



**COWICHAN VALLEY REGIONAL DISTRICT**

**NOTICE OF REGULAR BOARD MEETING**

**DATE: Wednesday, June 28, 2017**

**TIME: REGULAR SESSION  
1:40 PM**

**PLACE: BOARD ROOM**

**175 INGRAM STREET**

A handwritten signature in black ink, appearing to read 'Joe Barry', is written above a horizontal line.

**Joe Barry  
Corporate Secretary**



**REGULAR BOARD MEETING AGENDA**  
**WEDNESDAY, JUNE 28, 2017**  
**1:40 PM - CVRD BOARD ROOM**

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<b>1.</b>	<b><u>APPROVAL OF AGENDA</u></b>	
<b>2.</b>	<b><u>ADOPTION OF MINUTES</u></b>	
M1	Regular Board Meeting of June 14, 2017	1
	<b>Recommendation</b> That the minutes of the Regular Board meeting of June 14, 2017 be adopted.	
<b>3.</b>	<b><u>BUSINESS ARISING FROM THE MINUTES</u></b>	
<b>4.</b>	<b><u>DELEGATIONS</u></b>	
<b>5.</b>	<b><u>REPORT OF THE CHAIRPERSON</u></b>	
RC1	Verbal Report Re: National Aboriginal Hockey Championships	
<b>6.</b>	<b><u>CORRESPONDENCE</u></b>	
C1	Correspondence from the Vancouver Island Recycling and Waste Industry Coalition (VIRWIC) Re: Request to Ban Clean Wood Waste	7
	<b>Recommendation</b> For direction.	
<b>7.</b>	<b><u>INFORMATION</u></b>	
<b>8.</b>	<b><u>COMMITTEE/COMMISSION REPORTS</u></b>	
CR1	Report and Recommendations of the Electoral Area Services Committee Meeting of June 21, 2017- Director Morrison	9
	<b>Recommendation</b> 1. That a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$2,000 be provided to Cittaslow Cowichan to support their 2017 events.	

2. That a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$1,000 be provided to Kaatza Historical Society to support continued fundraising for the addition of the Kaatza Station Museum.

3. That a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$500 be provided to the Cowichan Bay Improvement Association to support the upcoming Cowichan Bay Boat Festival.

4. That a non-low bid award in the amount of \$113,666 plus GST be awarded to Habitat Systems Inc. based on their proposal dated April 19, 2017, submitted in response to Request for Proposals No. 2017-PRK-001 for replacement of park playgrounds in Electoral Areas B, C, and E.

5. That Schedule 2 of CVRD Ticketing Bylaw No. 3209 be amended as set out in the May 29, 2017, Staff Report from the Inspections & Enforcement Division, to reflect recent amendments to CVRD Building Regulation Bylaw No. 3422.

6. That a Grant-in-Aid, Electoral Area A - Mill Bay/Malahat, in the amount of \$1,000 be provided to Mill Bay Community League to support their Canada 150 Dance.

***Electoral Area Directors only vote on the following under Part 14 - Planning and Land Use Management of the Local Government Act:***

7. That Application No. 01-G-17DVP (Lot 10, Skye Road) to vary Section 5.7.7 of Zoning Bylaw No. 2524 to reduce the landscape buffer from 7.5 m to 4.5 m, be denied.

8. That Application No. 02-C-17DVP (3582 Pechanga Close) to vary Section 10.3.4 of Zoning Bylaw No. 3520 to reduce the rear parcel line setback for an accessory building from 4.5 metres to 1.0 metre, be approved.

9. That consideration of Development Permit Application No. 09-B-16DP (2786 Meadowview Road) be deferred until the Ministry of Transportation and Infrastructure has confirmed in writing if it accepts the recommendations of the Hydrology Report prepared by J.E. Anderson & Associates

dated February 27, 2017, and the proposed drainage ditch right-of-way.

10. That Application No. 01-G-16ALR (4001 Saltair Road/Residence for Relative) to permit the subdivision of 4001 Saltair Road be denied and not forwarded to the Agricultural Land Commission.

11. 1. That Signage Development Permit with Variance Application No. 01-D-16DP/S/VAR (1681 Botwood Lane) be approved;  
2. That Section 7.1(c) of CVRD Sign Bylaw No. 1095 be varied to permit a rooftop sign; and  
3. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3605.

12. 1. That Official Community Plan and Zoning Amendment Bylaws for Application No. 2-F-08RS (9931 South Shore Road) be forwarded to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> Readings;  
2. That the referrals to the Ministry of Transportation and Infrastructure, Island Health, School District 79, Lake Cowichan RCMP, Town of Lake Cowichan, Honeymoon Bay Volunteer Fire Department, Ditidaht First Nation, Lake Cowichan First Nation and Cowichan Tribes be accepted; and  
3. That a public hearing be scheduled with Directors from Electoral Areas F, I and D and other Electoral Area Directors be delegated to the hearing.

13. 1. That Lot 5 from Subdivision Application No. 01-E-10SA (Saddleview Estates) be selected as the parcel to be transferred to the Regional District as per the terms and conditions outlined in "CVRD Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840, 1998"; and  
2. That, following transfer of ownership to the Regional District, Lot 5 from Subdivision Application No. 01-E-10SA (Saddleview Estates) be listed for public sale and the proceeds of the sale be deposited equally into the Electoral Area E and Electoral Area F Community Parks Statutory Reserve

funds.

14. That the Empress Park Subdivision and Disposal Process – Electoral Area B – Shawnigan Lake, be held in abeyance at this time.

CR2 Report and Recommendations of the Regional Services Committee meeting of June 28, 2017 - Director Stone 11

- Recommendation**
1. That the Tourism Cowichan Society Annual Work Plan for 2017 detailed in the Economic Development June 19, 2017, Staff Report be approved.
  2. That an application be submitted under Sections 56 and 57 of the *Forest and Ranges Practices Act* for vacant Crown Land within the Cobble Hill Regional Recreation Area to both designate the lands for outdoor recreation and permit the CVRD to maintain trails within the parcel.
  3. That the 2017 Budget for Function 131 Environmental Initiatives be amended to:
    1. Increase Federal Conditional Grants revenue by \$208,000;
    2. Increase Provincial Conditional Grants revenue by \$208,000; and
    3. Increase Flood Plain Management expense by \$416,000.

9. **DIRECTOR REPORTS**

10. **STAFF REPORTS**

11. **PUBLIC HEARINGS**

12. **BYLAWS**

- B1 "CVRD Bylaw No. 4103 - Saltair Water System Management Amendment Bylaw, 2017", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading. 13
- "CVRD Bylaw No. 4103 - Saltair Water System Management Amendment Bylaw, 2017", be adopted.
- B2 "CVRD Bylaw No. 4116 - Twin Cedars Sewer System Service Amendment (Boundary Extension) Bylaw, 2017", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading. 15
- B3 "CVRD Bylaw No. 4126 - Election and Assent Voting Procedures Bylaw, 2017", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading. 19

"CVRD Bylaw No. 4126 - Election and Assent Voting Procedures Bylaw, 2017", be adopted.

- |    |  |    |
|----|--|----|
| B4 | "CVRD Bylaw No. 4129 - Electoral Area I - Youbou/Meade Creek Critical Streetlighting Service Amendment Bylaw, 2017", be granted 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading. | 29 |
| B5 | "CVRD Bylaw No. 4130 - Arbutus Mountain Estates Water System Service Amendment Bylaw, 2017", be granted 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.                         | 31 |

### 13. BYLAWS - ELECTORAL AREA DIRECTORS

- |      |  |    |
|------|--|----|
| BEA1 | "CVRD Bylaw No. 4118 - South Cowichan Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading.                                      | 33 |
| BEA2 | "CVRD Bylaw No. 4119 - Electoral Area B - Shawnigan Lake Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading.                   | 37 |
| BEA3 | "CVRD Bylaw No. 4120 - Electoral Area D - Cowichan Bay Upland Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading               | 41 |
| BEA4 | "CVRD Bylaw No. 4121 - Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading. | 45 |
| BEA5 | "CVRD Bylaw No. 4122 - Electoral Area F - Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading.  | 49 |
| BEA6 | "CVRD Bylaw No. 4123 - Electoral Area G - Saltair/Gulf Islands Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading.             | 53 |
| BEA7 | "CVRD Bylaw No. 4124 - Electoral Area H - North Oyster / Diamond Zoning Amendment Bylaw (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading.           | 57 |
| BEA8 | "CVRD Bylaw No. 4125 - Electoral Area I - Youbou/Meade Creek Zoning Amendment Bylaw, (Cannabis Regulations), 2017", be granted 1 <sup>st</sup> and 2 <sup>nd</sup> reading.              | 61 |

### 14. RESOLUTIONS

### 15. UNFINISHED BUSINESS

### 16. NOTICE OF MOTION

**17. NEW BUSINESS**

NB1 Staff Report from the Water Management Division Re: 2017 Five Year Financial Plan Amendment – Function 810 Mesachie Lake Sewer 65

**Recommendation** That the 2017 Five Year Financial Plan for Function 810 Mesachie Lake Sewer be amended to:

1. Increase Debt Proceeds revenue by \$51,226
2. Increase Capital expense by \$51,226
3. Increase Long Term Debt Interest expense by \$2,000
4. Decrease Sludge Disposal expense by \$2,000.

**18. QUESTION PERIOD****19. CLOSED SESSION**

Motion that the Closed Session Agenda be approved, and 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.

CS M1 - Closed Session Minutes of May 24, 2017

CS M2 - Closed Session Minutes of June 14, 2017

CS CR1 - Report and Recommendation of the Closed Session Cowichan 2018 BC Summer Games Nominating Subcommittee

1. Subcommittee Replacement Appointment {Sub (1)(a)}

CS CR2 - Report and Recommendations of the Closed Session Electoral Area Services Committee Meeting of June 21, 2017 - Director Morrison

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

CS CR3 - Report and Recommendations of the Closed Session Regional Services Committee Meeting of June 28, 2017 - Director Stone

1. Land Acquisition {Sub (1)(e)} (2 Items); and
2. Prohibited from Disclosure Under Section 21 of the *Freedom of Information and Protection of Privacy Act* {Sub (1)(j)}.

**20. ADJOURNMENT**

The next Regular Board meeting will be held Wednesday, July 12, 2017 at 6:30 PM, in the Board Room, 175 Ingram Street, Duncan, BC.





Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan BC, on Wednesday, June 14, 2017 at 6:30 PM.

**PRESENT** Chair J. Lefebure  
Director S. Acton  
Director B. Day  
Director M. Dorey  
Director L. Iannidinardo <until 7:20 PM>  
Director S. Jackson  
Director K. Kuhn  
Director M. Marcotte  
Director I. Morrison  
Director A. Nicholson <until 7:20 PM>  
Director A. Stone  
Director T. Walker  
Alternate Director C. Morris  
Alternate Director B. Salmon

**ALSO PRESENT** B. Carruthers, Chief Administrative Officer  
J. Barry, Corporate Secretary  
M. Kueber, General Manager, Corporate Services  
M. Tippet, A/General Manager, Land Use Services  
S. Carlow, Legislative Assistant

**ABSENT** Director M. Clement  
Director K. Davis  
Director K. Marsh

**APPROVAL OF AGENDA**

**17-235** It was moved and seconded that the agenda be amended with the deletion of Item B1 - CVRD Bylaw No. 4103, and the addition of one Closed Session New Business item:

**CSNB1; Verbal Report from Alternate Director Morris Re: Electoral Area C – Cobble Hill Advisory Planning Commission Appointments; and**

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

**MOTION CARRIED**

**ADOPTION OF MINUTES**

**M1** Regular Board Meeting of May 24, 2017

**17-236** It was moved and seconded that the minutes of the Regular Board meeting of May 24, 2017 be adopted.

**MOTION CARRIED**

**COMMITTEE/COMMISSION REPORTS**

**CR1** Report and Recommendations of the Electoral Area Services Committee Meeting of June 7, 2017

**17-237** It was moved and seconded:

1. 1. That the Certificate of Sufficiency confirming that a sufficient petition requesting inclusion into the Twin Cedars System service area be received;
2. That CVRD Bylaw No. 2871 – Twin Cedars Sewer System Service Establishment Bylaw, 2006 be amended to include the property described as PID 017-996-783, Lot 1, Section 12, Range 5, VIP 55417, Shawnigan District; and
3. That the amendment bylaw be forwarded to the Board for consideration of three readings and upon payment of the connection fees, adoption.

**MOTION CARRIED**

**17-238** It was moved and seconded:

2. 1. That Development Permit with Variance Application No. 04-F-16DP/VAR (5525 Jenny Place) be approved;
  2. That the General Manager of Planning & Development be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 1945;
  3. That Section 3.22 of Zoning Bylaw No. 2600 be varied to 10.9 metres for the shop, 4.5 metres for the garage, and 13.5 metres for the concrete retaining wall;
  4. That a 'Save Harmless Covenant' be registered against the property prior to issuance of the Development Permit with variance; and
  5. That a landscape security bond be provided in accordance with the CVRD Landscape Security Policy.
3. That Application No. 01-B-16DVP (2370 MacDonald Road, PID: 000-287-288), to vary Clause 5 of Land Use Contract No. G58863 to reduce the side parcel line setback from 3.0 m to 1.0 m and the rear parcel line setback from 3.0 m to 1.5 m; and to vary Section 8.6(b)(3) of Zoning Bylaw No. 985 to reduce the rear parcel line

setback from 4.5 m to 1.5 m, be approved.

4. That Application No. 01-D-17DVP (PID: 029-746-841, Vee Road) to vary Section 5.7.4 (d) of Zoning Bylaw No. 3705 to increase the maximum permitted height of a principal residential building from 7.5 metres to 9.5 metres be approved.
5.
  1. That the referrals to Ministry of Transportation and Infrastructure, Island Health, School District 79, Cowichan Tribes, Sahtlam Fire Department, be accepted;
  2. That amendment bylaws for Rezoning Application No. 01-E-16RS (4681 Sahtlam Estates Road) be forwarded to the Board for consideration of first and second readings;
  3. That a public hearing be scheduled with Directors from Electoral Areas E, F and D as delegates; and
  4. That covenant(s) be drafted prior to public hearing to secure the areas to be dedicated to the CVRD.
6.
  1. That Zoning Amendment Bylaw Nos. 4059 and 4060 (Road End Water Zone) be forwarded to the Board for consideration of first and second readings;
  2. That the proposed Amendment Bylaws, along with this staff report, be referred to Cowichan Tribes, Lake Cowichan First Nation, Ditidaht First Nation and the Town of Lake Cowichan for information only; and
  3. That a public hearing be waived in favour of public notice.
7.
  1. That Zoning Amendment Bylaw Nos. 4118 through 4125 inclusive be forwarded to the Board for consideration of first and second readings;
  2. That Zoning Amendment Bylaw Nos. 4118 through 4125 not be referred to any agencies; and
  3. That a single Public Hearing be held in Duncan at the CVRD Office in the Board Room for Amendment Bylaw Nos. 4118 through 4125; and that the Directors from all nine Electoral Areas be delegated to attend.

**MOTION CARRIED**

**CR2** Report and Recommendations of the Corporate Services Committee meeting of June 14, 2017

**17-239** It was moved and seconded that the 2016 Statement of Financial Information be received.

**MOTION CARRIED**

**6:38 PM** Director Iannidinardo declared a conflict of interest as she owns a property within the jurisdiction of Bylaws 4070 and 4071, and left the Boardroom at 6:38 p.m.

**PUBLIC HEARINGS**

**PH1** Public Hearing Report, Minutes and Exhibits Re: Bylaw No. 4070 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Nantree/Peri Road), 2016" and "CVRD Bylaw No. 4071 - Electoral Area I - Youbou/Meade Creek Zoning Amendment Bylaw (Nantree/Peri Road), 2016"

**17-240** It was moved and seconded that Public Hearing Report, Minutes and Exhibits Re: that Bylaw No. 4070 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Nantree/Peri Road), 2016" and "CVRD Bylaw No. 4071 - Electoral Area I - Youbou/Meade Creek Zoning Amendment Bylaw (Nantree/Peri Road), 2016", be received.

**MOTION CARRIED**

**6:39 PM** Director Iannidinardo returned to the Boardroom at 6:39 p.m.

**BYLAWS**

**B1** Bylaw No. 4103 was deleted upon adoption of the agenda.

**B2** It was moved and seconded that "CVRD Bylaw No. 4110 - Solid Waste Management Charge and Regulations Amendment Bylaw, 2017", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**17-241**

**MOTION CARRIED**

**B2** It was moved and seconded that "CVRD Bylaw No. 4110 - Solid Waste Management Charge and Regulations Amendment Bylaw, 2017", be adopted.

**17-242**

**MOTION CARRIED**

**B3** It was moved and seconded that "CVRD Bylaw No. 4112 - Cowichan Bay Sewer System Service Amendment Bylaw (PID 029-865-310), 2017", be adopted.

**17-243**

**MOTION CARRIED**

**B4** It was moved and seconded that the minutes of the "CVRD Bylaw No. 4114 - Shawnigan Lake North Water System Management Amendment Bylaw, 2017", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**17-244**

**MOTION CARRIED**

**B4** It was moved and seconded that "CVRD Bylaw No. 4114 - Shawnigan Lake North Water System Management Amendment Bylaw, 2017", be adopted.

**17-245**

**MOTION CARRIED**

**B5  
17-246** It was moved and seconded that "CVRD Bylaw No. 4127 Electoral Area H Community Parks Capital Reserve Fund Expenditure (Phase II Bank Stabilization/Elliots Beach Park - \$25,000) Bylaw, 2017", be granted 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

**MOTION CARRIED**

**B5  
17-247** It was moved and seconded that "CVRD Bylaw No. 4127 Electoral Area H Community Parks Capital Reserve Fund Expenditure (Phase II Bank Stabilization/Elliots Beach Park - \$25,000) Bylaw, 2017", be adopted.

**MOTION CARRIED**

### **BYLAWS - ELECTORAL AREA DIRECTORS**

**6:41 PM** Director Iannidinardo declared a conflict of interest as she is an applicant regarding Item BEA1 and BEA2, and left the Boardroom at 6:41 p.m.

**BEA1  
17-248** It was moved and seconded that "CVRD Bylaw No. 4070 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Nantree/Peri Road), 2016", be granted 3<sup>rd</sup> reading.

Opposed: Directors Kuhn, Morrison, Marcotte and Salmon

**MOTION DEFEATED**

**BEA2  
17-249** It was moved and seconded that "CVRD Bylaw No. 4071 - Electoral Area I - Youbou/Meade Creek Official Zoning Amendment (Nantree/Peri Road), 2016", be granted 3<sup>rd</sup> reading.

Opposed: Directors Acton, Kuhn, Morrison, Marcotte and Salmon

**MOTION DEFEATED**

**7:18 PM** Director Iannidinardo returned to the Boardroom at 7:18 PM.

**17-250  
7:19 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 (1)(a) Electoral Area C – Cobble Hill Advisory Planning Commission appointments.

**MOTION CARRIED**

**7:20 PM** Director Nicholson and Director Iannidinardo left the meeting at 7:20 PM.

### **RISE FROM CLOSED SESSION**

**17-252  
7:23 PM** It was moved and seconded that the Board rise with report on Item CSNB1, and return to the Open portion of the meeting.

**MOTION CARRIED**

CSNB1  
17-251

It was moved and seconded that the following individuals be appointed to the Electoral Area C – Cobble Hill Advisory Planning Commission for a term expiring on November 30, 2017:

- 1. John Baty;
- 2. Tom Boughner;
- 3. Nick Hall;
- 4. Chris Kohen
- 5. Brenda Krug;
- 6. David Slade; and
- 7. Lynn Wilson.

MOTION CARRIED

**ADJOURNMENT**

17-253  
7:23 PM

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:23 PM.

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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

**From:** VIRWIC <[virwic@shaw.ca](mailto:virwic@shaw.ca)>  
**Date:** June 9, 2017 at 7:18:08 AM PDT

**Subject: Ban Clean Wood Waste from disposal or landfill**

Dear Association Vancouver Island Coastal Community Members:

The Vancouver Island Recycling and Waste Industry Coalition requests that the Association of Vancouver Island and Coastal Communities and its member Regional Districts ban clean wood waste from disposal or landfill, as Metro Vancouver has done.

The recycling industry on Vancouver Island is well positioned to recycle clean wood waste but a clear signal is needed from local governments that they will stop taking this recyclable material from going to landfill, particularly at discounted tipping fee rates that undermine our recycling businesses.

Please see attached letter for more information.

Regards,  
David  
VIRWIC administration



## Vancouver Island Recycling and Waste Industry Coalition (VIRWIC)

To: Association of Vancouver Island and Coastal Communities and all Vancouver Island Regional Districts

### **RE: Request to Ban Clean Wood Waste**

The Vancouver Island Recycling and Waste Industry Coalition (VIRWIC) is a newly formed group with a key purpose to work with local governments and other stakeholders to develop fair and effective recycling and waste management policy. We want local government to meet its recycling and solid waste objectives, the public to receive high quality service at a reasonable cost and industry to have a stable investment environment.

More information about VIRWIC can be found at [www.virwic.ca](http://www.virwic.ca)

We request that all Regional Districts ban clean wood waste from disposal as Metro Vancouver has done - <http://www.metrovancouver.org/services/solid-waste/business-institutions/clean-wood-disposal-ban/Pages/default.aspx>

### **The key benefits to banning clean wood waste from disposal are clear:**

1. Banning this high-volume material supports the waste diversion goals of all Regional Districts.
2. Recycling clean wood saves significant landfill space
3. There is a net reduction of Green House Gas (GHGs) emissions if wood waste is recycled/energy recovery versus landfilled
4. There would be limited additional activity required in the commercial, industrial and C&D streams as the incentive to sort wood waste is already encouraged.
5. Strengthens the existing wood recycling networks allowing for further small business investment and job creation.

If you have questions, please do not hesitate to contact us at [virwic@shaw.ca](mailto:virwic@shaw.ca).

Sincerely,

Dan Lazaro  
VIRWIC Co-chair





## ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD JUNE 21, 2017

**DATE:** June 26, 2017

**To:** Board of Directors

1. That a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$2,000 be provided to Cittaslow Cowichan to support their 2017 events.
2. That a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$1,000 be provided to Kaatza Historical Society to support continued fundraising for the addition of the Kaatza Station Museum.
3. That a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$500 be provided to the Cowichan Bay Improvement Association to support the upcoming Cowichan Bay Boat Festival.
4. That a non-low bid award in the amount of \$113,666 plus GST be awarded to Habitat Systems Inc. based on their proposal dated April 19, 2017, submitted in response to Request for Proposals No. 2017-PRK-001 for replacement of park playgrounds in Electoral Areas B, C, and E.
5. That Schedule 2 of CVRD Ticketing Bylaw No. 3209 be amended as set out in the May 29, 2017, Staff Report from the Inspections & Enforcement Division, to reflect recent amendments to CVRD Building Regulation Bylaw No. 3422.
6. That a Grant-in-Aid, Electoral Area A - Mill Bay/Malahat, in the amount of \$1,000 be provided to Mill Bay Community League to support their Canada 150 Dance.

***Electoral Area Directors only vote on the following under Part 14 - Planning and Land Use Management of the Local Government Act:***

7. That Application No. 01-G-17DVP (Lot 10, Skye Road) to vary Section 5.7.7 of Zoning Bylaw No. 2524 to reduce the landscape buffer from 7.5 m to 4.5 m, be denied.
8. That Application No. 02-C-17DVP (3582 Pechanga Close) to vary Section 10.3.4 of Zoning Bylaw No. 3520 to reduce the rear parcel line setback for an accessory building from 4.5 metres to 1.0 metre, be approved.
9. That consideration of Development Permit Application No. 09-B-16DP (2786 Meadowview Road) be deferred until the Ministry of Transportation and Infrastructure has confirmed in writing if it accepts the recommendations of the Hydrology Report prepared by J.E. Anderson & Associates dated February 27, 2017, and the proposed drainage ditch right-of-way.

10. That Application No. 01-G-16ALR (4001 Saltair Road/Residence for Relative) to permit the subdivision of 4001 Saltair Road be denied and not forwarded to the Agricultural Land Commission.
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  1. That Signage Development Permit with Variance Application No. 01-D-16DP/S/VAR (1681 Botwood Lane) be approved;
  2. That Section 7.1(c) of CVRD Sign Bylaw No. 1095 be varied to permit a rooftop sign; and
  3. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3605.
12.
  1. That Official Community Plan and Zoning Amendment Bylaws for Application No. 2-F-08RS (9931 South Shore Road) be forwarded to the Board for consideration of 1st and 2nd Readings;
  2. That the referrals to the Ministry of Transportation and Infrastructure, Island Health, School District 79, Lake Cowichan RCMP, Town of Lake Cowichan, Honeymoon Bay Volunteer Fire Department, Ditidaht First Nation, Lake Cowichan First Nation and Cowichan Tribes be accepted; and
  3. That a public hearing be scheduled with Directors from Electoral Areas F, I and D and other Electoral Area Directors be delegated to the hearing.
13.
  1. That Lot 5 from Subdivision Application No. 01-E-10SA (Saddleview Estates) be selected as the parcel to be transferred to the Regional District as per the terms and conditions outlined in "CVRD Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840, 1998"; and
  2. That, following transfer of ownership to the Regional District, Lot 5 from Subdivision Application No. 01-E-10SA (Saddleview Estates) be listed for public sale and the proceeds of the sale be deposited equally into the Electoral Area E and Electoral Area F Community Parks Statutory Reserve funds.
14. That the Empress Park Subdivision and Disposal Process – Electoral Area B – Shawnigan Lake, be held in abeyance at this time.



**REGIONAL SERVICES COMMITTEE REPORT  
OF MEETING HELD JUNE 28, 2017**

**DATE:** June 28, 2017

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

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Your Regional Services Committee reports and recommends as follows:

1. That the Tourism Cowichan Society Annual Work Plan for 2017 detailed in the Economic Development June 19, 2017, Staff Report be approved.
2. That an application be submitted under Sections 56 and 57 of the *Forest and Ranges Practices Act* for vacant Crown Land within the Cobble Hill Regional Recreation Area to both designate the lands for outdoor recreation and permit the CVRD to maintain trails within the parcel.
3. That the 2017 Budget for Function 131 Environmental Initiatives be amended to:
  1. Increase Federal Conditional Grants revenue by \$208,000;
  2. Increase Provincial Conditional Grants revenue by \$208,000; and
  3. Increase Flood Plain Management expense by \$416,000.





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4103

#### A Bylaw to Amend the Saltair Water System Management Bylaw No. 1763

**WHEREAS** the Board of the Cowichan Valley Regional District established the management of the *Saltair Water System* pursuant to CVRD Bylaw No. 1763, cited as "CVRD Bylaw No. 1763 – Saltair Water System Management Bylaw, 1996";

**AND WHEREAS** the Board of the Cowichan Valley Regional District deems it desirable to revise Schedule B of the 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. 4103 – Saltair Water System Management Amendment Bylaw, 2017**".

#### 2. AMENDMENT

That Undetected Leaks section, in Schedule B, be deleted and replaced with the following:

##### **UNDETECTED LEAKS:**

User Charges will be adjusted where an undetected leak on the consumer's property has resulted in water usage greatly exceeding typical usage of water, according to the applicable classification(s) and there is no indication that water was knowingly allowed to run to waste. A request may be granted if all the following conditions are met.

1. The property owner has not been granted a leak adjustment in the last 5 years;
2. The leak was repaired within 30 days of billing or discovering the leak;
3. Written verification describing the nature of the leakage and the action taken to rectify the problem must be received by the Manager before a leak adjustment will be granted.

Fee adjustments are as follows:

1. If the leak is found in the service line, the average billing at the property over the last two years, for the appropriate billing cycle, will be charged;
2. If the leak is associated with an in-home plumbing fixture or irrigation system, the average billing at the property over the last 2 years plus 50% of the water used in that period to a maximum added value of \$500 will be charged;

3. Subsequent leaks occurring within the five years of the previous leak adjustment request will be eligible for a cap of \$1500.00 per owner.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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



## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4116

#### A Bylaw to Amend the Boundaries of the Twin Cedars Sewer System Service Area

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**WHEREAS** the Board of the Cowichan Valley Regional District established the *Twin Cedars Sewer System Service Area* under the provisions of Bylaw No. 2871, cited as "CVRD Bylaw No. 2871 – Twin Cedars 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 property:

- PID: 017-996-783, Lot 1, Section 12, Range 5, Shawnigan Land District, VIP 55417;

**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 C – Cobble Hill 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. 4116 – Twin Cedars Sewer System Service Amendment (Boundary Extension) Bylaw, 2017**".

2. **AMENDMENT**

That Bylaw No. 2871 be amended by deleting the existing Schedule A and replacing it with the Schedule A attached to this bylaw.

.../2

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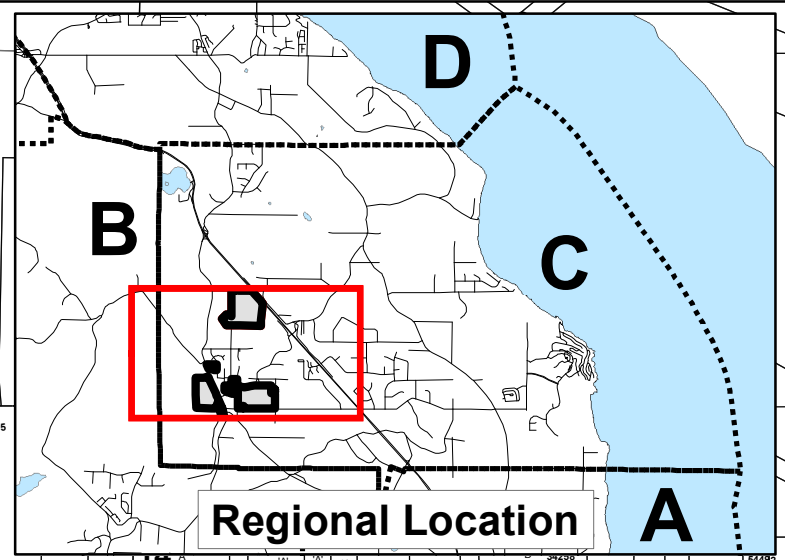
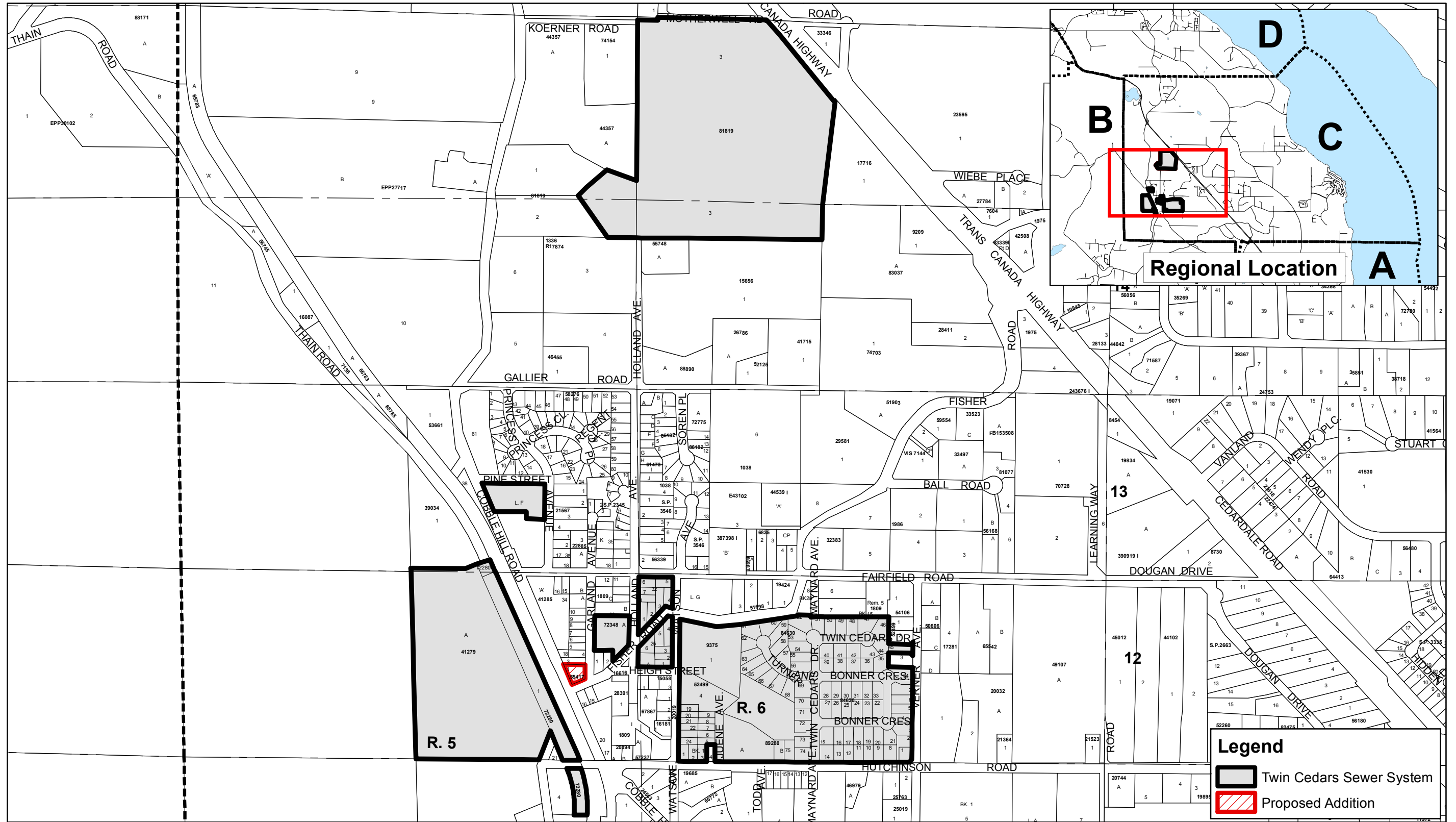
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READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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





Schedule A to "CVRD Bylaw No. 2871 - Twin Cedars Sewer System Service Establishment Bylaw, 2006". As Amended by Bylaw No. 4116. Adopted, \_\_\_\_\_, 2017.





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4126

#### A Bylaw to Establish Various Procedures for the Conduct of Local Government Elections and Assent Voting

---

**WHEREAS** under the *Local Government Act*, (the *Act*), the Board of Directors of the Cowichan Valley Regional District may, by bylaw, determine various procedures and requirements to be applied to the conduct of local government elections and assent voting;

**AND WHEREAS** the Board wishes to establish voting procedures and requirements under that authority;

**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. 4126 – Election and Assent Voting Procedures Bylaw, 2017**".

#### 2. DEFINITIONS

**Board** means the Board of Directors of the Cowichan Valley Regional District;

**CEO** means the Chief Election Officer.

#### 3. PROVINCIAL LIST OF VOTERS

The most current available Provincial list of voters prepared under the *Election Act* that is available at the time of an election or assent voting shall become the register of resident electors for Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F – Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek; on the 52<sup>nd</sup> day prior to the general voting day for such election or assent voting.

#### 4. ADDITIONAL GENERAL VOTING OPPORTUNITIES

The Board authorizes the CEO to establish additional general voting opportunities for general voting day and to designate the voting places and set the voting hours.

#### 5. REQUIRED ADVANCE VOTING OPPORTUNITIES

Advance voting opportunities must be held for each election and for assent voting from 8:00 AM to 8:00 PM on the 10<sup>th</sup> and 4<sup>th</sup> days before general voting day.

**6. ADDITIONAL ADVANCE VOTING OPPORTUNITIES**

The CEO is authorized to establish dates for additional voting opportunities in advance of general voting day and to designate the voting places and set the voting hours for these voting opportunities.

**7. MAIL BALLOT VOTING**

Voting by mail ballot and elector registration by mail in conjunction with mail ballot voting are authorized for an elector who:

- (a) has a physical disability, illness or injury that affects their ability to vote at a voting place; or
- (b) resides in the following remote areas of the Regional District:
  - (i) the extreme western portion of Electoral Area F - Cowichan Lake South/Skutz Falls situated west of the E&N Land Grant boundary; or
  - (ii) on an island located within Electoral Area G – Saltair/Gulf Islands; or
- (c) expects to be absent from the Regional District on general voting day and at the times of all advance voting opportunities.

**8. MAIL BALLOT VOTING TIME LIMITS**

The CEO is authorized to establish time limits in relation to mail ballot voting.

**9. MAIL BALLOT VOTING PROCEDURES**

Notwithstanding the requirements under the *Act*, procedures for mail ballot voting are set out in Schedule A to this bylaw.

**10. AUTOMATED VOTE COUNTING SYSTEM**

The CEO may use automated vote counting machines, voting recorders or other devices for voting in an election.

**11. AUTOMATED VOTE COUNTING PROCEDURES**

Notwithstanding the requirements under the *Act*, if an automated vote counting system is used, procedures for using such systems are set out in Schedule B to this bylaw.

**12. RESOLUTION OF TIE VOTE AFTER JUDICIAL RECOUNT**

In the event of a tie vote after the completion of a judicial recount, the results will be determined by lot.

**13. REPEAL**

The following bylaws, and amendments thereto, are hereby repealed:

- a) "CVRD Bylaw No. 1981 – Mail Ballot Authorization and Procedure Bylaw, 1999";
- b) "CVRD Bylaw No. 2277 – Elections/Voting Procedures Bylaw, 2001"; and

c) "CVRD Bylaw No. 3508 – Automated Vote Counting System Authorization and Procedures Bylaw, 2011".

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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



**SCHEDULE A**  
**TO CVRD BYLAW NO. 4126**  
**MAIL BALLOT VOTING**

**1. APPLICATION PROCEDURE:**

A person wishing to vote by mail ballot shall apply by giving their name and mailing address to the CEO, or designate, and a mail ballot package will be made available to eligible applicants.

**2. VOTING PROCEDURE**

To vote using a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the CEO. After marking the ballot, the elector shall:

- (a) place the ballot in the secrecy envelope provided and seal the secrecy envelope;
- (b) place the sealed secrecy envelope in the return envelope; complete and sign the Qualification Check List / Declaration Form; and place the completed form in the return envelope;
- (c) place a completed elector registration application, if required, in the return envelope, and then seal the return envelope;
- (d) mail, or have delivered, the return envelope and its contents to the CEO at the address specified so that it is received **no later than** the close of voting on general voting day.

**3. BALLOT ACCEPTANCE OR REJECTION**

- a) Upon receipt of the outer envelope and its contents, the CEO or designate shall record the date of such receipt and shall then open the return envelope and remove and examine the Qualification / Declaration Form and the completed elector registration application form(s), and determine if the package is accepted or rejected.
- b) If satisfied as to:
  - I. the identity and entitlement to vote of the elector whose ballot is enclosed;
  - II. the completeness of the Qualification / Declaration Form; and
  - III. the fulfilment of the requirements of the *Local Government Act* in the case of a person who is registering as a new elector; then

the CEO, or designate, shall mark the return envelope as "accepted", and shall place the secrecy envelope in a ballot box in accordance with *the Act*.

- c) At the close of general voting, the ballot box shall be opened under the supervision of the CEO, or designate, and in the presence of at least one (1) other person and any scrutineers present.
- d) Rejected secrecy envelopes and their contents shall remain unopened and be subject to the retention and destruction of election materials as per the *Act*.

**4. CHALLENGE OF ELECTOR**

Sufficient records will be kept by the CEO so that challenges of the elector's right to vote may be made in accordance with the intent of the *Act*.



## SCHEDULE B

### TO CVRD BYLAW NO. 4126

#### AUTOMATED VOTE COUNTING SYSTEM PROCEDURES

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#### 1. DEFINITIONS

The following terms have the following meanings:

**Acceptable mark** means a mark which the **vote counting unit** is able to identify, which has been made by an elector in the space provided on the **ballot** opposite the name of any candidate or opposite either "yes" or "no" on any assent voting question.

**Automated vote counting system** means a system that counts and records votes and processes and stores election results which comprises:

- a) a number of **ballot scan vote counting units**, each of which rests on a two-compartment **ballot** box, one compartment of which is for:
  - (i) voted ballots; and
  - (ii) returned ballots which have been reinserted using the ballot override procedure; and
- b) a number of **storage ballots in a temporary compartment** into which voted **ballots** are deposited where a **vote counting unit** is not functioning or being used which will therefore be counted after the close of voting on general voting day.

**Ballot** means a single ballot card designed for use in an **automated vote counting system**, which shows:

- a) the names of all of the candidates for each of the offices to be filled; and
- b) all of the choices on all of the bylaws or other matters on which the opinion or assent of the electors is sought.

**Ballot return override procedure** means an Election Official may manually cause the unit to accept a **returned ballot in a vote counting unit**.

**Election headquarters** means the Cowichan Valley Regional District office located at 175 Ingram Street, Duncan, British Columbia.



**Memory pack**, means a computer software cartridge which is inserted into the **vote counting unit** and into which is pre-programmed the names of all the candidates for each of the offices to be filled, and the alternatives of "yes" or "no" for each question on the **ballot**, and which records and retains information on the number of acceptable marks made for each.

**PEO** means the Presiding Election Official.

**Results tape** means the printed record generated from a **vote counting unit** at the close of voting on general voting day, which shows the number of votes for each candidate for each of the offices to be filled, and the number of votes for and against each bylaw or other matter on which the assent of the electors is sought.

**Returned ballot** means a voted **ballot** which was inserted into the **vote counting unit**, but which was not accepted and which was returned to the elector with an explanation of the **ballot** marking error which caused the **ballot** not to be accepted.

**Secrecy sleeve** means an open-ended folder or envelope used to cover **ballots** to conceal the choices made by each elector.

**Storage ballot compartment** means a designed compartment in the ballot box under each **vote counting unit** into which voted **ballots** are temporarily deposited in the event that the unit ceases to function. It also means a ballot box, for use in the election, where a **vote counting unit** is not being used at the time of voting.

**Vote counting unit** means the device into which voted **ballots** are inserted and which scans each **ballot** and records the number of votes for each candidate and for and against each assent voting question.

## 2. PROCEDURES

1. The PEO for each voting place shall offer, and if requested, ensure that a demonstration of how to vote using a **vote counting unit** is provided to an elector, as soon as such elector enters the voting place and before a **ballot** is issued.
2. Upon completion of the voting demonstration, if any, the elector shall proceed as instructed, to the Election Official responsible for issuing **ballots**, who, upon fulfillment of the requirements of the *Local Government Act*, shall then provide a **ballot** to the elector, a **secrecy sleeve** if requested by the elector, the ballot marking instrument, and any further instructions the elector requests.
3. Upon receiving a **ballot** the elector shall immediately proceed to a voting compartment to vote.
4. The elector may vote only by making an **acceptable mark** on the **ballot**:
  - a) beside the name of each candidate of choice, up to the maximum number of candidates to be elected for each of the offices to be filled; and
  - b) beside either 'yes' or 'no' in the case of each bylaw or other matter on which the assent or opinion of the electors is sought.

5. Once the elector has finished marking the **ballot**, the elector must either place the **ballot** into the **secrecy sleeve**, if one has been requested, or turn the ballot upside down and proceed to the **vote counting unit**, and under the supervision of the Election Official in attendance, insert the **ballot** directly from the **secrecy sleeve**, if applicable, into the **vote counting unit** without the **acceptable marks** on the **ballot** being exposed.
6. If, before inserting the **ballot** into the **vote counting unit**, an elector determines that a mistake has been made when marking the **ballot**, or if the **ballot** is returned by the **vote counting unit**, the elector may return to the voting compartment to correct the ballot or request a replacement **ballot** by informing the Election Official in attendance.
7. Upon being informed of the replacement **ballot** request, the PEO shall issue a replacement **ballot** to the elector and mark the **returned ballot** "spoiled" and shall retain all such spoiled **ballots** separately from all other **ballots**, and they shall not be counted in the election.
8. If the elector declines the opportunity to obtain a replacement **ballot** and has not damaged the **ballot** to the extent that it cannot be reinserted into the **vote counting unit**, the Election Official shall, using the **ballot return override procedure**, reinsert the **returned ballot** into the **vote counting unit** to count any **acceptable marks** which have been made correctly.
9. Any **ballot** counted by the **vote counting unit** is valid and any acceptable marks contained on such **ballots** will be counted in the election, subject to any determination made under a judicial recount.
10. Once the **ballot** has been inserted into the **vote counting unit** and the unit indicates that the **ballot** has been accepted, the elector must immediately leave the voting place.
11. During any period that a **vote counting unit** is not functioning, the Election Official supervising the unit shall insert all **ballots** delivered by the electors during this time, into the **storage ballot compartment**, on the understanding that if the **vote counting unit**:
  - a) becomes operational, or
  - b) is replaced with another **vote counting unit**,
 the **ballots** in the **storage ballot compartment** shall, as soon as reasonably possible, be removed by an Election Official and, under the supervision of the PEO, shall be inserted into the **vote counting unit** to be counted.
12. Any **ballots** which were temporarily stored in the **storage ballot compartment** during a period when the **vote counting unit** was not functioning, which are returned by the **vote counting unit** when being counted shall, through the use of the **ballot return override procedure** and under the supervision of the PEO, be reinserted into the **vote counting unit** to ensure that any **acceptable marks** are counted.

### 3. ADVANCE & SPECIAL VOTING OPPORTUNITY PROCEDURES

1. At the close of voting at each advance or special voting opportunity, the PEO in each case shall ensure that:
  - a) no additional **ballots** are inserted in the **vote counting unit**;
  - b) the **storage ballot compartment** is empty of any **ballots**;
  - c) the **results tapes** in the **vote counting unit** are not generated; and
  - d) the **memory pack** of the **vote counting unit** is secured.

2. At the close of voting at the final advance or special voting opportunity, the PEO shall:
  - a) ensure that any remaining **ballots** in the **storage ballot compartment** are inserted into the **vote counting unit**;
  - b) secure the **vote counting unit** so that no more **ballots** can be inserted; and
  - c) deliver the **vote counting unit** together with the **memory pack** and all other materials used in the election to the CEO at **election headquarters**.

#### 4. PROCEDURES AFTER CLOSE OF VOTING ON GENERAL VOTING DAY

After the close of voting on general voting day, each PEO, including those responsible for advance and special voting opportunities, shall undertake the procedures for counting the votes pursuant to the *Act*, including all of the following:

- a) ensure that any remaining **ballots** in the **storage ballot compartment** are inserted into the **vote counting unit**;
- b) secure the **vote counting unit** so that no more **ballots** can be inserted;
- c) generate three copies of the **results tape** from the **vote counting unit**; and
- d) telephone the result to **election** headquarters immediately;
- e) deliver the vote counting unit together with the memory pack and all other materials used in the election to the CEO at election headquarters.





**COWICHAN VALLEY REGIONAL DISTRICT  
BYLAW No. 4129**

**A Bylaw to Amend Electoral Area I – Youbou/Meade Creek Critical Location  
Streetlighting Service Establishment Bylaw No. 2144**

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Electoral Area I – Youbou Meade Creek Critical Streetlighting Service Area* under the provisions of Bylaw No. 2144, cited as "CVRD Bylaw No. 2144 – Youbou/Meade Creek Critical Streetlighting Service Establishment Bylaw, 2000", as amended;

**AND WHEREAS** the Regional District wishes to amend Bylaw No. 2144 by increasing the maximum annual requisition limit from \$1,245 to \$1,555;

**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. 4129 – Electoral Area I – Youbou/Meade Creek Critical Streetlighting Service Amendment Bylaw, 2017**".

2. **AMENDMENT**

That CVRD Bylaw No. 2144 be amended by deleting: "One Thousand Two Hundred Forty-Five Dollars (\$1,245)", as it appears in the third Whereas clause in the Preamble of the Bylaw and in the first paragraph under Section 5 – Cost Recovery; and replacing it with the following: "One Thousand Five Hundred Fifty-Five Dollars (\$1,555)".

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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





**COWICHAN VALLEY REGIONAL DISTRICT  
BYLAW No. 4130**

**A Bylaw to Amend Arbutus Mountain Estates Water System Service  
Establishment Bylaw No. 2987**

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Arbutus Mountain Estates Water System Service Area* under the provisions of Bylaw No. 2987, cited as "**CVRD Bylaw No. 2987 – Arbutus Mountain Estates Water System Service Establishment Bylaw, 2007**";

**AND WHEREAS** the Regional District wishes to amend Bylaw No. 2987 by increasing the maximum annual requisition limit from \$90,000 to \$112,410;

**AND WHEREAS** the Director for Electoral Area B – Shawnigan Lake 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. 4130 – Arbutus Mountain Estates Water System Service Amendment Bylaw, 2017**".

2. **AMENDMENT**

That CVRD Bylaw No. 2987 be amended by deleting the following: "Ninety Thousand Dollars (\$90,000)", as it appears under Section 6 – Maximum Requisition; and replacing it with the following: "One Hundred Twelve Thousand Four Hundred Ten Dollars (\$112,410)".

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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







## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4118

#### A Bylaw for the Purpose of Amending South Cowichan Zoning Bylaw No. 3520 Applicable to Electoral Area A – Mill Bay/Malahat and Electoral Area C – Cobble Hill

**WHEREAS** the *Local Government Act*, hereafter referred to as the "Act", 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 and Electoral Area C – Cobble Hill, that being South Cowichan Zoning Bylaw No. 3520;

**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. 3520;

**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. 4118 – South Cowichan Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

South Cowichan Zoning Bylaw No. 3520 is hereby amended in the following manner:

- a) Section 3.1 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 3.1 is amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

.../2

**“Cannabis (commercial – non-medical) growing and processing”** means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
  - b. the growing of cannabis by an individual for their personal use and consumption;
- c) The following prohibited uses are added to Section 4.2.2:
- k. cannabis (commercial - non-medical) growing and processing;
  - l. retail or wholesale sale or distribution of cannabis or cannabis products;
  - m. the use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.

- d) Section 4.23 is amended by deleting the clause:

“except for Bamberton Light Industrial 1A and Light Industrial 1B;”

and replacing it with the following:

“except for lands that lie within the ALR;”

- e) Section 4.23 is further amended by replacing “*Marihuana for Medical Purposes Regulation*” with “*Access to Cannabis for Medical Purposes Regulations*”;
- f) The following is added after Section 4.24:

#### **4.25 Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
  - b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
  - c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
  - d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.
- g) Section 13.2.1 (I-1A Zone) is amended by adding the following as a permitted use, and relabeling all alphabetically subsequent permitted uses as appropriate:
- j. medical marihuana growing and processing.
- h) Section 13.3.1 (I-1B Zone) is amended by adding the following as a permitted use, and relabeling all alphabetically subsequent permitted uses as appropriate:
- j. medical marihuana growing and processing.

3. **FORCE AND EFFECT**

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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





**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 4119**

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

---

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area B – Shawnigan Lake, that being Zoning Bylaw No. 985;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 985;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4119 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

2. **AMENDMENTS**

Electoral Area B Zoning Bylaw No. 985 is hereby amended in the following manner:

- a) Section 3.1 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 3.1 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

“**Cannabis (commercial – non-medical) growing and processing**” means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
  - b. the growing of cannabis by an individual for their personal use and consumption.
- c) The following is added after Section 4.6:  
The following uses are prohibited in all zones under this Bylaw, unless explicitly permitted elsewhere in this Bylaw:
- a. cannabis (commercial - non-medical) growing and processing;
  - b. retail or wholesale sale or distribution of cannabis or cannabis products;
  - c. the use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.
- d) Section 5.21(a) is amended by adding the following to the end of the regulation:  
“and on lands that lie within the ALR;”
- e) Section 5.21(a) is further amended by replacing “*Medical for Medical Purposes Regulation*” with “*Access to Cannabis for Medical Purposes Regulations*”;
- f) The following is added after Section 5.25:

### **5.26 Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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







## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4120

#### A Bylaw for the Purpose of Amending Electoral Area D Upland Zoning Bylaw No. 3705 Applicable to a Specified Portion of Electoral Area D – Cowichan Bay

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for non-marine areas of Electoral Area D – Cowichan Bay, that being Zoning Bylaw No. 3705;

**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. 3705;

**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. 4120 – Electoral Area D – Cowichan Bay Upland Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

Electoral Area D – Cowichan Bay Upland Zoning Bylaw No. 3705 is hereby amended in the following manner:

- a) Section 1.4 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 1.4 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

.../2

“**Cannabis (commercial – non-medical) growing and processing**” means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
  - b. the growing of cannabis by an individual for their personal use and consumption.
- c) The following uses are added to Section 2.1.2 in alphabetical order, relabeling as required all other uses:
- q. Cannabis (commercial - non-medical) growing and processing;
  - r. Retail or wholesale sale or distribution of cannabis or cannabis products;
  - s. Use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.
- d) Section 2.1.2 is further amended by deleting:

“Medical marihuana processing pursuant to the Government of Canada’s *Marihuana for Medical Purposes Regulation*;

and replacing it with the following:

“Medical marihuana processing pursuant to the Government of Canada’s *Access to Cannabis for Medical Purposes Regulations*, except for lands that lie within the ALR;”

- e) The following is added after Section 2.1.23:

#### **24. Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4121

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

**WHEREAS** the *Local Government Act*, hereafter referred to as the "Act", 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, in open meeting assembled, enacts as follows:

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4121 – Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

Electoral Area E - Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is hereby amended in the following manner:

- a) Section 3.1 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 3.1 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

.../2

**“Cannabis (commercial – non-medical) growing and processing”** means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
- b. the growing of cannabis by an individual for their personal use and consumption.

- c) Section 4.9 is amended by adding the following sentence at the end:

For additional clarity, among the prohibited uses are: cannabis (commercial - non-medical) growing and processing; retail or wholesale sale or distribution of cannabis or cannabis products; and use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.

- d) Section 5.31(a) is amended by deleting:

“Medical marihuana processing pursuant to the Government of Canada’s *Marihuana for Medical Purposes Regulation* is prohibited on all parcels except for those parcels that are located in a zone where it is explicitly permitted;”

and replacing it with the following:

“Medical marihuana processing pursuant to the Government of Canada’s *Access to Cannabis for Medical Purposes Regulations* is prohibited on all parcels, except for those parcels that are located in a zone where it is explicitly permitted and parcels that lie within the ALR;”

- e) The following is added after Section 5.32:

5.32. Commercial Cannabis Regulations

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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







## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4122

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

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area F – Cowichan Lake South/Skutz Falls, that being Zoning Bylaw No. 2600;

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

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

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

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4122 – Electoral Area F – Cowichan Lake South/Skutz Falls Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

Electoral Area F Zoning Bylaw No. 2600 is hereby amended in the following manner:

- a) Section 1.3 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 1.3 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

.../2

“**Cannabis (commercial – non-medical) growing and processing**” means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
- b. the growing of cannabis by an individual for their personal use and consumption.

- c) Section 2.3.1 is amended by adding the following sentence at the end:

For additional clarity, among the prohibited uses are: cannabis (commercial - non-medical) growing and processing; retail or wholesale sale or distribution of cannabis or cannabis products; and use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.

- d) Section 3.29(a) is amended by deleting:

“Medical marihuana processing pursuant to the Government of Canada’s *Marihuana for Medical Purposes Regulation* is prohibited on all parcels except for those parcels that are located in a zone where it is explicitly permitted;”

and replacing it with the following:

“Medical marihuana processing pursuant to the Government of Canada’s *Access to Cannabis for Medical Purposes Regulations* is prohibited on all parcels, except for those parcels that are located in a zone where it is explicitly permitted and parcels that lie within the ALR;”

- e) The following is added after Section 3.30:

### **3.31 Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4123

#### A Bylaw for the Purpose of Amending Electoral Area G Zoning Bylaw No. 2524 Applicable to Electoral Area G – Saltair/Gulf Islands

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area G – Saltair/Gulf Islands, that being Zoning Bylaw No. 2524;

**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. 2524;

**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. 4123 – Electoral Area G – Saltair/Gulf Islands Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

Electoral Area G – Saltair/Gulf Islands Zoning Bylaw No. 2524 is hereby amended in the following manner:

- a) Section 1.3 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 1.3 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

.../2

“**Cannabis (commercial – non-medical) growing and processing**” means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
- b. the growing of cannabis by an individual for their personal use and consumption;

c) The following is added after Section 3.31:

### **3.32 Prohibitions**

1. Any use not expressly permitted in this Bylaw is prohibited. For additional clarity, among the prohibited uses are: cannabis (commercial - non-medical) growing and processing; retail or wholesale sale or distribution of cannabis or cannabis products; and use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.
2. Non-conforming uses of land, buildings and structures, as well as siting, size or dimensions of buildings and structures are governed by the provisions of the *Local Government Act*.

d) Section 3.30(a) is amended by deleting:

“Medical marihuana processing pursuant to the Government of Canada’s *Marihuana for Medical Purposes Regulation* is prohibited on all parcels except for those parcels that are located in a zone where it is explicitly permitted;”

and replacing it with the following:

“Medical marihuana processing pursuant to the Government of Canada’s *Access to Cannabis for Medical Purposes Regulations* is prohibited on all parcels, except for those parcels that are located in a zone where it is explicitly permitted and parcels that lie within the ALR;”

e) The following is added after Section 3.32:

### **3.33 Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_ , 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_ , 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_ , 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ , 2017.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary







## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4124

#### A Bylaw for the Purpose of Amending Electoral Area H Zoning Bylaw No. 1020 Applicable to Electoral Area H – North Oyster/Diamond

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area H – North Oyster/Diamond, that being Zoning Bylaw No. 1020;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1020;

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

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4124 – Electoral Area H – North Oyster/Diamond Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

Electoral Area H – North Oyster/Diamond Zoning Bylaw No. 1020 is hereby amended in the following manner:

- a) Section 3.1 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 3.1 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

...2/

“**Cannabis (commercial – non-medical) growing and processing**” means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
  - b. the growing of cannabis by an individual for their personal use and consumption.
- c) The following is added after Section 4.6:

#### **4.7 Prohibitions**

1. Any use not expressly permitted in this Bylaw is prohibited. For additional clarity, among the prohibited uses are: cannabis (commercial - non-medical) growing and processing; retail or wholesale sale or distribution of cannabis or cannabis products; and use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.
2. Non-conforming uses of land, buildings and structures, as well as siting, size or dimensions of buildings and structures are governed by the provisions of the *Local Government Act*.

- d) Section 5.23(a) is amended by deleting:

“Medical marihuana processing pursuant to the Government of Canada’s *Marihuana for Medical Purposes Regulation* is prohibited on all parcels except for those parcels that are located in a zone where it is explicitly permitted;”

and replacing it with the following:

“Medical marihuana processing pursuant to the Government of Canada’s *Access to Cannabis for Medical Purposes Regulations* is prohibited on all parcels, except for those parcels that are located in a zone where it is explicitly permitted and parcels that lie within the ALR;”

- e) The following is added after Section 5.25:

#### **5.26 Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

.../3

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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





## COWICHAN VALLEY REGIONAL DISTRICT

### BYLAW No. 4125

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

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area I – Youbou/Meade Creek, that being Zoning Bylaw No. 2465;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 2465;

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

#### 1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4125 – Electoral Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Cannabis Regulations), 2017**".

#### 2. AMENDMENTS

Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 is hereby amended in the following manner:

- a) Section 1.3 is amended by deleting the definition of agriculture and replacing it with the following:

**"Agriculture"** means growing, rearing, producing or harvesting agricultural crops or livestock and includes the processing on a parcel of the primary agricultural products harvested, reared or produced on that parcel and the use and storage of associated farm machinery, implements and agricultural supplies, but excludes cannabis (commercial – non-medical) growing and processing;

- b) Section 1.3 is further amended by adding the following definitions in alphabetical order:

**"Cannabis"** means any plant of the genus *Cannabis*;

**"Cannabis products"** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

.../2

“**Cannabis (commercial – non-medical) growing and processing**” means the commercial cultivation, harvesting, processing, packaging, storage or distribution of cannabis or cannabis products, but excludes:

- a. medical marihuana growing and processing, and
  - b. the growing of cannabis by an individual for their personal use and consumption;
- c) Section 2.3.1 is amended by adding the following at the end:

For additional clarity, among the prohibited uses are: cannabis (commercial - non-medical) growing and processing; retail or wholesale sale or distribution of cannabis or cannabis products; and use of a building for the service to customers of cannabis or cannabis products for their on-site consumption.

- d) Section 3.27(a) is amended by deleting:

“Medical marihuana processing pursuant to the Government of Canada’s *Marihuana for Medical Purposes Regulation* is prohibited on all parcels except for those parcels that are located in a zone where it is explicitly permitted;”

and replacing it with the following:

“Medical marihuana processing pursuant to the Government of Canada’s *Access to Cannabis for Medical Purposes Regulations* is prohibited on all parcels, except for those parcels that are located in a zone where it is explicitly permitted;”

- e) The following is added after Section 3.28:

### **3.29 Commercial Cannabis Regulations**

Where cannabis (commercial – non-medical) growing and processing is permitted in a zone, the use is subject to the following regulations:

- a. the commercial cannabis grower must be in possession of a valid cannabis growing license from the Government of Canada and be consistently operating in full conformity with all of the conditions of that license;
- b. if the cannabis is grown out of doors, no part of the crop shall be located less than 30 metres from a parcel line;
- c. if the cannabis is grown indoors, all buildings, structures or greenhouses used for that purpose shall be located not less than 30 metres from all parcel lines;
- d. no parcel used for cannabis (commercial – non-medical) growing and processing shall be located within 300 metres of a park, school, daycare, residential or rural residential zone, park zone, institutional zone, comprehensive zone or mixed use zone.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chairperson

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







# STAFF REPORT TO THE BOARD

**DATE OF REPORT** June 26, 2017

**MEETING TYPE & DATE** Board Meeting of June 28, 2017

**FROM:** Water Management Division  
Engineering Services Department

**SUBJECT:** 2017 Five Year Financial Plan Amendment – Function 810 Mesachie Lake Sewer

**FILE:** 0550-01

## PURPOSE/INTRODUCTION

The purpose of this report is to request amendments to the 2017 Five Year Financial Plan for Function 810 Mesachie Lake Sewer.

## RECOMMENDED RESOLUTION

That the 2017 Five Year Financial Plan for Function 810 Mesachie Lake Sewer be amended to:

- 1) Increase Debt Proceeds revenue by \$51,226
- 2) Increase Capital expense by \$51,226
- 3) Increase Long Term Debt Interest expense by \$2,000
- 4) Decrease Sludge Disposal expense by \$2,000

## BACKGROUND

Earlier this year, the Cowichan Valley Regional District (CVRD) was awarded \$1.23 million from the Clean Water and Wastewater Fund towards the Phase 1 upgrade project for the Mesachie Lake Sewer system. This grant covers 83% of the total project cost (\$1,477,793). The remaining 17% (\$251,226) must be funded by the customers of the system, as required by conditions of the grant. In March 2017, a budget amendment occurred, which increased borrowing and capital by \$200,000. Further analysis has been completed and it is recommended to borrow the complete 17% contribution of \$251,226. Therefore another amendment is required to increase the Debt Proceeds, and recognize the increased debt costs and capital costs. A public approval process for this borrowing will be required.

## ANALYSIS

Due to grant time constraints, and the need to properly provide for project contingencies, it is necessary to increase the budget for the wastewater treatment and collection upgrade project. The Water Management Division would like to take advantage of the full borrowing potential and borrow up to the total amount of the customer-funded portion, \$251,226 thereby increasing the capital cost, as well as debt proceeds, by \$51,226. Phase 2 of the project is anticipated in 2019 and the Five Year Financial Plan has been amended to reflect these capital costs and debt payments.

## FINANCIAL CONSIDERATIONS

The 2017 Budget has the capacity to fund the estimated \$2,010 interest payment. The \$251,226 is anticipated to be borrowed for a maximum term of 25 years, with principal and interest payments of \$16,944. The principal and interest payments would begin in 2018 and would be recovered through parcel tax.

**COMMUNICATION CONSIDERATIONS**

Liaise with the community regarding the project and public approval process for borrowing.

**STRATEGIC/BUSINESS PLAN CONSIDERATIONS**

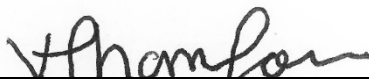
Water Management budgets fall under essential reliable services.

Referred to (upon completion):

- Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- Engineering Services (*Environmental Services, Water Management, Recycling & Waste Management*)
- Land Use Services (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

Prepared by:

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 Not Applicable  
 Not Applicable

  
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Reviewed for Form and Content and Approved for Submission to the Board:  
Chief Administrative Officer's Comments / Concurrence

  
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 Mark Kueber, CPA, CGA  
 A/CAO

**ATTACHMENTS:**  
Attachment A – N/A  
Attachment B – N/A