer that the fill is necessary to prevent further erosion or sloughing of the bank that would potentially endanger existing buildings;

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- (j) Retaining walls proposed near the marine shoreline will be faced with natural materials such as wood and irregular stone, intended to dissipate wave energy during storms, preferably in dark colours that blend in with the natural shoreline and are less obtrusive when seen from the water. Large, fortress like, uniform walls will not be permitted;
- (k) Retaining walls, sea walls or any other structures, if approved in a development permit, will not be composed of unsightly construction debris like broken concrete, blocks or bricks;
- (l) Deep-rooted vegetation should be planted along any retaining wall on the terraces or along the top, to help filter runoff before it enters the beach;
- (m) The construction of hydrothermal and geothermal heating/cooling loops that would be located on seafront parcels of land and within the foreshore area is discouraged because of the degree to which this technology can impact the local marine life, the inconvenience to public users of the foreshore including First Nation shellfish harvesting, walkers, swimmers and boaters. If such a system is proposed, a report by a qualified environmental professional such as a marine ecologist or biologist will be required, in which the probable impacts and effective mitigation strategies are proposed;
- (n) Any marine riparian areas that are affected by development will be subject to a vegetation restoration plan prepared according to BCSLA/BCNTA standards, by a landscape architect or qualified environmental professional, in which appropriate native species are proposed to stabilize the area following construction or alteration of land. Security in the form of an irrevocable letter of credit will be required to ensure that the landscape rehabilitation occurs in a timely fashion and the plantings survive and thrive;
- (o) Discharge from swimming pools, spas, water features and hot tubs shall only be made to an approved and properly functioning sewage treatment system;
- (p) The Ministry of Environment's *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia (2004)* will be respected.

#### 13.8.6 VARIANCES

The standard setback from the marine shoreline in the zoning bylaw may not, in some cases, be sufficient to protect development from hazardous conditions or to protect the marine riparian environment from alteration and harm. In such cases, a development permit may prescribe a marine shoreline setback in excess of that within the zoning bylaw.

Conversely, where a proposed development plan is consistent with all applicable guidelines of the Marine Riparian Development Permit Area, a development permit may vary the regulations of the implementing bylaws, where such variances are believed to either have no impact upon the marine riparian area or adjacent parcels, or would be required in order to reduce the impact upon the marine riparian area or adjacent parcels of land.

### 13.8.7 EXEMPTIONS

The following will be exempted from the requirement of obtaining a development permit in the **Marine Riparian Development Permit Area**:

- (a) Boundary adjustments to parcel lines of adjacent lots which do not alter overall lot depth measured from the marine shore.
- (b) Development located more than 30 metres from the high tide mark of the ocean or 15 metres back from the top of bank, whichever is further.
- (c) Interior renovations and minor exterior renovations of buildings that do not increase the parcel coverage, within 30 metres of the high tide mark (an example being re-roofing).
- (d) Construction, repair and maintenance of works, stream restoration and fish and habitat restoration or enhancement by agents or contractors or with the approval of Fisheries and Oceans Canada, the Ministry of Environment, or the CVRD.
- (e) A trail, provided that:
  1. No motorized vehicles are permitted;
  2. The trail is a maximum of 1.5 metres in width;
  3. No structures or earthworks are required to construct the trail; and
  4. No trees are removed.
- (f) The planting of native trees, shrubs or other native species of groundcover for the purpose of enhancing habitat values and /or soil stability, provided that the planting is carried out in accordance with the guidelines provided in the *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia (2004)* or subsequent publications of the federal Department of Fisheries and Oceans and/or the provincial Ministry of Environment.
- (g) The mechanical removal (no herbicides) of invasive plants or noxious weeds, including but not limited to English Ivy, Scotch Broom, Gorse, Himalayan Blackberry, Morning Glory and Purple Loosestrife, provided that erosion protection measures are taken, where necessary, to avoid sediment or debris being discharged into the watercourse, and the plants are replaced with native vegetation.
- (h) Parks and public works undertaken by a government agency, under the supervision of a qualified environmental professional.
- (i) Emergency works to prevent, control or reduce flooding, erosion, or other immediate threats to life and property, provided that emergency actions are reported to the Regional District and applicable provincial and federal Ministries to secure exemptions. Such emergency procedures include:

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1. Clearing of an obstruction from a bridge, culvert or drainage flow;
  2. Repairs to bridges and safety fences;
  3. The removal of hazardous trees that present an immediate danger to the safety of persons or are likely to damage public or private property; and
  4. Emergency flood or erosion protection works.
- (j) Within the Agricultural Land Reserve, activities designated as farm use in the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* and those which fall under the definition of Farm Operation under the *Farm Practices Protection (Right to Farm) Act*.

### 13.8.8 VIOLATION

- (a) Every person who:
1. violates any provision of this Development Permit Area;
  2. causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
  3. neglects to do or refrains from doing any act or thing required under this Development Permit Area;
  4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
  5. fails to comply with an order, direction or notice given under this Development Permit Area; or
  6. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;
- commits an offence under this Bylaw.
- (b) Each day's continuance of an offence under Section 13.8.8(a) constitutes a new and distinct offence.

### 13.8.9 PENALTY

A person who commits an offence against this Bylaw is liable, upon conviction in a prosecution under the *Offence Act*, to the maximum penalties prescribed under the *Community Charter* for each offence committed by that person.

### 13.8.10 SEVERABILITY

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

### 13.8.11 APPLICATION REQUIREMENTS

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

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1. A written description of the proposed project;
  2. Reports or information addressing each of the Development Permit Guidelines;
  3. Information in the form of one or more maps, as follows:
    - location/extent of proposed work;
    - location of ocean high tide mark;
    - location of other watercourses;
    - topographical contours;
    - location of slopes exceeding 25 percent grade;
    - location of lands subject to periodic flooding;
    - location and percentage of existing and proposed impervious surfaces;
    - existing tree cover and proposed areas to be cleared;
    - areas of known sensitive or rare native plant communities;
    - existing and proposed buildings;
    - existing and proposed property parcel lines;
    - location of roads, vehicular access points, driveways, and parking areas;
    - location of trails;
    - location of stormwater management works, including retention areas and drainage pipes or ditches and curtain drains around septic fields;
    - proposed erosion mitigation and bank alterations;
    - location of septic tanks, treatment systems and fields;
    - location of proposed erosion control structures and bank alterations;
    - location of water lines and well sites.
- (b) In addition to the requirements listed above, where any building or structure of any sort, including a retaining wall, stairway or seawall, is proposed within the development permit area, the applicant shall be required to furnish, at the applicant's expense, a report certified by a professional engineer or geoscientist with experience in geotechnical engineering, which includes an assessment of the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition, and an assessment on the safety of the proposed use and structures on-site and off-site, indicating that the land may be used safely for the intended purposes. Where possible, slope erosion mitigation will be achieved using soft landscaping and planting of natural vegetation as opposed to the use of retaining walls or other hard armoring of the shoreline;

- (c) Should any thinning, removal or alteration of vegetation in the marine riparian area be proposed in a development permit application, the report of a qualified arborist or qualified environmental professional or member of BC Society of Landscape Architects or BC Nursery Trades Association shall be submitted, detailing a procedure for thinning and pruning in a fashion that will not compromise the ecological function of the marine riparian area or the health of pruned vegetation, and further, describing the methods whereby landscape restoration to restore marine riparian function will be achieved;
- (d) In addition to the requirements listed above, the applicant may also be required to furnish, at the applicant's expense, an environmental impact assessment, certified by a registered professional biologist or other qualified environmental professional, assessing any potential environmental impacts of the project upon the marine riparian area, and the means by which any such impacts may be mitigated;.

**NOTE: Where more than one report under Section 13.8.11 (b), (c) or (d) is to be submitted with a development permit application, the professionals preparing the reports will be required to incorporate into their own work, the work of the other professionals, in order to ensure that a coherent interdisciplinary approach to the marine riparian development application is submitted.**

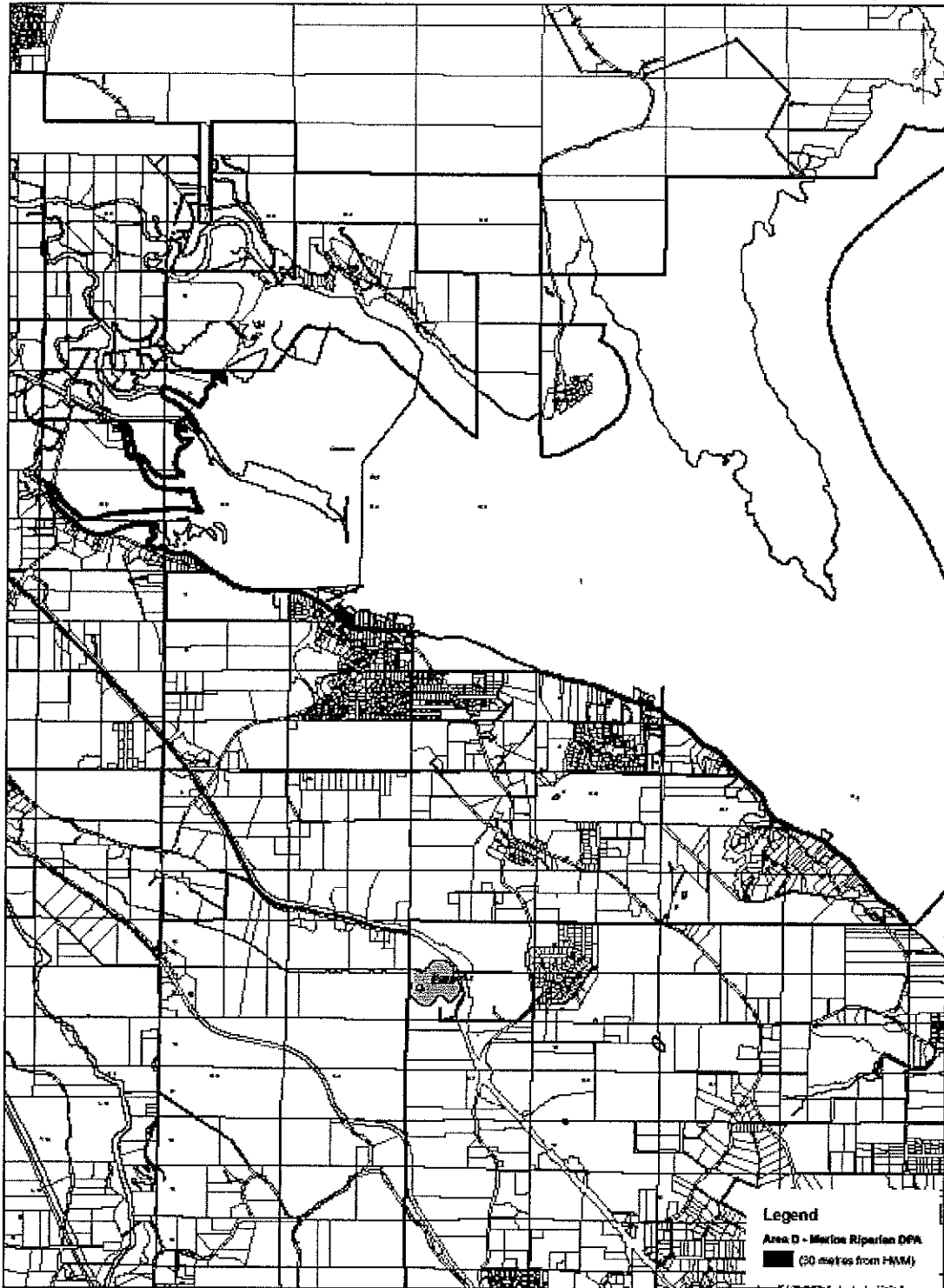


Figure 9

**FIGURE 9**

**Marine Riparian Development Permit Area**



**RES1**

## **COMMISSION APPOINTMENTS**

**BOARD MEETING  
OF October 13, 2010**

DATE: September 13, 2010  
FROM: Director Giles  
SUBJECT: **Electoral Area C - Cobble Hill Parks and Recreation Commission**

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**Recommendation:**

That the following appointment to the Electoral Area C - Cobble Hill Parks and Recreation Commission be approved:

**Elected:**

Ruth Koehn

Term to expire December 31, 2010