



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DAY: WEDNESDAY

DATE: DECEMBER 8, 2010

**TIME: → REGULAR SESSION
6:00 P.M.**

PLACE: BOARD ROOM

175 INGRAM STREET



Joe E. Barry
Corporate Secretary



REGULAR BOARD MEETING
WEDNESDAY, DECEMBER 8, 2010
6:00 PM - CVRD BOARD ROOM

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D. Proclaim Chair for 2011		
E. Nominations for Vice Chair		
F. Election by Ballot		
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15.	<u>UNFINISHED BUSINESS:</u>	
16.	<u>NOTICE OF MOTION:</u>	
17.	<u>NEW BUSINESS:</u>	
18.	<u>QUESTION PERIOD:</u>	
	a) Public	
	b) Press	
19.	<u>CLOSED SESSION:</u>	
	Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.	
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20. ADJOURNMENT:

The next Regular Board meeting will be held January 12, 2011 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

M1

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, November 10, 2010 at 6:01 pm.

PRESENT: Chair G. Giles,
Directors K. Cossey <to 8:50 pm>, M. Dorey,
L. Duncan, B. Harrison, D. Haywood,
R. Hutchins <6:30 pm to 8:55 pm>,
L. Iannidinardo, P. Kent, K. Kuhn,
M. Marcotte, T. McGonigle, I. Morrison,
G. Seymour, T. Walker

ALSO PRESENT: Warren Jones, Chief Administrative Officer
Kathleen Harrison, Deputy Corporate Secretary
Sybille Sanderson, Acting General Manager, Public Safety
Bob McDonald, Manager
Recycling & Waste Management Division

APPROVAL OF AGENDA

10-555

It was moved and seconded that the agenda be amended with the deletion of items D2, B14 and B15, and the addition of New Business items:

NB1 “CVRD Bylaw No. 3436 – 911 Call Answer Levy Bylaw, 2010, 1st, 2nd and 3rd reading and adoption.

NB2 Parks Committee – Director Dorey
Report and Recommendations of Meeting of November 10, 2010;

NB3 Eco Depot Studies – Director Marcotte;

NB4 Mill Bay Ferry – Director Harrison;

CSNB1 Potential Litigation {Sub 1 (g)} – Verbal Report;

and that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

10-556

It was moved and seconded that the minutes of the October 13, 2010 be adopted

MOTION CARRIED

DELEGATIONS

D1 Carol-Ann Rolls and Suzanne Jensen, Cowichan Community Policing Society re: Update on the Progress of Community Policing and Crime Prevention Programs.

Carol-Ann Rolls provided an update on the progress of community policing and crime prevention programs, and Suzanne Jensen presented Certificates of Appreciation to the District of North Cowichan, City of Duncan and Electoral Area D – Cowichan Bay Directors in recognition of their contributions to improving safety in our communities.

D2 Deleted at Adoption of Agenda.

REPORT OF THE CHAIRPERSON

RC1 Vancouver Island Regional Library Board Appointments

10-557 **It was moved and seconded that the following appointments to the Vancouver Island Regional Library Board be approved:**

**Director M. Dorey
Director L. Duncan (Alternate)**

Term to commence January 1, 2011 and expire December 31, 2011.

MOTION CARRIED

RC2 Agricultural Advisory Committee Appointments

10-558 *(Amended from original Chair's Recommendation:*

It was moved and seconded that the following appointments to the Agricultural Advisory Committee be approved:

**Ian Christison, Shawnigan Cobble Hill Farmers Institute
George Baird, Shawnigan Cobble Hill Farmers Institute (Alternate)**

Joanne McLeod, Nanaimo Cedar Farmers Institute

**George Robbins, Economic Development Cowichan
Marsha Stanley, Economic Development Cowichan (Alternate)**

Peter Keber, Environment Commission

Dan Ferguson, Cowichan Agricultural Society

Term to expire November 30, 2011.

MOTION CARRIED

CORRESPONDENCE

There were no Correspondence items.

INFORMATION

There were no Information items.

COMMITTEE REPORTS

CRI The report and recommendations from the Regional Services Committee meeting held October 27, 2010 listing six items were considered.

10-559 It was moved and seconded:

2. That the *Cowichan Valley Regional District Regional Energy Plan Executive Summary* be forwarded to member municipalities and CVRD departments for their consideration and action; and that CVRD staff present to member municipality committees on the draft background and policy report.
3. That letters be sent to the Town of Ladysmith, District of North Cowichan and City of Duncan requesting expressions of interest and advising of the cost implications if a new annual financial contribution service was created for the Chesterfield Sports Society with a maximum requisition limit of \$100,000 and the participants were Electoral Areas A, B, C, D, E, G, the Town of Ladysmith, the District of North Cowichan and the City of Duncan.
4.
 1. That the annual maximum requisition limit for the Cowichan Lake Sports Arena Service be increased from \$2,095,614 to \$2,619,255.
 2. That "CVRD Bylaw No. 3410 – Cowichan Lake Sports Arena Service Amendment Bylaw, 2010" be forwarded to the Board for consideration of three readings and adoption.
5. That "CVRD Bylaw No. 3435 – Douglas Hill Water System Service Temporary Borrowing Bylaw, 2010", be forwarded to the Board for consideration of three readings and adoption.
6. That "CVRD Bylaw No. 3436 – 911 Call Answer Levy Bylaw, 2010" be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

10-560

(Amended from original Committee recommendation):

1. 1. That the Board Chair write to the Premier supporting the proposed VIA Rail passenger service improvements, (Nanaimo to Victoria), and the Island Corridor Foundation's \$15 Million infrastructure investment request; and

2. That the letter be copied to: Vancouver Island North MP John Duncan; Nanaimo-Alberni MP James Lunney; Parksville-Qualicum MLA Ron Cantelon; Comox Valley MLA Don McRae; the Honourable Shirley Bond, Minister of Transportation and Infrastructure; the Honourable Chuck Strahl, Federal Minister of Transport, Infrastructure and Communities; and Graham Bruce, Executive Director, Island Corridor Foundation.

MOTION CARRIED

CR2

The report and recommendations of the Electoral Area Services Committee meeting held October 19, 2010 listing eight items were considered.

10-561

It was moved and seconded:

2. 1. That the Certificate of Sufficiency confirming that the petition for inclusion in the Eagle Heights Fire Protection Service Area is sufficient, be received.
 2. That CVRD Bylaw No. 1965 be amended to extend the boundaries of the Eagle Heights Fire Protection Area to include the following property: Lot 3, Parcel A, Section 13, Range 7, Plan 2298, Quamichan Land District, amended DD168307-I, PID: 000-995-215, Folio : 03-765-03347-000.
 3. That the amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
 4. That Schedule A to the Fire Services agreement with the City of Duncan to provide fire protection to the Eagle Heights Fire Protection Service Area be amended to include the additional property.
 5. That the Chair and Corporate Secretary be authorized to sign the amended Eagle Heights Fire Protection Services Agreement.
3. That a bylaw be prepared to amend “CVRD Bylaw No. 2673 – “Saltair Community Parks Establishment Bylaw, 2005”, to increase the maximum requisition from \$.35 per \$1,000 to \$.40 per \$1,000 net taxable value , and that the amendment bylaw be forwarded to the Board for consideration of three readings and approval.
 4. That a bylaw be prepared to amend “CVRD Bylaw No. 2232 – South Cowichan Parks Service (Electoral Areas A – Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill, and D – Cowichan Bay) Establishment Bylaw, 2001”, to increase the maximum requisition from \$50,000 to \$62,500, and that the amendment bylaw be forwarded to the Board for consideration of three readings and approval.

5. That the existing Board Policy respecting allowances for additional plumbing fixtures within accessory buildings be maintained.

MOTION CARRIED

10-562

It was moved and seconded:

1. That the CVRD animal control license fees not be increased at this time, and that staff provide a detailed report to the EASC on the Animal Control function.

Opposed: Directors Marcotte and Kuhn

MOTION CARRIED

10-563

It was moved and seconded:

6. That Application No. 2-E-10ALR submitted by Orosi Land Co. Ltd. and Arturo and Yanina Mendenhall made pursuant to Section 21(2) of the *Agricultural Land Commission Act* to subdivide the subject property be forwarded to the Agricultural Land Commission with a recommendation to deny the application.
7. That Application No. 1-H-10 ALR (Muir) regarding the inclusion of approximately 17.3 hectares of District Lot 51, Oyster District, except the right of way in the Esquimalt and Nanaimo Railway Company, except part coloured red on Plan deposited under DD 272791, and except part shown outlined in red on plan deposited under DD 285551 (PID: 009-439-714) to the Agricultural Land Reserve, be forwarded to the Agricultural Land Commission with a recommendation to approve.
8.
 1. That the proposed amendment to the North Oyster/Diamond Official Community Plan that would introduce a new Marine Riparian Development Permit Area, be approved and that the amendment bylaw be forwarded to the Regional Board for consideration of first and second readings.
 2. That a public hearing be arranged and that Directors Marcotte, Dorey and Morrison be appointed as delegates to the public hearing.
 3. That the draft amendment bylaw be forwarded to Fisheries and Oceans Canada, SD #68, Stz'uminus First Nation, the Town of Ladysmith, and Nanaimo Regional District.

MOTION CARRIED

CR2 The report and recommendations from the Electoral Area Services Committee meeting held November 2, 2010 listing five items were considered.

10-564 It was moved and seconded:

1. That the Certificate of Sufficiency confirming that the petition for inclusion in the Malahat Fire Protection Service Area is sufficient, be received.
2. That CVRD Bylaw No. 2414 be amended to extend the boundaries of the Malahat Fire Protection Service Area to include the following property: PID: 025-642-324 Lot 2, District Lot 132, Malahat Land District, Plan VIP75146.
3. That the Malahat Fire Protection Service Area amendment bylaw be forwarded to the Board for consideration of three readings and adoption.
2. That the Capital Regional District be advised that the CVRD has no concerns with proposed amending Bylaw No. 3681, a bylaw to amend the Juan De Fuca Electoral Area Soil Removal or Deposit Bylaw No. 3297.
3. That the CVRD Fees and Procedures Bylaw No. 3275 be amended to delegate authority to staff to issue Marine Riparian Area Development Permits.

MOTION CARRIED

10-565 It was moved and seconded:

4. That the request by Craig Partridge to allow a wet bar and shower, in addition to the two permitted plumbing fixtures, within an accessory building at 2868 Renfrew Road (Lot 10, District Lot 15, Helmcken District, Plan 2210, except parts in Plan 47997 and VIP 76565), 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, and on condition of septic approval.
5. That the requirement to obtain a development permit for Application No. 2-D-10SA (Elmworth Construction/Muir) be deferred until the building permit stage.

MOTION CARRIED

6:30 pm Director Hutchins joined the meeting at 6:30 pm.

CR3 The report and recommendation of the Engineering & Environmental Services Committee meeting held October 27, 2010 listing three items, were considered.

10-566 It was moved and seconded:

1. .1 That the *Certificate of Sufficiency*, confirming that a sufficient petition, requesting inclusion into the Shawnigan Lake North Water System Service Area, be received.
 - .2 That the boundaries of the Shawnigan Lake North Water System Service Area be amended to include "*PID 009-255-516, Part of Lot 4, Block 31, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218A, Lying to the South of a straight boundary joining points on the easterly and westerly boundaries of said lot distant 2.5 chains respectively from the north east and south west corners of said lot.*"
 - .3 That "CVRD Bylaw No. 1911 – Shawnigan Lake North Water System Service Establishment Bylaw, 1999", be amended to include *PID 009-255-516, Part of Lot 4, Block 31, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218A, Lying to the South of a straight boundary joining points on the easterly and westerly boundaries of said lot distant 2.5 chains respectively from the north east and south west corners of said lot.*, and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.
2. .1 That the *Certificate of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Sentinel Ridge Sewer System Service Area be received.
 - .2 That the boundaries of the Sentinel Ridge Sewer System area be amended to include "*PID 009-346-511 Parcel C (DD43694I) D.L. 77, Malahat District, PID 009-346-520 Parcel D (DD33154I), D.L. 77, Malahat District and PID 009-346-554 That part of D.L. 77, Lying to the south of the south boundaries of Parcel C & D of said lot and except those parts in plans 518W, 50504 & VIP86315, Malahat District*".
 - .3 That "CVRD Bylaw No. 2790 – Sentinel Ridge Sewer System Establishment Bylaw, 2006", be amended to include *PID 009-346-511 Parcel C (DD43694I) D.L. 77, Malahat District, PID 009-346-520 Parcel D (DD33154I), D.L. 77, Malahat District and PID 009-346-554 That part of D.L. 77, Lying to the south of the south boundaries of Parcel C & D of said lot and except those parts in plans 518W, 50504 & VIP86315, Malahat District*", and that the amended bylaw be forwarded to the Board for consideration of three readings and adoption.

3. .1 That CVRD Board Resolution No. 10-524 be rescinded.
- .2 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.

MOTION CARRIED

CR4 The report and recommendations of the Island Savings Centre Commission meeting held October 28, 2010 listing two items were considered.

10-567 It was moved and seconded:

1. That the Island Savings Centre Commission request that the CVRD Board approve an amendment to extend the UBCM Regionally Significant Project, Tier 1 and 2 Strategic Priorities Fund and/or Innovations Fund Funding Agreement under the agreement on the Transfer of Gas Tax Revenues project completion date from December 31, 2010 to March 15, 2011 and to extend the expiry date of this agreement from June 30, 2012 to September 15, 2012, and further, that the CVRD Chair and Corporate Secretary be authorized to sign the amendment.
2. 1. That the purchase of a new Electrical Substation and required infrastructure in 2010 be approved;
2. That a capital project reserve fund expenditure bylaw be prepared for withdrawal of funds not to exceed \$105,000 from the *Cowichan Community Centre Capital Project Reserve Fund* (Bylaw No. 755), to finance the purchase of the Electrical Substation and required infrastructure; and further that the bylaw be forwarded to the Board for consideration of three readings and adoption;
3. That installation costs of approximately \$60,000 be funded from the 2011 Budget or designated ISC Corporate Sponsorship Funds in 2011;
4. That should a Substation failure occur in 2010, the installation costs of approximately \$60,000 be funded through a short term loan purchase.

MOTION CARRIED

CR5 The report and recommendation of the Cowichan Lake Recreation Commission meeting held October 28, 2010 listing one item was considered.

10-568 **It was moved and seconded that Corey Bath's letter of resignation from the Cowichan Lake Recreation Commission be accepted, and that a letter of thanks be sent to Corey Bath for her hard work and dedication while serving as a volunteer on this Commission.**

MOTION CARRIED

CR6 The report and recommendation of the Economic Development Commission meeting held October 28, 2010 listing one item was considered.

10-569 **It was moved and seconded that the resignation of Dave Jackson, dated September 23, 2010, from the Economic Development Commission be accepted, and that a letter of appreciation be forwarded to Mr. Jackson.**

MOTION CARRIED

STAFF REPORTS

SR1 The Staff Report from the Deputy Corporate Secretary dated October 26, 2010 re: Results of Alternative Approval Process – Bylaw No. 3392 – Shawnigan Lake Historical Society Annual Financial Contribution Service Amendment, was considered.

10-570 **It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3392, be received.**

MOTION CARRIED

SR2 The Staff Report from the Deputy Corporate Secretary dated October 26, 2010 re: Results of Alternative Approval Process – Bylaw No. 3403 – Electoral Area B – Shawnigan Lake Critical Location Streetlighting Service Amendment Bylaw, 2010, was considered.

10-571 **It was moved and seconded that the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3403, be received.**

MOTION CARRIED

SR3 The Staff Report from the Legislative Service Coordinator dated November 1, 2010 re: Youbou Street Lighting Service Amendment Bylaw (Requisition Increase); and Sentinel Ridge Sewer System Amendment Bylaw (Boundary Extension), was received for information.

SR4 The Staff Report from the Manager, Regional Environmental Policy Division dated October 27, 2010 re: Extension of the Regional Community Energy Plan Project was considered.

10-572 **It was moved and seconded that the Chair and Corporate Secretary be authorized to sign the amended “Regional Significant Project, Tier I and 2 Strategic Priorities Fund and/or Innovations Fund Funding Agreement under the Agreement on the Transfer of Federal Gas Tax Revenues” for the Regional Community Plan.**

MOTION CARRIED

SR5 The Staff Report from the Acting General Manager, Public Safety dated November 2, 2010 re: North Oyster RFP PS-2010-01 Purchase, was considered.

10-573 **It was moved and seconded:**

- 1. That the Board authorize the purchase of a new CAN/ULC – S515-04 Pumper Firefighting Apparatus for the North Oyster Fire Protection Service Area from Rocky Mountain Phoenix in the amount of \$365,332 (excluding taxes); and**
- 2. That a reserve fund expenditure bylaw be prepared authorizing the expenditure of no more than \$400,000 from the North Oyster Fire Protection Specified (Local Service) Area, Machinery and Equipment Reserve Fund established under Bylaw No. 875, and that the bylaw be forwarded to the Board for consideration of three readings and adoption.**

MOTION CARRIED

SR6 The Staff Report from the Planner II, Development Services Division dated November 3, 2010 re: Official Community Plan Amendment Bylaw No. 3416 (Bill 27, Area G), was considered.

10-574 **It was moved and seconded that the Staff Report from the Planner II, Development Services Division dated November 3, 2010 re: Official Community Plan Amendment Bylaw No. 3416 (Bill 27, Area G), be received.**

MOTION CARRIED

SR7 The Staff Report from the Acting General Manager, Public Safety dated November 3, 2010 re: The Great British Columbia ShakeOut (ShakeOut BC) was considered.

10-575 It was moved and seconded that the Board promote region-wide participation in the Great British Columbia ShakeOut drill on January 26, 2011 at 10:00 a.m., and encourage individuals, families, businesses and organizations to participate.

MOTION CARRIED

PUBLIC HEARINGS

PH1 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3378 and Zoning Amendment Bylaw No. 3379 (Koutougos), applicable to Electoral Area A – Mill Bay/Malahat, was considered.

10-576 **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3378 and Zoning Amendment Bylaw No. 3379 (Koutougos), applicable to Electoral Area A – Mill Bay/Malahat be received.**

MOTION CARRIED

PH2 The Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3416 (Bill 27), applicable to Electoral Area G – Saltair/Gulf Islands, was considered.

10-577 **It was moved and seconded that the Public Hearing Report and Minutes re: Official Community Plan Amendment Bylaw No. 3416 (Bill 27), applicable to Electoral Area G – Saltair/Gulf Islands be received.**

MOTION CARRIED

BYLAWS

B1
10-578 **It was moved and seconded that “CVRD Bylaw No. 3392 – Shawnigan Lake Historical Society Annual Contribution Service Amendment Bylaw, 2010”, be adopted.**

MOTION CARRIED

B2
10-579 **It was moved and seconded that “CVRD Bylaw No. 3403 – Electoral Area B – Shawnigan Lake Critical Location Streetlighting Service Amendment Bylaw, 2010”, be adopted.**

MOTION CARRIED

B3
10-580 **It was moved and seconded that “CVRD Bylaw No. 3425 – Kerry Village Water System Capital Reserve Fund Expenditure (Upgrade Water Treatment Plant) Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.**

MOTION CARRIED

**B3
10-581** It was moved and seconded that “CVRD Bylaw No. 3425 – Kerry Village Water System Capital Reserve Fund Expenditure (Upgrade Water Treatment Plant) Bylaw, 2010”, be adopted.

MOTION CARRIED

**B4
10-582** It was moved and seconded that “CVRD Bylaw No. 3427 – Cobble Hill Community Hall Annual Contribution Service Amendment Bylaw, 2010”, be adopted.

MOTION CARRIED

**B5
10-583** It was moved and seconded that “CVRD Bylaw No. 3433 – Shawnigan Lake North Water System Service Amendment Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

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

**B6
10-584** It was moved and seconded that “CVRD Bylaw No. 3434 – Eagle Heights Fire Protection Service Amendment Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

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

**B7
10-585** It was moved and seconded that “CVRD Bylaw No. 3437 – Malahat Fire Protection Service Area Amendment Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
10-586** It was moved and seconded that “CVRD Bylaw No. 3438 – Youbou Sewer System Capital Reserve Fund Expenditure (Sewer Pump Station Control Upgrades) Bylaw, 2010, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B8
10-587** It was moved and seconded that “CVRD Bylaw No. 3438 – Youbou Sewer System Capital Reserve Fund Expenditure (Sewer Pump Station Control Upgrades) Bylaw, 2010, be adopted.

MOTION CARRIED

**B9
10-588** It was moved and seconded that “CVRD Bylaw No. 3439 – Cherry Point Estates Water System Reserve Fund Expenditure (Well Head Monitoring Controls) Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B9
10-589** It was moved and seconded that “CVRD Bylaw No. 3439 – Cherry Point Estates Water System Reserve Fund Expenditure (Well Head Monitoring Controls) Bylaw, 2010”, be adopted.

MOTION CARRIED

**B10
10-590** It was moved and seconded that “CVRD Bylaw No. 3441 – Youbou Street Lighting Service Area Amendment Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B11
10-591** It was moved and seconded that “CVRD Bylaw No. 3442 – Sentinel Ridge Sewer System Service Amendment Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B12
10-592** It was moved and seconded that “CVRD Bylaw No. 3443 – Cowichan Community Centre Capital Project Reserve Fund Expenditure (Substation and Related Infrastructure) Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

**B12
10-593** It was moved and seconded that “CVRD Bylaw No. 3443 – Cowichan Community Centre Capital Project Reserve Fund Expenditure (Substation and Related Infrastructure) Bylaw, 2010”, adoption.

MOTION CARRIED

**B13
10-594** It was moved and seconded that “CVRD Bylaw No. 3354 – Area E – Cowichan Koksilah Official Community Plan Amendment Bylaw (Area E OCP Maintenance Bylaw), 2010”, be adopted.

MOTION CARRIED

B14 Deleted upon Adoption of Agenda.

B15 Deleted upon Adoption of Agenda.

**B16
10-595** It was moved and seconded that 2nd Reading of “Cowichan Valley Regional District Bylaw No. 3416 – Area G – Official Community Plan Amendment Bylaw (Bill 27), 2010” be rescinded.

MOTION CARRIED

**B16
10-596** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3416 – Area G – Official Community Plan Amendment Bylaw (Bill 27), 2010”, be amended in accordance with item SR6.

MOTION CARRIED

**B16
10-597** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3416 – Area G – Official Community Plan Amendment Bylaw (Bill 27), 2010”, be granted 2nd reading as amended.

MOTION CARRIED

**B16
10-598** It was moved and seconded that “Cowichan Valley Regional District Bylaw No. 3416 – Area G – Official Community Plan Amendment Bylaw (Bill 27), 2010”, be granted 3rd reading.

MOTION CARRIED

**B17
10-599** It was moved and seconded that “CVRD Official Community Plan Amendment Bylaw No. 3444, 2010, Area H – North Oyster/Diamond (Marine Riparian DPA), Amendment to CVRD Bylaw No. 1497”, be granted 1st and 2nd reading.

MOTION CARRIED

NEW BUSINESS

**NB1
10-600** It was moved and seconded that “CVRD Bylaw No. 3436 – 911 Call Answer Levy Bylaw, 2010”, be granted 1st, 2nd and 3rd reading.

Opposed: Director Marcotte

MOTION CARRIED

10-601 It was moved and seconded that “CVRD Bylaw No. 3436 – 911 Call Answer Levy Bylaw, 2010”, be adopted.

Opposed: Director Marcotte

MOTION CARRIED

NB2 The report and recommendations from the Parks Committee meeting held November 10, 2010 listing two items, were considered.

10-602 It was moved and seconded:

1. That the Regional Parks portion of the Parks Maintenance Services Contract with Easy Living Landscape Holdings Ltd. Be extended for an additional three years, commencing January 2011 through December 2013, as per the existing contract renewal terms, for a total fixed price of \$133,007 (excluding HST).

2. That on behalf of the Regional Board, the Board Chair send a letter to the Minister of Forests requesting assistance with resolving the issue of installing a gate on Hillcrest Forestry Road to manage after hour use and vandalism concerns at Chemainus River Park.

MOTION CARRIED

NB3 **South Cowichan Eco Depot Studies**

Director Marcotte questioned if the Eco Depot Studies had been completed and when they would be available.

The Chair responded that the studies were in draft and that the South Cowichan Eco Depot Advisory Group would receive the studies for information, provide comments and then forward the Reports and their comments to the Board for consideration at which time they would be available to the public and be posted on the CVRD's webpage.

NB4 **Possible Elimination of Ferry Service
Between Mill Bay and Brentwood Bay (Route 12)**

Director Harrison requested that the Board re-state its position on the continuation of the Mill Bay Ferry service (Route 12).

- 10-603** **It was moved and seconded that a meeting be arranged at the earliest possible date with representatives of the CVRD and BC Ferry Senior Management to discuss the future of the Mill Bay Ferry, and to review options with BC Ferry Authority to ensure the continued operation of the Mill Bay to Brentwood Bay Ferry (Route 12).**

MOTION CARRIED

**RESOLVING INTO
CLOSED SESSION**

- 10-604** **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 and (g) Potential Litigation.**
7:18 pm

MOTION CARRIED

**RISE FROM
CLOSED SESSION**

- 10-611** **It was moved and seconded that the Board rise without report and return to the Regular portion of the meeting.**
6:13 pm
November 12, 2010

MOTION CARRIED

ADJOURNMENT

**10-612
6:13 pm**

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

MOTION CARRIED

The meeting adjourned at 6:13 pm.

Certified Correct:

Chairperson

Deputy Corporate Secretary

Dated: _____

Minutes of the Special meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, November 24, 2010 at 9:05 pm.

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

ALSO Warren Jones, Administrator
PRESENT: Joe Barry, Corporate Secretary
Brian Dennison, General Manager,
Engineering & Environmental Services
Jacob Ellis, Manager, Corporate Planning

ABSENT: Directors K. Cossey, L. Duncan and M. Marcotte

APPROVAL OF AGENDA

10-613

It was moved and seconded that the agenda be amended with the addition of New Business item CSNB1 Litigation {Sub (1) (g)}, and that the agenda, as amended, be approved.

MOTION CARRIED

RESOLVE INTO CLOSED SESSION

**10-614
9:05 pm**

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90, Subsection (1) (g).

MOTION CARRIED

RISE FROM CLOSED SESSION

**10-617
9:47 pm**

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

MOTION CARRIED

ADJOURNMENT

**10-618
9:47 pm**

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

MOTION CARRIED

The meeting adjourned at 9:47 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:*

CVRD Board

Meeting Date:*

12/08/2010

Meeting Time:*

6pm

Applicant Information

Applicant Name:

Cathy Mailhot

Representing:

Duncan-Cowichan Chamber of Commerce

(Name of organization if applicable)

As:

Manager

(Capacity / Office)

Number Attending:

3

Applicant Contact Information

Applicant Mailing Address:

381 Trans Canada Hwy

Applicant City:

Duncan BC

Applicant Telephone:

250-748-1111

Applicant Fax:

250-746-8222

Applicant Email:

manager@duncancc.bc.ca

Presentation Topic and Nature of Request:

Update on progress of the new regional Visitor Information Centre. Review of financials and request for consideration as a Regionally Significant Project for the Gas Tax Funding Program.

Other Presenters:

Mark Moore, Project Manager

Vicki Holman, BC FDC Manager, partner in the development of the Centre.

* indicates required fields.

**MUNICIPAL
FINANCE**
AUTHORITY of British Columbia

mfa-bc1

737 FORT STREET, VICTORIA, BC V8W 2V1 CANADA
TELEPHONE (250) 383-1181 FAX (250) 384-3000
E-MAIL mfa@mfa.bc.ca WEBSITE www.mfa.bc.ca

November 1, 2010

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

Dear Mr. Jones,

Re: Municipal Finance Authority of BC Appointment of Member(s)

JANUARY 2011 DEADLINE

This letter is to serve as a reminder of the requirement to appoint a Member to the Municipal Finance Authority of BC (MFA) for a period of approximately one year (from date of appointment until a successor is appointed in early 2012). The regional district may also appoint an alternate Member to act in the case of necessary absence from a meeting of the Authority.

Under our Act, based upon population, all regional districts have at least one Member, with Fraser Valley and Capital having two and Greater Vancouver having nine for a total of 38 Members of the Authority. Attached is a listing of the 2010 Members.

Once the Member and alternate have been appointed, please send their contact information, to ensure timely receipt of MFA correspondence, on original letterhead to:

Allison Boyd, Executive Assistant
737 Fort Street
Victoria, BC V8W 2V1

Although our Act states the appointment is to be made no later than February 28th, we strongly recommend that this be completed by January 31st. This will ensure that Members can make their accommodation arrangements for the 2011 MFA Financial Forum & AGM on March 23rd and 24th.

If you have any questions, please feel free to contact me or Ms. Boyd in our office.

Sincerely,

Robin Stringer
Robin Stringer
Chief Administrative Officer

Encl: 1

Original: <i>file</i>	Copies to: <i>Chair</i>
Board: <i>Chair</i>	<i>RJ</i>
Committee(s):	<i>RJ</i>
Directed by: <i>RJ</i>	Date: <i>NOV 4/10</i>
File #	

*DEC 8
BOARD*

MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA

			March 2010*
<u>Regional District</u>	<u>Member Appointed</u>	<u>Alternate</u>	<u>No. of Votes</u>
Alberni-Clayoquot	M. Kokura	H. Chopra	1
Bulkley-Nechako	L. Hamblin	E. Benedict	1
Capital	F. Leonard	C. Causton	4
Capital	G. Young	G. Hendren	3
Cariboo	A. Richmond	A. Dumaresq	2
Central Coast	C. Hyde	B. Lande	1
Central Kootenay	J. Voykin	R. Toyota	2
Central Okanagan	R. Hobson	D. Ophus	4
Columbia Shuswap	R. Oszust	T. Bacigalupo	1
Comox Valley	P. Ives	M. Presley	2
Cowichan Valley	T. Walker	K. Kuhn	2
East Kootenay	R. Gay	L. Schatschneider	2
Fraser-Fort George	M. Frazier	D. Rogers	2
Fraser Valley	P. Ross	G. Peary	3
Fraser Valley	S. Gaetz	P. Clark	3
Greater Vancouver	M. Brodie	H. Steves	5
Greater Vancouver	D. Corrigan	C. Jordan	5
Greater Vancouver	G. Martin	C. Ferguson	5
Greater Vancouver	D. Mussatto	R. Green	5
Greater Vancouver	J. Trasolini	R. Stewart	5
Greater Vancouver	R. Louie	T. Stevenson	5
Greater Vancouver	R. Walton	P. Goldsmith-Jones	5
Greater Vancouver	J. Villeneuve	M. Hunt	4
Greater Vancouver	W. Wright	L. Jackson	4
Kitimat-Stikine	B. Corless		1
Kootenay Boundary	M. Rotvold		1
Mount Waddington	G. Furney	B. Parnham	1
Nanaimo	J. Stanhope	G. Holme	3
North Okanagan	H. Halvorson	P. Nicol	2
Northern Rockies	J. Sime	B. Streeper	1
Okanagan-Similkameen	D. Ashton	T. Chapman	2
Peace River	L. White	M. Bernier	2
Powell River	C. Palmer	C. McNaughton	1
Skeena-Queen Charlotte	J. Mussallem	B. Pages	1
Squamish-Lillooet	S. Gimse	K. Melamed	1
Strathcona	R. Grant	J. MacDonald	1
Sunshine Coast	G. Nohr	D. Shugar	1
Thompson-Nicola	J. O'Fee	J. Ranta	<u>3</u>
			97

*Based on 2006 Census Results

Updated: October 26, 2010 (3:29PM)

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C·V·R·D

**REGIONAL SERVICES COMMITTEE REPORT
OF MEETING HELD NOVEMBER 24, 2010**

DATE: November 29, 2010

To: Chairperson and Directors of the Board

Your Regional Services Committee reports and recommends as follows:

1. That support be provided for the Cowichan Valley Flood Protection Memorandum of Understanding and that the Chair and Corporate Secretary be authorized to sign the Memorandum of Understanding as attached to the Manager, Regional Environmental Policy's November 17, 2010 Staff Report.
2. That the Chair be authorized to sign the Pembina Institute's letter to Provincial Ministries from the Green Building Leader partners, which indicates the Board's support for Provincial initiatives that would improve energy efficiency and renewable energy in homes and buildings across the Province, as attached to Rachelle Moreau, Planner I's November 17, 2010 Staff Report.
3. That the Policies identified in Categories A, B, and C of the Corporate Secretary's November 5, 2010 Staff Report be repealed.



**ELECTORAL AREA SERVICES
COMMITTEE REPORT
OF MEETING HELD NOVEMBER 23, 2010**

CR2

DATE: November 25, 2010

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That the existing Community Parks Maintenance Services Contracts with Easy Living Landscape Holdings Ltd. be extended for an additional three years, commencing January 01, 2011, for the following amounts for each contract over the thirty-six month term (exclusive of HST); \$621,755 for the Electoral Area A-E Parks Maintenance Services Contract (inclusive of South Cowichan Parks and Bright Angel Park), \$99,626.00 for the Electoral Area F Parks Maintenance Services Contract and \$147,262.00 for the Electoral Area I Parks Maintenance Services Contract.
2. That a grant in aid, Electoral Area G – Saltair, be given to Nanaimo-Ladysmith Schools Foundation in the amount of \$500 to assist in providing a student with a Saltair Community Award Bursary.
3. That the Cowichan Valley Regional District advise the Minister of Community, Sport and Cultural Development that we wish to participate in the Ministerial Approval Waiver trial period.

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

4. That Application No. 1-F-10ALR, submitted by Sidney and Valerie Rajala, made pursuant to Section 21(2) of the *Agricultural Land Commission Act* to subdivide Lot 18, Block H, Section 15, Renfrew District (situated in Cowichan Lake District), Plan 1501 (PID 007-334-702) and pursuant to section 946 of the *Local Government Act* be forwarded to the Agricultural Land Commission with no recommendation.
5. That the Agricultural Land Commission be requested to do soil classification mapping for the Gordon Bay area of Electoral Area F which would provide the CVRD with the information needed to make recommendations on future ALR applications.

6. That Application No. 4-G-10DVP, submitted by Lorraine Stacey, for a variance to Section 5.3(4) of Zoning Bylaw No. 2524, to decrease the setback of the exterior side parcel line from 4.5 metres to 0.0 metres, be approved, subject to:
 1. The following improvements being made to the addition by June 30, 2011:
 - a) Vinyl siding which matches that of the parent accessory building;
 - b) Roofing which matches that of the parent accessory building;
 - c) Front siding and a garage door installed.
 2. Strict compliance with the conditions of the Ministry of Transportation and Infrastructure's permit.

7. That Application No. 3-A-10DP be approved, and that a development permit, pursuant to the Mill Bay Development Permit Area, be issued to Kerry Davis for Lot 16, District Lot 47, Malahat District, Plan 3749, except that parts lying northerly and westerly of the northerly and westerly limits of Plan 1064 RW and westerly of the westerly limit of Plan 570 RW and except that part in Plan 51166 (PID: 006-144-128) for subdivision of the subject property.

8. That the report from Richard Brimmell, P.Eng. dated October 27, 2010, regarding Geotechnical Considerations for 1695 Sandy Beach Road (Jarvis), be accepted as an updated evaluation of bank stability.

9.
 1. That the Bill 27 Bylaw Amendment for Electoral Area F proceed to the Board for consideration of 1st and 2nd Readings.
 2. That a Public Hearing be scheduled for the Amending Bylaw with Directors Morrison, Kuhn and Iannidinardo appointed as delegates of the Board.
 3. That the Bill 27 Bylaw Amendment for Electoral Area F be referred to the Town of Lake Cowichan, Municipality of North Cowichan, Cowichan Tribes, School District No. 79, and Ministry of Community and Rural Development for comment.



CR2

ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD DECEMBER 7, 2010

DATE: December 8, 2010

To: Chairperson and Directors of the Board

Your Electoral Area Services Committee reports and recommends as follows:

1. That CVRD Bylaw No. 3446 – Saltair Community Parks Service Amendment Bylaw, 2010, be amended by adjusting the proposed requisition amount to be \$0.43 per \$1,000, and that Bylaw No. 3446, as amended be forwarded to the Board for consideration of three readings and adoption.
2. That CVRD Bylaw No. 3447 be amended by changing the bylaw citation to read “South Cowichan Community Parks Service Amendment Bylaw, 2010”, and that Bylaw No. 3447, as amended, be forwarded to the Board for consideration of three readings and adoption.
3.
 1. That a combined GSPF/IF capacity building/ICS planning application of \$370,000 be submitted for the “Cowichan Basin Water Management Plan Implementation” project.
 2. That a General Strategic Priorities Fund Capital Project application of \$600,000 be submitted for the “Peerless Road Recycling Depot Upgrades & Ash Fill Remediation” project.
 3. That an Innovations Fund Capital Project application of \$1,000,000 be submitted for the “Saltair Power Generation” project.
4. That an application of \$400,000 to the Towns for Tomorrow Funding Program be submitted for the “Cobble Hill Sewer System” project.
5. That all Electoral Area Directors be approved to attend the FCM Sustainable Communities Conference on February 8-10, 2011 in Victoria, at a cost of \$635 each for registration plus expenses.
6. That the Regional District approve the release of Covenant FB304195 subject to it being replaced with a new covenant to secure fire protection commitments; And Further, that \$7,675.50 of the \$19,675.50 security held in trust to secure commitments associated Covenant FB304195 be released, with the remainder released upon completion of fire protection works.

7. That the CVRD forward the appropriate forms to AVICC nominating Director Mary Marcotte for the "Electoral Area Representative" position on the AVICC.
8. That a grant in aid, Area B – Shawnigan Lake, in the amount of \$1,000 be given to CMS Food Bank to assist with the food bank's needs.
9. That a grant in aid, Area C – Cobble Hill, in the amount of \$1,000 be given to CMS Food Bank to assist with the food bank's needs.
10. That a grant in aid, Area A – Mill Bay/Malahat, in the amount of \$1,000 be given to CMS Food Bank to assist with the food bank's needs.
11. That a grant in aid, Area C – Cobble Hill, in the amount of \$500 be given to Shawnigan Cobble Hill Farmers Institute to assist with a community celebration.
12. That a development permit be required for construction work being undertaken at 1787 Cowichan Bay Road (File No. 7-D-09DP/Mueller).

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

13. 1. That Application No. 5-A-10RS (Mill Bay Marina) proceed subject to the following:
 - That the marina be built prior to the condominiums being constructed;
 - That a bond be put in place to ensure the boat launch ramp is built;
 - That no boat houses be permitted;
 - That the applicants work with the Ministry of Transportation and Infrastructure regarding safety concerns at the corner of Handy Road and Mill Bay Road.
 2. That draft OCP and Zoning Amendment Bylaws for Application No. 5-A-10RS (Mill Bay Marina Inc.) be forwarded to the CVRD Board for consideration of first and second reading.
 3. That application referrals to the Ministry of Transportation and Infrastructure, Mill Bay Volunteer Fire Department; Ministry of Environment, the Archaeology Branch of the Ministry of Tourism, Culture and the Arts, Fisheries and Oceans Canada, Cowichan Tribes, Malahat First Nation, Transport Canada, the Integrated Land Management Bureau and Mill Bay Waterworks, be accepted.
 4. That a public hearing be scheduled with Directors Harrison, Cossey and Dorey appointed as Board delegates.
14. 1. That Application No. 2-A-10DP be approved and the Planning and Development Department be authorized to issue a development permit to 687033 BC Ltd. for a 17 lot phase of subdivision (Phase 11 of Mill Springs) on District Lot 46, Malahat District, except parts in Plan VIP68911, VIP78297, VIP82480 and strata Plan VIS4795 (Phase 3, and 5 to 10) and Except Plan VIP83878, and VIP85356 and VIP85745.
 2. That Staff be directed to arrange a meeting with officials from the Ministry of Transportation and Infrastructure.

15. 1. That draft OCP and Zoning Amendment Bylaws for Application No. 2-A-10RS (Neil Drader) be forwarded to the CVRD Board for consideration of first and second reading.
2. That the application referrals from the Ministry of Transportation and Infrastructure, Malahat Volunteer Fire Department, Vancouver Island Health Authority and Malahat First Nation be accepted;
3. That a public hearing be scheduled with Directors Harrison, Cossey and Duncan appointed as delegates of the Board, following receipt of a draft covenant for the following:
 - a 3-metre wide strip of the subject property along the road frontage for the purpose of protecting the Malahat Drive view corridor which prohibits the installation of signage, the removal of vegetation and the parking of vehicles, unless specifically authorized by the CVRD;
 - a provision to ensure that oil containment measures are implemented under all parked recreational vehicles, for the protection of the natural environment.
16. That Application No. 2-H-10ALR (Gisborne), regarding the subdivision of Lot A, District Lot 39, Oyster District, Plan 29596 (PID: 000-031-071) into two lots, be forwarded to the Agricultural Land Commission with a recommendation to approve.
17. That Application No. 6-I-10DP be approved, and that a development permit be issued to Dana Hummel and Ken Paterson for Lot 62, Block 7, Cowichan Lake District, Plan 8301 except parts in Plans 10217, 10479, and 29280 (PID: 005-533-431), subject to the following:
 - Strict compliance with the recommendations in Riparian Assessment Report No. 1099, submitted by Qualified Environmental Professional Trystan Willmott, of Madrone Environmental Services, on September 23, 2008;
 - Completion of a survey, by professional surveyors, of the 15m SPEA and that the SPEA be clearly demarcated with the use of flagging materials prior to commencement of development activities;
 - Registration of a covenant on the title of the property for the protection of the 15m SPEA;
 - Contracting a Certified Arborist to identify hazardous dead standing snags within the SPEA that are to be topped or taken down as specified by the Arborist, remains of which are to stay within the SPEA as course woody debris;
 - Submission of mid-construction and post-construction monitoring reports by the Qualified Environmental Professional via the Ministry of Environment RAR notification system prior to expiry of the development permit.
18. That the Ministry of Energy, Mines and Petroleum Resources be requested to hold a public meeting for the proposed gravel permit at Lots 1, 2, 3 and 4, Section 9, Range 6, Plan 41254, and a portion of Lot 2, Section 9, Range 5, Plan 87193, and MoT Right of Way marked Road on Plan 41254, in order to address community concerns over the proposed gravel extraction, aquifer, and local waterworks.



CR3

ENGINEERING & ENVIRONMENTAL SERVICES COMMITTEE REPORT

OF MEETING HELD NOVEMBER 24, 2010

DATE: November 26, 2010

To: Chair and Directors of the Cowichan Valley Regional District

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

1. .1 That the *Certificates of Sufficiency*, confirming that sufficient petitions requesting inclusion into the Douglas Hill Water System Service Areas be received.
 - .2 That the boundaries of the Douglas Hill Water System service area be extended to include:
"PID 004-065-549, Lot 1, Section 2, Range 6, Cowichan Land District, Plan 16800";
"PID 002-657-121, Lot 3, Sections 18&19, Range 6, Cowichan Land District, Plan 25720"
"PID 002-249-839, Lot 1, Sections 18&19, Range 6, Cowichan Land District, Plan 25720"
"PID000-044-156, Lot 1, Section 20, Range 6, Cowichan Land District, Plan 39846"
 - .3 That "CVRD Bylaw No. 3382 – Douglas Hill Water System Service Establishment Bylaw, 2010", be amended to include:
"PID 004-065-549, Lot 1, Section 2, Range 6, Cowichan Land District, Plan 16800";
"PID 002-657-121, Lot 3, Sections 18&19, Range 6, Cowichan Land District, Plan 25720"; "PID 002-249-839, Lot 1, Sections 18&19, Range 6, Cowichan Land District, Plan 25720"; and "PID000-044-156, Lot 1, Section 20, Range 6, Cowichan Land District, Plan 39846",

and that the amendment bylaw be forwarded to the CVRD Board for three readings and adoption.
2. That the CVRD Board approve 100% funding to carry out an engineering assessment of the Sylvania Improvement District Water System, to a maximum cost of \$15,000, with the funding coming from the CVRD Electoral Feasibility Studies Function, and further that, if a new CVRD water service area function is created, these funds be paid back to the study function by the newly created service area.
 3. That the Board approve a 3% Community Works contribution increase of \$39,000 for the upgrades to the Satellite Park Water System, bringing the total Community Works contribution to \$469,000.

4. That the Cowichan Valley Regional District enter into Recycling Service Contract extensions with the following service providers.

Contract No.	Service	Supplier
ES-004-05	Bulk Plastic Transport	Active Industrial Waste Mgmt.
ES-005-05	Gypsum Transport	Active Industrial Waste Mgmt.
ES-006-05	Yard and Garden Transport	Active Industrial Waste Mgmt.
ES-007-05	Asphalt Roofing Transport	Active Industrial Waste Mgmt.
ES-009-05	Scrap Lumber Transport	Active Industrial Waste Mgmt.
ES-010-05	MPNRB Transport	Active Industrial Waste Mgmt.
ES-013-05	Scrap Metal Recovery	Steel Pacific Recycling
ES-016-05	Oil Products and Antifreeze Recovery	Newalta Corporation
ES-017-05	Asphalt Roofing Processing	Johel Bros.
ES-018-05	Scrap Lumber and Wood Products Processing	Steel Pacific Recycling
ES-019-05	Bulk Plastic Processing	BFI Canada.
ES-020-05	MPNRB Program Processing	BFI Canada
ES-022-05	Yard and Garden Processing	Central Landscape Supplies Ltd.
ES-027-05	CFC Removal	Electra Appliance Ltd.

for the period of January 1, 2011 to April 30, 2012; and that the Chair and Corporate Secretary be authorized to sign the extension agreements.

5. That the CVRD support application of a provincial infrastructure planning grant for an Arbutus Ridge Sewer Effluent Reuse Study, to be funded to a maximum cost of \$15,000, with \$5,000 from the Arbutus Ridge Sewer System and \$10,000 through a Provincial Planning Grant application.
6. That the CVRD support application of an infrastructure planning grant to carry out an engineering assessment on the Mill Springs Sewer System, to be funded to a maximum cost of \$15,000, with \$5,000 from the CVRD Electoral Feasibility Studies Function and \$10,000 through the Provincial Infrastructure Planning Grant Program.
7. That the Chair and Corporate Secretary be authorized to sign an agreement with the Penelakut Tribe for the disposal of solid waste from the Penelakut Tribe at the CVRD's Bings Creek Solid Waste Management Complex.



CR4

**RECREATION FUNDING WORKING GROUP REPORT
OF MEETING HELD NOVEMBER 24, 2010**

DATE: November 26, 2010

TO: Chairperson and Directors of the Board

The Recreation Funding Working Group reports and recommends as follows:

That the CVRD engage the services of an independent consultant to conduct a usage study of the nine (9) regionally significant recreation facilities in the Cowichan Region consisting of:

1. Cowichan Aquatic Centre
2. Cowichan Lake Sports Arena
3. Cowichan Sportsplex
4. Cowichan Theatre
5. Frank Jameson Community Centre
6. Fuller Lake Arena
7. Island Savings Centre
8. Kerry Park Recreation Centre
9. Shawnigan Lake Community Centre.



STAFF REPORT

REGULAR BOARD MEETING
OF DECEMBER 8, 2010

DATE: December 1, 2010 BYLAW NO: 3359
FROM: Kathleen Harrison, Deputy Corporate Secretary
SUBJECT: Results of Alternative Approval Process - Bylaw No. 3359 – Environmental Initiatives Service Establishment.

Recommendation:

That the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3359, be received.

Purpose:

To present the results of the Alternative Approval Process for "CVRD Bylaw No. 3359 – Environmental Initiatives 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.

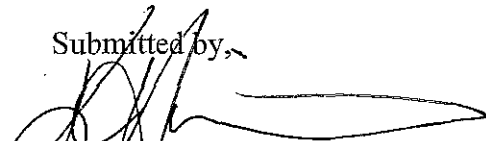
Interdepartmental/Agency Implications:

Once adopted, a certified copy of this bylaw must be filed with the Province.

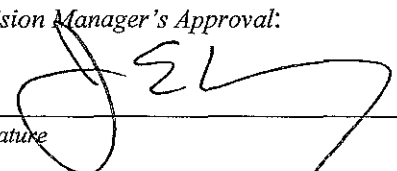
Background:

A total of One Hundred and Ninety Four (194) *Elector Response Forms* were submitted in opposition to the adoption of Bylaw No. 3359. Seven forms were rejected as invalid: One (1) was altered; One (1) was an unsigned duplicate; One (1) was received after the deadline; One (1) was a faxed duplicate; One (1) was submitted in an area twice for two separate addresses; and Two (2) listed fictitious addresses. As outlined in the attached *Certificate of Results*, One Hundred and Eighty Seven (187) *Elector Response Forms* were accepted as valid and constitute less than 10% (or 0.33%) of the 57,156 eligible electors, and therefore the Board may proceed to adopt the bylaw.

Submitted by,


Kathleen Harrison
Deputy Corporate Secretary

Attachment: Certificate of Results – Bylaw No. 3359

Division Manager's Approval:

Signature



CVRD Bylaw No. 3359
Certificate of Results - Alternative Approval Process


I hereby certify that One Hundred Eighty Seven (187) valid *Elector Response Forms* were received in opposition to the adoption of "CVRD Bylaw No. 3359 – Environmental Initiatives Service Establishment Bylaw, 2010". CVRD Bylaw No. 3359 authorizes the Regional District to requisition up to Five Hundred and Ninety Thousand Dollars (\$590,000) annually 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.

The total number of eligible electors in the service area to which the Alternative Approval Process applies is estimated at 57,156

In accordance with Section 86 (1) of the *Community Charter*, the number of valid 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. 3359.

DATED at Duncan, British Columbia
this 1st day of December, 2010

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Kathleen Harrison
Deputy Corporate Secretary

Number of Eligible Electors in the Service Area	10% of the Electors	Valid Elector Response Forms Received
57,156	5,716	187



SR2

STAFF REPORT

REGULAR BOARD MEETING
DECEMBER 8, 2010

DATE: November 17, 2010 File No.:0550-05
FROM: Sybille Sanderson, A/General Manager Public Safety
SUBJECT: CVRD Volunteer Fire Department Appointments 2011 - 2012

Recommendation:

That the Board of Directors approves the following appointments to the CVRD Volunteer Fire Departments:

Honeymoon Bay VFD – Fire Chief, John Rowley – Deputy Fire Chief, Keith Bird
Malahat VFD – Fire Chief, Dave Balding – Deputy Fire Chief, Rob Patterson
Mesachie Lake VFD – Fire Chief, Nick Sohye - Deputy Fire Chief, Gary Eve
North Oyster VFD – Fire Chief, Jason de Jong – Deputy Fire Chief, Jason Layman
Sahtlam VFD – Fire Chief, Allan Reid – Deputy Fire Chief, Jonathan Hebden
Youbou VFD – Fire Chief, Orest Smycniuk – Deputy Fire Chief, Stu McKee

These appointments are for a 2-year term to expire December 31, 2012.

Purpose: To obtain Board of Director’s approval for the positions of Fire Chief and Deputy Fire Chief for each of the CVRD Volunteer Fire Departments.

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

Submitted by,

Sybille Sanderson
A/General Manager Public Safety

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C·V·R·D

SR3

STAFF REPORT

CVRD BOARD MEETING
OF WEDNESDAY, DECEMBER 8, 2010

DATE: November 30, 2010 FILE NO: Bylaws
FROM: Kate Miller, Manager, Regional Environmental Policy Division
SUBJECT: Amendment to Bylaw 2943 – Environment Commission Bylaw re commission members may be reappointed.

Recommendation:

1. That "CVRD Bylaw No. 3450 – Environment Commission Amendment Bylaw, 2010" be forwarded to the Board for three readings and adoption.

Purpose: To revise the above noted Environment Commission Bylaw to add an additional item stating that a member of the commission may be reappointed by the Board for a further term or terms.

Financial Implications: n/a

Interdepartmental/Agency Implications: n/a

Background: Environment Commission members are appointed by the Board. As the Environment Commission Bylaw 2943, 2007 now reads, there is no provision to reappoint members if they choose to remain on for another term. This amending bylaw will rectify that situation.

Submitted by,

Kate Miller
Manager, Regional Environmental Policy Division

Approved by:
Brian Dennison, General Manager,
Engineering and Environmental Services

KM:df

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SR4

STAFF REPORT

REGULAR BOARD MEETING OF DECEMBER 8, 2010

DATE: November 1, 2010
FROM: Chief Administrative Officer
SUBJECT: Regionally Significant Projects (RSP) Fund Proposal

Recommendation:

That an RSP proposal in the amount of \$150,000 be submitted to UBCM for the Somenos Marsh Rainwater Management, Sewer and Trail Development Project – VIC.

Purpose:

To obtain Board approval to move forward with an RSP proposal to UBCM for the Somenos Marsh Rainwater Management, Sewer and Trail Development Project – VIC.

Financial Implications:

While funding through the RSP program may cover up to 100% of eligible costs, the CVRD has generally adopted a 1/3 funding policy which requires that the costs of projects supported through the RSP fund be at least 1/3 funded through the local area receiving the funding, with the remaining 2/3 funding coming through the Gas Tax program.

Interdepartmental/Agency Implications:

RSP funding is recommended to the Board by an “RSP working group” made up of provincial, UBCM, municipal and regional district staff. This group is responsible for developing regional, larger in scale RSP projects that produce strong outcomes. Staff is in the process of developing proposals for the funding allocated to our Region.

Background:

The RSP fund provides funding for projects that result in cleaner air, water, or reduced greenhouse gas emissions. The purpose of the RSP fund is to provide financial support for projects that are larger in scale or regional in impact. *Larger in scale* projects are those which are difficult for a local government to fund through its own funding sources, by use of its Gas Tax Community Works Fund or through a combination of these. Projects that are *regional in impact* simply *must have impacts beyond a single local government jurisdiction*. Generally, these are

projects undertaken by two or more local governments, or are projects that directly serve more than one municipality or regional district electoral area.

While the RSP working group is still in the early stages of project identification for the bulk of the RSP funding reserved for our Region, the group has recommended to proceed with the Somenos Marsh Rainwater Management, Sewer and Trail Development Project – VIC in order to take advantage of other matching grant funding.

Project Description:

Somenos Marsh is a key component of the rainwater management system for the Cowichan Valley, and water quality in the marsh is a significant concern. The eligible components of the project include creating a series of rainwater gardens to filter storm water that currently runs off the Trans Canada Highway (TCH) into a ditch prior to entering the Somenos Marsh, providing sanitary sewer connections to replace the septage fields, creating trails to link up with the Lakes/Beverly trail network and Cowichan Commons trail network, and installing a grass grid parking area. The cost breakdown for these elements is as follows: rainwater management \$59,760; sanitary sewer connections \$37,240; trail network \$24,990; grass grid parking area \$20,500; and other \$7,510, for a total \$150,000. Upon completion of the project the site will become a key trail head for residents and tourists that visit the Valley, and will become an example of innovative and environmental friendly rainwater management.

The Duncan Cowichan Chamber of Commerce (DCCC), BC Forest Discovery Center (BCFDC), District of North Cowichan and the City of Duncan have formed a partnership to build a regional Visitor Information Centre (and associated site improvements) at the corner of Drinkwater and TCH on a one acre piece of property at the BCFDC site. The total project cost is estimated at \$1.6 million, excluding the donated land. At the time the partners have secured funding commitments of \$1,259,000 (Island Coastal Economic Trust (ICET) \$520K, ICET \$224K, UBCM Tourism Grants \$130K, DCCC \$60K, District of North Cowichan \$325K and Rotary Club – total unknown). It is estimated that the funding shortfall is \$300,000. ICET has indicated the parties need to confirm funding commitments by December 31, 2010 to secure the \$744K in funding.

Estimated Project Cost:	\$1,600,000
District of North Cowichan Contribution:	\$325,000
RSP Contribution:	\$150,000

Submitted by,


Warren Jones
Chief Administrative Officer



PH1

PUBLIC HEARING REPORT
Bylaw No. 3367

Following is a summary of the proceedings of the Public Hearing for Official Settlement Plan Amendment Bylaw No. 3367 (Village DPA Expansion), applicable to Electoral Area D – Cowichan Bay, held on Thursday, October 28, 2010, at Bench Elementary School (Multi Purpose Room), 1501 Cowichan Bay Road, Cowichan Bay, BC, at 7:03 p.m.

- HEARING DELEGATES** Director L. Iannidinardo, Electoral Area D – Cowichan Bay, Chairperson
Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora
- Absent:
Director G. Giles, Electoral Area C – Cobble Hill
- CVRD STAFF PRESENT** Mr. M. Tippett, Manager, Planning and Development Department
Ms. A. Garnett, Planner II, Planning and Development Department
Ms. J. Hughes, Recording Secretary, Planning and Development Department
- Members of the Public:
There were 2 members of the public present.
- CALL TO ORDER** Director L. Iannidinardo chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present.
- PROCEDURES** Mr. Tippett explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, October 20, 2010 and Friday, October 22, 2010) and in the *Leader Pictorial* (Wednesday, October 20, 2010, and Friday, October 22, 2010) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.
- Official Settlement Plan Amendment Bylaw No. 3367** proposes to amend CVRD Electoral Area D – Cowichan Bay Official Settlement Plan Bylaw No. 925 by extending the existing Cowichan Bay Village Development Permit Area to encompass the following Crown Lease Lot: Block A, DL 160, Cowichan District.
- This Bylaw is intended to provide a measure of site development control over this Crown lease area, with respect to environmental protection measures to be taken for redevelopment, the form and character of any development and protection from natural hazards such as flooding. The shaded area on the

above map that does not have a “subject property” arrow pointing to it is the portion of Cowichan Bay Village that is already part of the Cowichan Bay Village Development Permit Area, instituted in June 2005.

Mr. Tippett stated that one letter of response to the proposed Bylaw had been received from the date the advertisement was placed within the local newspapers to the close of the CVRD office today, October 28, 2010, at 4:30 pm. He further advised that copies of the proposed Amendment Bylaw were located on the side table for review.

Correspondence

The following item was received and is attached to the Minutes as an Exhibit:

- 1) Email dated October 28, 2010, from K. Eric Marshall (EXHIBIT 1).

Location of File

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

QUESTION PERIOD

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

**John Boechler,
1880 Wessex Road**

- Asked what the permitted uses on the subject site are and what would be prevented under the proposed Bylaw?

Mike Tippett

- Read verbatim the permitted uses from the W-7 (Water Industrial) Zone;
- Site was a Crown Lease held previously by Hayes Forestry for short term booming and sorting of logs before going onto a mill;
- Interim use has been a barge modification structure which was felt to be very loosely defined as boat building which, under zoning, would have been hard to deny;
- Current Leaseholder, Mr. Hokanson, acquired the lease which runs out in 2012 and noted he had applied for an extension on that Lease. CVRD Board opposed the Lease extension and the Minister of Environment did not approve it which means the Lease may expire in 2012;
- CVRD Board opposed the extension mainly because of the update to the existing OSP and the new OCP process and they did not want to see a key piece of waterfront and the interface with the ocean tied up with a use that had not been officially discussed with the community;
- Zoning has been in place since the mid 1980’s and it has been a long time since the community has had a chance to review it;
- The proposed DPA is not something that is able to deny use if the use was permitted in the zone but noted that the CVRD could try to mitigate any

new uses proposed on the site to protect the environment.

- John Boechler** ➤ Noise from the site this past summer was very annoying.
- Mike Tippett** ➤ CVRD has a Noise and Nuisance Bylaw but noted that it does exempt the permitted uses in a zone. If an applicant could say the use they were carrying out on site is permitted under zoning they would be permitted that use;
➤ Goal of the proposed DPA is to have some control;
➤ New OCP process is underway and there will be some discussions with the community as to what would be the best land use for that site;
➤ Now the Lease has been denied he is not sure how much money the Leaseholder will want to invest into that site.
- John Boechler** ➤ Are most people happy with the proposed DPA Bylaw as not many people have shown up at the Public Hearing?
- Mike Tippett** ➤ Subject property Leaseholder was notified of the Public Hearing and he might not be too happy with the proposed Bylaw.
- Director Duncan** ➤ Some environmental comments have been made through the Cowichan Estuary Environmental Management Plan Committee and noted that the property should be reviewed for its environmental considerations.
- John Boechler** ➤ Will the applicant have to clean up the site?
- Director Iannidinardo** ➤ She understood that when Crown Land is purchased it is the owners responsibility to clean it up;
➤ Boat storage is not a permitted use under the existing zoning but noted there are boats being stored on that site at the present time.
- Mike Tippett** ➤ Technically there is a violation of zoning in place which is one reason why the CVRD Board opposed the Lease.
- John Gay,
Hillbank Road** ➤ Boats are being worked on that property and noted that in the past others have been kicked out of the Bay for working on boats due to noise and pollution concerns;
➤ Asked how a use can be carried out on property if it is not permitted under zoning?
- Director Iannidinardo** ➤ Part of the reason for the proposed DPA is the community is in an uproar as that property is located at the mouth of the Koksilah River which is an environmentally sensitive area.
- John Boechler** ➤ He understood from his neighbours that the lease owner was trying to go through the legal channels and he was also told there were businesses in the Bay that were not legally zoned.

- Mike Tippett**
- There are anomalies within the Village but noted that the primary zone in the Village is W-3 and read verbatim the permitted uses;
 - There are grey areas right now in the Village and the new OCP process will be opening things up for discussion with regard to zoning.

John Boechler ➤ Asked how the other properties are getting away with not being enforced.

Mike Tippett ➤ Bylaw Enforcement is carried out on a complaint basis and once a complaint has been received the Bylaw Enforcement Officer will go out and review the alleged violation. If there is no compliance the information is passed onto the Directors and each complaint is looked upon with its own set of facts.

Director Iannidinardo Asked for further questions three times from the public present regarding Official Settlement Plan Amendment Bylaw No. 3367.

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

John Boechler ➤ Everyone is doing a fantastic job.

ADJOURNMENT Chairperson Iannidinardo asked for comments or submissions three times from the public present regarding Official Settlement Plan Amendment Bylaw No. 3367.

Chairperson Iannidinardo declared the Public Hearing closed at 7:27 p.m.

CERTIFICATION:

We attended the Public Hearing on Thursday, October 28, 2010, and hereby certify that this is a fair and accurate report of the Public Hearing.

Lou L. Iannidinardo
Director L. Iannidinardo

Date Nov 24 / 2010

Loen Duncan
Director L. Duncan

Date Dec 7, 2010

Mike Tippett
Mike Tippett, Manager

Date November 18 2010

Alison Garnett
Alison Garnett, Planner II

Date November 18, 2010

Jennifer Hughes
Jennifer Hughes, Recording Secretary

Date November 12, 2010



PUBLIC HEARING REPORT
Bylaw No. 3415

Following is a summary of the proceedings of the Public Hearing for Official Settlement Plan Amendment Bylaw No. 3415 (Bill 27), applicable to Electoral Area D – Cowichan Bay, held on Thursday, October 28, 2010, at Bench Elementary School (Multi Purpose Room), 1501 Cowichan Bay Road, Cowichan Bay, BC, at 7:28 p.m.

**HEARING
DELEGATES**

Director L. Iannidinardo, Electoral Area D – Cowichan Bay, Chairperson
Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora

Absent:

Director G. Giles, Electoral Area C – Cobble Hill

**CVRD STAFF
PRESENT**

Mr. M. Tippett, Manager, Planning and Development Department
Ms. A. Garnett, Planner II, Planning and Development Department
Ms. J. Hughes, Recording Secretary, Planning and Development Department

Members of the Public:

There were two members of the public present.

CALL TO ORDER

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

PROCEDURES

Ms. Garnett explained the requirements under Section 890 of the *Local Government Act*. She advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Wednesday, October 20, 2010 and Friday, October 22, 2010) and in the *Leader Pictorial* (Wednesday, October 20, 2010, and Friday, October 22, 2010) as required by the *Local Government Act*.

Official Settlement Plan Amendment Bylaw No. 3415 proposes to amend CVRD Electoral Area D – Cowichan Bay Official Settlement Plan Bylaw No. 925 by introducing a new section to the Plan, entitled “**Land, Resources and Energy Efficiency (Bill 27)**”. This proposed section contains information on greenhouse gas emissions, which are partly responsible for recent changes in worldwide climate patterns. In the CVRD, vehicle related transportation is the single largest contributor of these emissions. Within the new section, support is expressed for the Provincial emission reduction targets. Acknowledging that Electoral Area D - Cowichan Bay’s potential to influence greenhouse gas emissions is largely through land use planning, the proposed Plan amendment establishes objectives to reduce emissions by making wise and efficient use of lands and resources.

Generally, the proposed new section attempts to strengthen the existing Plan policies, relating to the conservation of the agricultural land base, and support of local agricultural production and consumption, and supporting transit, cycling and other non-vehicle modes of transportation. The proposed new section encourages education and community engagement surrounding climate change, and the development of a climate change action plan.

The purpose of Official Settlement Plan Amendment Bylaw No. 3415 is to bring the Cowichan Bay Plan into compliance with Bill 27 of the Province of British Columbia. Bill 27 requires that all Official Community/Settlement Plans contain greenhouse gas reduction targets and the objectives and policies designed to move towards compliance with these targets. This must be done in 2010.

Ms. Garnett stated that no letters of response to the proposed Bylaw were been received at the CVRD office from the date the advertisement was placed within the local newspapers to the close of the CVRD office today, October 28, 2010, at 4:30 pm. She further advised that copies of the proposed Amendment Bylaw were located on the side table for review.

Mike Tippett

The new OCP that will be coming forward in the near future will also contain further policies with regard to greenhouse gas emissions.

Correspondence

There was no correspondence received.

Location of File

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

QUESTION PERIOD

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

Mike Tippett

➤ For information, at the October 26th Public Hearing in Electoral Area G – Saltair/Gulf Islands, a commuter cyclist attended the Hearing and commented with regard to the CVRD applying for gas tax money to fund improvements to Chemainus Road making it easier for cycling commuters to travel to Duncan offering an alternative mode of transportation.

**John Boechler,
1880 Wessex Road**

➤ How much gas tax money was coming forward from the Province?

Mike Tippett

➤ CVRD Board was expecting to receive approximately 2 million dollars over the next five years but noted that 4 million dollars has actually been allocated and the Board is looking at what projects are worthy and in need of funding.

**Director
Iannidinardo**

Asked for further questions three times from the public present regarding Official Settlement Plan Amendment Bylaw No. 3415.

**PUBLIC
COMMENTS**

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

ADJOURNMENT

Chairperson Iannidinardo asked for comments or submissions three times from the public present regarding Official Settlement Plan Amendment Bylaw No. 3415.

Chairperson Iannidinardo declared the Public Hearing closed at 7:36 p.m.

CERTIFICATION:

We attended the Public Hearing on Thursday, October 28, 2010, and hereby certify that this is a fair and accurate report of the Public Hearing.

Loi L. Iannidinardo
Director L. Iannidinardo

Date Nov. 24, 2010

Loree Duncan
Director L. Duncan

Date Dec 7, 2010

Mike Tippett
Mike Tippett, Manager

Date November 18 2010

Alison Garnett
Alison Garnett, Planner II

Date Nov 18, 2010

Jennifer Hughes
Jennifer Hughes, Recording Secretary

Date November 12, 2010



C·V·R·D

PUBLIC HEARING REPORT
Bylaw No. 3417

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3417 (Bill 27), applicable to Electoral Area I – Youbou/Meade Creek, held on Wednesday, November 3, 2010, at the Youbou Community Hall (Lower Hall), 8550 Hemlock Street, Youbou, BC, at 7:01 p.m.

HEARING DELEGATES Director K. Kuhn, Electoral Area I – Youbou/Meade Creek, Chairperson
Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls
Director M. Marcotte, Electoral Area H – North Oyster/Diamond

CVRD STAFF PRESENT Mr. M. Tippett, Manager, Planning and Development Department
Ms. J. Hughes, Recording Secretary, Planning and Development Department

Members of the Public:
There were 4 members of the public present.

CALL TO ORDER Director K. Kuhn Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present.

PROCEDURES Mr. Tippett explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Lake Cowichan Gazette* (Wednesday, October 20, 2010 and Wednesday, October 27, 2010) and in the *Leader Pictorial* (Wednesday, October 27, 2010, and Friday, October 29, 2010) as required by the *Local Government Act*.

Official Community Plan Amendment Bylaw No. 3417 proposes to amend CVRD Electoral Area I – Youbou/Meade Creek Official Community Plan Bylaw No. 2650 by introducing a new section to the Plan, entitled “**Climate, Land, Resources and Energy Efficiency (Bill 27)**”. This proposed section contains a significant amount of background information on “greenhouse gases” that are thought to be at least partly responsible for recent changes in worldwide climate patterns. Following these background sections, the greenhouse gas issue is described in the context of Youbou/Meade Creek, along with a realistic assessment of the extent to which the CVRD can affect the problem through Plan policies.

Following these preambles, the proposed Plan amendment establishes a series of objectives with respect to improving energy efficiency and making wise use of lands and resources. Support is expressed for the Provincial greenhouse gas

reduction targets. Ten specific policies for this new Plan Section follow, dealing generally with the role of personal responsibility, encouraging reduced consumption of power, encourage efficient land use patterns, conservation of forested areas to maximize their role as a reservoir of carbon, encouraging transit and establishing guidelines for future Plan reviews to strive towards even higher efficiency in land use. Complementary adjustments and additions to other existing policies and sections in the Plan are also proposed.

The purpose of Official Community Plan-Amendment Bylaw No. 3417 is to bring the Youbou/Meade Creek Plan into compliance with Bill 27 of the Province of British Columbia. Bill 27 requires that all Official Community Plans contain greenhouse gas reduction targets and the objectives and policies designed to move towards compliance with these targets. This must be done in 2010.

Mr. Tippett stated that two pieces of correspondence in response to the proposed Bylaw had been received from the date the advertisement was placed within the local newspapers to the close of the CVRD office today, November 3, 2010, at 4:30 pm. He further advised that copies of the proposed Amendment Bylaw were located on the side table for review.

Correspondence

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

- 1) Email and attachment from Howard Smith (EXHIBIT 1);
- 2) Letter dated November 3, 2010, from Ian Graeme (EXHIBIT 2).

Location of File

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

QUESTION PERIOD

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

Tyler Clarke

➤ Is the proposed Bylaw mainly focusing on transportation issues?

Mike Tippett

- Community Energy and Emissions Inventory (CEEI) data is used for carbon issues that are mainly gathered from the transportation section;
- Existing lakefront development is lineal and proposed Amendment Bylaw states that vehicle related transportation is by far the largest contributor to overall emissions;
- Ways to address transportation issues could be carbon taxation on fuel, national fuel efficiency standards for new vehicles, improving transit

- services in the area and trying to get more jobs within the area and there could possibly be some local jobs created within the Youbou Lands development;
- There is not a high rate of residential growth in the area and the Province wants to rehabilitate the existing houses with improvements to greenhouse gas standards;
 - The CVRD has also examined some modelling that is very specific to the CEEI and a study had been carried out in the Fraser Valley;
 - Intent of the proposed Bylaw is to support Provincial Government standards in helping to reduce greenhouse gas issues.
- Tyler Clarke**
- Will the long term concerns with regard to increasing local transportation issues be addressed in the OCP with Youbou Lands coming forward in the future?
- Mike Tippett**
- Census data has shown there is not much growth in the area and with the potential development of Youbou Lands there will be a new approach to viewing greenhouse gas emissions.
- Director Kuhn**
- Asked for further questions from the public present with regard to Amendment Bylaw No. 3417.
- Tyler Clarke**
- Will there be amendments to the local transit system in the near future?
- Director Morrison**
- CVRD Transit Committee has been reviewing the existing transit system;
 - A recent survey has given told the Directors and BC Transit that they do not want to see any more cuts to the service and they want to see more service added for the Cowichan Lake area;
 - Regional Board has approved, through the Budget process, an increase of 2,000 hours to the existing Transit system but he was not sure how much service was coming forward for the Cowichan Lake area and also noted there may be another possible another 2,500 hours coming forward next September.
- Director Kuhn**
- Asked for further questions from the public present with regard to Bylaw No. 3417.
- Ian Graeme,
8181 Saseenos
Crescent**
- Asked if there will be a connection between the OCP and the Regional Environmental Strategies?
- Mike Tippett**
- Proposed Amendment Bylaw No. 3417 was forwarded to the CVRD Environmental Manager for review and it was noted there is limitation in scope with the proposed Bylaw but they believe the Provincial direction is a good one;
 - An OCP review will make more thorough changes with the Provincial targets and environmental policies that will be brought forward in the

future and noted that there will be more policies to come within the next five years.

- Ian Graeme** ➤ Are the greenhouse gas policies being applied to all Electoral Areas?
- Mike Tippett** ➤ The policies are being applied to all Electoral Areas. Each local Advisory Planning Commission (APC) has reviewed the policies and the proposed Area I Amendment Bylaw is quite different, for example, to Cowichan Bay and Saltair's Bylaws.
-
- Director Kuhn** ➤ Confirmed that the proposed Amendment Bylaw has been customized for Electoral Area I – Youbou/Meade Creek.
- Mike Tippett** ➤ APC agreed that there is a need to make the environmental changes and it is hoped that the Province will also become a team player and be involved;
➤ Proposed amendments to the OCP will be forwarded onto the Province for approval but noted that the amendments are modest at this time.
- Ian Graeme** ➤ With the Youbou Lands development coming forward and the potential for 2,000 units is there anything out on the horizon with regard to community and district regarding waste wood, wind resources, thermal exchange and solar power?
- Mike Tippett** ➤ Energy Plan for the entire region has been ongoing in the Environmental Division of the CVRD's Engineering Department;
➤ When Youbou Lands comes forward CVRD Engineering will take over the sewer and water systems and the proposed Development Permit Area (DPA) will also have some controls within it and the CVRD is well informed and will be ready when the development comes in.
- Director Kuhn** ➤ When the Youbou Lands build out comes forward it will make public transit a benefit for the community.
- Mike Tippett** ➤ With more commercial services located on Youbou Lands it is hoped that will decrease travel on Highway 18 to Duncan but noted that would not happen overnight.
- Ian Graeme** ➤ Is there a sense of what the Woodland Shores and Youbou Lands developments will look like in the future and what commercial facilities would be located on Youbou Lands? Is Woodland Shores compatible with GHG reduction strategy?
- Mike Tippett** ➤ Every community is facing land use pattern changes and noted that he believes Woodland Shores was being listed as recreational but noted there could also be full time residences on site but at this stage they were not sure about those numbers. It was a difficult decision but on balance the Board felt it was in the public interest to proceed.

- Ian Graeme** ➤ Agreed that every community is facing challenges.
- Director Kuhn** Asked for further questions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3417.
- PUBLIC COMMENTS** The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaw. Chair Kuhn reminded the public that the Information Binder was available for review and is located on the side table, along with copies of the Amendment Bylaw, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Ian Graeme**
- Acknowledges the CVRD for using the *Climate Action Charter* and that what he sees coming forward is a priority for future generations to come;
 - He did not see the word Water used within the proposed Bylaw as he felt there is linkage between water energy and GHGs. The Cowichan Basin Water Management plan makes the linkage and identifies some specific actions. Feels there will be lower snow packs in the area that will make more flow problems in the Cowichan Valley and there should be linkage between water and conservation;
 - There should be a statement in the proposed Bylaw within the preamble which could be a really simple statement that attributes the observed increase in global average temperatures to human fossil fuel use;
 - Pleased to hear that there is opportunity from Youbou Lands for energy sustainability which will help to play a vital role in reducing greenhouse gas emissions to help slow climate change in the community;
 - There should be a review of possible geo thermal exchange and also with regard to wind power from Cowichan Lake;
 - Supports Section 17.3 which deals with significant improvements in efficiency and different levels of government working together along with citizens as he felt government cannot do it all as citizens and other sectors have to have input into it too.
- Director Kuhn** Asked for further comments from the public present with regard to Official Community Plan Amendment Bylaw No. 3417.
- Ian Graeme**
- Review should also be carried out with regard to energy efficiency within community buildings within the CVRD, for example, burning of incandescent lights in public buildings;
 - Really likes the suggestion about setting up a Regional Trust Fund and encourages the CVRD to look at Saanich's Contribution Fund as that fund goes towards projects that will help reduce carbons in the environment;
 - Did not see any wording within the proposed policies regarding waste management as landfilling has big greenhouse gas issues and reducing waste should be encouraged with a zero waste program.

Director Kuhn Asked for further comments with regard to Official Community Plan Amendment Bylaw No. 3417.


Ian Graeme ➤ Submitted his letter (Exhibit 2) that he requested be put into the official record to replace his original email that he sent to Mr. Tippett at the end of today (November 3, 2010).

ADJOURNMENT Chairperson Kuhn asked for comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3417.

Chairperson Kuhn declared the Public Hearing closed at 7:37 p.m.

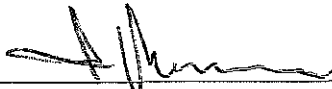
CERTIFICATION:

We attended the Public Hearing on Wednesday, November 3, 2010, and hereby certify that this is a fair and accurate report of the Public Hearing.



Director K. Kuhn

Date 30 Nov, 2010



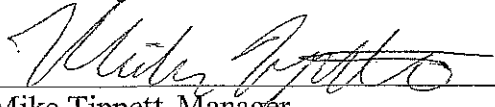
Director I. Morrison

Date 11/26/10



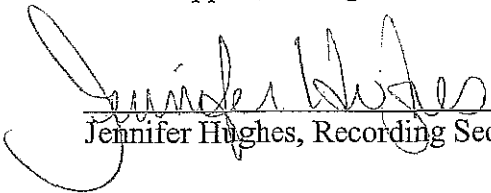
Director M. Marcotte

Date DEC. 07, 2010



Mike Tippett, Manager

Date November 24, 2010



Jennifer Hughes, Recording Secretary

Date November 12, 2010



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3359

**A Bylaw to Establish and Operate a Service for Environmental Initiatives and
Programs for the Whole of the Cowichan Valley Regional District**

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

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of developing, operating and maintaining environmental initiatives and programs that restore, rehabilitate and enhance the natural environment, encourage economic and social development compatible with environmental stewardship, protect the environment from harm and support the work of delivering the initiatives and programs for the whole of the Cowichan Valley Regional District;

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

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3359 – Environmental Initiatives 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 developing, operating, maintaining and delivering environmental initiatives and programs for the whole of the Cowichan Valley Regional District. The service shall be known as the "Environmental Initiatives Service".

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are the boundaries of the whole of the Cowichan Valley Regional District.

.../2

4. PARTICIPATING AREA

The participating area for this service is the whole of the Cowichan Valley Regional District comprised of: The City of Duncan; District of North Cowichan, Town of Lake Cowichan; Town of Ladysmith; and Electoral Areas: A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Sahtlam/Glenora/Cowichan Station; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek.

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

6. MAXIMUM REQUISITION


The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$590,000. or an amount equal to the amount that could be raised by a property value tax of \$.04715 per \$1,000. of net taxable value of land and improvements within the service area.

READ A FIRST TIME this 11th day of August, 2010.

READ A SECOND TIME this 11th day of August, 2010.

READ A THIRD TIME this 11th day of August, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3359 as given Third Reading on the 11th day of August, 2010.


Deputy Corporate Secretary

September 22, 2010
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 24th day of September, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3410

**A Bylaw to Amend Cowichan Lake Sports Arena
Service Establishment Bylaw No. 2316**

WHEREAS the Board of the Cowichan Valley Regional District established the *Cowichan Lake Sports Arena Service* under the provisions of CVRD Bylaw No. 2316, cited as "CVRD Bylaw No. 2672, Cowichan Lake Sports Arena Service Establishment Bylaw, 2002";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable and expedient to increase the maximum annual tax requisition from \$1.60/\$1,000 to \$2.00/\$1,000 of net taxable value of land and improvements in the electoral area;

AND WHEREAS the Town of Lake Cowichan and the Area Directors for Electoral Area F – Cowichan Lake South/Skutz Falls and Electoral Area I – Youbou/Meade Creek have consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3410 – Cowichan Lake Sports Arena Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That CVRD Bylaw No. 2316 be amended as follows:

- a) That the Section 8 "Maximum Requisition Costs/Tax Rate" text be deleted and replaced as follows:

8. Maximum Requisition

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$2,619,255 or an amount equal to the amount that could be raised by a property value tax of \$1.9998 per \$1,000 of net taxable value of land and improvements within the service area.

.../2

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



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3433

A Bylaw to Amend the Boundaries of the Shawnigan Lake North Water System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Shawnigan Lake North Water System Service Area* under the provisions of Bylaw No. 1911, cited as "CVRD Bylaw No. 1911 – Shawnigan Lake North Water System Service Establishment Bylaw, 1999", as amended;

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

- PID 009-255-516, Part of Lot 4, Block 31, Shawnigan Lake Suburban Lots, Shawnigan District, Plan 218A;

AND WHEREAS the owner of the above noted property has petitioned the Regional District to have their property included in the service area;

AND WHEREAS the Director of Electoral Area B – Shawnigan Lake has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3433 – Shawnigan Lake North Water System Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That bylaw No. 1911 be amended by deleting and replacing the existing Schedule A with the Schedule A attached to this bylaw.

READ A FIRST TIME this 10th day of November, 2010.

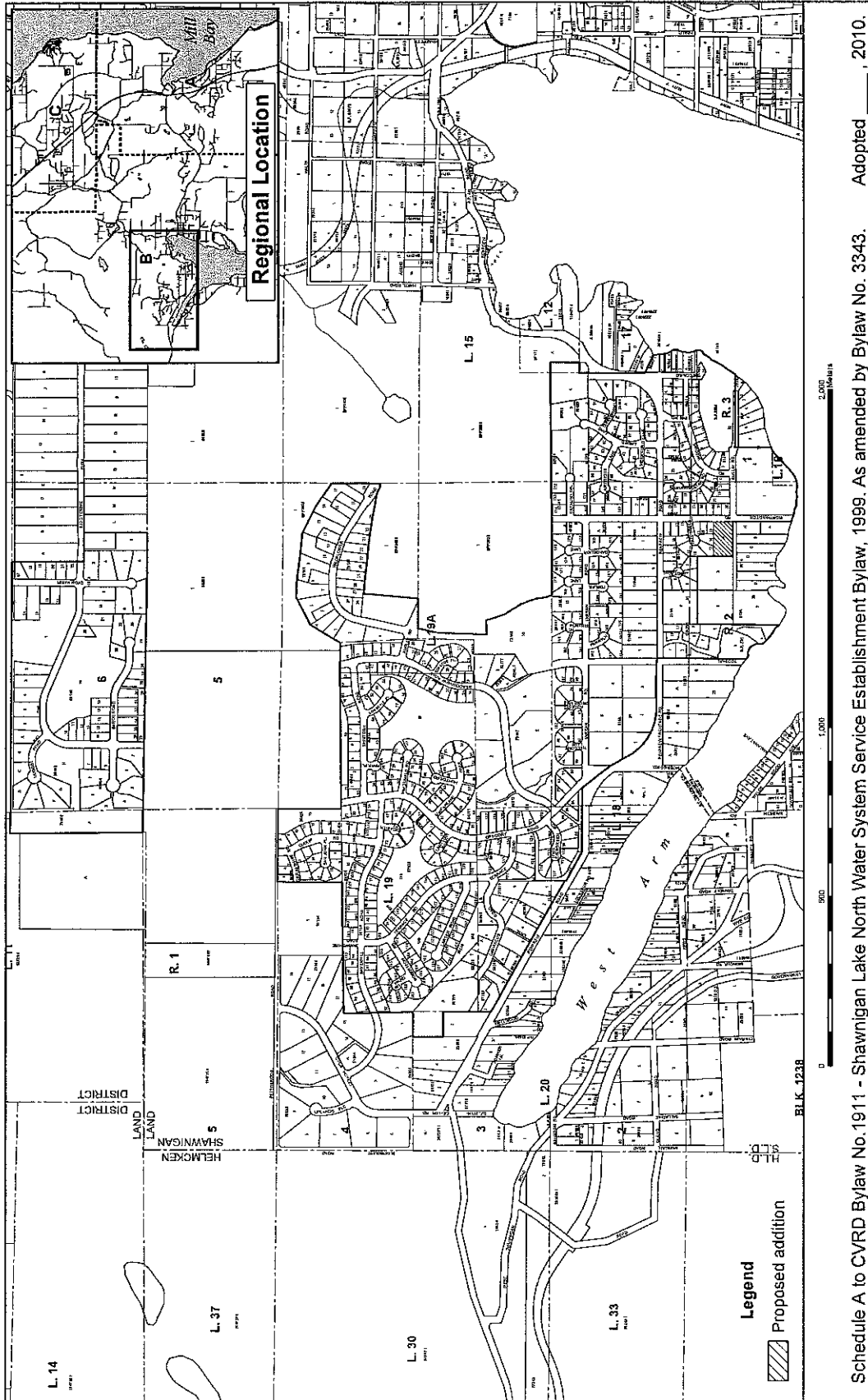
READ A SECOND TIME this 10th day of November, 2010.

READ A THIRD TIME this 10th day of November, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No. 1911 - Shawnigan Lake North Water System Service Establishment Bylaw, 1999. As amended by Bylaw No. 3343. Adopted _____, 2010.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3434

A Bylaw to Amend the Boundaries of the Eagle Heights Fire Protection Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Eagle Heights Fire Protection Service Area* under the provisions of Bylaw No. 1965, cited as "CVRD Bylaw No. 1965 – Eagle Heights Fire Protection Service Establishment Bylaw, 1999";

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

- PID 000-995-215, Amended Parcel A (DD 168307-I), of Lot 3, Section 13, Range 7, Quamichan District, Plan 2298;

AND WHEREAS the owner of the property has petitioned the Regional District to have their property included in the service area;

AND WHEREAS the Directors of Electoral Areas D – Cowichan Bay and E – Cowichan Station/Sahtlam/Glenora have 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. 3434 – Eagle Heights Fire Protection Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That Bylaw No. 1965 be amended by deleting the existing Schedule A and replacing it with the Schedule A attached to this bylaw.

.../2

READ A FIRST TIME this 10th day of November, 2010.

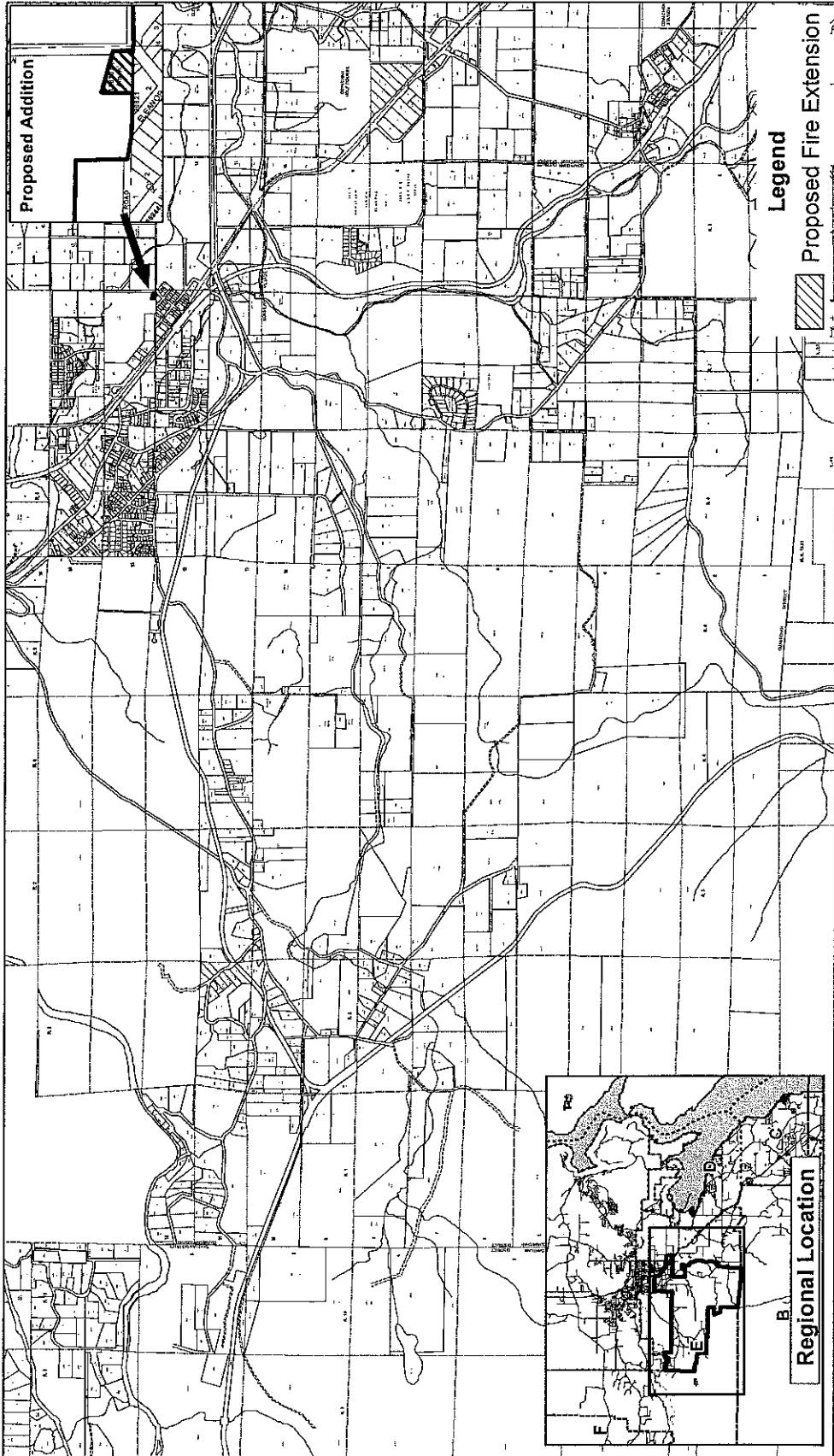
READ A SECOND TIME this 10th day of November, 2010.

READ A THIRD TIME this 10th day of November, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



Schedule A to CVRD Bylaw No. 1965 - Eagle Heights Fire Protection Service Establishment Bylaw, 1999.
 As amended by Bylaw No. 3434.

Adopted _____, 2010.



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3435

A Bylaw to Authorize Temporary Borrowing Pending the Sale of Debentures.

WHEREAS it is provided by Section 823.2 of the *Local Government Act* that the Regional Board may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS the Regional Board has adopted Bylaw No. 3383, cited as "**CVRD Bylaw No. 3383 – Douglas Hill Water System Service Loan Authorization Bylaw, 2010**", authorized to finance the capital work necessary to upgrade the Douglas Hill Water System to a municipal standard, in the amount of One Hundred Fifty Thousand Dollars (\$150,000);

AND WHEREAS the sale of debentures has been temporarily deferred;

NOW THEREFORE, the Regional 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. 3435 – Douglas Hill Water System Service Temporary Borrowing Bylaw, 2010**".

2. **BORROWING LIMIT**

The Regional Board is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of One Hundred Fifty Thousand Dollars (\$150,000), as the same may be required.

3. **FORM OF OBLIGATION**

1. The form of obligation to be given as acknowledgement of the liability shall be a Promissory Note or Notes bearing the Corporate Seal and signed by the Chair and the Financial Administration Officer.
2. The money so borrowed shall be used solely for the purposes set out in Bylaw No. 3383.

.../2

4. PAYMENT

The proceeds from the sale of debentures, or so much thereof as may be necessary, shall be used to repay the money so borrowed.

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

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3437

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", as amended;

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

- PID 025-642-324, Lot 2, District Lot 132, Malahat District, Plan VIP75146;

AND WHEREAS the owners of the above noted property 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. 3437 – Malahat Fire Protection Service Area 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 10th day of November, 2010.

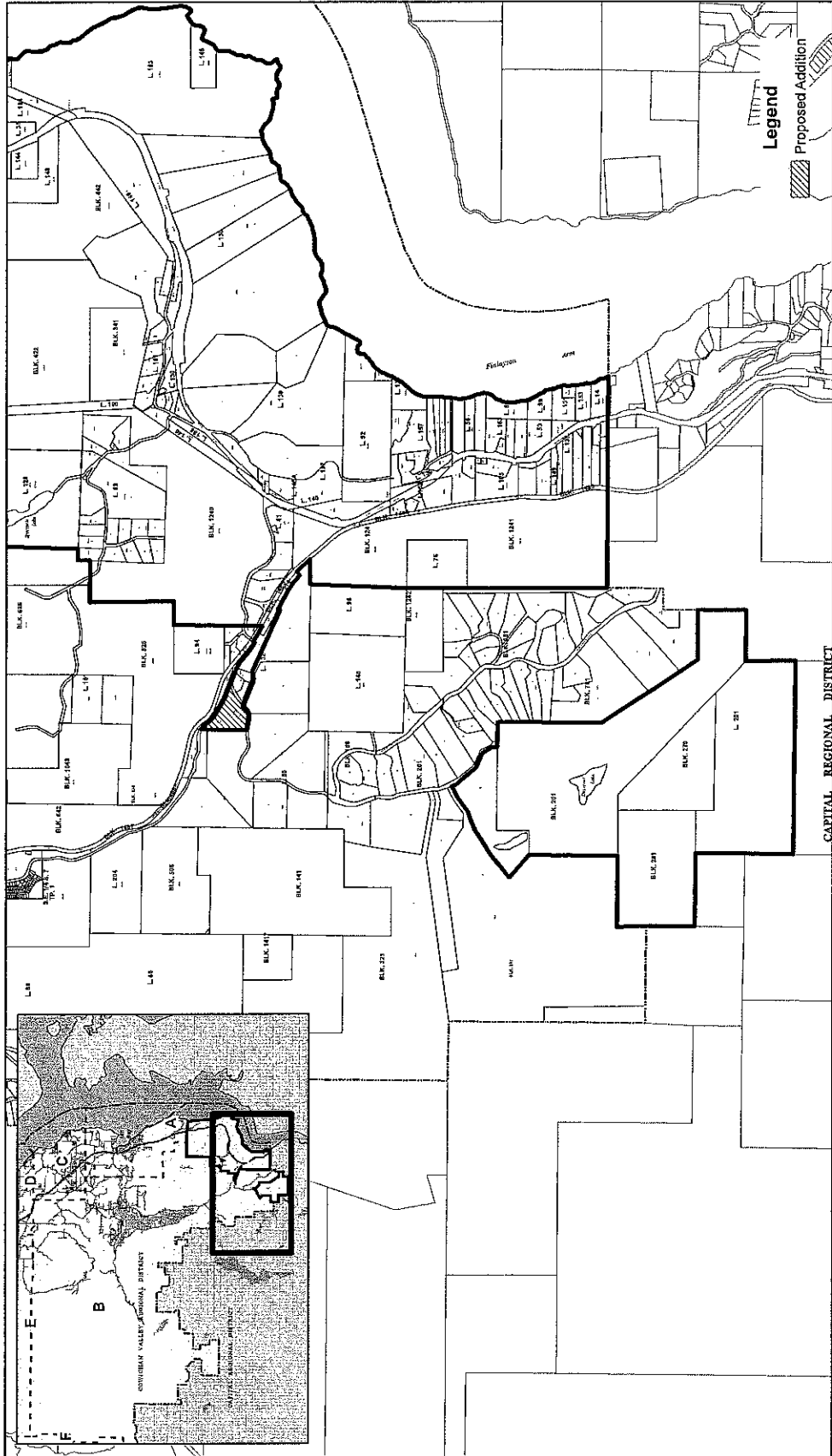
READ A SECOND TIME this 10th day of November, 2010.

READ A THIRD TIME this 10th day of November, 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. 3437. Adopted _____, 2010.



**COWICHAN VALLEY REGIONAL DISTRICT
BYLAW NO. 3441**

A Bylaw to Amend Youbou Street Lighting Service Establishment Bylaw No. 2193

WHEREAS the Board of the Cowichan Valley Regional District established the *Youbou Street Lighting Service* under the provisions of Bylaw No. 2193, cited as "CVRD Bylaw No. 2193 - Youbou Street Lighting Service Establishment Bylaw, 2001", as amended;

AND WHEREAS the Regional District wishes to amend Bylaw No. 2193 by increasing the maximum annual requisition limit from \$18,500 to \$21,800;

AND WHEREAS the Director for Electoral Area I – Youbou/Meade Creek has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3441 – Youbou Street Lighting Service Area Amendment Bylaw, 2010**".

AMENDMENT:

- 2. Bylaw No. 2193, cited as "CVRD Bylaw No. 2193 – Youbou Street Lighting Service Establishment Bylaw, 2001", is hereby amended as follows:

That the second line of the first paragraph of Section 4 - Cost Recovery be amended by deleting the words "eighteen thousand five hundred (\$18,500) dollars" and replacing them with the words "Twenty-One Thousand Eight Hundred Dollars (\$21,800)".

READ A FIRST TIME this 10th day of November, 2010.

READ A SECOND TIME this 10th day of November, 2010.

READ A THIRD TIME this 10th day of November, 2010.

ADOPTED this _____ day of _____, 2010.

Chair

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3442

A Bylaw to Amend Sentinel Ridge Sewer System Service Establishment Bylaw No. 2790

WHEREAS the Board of the Cowichan Valley Regional District established the *Sentinel Ridge Sewer System Service Area* under the provisions of Bylaw No. 2790, cited as "CVRD Bylaw No. 2790 – Sentinel Ridge Sewer System Service Establishment Bylaw, 2006", as amended;

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

- PID 009-346-511, Parcel C (DD43694I) D.L. 77, Malahat District
- PID 009-346-520, Parcel D (DD33154I), D.L. 77, Malahat District; and
- PID 009-346-554, That part of D.L. 77, Lying to the south of the south boundaries of Parcel C & D of said lot and except those parts in plans 518W, 50504 & VIP86315, Malahat District;

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

AND WHEREAS the Director for 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. 3442 – Sentinel Ridge Sewer System Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That CVRD Bylaw No. 2790 be amended as follows:

That Schedule A to CVRD Bylaw No. 2790 be deleted and replaced with the Schedule A attached to this bylaw.

READ A FIRST TIME this 10th day of November, 2010.

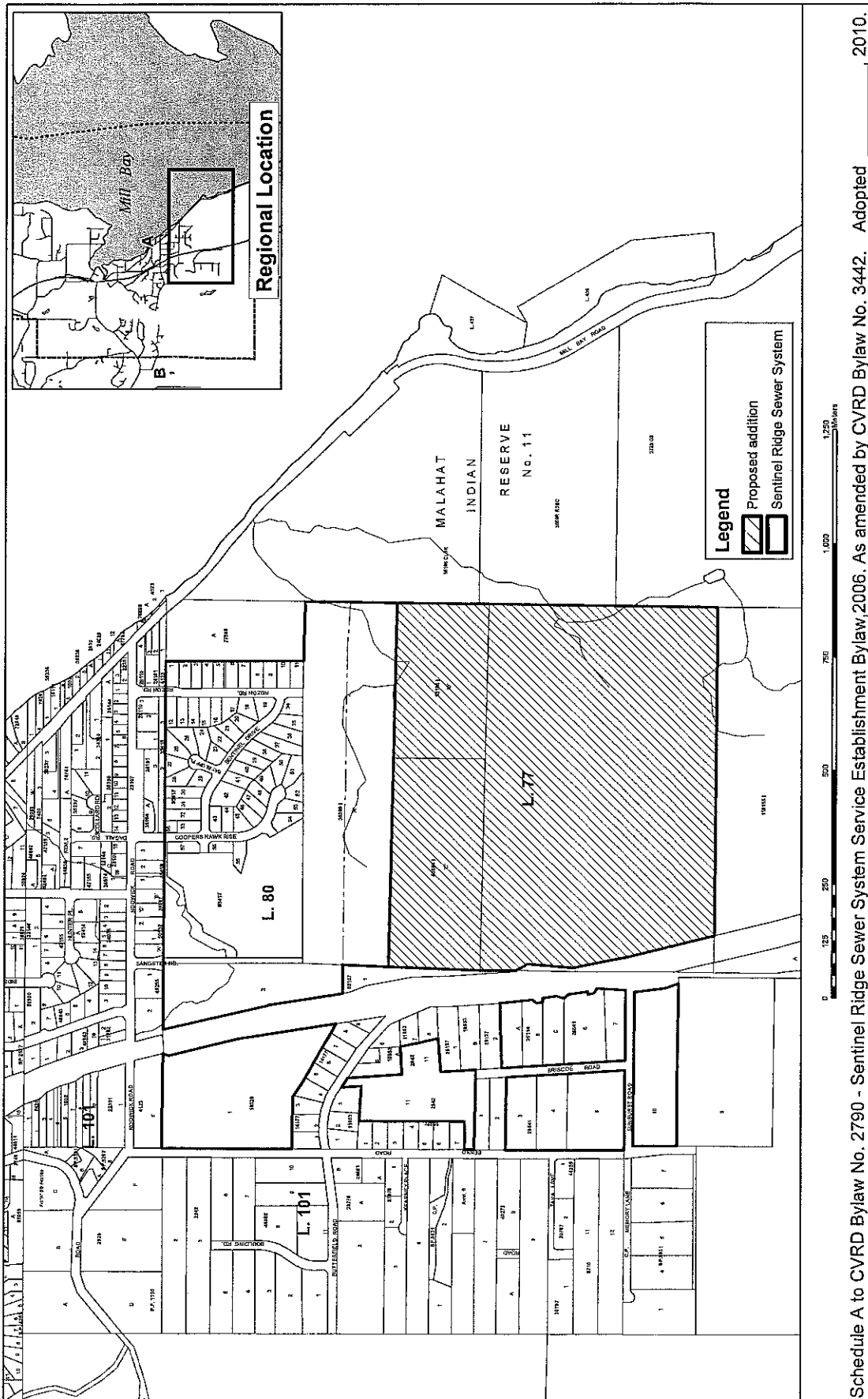
READ A SECOND TIME this 10th day of November, 2010.

READ A THIRD TIME this 10th day of November, 2010.

ADOPTED this _____ day of _____, 2010.

Chair

Corporate Secretary



Schedule A to CVRD Bylaw No. 2790 - Sentinel Ridge Sewer System Service Establishment Bylaw, 2006. As amended by CVRD Bylaw No. 3442. Adopted _____ 2010.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3446

**A Bylaw to Amend Saltair Community Parks Service
Establishment Bylaw No. 2673**

WHEREAS the Board of the Cowichan Valley Regional District established the *Saltair Community Parks Service* under the provisions of CVRD Bylaw No. 2673, cited as "CVRD Bylaw No. 2673 – Saltair Community Parks Service Establishment Bylaw, 2005";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable and expedient to increase the maximum annual tax requisition from \$0.35/\$1,000 to \$0.43/\$1,000 of net taxable value of land and improvements in the service area;

AND WHEREAS the Area Director for Electoral Area G – Saltair/Gulf Islands, 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 for all purposes as "**CVRD Bylaw No. 3446 – Saltair Community Parks Service Amendment Bylaw, 2010**".

2. **AMENDMENT**

That CVRD Bylaw No. 2673 be amended as follows:

a) That the Section 6 "Maximum Requisition" text be deleted and replaced as follows:

The maximum amount of money that may be requisitioned annually in support of this service shall not exceed \$0.43 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.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3447

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

WHEREAS the Board of the Cowichan Valley Regional District established the *South End Parks Service* under the provisions of CVRD Bylaw No. 2232, cited as "CVRD Bylaw No. 2232 - South End Parks Service (Electoral Areas A - Mill Bay/Malahat, B - Shawnigan Lake, C - Cobble Hill, and D – Cowichan Bay), Establishment Bylaw, 2001";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable and expedient to change the name of the service from South End Parks to South Cowichan Community Parks and increase the maximum annual tax requisition limit from \$50,000 to \$62,500 of net taxable value of land and improvements in the service area;

AND WHEREAS the Area Directors for Electoral Areas A- Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill and D –Cowichan Bay, have consented, in writing, to the adoption of this bylaw;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3447 – South Cowichan Community Parks Service Amendment Bylaw, 2010**".

2. AMENDMENTS

That CVRD Bylaw No. 2232 be amended by:

- a) That Section 1 – Citation text be deleted and replaced with the following:

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 2232 – South Cowichan Community Parks Service (Electoral Areas A – Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill, and D – Cowichan Bay) Establishment Bylaw, 2001**".

- b) That for assurance, wherever the words "South End" appear in the bylaw that they be deleted and replaced with the words "South Cowichan Community".

- c) That the words "Fifty Thousand (\$50,000) Dollars", in the first paragraph of Section 5 – Cost Recovery be deleted and replaced with the words "Sixty-Two Thousand Five Hundred Dollars (\$62,500)".

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



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3449

A Bylaw Authorizing the Expenditure of Funds from the
North Oyster Fire Protection Specified Area Machinery and Equipment Reserve Fund
Established Pursuant to CVRD Bylaw No. 875

WHEREAS as of October 31, 2010, there is an unappropriated balance in the *North Oyster Fire Protection Specified Area Machinery and Equipment Reserve Fund* of Four Hundred Sixty-Nine Thousand Nine Hundred Thirty-One Dollars (\$469,931.) that has been calculated as follows:

BALANCE in Reserve fund as at December 31, 2009:		\$467,826.
ADD:	Additions to the Fund, Including interest earned for the current year to date.	\$ <u>2,105.</u>
		\$469,931.
DEDUCT:	Commitments outstanding under bylaws previously adopted.	<u>NIL</u>
UNCOMMITTED BALANCE In Reserve Fund as at October 31, 2010:		<u>\$469,931.</u>

AND WHEREAS it is deemed desirable and expedient to expend not more than Four Hundred Thousand Dollars (\$400,000.) of the said balance for the purpose of purchasing a new CAN/ULC – S515-04 Pumper Firefighting Apparatus;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3449 – North Oyster Fire Protection Specified Area Machinery and Equipment Reserve Fund Expenditure (CAN/ULC S515-04 Pumper Firefighting Apparatus) Bylaw, 2010**".

.../2

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Four Hundred Thousand Dollars (\$400,000.), is hereby appropriated from the *North Oyster Fire Protection Specified Area Machinery and Equipment Reserve Fund* for the purpose of purchasing a new CAN/ULC S515-04 Pumper Firefighting Apparatus.
- b) The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified by Board Resolution No. 10-573.2.

3. SUMS REMAINING

Should any of the said sum of Four Hundred Thousand Dollars (\$400,000.) 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



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3450

A Bylaw to Amend the Environment Commission Bylaw No. 2943

WHEREAS the Board of Directors of the Cowichan Valley Regional District established an Environment Commission pursuant to Bylaw No. 2943, cited as "CVRD Bylaw No. 2943 - Environment Commission Bylaw, 2007";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to amend the membership method of appointment,

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. 3450 – Environment Commission Amendment Bylaw, 2010**".

2. **AMENDMENT**

That Section 3 be amended to include the addition of:

- f) A member may be reappointed for a further term or terms.

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



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3086

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 settlement and 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 Community 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 Bylaw No. 3086 - Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Johannsen-Waldy Road), 2008**".

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 9th day of April, 2008.

READ A SECOND TIME this 9th day of April, 2008.

READ A THIRD TIME this 11th day of June, 2008.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3086

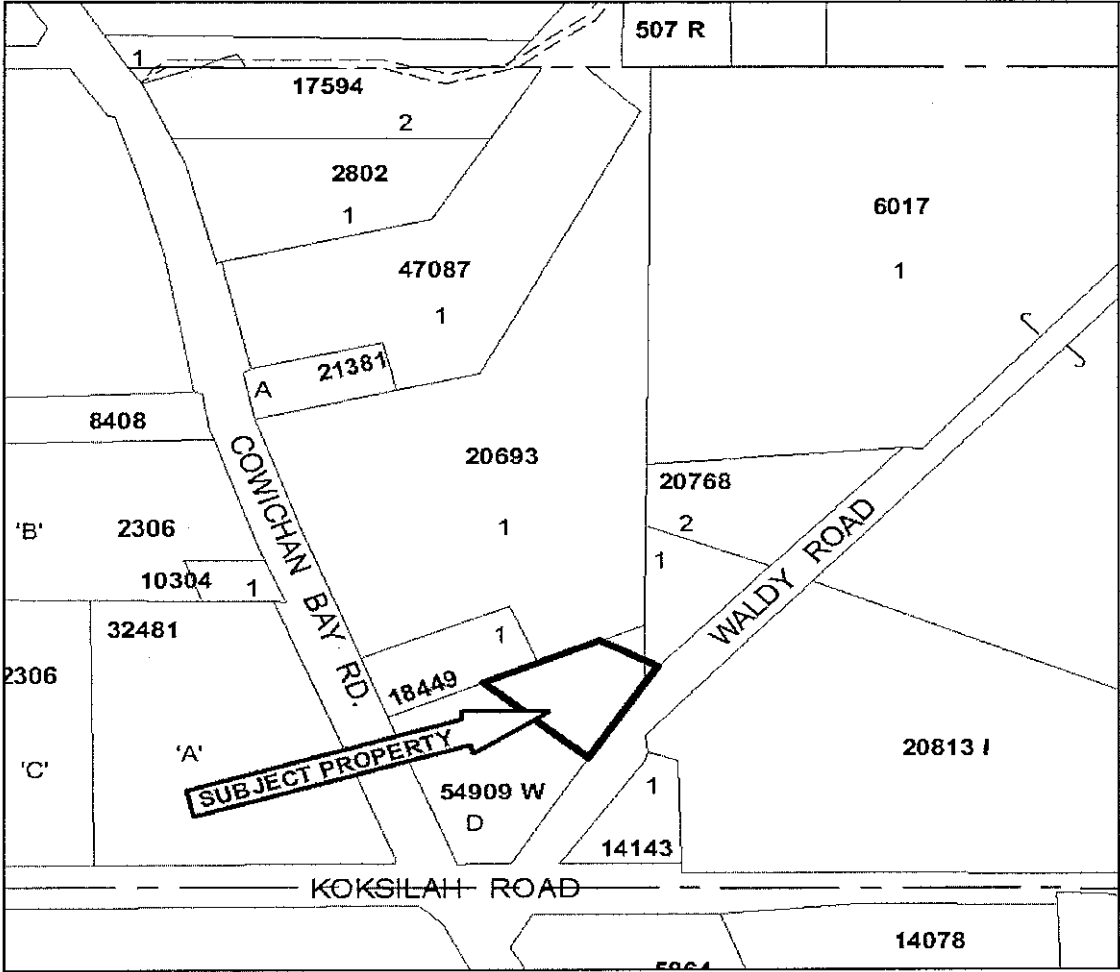
Schedule A to Official Settlement Plan Bylaw No. 925, is hereby amended as follows:

1. That:

- part of Parcel D (DD1290861) of Sections 4 and 5, Range 5, Cowichan District, except parts in Plans 14143, 18449, 20693 and VIP 72128;
- part of Lot 1, Section 4, Range 5, Cowichan District, Plan 20768;

both as shown outlined in a solid black line on Plan number Z-3086 attached hereto and forming Schedule B of this bylaw, be redesignated from Commercial and Suburban Residential respectively to Urban Residential; and that Schedule B to Official Community Plan Bylaw No. 925 be amended accordingly.

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM
Commercial and Suburban Residential TO
Urban Residential APPLICABLE
TO ELECTORAL AREA D



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3087

**A Bylaw for the Purpose of Amending Zoning Bylaw No. 1015
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 zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area D – Cowichan Bay, that being Zoning Bylaw No. 1015;

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. 1015;

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. 3087 – Area D – Cowichan Bay Zoning Amendment Bylaw (Johannsen – Waldy Road), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1015, as amended from time to time, is hereby amended in the following manner:

a) That Schedule B (Zoning Map) to Electoral Area D – Cowichan Bay Zoning Bylaw No. 1015 is further amended by rezoning:

- part of of Parcel D (DD129086I) of Sections 4 and 5, Range 5, Cowichan District, except parts in Plans 14143, 18449, 20693 and VIP 72128;
- Part of Parcel 1, Section 4, Range 5, Cowichan District, Plan 18449;
- Part of Lot 1, Section 4, Range 5, Cowichan District, Plan 20768;
- Part of Lot 1, Sections 4 and 5, Range 5, Cowichan District, Plan 20693;

all as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3087, from Urban Residential R-3 and Suburban Residential R-2 to Urban Residential – Duplex R-3A.

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 9th day of April, 2008

READ A SECOND TIME this 9th day of April, 2008.

READ A THIRD TIME this 11th day of June, 2008.

ADOPTED this _____ day of _____, 2010.

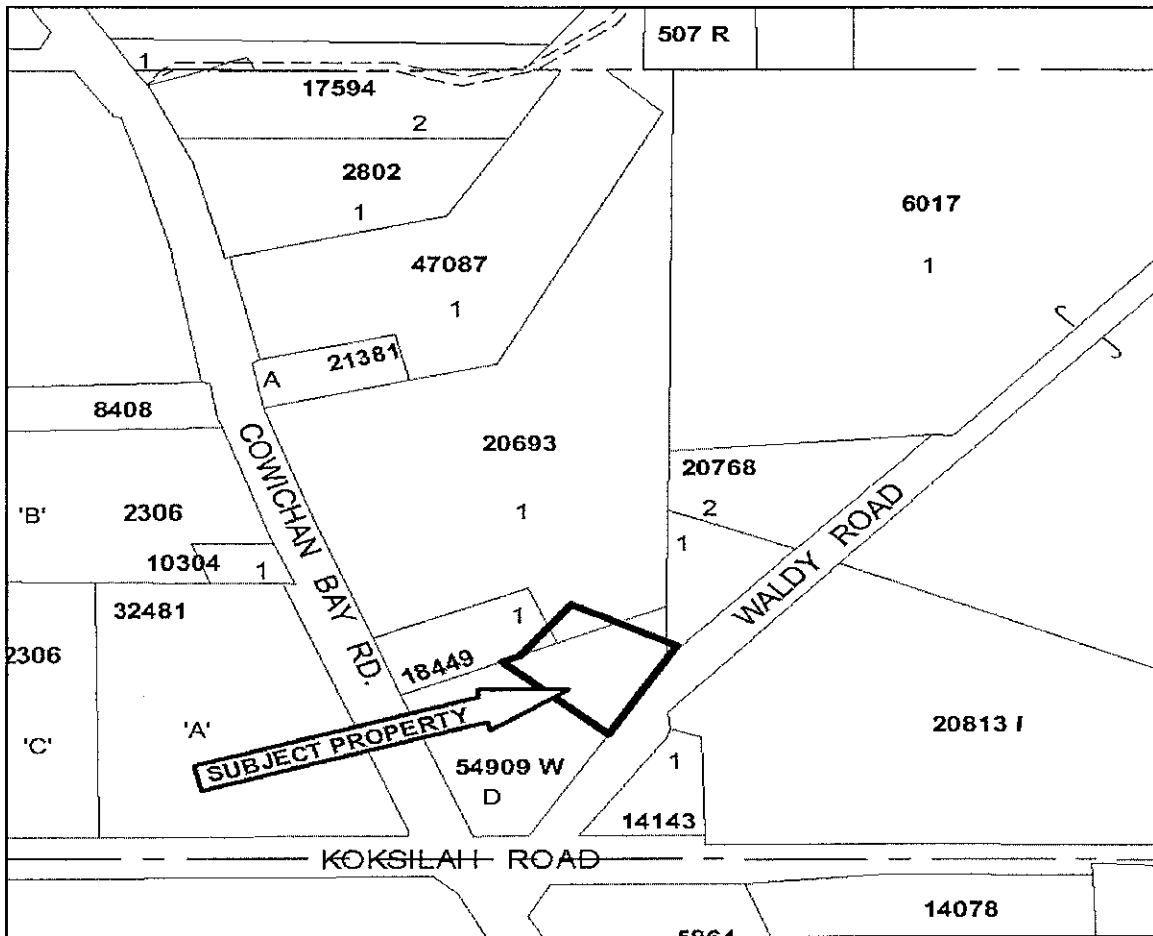
Chairperson

Corporate Secretary

PLAN NO. Z-3087

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

3087



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

Urban Residential R-3 and Suburban Residential R-2 TO

Urban Residential – Duplex R-3A APPLICABLE

TO ELECTORAL AREA D



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3337

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

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

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

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

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

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

1. **CITATION**

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

2. **AMENDMENTS**

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

3. CAPITAL EXPENDITURE PROGRAM

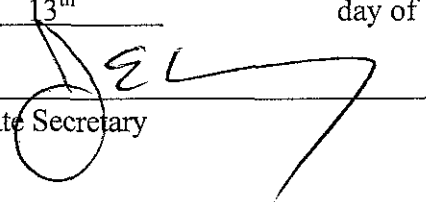
This bylaw has been examined in light of the most recent Capital Expenditure Program and Solid Waste Management Plan of the Cowichan Valley Regional District and is consistent therewith.

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

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

READ A THIRD TIME this 13th day of January, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3337 as given Third Reading on the 13th day of January, 2010.



Corporate Secretary

JANUARY 26, 2010
Date

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

this 21st day of May, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3337

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

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

7.5 Policies: Rural Residential / Forestry Conservation

POLICY 7.5.1

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

POLICY 7.5.2

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

POLICY 7.5.3

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

POLICY 7.5.4

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

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

.../2

POLICY 7.5.5

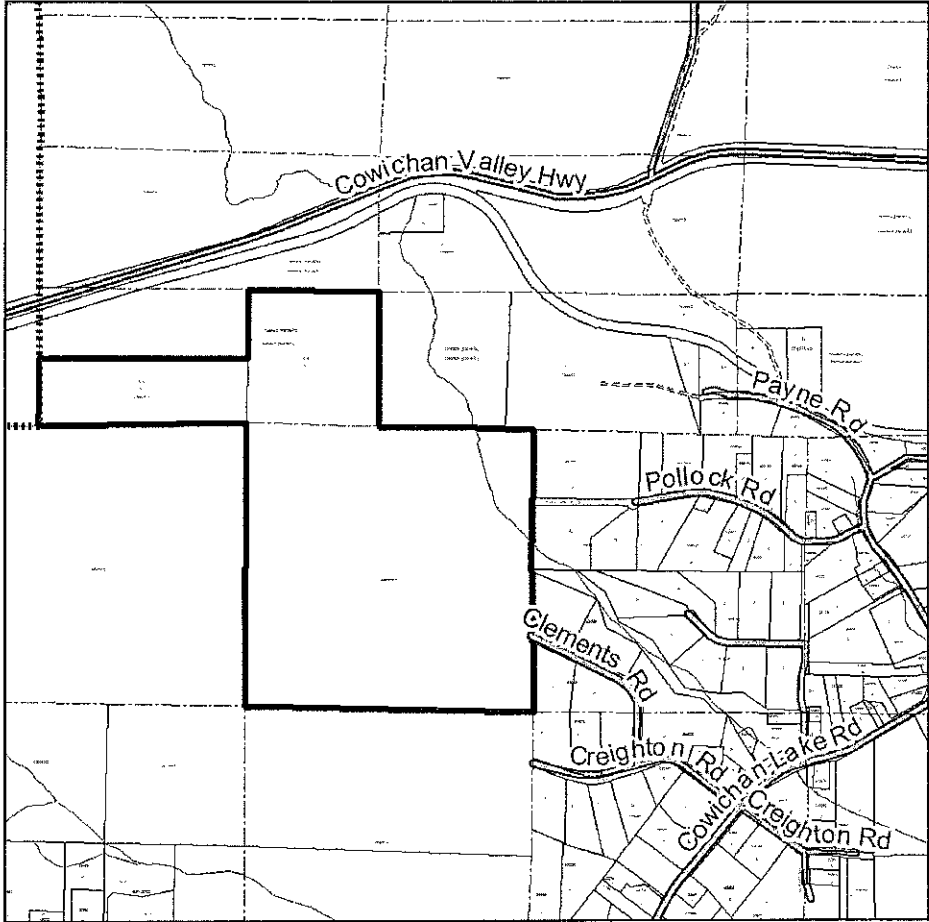
Lands designated Rural Residential / Forestry Conservation shall have a minimum parcel size of 1.0 hectare.

POLICY 7.5.6

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

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

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Forestry TO

Rural Residential/Forestry Conservation APPLICABLE

TO ELECTORAL AREA E



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3338

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

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

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

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

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

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

1. CITATION

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

2. AMENDMENTS

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

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

.../2

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

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

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

(a) Permitted Uses

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

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

(b) Conditions of Use

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

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

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

.../3

- (4) Notwithstanding Section 8.10(b)(3), a *building* or *structure* used for the keeping of livestock shall be located not less than 30 metres from all *watercourses*, sandpoints or wells.

(c) Density and Density Bonus

- (1) In no case shall the minimum parcel size be less than 1 hectare.
 - (2) The minimum parcel area for the purpose of s. 946(4) of the *Local Government Act* is 25 hectares.
 - (3) Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District, as shown outlined in black on Schedule A of Bylaw No. 3338, shall be subject to Density and Density Bonus provisions of Section 13.1
- b) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding “Part 13 - Appendices” after Section 12.10.
- c) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by adding the following Section to Part 13.

Appendix 13.1:

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

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

.../4

- (7) In respect to any parcel created in excess of 25, one parcel must be transferred to the Regional District in fee simple for nominal consideration, free and clear of all encumbrances of a financial nature, including mortgages, assignments of rents, options to purchase and rights of first refusal, and all other encumbrances including any statutory building scheme not specifically approved in writing by the Regional District, to be used for purposes set out in Appendix 1 (9) and the cost of transfer including the Regional District's actual, reasonable legal costs must be paid by the subdivider.
 - (8) The parcel transferred to the Regional District referred to in Appendix 1 (7) must generally be located in the northern portion of the subject property, with the location and boundaries of the parcel approved by the Regional District.
 - (9) The parcel transferred to the Regional District under Appendix 1 (7) must be used for community park purposes, including the sale of the parcel and the deposit of the proceeds into an Electoral Area E parks statutory reserve fund.
 - (10) Notwithstanding Appendix 1 (7), the subdivider may register a restrictive covenant against the parcel referred to in the Section, precluding sale of the parcel for five years following registration of the subdivision and the sale of the lot below market price.
 - (11) Prior to any subdivision of the subject lands, the owner must register a covenant that includes the following provisions:
 - a) All dwellings placed or constructed on the subject lands must have an air-to-air heat pump, geo-source heat pump or an equivalent energy efficient heating system acceptable to the General Manager of the Planning and Development Department;
 - b) All dwellings placed or constructed on the subject lands shall utilize water efficient plumbing fixtures and appliances;
 - c) Dwellings shall be situated and designed so as to maximize solar gain in the winter and minimize solar gain in the summer.
- d) That Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by renumbering Part 13 - Transition as “Part 14 – Transition”, and the Table of Contents is amended accordingly.
- e) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is amended by adding Rural Residential / Forestry Conservation Zone (RF-50/50) to the legend.
- f) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Blocks A and B, Section 1, Range 6, Seymour District and Section 10, Range 8, Sahtlam District as shown outlined in black on Schedule A attached hereto and forming part of this bylaw, numbered Z-3338 from Primary Forestry (F-1) to Rural Residential / Forestry Conservation (RF-50/50).

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this 12th day of November , 2009

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

READ A THIRD TIME AS AMENDED this 13th day of January , 2010.

ADOPTED this _____ day of _____ , 2010.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3367

**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 plan bylaws;

AND WHEREAS the Regional District has adopted an official settlement plan bylaw for Electoral Area D – Cowichan Bay, that being Cowichan Valley Regional District Official Settlement Plan Bylaw No. 925, 1985;

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 Settlement Plan Bylaw No. 925;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3367 - Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Village DPA Expansion), 2010**".

2. **AMENDMENT**

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 10th day of March , 2010.

READ A SECOND TIME this 10th day of March , 2010.

READ A THIRD TIME this _____ day of _____ , 2010.

ADOPTED this _____ day of _____ , 2010.

Chairperson

Corporate Secretary



C·V·R·D

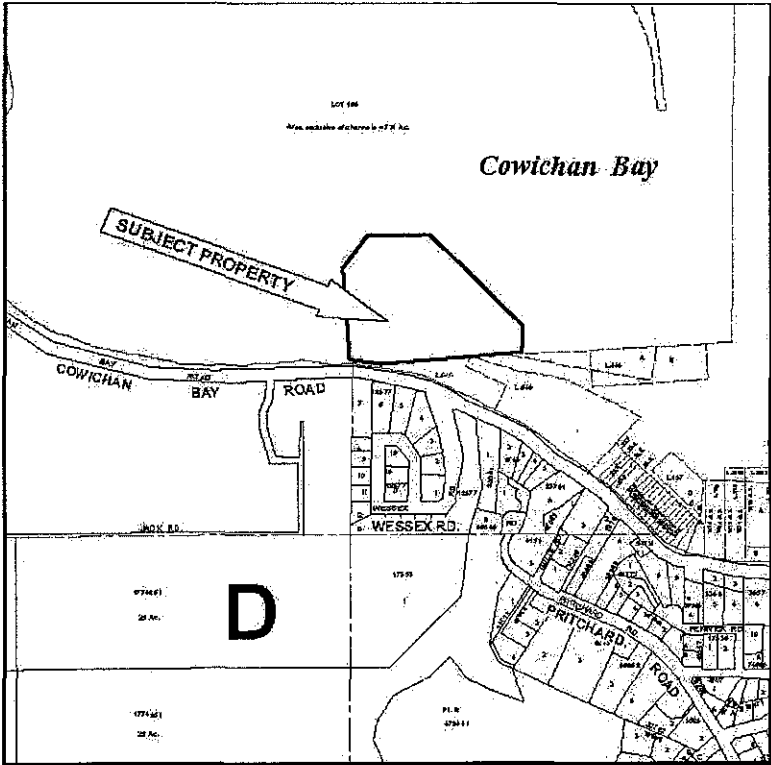
SCHEDULE "A"

To CVRD Bylaw No. 3367

Schedule A to Official Settlement Plan Bylaw No. 925, is hereby amended as follows:

1. Figure 4: "Cowichan Bay Village Development Permit Area" is amended by adding Block A, DL 160, Cowichan District, as shown outlined in a thick black line on the attached Schedule B numbered Z-3367, to the areas shown on Figure 4 that are part of that Development Permit Area.

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



**THE AREA OUTLINED IN A SOLID BLACK LINE IS ADDED TO THE AREAS
SHOWN ON FIGURE 4 – COWICHAN BAY VILLAGE DEVELOPMENT PERMIT AREA**

APPLICABLE TO ELECTORAL AREA D



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3378

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw
No. 1890, Applicable to Electoral Area A – Mill Bay/Malahat**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area A – Mill Bay/Malahat, that being Official Community Plan Bylaw No. 1890;

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. 1890;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3378 - Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Koutougos), 2010**".

2. **AMENDMENT**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, 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 9th day of June , 2010.

READ A SECOND TIME this 9th day of June , 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. 3378

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. Policy 7.6.9 is added to the Urban Residential Policies:

Policy 7.6.9

Notwithstanding Section 7.6.1, the Regional Board may, through the zoning bylaw, initiate residential duplex zones within the Urban Residential designation to encourage infilling in the Urban Containment Boundary. The following will be considered in evaluating proposals for residential duplex zoning:

- a) The development is located within the Urban Containment Boundary;
- b) Vehicle and pedestrian safety measures are implemented, and vehicle access from Mill Bay Road is strongly discouraged;
- c) The proposed use is compatible with adjacent land uses;
- d) If feasible, the development will connect to community water and sewer systems. If not feasible, onsite sewage disposal shall be in accordance with the Vancouver Island Health Authority regulations;
- e) Residential duplex development will be subject to the Mill Bay Development Permit Area.

2. The following is inserted in to the Mill Bay Development Permit Area Guidelines, Section 14.5.5 as (m), and the subsequent guidelines are reordered as (n) accordingly:

(m) Duplex Development

1. Duplex residences shall be designed to maintain and preserve important view corridors, such as the Saanich Inlet and Mill Bay, from the perspective of roadways, community places and nearby residences.
2. The units shall occupy no more than 60% of the frontage along Mill Bay Road or other major roads.
3. Duplexes that appear as mirror images are prohibited. Variation in building design features such as height, roof lines, building materials and building massing are encouraged.
4. Duplex residences shall be designed to maintain the character of a single family home.
5. The units shall be connected by a common shared wall, and not by a trellis, deck, breezeway or like structure.
6. Vehicle access from Mill Bay Road will be strongly discouraged, and Ministry of Transportation and Infrastructure approval for access will be required.
7. Parking areas shall be discrete, and shall be located in the rear or side yards. Turnaround areas shall be available on site.
8. Any home occupation shall not generate any traffic or require additional parking.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3379

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3379 - Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Koutougos), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2000, as amended from time to time, is hereby amended in the following manner:

- a) That Part 8 be amended by adding the following after Section 8.4A, and that existing Sections 8.5 to 8.9 be renumbered accordingly.

.../2

8.5 R-4 ZONE – URBAN RESIDENTIAL DUPLEX

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations apply in the R-4 Zone:

(a) Permitted Uses

The following uses and no others are permitted in an R-4 Zone:

- (1) Single family dwelling;
- (2) Duplex;
- (3) Home occupation;
- (4) Secondary suite accessory to a single family dwelling

(b) Conditions of Use

For any parcel in an R-4 Zone:

- (1) Not more than one duplex or one single family dwelling is permitted on a parcel;
- (2) The parcel coverage shall not exceed 25 percent for all buildings and structures;
- (3) The height of all buildings and structures shall not exceed 7.5 m, except accessory buildings, which shall not exceed a height of 6 m;
- (4) The following minimum setbacks apply:

<i>COLUMN I</i> <i>Type of Parcel Line</i>	COLUMN II Residential Buildings & Structures	<i>COLUMN III</i> Buildings and Structures Accessory to Residential Use
Front	7.5 metres	7.5 metres
Interior Side	3.0 metres	3.0 metres
Exterior Side	4.5 metres	4.5 metres
Rear	4.5 metres	3.0 metres

- (5) Where a parcel adjoins a CVRD trail, the minimum setback of all buildings and structures is 4.5 metres.

(c) Minimum Parcel Size

Subject to Part 13, the minimum parcel size in the R-4 Zone is:

- (1) 0.1675 ha for parcels served by community water and community sewer systems;
- (2) 0.2 ha for parcels served by a community water system only;
- (3) 1.0 ha for parcels served by neither a community water system nor community sewer system.

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

“R-4 Urban Residential Duplex”

- c) That Part 3 Definitions be amended by adding the following:
“duplex” means two residential dwellings placed side by side or one above the other in a principal building on a single lot.

- d) That Schedule B (Zoning Map) to Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 is further amended by rezoning those parts (Lot 1, Section 1 and 2, Range 9, Shawnigan District, Plan 30142), as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3379, from R-3A (Urban Residential Limited Height) to R-4 (Urban Residential Duplex).

3. FORCE AND EFFECT

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

READ A FIRST TIME this 9th day of June, 2010.

READ A SECOND TIME this 9th day of June, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO 3415

**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 Community 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 "**Cowichan Valley Regional District Bylaw No. 3415 - Area D – Cowichan Bay Official Settlement Plan Amendment Bylaw (Bill 27), 2010**".

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 11th day of August, 2010.

READ A SECOND TIME this 11th day of August, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3415 as given Third Reading on the _____ day of _____, 2010.

Corporate Secretary

Date

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

this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



SCHEDULE "A"

To CVRD Bylaw No. 3415

Schedule A to Official Settlement Plan Bylaw No. 925, is hereby amended as follows:

- 1) The following is inserted in Part 4, Section 14 Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents. The remaining section is renumbered accordingly.

14. Land, Resources, and Energy Efficiency (Bill 27)

Background

Bill 27, the *Local Government Statutes Amendments Act* (2008), requires that all local governments establish targets for reducing greenhouse gas emissions. In addition, all Official Community/Settlement Plans (OCP/OSP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced fossil fuel consumption and efficient use of energy, land and resources. Increased efficiency has a positive impact on improved health and quality of life for the region's residents, and overall environmental sustainability.

Vehicle related transportation is by far the largest contributor to overall emissions in this region. It represented an estimated 82.9% of the GHG emissions produced in 2007¹, as a result of driving to work, schools, and other daily activities. The distribution of land uses, which means the location of homes, workplaces, schools and recreational opportunities, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into the decisions on land use is another.

The CVRD realizes the urgent need to respond to climate change, and has set targets for emission reductions. To move towards the established targets, the first proposed action is to undertake a climate change action plan throughout the CVRD as a whole, a process involving comprehensive community engagement and aggressive policies. A climate change action plan that is fully integrated into the OCP/OSP could take the region a step beyond emission reductions, to prepare mitigation measures for the anticipated consequences associated with climate change.

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

OBJECTIVES

- a. To reduce total greenhouse gas (GHG) emissions in the Plan area by 33% from current levels by 2020, and by 80% from current levels by 2050; and
- b. To reduce overall energy consumption in the region, encourage an efficient use of the land base and other resources, and promote a healthy and high quality of life for residents.

POLICIES**Policy 14.1:**

To meet the GHG reduction targets of 33% by 2020, and 80% by 2050, the CVRD Board will endeavour to adopt a climate change action plan, which would provide a more comprehensive set of targets, indicators, policies and actions specific to the Plan area.

Policy 14.2:

The CVRD Board will ensure that the greenhouse gas emissions targets noted in this Plan are a fundamental consideration in future land use change decisions.

Policy 14.3:

The CVRD recognizes the importance of the agricultural land base to the economic viability, ecology and rural character of the region, as well as to food security. Local agricultural opportunities, community gardens, farmers markets and food processing facilities will be encouraged in appropriate locations in the Plan area.

Policy 14.4:

The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions, as public transit is a critical component in reducing the area's GHG contribution. Furthermore, the CVRD will continue to pursue opportunities to make the Cowichan Valley Regional Transit System a viable transportation option in the region.

Policy 14.5:

Connectivity is highly encouraged within the Plan area, to encourage non-motorized transportation between neighbourhoods, community services and facilities, urban centres and other community nodes. Opportunities to build and improve dedicated cycling lanes will be pursued, in collaboration with Ministry of Transportation and Infrastructure and adjacent jurisdictions.

Policy 14.6:

Continued community engagement and education surrounding climate change and GHG reduction is strongly encouraged, with the goal of developing policies and actions for attaining the GHG targets, and measuring the Plan area's progress.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3417

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

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area I – Youbou/Meade Creek, that being Official Community Plan Bylaw No. 2650;

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

AND WHEREAS after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 2650;

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

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3417 - Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Bill 27), 2010**".

2. AMENDMENTS

Cowichan Valley Regional District Official Community Plan Bylaw No. 2650, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. CAPITAL EXPENDITURE PROGRAM

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

READ A FIRST TIME this 11th day of August, 2010.

READ A SECOND TIME this 11th day of August, 2010.

READ A THIRD TIME this _____ day of _____, 2010.

I hereby certify this to be a true and correct copy of Bylaw No. 3517 as given Third Reading on the _____ day of _____, 2010.

Corporate Secretary

Date

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

this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3417

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

- 1) The following is inserted as Section 17 Climate, Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents. The remaining section is renumbered accordingly.

17. Climate, Land, Resources and Energy Efficiency (Bill 27)

The vexing problem of the gradual warming of the global climate is complex. There are technical, political, economic and social reasons for this problem. The following sections explore these matters in greater depth and propose some actions to minimise the impact that changes in global climate may have on this area.

17.1 Background: Bill 27

Bill 27, the Local Government Statutes Amendments Act (2008), requires that all local governments establish targets for reducing greenhouse gas emissions by May 31, 2010. In addition, all Official Community Plans (OCP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity for the CVRD to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced consumption and efficient use of energy, land and resources.

17.2 Background: Greenhouse Gases

A number of compounds are "greenhouse gases", including water vapour, carbon dioxide, nitrous oxides, chlorofluorocarbons (CFCs: R-12 refrigerant), hydrofluorocarbons (HFCs: R-134A refrigerant), among others. All of these compounds have the effect of blocking the escape solar heat from our earth's atmosphere. Throughout the history of human civilization, there has been – until recently – a relatively constant level of total greenhouse gases in the atmosphere. This historical level has been about 280 parts per million (PPM). In the past century, the concentration of CO₂ (the principal greenhouse gas) has risen by over 100 PPM. Some of the other greenhouse gases (notably CFCs and HFCs) are synthetic chemicals that did not exist before refrigeration was invented. How did the CO₂ levels increase so much? And what is the significance of this rise? The following paragraphs explain this.

Historical climate research has indicated that during the ice ages, CO₂ concentrations were lower than 280 PPM. Other, far warmer, eras in the earth's history indicate evidence that CO₂ concentrations were substantially higher than 280 PPM. Atmospheric research today not only indicates that CO₂ levels are rising, but also that the global average temperature is also rising. There is believed to be a cause-and-effect relationship between greenhouse gas concentrations in the atmosphere and global average temperature.

There is a natural carbon cycle that consists of atmospheric carbon dioxide (CO₂) being converted by plants – land-based or ocean-based – into carbohydrates, which are then eaten by animals or decompose, giving off CO₂ to the atmosphere, and so on. In other words, the carbon in this cycle is either part of a plant or animal, or part of the atmosphere. This is a simplification, because some CO₂ also dissolves in ocean and lake water. But there are other potential sources of CO₂ and the one that modern society relies most on is carbon-based minerals (coal) and liquids (oil). In both these cases, these pools of carbon are naturally tied up in geological strata and do not normally participate in the natural carbon cycle that is happening on and above the surface of the earth. But when oil or coal is extracted by humans and burned, the resulting gases from that combustion are water vapour and CO₂. This represents the introduction of additional carbon into the natural cycle. Estimates of the total amount of mineral-source carbon that has been added to the atmosphere since about 1850 equates with the increase in atmospheric CO₂ concentrations, acknowledging that about 60% of the additional CO₂ has been absorbed by plants or mineral processes.

Since a warming climate is likely to create a number of problems, including a rising sea level, changed weather patterns, redistribution of animal and plant life and diseases around the world and more extreme weather events, it is in the public interest to attempt to limit our use of mineral carbon sources. This means reducing dependency upon automobiles powered by mineral-source carbon, conserving energy wherever possible, developing a global trade pattern that is less dependent upon oil and to some degree changing how we live in our communities, be they rural or urban.

17.3 The Greenhouse Gas (GHG) Challenge

In addressing the intent of Bill 27, it is incumbent upon the local government to be realistic in assessing its prospects for achieving the Provincial targets of greenhouse gas reduction through Official Community Plan policies and the implementation of these alone. These prospects are slim. The reality is that even the most aggressive policies that could be put into a community plan to combat the growth of GHG emissions in absolute terms, such as a population growth cap, requiring all newly built infrastructure to be carbon neutral in absolute terms (*i.e.* no “offsets”) would not be effective in achieving the Provincial targets. But significant improvements in efficiency are definitely possible, especially if senior governments team up with local governments in this challenge.

17.4 Measuring Carbon Dioxide

There is a rate at which the natural global systems can assimilate and sequester carbon in non CO₂ forms, so it may not be necessary to totally eliminate the use of mineral carbon sources in the long term. But the science behind this is not well-developed, and balancing the use of mineral carbon sources with the marginal assimilative capacity of the earth will be a global challenge, particularly in light of the desire to decrease atmospheric CO₂ levels to under 300 PPM from the present level of 380 PPM. Given the ever-growing world population and on top of that, the accelerating rate at which the developing countries are becoming more like our own in terms of consumption of materials and energy dependent lifestyles, the challenge becomes even more intense, involving geopolitical tensions, global wealth distribution and a host of related social and political issues. Clearly addressing these will be one of the main challenges of the 21st century and beyond.

The Province has been targeting extremely ambitious reductions of GHG, yet the parameters for carbon accounting and measuring progress have not been well developed. To expect local governments to step into the void and present legitimate measures to resolve this problem is a tall order, since this matter is more properly dealt with on an international level. Until that happens, local government approaches to this will be a patchwork of varying methods.

17.5 Reducing CO₂

The only solution to the problem of reducing present atmospheric CO₂ concentrations is to reduce and strive to virtually eliminate the use of minerals and energy sources that add to atmospheric CO₂.

Some companies and local governments, as part of a strategy of reducing GHG emissions, participate in “carbon credit” programs in which they pay the holders of a “carbon sink” (such as a forest or sewage heat recovery plant) a sum of money to retain that area as a carbon sink. Some think this allows them to claim carbon reductions or even carbon neutrality, when their actual practises in land use management may be carrying on exactly as before. Even if they are undertaking other measures in land use that would counteract GHG production, the incremental amount they attribute to carbon credits or offsets is misleading at best.

All standing forests and other forms of carbon sequestration in living things is already required to maintain a dynamic equilibrium of carbon, even if there were no additional mineral-based carbon additions occurring. Therefore, at worst, the use of carbon credits/offsets can be used as a rationalization to excuse the persistence of mineral carbon dependency – extensive air travel, energy-intensive activities and lifestyles – because it is double-counting the beneficial effect of biomass that ties up (sequesters) carbon in a non-gaseous form. If this practice were to continue for long, eventually these sinks would be triple, quadruple counted and even more, while atmospheric CO₂ would continue to rise.

17.6 Social and Geopolitical Considerations of Carbon Trading

The kind of carbon credit system described above can become a new form of colonialism, where rich countries’ carbon trusts buy up cheap lands in other countries, which alienates the local inhabitants from their land base. This has already happened on a small scale in northeastern British Columbia, where European carbon trusts are buying up and re-foresting rangelands in the Agricultural Land Reserve, thereby removing these lands from range use. As carbon trading becomes common, this problem will worsen, especially in poor countries. Transferring money does not make the carbon problem go away or even help in any direct way to reduce it.

Some economists may promote carbon credits/offsets as a means of transitioning to less carbon-intensive lifestyles, but there are far more effective tools available to do this than creating an artificial market. For these reasons, the CVRD will consider creating and participating in carbon offsets and trusts only within our own region and adjacent regions, not internationally. The root problem needs to be addressed. Addressing it will require drastic action by senior governments and all citizens. Some suggestions for senior governments, and for local government are suggested in the objectives in Section 17.9.

17.7 GHGs in Youbou/Meade Creek

According to the Provincial Community Emissions and Energy Inventory¹, in Youbou/Meade Creek, vehicle related transportation is by far the largest contributor to overall emissions. Regionally, it represents an estimated 82.9% of the GHG emissions, as a result of driving to work, school and other daily activities.

If the boundaries of this electoral area are examined, the predominance of forestry land use designation is obvious. Conversely, the present population of the electoral area is small. With the Youbou Lands site now identified as a significant infill area, it is anticipated that eventually the present population of about 1200 will rise above 3000 year-round residents. Compared to municipalities like the City of Vancouver and others that are strictly urban, the net carbon footprint of this electoral area – looked at in isolation – is very small, even with an allowance for the projected growth in the population. Large cities that are all urban cannot ever be truly carbon neutral without resorting to the dubious practise of “offsetting”, even though they can be a lot more efficient at housing and moving people within their boundaries than a rural area can. Urban areas rely upon rural areas for food production and recreation, among other things, so a typical urban area on its own is not sustainable. Urban areas depend upon rural areas and the converse is true as well, to some degree.

Two final notes about the importance of the Province in reducing the impact of government actions: The Province in Area I set back the GHG emissions problem in Youbou by permitting in 2002 the closure of the Youbou Sawmill, made possible by delinking the Tree Farm License in the area from the necessity of operating a mill in the community. This took away the electoral area’s principal employer and left residents who remained with a choice of moving out or commuting long distances to new jobs (typically 40+ km as opposed to under 5 km to the mill). This serves to highlight the fact that Provincial resource management decisions can be much more influential over GHG emissions than the local government ever could be.

Also, the extent to which the fleet of vehicles present in Youbou/Meade Creek is fuel efficient depends upon appropriate fossil fuel pricing and taxation of vehicles at the time of sale and annually for license fees. None of these measures are available to the Cowichan Valley Regional District, nor do we wish them to be. If appropriate taxation measures (both incentive-based and disincentive-based) were implemented, it is conceivable that the efficiency of this vehicle fleet could be greatly improved in the short- to medium-term, and vehicle use could also greatly decline. We note that a tax credit scheme for fuel efficient automobiles was recently terminated by the Province (with the advent of the HST) and biodiesel lost its tax-free status. Again, decisions like this undermine efforts to reduce the use of mineral-based carbon fuels.

17.8 The CVRD Role in GHG Reduction

The distribution of land uses, which means the location of homes, workplaces and schools, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into our decisions on land use is another.

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

On the other hand, even within an electoral area that has an employment base and population that are in sync, personal freedoms we all enjoy may mean that a large number of local residents will commute out of the area by their own choice. However, providing the opportunity for a balanced population and number of employment opportunities is an important step in moving towards a more sustainable community.

The CVRD understands the importance of responding to this Provincial climate change initiative, and has set emission reduction targets intended to be aspirational in nature. To move towards the established targets, the first proposed action is to undertake a climate change action plan throughout the CVRD as a whole, a process that would allow for comprehensive community engagement, and more aggressive policies to reduce energy consumption may result. A climate change action plan could take the region a step beyond emissions reductions, to prepare mitigation measures for the anticipated consequences to developed areas that will be associated with climate change.

17.9 OBJECTIVES

This OCP acknowledges that the Provincial government directly or indirectly regulates many of the high emission-producing sectors. These matters are outside of the scope of an OCP. Through the review process involved in the Bill 27, the CVRD has identified many long term projects that would contribute greatly to an overall reduction in emissions and energy use. Many of these projects are dependent on complementary action from the Provincial government if we are to reach the reduction targets. As such, the CVRD Board supports the following objectives for both itself and senior governments:

1. To encourage the Province of British Columbia to assist the CVRD in developing a regional carbon trust, where forested land could be purchased and managed for maximum marginal (*i.e.* additional, or above normal) carbon sequestration. To implement a regional carbon trust, local governments require the authority to generate funds for land purchase, either by fees, amenity contributions and means other than property taxes. The CVRD's ability to achieve the emissions reductions targets is largely dependent on support from the Province.
2. To encourage the Province of British Columbia to explore opportunities for alternative energy technology in this electoral area. The potential benefits are numerous: the reduction of energy use by the implementation of alternative energy technology in buildings, the economic opportunity presented by a growing industry, and the desire for energy self-sufficiency on Vancouver Island. Senior governments should provide incentives to encourage private and public investment into alternative energy technology.
3. To do our part as a local government in supporting the Province of British Columbia in achieving its stated goal of reducing greenhouse gas contributions from this Province by 33% from 2007 levels at 2020 and achieving a reduction of 80% from 2007 levels by 2050.

4. To encourage the Province of British Columbia to manage forest lands in a fashion consistent with maximizing their ability to sequester carbon, both in the living biomass and in the wood products derived from harvesting.
5. To encourage senior governments to enact measures to tax mineral carbon fuels appropriately, to mandate very substantial improvements in corporate fleet fuel economy of new automobiles and trucks and to encourage the turnover of the present automobile and truck fleet in favour of more fuel-efficient and electric vehicles.

17.10 POLICIES

Policy 17.10.1 The CVRD encourages community residents to take individual responsibility for making their own personal contribution towards reducing the use of mineral carbon fuels.

Policy 17.10.2 The CVRD encourages improvements in the efficiency with which all energy sources are used, with the goal of lowering per capita energy consumption in the region.

Policy 17.10.3 To encourage efficient management and use of the land base, and to promote a healthy and high quality of life for CVRD residents.

Policy 17.10.4 The CVRD Board supports the integrity of the urban containment boundary (UCB), which has the following intent:

- i. To preserve the resource land base of the plan area, and allow no net loss of these resource lands, which will maximise the efficiency of land use;
- ii. To encourage appropriate community amenities and services within the UCB, with commercial areas within a walking distance of most residential areas;
- iii. To delineate areas where mixed residential, commercial and institutional land uses will be focused, to create complete, healthy and liveable communities.

Policy 17.10.5 The CVRD Board may identify potential infill sites within existing areas of higher commercial and residential densities.

Policy 17.10.6 Sufficient lands have been designated commercial, light industrial and institutional in the plan area, to ensure that local employment opportunities, shopping areas, and social and recreational areas are provided, and residents can shop, work and enjoy recreation in their own community.

Policy 17.10.7 The CVRD will ensure that forested lands remain designated for resource management purposes, and will encourage the Province and landowners to carefully manage these areas in a fashion that is consistent with maximum carbon sequestration.

Policy 17.10.8 In order to reduce GHG emissions, the Board supports the following transportation policies:

- a. The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions. Future transit infrastructure will be designated within appropriate residential areas, and in other highway corridor locations where appropriate, and the support of BC Transit in this will be required;
- b. The planning and development of cycling and walking paths is encouraged, to promote healthy living and alternative transportation methods throughout the community;
- c. The establishment and improvement of commuter, car-share and car-coop programs is strongly supported;
- d. This OCP recognizes the value and benefit of rail services in the reduction of GHGs, and supports the Island Corridor Foundation initiative to re-establish and implement rail commuter service on Southern Vancouver Island, even though it does not pass through or come near this Plan area;
- e. This OCP very strongly encourages the Ministry of Transportation and Infrastructure to accommodate pedestrian and cycling requirements into road design and maintenance programs, as road improvements and upgrades take place and in new development;
- f. The CVRD will pursue opportunities to make the Cowichan Valley Regional Transit system a viable transportation option for most people living in this electoral area.

Policy 17.10.9 In order to reduce GHG emissions, policies related to building design, siting and landscaping are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to the following:
 - i. Establishing development permit areas that will include design guidelines for energy efficient buildings, siting and landscaping;
 - ii. Reducing lot coverage and establishing floor area limits of residential and commercial buildings within certain zones to reduce the impact of development;
- b. A sustainability checklist has been established, for consideration of development applications in developable areas;
- c. The CVRD may provide educational resources to homeowners, to promote do-it-yourself projects that decrease residential and commercial building energy consumption and reduce the impact of residential and commercial development on the natural environment.

Policy 17.10.10 With the aim of reducing GHG emissions, policies related to food and agriculture are as follows:

- a. In a future OCP review, the CVRD Board and community will give consideration to the following:
 - i. To encourage local agricultural production and consumption, lands may be designated for community gardens, farmers markets and food processing facilities to support agriculture in the region;
 - ii. Appropriate areas are designated for urban agriculture to promote food production on a family level.

2) The following policies 4.15 and 4.16 are added to the Section 4 Residential Policies:

Policy 4.15: The Regional Board is committed to reducing community wide energy consumption, and recognizes that compact settlement patterns are more efficient and affordable than sprawl. Therefore amendments to the Urban Containment Boundary (UCB) will be very strongly discouraged.

Policy 4.16: If the plan area faces residential development pressure in the future, the CVRD will strongly encourage investment in a community sewer system in the UCB, to accommodate increased density within the existing Urban Residential designation.

3) The following policies 9.11 and 9.12 are added to the Section 9 Greenways Policies:

Policy 9.11: In light of the CVRD Board's goal of creating energy efficient communities, the Greenways Vision Plan is identified as a priority for supporting alternative transportation options within the community.

Policy 9.12: The Greenways program should give special consideration to linking schools, community places, residential, commercial, and recreational areas, to support the CVRD's efforts to reduce reliance on single occupancy vehicles.

4) The following policy 10.11 is added to the Section 10 Transportation Policies:

Policy 10.11: This Plan encourages investment in transit programs, to better connect this plan area with Duncan and Lake Cowichan and help reduce transportation based carbon emissions and energy use.

5) The following policy 11.10 is added to the Section 11 Servicing Policies- Liquid Waste:

Policy 11.10: The CVRD acknowledges that increasing residential densities in urban areas creates more energy efficient, financially affordable, and healthy and livable communities. Community sewer systems will be necessary within the UCB to accommodate future residential and commercial growth pressure. To help realize our shared goals, the CVRD encourages investment from the provincial government to assist the CVRD in constructing and operating community sewer systems.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3445

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1945,
Applicable to Electoral Area F – Cowichan Lake South/Skutz Falls**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area F – Cowichan Lake South/Skutz Falls, that being Official Community Plan Bylaw No. 1945;

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. 1945;

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. 3445 - Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Bill 27), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1945, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

.../2

3. CAPITAL EXPENDITURE PROGRAM

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

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

READ A THIRD TIME this _____ day of _____, 2011.

I hereby certify this to be a true and correct copy of Bylaw No. _____ as given Third Reading on the _____ day of _____, 2011.

Corporate Secretary

Date

APPROVED BY THE MINISTRY OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT UNDER SECTION 882(1) OF THE *LOCAL GOVERNMENT ACT*

this _____ day of _____, 2011.

ADOPTED this _____ day of _____, 2011.

Chairperson

Corporate Secretary



C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3445

Schedule A to Official Community Plan Bylaw No. 1945, is hereby amended as follows:

- 1) The following is inserted as Section 20 Climate, Land, Resources, and Energy Efficiency (Bill 27), and added to the Table of Contents.

20. Climate, Land, Resources, and Energy Efficiency (Bill 27)

Background

Bill 27, the *Local Government Statutes Amendments Act* (2008), requires that all local governments establish targets for reducing greenhouse gas emissions. In addition, all Official Community Plans (OCP) must include actions and policies which outline how those reduction targets will be achieved. The CVRD recognizes that Bill 27 raises some very important issues. Firstly, it should hasten the regional response to reduce emissions which are responsible for climate change. But the legislated amendments also provide a unique opportunity to review, strengthen and improve good community planning principles in this Plan. Policies that reduce greenhouse gas (GHG) emissions are based on reduced fossil fuel consumption and efficient use of energy, land and resources. Increased efficiency has a positive impact on improved health and quality of life for the region's residents, and overall environmental sustainability.

Vehicle related transportation is by far the largest contributor to overall emissions in this region. It represented an estimated 82.9% of the GHG emissions produced in 2007¹, as a result of driving to work, schools, and other daily activities. The distribution of land uses, which means the location of homes, workplaces, schools and recreational opportunities, and the preservation of resource lands, is controlled to a large extent by local governments. Understanding the connection between land use and transportation related emissions is one step; the imperative to incorporate climate change into the decisions on land use is another.

The CVRD realizes the urgent need to respond to climate change, and has set targets to reduce emissions. To move towards the established targets, the first proposed action is to undertake a climate change action plan throughout the CVRD as a whole, a process involving comprehensive community engagement and aggressive policies. A climate change action plan that is fully integrated into the OCP could take the region a step beyond emission reductions, to prepare mitigation measures for the anticipated consequences associated with climate change.

.../2

¹ Province of BC, Cowichan Valley Regional District Community Energy and Greenhouse Gas Emissions Inventory: 2007 (2009)

OBJECTIVES

- a. To reduce total greenhouse gas (GHG) emissions in the plan area by 33% from current levels by 2020, and by 80% from current levels by 2050;
- b. To reduce overall energy consumption in the region, encourage an efficient use of the land base and other resources, and promote a healthy and high quality of life for residents.

POLICIES

Policy 20.1:

To meet the CVRD GHG reduction targets of 33% by 2020, and 80% by 2050, the CVRD Board will endeavour to adopt a climate change action plan, which would provide a more comprehensive set of targets, indicators, policies and actions specific to this Plan area.

Policy 20.2:

The CVRD Board will make the greenhouse gas emissions reduction targets noted in this Plan a fundamental consideration in future land use change decisions.

Policy 20.3:

To support local agricultural opportunities, community gardens, farmers markets and food processing facilities will be encouraged in appropriate locations within the Plan area, and the Board will consider creating new agricultural zones that facilitate small scale agricultural production.

Policy 20.4:

The CVRD Board will consider existing and future transit infrastructure in all land use planning decisions, as public transit is a critical component in reducing the area's GHG contribution. Furthermore, the CVRD will continue to pursue opportunities to make the Cowichan Valley Regional Transit System a viable transportation option in the region.

Policy 20.5:

The CVRD Board values and recognizes the natural carbon sequestration potential of the forestry lands within the Plan area. The CVRD encourages the Province of British Columbia to manage forest lands to maximize their ability to sequester carbon. For its part, the CVRD Board will focus on retaining sufficient forestry designated lands.

Policy 20.6:

In the future, the CVRD Board and community will consider identifying village areas, where mixed residential, commercial and institutional land uses will be focused. Complete and compact settlement patterns benefit community health, decrease the cost of transit and other servicing, and help achieve the greenhouse gas reduction targets.

Policy 20.7

The CVRD Board will encourage development that provides major infrastructure such as sewer and water improvements for existing communities in the Plan area, which in turn would allow for infilling and densification and help achieve the greenhouse gas reduction targets.

Policy 20.8

The CVRD Board will endeavour to attract economic development to the Plan area, to promote a sustainable economy, provide local places of employment and recreation, and thereby reduce vehicle travel out of the community.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3451

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1890,
Applicable To Electoral Area A – Mill Bay/Malahat**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area A – Mill Bay/Malahat, that being Official Community Plan Bylaw No. 1890;

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. 1890;

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. 3451- Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Drader), 2010**".

2. **AMENDMENT**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, 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

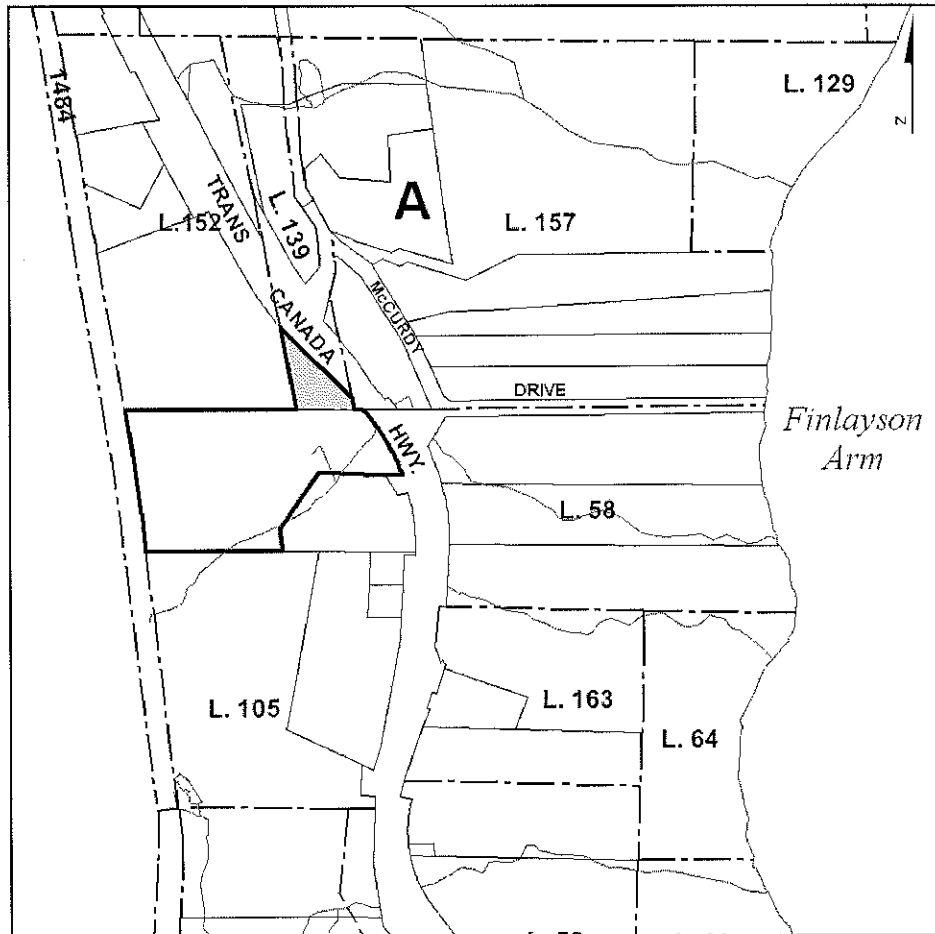
SCHEDULE "A"

To CVRD Bylaw No. 3451

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. That a portion of Lot A, District Lots 105 and 139, Malahat District, Plan VIP 56326, shown as shaded on Plan Number Z-3451 attached hereto and forming Schedule B of this bylaw, be redesignated from Rural Residential to Tourist Commercial; and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.

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



THE AREA SHOWN SHADED IS REDESIGNATED FROM

Rural Residential

TO

Tourist Commercial

APPLICABLE

TO ELECTORAL AREA A



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3452

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3452 - Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Drader), 2010**".

2. **AMENDMENT**

Cowichan Valley Regional District Zoning Bylaw No. 2000, as amended from time to time, is hereby amended in the following manner:

- a) That Schedule B (Zoning Map) to Zoning Bylaw No. 2000 is amended by rezoning a portion of Lot A, District Lot 105 and 139, Malahat District, Plan VIP56326, which is shown as shaded on Plan Z-3452 attached hereto and forming Schedule A of this Bylaw, from R-1 (Rural Residential) to C-4 (Tourist Commercial).

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.

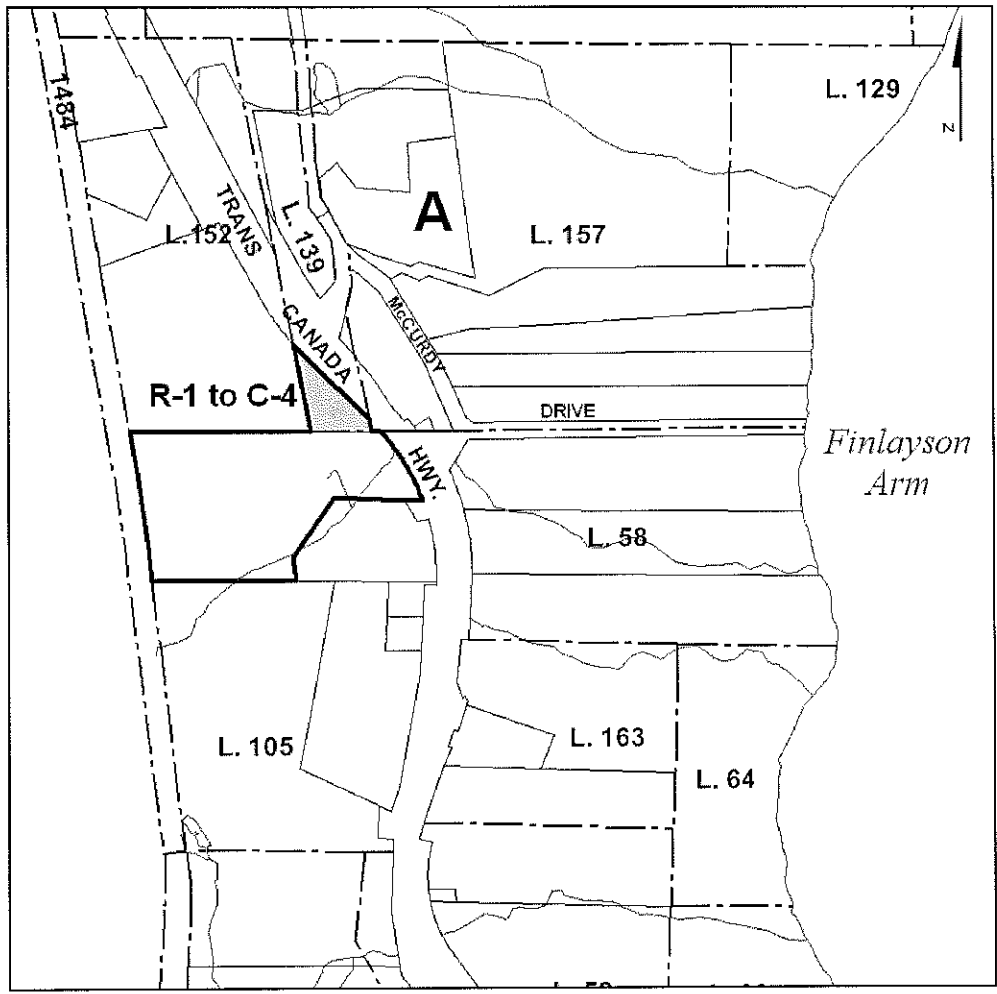
READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary

SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3452
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA SHOWN SHADED IS REZONED FROM
R-1 (Rural Residential) TO
C-4 (Tourist Commercial) APPLICABLE
TO ELECTORAL AREA A



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3453

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1890,
Applicable to Electoral Area A – Mill Bay/Malahat**

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

AND WHEREAS the Regional District has adopted an official community plan bylaw for Electoral Area A – Mill Bay/Malahat, that being Official Community Plan Bylaw No. 1890;

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. 1890;

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. 3453 - Area A – Mill Bay/Malahat Official Community Plan Amendment Bylaw (Mill Bay Marina), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1890, 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

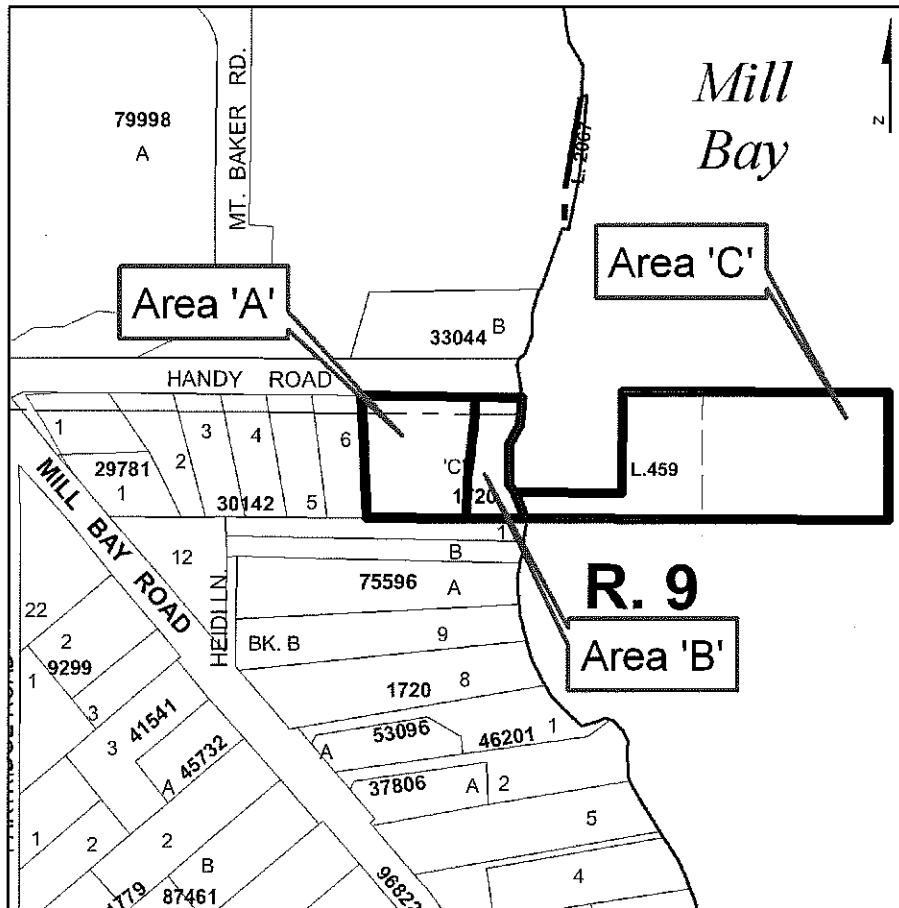
SCHEDULE "A"

To CVRD Bylaw No. 3453

Schedule A to Official Community Plan Bylaw No. 1890, is hereby amended as follows:

1. That part of Block "C", Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142, as shown outlined in a solid black line and labeled Area A on Plan number Z-3453 attached hereto and forming Schedule B of this Bylaw, be re-designated from Tourist Recreational Commercial to Urban Residential and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.
2. That part of Block "C", Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142, as shown outlined in a solid black line and labeled Area B on Plan number Z-3453 attached hereto and forming Schedule B of this Bylaw, be re-designated from Tourist Recreational Commercial to Commercial and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.
3. That part of the water surface of the Saanich Inlet, as shown outlined in a solid black line and labelled Area C on Plan number Z-3453 attached hereto and forming Schedule B of this Bylaw be designated Commercial and that Schedule B to Official Community Plan Bylaw No. 1890 be amended accordingly.
4. That Figure 7 of the Mill Bay Development Permit Area Guidelines is amended to include the commercially designated water surface described in Section 3 above in the Mill Bay Development Permit Area.
5. That the following is inserted into the Mill Bay Development Permit Area Guidelines, Section 14.5.7, following paragraph d):
 - e) Marinas, other than buildings and structures intended for commercial use.

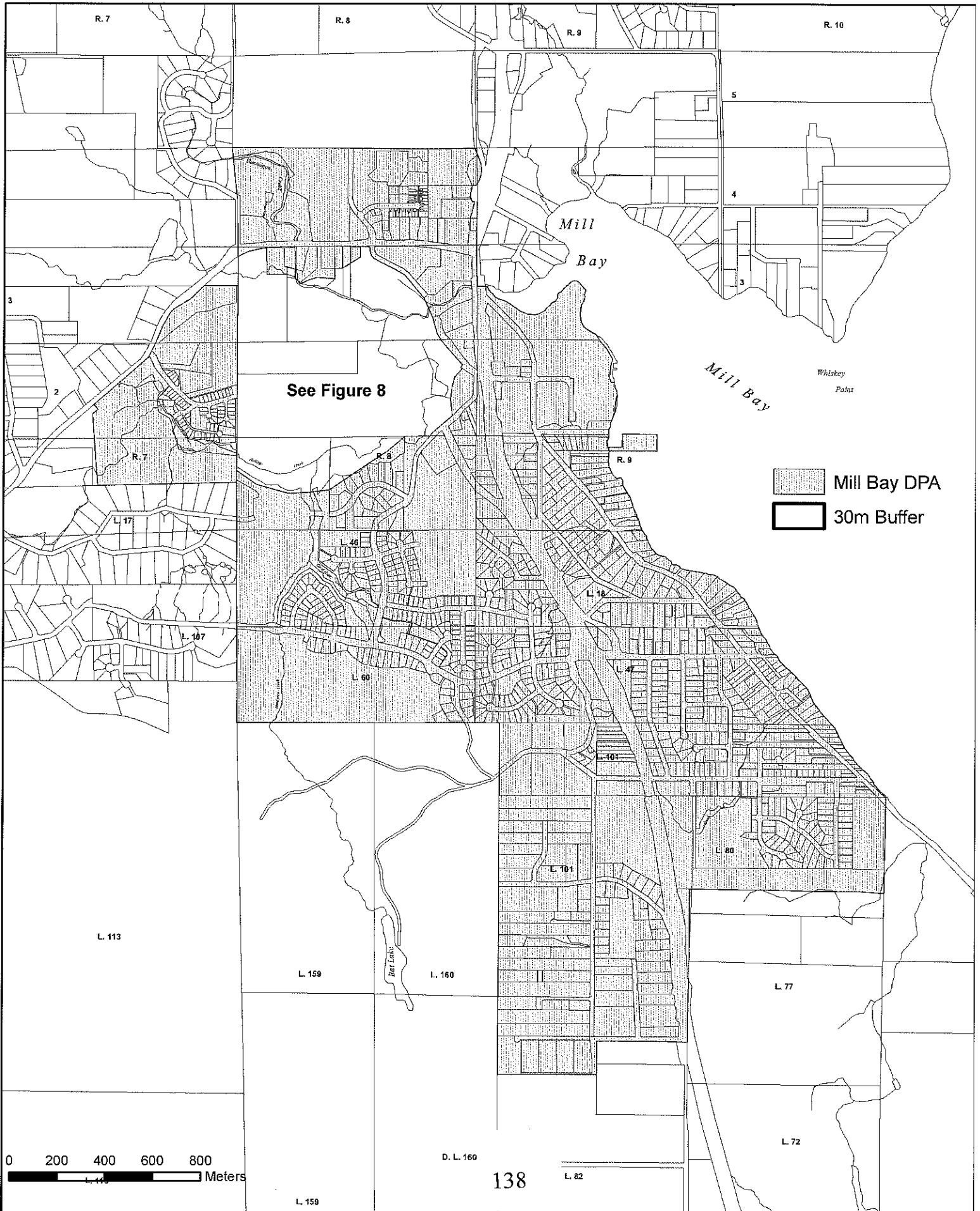
**SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO.
OF THE COWICHAN VALLEY REGIONAL DISTRICT**



AREA 'A' OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM Tourist Recreational Commercial to Urban Residential; AREA 'B' OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM Tourist Commercial to Commercial; AREA 'C' OUTLINED IN A SOLID BLACK LINE IS DESIGNATED Commercial

APPLICABLE TO ELECTORAL AREA A

Figure 7 - Mill Bay Development Permit Area





COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3454

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**Cowichan Valley Regional District Bylaw No. 3454 - Area A – Mill Bay/Malahat Zoning Amendment Bylaw (Mill Bay Marina), 2010**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2000, as amended from time to time, is hereby amended in the following manner:

- a) That the following definition be added to Section 3.1.

“**Townhouse**” means a residential building consisting of not less than two and not more than six attached dwelling units separated by a common wall extending from foundation to roof, with each dwelling unit having its own private entrance with direct exterior access.

- b) That Part 8 be amended by adding the following after Section 8.8, and that existing Sections 8.9 and 8.10 be renumbered accordingly.

8.9 RM-3 ZONE – TOWNHOUSE RESIDENTIAL

Subject to compliance with the general requirements detailed in Parts 4 and 5 of the Bylaw, the following regulations shall apply to the RM-3 Zone:

(a) Permitted Uses

The following uses and no others are permitted in an RM-3 Zone:

- (1) *Townhouse*;
- (2) *Home occupation*;

(b) Conditions of Use

For any parcel in an RM-3 Zone:

- (1) *Parcel coverage* shall not exceed 40 percent;
- (2) The *height* of any *principal building* or *structure* shall not exceed 7.5 m;
- (3) The height of any accessory building shall not exceed 4.5 m;
- (4) The following minimum setbacks apply:

<i>COLUMN I</i> <i>Type of Parcel Line</i>	COLUMN II Residential Buildings & Structures	<i>COLUMN III</i> Buildings and Structures Accessory to Residential Use
Front	6.0 metres	3.0 metres
Interior Side	6.0 metres	3.0 metres
Exterior Side	6.0 metres	3.0 metres
Rear	6.0 metres	3.0 metres

- (5) No accessory building or structure shall exceed a gross floor area of 50 m².

(c) Density

The maximum density of *dwelling units* in the RM-3 zone is 35 units per hectare of *parcel* area.

(d) Minimum Parcel Size

Subject to part 13, the minimum *parcel* size in the RM-3 zone shall be:

- (1) 0.2 ha. for *parcels* served by a community water and sewer system
- (2) 1.0 ha. for *parcels* served by a community water system only;
- (3) 1.0 ha. for *parcels* served by neither by a community water or sewer system.

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

“RM-3 Townhouse Residential”

- d) That Appendix One – Minimum Parcel Size Summary be amended by adding minimum parcel sizes for the RM-3 zone.
- e) That Schedule B (Zoning Map) to Electoral Area A – Mill Bay/Malahat Zoning Bylaw No. 2000 be amended by rezoning Block “C”, Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, Except Part in Plans 29781 and 30142 as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3454, from C-4 (Tourist Recreational Commercial) to RM-3 (Townhouse Residential) and W-3 (Water Marina).
- f) That Section 12.3 be amended by removing “boat shed or boat shelter” from the list of permitted uses in the W-3 Zone.

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this _____ day of _____, 2010.

READ A SECOND TIME this _____ day of _____, 2010.

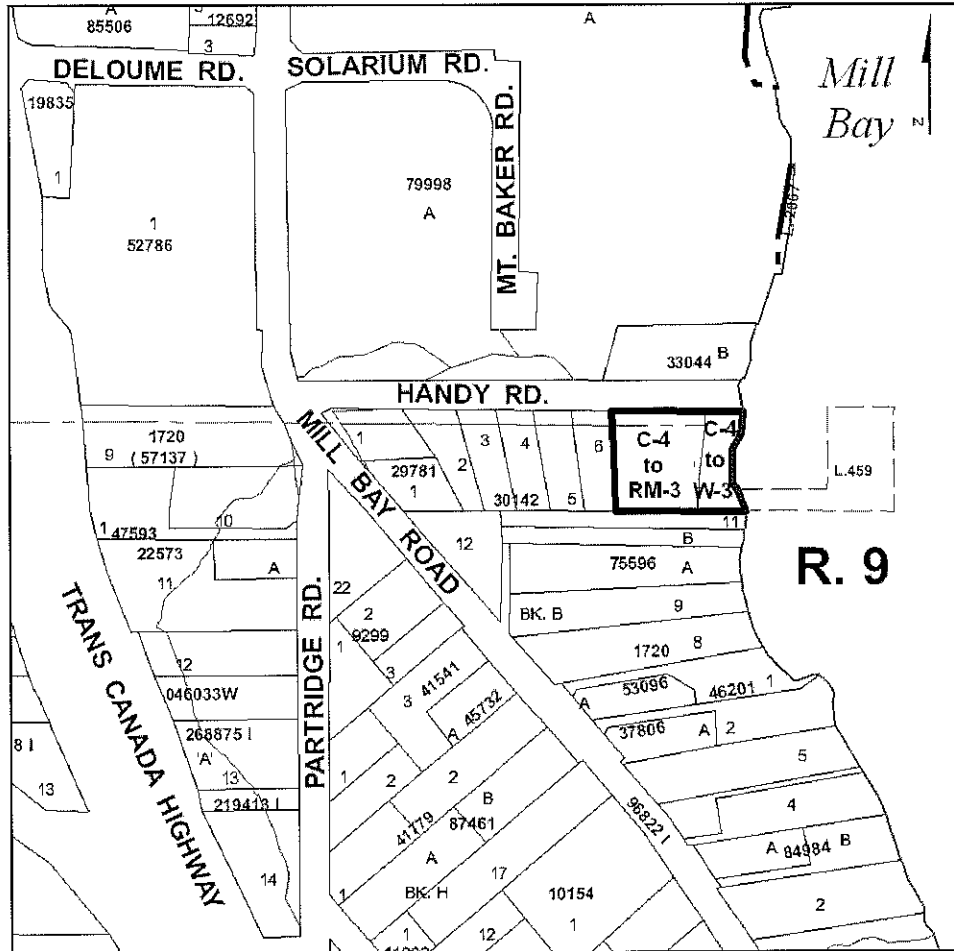
READ A THIRD TIME this _____ day of _____, 2010.

ADOPTED this _____ day of _____, 2010.

Chairperson

Corporate Secretary

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

C-4 (Tourist Recreational Commercial) **TO**

RM-3 (Townhouse Residential) and W-3 (Water Marina) **APPLICABLE**

TO ELECTORAL AREA A



RES1

COMMITTEE APPOINTMENT

**BOARD MEETING
OF December 8, 2010**

DATE: November 19, 2010
FROM: Director Giles
SUBJECT: **Agricultural Advisory Committee Appointment**

Recommendation:

That the following appointment to the Agricultural Advisory Committee be approved:

John Milne, Cowichan Agricultural Society (Alternate)

Term to expire November 30, 2011.