



ELECTORAL AREA SERVICES COMMITTEE MEETING AGENDA

WEDNESDAY, MARCH 1, 2017
BOARD ROOM
175 INGRAM STREET, DUNCAN, BC

1:30 PM

	<u>PAGE</u>
1. <u>APPROVAL OF AGENDA</u>	
2. <u>ADOPTION OF MINUTES</u>	
M1 Regular Electoral Area Services Committee meeting of February 15, 2017	1
Recommendation That the minutes of the Regular Electoral Area Services Committee meeting of February 15, 2017, be adopted.	
3. <u>BUSINESS ARISING FROM THE MINUTES</u>	
4. <u>DELEGATIONS</u>	
5. <u>CORRESPONDENCE</u>	
C1 Grant-in-Aid Request, Electoral Area A - Mill Bay/Malahat, Re: Frances Kelsey Secondary School Dry Grad 2017	11
Recommendation That it be recommended to the Board that a Grant-in-Aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$500 be provided to Frances Kelsey Secondary School Dry Grad 2017 to support the Dry Grad Event.	
C2 Grant-in-Aid Request, Electoral Area C - Cobble Hill, Re: Frances Kelsey Secondary School Dry Grad 2017	13
Recommendation That it be recommended to the Board that a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$500 be provided to Frances Kelsey Secondary School Dry Grad 2017 to support the Dry Grad Event.	

- C3 Grant-in-Aid Request, Electoral Area C - Cobble Hill, Re: Cobble Hill Event Society 15

Recommendation That it be recommended to the Board that a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$20,000 be provided to Cobble Hill Event Society to support the 2017 Cobble Hill Events.

6. INFORMATION

- IN1 1. Area B - Advisory Planning Commission Minutes - February 2, 2017 17
2. South Cowichan Joint Advisory Planning Commission Minutes - February 2, 2017
3. Area D - Parks Commission Minutes - January 16, 2017

Recommendation For information.

7. REPORTS

- R1 Application No. 02-D-17DP/VAR (4377 Wood Road) - Committee Report from Development Services Division 21

Recommendation That it be recommended to the Board:
1. That Development Permit with Variance Application No. 02-D-17DP/VAR be approved;
2. That Section 5.5 (4)(b) of Zoning Bylaw No. 3705 be varied from 3 metres to 1.5 metres; and,
3. 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. 3605.

- R2 Application No. 01-D-16RS (4705 and 4715 Trans-Canada Highway) - Committee Report from Development Services Division 47

Recommendation That it be recommended to the Board:
1. That the Zoning Amendment Bylaw for Application No. 01-D-16RS be forwarded to the Board for consideration of 1st and 2nd reading;
2. That the referrals to Ministry of Transportation and Infrastructure, Island Health, Agricultural Land Commission, Cowichan Bay Volunteer Fire Department, RCMP (Duncan Detachment), and Cowichan Tribes be accepted; and
3. That a public hearing be scheduled with Directors from Electoral Areas D, E and C as delegates.

- R3 Saltair Community Society Recreation Services Funding Request - Committee Report from Parks & Trails Division 85

Recommendation That it be recommended to the Board that the Saltair Community Society be provided \$10,000 from the 2017 budget for Function 456 Saltair Recreation under the terms of the Recreation Services Agreement.

That it be recommended to the Board that the 2017 budget for Function 456 Saltair Recreation be amended to:

1. Increase Program Supplies expense by \$7,000;
2. Increase Surplus by \$7,000.

- R4 Proposed Permanent Change to Liquor Licence (10298 South Shore Road) - Committee Report from Inspection & Enforcement Division 111

Recommendation That it be recommended to the Board that the Cowichan Valley Regional District "Opt Out" of providing comment and leave complete reliance on the Liquor Control and Licensing Branch to manage and take full responsibility of this licence for March Meadows Golf Club (Honeymoon Bay Enterprises Ltd) located at 10298 South Shore Road, Honeymoon Bay (Licence # 177851).

- R5 Additional Plumbing Fixture Request (2868 Renfrew Road - Area B) 121

Recommendation That it be recommended to the Board that the request by Craig Partridge to allow a shower, in addition to the permitted sink and toilet, within an accessory building at 2868 Renfrew Road, be approved.

- R6 January 2017 Building Report - Verbal Report from Robert Blackmore, Manager, Inspection & Enforcement Division 127

Recommendation For information.

- R7 January 2017 Bylaw Enforcement Report - Verbal Report from Robert Blackmore, Manager, Inspection & Enforcement Division 133

Recommendation For information.

- R8 Dog Regulation Bylaw - Committee Report from Inspection & Enforcement Division 137

Recommendation For direction.

- R9 Departmental Name - Committee Report from General Manager, Planning & Development Department 141

Recommendation For information.

8. UNFINISHED BUSINESS

- UB1 Comparison of Existing Parks Commission Bylaws and Proposed Community Parks Advisory Commissions Bylaw - from Legislative Services Division 143

9. NEW BUSINESS

- NB1 Correspondence dated February 23, 2017, from Current Residents of Phase 3 Inwood Creek Estates, Re: Fencing Requirements for Phase 3 of Inwood Creek Estates 151

Recommendation For Information.

10. QUESTION PERIOD

11. 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 Electoral Area Services Committee Minutes of February 15, 2017

- CS R1 - Committee Report from the Parks & Trails Division, Re: Potential Litigation {Sub (1)(g)}

- CS R2 - Verbal Report from Manager, Development Services Division, Re: Legal Enforcement {Sub (1)(f)}

12. ADJOURNMENT

The next Electoral Area Services Committee Meeting will be held Wednesday, March 15, 2017 at 1:30 PM, in the Board Room, 175 Ingram Street, Duncan, BC.

Committee Members

Director I. Morrison, Chairperson
Director M. Marcotte, Vice-Chairperson
Director M. Clement

Director K. Davis
Director M. Dorey
Director S. Furstenau

Director L. Iannidinardo
Director K. Kuhn
Director A. Nicholson

Minutes of the Electoral Area Services Committee Meeting held on Wednesday, February 15, 2017 in the Board Room, 175 Ingram Street, Duncan BC at 10:00 AM.

PRESENT: Director I. Morrison, Chair
 Director M. Marcotte, <after 10:26 AM>
 Director K. Davis
 Director S. Furstenau
 Director M. Clement <until 5:26 PM>
 Director L. Iannidinardo
 Director A. Nicholson
 Director M. Dorey
 Director K. Kuhn

ALSO PRESENT: B. Carruthers, Chief Administrative Officer
 R. Blackwell, General Manager, Planning & Development
 H. Hatami, General Manager, Engineering Services
 M. Tippett, Manager, Regional & Community Planning
 R. Conway, Manager, Development Services
 B. Farquhar, Manager, Parks & Trails
 R. Blackmore, Manager, Inspection & Enforcement
 B. Dennison, Manager, Water Management
 J. Barry, Corporate Secretary, Legislative Services
 A. Melmock, Manager, Economic Development
 Kate Miller, Manager Environmental Services Division
 R. Dias, Parks Superintendent
 G. Breckenridge, Chief Building Inspector
 H. Kauer, Senior Planner
 R. Rondeau, Planner II
 S. Herrera, Planner II
 K. Biegun, Planner I
 T. Etherington, Utilities Operations Superintendent
 L. Knodel-Joy, Senior Engineering Technologist
 L. Daugenet, Engineering Technologist III
 J. deJong, Fire Rescue Services Coordinator
 A. Tokarek, Asset Coordinator
 J. Hughes, Recording Secretary

APPROVAL OF AGENDA

It was moved and seconded that the agenda be approved.

MOTION CARRIED

10:26 AM Director Marcotte entered the meeting at 10:26 AM.

R1 Innova Strategy Group Wastewater Utility Review and Assessment Report - Committee Report from Water Management Division, was received for information.

CLOSED SESSION

11:28 AM 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)(c) Employee Relations.

MOTION CARRIED**RISE FROM CLOSED SESSION**

12:14 PM It was moved and seconded that the Committee rise without report, and return to the open portion of the meeting.

12:15 PM The Committee took a recess at 12:15 PM.

1:31 PM The meeting resumed at 1:31 PM.

The Chair noted the following changes regarding the Order of Business on the agenda:

1. Adoption of Minutes;
2. Item R5 (Fisher Road Park Traffic Safety Engineering Assessment - Committee Report from Parks & Trails Division);
3. Delegation (Jill Thompson, Cowichan Station Area Association, Re: Cowichan Station Area Association's Koksilah Working Group's Ecosystem Based Analysis of the Koksilah Watershed);
4. Item R14 (Directors Report from Director A. Nicholson, Electoral E - Cowichan Station/Sahtlam/Glenora, Re: Koksilah Watershed Ecosystem Based Analysis); and
5. Return to regular Order of Business starting at Correspondence Item C1.

ADOPTION OF MINUTES

M1 Regular Electoral Area Services Committee meeting of January 18, 2017

It was moved and seconded that the minutes of the Regular Electoral Area Services Committee meeting of January 18, 2017, be adopted.

MOTION CARRIED

R5 Fisher Road Park Traffic Safety Engineering Assessment - Committee Report from Parks & Trails Division

It was moved and seconded that a meeting be organized with relevant stakeholders including School District No. 79, the Ecole Cobble Hill PAC and Ministry of Transportation and Infrastructure to review the findings and recommendations of the Fisher Road Park traffic safety and technical solutions engineering assessment.

MOTION CARRIED

DELEGATIONS

- D1** Jill Thompson, President of the Board of the Cowichan Station Area Association, Re: Cowichan Station Area Association's Koksilah Working Group's Ecosystem Based Analysis of the Koksilah Watershed

Ms. Thompson thanked the Cowichan Valley Regional District (CVRD) for their past support in their transformation of the old Cowichan Station School into The Hub. The Association has approximately 80 volunteers who are committed to their projects, looking after the watershed and environment. The Association is in the process of creating the Koksilah Ecosystem Based Analysis of the Koksilah Watershed and they are requesting support from the CVRD to assist them with partial funding.

- R14** Directors Report from Director A. Nicholson, Electoral E - Cowichan Station/Sahtlam/Glenora, Re: Koksilah Watershed Ecosystem Based Analysis

It was moved and seconded that it be recommended to the Board:

- 1. That the Community Works Fund allocations for Area B include \$15,000 and for Area E \$10,000 for the Koksilah Watershed Ecosystem-based Analysis Project as a contribution to the Cowichan Station Area Association; and**
- 2. That the Cowichan Station Area Association be granted approval to pursue a sole source award to the Silva Forest Foundation with these funds for the project.**

MOTION CARRIED

CORRESPONDENCE

- C1** Grant-in-Aid Request, Electoral Area A - Mill Bay/Malahat, Re: Frances Kelsey Secondary School

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area A – Mill Bay/Malahat, in the amount of \$2,000 be provided to Frances Kelsey Secondary School for four \$500 bursaries to be awarded to students residing in Electoral Area A – Mill Bay/Malahat.

Directors Furstenau and Kuhn were absent during the vote.

MOTION CARRIED

- C2** Grant-in-Aid Request, Electoral Area C - Cobble Hill, Re: Shawnigan Cobble Hill Farmers Institute

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$3,500 be provided to Shawnigan Cobble Hill Farmers Institute to support the Cobble Hill Fair.

Directors Furstenau and Kuhn were absent during the vote.

MOTION CARRIED

- C3** Grant-in-Aid Request, Electoral Area C - Cobble Hill, Re: Shawnigan Cobble Hill Farmers Institute

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area C – Cobble Hill, in the amount of \$2,000 be provided to Shawnigan Cobble Hill Farmers Institute to support the seniors lunch.

Directors Furstenau and Kuhn were absent during the vote.

MOTION CARRIED

- C4** Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: One Cowichan

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$1,000 be provided to One Cowichan to support the Roundtable Forum hosting the event on March 16, 2017.

Director Furstenau was absent during the vote.

MOTION CARRIED

- C5** Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: Cowichan Station Area Association

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$3,000 be provided to Cowichan Station Area Association to support the Koksilah Ecosystem Based Analysis Project.

Director Furstenau was absent during the vote.

MOTION CARRIED

- C6** Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: Cowichan Land Trust

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$2,500 be provided to Cowichan Land Trust to support the pre-school education programs.

MOTION CARRIED

- C7** Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: Frances Kelsey Secondary School

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$1,000 be provided to Frances Kelsey Secondary School for two \$500 bursaries to be awarded to students residing in Electoral Area D – Cowichan Bay.

MOTION CARRIED

- C8** Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: Cowichan Secondary School

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$1,000 be provided to Cowichan Secondary School for two \$500 bursaries to be awarded to students residing in Electoral Area D – Cowichan Bay.

MOTION CARRIED

- C9** Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: Cowichan Spirit of Women

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$500 be provided to Cowichan Spirit of Women to support the International Woman's Day Event on March 3, 2017.

MOTION CARRIED

- C10** Grant-in-Aid Request, Electoral Area G - Saltair/Gulf Islands, Re: Nanaimo-Ladysmith Schools Foundation

It was moved and seconded that it be recommended to the Board that a Grant-in-Aid, Electoral Area G – Saltair/Gulf Islands, in the amount of \$500 be provided to Nanaimo-Ladysmith Schools Foundation for a Saltair Community Bursary to a Saltair student graduating from Ladysmith Secondary School.

MOTION CARRIED

INFORMATION

IN1

The following items 1 through 6 were received for information:

1. Area B - Advisory Planning Commission Minutes - October 6, 2016;
2. Area E - Advisory Planning Commission Minutes - January 10, 2017;
3. Area A - Parks Commission Minutes - November 10, 2016;
4. Area A - Parks Commission Minutes - January 12, 2017;
5. Area C - Parks Commission Minutes - December 5, 2016; and
6. Area D - Parks Commission Minutes - November 21, 2016.

IN2 Letter dated February 4, 2017, from David Bain, Festival Director, Rock of the Woods, was received for information.

IN3 2016 Census, was received for information.

REPORTS

R1 Application No. 10-A-16DP-VAR (2961 Church Way) - Committee Report from Development Services Division

It was moved and seconded that it be recommended to the Board:

- 1. That Section 7.12(c)(ii) of Zoning Bylaw No. 3520 not be varied to allow the use of pavers for the required disability parking stall;**
- 2. That Development Permit with Variance Application No. 10-A-16DP-VAR (2961 Church Way) be approved subject to requiring paving of the parking lot as per the staff recommendation; and**
- 3. 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. 3510.**

MOTION CARRIED

R2 Application No. 04-I-15RS (PIDs 027-501-647, 027-501-663, 027-501-671 and 027-501-680) - Committee Report from Development Services Division

It was moved and seconded that it be recommended to the Board:

- 1. That the Official Community Plan and Zoning Amendment Bylaw for Application No. 04-I-15RS (PIDs 027-501-647, 027-501-663, 027-501-671, and 027-501-680) be forwarded to the Board for consideration of 1st and 2nd Readings;**
- 2. That the referrals to Ministry of Transportation and Infrastructure, Lake Cowichan First Nation, Cowichan Tribes, Ditidaht First Nation, Youbou Volunteer Fire Department, RCMP (Lake Cowichan Detachment), Island Health, Ministry of Forests, Lands, and Natural Resource Operations (Nanaimo), School District 79, and Town of Lake Cowichan be accepted;**
- 3. That a covenant be registered specifying no disturbance to the lands within 20 metres of the high water mark of Cowichan Lake, with the exception of one trail per parcel, and no building or placement of structures, recreational vehicles or park model units within 30 metres of the high water mark of Cowichan Lake;**
- 4. That a public hearing be scheduled with all Electoral Area Directors as delegates.**
- 5. That the draft Zoning Amendment Bylaw be amended to specify a maximum building volume of 300 m² for seasonal cabins.**

MOTION CARRIED

R3 Amendment to Subdivision Servicing Bylaw No. 1215 - Committee Report from Community & Regional Planning Division

It was moved and seconded that Subdivision Servicing Amendment Bylaw No. 4072 (Proof of Water) be considered for Third Reading and Adoption.

MOTION CARRIED

3:05 PM The Committee took a recess at 3:05 PM.

3:15 PM The meeting resumed at 3:15 PM.

R4 Cowichan Valley Trail - Ida Road Trail Access Permit to Construct Application - Committee Report from Parks & Trails Division

It was moved and seconded that it be recommended to the Board that a Permit to Construct with the Province of British Columbia be approved for the Cowichan Valley Trail – Ida Road Public Trail Access within the West Shawnigan Lake Road right of way.

Director Clement was absent during the vote

MOTION CARRIED

R5 Item R5 (Fisher Road Park Traffic Safety Engineering Assessment - Committee Report from Parks & Trails Division) was moved up after Item M1 (Adoption of Minutes)

R6 Fencing Requirement for Phase 3 of Inwood Creek Estates - Committee Report from Development Services Division

It was moved and seconded that a meeting be arranged with the 15 lot owners from Phase 3 Inwood Creek Estates regarding park boundary fencing requirements.

MOTION CARRIED

R7 Work Program 2017 - Committee Report from Community & Regional Planning Division, was received for information.

R8 December, 2016, Year End Building Report - Verbal Report from Robert Blackmore, Manager, Inspections & Enforcement Division, was received for information.

R9 Soil Deposit Bylaw - Committee Report from Inspection & Enforcement Division, was received for information.

- R10** Saltair Water System - Sale of CVRD Owned Property in Electoral Area G, Saltair - Committee Report from Water Management Division

It was moved and seconded that it be recommended to the Board that:

1. That the property located at 10705 Chemainus Road in Electoral Area G, Saltair, be deemed surplus and an application be initiated to rezone from P-2 to R-2;
2. Upon completion of rezoning, approve the sale of Lot 9, Plan VIP5645, District Lot 32, Oyster Land District, located in Electoral Area G, Saltair at fair market value with the proceeds deposited into the Saltair Water System Capital Reserves; and
3. Retain a realtor who will work on behalf of the Regional District.

It was moved and seconded that the Water Management Division Staff Report dated January 12, 2017, Re: Saltair Water System - Sale of CVRD Owned Property in Electoral Area G, Saltair be referred back to staff and that a public meeting be held to receive input on the potential sale of the subject property.

MOTION CARRIED

- R11** Twin Cedars Sewer System - Cedars Center Request for Inclusion - Committee Report from Water Management Division

It was moved and seconded that it be recommended to the Board:

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 026-889-749, Lot 3, Section 14 & 15, Rage 5 & 6, Plan VIP 81819, 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

- R12** Shawnigan Lake North Water - Capital Upgrade Pipe Replacement - Committee Report from Water Management Division

It was moved and seconded that the Shawnigan Lake North Water 2017 budget be amended to increase the Engineering Structures Capital by \$120,000 to be funded by \$66,000 Operating Reserves and \$54,000 Transfer from Gas Tax Reserves (Phase 2).

MOTION CARRIED

- R13** Volunteer Fire Rescue Internal Mutual Aid Policy - Committee Report from Public Safety Division

It was moved and seconded that it be recommended to the Board that the Volunteer Fire Rescue Internal Mutual Aid Policy attached to the February 6, 2017, Public Safety Division report, be adopted.

MOTION CARRIED

- R14** Item R14 (Directors Report from Director A. Nicholson, Electoral E - Cowichan Station/Sahtlam/Glenora, Re: Koksilah Watershed Ecosystem Based Analysis) was moved up after Item D1 (Delegations).

UNFINISHED BUSINESS

- UB1** Directors Report from Director M. Clement, Electoral Area C - Cobble Hill, Re: Funding to Allow Directors to Attend Workshops, Courses or Conferences (referred from January 18, 2017, Electoral Area Services Committee meeting)

It was moved and seconded that it be recommended to the Board that staff draft a policy to allow more flexibility for Electoral Area Directors to access training and workshop funding.

Director Clement was absent during the vote.

MOTION CARRIED

- 4:46 PM** The Committee took a recess at 4:46 PM.

- 4:53 PM** The meeting resumed at 4:53 PM.

- UB2** Gas Tax - Community Works Fund Project Allocations for 2017 - Committee Report from General Manager, Engineering Services Department (referred from January 18, 2017, Electoral Area Services Committee meeting)

It was moved and seconded that it be recommended to the Board that #19 (Former Mt. Brenton School Condition Assessment) listed within Table 1.0 of the Staff Report dated February 3, 2017, from the General Manager, Engineering Services Department, Re: Gas Tax - Community Works Fund Project Allocations for 2017, be reduced from \$25,000 to \$5,000.

MOTION DEFEATED

It was moved and seconded that it be recommended to the Board that the 2017 Community Works Funds be allocated to the electoral area projects identified in the February 3, 2017, Engineering Services Department report.

MOTION CARRIED

- UB3** Community Parks Advisory Commissions Establishment – Committee Report from Legislative Services Division (referred from January 18, 2017, Electoral Area Services committee meeting)

- 5:26 PM** Director Clement left the meeting at 5:26 PM.

It was moved and seconded that a meeting be arranged with the Electoral Area Directors, Electoral Area Parks Commissions Chairs and key staff to begin the engagement process regarding Community Parks Commissions.

MOTION CARRIED

It was moved and seconded that it be recommended to the Board that existing appointments to the nine Electoral Area community Parks Commissions and the South Cowichan Parks Commission be extended to December 31, 2017.

MOTION CARRIED

ADJOURNMENT

5:50 PM

It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:50 PM.

Chair

Recording Secretary

Dated: _____



COWICHAN VALLEY REGIONAL DISTRICT

Finance Division

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director Kerry Davis Area A

Grantee: _____ Grant Amount \$ 500.00

NAME: Frances Kelsey Secondary School Dry Grad 2017

ADDRESS: Dry Grad Committee
Box 279, Mill Bay, BC
V0Z 1P0

Contact Phone No: 250-746-7804 Madelaine MacLeod

PURPOSE OF GRANT: Support Dry Grad Event

REQUESTED BY: [Signature]
 Director's Signature

ACCOUNT NO.	AMOUNT
<u>01-2-1950-0161-111</u>	<u>\$500.00</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL A

Approval at Regional Board Meeting of _____

Finance Authorization _____

**Frances Kelsey Secondary School Dry Grad 2017
Dry Grad Committee
Box 279, Mill Bay, BC V0R 1P0**

January 31, 2017

Kerry Davis
Director, Area A
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Dear Mr. Davis:

The parents of Frances Kelsey Secondary School's 2017 graduating class are organizing a Dry Grad Celebration, and are actively fundraising to host a most memorable event for our graduating students. All costs for the event are covered through generous donations from Cowichan Valley families and businesses. CVRD's Area A has been a donor in the past, and we hope, as Frances Kelsey is its catchment school, Area A will be able to support us again this year.

Dry Grad celebrations were started by the Summit Alcohol and Drug Services in 1989 with the idea of providing students a safe, alcohol and drug free environment to celebrate their graduation. Since its inception there has not been a youth alcohol or drug related fatality in the Cowichan Valley on Grad night. Safe and chaperoned, it is an all-night event which follows the Cap and Gown Ceremony. Every penny raised goes to providing the Grads an unforgettable evening which includes food, games, dancing, and prizes.

We would appreciate any support you can provide. We will be thanking our supporters on our donation board, in our program for the evening of the walk-up, as well as with a public thank you in the local newspapers.

If you are able to help or have any questions, please contact me.

Sincerely,

Madelaine MacLeod

Chair, Dry Grad Committee
mamac@telus.net
250-746-7804



Finance Division

COWICHAN VALLEY REGIONAL DISTRICT

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director Clement Area C

Grantee: _____ Grant Amount \$ 500

NAME: Francis Kelsey Dry Grad

ADDRESS: Box 279, Mill Bay, BC V0R 1P0

Contact Phone No: Madelaine MacLeod 250-746-7804

PURPOSE OF GRANT: Francis Kelsey Dry grad

REQUESTED BY: [Signature]
Director's Signature

ACCOUNT NO.	AMOUNT
<u>01-2-1450-0161-113</u>	<u>\$500</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

Approval at Regional Board Meeting of _____

Finance Authorization

**Frances Kelsey Secondary School Dry Grad 2017
Dry Grad Committee
Box 279, Mill Bay, BC V0R 1P0**

January 31, 2017

Matteus Clement
Director, Area C
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC V9L 1N8

Dear Mr. Clement:

The parents of Frances Kelsey Secondary School's 2017 graduating class are organizing a Dry Grad Celebration, and are actively fundraising to host a most memorable event for our graduating students. All costs for the event are covered through generous donations from Cowichan Valley families and businesses. CVRD's Area C has been a donor in the past, and we hope, as Frances Kelsey is its catchment school, Area C will be able to support us again this year.

Dry Grad celebrations were started by the Summit Alcohol and Drug Services in 1989 with the idea of providing students a safe, alcohol and drug free environment to celebrate their graduation. Since its inception there has not been a youth alcohol or drug related fatality in the Cowichan Valley on Grad night. Safe and chaperoned, it is an all-night event which follows the Cap and Gown Ceremony. Every penny raised goes to providing the Grads an unforgettable evening which includes food, games, dancing, and prizes.

We would appreciate any support you can provide. We will be thanking our supporters on our donation board, in our program for the evening of the walk-up, as well as with a public thank you in the local newspapers.

If you are able to help or have any questions, please do not hesitate to contact me.

Sincerely,

Madelaine MacLeod

Chair, Dry Grad Committee

mamac@telus.net

[250-746-7804](tel:250-746-7804)



COWICHAN VALLEY REGIONAL DISTRICT

Finance Division

SUBMISSION FOR A GRANT-IN-AID (ELECTORAL AREAS)

Submitted by Director Clement Area C

Grantee: Grant Amount \$ 20,000

NAME: Cobble Hill Event Society

ADDRESS: 1373 Bonner Cres
Cobble Hill, BC
VOR 1L2

Contact Phone No: 250 415 3106 John Baty

PURPOSE OF GRANT: 2017 Cobble Hill events including:
Music in the park, Pictures w/ Santa,
Homesteading fair, Farmers Market

REQUESTED BY: [Signature]
Director's Signature

ACCOUNT NO.	AMOUNT
01-2-1950-0422-113	\$20,000

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

Approval at Regional Board Meeting of _____

Finance Authorization _____



ELECTORAL AREA B – SHAWNIGAN LAKE APC MEETING

Date: Thursday, February 2, 2017 – 7:00 p.m.

Place: Shawnigan Watershed Planning Office

Address: #4-1760 Shawnigan-Mill Bay Rd Shawnigan Lake BC

MINUTES

1. INTRODUCTIONS -

Election of Officers:

Motion to elect the following Area B APC members into the following positions: Bruce Stevens (Chair), Dave Hutchinson (Vice-Chair), and Kelly Musselwhite (Secretary) – moved and carried

2. ADOPTION OF Minutes of the meeting of October 2, 2016 – moved and carried

3. REPORTS AND UPDATES - none

4. BUSINESS ARISING FROM MINUTES - none

5. DELEGATIONS - none

6. CORRESPONDENCE - none

7. INFORMATION -

Next Director's Meeting, Feb. 6

EASC Mtg. Feb. 15: discussion on Soil Reception and Removal Bylaw

8. NEW BUSINESS

Upcoming application/site (for March meeting application is to subdivide 2786 Meadowview Rd. into five 0.2 hectare lots)

9. UNFINISHED BUSINES

- i. March 6 Director's Meeting, Respectful Use of the Lake – 7 pm SLCC
- ii. Representation from: RCMP, SRA, Ski Club, SBS, Parks Commission, Wake Boarders, and Water Watch will be present
- iii. 20-B-15DP (Partridge/Sharpe & 0705537 BC Ltd) – West Arm Amenities - discussion
- iv. 1-B-15RS (Stack) - discussion

10. OTHER - none

11. PUBLIC QUESTIONS - none

12. ADJOURNMENT – 8:25 p.m.



South Cowichan Joint APC Meeting Minutes

Date: Thursday, February 2, 2017 – 7 PM

Place: Shawnigan Watershed Planning Office

Address: #4-1760 Shawnigan-Mill Bay Rd. Shawnigan Lake BC

- 1) Introductions – roundtable
- 2) South Cowichan APC – Glenn Terrell, Mill Bay APC Chair
 - a) 02-A-16RS (Holowaychuk)

Motion to recommend approval of the application for rezoning (to light industrial) with two caveats:

 - a) **reduce/restrict the permitted uses for this property; and**
 - b) **ensure the CVRD be satisfied with the outcome of contaminated soil remediation on the property at the cost of the owner – moved and carried**
 - b) Dave Knott - **motion to choose 5 designates for the Joint APC – moved and carried**
Laurie Vasey, Dave Knott, Jennifer Young, Glenn Terrell, and Archie Staats
 - a) Public Questions– none
 - b) Adjournment – 7:25 pm



**Minutes
Area D Parks Commission
Monday, January 16, 2017
Cowichan Estuary Nature Centre**

Call to order: 6:38 pm

Attendees: Roger Southern, Steve Garnett, Kerrie Talbot, Dave Nisbet, Miranda Mason, Nathan Mosewich, Lori Iannidinardo (Director, Area D)

Regrets:

Guest(s): Alice Hung

Approval of Agenda: Moved and passed

Approval of previous minutes: Moved and passed

Correspondence: Letter from Larry Gray re: disc golf. Area D will forward correspondence to South Cowichan Parks Commission for consideration.

Reports:

Ongoing Business:

New Business: Alice Hung, Whippletree Junction

Discussions re: potential public amenities aspect of Whippletree rezoning application. Applicant will re-evaluate her proposal.

Upcoming events:

Meeting adjourned: 7:45pm

Next meeting: Monday, February 20, 2017



STAFF REPORT TO COMMITTEE

DATE OF REPORT February 20, 2017
MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 1, 2017
FROM: Development Services Division
 Planning & Development Department
SUBJECT: Development Permit with Variance Application (4377 Wood Road)
FILE: 02-D-17 DP/VAR

PURPOSE/INTRODUCTION

The purpose of this report is to consider a development permit with variance application for the expansion of an existing single family home.

RECOMMENDED RESOLUTION

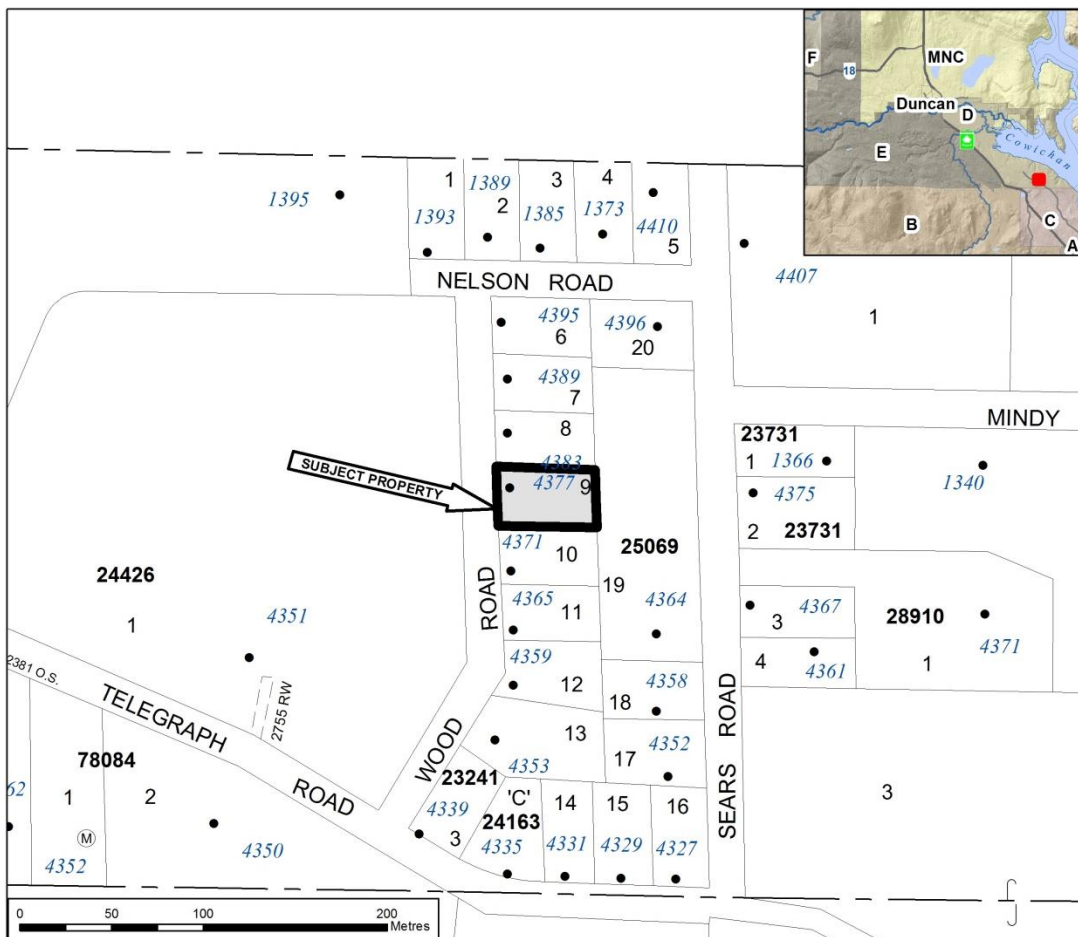
That it be recommended to the Board:

1. That Development Permit with Variance Application No. 02-D-17DP/VAR be approved;
2. That Section 5.5 (4)(b) of Zoning Bylaw No. 3705 be varied from 3 metres to 1.5 metres; and,
3. 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. 3605.

BACKGROUND

<u>Location:</u>	4377 Wood Road, Uplands
<u>Size of Parcel:</u>	0.17 hectare (0.42 acre)
<u>OCP Designation:</u>	Rural Village Containment Boundary
<u>Zoning:</u>	R-2 (Rural Village Residential)
<u>Containment Boundary:</u>	Rural Village Containment Boundary
<u>ALR:</u>	Outside
<u>Development Permit Area:</u>	Rural Character DPA Agricultural Protection DPA
<u>Use of Property:</u>	Residential
<u>Use of Surrounding Properties:</u>	North: Residential (R-2) East: Residential (R-2) South: Residential (R-2) West: Agricultural (A-1) Located within the ALR
<u>Road Access:</u>	Wood Road
<u>Water:</u>	Cowichan Bay Waterworks District
<u>Sewage Disposal:</u>	Septic
<u>Environmentally Sensitive Areas:</u>	No known areas
<u>Archaeological Site:</u>	None identified
<u>Wildfire Interface:</u>	Moderate

LOCATION MAP



APPLICATION SUMMARY

A development permit with variance application for 4377 Wood Road has been submitted for consideration. The subject property is 0.17 hectares (0.42 acres) in size and includes an existing single family home (see Attachment A).

The proposal is to construct several additions to the home including expanding the rear of the home and adding a garage/workshop (see Attachment B). As the garage/workshop is proposed to be located within 1.5 metres of the interior property line, a variance is requested.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

A letter to inform adjacent property owners of the variance request was sent on February 16, 2017. To date, no comments have been received.

OFFICIAL COMMUNITY PLAN/POLICY CONSIDERATIONS

Official Community Plan

The proposed development is subject to the Rural Character & Agricultural Protection Development Permit guidelines of the *Area D OCP Bylaw No. 3605*.

Agricultural Protection DPA:

Applicable objectives include:

- To minimize the potential for conflict between agricultural and non-agricultural land uses.

Rural Character DPA:

Applicable objectives include:

- To prevent an increase in post-development drainage from the site.
- To improve the quality of water draining from the site following development.
- To prevent erosion and sediment transport.

Zoning

The property is zoned R-2, which requires a 3 metre setback for all buildings and structures from the interior side property line.

PLANNING ANALYSIS

Official Community Plan – Development Permit Areas

Agricultural Protection DPA

The subject property is located adjacent to a farm which is located within the agricultural land reserve; however, given the agricultural and non-agricultural land use is separated by Wood Road, staff do not believe the proposed development will increase the potential for conflict (see Attachment C). As a result, no protection measures are proposed.

Rural Character DPA:

The applicant has proposed the following rainwater management and sediment & erosion control measures. Staff are satisfied that the proposed measures meet the intent of the Rural Character Development Permit Guidelines.

Rainwater Management

To manage increased rainwater runoff resulting from the building additions, two rain gardens are proposed to be constructed in accordance with the rainwater management plan submitted (Attachment D).

Sediment & Erosion Control Measures

Sediment and erosion control measures are proposed to be installed as per Attachment E. These measures are proposed to be installed prior to any construction occurring on the subject property.

Zoning Bylaw - Variance Request

The owners of the subject property have requested a relaxation to the side yard setback requirement to allow for the construction of a 700 ft² (20ft by 35 ft) garage/workshop. The rationale provided by the applicants relates to a lack of inadequate room for a building suite due to the location of the existing septic field and desire to maintain an existing stand of mature fruit trees (see Attachment F).

Staff did work with the applicant to identify if there was an opportunity to reduce the width of the building in such a way that may reduce the requirement for a variance to the setback; however, the applicant explained that the proposed width of the building is necessary to accommodate the storage of a 20 foot boat while still having the room to undertake home related projects.

Given the location of the existing septic field, the owners desire to retain the existing stand of mature trees, and that no opposition to the variance has been raised by the neighbours to date, staff are in support of the variance.

Staff Recommendation

As the relevant development permit guidelines have been addressed, and the applicant has provided a reasonable rationale for the variance, staff recommend approval of this development permit with variance (Option 1), subject to requirements of the attached draft development permit (see Attachment G).

OPTIONS

Option 1

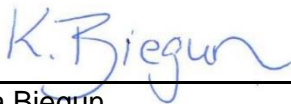
That it be recommended to the Board:

1. That Development Permit with Variance Application No. 02-D-17DP/VAR be approved;
2. That Section 5.5 (4)(b) of Zoning Bylaw No. 3705 be varied from 3 metres to 1.5 metres; and
3. 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. 3605.

Option 2

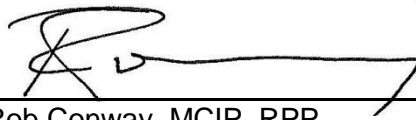
That it be recommended to the Board that Development Permit Application No. 02-D-17 DP/VAR be denied.

Prepared by:

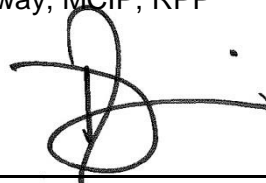


Kasia Bięgun
Planner I

Reviewed by:



Rob Conway, MCIP, RPP
Manager



Ross Blackwell, MCIP, RPP, A. Ag.
General Manager

ATTACHMENTS:

- Attachment A – Subject Property Ortho
- Attachment B – Site Plan & Elevation Drawings
- Attachment C – OCP Designations
- Attachment D – Rainwater Management Plan
- Attachment E – Sediment & Erosion Control Plan
- Attachment F – Letter of Rationale
- Attachment G – Draft Development Permit

8/18/2016

ATTACHMENT A

25

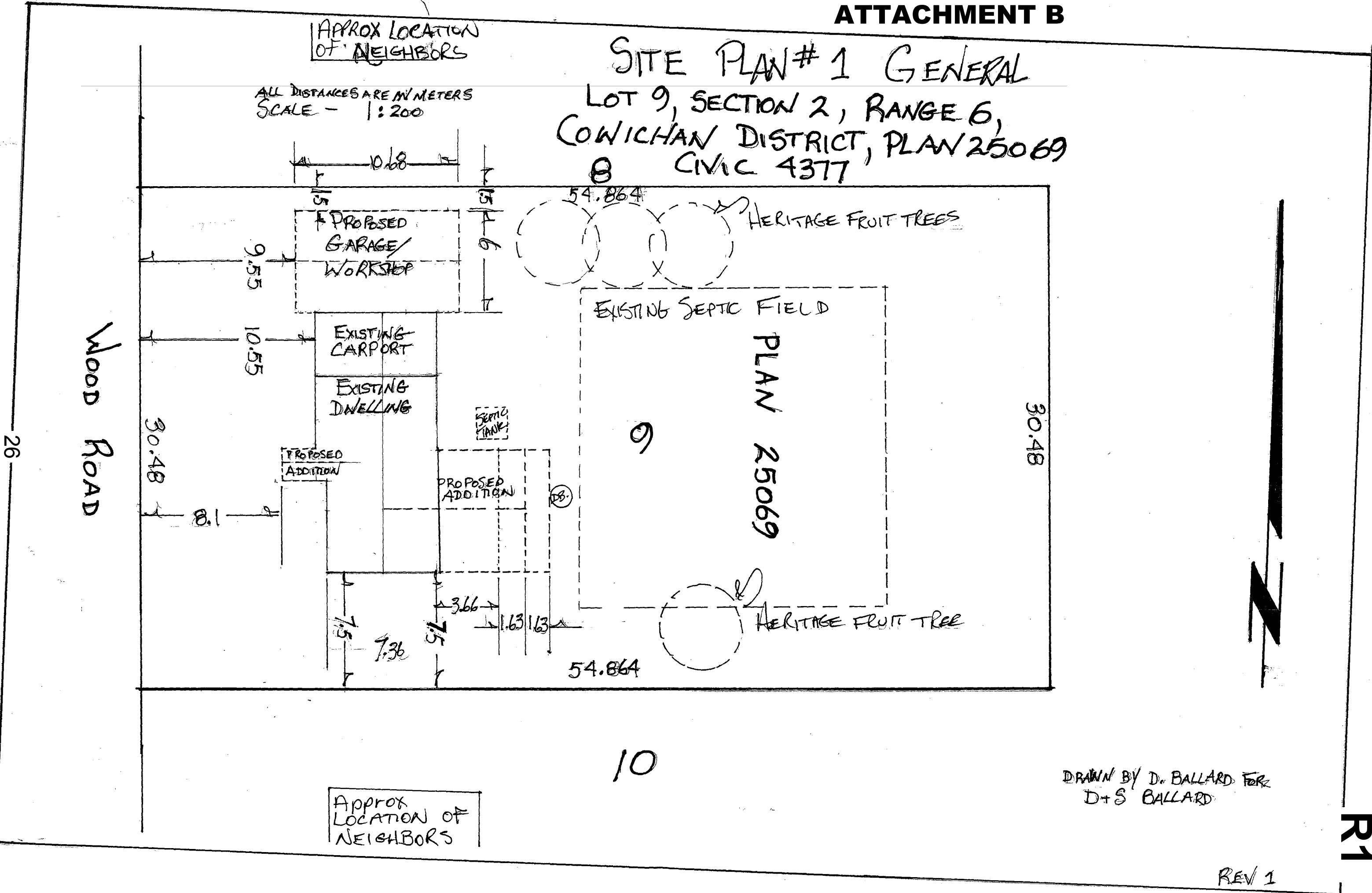


ATTACHMENT B

APPROX LOCATION OF NEIGHBORS

SITE PLAN # 1 GENERAL
LOT 9, SECTION 2, RANGE 6,
COWICHAN DISTRICT, PLAN 25069
8 CIVIC 4377

ALL DISTANCES ARE IN METERS
SCALE - 1:200



APPROX LOCATION OF NEIGHBORS

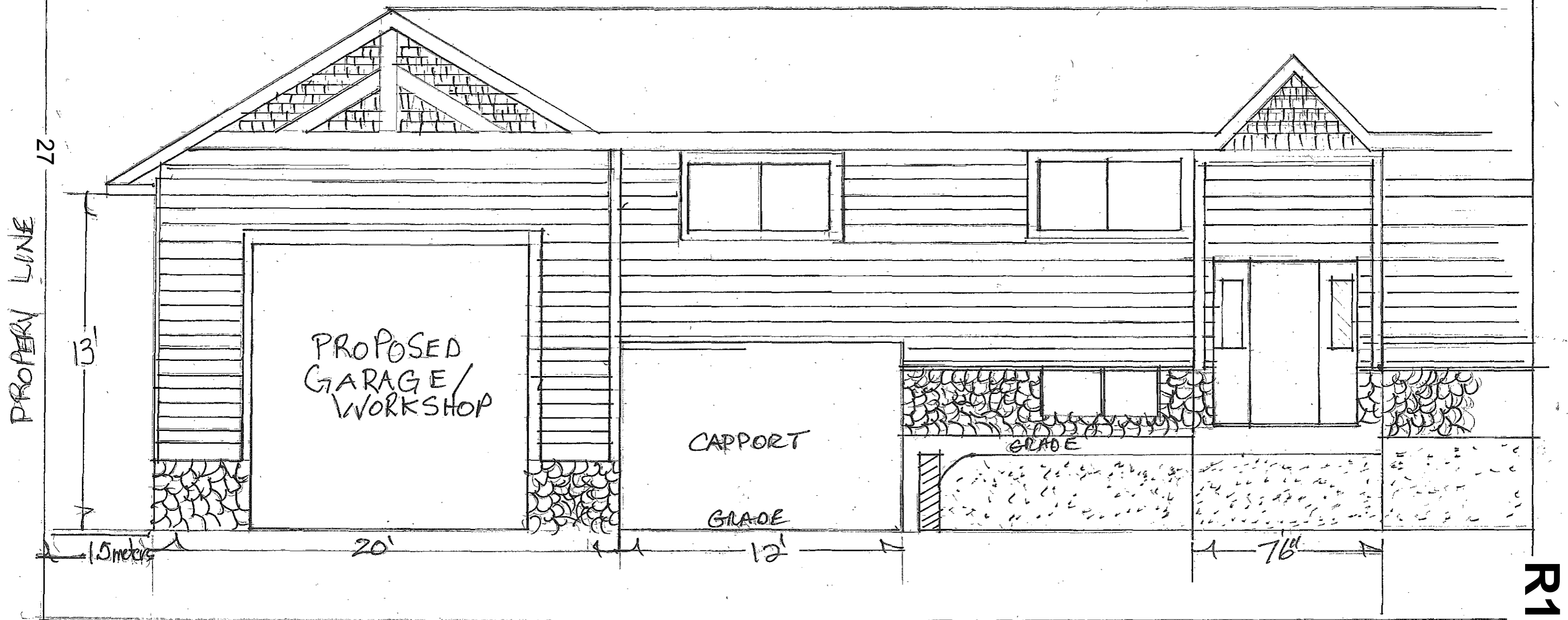
DRAWN BY D. BALLARD FOR
D+S BALLARD

REV 1

R1

D+S BALLARD
4377 WOOD Rd.

FRONT ELEV.



PROPERTY LINE
27
13'

PROPOSED
GARAGE/
WORKSHOP

CAPPORT

GRADE

GRADE

1.5 meters

20'

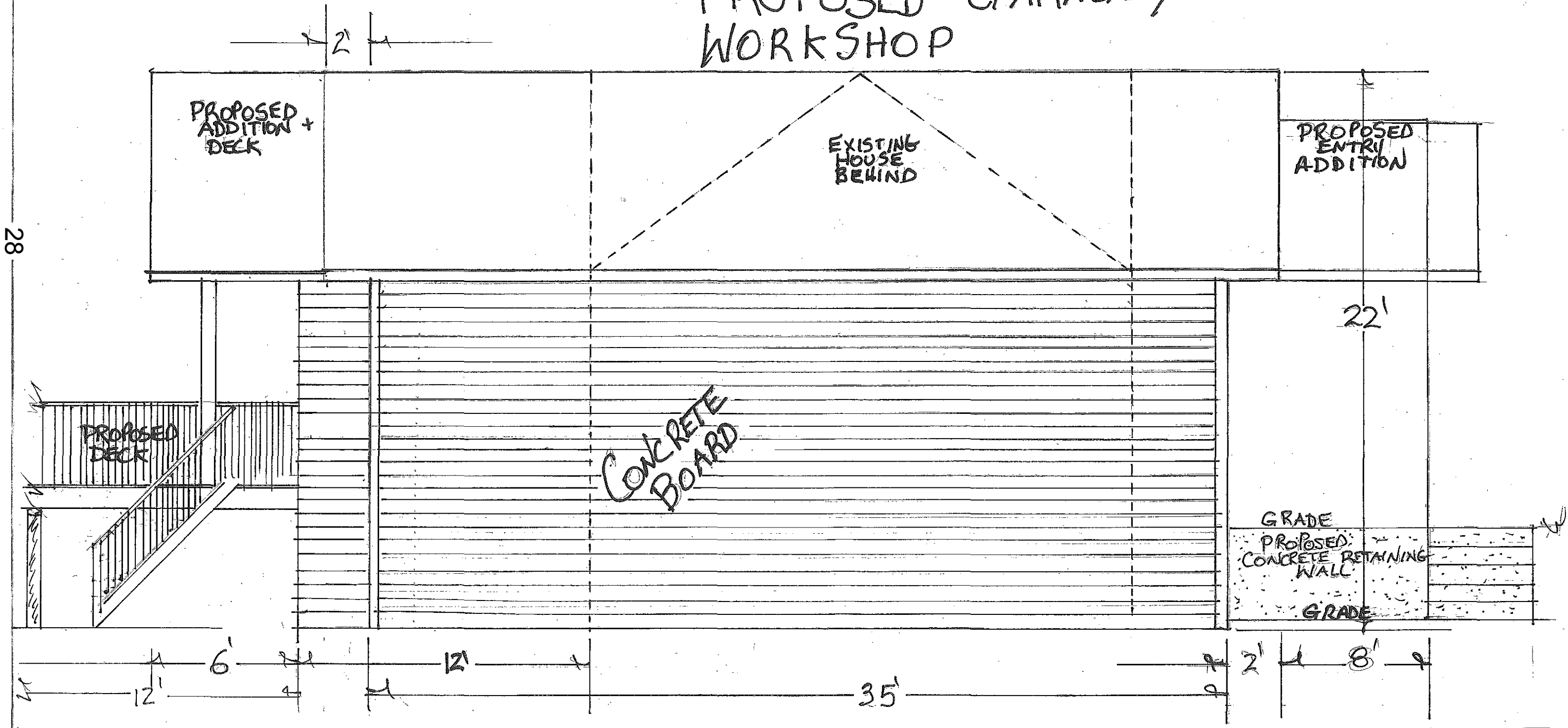
12'

7'6"

R1

D+S BALLARD
LOT 9, SECTION 2, RANGE 6,
CONICHAH DISTRICT, PLAN
25069, CIVIC ADDRESS:
4377 WOOD Rd.
SCALE: 1/4" = FT.

LEFT ELEVATION PROPOSED GARAGE/ WORKSHOP



R. 6

ATTACHMENT C



This map is compiled from various sources for internal use and is designed for reference purposes only.

The Cowichan Valley Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

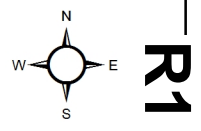
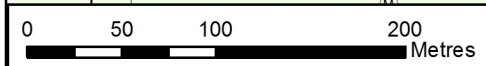
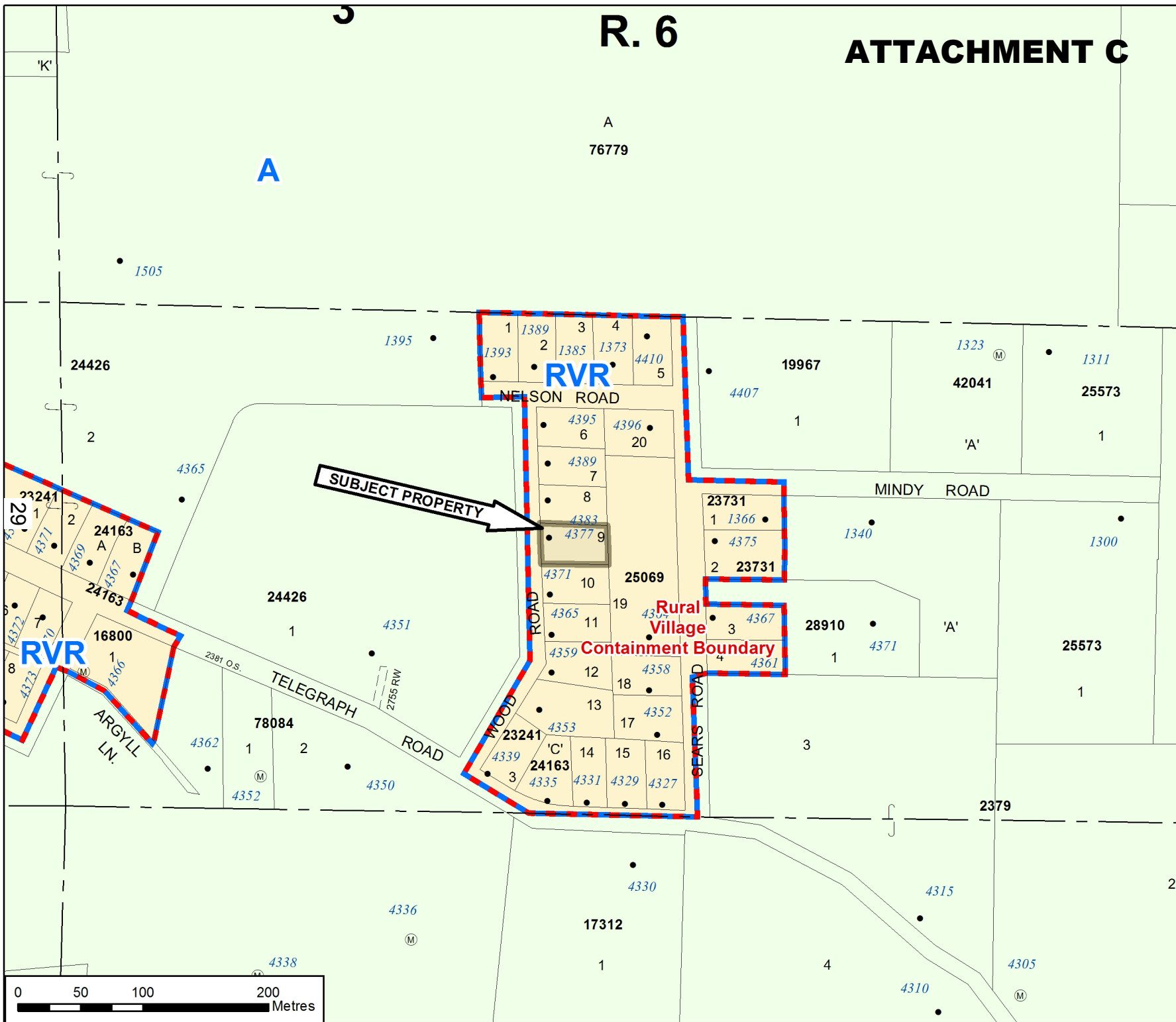
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 02-D-17DP/VAR

OCP

Legend

- Subject Property
- Urban
- Containment Boundary
- Agricultural Resource (A)
- Rural Village
- Residential (RVR)



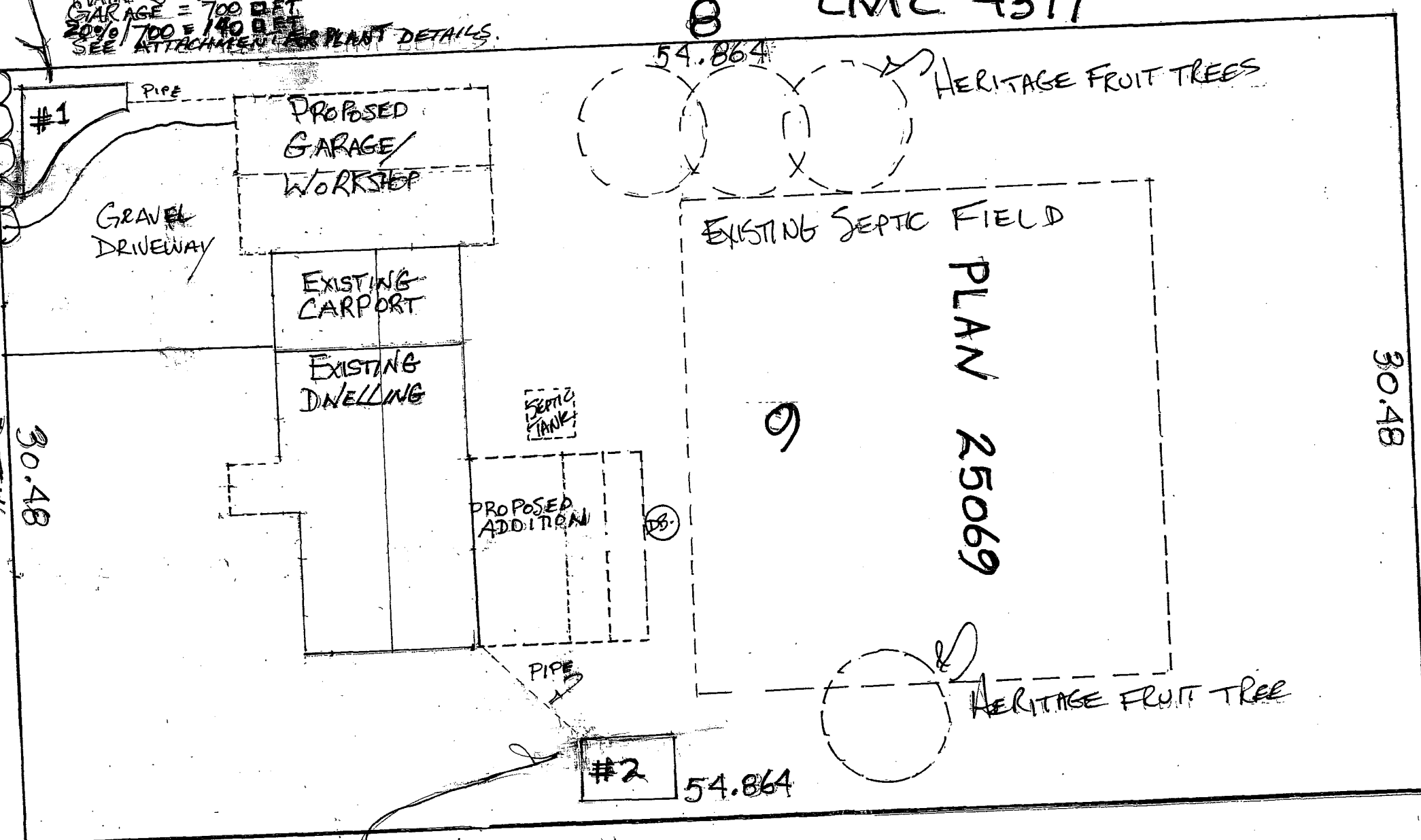
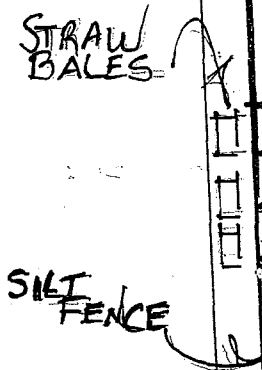
SITE PLAN #2 RAIN MANAGEMENT

LOT 9, SECTION 2, RANGE 6,
COWICHAN DISTRICT, PLAN 25069
CIVIC 4377

APPROX LOCATION
OF NEIGHBORS

ALL DISTANCES ARE IN METERS
SCALE - 1:200

RAIN GARDEN
GARAGE = 700 S.F.T.
20% / 700 = 140 S.F.T.
SEE ATTACHMENT FOR PLANT DETAILS.



30

WOOD ROAD

DITCH

30.48

GRAVEL DRIVEWAY

PROPOSED GARAGE/WORKSHOP

EXISTING CARPORT

EXISTING DWELLING

SEPTIC TANK

PROPOSED ADDITION

PIPE

#2

54.864

54.864

HERITAGE FRUIT TREES

EXISTING SEPTIC FIELD

PLAN 25069

30.48

HERITAGE FRUIT TREE

RAIN GARDEN
ADDITION = 480 S.F.T.
20% / 480 = 96 S.F.T.
SEE ATTACHMENT FOR PLANT
DETAILS.

10

APPROX
LOCATION OF
NEIGHBORS

DRAWN BY D. BALLARD FOR
D+S BALLARD

PLANTS TO BE CHOSEN FROM PUBLICATION

R1

Home (<http://www.hobbyfarms.com>) / Crops (<http://www.hobbyfarms.com/crops/>) /

7 Surprising Edibles For The Rain Garden

7 Surprising Edibles For The Rain Garden

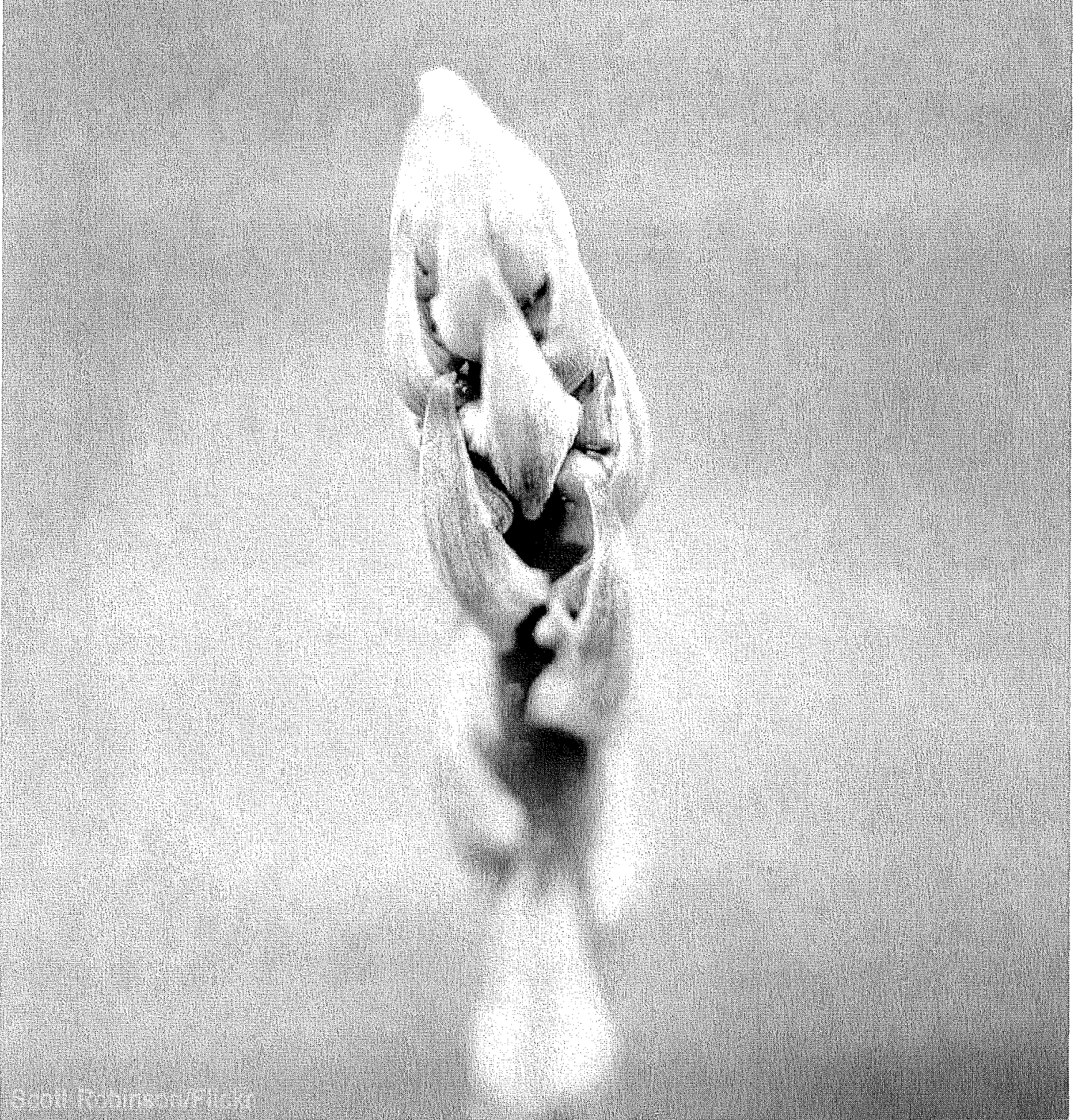
Manage your property's storm-water runoff while also growing delicious fruits and vegetables by including these edibles in your rain garden.

0 SHARES



PHOTO: Tom Potterfield/Flickr

1. Asparagus (*Asparagus officinalis*)



[Asparagus \(/crops-and-gardening/growing-asparagus-14845.aspx\)](/crops-and-gardening/growing-asparagus-14845.aspx) will grow in USDA hardiness zones 3 to 8. Wild asparagus is often found growing in ditches where water might seasonally collect. After making this discovery, I've grown cultivated asparagus in several places where water collects, and it has thrived. In my temperate zone-6 climate, asparagus has grown best in the basin rather than on the berm.

The roots of a mature asparagus patch can extend up to 6 feet deep and can be extremely helpful in slowing and absorbing rainwater.



2. Rhubarb (*Rheumxculorum*)



Rhubarb grows in hardiness zones 3 to 8. It doesn't do well inside the basin, but it will thrive on the berm or on a downhill slope below the berm, where it has access to moisture without getting wet feet. The thick and fibrous roots will typically grow 8 feet deep and will

stabilize the berm, slow down water flow and reduce erosion.

3. Strawberry (*Fragaria x ananassa*)



[Strawberries \(/crops-and-gardening/fruit-crops-strawberries-14782.aspx\)](/crops-and-gardening/fruit-crops-strawberries-14782.aspx) are a common addition to the home garden and grow in hardiness zones 3 to 10. Strawberries are similar to rhubarb in that their fibrous roots are excellent at stabilizing soil and reducing erosion. Their 2-foot-deep roots do best when planted on the berm.

4. Spicebush (*Lindera benzoin*)



[Spicebush \(/hobby-farms-editorial-blogs/dawn-combs/our-amazing-native-spicebush.aspx\)](http://hobby-farms-editorial-blogs/dawn-combs/our-amazing-native-spicebush.aspx) is a native, deciduous shrub that grows in zones 4 to 9. Naturally growing in moist, woodland areas, this deer-resistant plant will thrive in the moist environment of the rain garden basin. It likes partial shade, and the shrub will attract spicebush swallowtail butterflies. The berries are used as an alternative to allspice and pair well with apples.

5. Red Raspberry (*Rubus idaeus* var. *strigosus*)



While cultivated red raspberries (</crops-and-gardening/raspberries-ten-tips.aspx>) (zones 3 to 9) will work satisfactorily in the rain garden, wild American red raspberries (zones 2 to 6) will work even better. Enjoying wet feet, they will do well either on the berm or in the basin.

6. Elderberry (*Sambucus canadensis*)



[Elderberry \(/crops-and-gardening/elderberry-harvest.aspx\)](/crops-and-gardening/elderberry-harvest.aspx) grows in zones 3 to 10 and will produce flowers and berries that both humans and wildlife will enjoy. It does well in the basin of the rain garden, where this large, 12-foot-tall shrub will quickly absorb excess rainwater.

7. Highbush Cranberry (*Viburnum trilobum*)

PLANTS TO BE CHOSEN FROM PUBLICATION

R1

CRD

Making a difference...together



Native Plants for Moist/Wet Sites

Native Plant Trees and Shrubs

- ✓• Black twinberry (*Lonicera involucrate*)
- x• Devil's club (*Oplopanax horridus*)
- Hardhack (*Spiraea douglasii*)
- Highbush cranberry (*Viburnum edule*)
- Labrador tea (*Ledum groenlandicum*)
- x• Pacific ninebark (*Physocarpus capitatus*)
- Red elderberry (*Sambucus racemosa*)
- Red-osier dogwood (*Cornus stolonifera*)
- Salal (*Gaultheria shallon*)
- Salmonberry (*Rubus spectabilis*)
- Sweet gale (*Myrica gale*)
- ✓• Thimbleberry (*Rubus parviflorus*)
- Western bog laurel/swamp laurel (*Kalmia microphylla*)
- Willow (*Salix lucida*, *S. scouleriana*)^{**} There is an invasive variety (*Salix alba*) that is considered invasive and exotic

Native Herbaceous Plants

- Bog buckbean (*Menyanthes trifoliata*)
- Bunchberry (*Cornus Canadensis*)
- Camas (*Camassia quamash* & *C. leichtlinii*)
- Common cattails (*Typha latifolia*)^{**} exotic varieties exist
- Coltsfoot (*Petasites palmatus*)
- Common rush (*Juncus effuses*)^{**} exotic varieties exist
- Deer fern (*Blechnum spicant*)
- False lily of the valley (*Maianthemum dilatatum*)
- False solomon's seal (*Smilacena racemosa*)
- Foamflower (*Tiarella trifoliata*)
- Fringecup (*Tellima grandiflora* & *Lithophragma glabrum*)
- Golden-eyed grass (*Sisyrinchium californicum*)
- Henderson's checker mallow (*Sidalcea hendersonii*)

- Hooker's fairybells (*Disporum hookeri*)
- Lady fern (*Athyrium filix-femina*)
- Monkey flower (*Mimulus guttatus*, *M. lewisii*)
- Northern maidenhair (*Adiantum pedatum*)
- Piggyback plant (*Tolmiea menziesii*)
- Skunk cabbage (*Lysichiton americanum*)
- Stream violet (*Viola glabella*)
- Wapato (*Sagittaria latifolia*)
- Wild ginger (*Asarum caudatum*)
- Yellow marsh marigold (*Caltha palustris* var. *palustris*) *Invasive varieties exist

Building a Rain Garden



Rain gardens are landscape features that are designed to collect rainwater runoff from impervious surfaces such as roofs and driveways. They are simply depressed garden spaces that hold runoff and allow it to infiltrate into the soils.



Disclaimer

This sheet contains general principles only and they may not be appropriate for every property or project. Use common sense when building your rain garden. You assume the risk and are responsible for any modifications to your property or drainage flow, for legal compliance, and for necessary permits and authorizations. Check with your municipality if you are unsure of regulations or requirements.

For More Information:

CRD Hotline
250.360.3030
hotline@crd.bc.ca

CRD Stormwater, Harbours
and Watersheds Program
250.360.3256
stormwater@crd.bc.ca
www.crd.bc.ca/watersheds

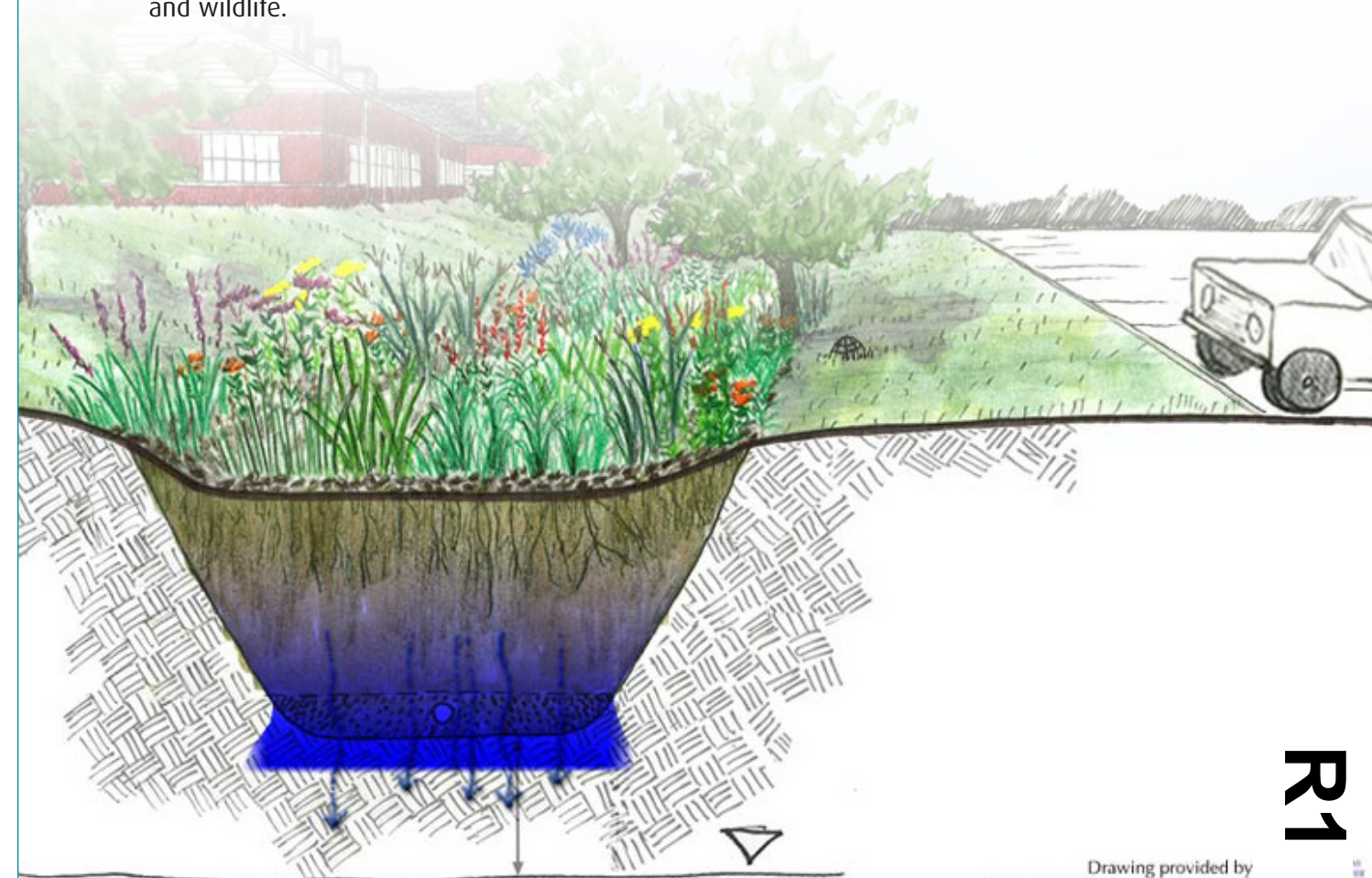
By allowing rainwater to infiltrate rather than enter the stormwater system, we can reduce the peak flows during rainfall events which reduces flooding and erosion in downstream creeks and streams. There are many benefits of creating a rain garden. Rain gardens can help:

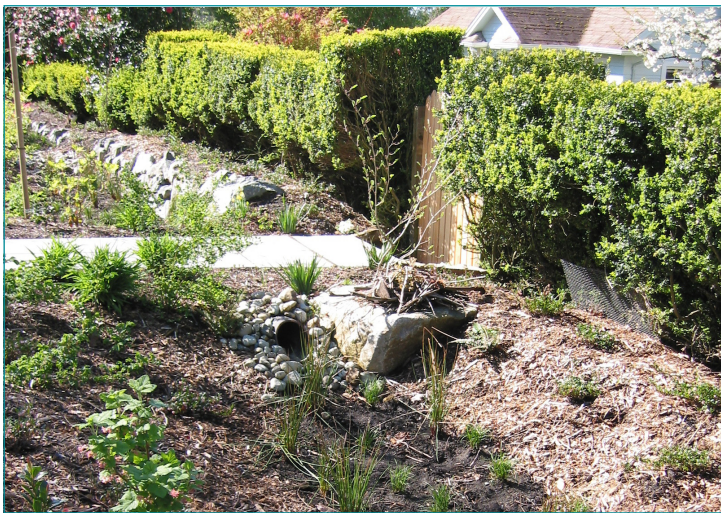
- reduce flooding on neighbouring property
- reduce erosion in creeks and streams
- filter out pollutants before they reach the storm drain and enter our waterways
- recharge aquifers
- provide habitat for beneficial insects, birds and wildlife.

Mosquitoes



Mosquitoes should not be a problem in a properly designed rain garden. Mosquitoes require a minimum of four days of standing water to lay and hatch eggs. A properly designed rain garden should only have surface water present for 1-2 days. Rain gardens also provide habitat for beneficial insects like dragonflies, which are natural predators of mosquitoes.





Steps To Building A Rain Garden

4 Determine Sizing

- Determine the roof and/or driveway area that will be draining to the rain garden.
- Measure the area you have available for the rain garden.
- Determine the path that the rain water will follow to get to the rain garden – over the yard or through a rock filled ditch or pipe (ensure that you have an overflow that directs the water toward a storm drain during large storm events).
- A general rule is to size your rain garden to at least 20% of the size of the impervious area that will be providing water for the garden, depending on how well your soils drain. This area should hold 70-100% of the water.



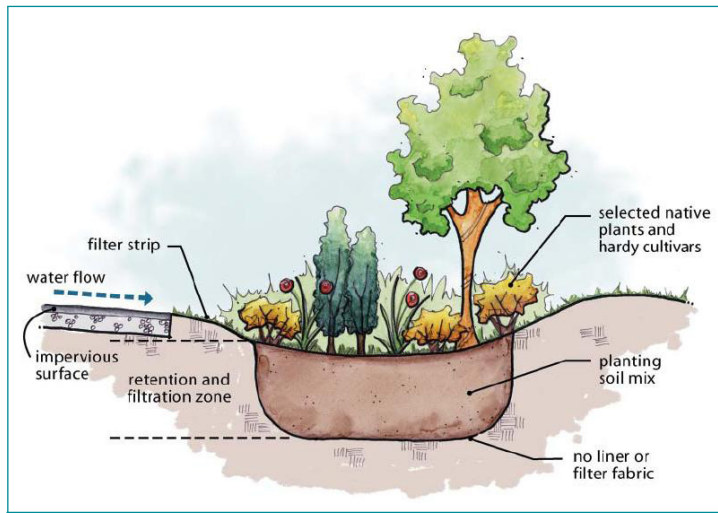
Choose Your Site

Contact your municipality and utility providers before you dig to ensure that you avoid any underground utilities.

- Choose an area that is at least 3 metres from any building, but not more than 10 metres from your downspouts. Consider your neighbours when choosing your site.
- Look for a level area with good drainage where water doesn't pool.
- Avoid placing the rain garden over a septic system or a water well.
- Choose an area that runoff can flow naturally.

Assess Your Soil

- Dig a small hole, about 60 cm deep. While digging, observe soil characteristics: if the soil is sticky and smooth, it may have higher clay content; smooth but not sticky, it is likely a silty soil; and if it is gritty and crumbles easily, it is a sandy soil. Soils with higher clay or silt content will have slower rates of infiltration compared to sandy soils.
- Fill the hole with 20 cm of water. If the water does not drain within 12 hours, it is not a good location for a rain garden.



Cross Section Of A Rain Garden

Design and Build

- Determine the location of the garden, measure out the size and mark.
- Determine the locations of the inflow and overflow, lining with rocks if necessary to prevent erosion.
- Dig 45-75 cm deep, ensuring the bottom of the rain garden is flat.
- Before replacing your soils, amend with compost to improve infiltration, about 2/3 soil and 1/3 compost.
- Return amended soils to the garden, leaving an area of 15-30 cm for ponding.

Plant and Mulch

There are typically three zones to consider when planting your rain garden.

- Zone 1 – bottom – choose plants that tolerate wetter conditions.
- Zone 2 – sides – plants that can tolerate wet or dry conditions.
- Zone 3 - Top edge – plants that are drought tolerant.
- It is important to consider the amount of sun the plants will receive as well as maintenance needs.



- After the plants have been placed and watered well, cover the entire rain garden with composted mulch.
- For plant lists, see www.crd.bc.ca/raingardens

Maintaining Your Rain Garden

It is important to maintain your rain garden, just like any other garden area. Regular maintenance will ensure that the rain garden performs well and looks good.

- Watering - Water the new plants regularly for the first 1-3 years until well established. If you have chosen appropriate native plants, the garden should require little to no watering after 2-3 years.
- Mulching – replenish mulch layers to prevent erosion, control weeds, improve infiltration and conserve water.
- Weeding – rain gardens will still function if weeds are present, however they will compete for space with the plants selected for the rain garden. Weed as necessary by hand, and do not use fertilizers or pesticides.
- Keep your inflow and outflow areas clear of and use rocks to prevent erosion.

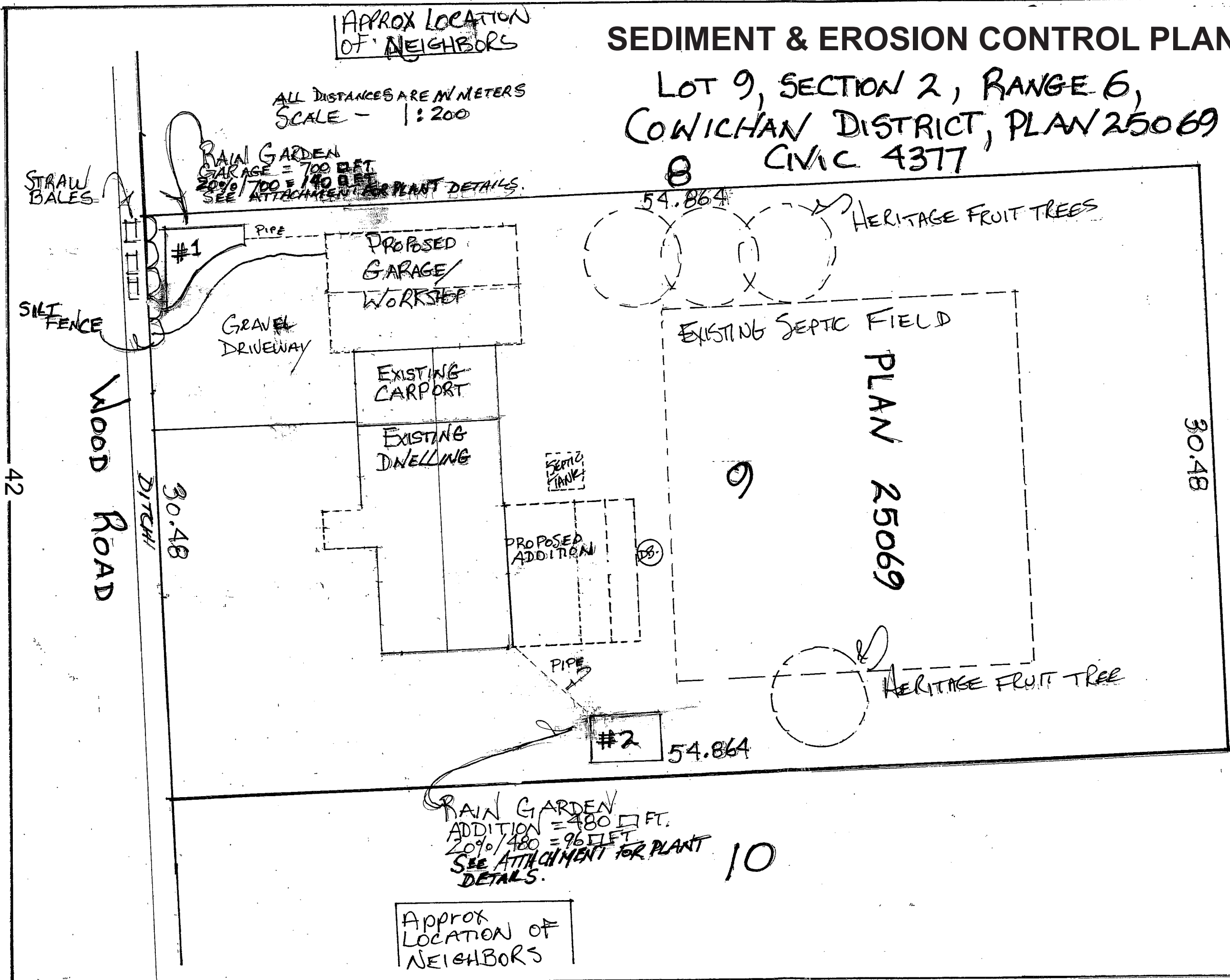
ATTACHMENT E

SEDIMENT & EROSION CONTROL PLAN

LOT 9, SECTION 2, RANGE 6,
COWICHAN DISTRICT, PLAN 25069
CIVIC 4377

APPROX LOCATION OF NEIGHBORS

ALL DISTANCES ARE IN METERS
SCALE - 1:200



PROPOSED SEDIMENT & EROSION CONTROL MEASURES

THE FOLLOWING MEASURES MUST BE PUT IN PLACE BEFORE CONSTRUCTION BEGINS & MAINTAINED UNTIL CONSTRUCTION IS COMPLETE.

- Installing silt fencing;
- Where possible, conducting earth-works activities during dry months of the year;
- Covering temporary fills or stockpiles with sheeting or tarps;
- Installing sediment ponds or traps to retain washdown water and sediments at construction site access points;
- Halting construction during periods of significant precipitation;
- Staging development activities to allow re-establishment of vegetation and minimize bare areas;
- Seeding or re-vegetating cut and fill slopes and disturbed areas and using mulches and other organic stabilizers to minimize erosion until vegetation is re-established.

DRAWN BY D. BALLARD FOR
D+S BALLARD

APPROX LOCATION OF NEIGHBORS



Application for Development Permit Variance

Lot 9, Section 2, Range 6,
Cowichan District,
Plan 25069

Re: Don & Sandra Ballard
4377 Wood Rd.
Cowichan Bay, BC

A variance on the above mentioned property is hereby requested to decrease the required side yard setback from 3 meters to 1.5 meters to accommodate a 20 ft. x 35 ft. garage/workshop. Please see site plan (as provided) for detail.

Rational for Variance:

Due to an existing septic field and a number of heritage fruit trees (40 years old), there is little adequate space in the rear yard for any structure. Also, since the Ballard's would like to store their 20 ft. boat while not in use, and still have room to work on other home related projects, the proposed 20 ft. width is necessary to accommodate space for their needs.

Respectfully submitted:
Patrick Caporale
Caporale Construction Ltd.

Per:
Don & Sandra Ballard



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

FILE NO: 02-D-17DP/VAR

DATE: _____

REGISTERED PROPERTY OWNER:

1. This Development Permit is issued and is subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.

2. This Development Permit applies to any and all buildings, structures and other development located on those lands within the Regional District as described below (legal description):

*LOT 9, SECTION 2, RANGE 6, COWICHAN DISTRICT, PLAN 25069
(PID: 002-865-963)*

3. Authorization is hereby given to vary Section 5.5(4)(b) of Zoning Bylaw No. 3705 to reduce the side parcel line setbacks from 3 metres to 1.5 metres, in accordance with the attached Schedules.

4. Authorization is hereby given for the **construction of an addition to an existing dwelling** in accordance with the following requirements and attached Schedules:

Prior to issuance of a Building Permit:

- 1) Implementation and maintenance of Sediment and Erosion Control Measures in accordance with Schedule C.

Prior to issuance of an Occupancy Permit:

- 2) Implementation of the Rainwater Management Plan in accordance with Schedule B;

5. The land described herein shall be developed in substantial compliance with the terms and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.

6. The following Schedules are attached:

- Schedule A – Site Plan & Elevations
- Schedule B – Rainwater Management Plan
- Schedule C – Erosion & Sediment Control Plan

This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Planning and Development Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY SECTION 7(a) OF CVRD DEVELOPMENT APPLICATION AND PROCEDURES AND FEES BYLAW NO. 3275.

Ross Blackwell, MCIP, RPP, General Manager
Planning & Development Department

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any construction within 2 years of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Cowichan Valley Regional District has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with _____(owner), other than those contained in this Permit.

Owner/Agent (signature)

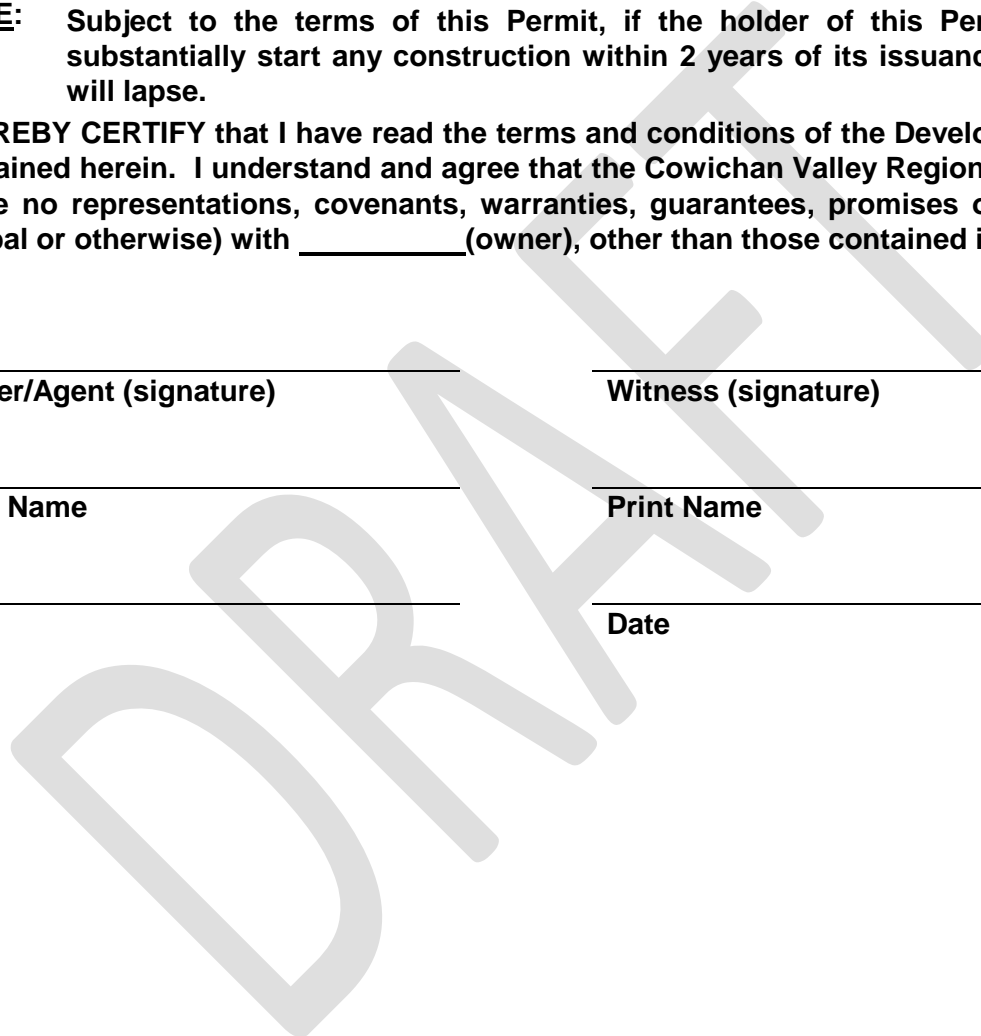
Witness (signature)

Print Name

Print Name

Date

Date





STAFF REPORT TO COMMITTEE

DATE OF REPORT February 20, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 1, 2017

FROM: Development Services Division
Planning & Development Department

SUBJECT: Rezoning Application No/ 01-D-16RS (4705 and 4715 Trans-Canada Highway)

FILE: 01-D-16RS

PURPOSE/INTRODUCTION

The purpose of this report is to consider a zoning amendment application that would permit “commercial recreation and entertainment”, “distillery, brewery”, “food processing”, and increase the number of permissible residential units on the subject properties.

RECOMMENDED RESOLUTION

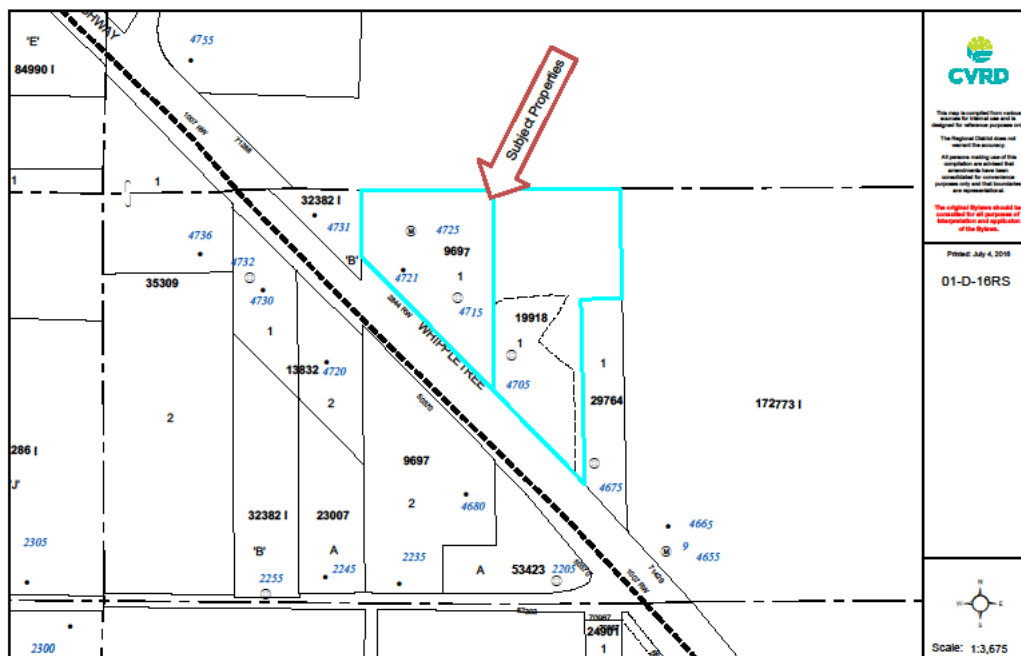
That it be recommended to the Board:

1. That the Zoning Amendment Bylaw for Application No. 01-D-16RS be forwarded to the Board for consideration of 1st and 2nd reading;
2. That the referrals to Ministry of Transportation and Infrastructure, Island Health, Agricultural Land Commission, Cowichan Bay Volunteer Fire Department, RCMP (Duncan Detachment), and Cowichan Tribes be accepted;
3. That a public hearing be scheduled with Directors from Electoral Areas D, E and C as delegates.

BACKGROUND

<u>Location:</u>	4705 and 4715 Trans-Canada Highway
<u>Legal Descriptions:</u>	<ul style="list-style-type: none"> • Lot 1, Section 6, Range 2, Cowichan District, Plan 9697 Except Part in plan 2844RW (PID: 005-376-289) and • Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, Except Part in Plan 29764 (PID: 003-644-936)
<u>Agent/Owner:</u>	Alice Hung for Alice Hung, Grace Hung and Yum Hung Co-applicants Raptor Warrior Games
<u>Size of Land Parcels:</u>	Combined 4.46 ha (11.04 acres)
<u>Use of Property:</u>	Whippletree Junction – retail, office, café, auction
<u>Use of Surrounding Properties:</u>	North – Farm/ Agricultural Land Reserve (ALR) South – Trans Canada Highway/Dinter Nursery East – Commercial (Restaurant also Zoned C-2) West – Currently being developed for office (C-2 Zoned)
<u>Road Access:</u>	Whippletree Frontage Road
<u>Water:</u>	On site/private system – Whippletree Holdings Water System
<u>Sewage Disposal:</u>	On site/private system
<u>Environmentally Sensitive Areas:</u>	None identified, stream/drainage located at the northeast
<u>Fire Protection:</u>	Cowichan Bay Volunteer Fire Department
<u>Wildfire Hazard Rating:</u>	Moderate
<u>Existing Plan Designation:</u>	Rural Commercial

<u>Proposed Plan Designation:</u>	Same
<u>Existing Zoning:</u>	C-2 (Rural Commercial 2)
<u>Proposed Zoning:</u>	New Zone (draft attached)

LOCATION MAP**APPLICATION SUMMARY**

The subject properties are commercially zoned parcels, totaling approximately 4.46 hectares (11.04 acres) in size, and are currently occupied by a variety of retail shops, café and auction. The two subject properties are known as Whippetree Junction. The Pioneer House Restaurant is on an adjacent property, and is not part of this application.

Whippetree Junction was first established¹ in the late 1960s by Randy Streit and was established as a collection of buildings that had been destined to be demolished. Instead of being demolished, they were moved to their present locations at Whippetree Junction. Beginning with the Wickertree building, which came from Duncan's old Chinatown, other old buildings were also brought onto the properties including the Wagon Wheel Antiques building which was a fish cannery in Sooke. The Black Coffee and other Delights building was formerly a post office and bank in Cobble Hill.

There are many other features of historic or collectable interest, including the fountain in the courtyard called the Trickle tree, which is made of an old sawmill and car parts, collectable signage and other pieces, as well as original bricks from the old Bamberton cement plant.

As shown on the attached orthophoto, the northern portion of Lot 1, Plan 19918 consists of a large, vacant field which the co-applicants propose to establish for outdoor active sports, principally paintball and arrow tag.

¹ Historical summary excerpted from the Whippetree Jun 48 n Merchant Group Facebook Page. October 5, 2016

Proposal:

The co-applicants have launched a paintball storefront in one of the existing buildings serving as a retail store, office and starting location for the paintball participants. The office and retail component is permitted in the zoning, however, outdoor recreation is currently not permitted, which is why the change to the zoning had initially been considered. The application proposes to amend the zoning to allow “commercial entertainment and recreation”, which would capture the paintball use.

In reviewing the zoning applicable to the properties, there are some additional proposed uses that the property owner would like to see permitted on the subject properties:

- food processing;
- distillery, brewery; and
- increased number of permitted residential units to accommodate, in particular, live/work scenarios.

The property owner and co-applicants indicate that broadening the zoning to include a “main draw” would increase the viability of the existing retail, office, and café uses within Whippletree Junction.

For a description on the proposed paintball business, please see the attached letter.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

This proposed amendment has been referred to the following external agencies for comment:

- Island Health – No objection (see attached)
- Ministry of Transportation and Infrastructure – No comment
- Agricultural Land Commission – Interests unaffected, properties are not in the ALR. Buffering recommended if possible.
- Cowichan Tribes – No objection
- RCMP (Duncan Detachment) – See attached (support for commercial recreation and entertainment)
- Cowichan Bay Volunteer Fire Department – Recommend safety improvements and provision of onsite water source;
- CVRD Parks & Trails Division – Recommend financial amenity contribution towards construction of a future trail linking Whippletree Junction with other destinations within Electoral Area D;
- CVRD Economic Development Division – Interests unaffected
- CVRD Public Safety Division – See comments (all private roadways must be designed to support and allow access to emergency vehicles)
- CVRD Engineering Services Department – Interests unaffected

The Advisory Planning Commission for Electoral Area D recommended approval of the “commercial entertainment and recreation” use, but had concerns that the other proposed uses were not sufficiently developed at this time – see attached minutes.

OFFICIAL COMMUNITY PLAN/POLICY CONSIDERATIONS***Official Community Plan***

The subject properties are designated Rural Commercial within the Cowichan Bay Official Community Plan (OCP), and this designation is generally supportive of uses that generate employment and contribute to the local economy.

The OCP supports redevelopment of Rural Commercial lands to provide economic opportunities while mitigating any impacts to groundwater, environmental quality, and the appearance of development from the Trans-Canada Highway. 49

Specific policies intended to guide development proposals within Whippetree Junction are noted below:

- 4.4 (1)(c)(vii) For applications within the Whippetree Junction area, significant heritage resources will be formally protected by bylaw, covenants or heritage revitalization agreements.
- 4.4 (4) To support the redevelopment of Whippetree Junction as a mixed use area, including commercial, residential and complementary uses, and purpose as a visitor destination.
- 4.4 (4)(a) Redevelopment within the Whippetree Junction area should involve recognizing and protecting significant heritage resources. This policy is not intended to preclude opportunities to relocate heritage buildings to another suitable location.
- 4.4 (4)(b) The CVRD will support the redevelopment of Whippetree Junction to include a housing component, contingent on CVRD approval of proposed liquid waste management infrastructure and connection to a community water system, if available.

Revitalization and enhancement of commercial nodes, including at Whippetree Junction, for the purposes of economic development, is supported throughout the OCP, and encourages unique, innovative and independent small businesses.

Community Amenity Contributions

Objective 6.2 (2) of the OCP states that new development should enhance the lives of community members.

- 6.2(2)(a) Recognizing that all developments, large and small, have cumulative impacts on the community, rezoning applications involving an increase in development potential will be encouraged to provide community amenities, irrespective of their size, scope or location.

The policies specified in this section highlight the importance of community amenities in off-setting impacts related to an increased number of residents (for example on park infrastructure) and the objective to protect existing environmental or heritage features. In the current application, the proposed zoning change does not materially impact the development potential, with respect to increasing the number of residents, or create a significant uplift in land value so any requested amenities should be commensurate with the scale of the application. For reference on the amenity policies of the Electoral Area D OCP, please see Attachment H.

A trail between Bench Road and Whippetree Junction is currently identified in the Electoral Area D Parks and Trails Master for development to connect Cowichan Bay village to Whippetree Junction. As a result, the Parks & Trails Division has recommended that the property owner contribute a financial amenity towards development of the trail. At this time, the exact location and timing of the trail development is unknown. The Parks & Trails Division has prepared an estimate for two options, and suggested that the applicants provide approximately one third of the cost (\$31,000).

This is more than the property owner is prepared to contribute.

Development Permit Area

The APC had concerns that some of the proposed uses - “food processing”, “distillery/brewery” and the residential component - were not sufficiently developed to provide comments. However, at this time staff are considering the overall land use and whether the uses are appropriate for the subject property. Any further construction would require a Development Permit, and any additional development would be subject to the *Food Premises Regulation*, *Sewerage System Regulation*, and *Drinking Water Protection Act and Regulation*.

Comments from Island Health note that the Whippetree Holdings Water System may require assessment to ensure that it has the capacity to meet the needs of future development, likewise with the sewerage system.

Heritage

The application does not propose any changes to or removal of the existing buildings. The CVRD established a Heritage Register in 2009 to promote local tourism, support heritage conservation and planning, and to increase public awareness.

The Heritage Register formally acknowledges the significance of sites within the Cowichan Valley for their heritage value. It is non-binding on the owner and, in terms of renovations, repairs, or demolition, does not limit what can be done on a building.

Upon consent of the owners, the CVRD could begin work to include Whippetree Junction on the Heritage Registry.

Zoning – Permitted Uses

The zoning is C-2 (Rural Commercial). For reference, please see attached excerpt from Zoning Bylaw No. 3705.

The main focus of the application is to permit “commercial recreation and entertainment”, which would allow the paintball facility. However, it is also requested that the list of permitted uses be expanded to increase the long-term viability of Whippetree Junction, and to increase the number of permissible residential units.

For reference, commercial recreation and entertainment is defined as:

the use of land, buildings or structures for the purpose of operating a commercial recreation and entertainment business including bowling alleys, arcades, indoor and outdoor rock climbing facilities, dance halls, pools, skating rinks, and uses of a similar nature.

The commercial recreation and entertainment use is currently permitted in the C-6 (Village Service Commercial Zone), which is only located in the Koksilah Village area near Chaster Road. The Zoning Bylaw is structured in a manner that separates Village Commercial zones from Rural Commercial zones. There is overlap in the uses of existing zones, however some of the zones were created to acknowledge existing uses that may not be appropriate elsewhere.

While the C-2 Zone could perhaps benefit generally from additional uses, at this time the proposed new uses are being considered for only the two adjacent lots at Whippetree Junction (the subject properties).

Zoning – Residential Density

Within the existing C-2 Zone, one dwelling is permitted per parcel accessory to a principal permitted use. The number of dwellings permitted in commercial zones ranges from one per parcel to two per parcel, up to 5 units per hectare in the C-7 Zone (Parhar Business Park).

The OCP supports inclusion of a housing component at Whippletree Junction, which would add diversity to the site, and increase opportunities for live/work scenarios. There is no immediate or near term opportunity for expansion of community sewer and water to service this area, although it is shown in the OCP Community Water Servicing maps as being an area of potential community sewer and water expansion. Opportunity for higher density is limited at this time, however, additional density may be beneficial in the long-term should servicing become available.

Under existing servicing, it is proposed that the number of residential units be expanded to two units per parcel without community services, or one unit per 0.4 ha with community water. The minimum parcel size would be increased to 2 ha to maintain an overall density similar to that which is permissible under the existing subdivision regulations.

At this time, staff are not recommending adding additional residential density if connected to community sewer and water systems, as this would more appropriately be considered when there is a viable community water and sewer system, and we can more fully evaluate all the options with respect to residential development on the subject properties.

Agricultural Land Reserve

The properties are bordered on the north and east sides by the Agricultural Land Reserve (ALR). In order to minimize potential for conflict between agricultural and non-agricultural land uses, the OCP has established the "Agricultural Protection Development Permit Area" (DPA), which would apply to construction of new structures and removal of trees.

Additionally, a landscaped buffer is recommended in accordance with the Ministry of Agriculture and Lands "*Guide to Edge Planning*" for development adjacent to ALR lands.

The paintball activity is located at the rear of the property in an existing cleared area, and the applicants do not intend to remove trees that currently serve as a buffer between the subject properties and the ALR lands to the north and east. There is also a creek at the rear of the property which serves as a natural buffer area.

A landscaped buffer covenant is not being recommended by staff at this time, as specific requirements can more appropriately be dealt with at the time of future building if there are any. Currently, there are trees and the creek buffering the ALR, and this will remain.

PLANNING ANALYSIS

The plan encourages revitalization and enhancement of commercial nodes for economic development and local employment, and to attract visitors to the area.

The OCP encourages unique, innovative and independent small businesses, and the proposal is therefore consistent with the Official Community Plan. The proposed uses are consistent with the existing permitted uses of the C-2 Zone and are appropriate for the site.

Staff recommend Option 1.

OPTIONS

Option 1:

1. That the Zoning Amendment Bylaw for Application No. 01-D-16RS be forwarded to the Board for consideration of 1st and 2nd reading;
2. That the referrals to Ministry of Transportation and Infrastructure, Island Health, Agricultural Land Commission, Cowichan Bay Volunteer Fire Department, RCMP (Duncan Detachment), and Cowichan Tribes be accepted;
3. That a public hearing be scheduled with Directors from Electoral Areas D, E and C as delegates.

Option 2:

1. That the Zoning Amendment Bylaw for Application No. 01-D-16RS be forwarded to the Board for consideration of 1st and 2nd reading;
2. That the referrals to Ministry of Transportation and Infrastructure, Island Health, Agricultural Land Commission, Cowichan Bay Volunteer Fire Department, RCMP (Duncan Detachment), and Cowichan Tribes be accepted;
3. That a public hearing be waived in accordance with Section 464(2) of the *Local Government Act* as the proposed Zoning Amendment is consistent with Area D Official Community Plan No. 3605.

Option 3:

That Rezoning Application 01-D-16RS be denied and a partial refund be provided to the applicant in accordance with the CVRD's Development Application Procedures and Fees Bylaw.

Prepared by:

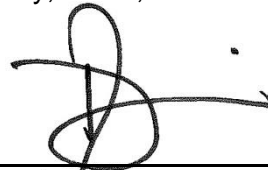


Rachelle Rondeau, MCIP, RPP
Planner II

Reviewed by:



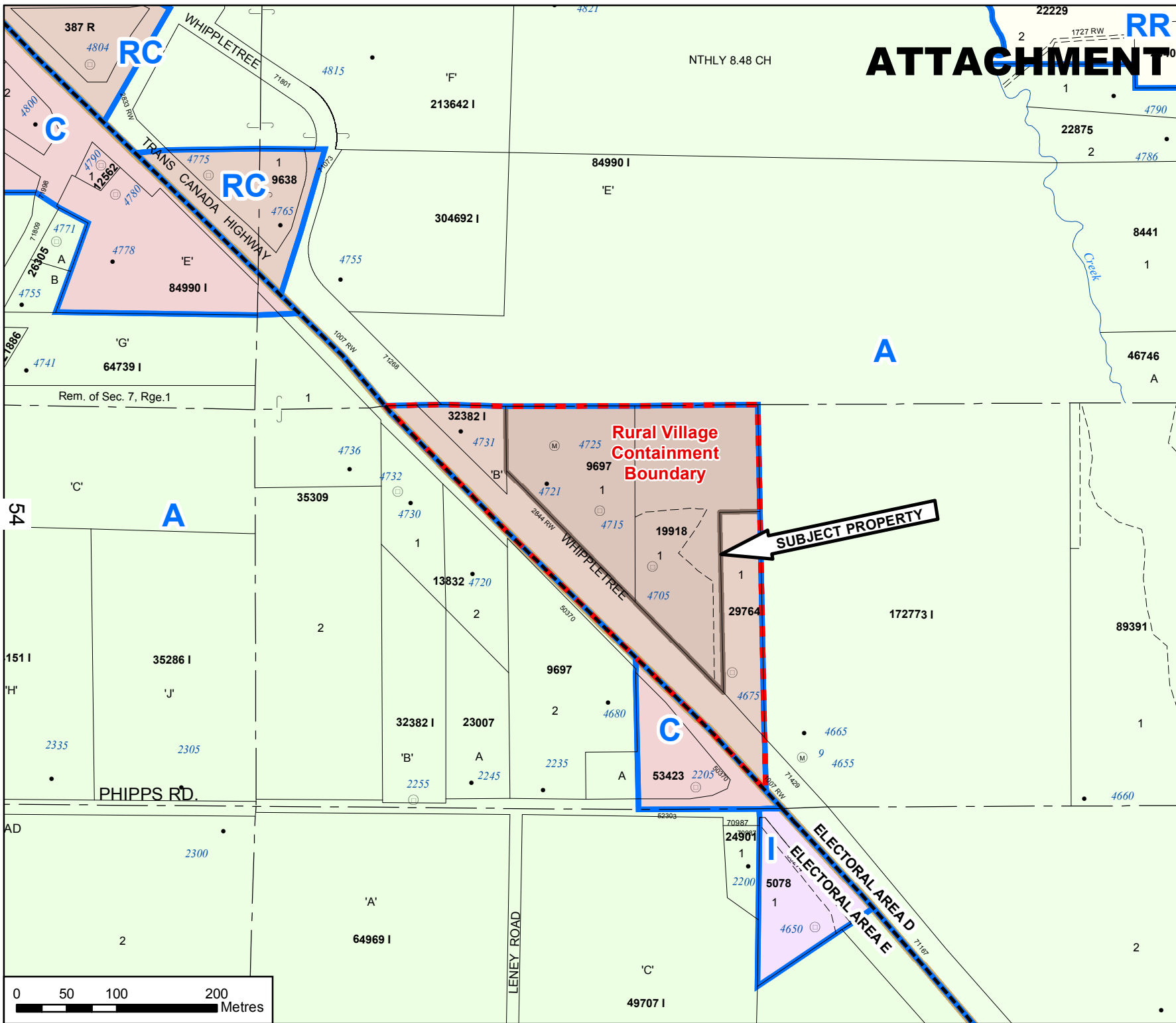
Rob Conway, MCIP, RPP
Manager




Ross Blackwell, MCIP, RPP, A. Ag.
General Manager

ATTACHMENTS:

- Attachment A – Official Community Plan Map
- Attachment B - Zoning Map
- Attachment C – Orthophoto
- Attachment D - Description of Paintball Business
- Attachment E – Current C-2 Zone, Bylaw No. 3705
- Attachment F – APC Minutes
- Attachment G – Referral Agency Comments
- Attachment H – Community Amenity Contribution Policy
- Attachment I - Proposed Zoning Amendment Bylaw



ATTACHMENT A



This map is compiled from various sources for internal use and is designed for reference purposes only.





The Cowichan Valley Regional District does not warrant the accuracy.

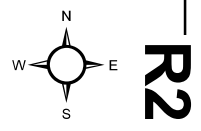
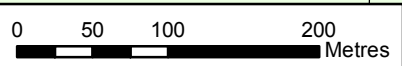
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

File: 01-D-16-RS

OCP

- Legend
-  Subject Property
 -  Urban Containment Boundary
 -  OCP D
 -  OCP E



ATTACHMENT B



This map is compiled from various sources for internal use and is designed for reference purposes only.

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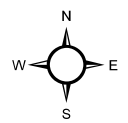
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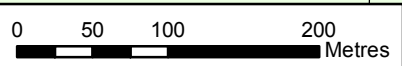
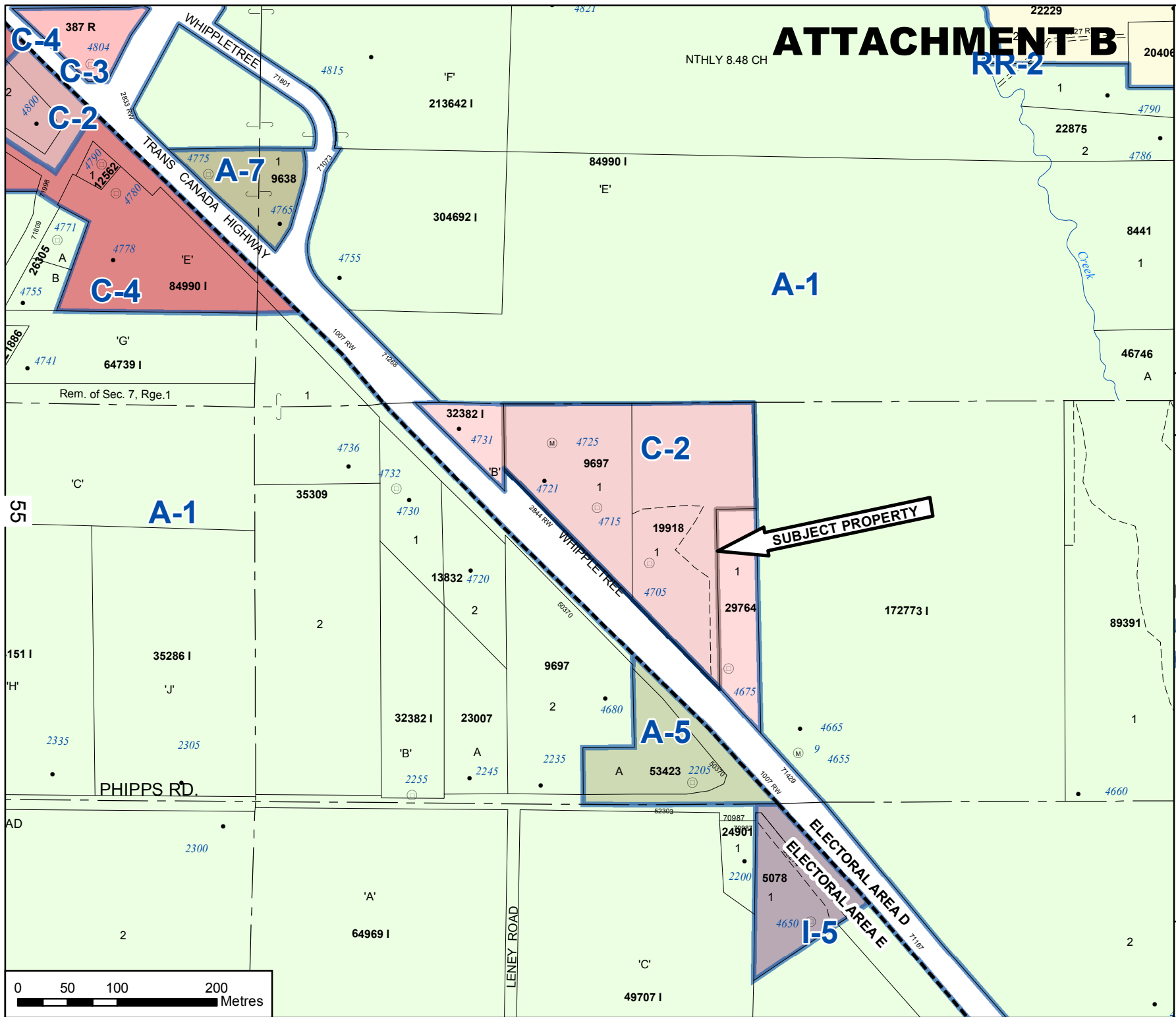
File: 01-D-16-RS

ZONING

- Legend
- Subject Property
 - Zoning D Uplands
 - Zoning E



R2



ATTACHMENT C



This map is compiled from various sources for internal use and is designed for reference purposes only.

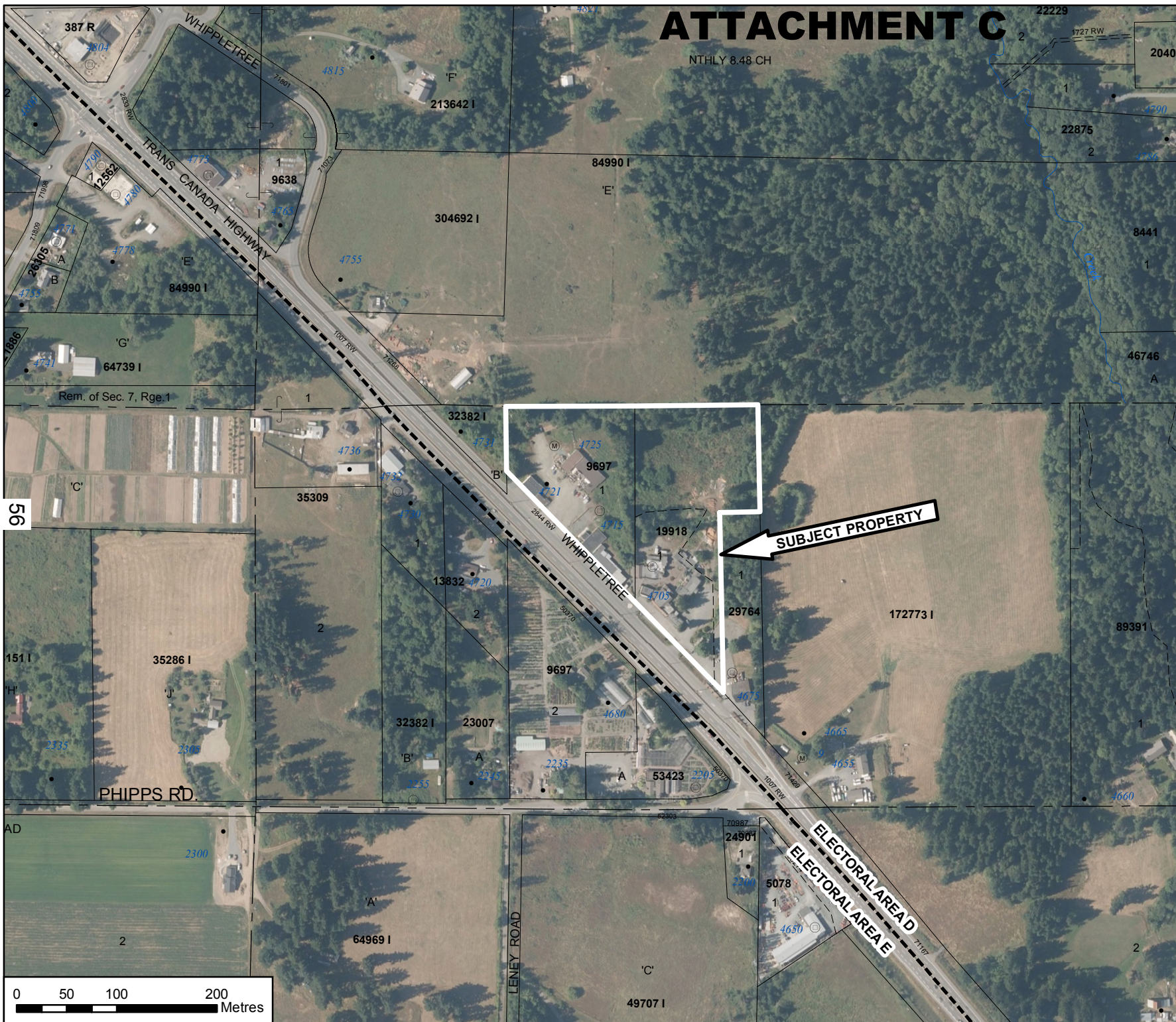
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File: 01-D-16-RS

TRIM Orthophoto (2014)



56

AD

R2



4705 Trans Canada Hwy
Duncan BC, Canada
V9L 6E1

Re: Zoning Application



Greetings to whom this may concern;

My name is Jamie Martens, me and my business partner Adrian Clarkson are creating a family friendly adventure park that will showcase a few different types of games at the Whipple Tree Junction Mall. We plan on creating a welcoming environment that supports the community in many different ways!

Our goal at Raptor Warrior Games is to create a safe and respectful environment for both kids and adults to be active and participate in action sports. Our core product will be paintball but we plan to offer a number of games to match different tastes and ages.

One of the games that we are excited to offer is JT Splatmaster, a low powered and gentler version of paintball suitable for kids as young as eight! We also plan to offer arrow tag, which is similar to paintball in many respects but played with low powered bows and foam tipped arrows.

Safety is one of our main focuses at Raptor. Each playing area is completely enclosed in safety netting that has been specifically engineered for the games we offer, and every game is supervised and controlled by one of our experienced referees to ensure that all players comply with safety rules and are using their safety equipment correctly. Our refs are also skilled at adjusting game dynamics as needed to ensure that all levels of players have fun!

Our playing field is designed to be low impact on the environment, using recycled or re-appropriated materials wherever possible (such as used tires and water drums to create obstacles) and removing mostly invasive plant species such as scotch broom while leaving the rest of the natural setting untouched.

All of the items and equipment used in our games will either be retrieved and reused (such as the foam tipped arrows) or is non-toxic and completely biodegradable (such as the paintballs).

The location proposed for this zoning application is a previously unused field behind Whippetree Junction that was overgrown with broom and blackberry.



We have included a layout of the area in question with key areas and features labeled:

- 1) This is the location in Whippetree of the storefront, which serves both as a retail store and as the access point for people coming to play one of the games we offer.
- 2) This is a simple gravel pathway that leads from the storefront to the playing area.
- 3) The “staging area” is a covered area with large tables for players to organize their equipment, leave their water-bottles and other gear, and to rest between games.
- 4 & 5) These are the fun parts! The speedball field and the urban field are the two areas where the games actually happen. The two separate fields offer two different styles of gameplay.





Over the next couple of pages we have included pictures of the area and our uses for them, as well as some of our guests having a good time! We have also included some stock pictures of the games that we don't have up and running so that you can see exactly what it is we are hoping to offer.



The above pictures are stock photos that show the "Splatmaster" product, and some kids enjoying it! As you can see it is great fun for young kids, but is also fun for adults and a great chance for family groups to play together.

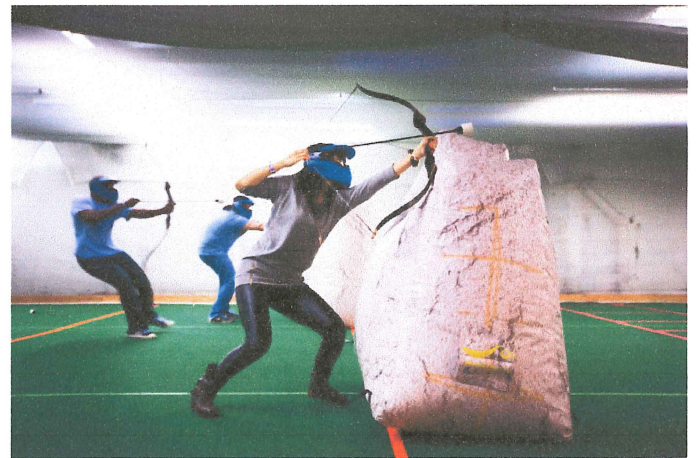


Now some pictures of our core product, Paintball! Here you will see some of our existing customers enjoying themselves.





Here are some stock photos of people playing one of the variations of "arrow tag", another game that we are hoping to offer in the near future!





Thank you very much for taking the time to read our proposal and consider our application. We hope these past few pages have shown you what we are about and what we are hoping to offer. We truly believe that we can be a boon to both the local business community and to the local population as a fun and active destination. We hope that our zoning application goes through smoothly, and look forward to being a long term part of the Cowichan Valley community.

Best Regards,

Jamie Martens

Adrian Clarkson



Part 7 Commercial & Mixed Use Zones

7.1 C2 – Rural Commercial 2 Zone

Subject to compliance with **Part 2** of this bylaw, the following regulations apply in the **C2** zone:

1. Permitted Uses

The following principal uses and no others are permitted:

- a) Agricultural and horticultural supply sales;
- b) Artist studio;
- c) Auction;
- d) Bakery;
- e) Building supply sales;
- f) Café;
- g) Catering service;
- h) Equipment repair;
- i) Financial institution;
- j) Health studio;
- k) Market;
- l) Office;
- m) Personal service;
- n) Printing and publishing;
- o) Repair services;
- p) Restaurant;
- q) Retail sales;
- r) Veterinary services
- s) Wholesale sales;

The following accessory uses and no others are permitted:

- t) Dwelling;
- u) Exterior storage.

2. Density

Residential use is limited to one dwelling per parcel accessory to a principal permitted use.

3. Subdivision Regulation

The minimum parcel area for the purpose of subdivision is:

- a) 0.4 ha for parcels served by a community water system;
- b) 1 ha for parcels not served by both a community water system and a community sewer system.

4. Development Regulations

- a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;
- b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

- c) The maximum height of all buildings and structures is 10 m, except it is 7.5 m for accessory buildings and structures.

5. Special Regulations

- a) All parcels less than 1 ha in area are required to be serviced by community water services;
- b) Exterior storage is limited to 10% of the total gross floor area of the parcel.

Minutes of APC Meeting – Area D

November 15, 2016 8:00pm @ Cowichan Estuary Nature Centre

Agenda: Rezoning Application for 4705 and 4715 Trans-Canada Highway No. 01-D-16RS (Alice Hung)

Site visit: Conducted by five APC members on Saturday, November 12, 2016. Whippetree Junction owner Alice Hung attended as applicant, accompanied paintball adventure park principals Adrian Clarkson and Jamie Martens.

Members Attending: Robert Stitt (chair), Hilary Abbott, Kerrie Talbot, Ken Olive, Larry Gray and Peter Holmes.

Members Absent: Kevin Maher and Joe Kinrade

Officials Attending: None.

Applicants Attending: Alice Hung attended as applicant, accompanied paintball activity principals Adrian Clarkson and Jamie Martens and tenant Herb Rice.

Guests: None.

Purpose: Zoning amendment to permit “commercial recreation and entertainment”, “food processing”, “distillery, brewery” and increase in the number of permissible residential units.

Meeting called to order at 8:00pm.

Applicant described the history of Whippetree Junction and the challenges of sustaining a viable enterprise since the economic downturn and division of the Trans-Canada Highway. New initiatives are needed to increase traffic.

Main focus of the application is to have the paintball activity fully operational to attract a variety of user groups and families.

The paintball facility, which is partially constructed, is already attracting families, team building initiatives, schools, police groups and others.

Issues discussed by APC:

- **Water and septic:** Water supply from a well is very good and is regularly tested. According to the owner, one of two septic systems was recently upgraded and both are inspected annually and emptied as required. The owner also noted that there are no septic issues with the current onsite washrooms which are used by visitors, tenants and establishments outside of Whippetree.
- **Drainage:** There is considerable surface water in the paintball area at this time of year. Work has been undertaken to remove accumulated debris that has blocked normal drainage and a ditch is to be dug around the facility. Runoff is diffusing better than before.


- Security: The entire paintball area will be netted to contain the paintballs and prevent casual entry from outside the play area. At least one representative is on duty when play is underway.
- Sound: The air-powered paintball guns are relatively quiet. No issues have been raised by neighbours or tenants.
- Scope of “commercial recreation and entertainment”: Concern expressed that this phase was too broad and that less desirable forms of commercial recreation and entertainment could be proposed in the future that are inappropriate for a property adjoining the ALR. Further discussion resolved that servicing constraints make this unlikely in the foreseeable future.
 - OCP: Proposal a good fit with the OCP in terms of supporting the intent to see Whippetree Junction “accommodate a range of commercial and light industrial uses, which provide living wage employment and contribute to the local economy in Rural Village Areas.”

Motion: That the APC recommends amending the current C-2 zoning to include “commercial recreation and entertainment”.

Vote: All in favour.

Recommendation to the applicant: That a more detailed and documented proposal for the future development of Whippetree Junction, including the remaining items on the application – “food processing”, “distillery, brewery” and increase in the number of permissible residential units – be developed in consultation with the CVRD.

Meeting adjourned at 9:00pm.

 CVRD	COWICHAN VALLEY REGIONAL DISTRICT 175 Ingram Street, Duncan, B.C. V9L 1N8 Tel: (250) 746-2620 Fax: (250) 746-2621
BYLAW AMENDMENT REFERRAL FORM	Date: October 25, 2016
	CVRD File No: 01-D-16RS (Hung) (Whippletree Junction)

We have received an application to amend the zoning to permit “commercial recreation and entertainment”, “distillery, brewery”, and “food processing” on the subject properties as well as to increase the number of permissible residential units.

General Property Location: 4705 and 4715 Trans-Canada Highway (Whippletree Junction)

- Legal Description:**
- Lot 1, Section 6, Range 2, Cowichan District, Plan 9697 Except Part in plan 2844RW (PID: 005-376-289) and
 - Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, Except Part in Plan 29764 (PID: 003-644-936)

You are requested to comment on this proposal for potential effect on your agency’s interests. We would appreciate your response by **Friday, November 25, 2016**. If no response is received within that time, it will be assumed that your agency’s interests are unaffected. **If you require more time to respond, please contact CVRD Planner, Rachelle Rondeau, by calling 250-746-2622 or e-mailing rrondeau@cvrld.bc.ca**

Comments:

- | | |
|--|---|
| <input type="checkbox"/> Approval recommended for reasons outlined below | <input type="checkbox"/> Interests unaffected |
| <input checked="" type="checkbox"/> Approval recommended subject to conditions below | <input type="checkbox"/> Approval not recommended due to reasons outlined below |
- The Whippletree Holdings Water System may require an assessment to ensure that there is adequate capacity to support further development.
 - All “distillery, brewery” or “food processing” activities must meet the intent of relevant legislation, including but not limited to, the Drinking Water Protection Act & Regulation and Food Premises Regulation.

Signature *Stacey Sowa* Stacey Sowa Title ENV. HLTH OFFICER Contact No. 250-737-2022
(sign and print)

- This referral has been sent to the following agencies:**
- | | |
|---|---|
| <input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (Victoria)
<input checked="" type="checkbox"/> Vancouver Island Health Authority (Duncan)
<input checked="" type="checkbox"/> Agricultural Land Commission
<input checked="" type="checkbox"/> Cowichan Bay Volunteer Fire Department
<input checked="" type="checkbox"/> RCMP (Duncan Detachment)
<input checked="" type="checkbox"/> Cowichan Tribes | <input checked="" type="checkbox"/> CVRD Parks & Trails Division
<input checked="" type="checkbox"/> CVRD Public Safety Division
<input checked="" type="checkbox"/> Economic Development Division
<input checked="" type="checkbox"/> Engineering Services Department |
|---|---|

Rachelle Rondeau

From: Sowa, Stacey <Stacey.Sowa@viha.ca>
Sent: Friday, February 17, 2017 3:31 PM
To: Rachelle Rondeau
Subject: RE: Rezoning Referral
Attachments: CVRD - Bylaw Amendment Referral - November 2016.pdf

Hi Rachelle,

Thank you for getting in touch with us. I apologize if the comments were not forwarded on to you, but I have attached the comments that were provided back in November of last year. Based on the details of the rezoning, the addition of the commercial and recreational entertainment, distillery/brewery, and food processing facilities from our perspective do not differ greatly from the current allowable land uses. The Food Premises Regulation, Sewerage System Regulation, and Drinking Water Protection Act & Regulation would apply to these properties if there are any added food facilities, changes to the water system, or changes to the sewerage system. In the attached comments, I did make mention that the Whippetree Holdings Water System may require an assessment to ensure that it has the capacity to meet the needs of any future development. I am realising that I should have also mentioned that the Onsite Sewerage System servicing that area would also require an assessment if there are any additions to the system.

Alice Hung does have an operating permit for the drinking water system servicing Whippetree Junction. She is required to submit monthly samples for microbiological analysis and submit water samples for a chemical analysis every 5 years. As a water system operator, she is required to create, and make available, an Annual Report outlining water quality information and maintenance and operations information. We wouldn't flat out object to their being two dwellings on a single parcel but we would want to ensure that the land was capable of supporting further sewage treatment, that there was space enough to protect a well if a new water source was sought, and that any new water systems were registered with our office.

I apologize again that the comments did not get sent to your office. Please feel free to contact me if you have any questions or concerns.

Thank you,

Stacey Sowa, CPHI(C)
 Environmental Health Officer
 Island Health

From: Rachelle Rondeau [<mailto:rrondeau@cvrd.bc.ca>]
Sent: Friday, February 17, 2017 1:52 PM
To: Hall, Mark
Subject: Rezoning Referral

Hi Mark,

CVRD referred this application to Island Health in October, 2016 but it doesn't appear we ever received comments. Can you review and provide comments? In particular, the owner has advised that she tests her water monthly but I wonder what kind of reporting she does for Island Health and what kind of permit is in place. Also, if Island Health would object to allowing 2 dwellings per parcel versus the current one dwelling per parcel in conjunction with the commercial use. The two parcels in question are 1.9 ha and 2.5 ha.

Thank you,



Est. 1947

COWICHAN BAY VOLUNTEER FIRE RESCUE

4461 Trans Canada Hwy., Cowichan Bay, BC V0R 1N0
 Phone: 250-743-7111 | Fax: 250-743-7113 | Cell: 250-701-2948
www.cbvfr.com | www.facebook.com/CBVFR | info@cbvfr.com



November 24, 2016

Cowichan Valley Regional District
 175 Ingram Street
 Duncan, BC V9L 1N8
 Attention: Rachelle Rondeau
 CVRD Planner

Dear Ms. Rondeau,

Re: Your File No. 01-D-16RS (Hung) (Whippletree Junction)

We refer to the Bylaw Amendment Referral Form dated October 25, 2016 regarding an application to amend the zoning permit on the properties referred to collectively as Whippletree Junction.


The Cowichan Bay Improvement District and the Cowichan Bay Volunteer Fire Rescue have reviewed the proposal as presented and are prepared to support the amendment subject to the following:

- That provision is made for an adequate firefighting water supply by way of an appropriate hydrant system or other source, acceptable to the Cowichan Bay Volunteer Fire Rescue Fire Chief. NFPA Standard 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting should be used as a guide.
 Cowichan Bay Volunteer Fire Rescue ("CBVFR") considers the current status of the structures located at Whippletree Junction to present a significant fire risk and the ability of CBVFR to provide effective suppression services would be enhanced significantly by the provision of this upgrade.
- That all current owners and tenants located at Whippletree Junction comply with the deficiencies identified in the recent fire and life safety inspection of their premises. It is understood that this statement does not apply to all occupancies but it is considered critical to that due to the proximity of the buildings that all properties comply with the conditions which are currently at variance with the BC Fire Code.

We trust this is the confirmation you require. If further detail or comment is required, please contact Fire Chief Charles Brown by e-mail at cbrown@cbvfr.com or by mobile phone at 250.710.6170.

Yours truly,

Charles S. Brown,
 Fire Chief
 Cowichan Bay Volunteer Fire Rescue

 <p style="color: red; font-weight: bold;">RECEIVED PROV. AGRICULTURAL LAND COMMISSION</p> <p style="color: red; font-weight: bold;">OCT 28 2016</p>	<p>COWICHAN VALLEY REGIONAL DISTRICT 175 Ingram Street, Duncan, B.C. V9L 1N8 Tel: (250) 746-2620 Fax: (250) 746-2621</p>
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BYLAW AMENDMENT REFERRAL FORM	Date:	October 25, 2016
	CVRD File No:	01-D-16RS (Hung) (Whippletree Junction)

We have received an application to amend the zoning to permit “commercial recreation and entertainment”, “distillery, brewery”, and “food processing” on the subject properties as well as to increase the number of permissible residential units.

General Property Location: 4705 and 4715 Trans-Canada Highway (Whippletree Junction)

Legal Description:

- Lot 1, Section 6, Range 2, Cowichan District, Plan 9697 Except Part in plan 2844RW (PID: 005-376-289) and
- Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, Except Part in Plan 29764 (PID: 003-644-936)

You are requested to comment on this proposal for potential effect on your agency’s interests. We would appreciate your response by **Friday, November 25, 2016**. If no response is received within that time, it will be assumed that your agency’s interests are unaffected. **If you require more time to respond, please contact CVRD Planner, Rachelle Rondeau, by calling 250-746-2622 or e-mailing rroudeau@cvrdbc.ca**

Comments:

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

Properties are not within the Agricultural Land Reserve.

Signature Gordie Bednard Title Regional Planner Contact No. 604-660-7011
(sign and print)

This referral has been sent to the following agencies:

<input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (Victoria) <input checked="" type="checkbox"/> Vancouver Island Health Authority (Duncan) <input checked="" type="checkbox"/> Agricultural Land Commission <input checked="" type="checkbox"/> Cowichan Bay Volunteer Fire Department <input checked="" type="checkbox"/> RCMP (Duncan Detachment) <input checked="" type="checkbox"/> Cowichan Tribes	<input checked="" type="checkbox"/> CVRD Parks & Trails Division <input checked="" type="checkbox"/> CVRD Public Safety Division <input checked="" type="checkbox"/> Economic Development Division <input checked="" type="checkbox"/> Engineering Services Department
--	---

Rachelle Rondeau

From: Bednard, Gordon ALC:EX <Gordon.Bednard@gov.bc.ca>
Sent: Friday, December 23, 2016 3:03 PM
To: Rachelle Rondeau
Subject: RE: Message from "RNP002673853F77"

Rachelle,
We would like to see some buffering on the non-ALR side of the property lines, but we have no jurisdiction to enforce such a request.
Whatever the RD can do to assist would be appreciated.
Cheers
Gord

-----Original Message-----

From: Rachelle Rondeau [<mailto:rroudeau@cvrd.bc.ca>]
Sent: Thursday, December 1, 2016 1:19 PM
To: Bednard, Gordon ALC:EX
Subject: FW: Message from "RNP002673853F77"

Hi Gordon,
Thanks for the referral comments. Do you think the ALC would have any concerns regarding buffering or other criteria as the properties are adjacent to lands within the ALR (particularly the land to the north and east, since the south is separated by the Trans Canada Highway)? For reference, please see attached map.
I expect that the CVRD would require a buffer of native vegetation, which could be secured through covenant.
We also have a Development Permit area that applies to construction of structures and non-selective removal of vegetation within 30 metres of ALR land.

Please advise,
Thanks
Rachelle

Rachelle Rondeau, MCIP, RPP
Planner, Development Services Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan, BC V9L 1N8
E-mail: rroudeau@cvrd.bc.ca
Tel: 250.746.2620 Toll Free: 1.800.665.3955 Fax: 250.746.2621

-----Original Message-----

From: Scanner6502@cvrd.bc.ca [<mailto:Scanner6502@cvrd.bc.ca>]
Sent: Thursday, December 01, 2016 12:20 PM
To: Rachelle Rondeau
Subject: Message from "RNP002673853F77"



MEMORANDUM

DATE: November 24, 2016 **FILE NO:** 01-D-16RS (Hung – Whippletree Junction)

TO: Rachelle Rondeau, Planner, Development Services Division

FROM: Jason deJong, Fire Rescue Services Coordinator, Public Safety Division

SUBJECT: Bylaw Amendment Referral Form **No. 01-D-16RS (Hung – Whippletree Junction)** – Public Safety Application Review

In review of the Bylaw Amendment Referral Form No. 01-D-16RS (Hung – Whippletree Junction) the following comments are made regarding the proposed amendment:

- ✓ Proposal is within the North Cowichan/ Duncan RCMP Detachment area.
- ✓ Proposal is within the British Columbia Ambulance Station 152 (Duncan) response area.
- ✓ Proposal is within the boundaries of the CVRD Regional Emergency Program.

Public Safety has the following concerns that may affect the delivery of emergency services to the proposed facility:

- ✓ Proposal is within Cowichan Bay Volunteer Fire Rescue boundaries area and their input may further affect Public Safety concerns/comments.
- ✓ The Community Wildfire Protection Plan has identified this area as **Moderate risk for wildfire**.
- ✓ FireSmart principles must be adhered to and maintained (see attached information).
- ✓ All private roadways and driveways must be designed to support and allow access to the largest emergency vehicle likely to be operated on the driveway. This includes fire trucks and other emergency vehicles.
- ✓ As per Cowichan Valley Regional District House Numbering, Unsightly Premises and Graffiti Bylaw No. 1341, building numbers assigned are to be displayed in a conspicuous place on the property on which the building is located so that the number is visible from the roadway.

Sincerely,

Jason deJong



This map is compiled from various sources for internal use and is designed for reference purposes only.

The Cowichan Valley Regional District does not warrant the accuracy.

All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

File: 01-D-16-RS

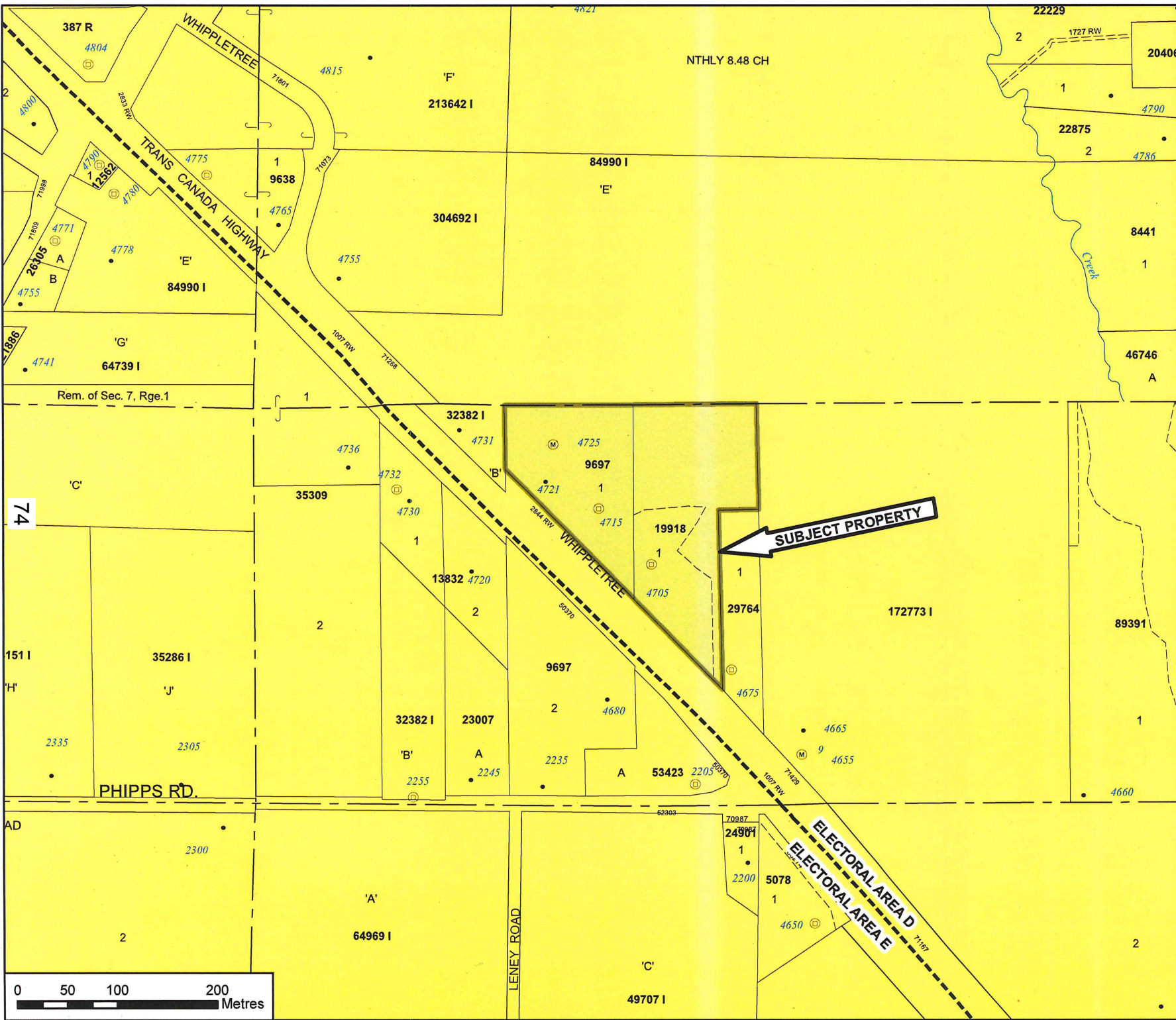
Wildfire Hazard Interface

Legend

- Subject Property
- Hazard Level
- Moderate

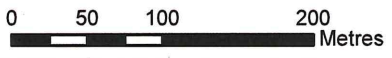


R2



74

AD





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

BYLAW AMENDMENT REFERRAL FORM

Date: October 25, 2016

CVRD File No: 01-D-16RS (Hung)
(Whippletree Junction)

We have received an application to amend the zoning to permit "commercial recreation and entertainment", "distillery, brewery", and "food processing" on the subject properties as well as to increase the number of permissible residential units.

General Property Location: 4705 and 4715 Trans-Canada Highway (Whippletree Junction)

Legal Description:

- Lot 1, Section 6, Range 2, Cowichan District, Plan 9697 Except Part in plan 2844RW (PID: 005-376-289) and
- Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, Except Part in Plan 29764 (PID: 003-644-936)

You are requested to comment on this proposal for potential effect on your agency's interests. We would appreciate your response by **Friday, November 25, 2016**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. **If you require more time to respond, please contact CVRD Planner, Rachelle Rondeau, by calling 250-746-2622 or e-mailing rrondeau@cvrld.bc.ca**

Comments:


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

Water management has no comments, as this property is not in any CVRD water or sewer systems.

Signature *R. Knodel Jay* Title Sr. Eng. Technologist Contact No. 250-746-2530
(sign and print)

This referral has been sent to the following agencies:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (Victoria) | <input checked="" type="checkbox"/> CVRD Parks & Trails Division |
| <input checked="" type="checkbox"/> Vancouver Island Health Authority (Duncan) | <input checked="" type="checkbox"/> CVRD Public Safety Division |
| <input checked="" type="checkbox"/> Agricultural Land Commission | <input checked="" type="checkbox"/> Economic Development Division |
| <input checked="" type="checkbox"/> Cowichan Bay Volunteer Fire Department | <input checked="" type="checkbox"/> Engineering Services Department |
| <input checked="" type="checkbox"/> RCMP (Duncan Detachment) | |
| <input checked="" type="checkbox"/> Cowichan Tribes | |

	<p>COWICHAN VALLEY REGIONAL DISTRICT 175 Ingram Street, Duncan, B.C. V9L 1N8 Tel: (250) 746-2620 Fax: (250) 746-2621</p>
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<p>BYLAW AMENDMENT REFERRAL FORM</p>	<p>Date: October 25, 2016</p>	
	<p>CVRD File No: 01-D-16RS (Hung) (Whippletree Junction)</p>	

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Comments:

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

Signature *Rachelle Rondeau* Title MANAGER, EDC Contact No. 250.746.7880
(sign and print)

This referral has been sent to the following agencies:

<input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (Victoria) <input checked="" type="checkbox"/> Vancouver Island Health Authority (Duncan) <input checked="" type="checkbox"/> Agricultural Land Commission <input checked="" type="checkbox"/> Cowichan Bay Volunteer Fire Department <input checked="" type="checkbox"/> RCMP (Duncan Detachment) <input checked="" type="checkbox"/> Cowichan Tribes	<input checked="" type="checkbox"/> CVRD Parks & Trails Division <input checked="" type="checkbox"/> CVRD Public Safety Division <input checked="" type="checkbox"/> Economic Development Division <input checked="" type="checkbox"/> Engineering Services Department
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Rachelle Rondeau

From: Candace Charlie <Candace.Charlie@cowichantribes.com>
Sent: Tuesday, November 01, 2016 3:01 PM
To: Rachelle Rondeau
Subject: Re: 01-D-16RS (Hung, Whippletree Junction)

Hi Rachelle,

Cowichan Tribes has no comments or concerns regarding this rezoning application.

Thanks,

Candace Charlie
Referrals & Land Code Technician
Lands & Governance, Cowichan Tribes
5760 Allenby Road
Duncan BC V9L 5J1
Ph: (250) 748-3196 ext. 415
candace.charlie@cowichantribes.com

Please consider the environment before printing this message.

PRIVILEGE & CONFIDENTIALITY NOTICE: The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient, it may be unlawful for you to read, copy, disclose or otherwise use the information on this communication. If you received this transmittal in error, please contact the sender and delete the material immediately.



Royal Canadian Mounted Police Gendarmerie royale du Canada



Security Classification/Designation

Non-sensitive

OIC RCMP
6060 Canada Avenue
Duncan, B.C.
V9L 1V3

Your File

01-D-16RS/02-D-16RS

Cowichan Valley Regional District
175 Ingram Street
Duncan, B.C.
V9L 1N8
ATTN: Bylaw Referrals

Our File

November 2nd, 2016

Dear Ms. Rondeau;


Re: Bylaw Amendment Referral Forms

Please find attached referral forms signed as per your request.

If you have any questions or concerns, please feel free to contact me at (250) 748-5522.

Regards,

Chris Bear, S/Sgt.
Operations NCO
N. Cowichan/Duncan RCMP

	COWICHAN VALLEY REGIONAL DISTRICT 175 Ingram Street, Duncan, B.C. V9L 1N8 Tel: (250) 746-2620 Fax: (250) 746-2621
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BYLAW AMENDMENT REFERRAL FORM	Date:	October 25, 2016
	CVRD File No:	01-D-16RS (Hung) (Whippletree Junction)

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Comments:


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

WHILE WE APPROVE OF THE "COMMERCIAL RECREATION AND ENTERTAINMENT", THERE IS NOTHING MENTIONED IN REGARDS TO "DISTILLERY, BREWERY," and "FOOD PROCESSING" FOR THIS APPLICATION.
 AS SUCH ONLY APPROVAL FOR "COMMERCIAL RECREATION AND ENTERTAINMENT".

Signature: Chris Bear, S/Sgt. Title: _____ Contact No. (250) 748-5522

This referral has been sent to the following agencies:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (Victoria) | <input checked="" type="checkbox"/> CVRD Parks & Trails Division |
| <input checked="" type="checkbox"/> Vancouver Island Health Authority (Duncan) | <input checked="" type="checkbox"/> CVRD Public Safety Division |
| <input type="checkbox"/> Agricultural Land Commission | <input checked="" type="checkbox"/> Economic Development Division |
| <input checked="" type="checkbox"/> Cowichan Bay Volunteer Fire Department | <input checked="" type="checkbox"/> Engineering Services Department |
| <input checked="" type="checkbox"/> RCMP (Duncan Detachment) | |
| <input checked="" type="checkbox"/> Cowichan Tribes | |

 CVRD	COWICHAN VALLEY REGIONAL DISTRICT 175 Ingram Street, Duncan, B.C. V9L 1N8 Tel: (250) 746-2620 Fax: (250) 746-2621
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BYLAW AMENDMENT REFERRAL FORM	Date:	October 25, 2016
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Comments:

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

Will be referred to the Electoral Area D Parks Commission for comment. The Area D Community Parks and Trails Master Plan identifies the need/desire of a roadside Trail from Whippletree Junction to Bench Road, then to Cowichan Bay Road.

Signature *Tanya Sorora* Title Parks+Trails Planner Contact No. _____
(sign and print) Tanya Sorora

This referral has been sent to the following agencies:

<input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure (Victoria)	<input checked="" type="checkbox"/> CVRD Parks & Trails Division
<input checked="" type="checkbox"/> Vancouver Island Health Authority (Duncan)	<input checked="" type="checkbox"/> CVRD Public Safety Division
<input checked="" type="checkbox"/> Agricultural Land Commission	<input checked="" type="checkbox"/> Economic Development Division
<input checked="" type="checkbox"/> Cowichan Bay Volunteer Fire Department	<input checked="" type="checkbox"/> Engineering Services Department
<input checked="" type="checkbox"/> RCMP (Duncan Detachment)	
<input checked="" type="checkbox"/> Cowichan Tribes	

OBJECTIVE .2

To ensure that new development enhances the lives of community members.

POLICIES

- (a) Recognizing that all developments, large and small, have cumulative impacts on the community, rezoning applications involving an increase in development potential will be encouraged to provide community amenities, irrespective of their size, scope or location.
- (b) Site specific conditions, as well as the scope and scale of the project, will indicate the desired community amenity contributions associated with each rezoning application. Criteria for determining priority among possible amenities will include:
 - (i) *The size, location and character of the proposed development, projected population increases, and the potential impacts of the development on existing community infrastructure;*
 - (ii) *Site characteristics, including natural features, heritage or recreational value, or wildfire risk;*
 - (iii) *Affordable housing potential and need and relative compatibility with the character of the proposed development; and*
 - (iv) *Needs of the surrounding community for schools, transit facilities, community gathering spaces or other amenities.*
- (c) Community Amenity Contributions may include, but are not limited to the following:
 - (i) *The provision of rental, market, or non-market affordable housing (subject to a Housing Agreement under S. 905 of the Local Government Act);*
 - (ii) *Dedication of land or a building or part thereof for public institutional uses such as a daycare, community centre or gathering place, seniors centre, youth centre, arts or cultural centre, health centre, fire hall, library, community garden, community policing office, police station, emergency shelter, or transit shelter;*
- (iii) *Dedication of parkland to the Regional District exclusive of S. 941 Local Government Act requirements for parkland dedication;*
- (iv) *The gifting of art to be installed in a public place;*
- (v) *Sidewalk, walkway or trail improvements; or*
- (vi) *A cash contribution towards the capital reserve fund of a defined CVRD service or function.*
- (d) The CVRD Board may apply amenity zoning, in accordance with S. 904 of the *Local Government Act*, whereby the land density, in the form of additional lots or dwelling units, may be increased relative to the community amenity provided.
- (e) Through amenity zoning, the CVRD may accept:
 - (i) *The provision of community amenity on the subject property or within the Plan Area; or*
 - (ii) *Cash-in-lieu, to be held in a reserve fund for the eventual provision of specified community amenities within the Plan Area.*
- (f) Where a community amenity is to be provided to a third party for operation and maintenance, the application should be accompanied by a written agreement from that party to accept and maintain the amenity for the intended use. Covenants, housing agreements, or other tools should be used to ensure the amenity is used as intended. Parties chosen to hold an amenity should be public bodies or well-established non-profit organizations with a mandate consistent with the amenity provided.
- (g) When an amenity is provided in exchange for additional density, the amenity must be provided or legally guaranteed prior to adoption of the zoning bylaw amendment.
- (h) Where appropriate, plaques should be used to acknowledge voluntary amenity contributions.
- (i) The CVRD Board may adopt a Community Amenity Contribution Policy for the purpose of establishing a clear, consistent and fair methodology to determine the value of the community amenity or amenities to be provided in association with a rezoning application, where additional development potential is granted in the form of additional parcels or dwelling units, irrespective of the size or location of the proposal.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. XXXX

**A Bylaw For The Purpose Of Amending Zoning Bylaw No. 3705
Applicable To Electoral Area D – Cowichan Bay (Uplands)**

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

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area D – Cowichan Bay that being Zoning Bylaw No. 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. XXXX – Electoral Area D – Cowichan Bay Zoning Amendment Bylaw (Whippletree, 2017)**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 3705, as amended from time to time, is hereby amended in the following manner:

- a) Part 7.0 is amended by adding a new Section 7.2 C-2A (Rural Commercial 2A Zone) and re-numbering subsequent sections.

7.2 C2A – Rural Commercial 2A Zone

Subject to compliance with **Part 2** of this Bylaw, the following regulations apply in the C2A zone:

1. **Permitted Uses**

The following principal uses and no others are permitted:

- a) Agricultural and horticultural supply sales;
- b) Artist studio;
- c) Auction;
- d) Bakery;

- e) Building supply sales;
- f) Café;
- g) Catering service;
- h) Commercial recreation and entertainment - NEW
- i) Distillery, brewery - NEW
- j) Equipment repair;
- k) Financial institution;
- l) Food processing - NEW;
- m) Health studio;
- n) Market;
- o) Office;
- p) Personal service;
- q) Printing and publishing;
- r) Repair services;
- s) Restaurant;
- t) Retail sales;
- u) Veterinary services;
- v) Wholesale sales;

The following accessory uses and no others are permitted:

- w) Dwelling;
- x) Exterior storage

2. Density

- a) Two dwellings per parcel accessory to a principal permitted use for parcels not served by a community water system - AMENDED;
- b) One dwelling per 0.4 ha accessory to a principal permitted use for parcels served by a community water system - NEW.

3. Subdivision Regulation

The minimum parcel area for the purpose of subdivision is:

- a) 0.4 ha for parcels served by a community water system;
- b) 2 ha for parcels not served by both a community water system and a community sewer system:

4. Development Regulations

- a) Impervious surface coverage shall not exceed 60%, of which not more than 50% may be parcel coverage;
- b) The following minimum setbacks for buildings and structures apply:

Type of Parcel Line	Principal Use	Accessory Use
Front	6 m	6 m
Interior Side	3 m	3 m
Exterior Side	4.5 m	4.5 m
Rear	4.5 m	4.5 m
Adjoining ALR	15 m	15 m

5. Special Regulations

- a) All parcels less than 1 ha in area are required to be serviced by community water services;

- b) Exterior storage is limited to 10% of the total gross floor area of the parcel.
- a) That Schedule B (Zoning Map) to Electoral Area D – Cowichan Bay Zoning Bylaw No. 3705 is further amended by rezoning (Lot 1, Section 6, Range 2, Cowichan District, Plan 9697 Except Part in Plan 2844 RW; and Lot 1, Section 6, Range 2, Cowichan District, Plan 19918, Except Part in Plan 29765), as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-XXX, from C-2 to C-2A .

3. **FORCE AND EFFECT**

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

READ A FIRST TIME this _____ day of _____, 2017.

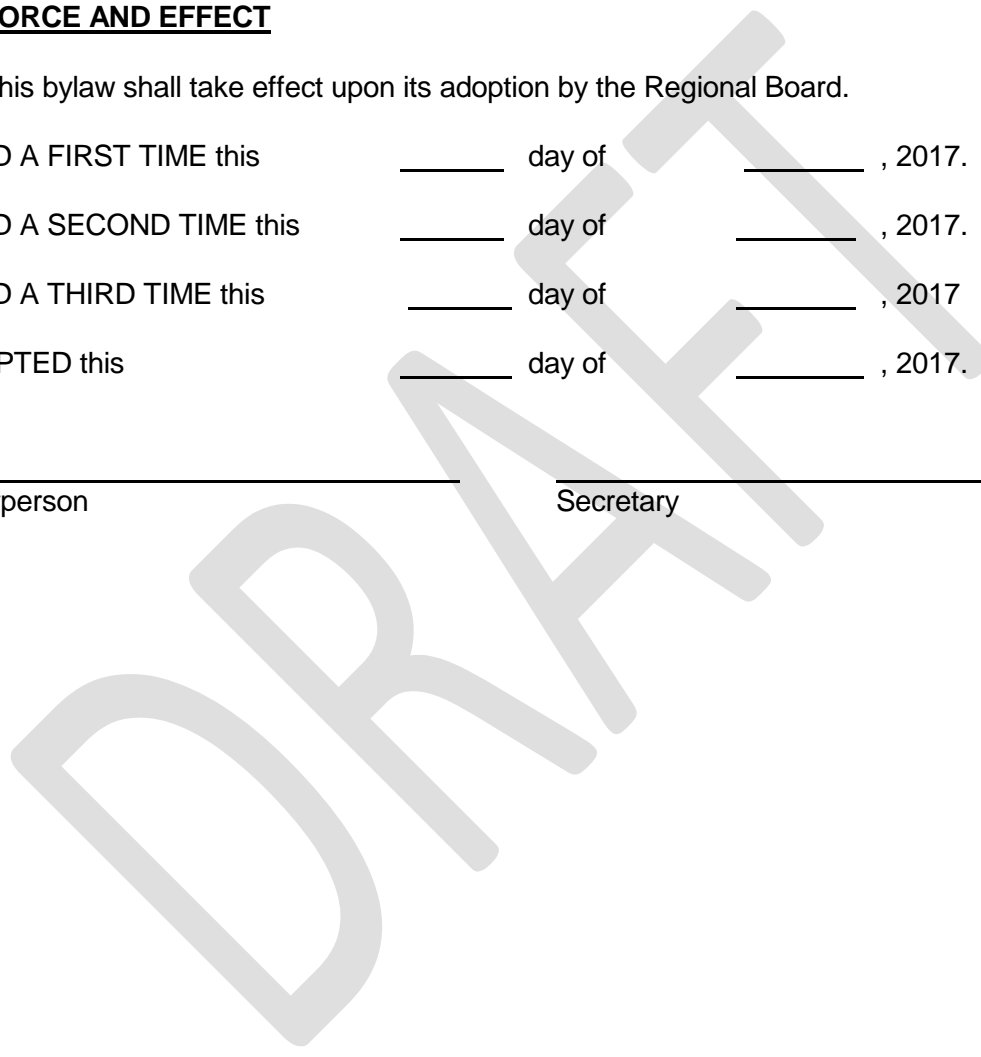
READ A SECOND TIME this _____ day of _____, 2017.

READ A THIRD TIME this _____ day of _____, 2017

ADOPTED this _____ day of _____, 2017.

Chairperson

Secretary





STAFF REPORT TO COMMITTEE

DATE OF REPORT February 20, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 1, 2017

FROM: Parks & Trails Division
Planning & Development Department

SUBJECT: Saltair Community Society Recreation Services Funding Request

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to obtain direction regarding the request received from the Saltair Community Society for \$10,000 to allow for the start-up of the Saltair Community Centre under the Recreation Services Agreement.

RECOMMENDED RESOLUTION

That it be recommended to the Board that the Saltair Community Society be provided \$10,000 from the 2017 budget for Function 456 Saltair Recreation under the terms of the Recreation Services Agreement.

That it be recommended to the Board that the 2017 budget for Function 456 Saltair Recreation be amended to:

1. Increase Program Supplies expense by \$7,000;
2. Increase Surplus by \$7,000.

BACKGROUND

The Board approved at the December 14, 2016, meeting execution of a two year Recreation Services Agreement and Building Lease with the Saltair Community Society for the coordination of recreation, arts and culture programs at the Saltair Community Centre. The two documents are attached for information. The Society is wishing to move forward under the terms of the agreement to open up space in the centre for use and is requesting start-up funds at this time in the amount of \$10,000 (see attached letter). The terms of the Recreation Services Agreement provides for financial contributions by the CVRD, at the discretions of the Board, with such funds provided through Function 456 Saltair Recreation.

ANALYSIS

In 2016 Function 456 Saltair Recreation accrued \$17,143 in rental income from the licensed daycare and as of the end of the year there was \$30,774 in surplus funds, part due to the rental income collected and unspent Surplus Funds carried forward from 2015. As of February, 2017 an additional \$3,238 in rental income has been collected through the operation of the licensed day care on a month to month basis. Under the terms of the Building Lease the Saltair Community Society assumes responsibilities for all uses of the Saltair Community Centre, including the licensed daycare and the collection of monthly rental fees. There are not sufficient funds at this time available in the 2017 budget to provide the amount requested. At the discretion of the Board, a portion of the 2016 year-end surplus could be carried forward into the 2017 budget and combined with the rental revenues collected to date to provide the \$10,000 in operating funds requested by the Saltair Community Society to open the centre for community and group use.

Further to this request, as part of the CVRD’s asset management program a building condition assessment will be undertaken of the Saltair Community Centre building, with the findings shared with the Society and community so as to inform on the upgrades and investment required to maintain/improve the building for community use. The Society is aware of the planned building condition assessment work as noted in their letter, and therefore focused at this time on the minimal work required to make space in the building available for community use.

FINANCIAL CONSIDERATIONS

The 2016 year-end budget for Function 456 Saltair Recreation includes a \$30,774 surplus and rental income revenues to date in 2017 for the function is \$3,238. An amendment of the 2017 budget would be required to include Surplus Revenues from 2016.

COMMUNICATION CONSIDERATIONS

N/A

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

N/A

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*)
- Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)
- Planning & Development Services (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

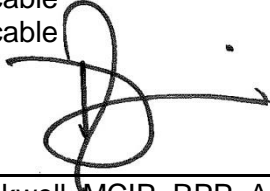
Prepared by:



Brian Farquhar
Manager

Reviewed by:

Not Applicable
Not Applicable



Ross Blackwell, MCIP, RPP, A.Ag.
General Manager

ATTACHMENTS:

- Attachment A – Agreement for Services between CVRD and Saltair Community Society
- Attachment B – Lease of Building between CVRD and Saltair Community Society
- Attachment C – Letter from the Saltair Community Society dated February 17, 2017

AGREEMENT FOR SERVICES

THIS AGREEMENT dated for reference this _____ day of _____, 2017.

BETWEEN:

COWICHAN VALLEY REGIONAL DISTRICT

175 Ingram Street
Duncan, BC V9L 1N8

(the "**Regional District**")

OF THE FIRST PART

AND:

Saltair Community Society
(Federal Incorporation Number 9398716)
3850 South Oyster School Road
Ladysmith, BC V9G 1Z4

(the "**Society**")

OF THE SECOND PART

WHEREAS:

- A. The Regional District has leased certain Premises to the Society as defined in the Lease that is attached to this Agreement as Schedule "C" (the "Lease");
- B. The Regional District wishes to engage the Society to provide Services from time to time, in connection with the Society's management of the Premises as a community centre, and the Society has agreed to provide the Regional District with the Services subject to the terms and conditions of this Agreement.

NOW THEREFORE the Regional District and the Society, in consideration of their mutual duties and responsibilities and in consideration of the funding support to be made by the Regional District to the Society agree as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

- (a) "**Services**" means the services to be provided by the Society, as generally described in Schedule "A" to this Agreement, and as may be approved from time to time by the Regional District.

2.0 TERM

2.1 The term of this Agreement is for the period commencing February 15, 2017 and terminating on December 31, 2018 (the "**Term**"), subject to earlier termination as provided in section 7 of this Agreement.

3.0 SOCIETY'S DUTIES AND RESPONSIBILITIES

3.1 The Society must:

- (a) provide the Regional District with the Services as proposed by the Society from time to time, once the provision of those Services has been approved in advance by the Regional District, in accordance with the specifications and requirements for those Services as may be agreed to by the Regional District and the Society from time to time, all to the satisfaction of the Regional District;
- (b) supply all labour, equipment and material, and do all things necessary for the provision of the Services;
- (c) not commit or purport to commit the Regional District to the payment of any money to any person, firm or corporation, without the Regional District's prior written consent;
- (d) keep proper and accurate books of account and records of any and all monies received and disbursed in the provision of the Services and make the books of account and records available for inspection and audit by the Regional District or its authorized representatives upon request;
- (e) provide the Services in compliance with all applicable health and safety standards, rules, regulations, requirements and codes of practice prescribed under any federal, provincial or local government statute, regulation, bylaw or permit relating in any respect to the Society's provision of the Services; and
- (f) during the Term, not perform a service for or provide advice to any person, firm or corporation which gives rise to a conflict of interest with the duties and obligations of the Society to the Regional District under this Agreement.

4.0 FUNDING SUPPORT

- 4.1 In consideration for the provision of the Services, the Regional District will provide funding as may be reasonably required by the Society in order to provide a Service that is proposed by the Society and is approved by the Regional District from time to time during the Term, provided such funding is available through the Saltair Recreation function as solely determined by the Regional District. With each proposal for the provision and funding of Services, the Society will provide a written submission summarizing the Services proposed and the intended expenditures in support of the provision of the proposed Services. Both Parties acknowledge the limited funds that may be available through the Saltair Recreation function due to outstanding debt this function is annually funding from the purchase of the property/Saltair Community Centre (formerly the Mount Brenton Elementary School), and as a consequence the Regional District may in its discretion decline or refuse any proposal for the provision of Services by the Society. For certainty, the Regional District is not obliged to provide funding for any Services except those that are approved in advance by the Regional District under the terms of this Agreement.

5.0 INDEMNIFICATION

5.1 The Society shall release, indemnify and keep indemnified the Regional District, its elected officials, officers, and employees of and from all claims, costs, losses, damages, actions, causes of action, expenses and costs arising from any error, omission or negligent act of the Society, or its officers, employees, agents or contractors, in the performance of the Services.

6.0 TERMINATION

6.1 If the Society is in default in the performance of any of its obligations under this Agreement, or if the Society becomes insolvent or is assigned into bankruptcy, then the Regional District may terminate this Agreement by written notice to the Society.

6.2 Either the Regional District or Society may terminate this Agreement, without cause, at any time by giving not less than two (2) months written notice to the other party.

6.3 In the event that this Agreement is terminated, the Society shall reimburse the Regional District the Funding Support Contributions advanced, less expenses incurred in providing the Services by the Society and outlined in Schedule "A" to this Agreement.

7.0 CONFIDENTIALITY

7.1 The Society shall not disclose any information, data or confidential information of the Regional District to any person, other than representatives of the Regional District duly designated for that purpose in writing by the Regional District, and shall not use for its own purposes or for any purpose other than for the purpose of providing the Services any such information, data or confidential information it may acquire as a result of its engagement under this Agreement.

8.0 NOTICE

8.1 Any notice required to be given under this Agreement will be deemed to be sufficiently given:

- (a) if delivered at the time of delivery;
- (b) if delivered by email or fax to the email or fax numbers set out below, upon acknowledgement of receipt by the recipient; and
- (c) if mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

if to the CVRD:	175 Ingram Street Duncan, BC V9L 1N8 Attention: Email: Fax:
-----------------	---

if to the Society:	3850 South Oyster School Road Ladysmith, BC V9G 1Z4
--------------------	--

9.0 TIME

9.1 Time is of the essence of this Agreement.

10.0 BINDING EFFECT

10.1 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

11.0 SURVIVAL OF CERTAIN COVENANTS

11.1 The covenants and agreements contained in sections 3.1(l), 6.1, and 8.1 shall survive the expiry or earlier termination of this Agreement and those sections are severable for that purpose.

12.0 RELATIONSHIP

12.1 The legal relationship between the Society and the Regional District is that of an independent Society and purchaser of services, and, in particular and without limiting the generality of the foregoing, nothing in this Agreement shall be construed so as to render the relationship between the Society and the Regional District to be that of employee and employer.

13.0 NO ASSIGNMENT

13.1 The Society shall not assign its interest in this Agreement or any right, benefit or obligation conferred or imposed hereunder, in whole or in part, whether by operation of law or otherwise, except with the prior written consent of the Regional District, which may be withheld for any reason.

14.0 WAIVER

14.1 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

15.0 ENTIRE AGREEMENT

15.1 This Agreement constitutes the entire agreement between the parties with respect to the matters herein and may not be modified except by subsequent agreement in writing. Without limitation, nothing in this Agreement shall be construed as varying, altering or amending any of the terms and conditions of the Lease, including but not limited to the obligations of the Society as Tenant under the Lease.

16.0 LAW APPLICABLE

16.1 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

17.0 AMENDMENT

17.1 This Agreement may not be modified or amended except by the written agreement of the parties.

18.0 COUNTERPART

18.1 This Agreement may be executed in counterpart with the same effect as if both parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

IN WITNESS HEREOF the Regional District and the Society have executed this Agreement as of the day, month and year first above written.

COWICHAN VALLEY REGIONAL DISTRICT, by its)
authorized signatory(ies):)

_____)
Jon Lefebure (Board Chair))

_____)
Joe Barry (Corporate Secretary))

SALTAIR COMMUNITY SOCIETY, by its authorized)
signatory(ies):)

_____)
Name:)

_____)
Name:)

SCHEDULE "A"

A.1 SERVICES

- The Services to be provided by the Society may include any works or services in connection with the Society's operation of the Premises as a community centre, known as the Saltair Community Centre, including the activities of the Society in making the Premises available to user groups and activity providers for recreation, social, art and cultural activities and events that are to be accessible to residents within the community, provided such Services fall within the scope of activities that may be supported under the Regional District's Saltair Recreation function.

SCHEDULE "B"**INSURANCE**

1. The Society shall, at its own expense, provide and maintain throughout the Term the following insurance in a form acceptable to the Regional District, with an insurer licensed in British Columbia:

- (a) Commercial General Liability
and Property Damage

Not less than Two Million Dollars (\$2,000,000.00) per single occurrence with an annual aggregate amount of not less than Five Million Dollars (\$5,000,000.00).

In all policies of insurance required under this Agreement the Regional District shall be named as an additional insured and all such policies shall contain a provision that the insurance shall apply as though a separate policy had been issued to each named insured. All such policies shall provide that no cancellation or lapse of or material alteration in the policy shall become effective until 30 days after written notice of such cancellation, lapse or alteration has been given to the Regional District.

Any deductible amounts in the foregoing insurance which are payable by the policyholder shall be in an amount acceptable to the Regional District.

2. The Society shall provide to the Regional District at the commencement of the Term, and at any time during the Term upon request, a certificate or certificates of insurance as evidence that the insurance required under this Agreement is in force.
3. Maintenance of such insurance and the performance by the Society of its obligation under this clause shall not relieve the Society of liability under the indemnity provisions under the Agreement.

SCHEDULE "C"
LEASE

LEASE OF BUILDING

THIS LEASE is dated for reference the ___ day of _____, 2017.

BETWEEN:

COWICHAN VALLEY REGIONAL DISTRICT

175 Ingram Street
Duncan, BC V9L 1N8

(the "Landlord")

OF THE FIRST PART

AND:

SALTAIR COMMUNITY SOCIETY
(Business Number 811545128RC0001)

3850 South Oyster School Road
Ladysmith, BC V9G 1Z4

(the "Tenant")

OF THE SECOND PART

WHEREAS:

- A. The Landlord is the registered Owner in fee simple of a parcel of land located in Saltair, British Columbia and legally described as:

PARCEL IDENTIFIER: 003-737-748

Lot 1, District Lot 12, Oyster District, Plan 19495, except part in Plan 19732

(the "Land"), and the building and improvements on the Land, including the former Mount Brenton School building (the "Building"), the parking area (the "Parking Area") and the play court area (the "Play Court") all as more particularly shown on the sketch plan attached as Schedule "A";

- B. The Landlord wishes to lease to the Tenant and the Tenant wishes to lease from the Landlord that part of the Building shown outlined on the sketch plan attached as Schedule "A" (the "Premises").

NOW THEREFORE in consideration of the rents, covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows:

1.0 Lease

- 1.1 The Landlord leases the Premises to the Tenant on the terms and conditions set out in this Lease.

- 1.2 The Premises does not include the Building's gymnasium. If the parties determine that the Building's gymnasium is suitable for use as a community centre, the Tenant may submit to the Landlord a written request to amend this Lease to include the Building's gymnasium in the Premises. Upon receipt of the Tenant's request, the Landlord, acting

in its sole discretion, may consider amending this Lease to include the Building's gymnasium in the Premises.

2.0 Term

2.1 This Lease shall be for a term commencing on the fifteenth day of February, 2017 and ending on the 31st day of December, 2018 (the "**Term**").

3.0 Rent

3.1 The Tenant shall pay the Landlord rent of ONE DOLLAR (\$1.00) for the Term (the "**Rent**").

3.2 The Tenant shall pay all rents and additional rents reserved under this Lease.

4.0 Renewal

4.1 The Lease is not renewable.

4.2 The Landlord agrees that prior to the end of the Term, it will consider granting a lease of the Building to the Tenant for a term of five (5) years, with provision for one or more renewal terms, on the terms and conditions as are mutually agreed upon by the parties (the "**Long Term Lease**"). The grant of the Long Term Lease shall be subject to the requirements of the *Local Government Act*, R.S.B.C. 2015, c. 1. This section 4.2 shall not be construed as permitting an extension or renewal of the Term of this Lease.

5.0 Use

5.1 The Tenant shall use the Building for the purpose of a community centre, and for no other purpose without the advance written consent of the Landlord.

6.0 Operating Expenses and Taxes

6.1 The Tenant is responsible for all operating and maintenance expenses in relation to its use of the Premises, except as expressly provided otherwise in this Lease.

6.2 The Tenant shall pay all taxes, rates, duties, and assessments whatsoever, whether municipal, provincial, federal, or otherwise, including GST, charged upon the Land, or upon the Tenant, on account of its use of the Land, except such taxes, rates, duties and assessments which the Tenant is by law exempted from.

6.3 The Landlord is not responsible to provide separate electrical, water, sewer or other utility services to the Premises, and the Tenant acknowledges that it is responsible to pay for all utility services that are provided to the Building.

7.0 Construction

7.1 The Tenant shall not alter the Premises, or construct or place any signs on the exterior of the Building without first obtaining the written consent of the Landlord, and any permits and inspections required by law.

7.2 Any construction, placement or alteration carried out in or on the Premises shall be carried out at the cost of the Tenant.

7.3 The issuance of any permit or the performance of any inspection by the Landlord in its capacity as a local government shall not constitute the granting of consent in its capacity as Landlord under this Lease.

8.0 **Repairs and Maintenance**

8.1 The Landlord will not be obliged to furnish any services or facilities or to make repairs or alterations in or to the Land, the Building or Premises.

8.2 The Tenant shall promptly give the Landlord notice of any defect in or damage to the Land, Building, or Premises which requires repair and which has come to the Tenant's attention, and the Landlord through its agents, servants, contractors, and subcontractors may, but will not be obliged to, enter upon those parts of the Land, Building or Premises for the purpose of inspecting and making, any repair the Landlord, in its sole discretion, deems necessary.

8.3 The Landlord may at any time and without prior notice, enter and view the state of repair of the Land, Building or Premises and whenever reasonably possible, the Landlord will give the Tenant advance notice of its entry under this section 8.3, but a lack of such notice shall not prohibit the Landlord from entering.

8.4 The Tenant shall indemnify the Landlord for any costs incurred in repairing all damage to the Land, the Building and Premises caused by the Tenant, or by its agents, contractors, licensees, employees or invitees, reasonable wear and tear excepted.

8.5 If the Landlord does not advise the Tenant of the Landlord's intention to repair within thirty (30) days of receiving notice under section 8.2, the Tenant may, at its sole cost and option, elect to make the repairs itself.

8.6 In the event that neither the Tenant nor the Landlord elect to repair the Land, Building or Premises in accordance with this Article 8.0, and if the lack of repair renders the Building or Premises uninhabitable or unfit for occupying, the Tenant may elect to terminate this Lease by written notice to the Landlord and this Lease shall terminate without penalty to either party.

8.7 The Tenant shall at all times maintain the Building and Premises to a reasonable standard of maintenance as follows:

- (a) the Tenant shall be responsible for the regular and proper maintenance of the interior of the Building and Premises, including janitorial services; and
- (b) the Tenant shall be responsible for snow removal, and regular sweeping and cleaning of all paved surfaces on the Land, including all sidewalks, exterior stairs, the Play Court and Parking Area.

9.0 **Assign or Sublet**

9.1 The Tenant shall not assign nor sublet, licence, sub-licence or grant any other right or interest in the Land, Building or Premises without prior written consent of the Landlord.

9.2 The Landlord's consent to assignment or subletting shall not release or relieve the Tenant from its obligations to perform all the terms, covenants and conditions that this Lease requires the Tenant to perform, and the Tenant shall pay the Landlord's reasonable costs incurred in connection with the Tenant's request for consent.

9.3 Without limiting the circumstances in which the Landlord may withhold consent under Section 9.1 the Landlord may withhold consent if the Tenant fails to provide proof of insurance required under Section 12.5.

10.0 **Compliance with Laws**

10.1 The Tenant shall comply promptly at its own expense with all statutes, regulations, bylaws and other legal requirements (collectively, "**Laws**") of all federal, provincial or local authorities, including an association of fire insurance underwriters or agents, with respect to the Premises or any alterations to the Premises, and all notices issued under them that are served upon the Landlord or the Tenant.

11.0 **Nuisance**

11.1 The Tenant shall not carry on or do or allow to be carried on or done in the Premises anything that:

- (a) may be or become a nuisance to the Landlord or the public;
- (b) increases the hazard of fire or liability of any kind;
- (c) increases the premium rate of insurance against loss by fire or liability upon the Land or any building or structure on the Land;
- (d) invalidates any policy of insurance for the Land or any building or structure on the Land; or
- (e) directly or indirectly causes damage to the Land or any building or structure on the Land.

12.0 **Insurance**

12.1 The Tenant shall take out and maintain during the Term a policy of commercial general liability insurance against claims for bodily injury, death or property damage arising out of the use and occupancy of the Land by the Tenant in the amount of not less than Two Million Dollars (\$2,000,000.00) per single occurrence with an annual aggregate amount of not less than Five Million Dollars (\$5,000,000.00), or such greater amount as the Landlord may from time to time require, naming the Landlord as an additional insured party thereto, and shall provide the Landlord with a certified copy of such policy or policies.

12.2 All policies of insurance required by this Lease shall contain a waiver of subrogation clause in favour of the Landlord and shall also contain a clause requiring the insurer not to cancel or change the insurance without first giving the Landlord thirty (30) days prior written notice.

12.3 If the Tenant does not provide or maintain or cause to be provided or maintained in force the insurance required by this Lease, the Landlord may take out the necessary insurance and pay the premium for periods of one year at a time, and the Tenant shall pay to the Landlord as additional rent the amount of the premium immediately on demand.

12.4 If both the Landlord the Tenant, and any sub-tenant, licensee, sub-licensee, or other grantee (any sub-tenant, licensee, sub-licensee, or other grantee, a "**Sub-tenant**") have

claims to be indemnified under any insurance required by this Lease, the indemnity shall be applied first to the settlement of the claim of the Landlord and the balance, if any, to the settlement of the claim of the Tenant, and Sub-tenant.

- 12.5 The Tenant shall cause each of its Sub-tenants to take out and maintain during the term of any sublease, licence, sub-license, or grant, as the case may be, a policy of commercial general liability insurance against claims for bodily injury, death or property damage arising out of the use and occupancy of the Land by the Sub-tenant in the amount of not less than Five Million Dollars (\$5,000,000.00) per single occurrence or such greater amount as the Landlord may from time to time require, naming the Landlord as an additional insured party thereto, and shall provide the Landlord with a certified copy of such policy or policies.

13.0 Indemnification

- 13.1 The Tenant shall release, indemnify, and defend the Landlord from and against all lawsuits, damages, losses, costs (including costs of litigation and legal costs, taxed on a solicitor and client basis, and disbursements) or expenses which the Landlord may incur arising out of or related to the use or occupation of the Land, Building or Premises by the Tenant, or the carrying on upon the Land, Building or Premises of any activity in relation to the Tenant's use or occupation of the Land, Building or Premises, and in respect of any loss, damage or injury sustained by the Tenant, or by any person while on the Land, Building or Premises for the purpose of doing business with the Tenant or otherwise dealing with the Tenant, or by reason of non-compliance by the Tenant with Laws, or by reason of any defect in the Land, Building or Premises, and this section 13.1 shall survive the expiry or sooner determination of this Lease.

- 13.2 For the purposes of section 13.1:

- (a) "Tenant" includes any assignee, sub-tenant, licensee or sub-licensee or other grantee of the Tenant; and
- (b) "Landlord" includes all officers, officials, agents, and employees of the Landlord.

14.0 Builders Liens

- 14.1 The Tenant shall indemnify the Landlord from and against all claims for liens for wages or materials or for damage to persons or property caused during the making of or in connection with any excavation, construction, repairs, alterations, installations and additions which the Tenant may make or cause to be made on, in or to the Land, the Building or the Premises, and the Tenant shall promptly take all legal action necessary to cause any lien to be discharged. The Landlord shall be at liberty to file a notice of interest against title to the Land pursuant to the *Builders Lien Act*.

15.0 Possession

- 15.1 The Tenant shall upon the expiration or earlier termination of this Lease peaceably surrender and give up possession of the Premises without notice from the Landlord, any right to notice to quit or vacate being hereby expressly waived by the Tenant, despite any law or custom to the contrary.

16.0 Condition of Premises

- 16.1 The Tenant accepts the Premises “as is”, and acknowledges that it has with due diligence investigated and satisfied itself with respect to the condition of the Premises and its suitability for the uses permitted by this Lease, including without limitation with respect to its size, dimensions, state, condition, environmental condition or impact, presence or absence of any substances or conditions (whether hazardous or not), soil and water condition, usefulness, topography, legal access, services and zoning.

17.0 Environmental Matters

17.1 Definitions

For the purposes of this Lease:

- (a) “Contaminants” means any pollutants, contaminants, deleterious substances, underground or above-ground tanks, lead, asbestos, asbestos-containing materials, hazardous, corrosive, or toxic substances, hazardous waste, waste, polychlorinated biphenyls (“PCBs”), PCB-containing equipment or materials, pesticides, defoliants, fungi, including mould and spores arising from fungi, or any other solid, liquid, gas, vapour, odour, heat, sound, vibration, radiation, or combination of any of them, which is now or hereafter prohibited, controlled, or regulated under Environmental Laws; and
- (b) “Environmental Laws” means any statutes, laws, regulations, orders, bylaws, standards, guidelines, protocols, criteria, permits, code of practice, and other lawful requirements of any government authority having jurisdiction over the Land now or hereafter in force relating in any way to the environment, environmental assessment, health, occupational health and safety, protection of any form of plant or animal life or transportation of dangerous goods, including the principles of common law and equity.

17.2 Tenant’s Covenants and Indemnity

The Tenant covenants and agrees as follows:

- (a) not to use or permit to be used all or any part of the Land, Building or Premises for the sale, storage, manufacture, handling, disposal, use, or any other dealing with any Contaminants, without the prior written consent of the Landlord;
- (b) to strictly comply, and cause any person for whom it is in law responsible to comply, with all Environmental Laws regarding the use and occupancy of the Land;
- (c) to promptly provide to the Landlord a copy of any environmental site investigation, assessment, audit, report or test results relating to the Land, Building or Premises conducted by or for the Tenant at any time;
- (d) to waive the requirement, if any, for the Landlord to provide a site profile for the Land under the *Environmental Management Act* or any regulations under that Act;
- (e) to maintain all environmental site investigations, assessments, audits, reports, and test results relating to the Land, Building or Premises in strict confidence

except as required by law, or to the Tenant's professional advisers and lenders on a need-to-know basis, or with the prior written consent of the Landlord, which consent may not be unreasonably withheld;

- (f) to promptly notify the Landlord in writing of any release of a Contaminant or any other occurrence or condition at the Land or any adjacent property that could contaminate the Land or subject the Landlord or the Tenant to any fines, penalties, orders, investigations, or proceedings under Environmental Laws;
- (g) on the expiry or earlier termination of this Lease, or at any time if requested by the Landlord or required by any government authority under Environmental Laws, to remove from the Land all Contaminants, and to remediate by removal any contamination of the Land or any adjacent property resulting from Contaminants, in either case, brought onto, used at, or released from the Land by the Tenant or any person for whom it is in law responsible. The Tenant will perform these obligations promptly at its own cost and in accordance with Environmental Laws. The Tenant will provide to the Landlord full information with respect to any remedial work performed under this sub-clause and will comply with the Landlord's requirements with respect to such work. The Tenant will use a qualified environmental consultant approved by the Landlord to perform the remediation and will obtain the written agreement of the consultant to the Landlord relying on its report. The Tenant will, at its own cost, obtain such approvals and certificates from the BC Ministry of Environment and other applicable government authorities in respect of the remediation as are required under Environmental Laws or by the Landlord, including without limitation, a certificate of compliance evidencing completion of the remediation satisfactory to the Ministry and the Landlord. All such Contaminants will remain the property of the Tenant, notwithstanding any rule of law or other provision of this Lease to the contrary and notwithstanding the degree of their affixation to the Premises; and
- (h) to indemnify the Landlord and its shareholders, directors, officers, employees, agents, elected officials, successors, and assigns from any and all liabilities, actions, damages, claims, remediation cost recovery claims, losses, costs, orders, fines, penalties and expenses whatsoever, (including any and all environmental or statutory liability for remediation, all legal and consultants' fees and expenses and the cost of remediation of the Land and any adjacent property) arising from or in connection with:
 - (i) any breach of or non-compliance with the provisions of this section 17.2 by the Tenant; or
 - (ii) any release or alleged release of any Contaminants at or from the Land related to or as a result of the use and occupation of the Land or any act or omission of the Tenant or any person for whom it is in law responsible.

17.3 The Tenant acknowledges that the Building contains asbestos, and, without limiting the generality of any provision of section 17.1, covenants and agrees that it will not, except in compliance with all Environmental Laws and this Agreement, undertake any works on the Building that will or are likely to release asbestos, or that will in any way increase risk of asbestos exposure to workers, occupants, or any other person in the Building or on the Lands.

17.4 The obligations of the Tenant under section 17.2 will survive the expiry or earlier termination of this Lease.

18.0 **Quiet Enjoyment**

18.1 The Landlord covenants with the Tenant for quiet enjoyment.

19.0 **License of Use**

19.1 The Landlord, subject to the performance and observance by the Tenant of the terms, conditions, covenants and agreements contained in this Agreement and to earlier termination as provided in this Agreement, grants to the Tenant a non-exclusive right, by way of licence, for the Tenant, its servants, agents, employees, licensees and invitees to:

- (a) use the Play Court for outdoor recreational purposes associated with a community centre; and
- (b) use the Parking Area for the parking of vehicles owned by the Tenant, its servants, agents, employees, licensees and invitees.

19.2 The Tenant covenants and agrees to use the Play Court and Parking Area in accordance with the terms of use attached to this Agreement as Schedule "B".

19.3 The Landlord hereby reserves to itself from the grant and the covenants made by it to the Tenant under section 19.1 the right for the Landlord, its agents, employees, contractors and subcontractors to have full and complete access to the Play Court and Parking Area to carry out any operations associated with the Landlord's use of the Land.

20.0 **Termination and Re-entry**

20.1 If the Tenant fails to perform any covenant under this Lease and if such default shall continue for thirty (30) days after the giving of written notice by the Landlord to the Tenant, then the Landlord may terminate this Lease and may re-enter the Premises and the rights of the Tenant with respect to the Building and Premises shall lapse and be absolutely forfeited.

20.2 Either the Landlord or the Tenant may terminate this Lease for any reason by giving not less than two (2) months' written notice to the other party.

21.0 **Forfeiture**

21.1 The Landlord, by waiving or neglecting to enforce the right to termination and forfeiture of this Lease or the right of re-entry upon breach of any covenant, condition or agreement in it, does not waive the Landlord's rights upon any subsequent breach of the same or any other covenant, condition or agreement in this Lease.

22.0 **Distress**

22.1 If the Landlord is entitled to levy distress against the goods and chattels of the Tenant, the Landlord may use enough force necessary for that purpose and for gaining admittance to the Premises and the Tenant releases the Landlord from liability for any loss or damage sustained by the Tenant as a result.

23.0 **Destruction**

23.1 If the Land or any building or structure on the Land or any part of them are at any time during the Term burned down or damaged by fire, flood, lightning, explosion, tempest, earthquake or tsunami:

- (a) the rent or a proportionate part of it according to the nature and extent of the damage sustained shall be suspended and abated until the Land, Building or Premises has been rebuilt or made fit for the purpose of the Tenant; or
- (b) if the Landlord elects not to undertake restoration, repair or replacement this Lease shall terminate and, for the purpose of this subparagraph (b), if the Landlord does not advise the Tenant concerning the Landlord's intention within thirty (30) days of the damage occurring, the Landlord shall be deemed to have elected not to undertake restoration, repair and replacement.

23.2 If the Landlord elects to undertake restoration, repair or replacement of damage referred to in section 23.1, the Landlord shall make every effort to commence such restoration, repair or replacement within twelve (12) months of the damage occurring.

24.0 **Fixtures**

24.1 Unless the Tenant, upon notice from the Landlord, removes them, all structures or improvements constructed, placed or installed in the Premises by the Tenant, save and except for moveable business fixtures of the Tenant, shall, at the termination or expiry of this Lease, become the sole property of the Landlord at no cost to the Landlord.

25.0 **Holding Over**

25.1 If the Tenant holds over following the Term and the Landlord accepts rent, this Lease becomes a tenancy from month to month subject to those conditions in this Lease applicable to a tenancy from month to month.

26.0 **Landlord's Payments**

26.1 If the Landlord incurs any damage, loss or expense or makes any payment for which the Tenant is liable or responsible under this Lease, then the Landlord may add the cost or amount of the damage, loss, expense or payment to the rent and may recover the cost or amount as additional rent.

27.0 **Landlord's Repairs**

27.1 If the Tenant fails to repair or maintain the Premises as required under this Lease, the Landlord, its agents, employees or contractors may, upon ninety-six (96) hours' notice or without notice in the event of an emergency, enter the Premises and make the required repairs or do the required maintenance and recover the cost from the Tenant.

27.2 In making the repairs or doing the maintenance under section 27.1, the Landlord may bring and leave upon the Land, Building or Premises all necessary materials, tools and equipment, and the Landlord will not be liable to the Tenant for any inconvenience, annoyance, loss of business or injury suffered by the Tenant by reason of the Landlord effecting the repairs or maintenance.

28.0 Insolvency

If:

- (a) the Term or any of the goods or chattels in the Premises are at any time seized or taken in execution or attachment by any creditor of the Tenant;
- (b) a writ of execution issues against the goods or chattels of the Tenant;
- (c) the Tenant makes any assignment for the benefit of creditors;
- (d) the Tenant becomes insolvent;
- (e) the Tenant is an incorporated company or society and proceedings are begun to wind up the company or society; or
- (f) the Premises become vacant and unoccupied for a period of thirty (30) days or are used by any other person or persons for any purpose other than permitted in this Lease without the written consent of the Landlord;

the Term shall, at the option of the Landlord, immediately become forfeited and the then current month's rent for the three months next following shall immediately become due and payable as liquidated damages to the Landlord, and the Landlord may re-enter and repossess the Premises despite any other provision of this Lease.

If the Tenant becomes bankrupt this Lease shall terminate immediately without any further act or notice of the Landlord.

29.0 Removal of Goods

29.1 If the Tenant removes its goods and chattels from the Land, the Landlord may follow them for thirty (30) days.

30.0 Time

30.1 Time is of the essence of this Lease.

31.0 Notices

31.1 Any notice required to be given under this Lease shall be deemed to be sufficiently given:

- (a) if delivered, at the time of delivery, and
- (b) if mailed from any government post office in the Province of British Columbia by prepaid, registered mail addressed as follows:

If to the Landlord: 175 Ingram Street
 Duncan, BC V9L 1N8

If to the Tenant: 3850 South Oyster School Road
 Ladysmith, BC V9G 1Z4

or at the address a party may from time to time designate, then the notice shall be deemed to have been received five days after the time and date of mailing. If,

at the time of the mailing the notice, the delivery of mail in the Province of British Columbia has been interrupted in whole or in part by reason of a strike, slow-down, lock-out or other labour dispute then the notice may only be given by actual delivery of it.

32.0 Fitness of Premises

32.1 The Landlord has made no representation or warranties as to the condition, fitness or nature of the Land, Building or Premises and by executing this Lease, the Tenant releases the Landlord from any and all claims which the Tenant now has or may in future have in that respect.

33.0 Net Lease

33.1 This Lease shall be a complete carefree net lease to the Landlord as applicable to the Premises and the Landlord shall not be responsible during the Term for any cost, charges, expenses or outlays of any nature whatsoever in respect of the Premises or the contents thereof except those mentioned in this Lease.

34.0 Binding Effect

34.1 This Lease shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, successors, administrators and permitted assignees.

35.0 Amendment

35.1 The parties hereto may by agreement amend the terms of this Lease, such amendment to be evidenced in writing and executed by both parties.

36.0 Law Applicable

36.1 This Lease shall be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

37.0 Registration

37.1 Despite section 5 of the *Property Law Act*, the Landlord is not obligated to deliver this Lease to the Tenant in registrable form. The Tenant may, at its own expense, present to the Landlord for execution an instrument rendering this Lease registrable and register the same.

38.0 Interpretation

38.1 When the singular or neuter are used in this Lease they include the plural or the feminine or the masculine or the body politic or corporate where the context or the parties require.

38.2 All provisions of this Lease are to be construed as covenants and agreements as though the words importing covenants and agreements were used in each separate paragraph.

38.3 The headings to the clauses in this Lease have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this Lease or any provision of it.

38.4 Unless expressly stated otherwise, any reference in this Lease to a requirement for the consent or permission of the Landlord is deemed to be a reference to the consent or permission of the Landlord granted or withheld in the Landlord's sole, arbitrary and unfettered discretion.

IN WITNESS WHEREOF the parties have executed this Lease on the day and year first above written.

COWICHAN VALLEY REGIONAL DISTRICT,)
by its authorized signatories:)

_____)
Jon Lefebure (Chairperson))

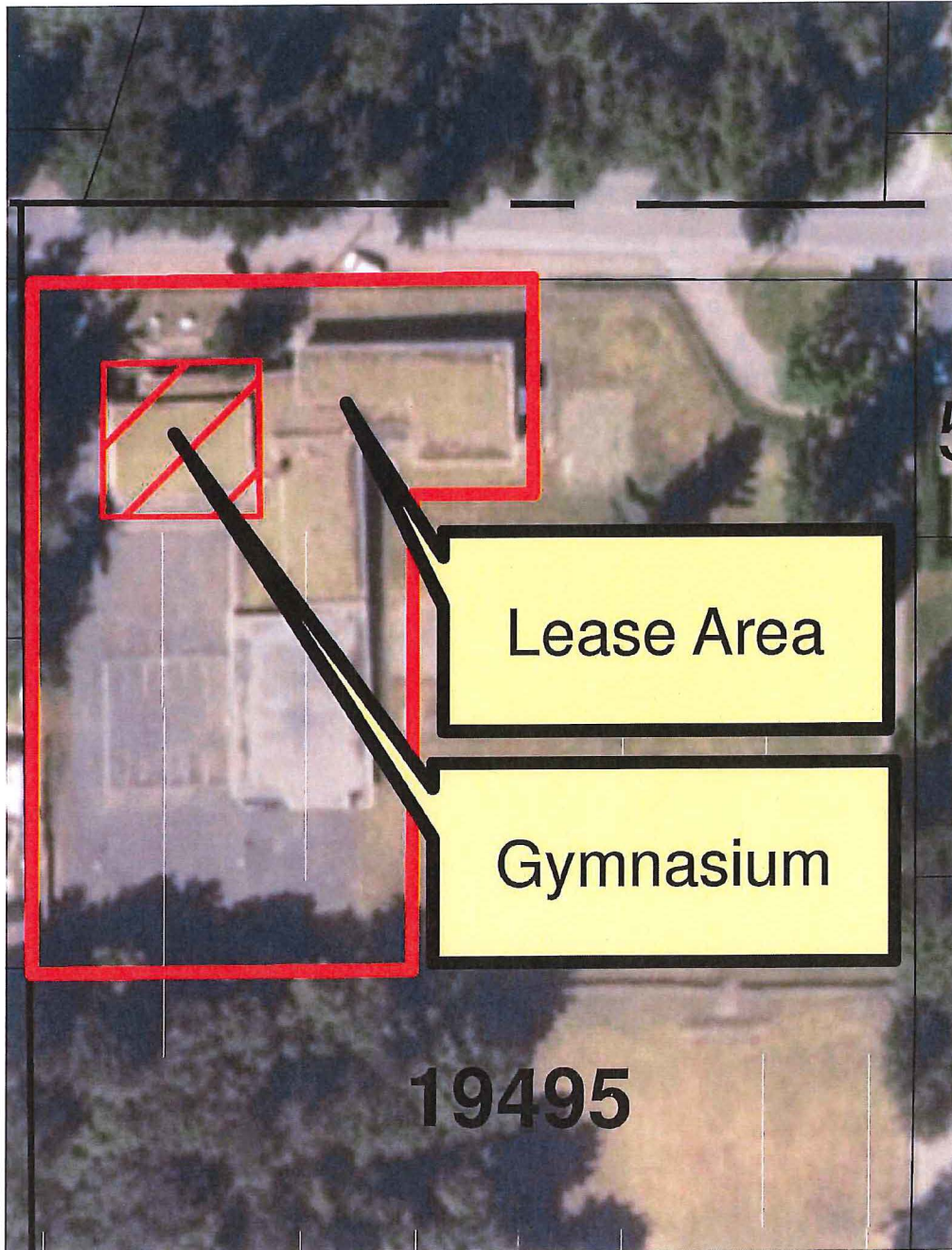
_____)
Joe Barry (Corporate Secretary))

SALTAIR COMMUNITY SOCIETY, by its)
authorized signatories:)

_____)
Authorized Signatory)

_____)
Authorized Signatory)

Schedule "A"
Plan of Building and Premises



Schedule "B"**Terms of Use**

1. The Tenant shall ensure that the Play Court and Parking Area are clean and litter free after every use of the Play Court and Parking Area.
2. The Tenant shall cooperate with the Landlord to permit other persons and organizations to have access to the Play Court and Parking Area as may be reasonably be required by the Landlord.
3. The Landlord may, in its sole discretion, prohibit any use of the Play Court and Parking Area that it deems to be detrimental to the physical condition of the Play Court and Parking Area or any use that is contrary to the operating policies or bylaws of the Landlord.

SALTAIR COMMUNITY SOCIETY

3850 South Oyster School Road

Ladysmith, B.C. V9G 2A6

February 17, 2017

Cowichan Valley Regional District

C/O Brian Farquhar,

Manager, Parks and Trails Division

Planning and Development Department

175 Ingram Street, Duncan, BC V9L 1N8

Dear Mr. Farquhar,

Attached is a request for funds from the Saltair Community Society.

The Saltair Community Society is committed to providing Saltair area with a viable community center for arts, culture and recreation. In order to achieve this the Society requires start-up funds for minor repairs, insurance and operating costs as outlined in the attachment.

The Society respectfully requests that the Saltair Community Center building assessment be completed as soon as possible so that the Society can continue to move forward in their plans to provide a viable community center for the Saltair Community.

Thanks for your consideration of this request.

Yours truly,

Bill Cleary

President, Saltair Community Society

**SALTAIR COMMUNITY SOCIETY
REQUEST FOR REPAIR AND OPERATING FUNDS**

February 2017

INSURANCE: Directors and Building insurance		
(including outstanding 2016 Building Insurance)		\$2500
CLASSROOM #18 REPAIR: drywall materials, paint, etc.		
(portion of labour donated)		\$1500
MISCELLANEOUS REPAIRS/SUPPLIES:		
Ceiling stains	Chimney flashing repair	
Office baseboard heaters	Cleaning materials	
Interior paint/exterior trim paint	Furnace room door	
Exterior drain pipes	Urinal enclosure/repair	
Florescent light covers and bulbs	Window repair	\$3000
OPERATING COSTS: Hydro, heating fuel, water, garbage		\$3000
TOTAL:		\$10,000



STAFF REPORT TO COMMITTEE

DATE OF REPORT	February 20, 2017
MEETING TYPE & DATE	Electoral Area Services Committee Meeting of March 1, 2017
FROM:	Inspection & Enforcement Division Planning & Development Department
SUBJECT:	Proposed Permanent Change to Liquor Licence (10298 South Shore Road – March Meadows Golf Club/Honeymoon Bay Enterprises Ltd)
FILE:	2-F-17BE

PURPOSE/INTRODUCTION

The purpose of this report is to make the Committee aware of a structural change application submitted by March Meadows Golf Club, and the options available.

The Cowichan Valley Regional District (CVRD) has the opportunity to “Opt in” or “Opt out” and provide comment to the Liquor Control and Licencing Branch with regard to the Liquor Primary and Liquor Primary Club structural change application by March Meadows Golf Club (Honeymoon Bay Enterprises Ltd) located at 10298 South Shore Road, Honeymoon Bay (Electoral Area F).

RECOMMENDED RESOLUTION

That it be recommended to the Board that the Cowichan Valley Regional District “Opt Out” of providing comment and leave complete reliance on the Liquor Control and Licensing Branch to manage and take full responsibility of this licence for March Meadows Golf Club (Honeymoon Bay Enterprises Ltd) located at 10298 South Shore Road, Honeymoon Bay (Licence # 177851).

BACKGROUND

An application for a Liquor Primary and Liquor Primary Club structural change has been submitted by March Meadows Golf Club (Honeymoon Bay Enterprises Ltd) located at 10298 South Shore Road, Honeymoon Bay.

ANALYSIS

This structural change intends to increase the current patron load of 71 to 150 for the liquor licence. On January 12, 2017, the Chief Building Inspector authorized an increase to 150 Total Occupant Load (all areas: 58 inside the building and 92 on the deck) to accommodate this change. This application requires input from local government in the form of a resolution. At this point, the CVRD must choose either to “opt out” of this process and entrust the Liquor Control and Licensing Branch (LCLB) to process the application entirely or “opt in” and provide comments to the LCLB.

If the CVRD chooses to “opt in” and provide comments, criteria will need to be taken into account including:

- The potential for noise if the application is approved (provide comments).
- The impact on the community if the application is approved (provide comments).
- If the amendment may affect nearby residents, the local government or first nation must gather the views of residents in accordance with 11.3(2)(c) of the *Act*.

If the local government or first nation gathered the views of the residents, they must provide:

- the views of the residents

- (ii) the method used to gather the views of the residents, and
 - (iii) its comments and recommendations respecting the views of the residents.
- (Residents includes residents and business owners)

If the views of the residents were not gathered, provide reasons.

- d) Its recommendation with respect to whether the amendment should be approved.

Choosing to “opt in” will require staff time to further examine this application and organize one or more public meetings and other efforts to obtain local resident feedback. Ultimately, the LCLB is the issuer of the licence in this process and has the ability to overturn or alter a local government resolution but normally is in agreement with local government outcomes.

If the CVRD chooses to “opt out” of this process, there will be complete reliance on the LCLB to manage and take full responsibility of this licence. In this case, there appear to be few risks involved in having the noted changes to the liquor licence. This office has not received any complaints regarding liquor related issues concerning this property at least in the past 13 years.

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

N/A

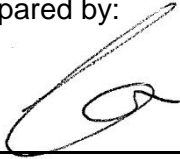
STRATEGIC/BUSINESS PLAN CONSIDERATIONS

N/A

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*)
- Engineering Services** (*Environmental Services, Recycling & Waste Management, Water Management*)
- Planning & Development Services** (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services**

Prepared by:

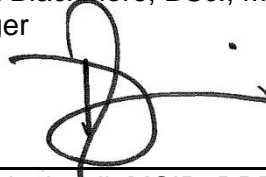


Nino Morano
Bylaw Enforcement Officer

Reviewed by:



Robert Blackmore, BSc., MSc.
Manager



Ross Blackwell, MCIP, RPP, A.Ag.
General Manager

ATTACHMENTS:

- Attachment A - Liquor Licence Application
- Attachment B - Building File Occupant Load



Liquor Primary and Liquor Primary Club

Structural Change Application

Liquor Control and Licensing Form LCLB 012a

What is a Structural Change?

It is defined as a change to the existing approved licensed area(s), including but not limited to:

- a change in the position of a wall or partial height divider (pony wall) or fixed planters used as separation between/within a licensed area
- new construction
- the removal or addition of permanent display cabinets, stages or dance floors
- a change to the food and liquor service bar location or size
- in the position of access and exit points leading to or from a licensed area
- the removal of a licensed area from the liquor licence
- addition of a new outdoor patio or the removal or expansion of an existing patio
- increase to capacity (occupant load) of a licensed establishment with or without changes to the licensed area(s)
- such other construction or changes the general manager considers may affect patron routing, capacity, or the line of sight between a staff control point and the licensed area of the establishment.

If you are making changes to the current approved floor plan, other than cosmetic changes, a structural alteration application is required.

Note: This does not include cosmetic changes such as changes to existing flooring, wallpaper, reconfiguring tables and chairs, countertops, painting, or changing the type of material used in the perimeter bounding of an outdoor patio.

If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: **1 866 209-2111**

Licence Information

Licence # affected: 177851

Please check if licence is currently dormant.

If yes, attach a letter signed by the licensee requesting the licence to be reactivated if this application is approved.

Do you currently hold other licences at this location? Food Primary _____ (Licence #)
 Liquor Primary _____ (Licence #) Licensee Retail Store _____ (Licence #) UBrew/UVin _____ (Licence #) or Other

Licensee name [as shown on licence]: Honeymoon Bay Enterprises Ltd

Establishment name [as shown on licence]: _____

Establishment Location address: 10298 South Shore Rd. Honeymoon Bay BC V0R1Y0
(as shown on licence) Street City Province Postal Code

Business Tel with area code: 250-749-6241 Business Fax with area code: _____

Business e-mail: info@marchmeadowsgolf.com

Business Mailing address: Box 236 10298 S. Shore Rd. Honeymoon Bay B.C. V0R1Y0
(if different from above) Street City Province Postal Code

Contact Name: Chanasyk, Jason Lee Michael Title/Position: Owner/GM
last / first / middle

Type of Change Requested

Sub- Job Number
Office Use ONLY

Please check appropriate box(es) below:

Part 1	<input type="checkbox"/> Addition of a New Outdoor Patio	Outdoor Patio (C3-LIC) _____
Part 2	<input checked="" type="checkbox"/> Alteration/Renovation	Structural - capacity change (C3-LIC) _____
	<input checked="" type="checkbox"/> Removal of an existing licensed area	Structural - no capacity change (C4-LIC) _____
	<input type="checkbox"/> Other	

Application Contact Information

This applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: Jason Chanasyk

Phone number: 250-749-6241

Fax number:

E-mail address: info@marshmeadowsgolf.com

PART 1: Addition of New Outdoor Patio

Fee: \$440 C3 - LIC

Provide the following information:

1. Attach one 11" x 17" copy of the proposed patio floor plan that shows furniture layout, entrance, exits, and abutting areas that may be licensed and/or unlicensed areas.

The branch requires an occupant load (patrons plus staff) for the proposed patio area(s) which must be marked/stamped and dated ON the plan you submit. Do **not** submit this application if you do not have the occupant load calculation stamped on your patio plans.

Note: The occupant load calculation is generally provided by local building or fire authorities in your area. If you are advised that local building or fire authorities do not have jurisdiction or opt out of providing this calculation, provide written confirmation from that authority. You may then take your plan to an alternate qualified architect or design professional who will authorize the calculation.

2. What is the occupant load calculation for the new patio(s)?

Patio #1: Patio #2: Patio #3:

3. If the patio(s) is already constructed, **attach a photo**

4. Provide the height and composition of the patio perimeter or bounding that is designed to control patron entry/exit (i.e., railings, fencing, planters, hedging, etc.):

5. Describe the location of the patio in relationship to the licensed interior, The patio should be immediately adjacent or contiguous to the interior licensed area so that it does not appear to be a standalone patio.

6. Describe how patrons will access the patio.

7. Will servers have to carry liquor through any unlicensed areas to get to the patio? No Yes **If yes, please explain:**

8. Describe how staff will manage and control the patio from the interior licensed area.

9. Is the patio located on: (a) grass, (b) earth, (c) gravel, (d) finished flooring, (e) cement sidewalk or (f) other (please specify below). If located on grass, earth or gravel, please make sure that you have local health authority approval.

10. Will the patio have a fixed or portable liquor service bar? Yes No

11. If "No", will liquor be served from the interior service bar? Yes No

Note: A resolution from your local government or First Nation commenting on the application is required. Please see Parts 3 and 4 for an explanation of what the local government or First Nation is required to consider.

PART 2: Structural Changes (Excluding construction of new patios)

Fee: \$440	C3 - Cap Ch.
	C4 - No Cap Ch.

Provide the following information:

1. Describe in full detail the reason for this application and what the changes are that you want considered.

We do not need a Food Primary License anymore, we just need a liquor license. we removed the pony wall dividing the restaurant and lounge in the same room. we would like to open up the whole restaurant area to be Liquor Primary.

2. Attach one 11" x 17" updated floor plan of the establishment which shows the changes proposed and has the determined occupant load calculations stamped on the plan. The floor plan is a view of the establishment as seen if you were to remove the roof or ceiling.

Floor plans must:

- Show acceptable levels of detail
- Show the dimensions of rooms and provide labels for each room as well as identify unlicensed areas, partial height walls, full height walls, planters, doors and windows, stairs showing direction of travel and all entrances and exits, washrooms, kitchens, bar, patio(s), and furniture layout must be marked on the plan you submit

Note: The occupant load calculation is generally provided by local building or fire authorities in your area. If you are advised that local building or fire authorities do not have jurisdiction or opt out of providing this calculation, provide written confirmation from that authority. You may then take your plan to an alternate qualified architect or design professional who will authorize the calculation. Do not submit this application if you do not have updated floor plans with updated current occupant load.

3. Current total of all licensed areas (as shown on the liquor licence):

4. By making these alterations, the total occupant load will:

- Decrease to: (patrons plus staff)
- Stay the same: (patrons plus staff)
- Increase to: (patrons plus staff)

If there is an increase, a resolution from your local government or First Nation commenting on the application is required. Please see Parts 3 and 4 for an explanation of what the local government or First Nation is required to consider.

PART 3: Local Government/First Nation Resolutions: Information for the Applicant

A resolution from your local government or First Nation commenting on the application is required for the following change types:

- Part 1: Addition of a new patio
- Part 2: Any alteration/addition, when the proposed change increases the occupant load calculation.

Licensee responsibilities:

1. Fill out applicable sections of this form.
2. Attach floor plan showing the proposed changes and stamped with an updated and current occupant load calculation.
3. **Take your completed application, updated floor plan with updated occupancy load calculation to your local government/First Nation office. They will photocopy all of the documents and complete Part 4.**
4. Request that a resolution be provided within 90 days and sent via email or post directly to the Liquor Control and Licensing Branch, Victoria.
5. Send the completed original form, floor plan and application fees to the branch.
6. The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution or letter stating this decision and submit it directly to the Liquor Control and Licensing Branch.

PART 4: Local Government/First Nation Confirmation of Receipt of Application

This is to be filled out by your local government/First Nation office in relation to Parts 1 and 2. Applies to Liquor Primary and Liquor Primary Club licences.

Local government/First Nation (name): _____

Name of Official: _____ Title/Position: _____
(last / first / middle)

Email: _____ Phone: _____

Signature of Official: _____ Date of receipt of application: _____
(day / month / year)

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for a permanent change to a liquor licence is being made within your community. LCLB requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt. If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution or letter indicating this decision must be provided to the branch.

All of the items outlined below in points (a) through (d) must be addressed in the resolution in order for the resolution to comply with section 53 of the Liquor Control and Licensing Regulation. Any report presented by an advisory body or sub-committee to the council or board may be referenced in and attached to the resolution.

(a) The potential for noise if the application is approved (provide comments).

(b) The impact on the community if the application is approved (provide comments).

(c) If the amendment may affect nearby residents, the local government or first nation must gather the views of residents in accordance with 11.3(2)(c) of the Act.

If the local government or first nation gathered the views of residents, they must provide:

(i) the views of the residents

(ii) the method used to gather the views of the residents, and

(iii) its comments and recommendations respecting the views of the residents.

(Residents includes residents and business owners)

If the views of residents were not gathered, provide reasons.

(d) Its recommendation with respect to whether the amendment should be approved.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/clb> under "Publications, Legislation & Resources".

PART 5: Declaration of Signing Authority Including Valid Interest

My signature, as Applicant, indicates that, with respect to the establishment:

- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed. If I have an option/offer to lease the establishment, or portion of the establishment to be licensed, prior to a licence being issued, I will obtain a completed lease that will not expire for a minimum of 12 months after the date the licence is issued.
- I understand that the general manager has the right to request the following documentation supporting valid interest at any time and I agree to provide the requested documentation in a timely manner upon request:
 - If the applicant owns the property, a Certificate of Title in the applicant's name.
 - If the applicant is renting or leasing, a fully executed lease or assignment/offer of lease which does not expire for at least 12 months from the date the licence is issued. An offer for rent/lease must show rent paid, have a term and an expiry date and be signed by both the applicant and the property owner.
 - If the applicant is buying the land and the building(s), a copy of the offer or option to purchase the property and building(s). An offer must show price paid, have a term and expiry date, and be signed by both the applicant and the property owner.
- I understand that loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand that I must advise the branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.
- I understand that the name(s) on documentation demonstrating valid interest must be identical to the applicant name(s).
- As the licensee, I will be accountable for the overall operation, for all activities within the establishment and will not allow another person to use the licence without having first obtained a written approval from the general manager.
- I understand that a licence can only be renewed if I am the owner of the business carried on at the licensed establishment and I am the owner or lessee of the licensed portion of the establishment.

I solemnly declare that the statements in this declaration are true.

(Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below):

Note: An agent, lawyer, resident manager or third party operator **may not** sign the declaration on behalf of the applicant.

Name of Official: Chanasyk, Jason Lee Michael Position: Owner Date: 14/09/2016
(last / first / middle) (Day/Month/Year)

Signature: _____

Name of Official: _____ Position: _____ Date: _____
(last / first / middle) (Day/Month/Year)

Signature: _____

Name of Official: _____ Position: _____ Date: _____
(last / first / middle) (Day/Month/Year)

Signature: _____

Name of Official: _____ Position: _____ Date: _____
(last / first / middle) (Day/Month/Year)

Signature: _____

Section 15(2) of the Liquor Control and Licensing Act states: "A person applying for the issue, renewal, transfer, or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application commits an offence".

False declaration of valid interest is reason for the general manager to consider terminating the licence application and/or cancelling the licence.

PART 6: Application Fees - Payment Options

TOTAL FEE Submitted: \$ _____

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check one):

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- Money order, payable to Minister of Finance
- Credit card: VISA MasterCard AMEX
 - I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
 - I am submitting my application by mail and have given my credit information in the space provided at the bottom of the page.

Note: To ensure legibility, do not submit by fax.

Contact Information

Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066

LCLB012a

5 of 5

Application for Structural Change

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card): _____

Credit card number: _____ Expiry date: _____ / _____
(Month) (Year)

Signature: _____

ATTACHMENT B

TOTAL OCCUPANT LOAD
(ALL AREAS)
150 PERSONS

Total Deck Area
1,290 sq'

Deck Area

Deck Area

Deck Area

OCCUPANT LOAD
(THIS AREA)
58 PERSONS

OCCUPANT LOAD
(THIS AREA)
92 PERSONS
DECK

2 WC
LADIES
1 WC
MEN

Ladies washroom
Mens washroom
Stairs to
Locker Rooms

119
hen
Grill
Deep Fry
Counter
Sink
Pop Fridge

Entrance

Door

Door

26'

Door

Door

29'

10'

Handicap
Access

Business Name: Maverik Meadows Golf Club
Address: 10248 South Shore Rd
Hollymoon Bay, B.C.
Date: Jan 12, 2017
[Signature]
CHIEF BUILDING INSPECTOR
COWICHAN VALLEY REGIONAL DISTRICT



STAFF REPORT TO COMMITTEE

DATE OF REPORT February 20, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 1, 2017

FROM: Inspection & Enforcement Division
Planning & Development Department

SUBJECT: Additional Plumbing Fixture Request at 2868 Renfrew Road (Area B)

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to forward a request from Craig Partridge (property owner) of 2868 Renfrew Road to allow an extra plumbing fixture (a shower). The Plumbing Fixtures in Accessory Buildings Policy (Attachment A) allows one toilet and one sink, all other plumbing fixtures must be authorized by the Board.

RECOMMENDED RESOLUTION

That it be recommended to the Board that the request by Craig Partridge to allow a shower, in addition to the permitted sink and toilet, within an accessory building at 2868 Renfrew Road, be approved.

BACKGROUND

The CVRD Plumbing Fixtures in Accessory Buildings Policy was created to reduce the creation of suites in accessory buildings.

ANALYSIS

The layout of this building and exterior elevations are for a workshop, the request for a shower in the washroom seems reasonable, based on the use described in the owners attached letter (Attachment B).

FINANCIAL CONSIDERATIONS

COMMUNICATION CONSIDERATIONS

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

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*)
- Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)
- Planning & Development Services (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)

Strategic Services

Prepared by:




Grant Breckenridge, RBO
Chief Building/Plumbing Inspector/Bylaw
Enforcement Officer

Reviewed by:



Robert Blackmore, BSc., MSc.
Manager



Ross Blackwell, MCIP, RPP, A.Ag.
General Manager

ATTACHMENTS:

- Attachment A – CVRD Plumbing Fixtures in Accessory Buildings Policy
- Attachment B – Letter from Applicant
- Attachment C – Site Plan/Floor Plan & Sections



PLUMBING FIXTURES IN ACCESSORY BUILDINGS POLICY

Applicability: Planning & Development

Effective Date: November 10, 2010

PURPOSE:

To establish allowable plumbing fixtures in residential accessory buildings as a measure to reduce the number of illegal dwellings in the CVRD.

POLICY:

That staff be authorized to allow for one toilet and one sink, and no other facilities such as showers, bathtubs, and laundry and kitchen facilities, in accessory buildings, without the specific authorization of the Board.

Approved by: CVRD Board
Approval date: January 19, 2004
Amended: November 10, 2010

February 7, 2016

Craig Partridge
Po Box 17
Shawnigan Lake, BC
V0R 2W0

Good morning Grant,

I have submitted a permit to construct a shop at 2868 Renfrew Road. I will keep my company and its equipment at this shop. The name of my company is Spade Excavating Ltd.

I would like to add a shower to the bathroom for convenience of my employees. It is obvious by looking at the plan that this will not be used for a suite. It will be used to store materials, tools, and equipment.

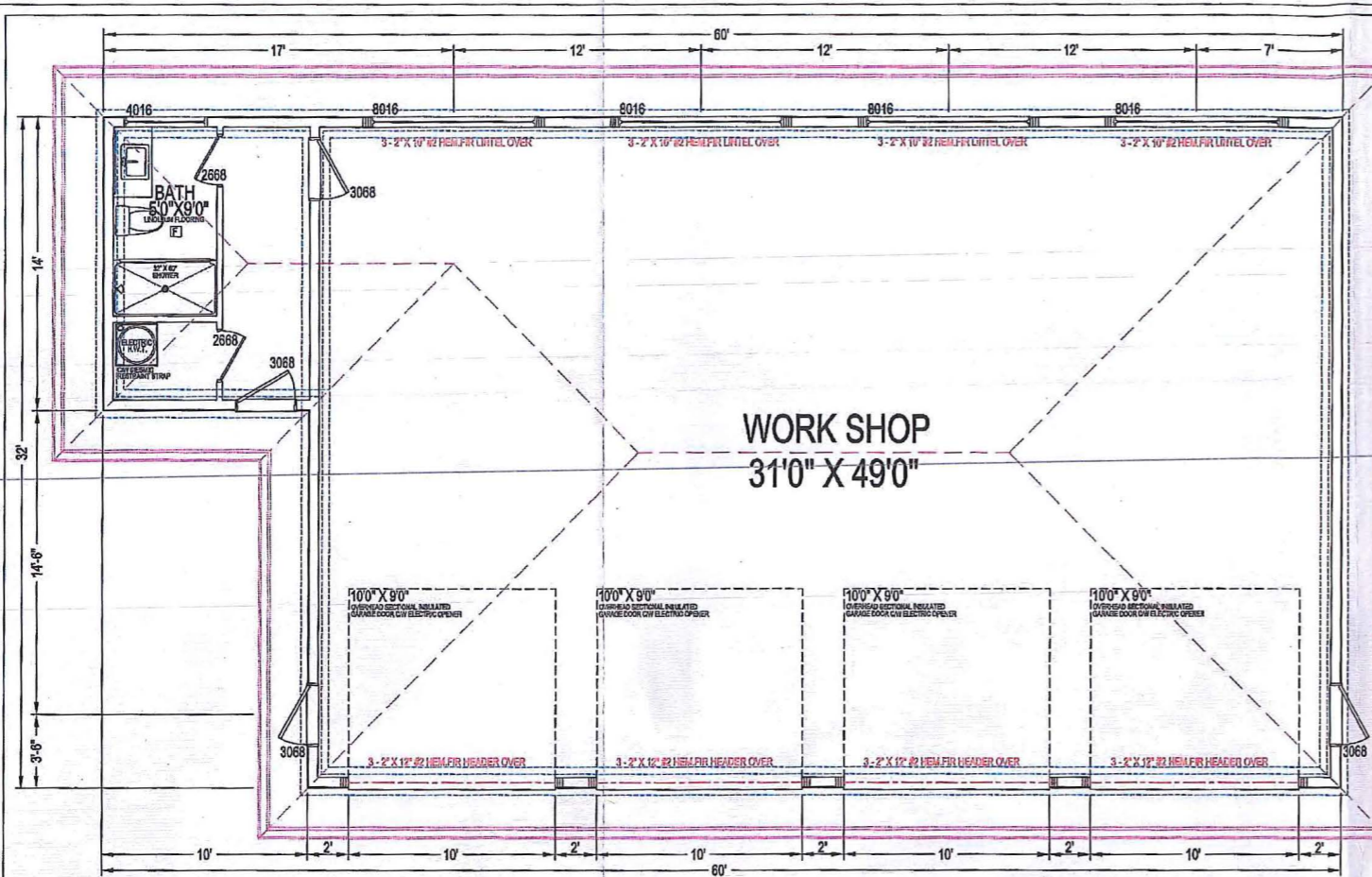
On the same property I will have my house and an attached suite.

Please let me know the board's decision.

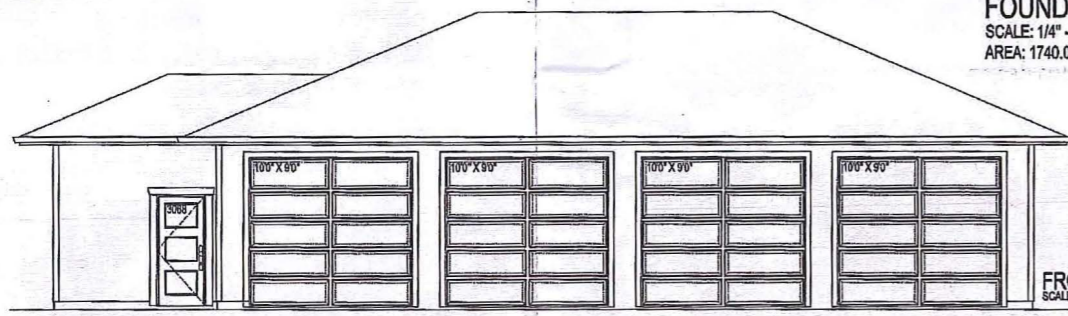
Regards,

Craig Partridge
250-701-2892

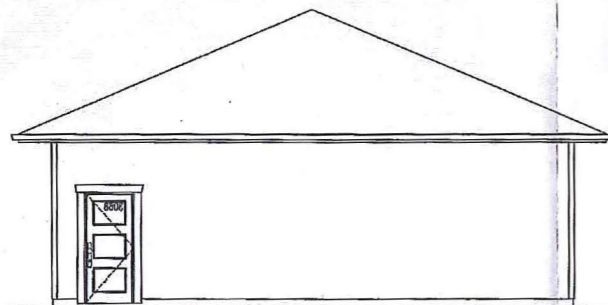
ATTACHMENT C



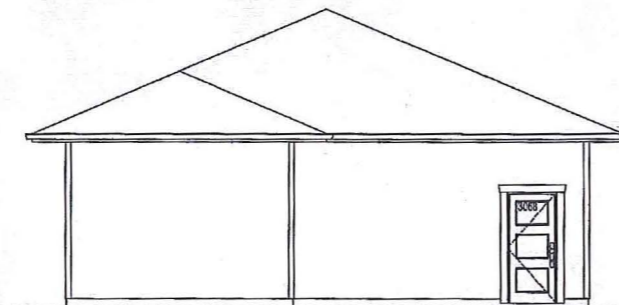
FOUNDATION / FLOOR PLAN
SCALE: 1/4" = 1'-0"
AREA: 1740.00 SF (161.65 M2)



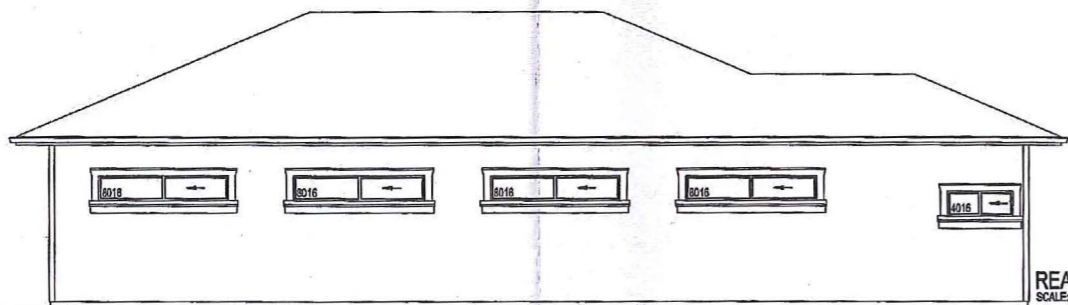
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



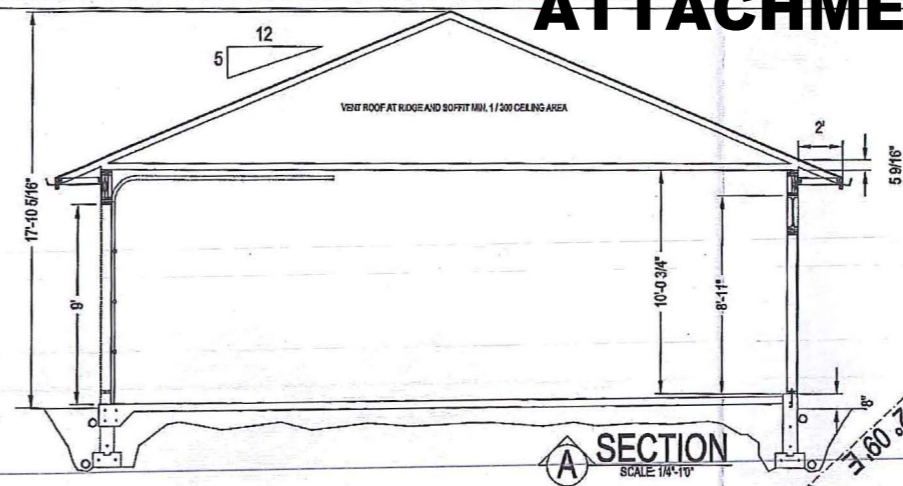
RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



LEFT ELEVATION
SCALE: 3/16" = 1'-0"



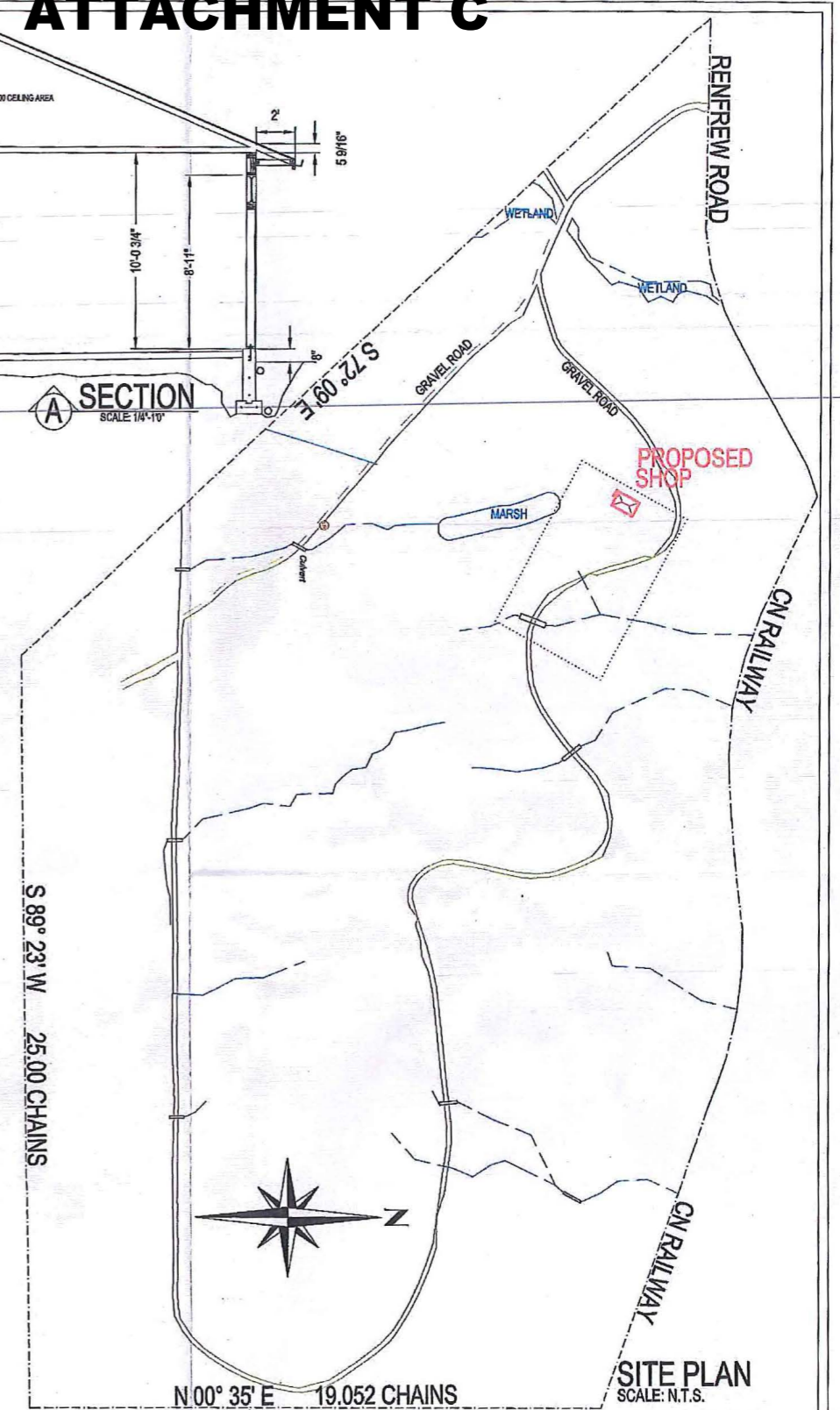
REAR ELEVATION
SCALE: 3/16" = 1'-0"



SECTION A
SCALE: 1/4" = 1'-0"

- SPECIFICATIONS**
- PITCHED ROOF:**
35 YEAR LAMINATED SHINGLES
15# ROOFING FELT UNDERLAY
1/2" PLYWOOD SHEATHING C/W #4 CLIPS
ENGINEERED ROOF TRUSSES @ 24" O/C
 - CEILING:**
R-40 BATT INSULATION
6 MIL POLY AIR / VAPOUR BARRIER
1/2" PLYWOOD SHEATHING
PAINTED CEILING FINISH
 - FASCIA/SOFFIT:**
EAVE PROTECTION TO 36" PAST PLATE LINE
4" ALUM. GUTTERS & DOWN SPOUTS
2" X 4" FASCIA BOARD PAINTED
VENTED ALUMINUM SOFFITS
 - EXTERIOR WALL:**
HARDI-PLANK EXTERIOR SIDING
2 LAYERS 30 MIN. BUILDING PAPER
1/2" PLYWOOD SHEATHING
2" X 8" STUDS @ 16" O/C
R20 BATT INSULATION
6 MIL POLY AIR / VAPOUR BARRIER
1/2" PLYWOOD SHEATHING
PAINTED WALL FINISH
 - GARAGE SLAB:**
5" CONCRETE FLOOR SLAB @
32 mpa @ 28 DAYS
#15 BAR @ 18" O/C GRID THRU OUT
6 MIL POLY AIR / VAPOUR BARRIER
MIN. 6" COMPACTED GRANULAR FILL
 - EXTERIOR FOUNDATION:**
2 COATS ASPHALT EMULSION
1/2" DIA. ANCHOR BOLTS @ 8' O/C
8" CONCRETE FOUNDATION WALL
C/W #4 BAR @ 24" O/C
2-1/2" R-12 RIGID INSULATION
18" X 8" CONCRETE FOOTINGS
C/W 2 - 15M. BAR CONT.
UNDISTURBED STABLE BEARING
 - DRAINAGE:**
4" DIA. PERIMETER DRAIN TILE
3" DIA. ROOF DRAIN
MIN. 6" DRAIN ROCK COVER

- NOTES:**
- ALL CONSTRUCTION TO COMPLY WITH CURRENT N.B.C. AND B.C.B.C.
 - CONSTRUCTION TO COMPLY WITH C.V.R.D. ZONING BYLAWS AND REGULATIONS.
 - BUILDER TO CHECK AND BE RESPONSIBLE FOR ALL GRADES, LEVELS, DIMENSIONS, AND STRUCTURAL ADEQUACY.
 - LUMBER - #2 OR BETTER DOUGLAS FIR, #3 WHERE PERMITTED.
 - LINTELS - 2" X 10" EXCEPT WHERE NOTED OTHERWISE.
 - ALL SMOKE DETECTORS TO BE INTERCONNECTED AND WIRED TO 110 VOLT.



SITE PLAN
SCALE: N.T.S.

C.V.R.D.	Electoral Area "B" Shawnigan Lake	Legal Description:	Remainder Lot 10	Height:	Permitted	Proposed
Civic Address:	Renfrew Road Shawnigan Lake B.C.	Lot:	2210	Principal	10.0 m	0.00 m
Zoning:		Plan:	15	Accessory	32.81'	00.00'
		District Lot:	15		7.50 m	6.44 m
		District:	Helmcken		24.61'	17.86'

GREG MITCHELL
RESIDENTIAL DESIGNS
#108 - 231 MCKENRY ROAD
DUNCAN B.C. V9L 2J3
PHONE: 250-361-0115
CELL: 250-715-6551
E-MAIL: gmit215@shaw.ca
© 2010 GREG MITCHELL

PROJECT: PROPOSED NEW ACCESSORY BUILDING FOR
CRAIG PARTRIDGE
RENFREW ROAD
SHAWNIGAN LAKE B.C.
CRAIG PARTRIDGE CELL: 250-204-3802

DRAWING TITLE: **FLOOR PLAN & SECTIONS**

DATE:	FEB 2017	SCALE:	1/4" = 1'-0"	DRAWING NUMBER:	1 OF 1
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MEMORANDUM

DATE: February 14, 2017
TO: Ross Blackwell, General Manager, Planning & Development Department
FROM: Grant Breckenridge, RBO, Chief Building Inspector, Inspections & Enforcement Division
SUBJECT: BUILDING REPORT FOR THE MONTH OF JANUARY 2017

There were 29 Building Permits and 0 Demolition Permit(s) issued during the month of January, with a total value of \$3,916,355

127

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"					84,515	100,000	5	5	184,515	184,515
"B"				791,470	232,040		7	7	1,023,510	1,023,510
"C"				423,720	25,500		3	3	449,220	449,220
"D"				512,560			2	2	512,560	512,560
"E"				578,620			3	3	578,620	578,620
"F"				188,960			1	1	188,960	188,960
"G"					84,760		3	3	84,760	84,760
"H"				789,210			3	3	789,210	789,210
"I"					105,000		2	2	105,000	105,000
Total	\$ -	\$ -	\$ -	3,284,540	531,815	100,000	29	29	3,916,355	3,916,355

G. Breckenridge, RBO
 Chief Building Inspector, Inspections & Enforcement Division
 Planning & Development Department

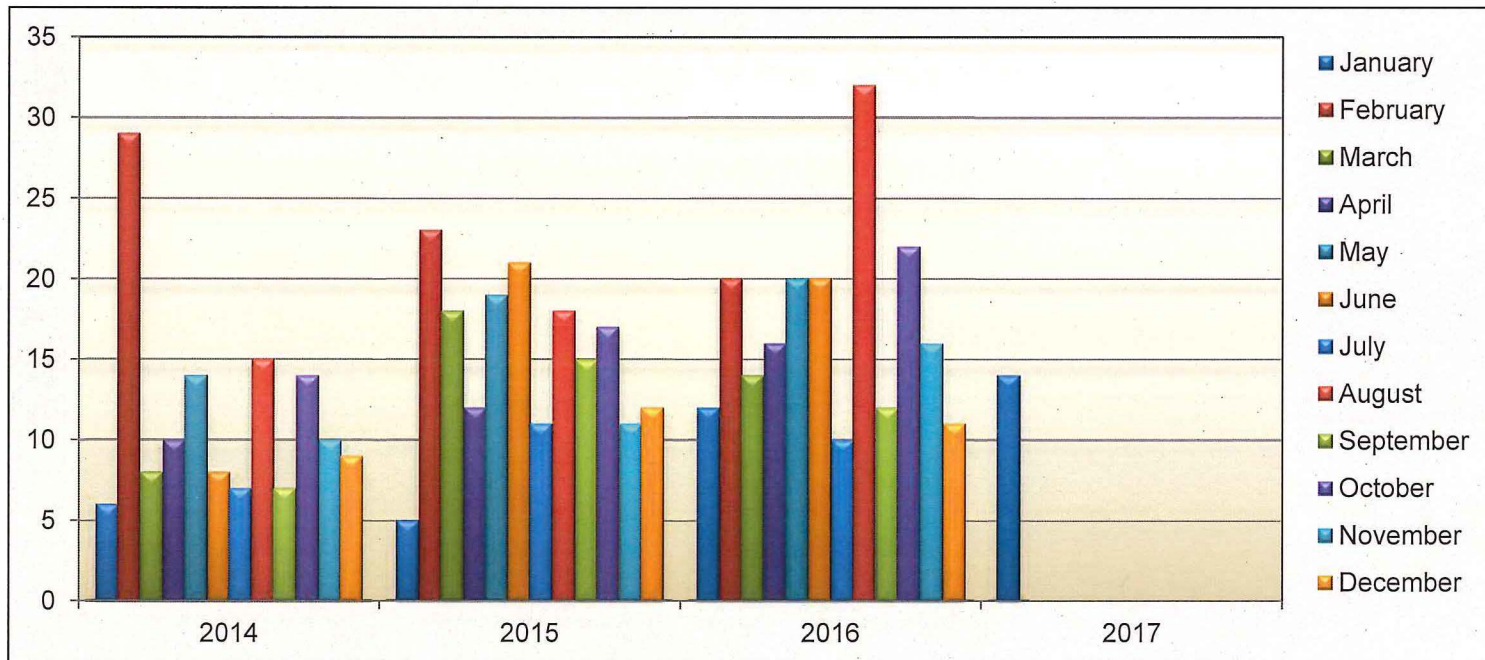
GB/la

NOTE: For a comparison of New Housing Starts from 2014 to 2017, see page 2
 For a comparison of Total Number of Building Permits from 2014 to 2017, see page 3



TOTAL OF NEW HOUSING STARTS

	2014	2015	2016	2017
January	6	5	12	14
February	29	23	20	
March	8	18	14	
April	10	12	16	
May	14	19	20	
June	8	21	20	
July	7	11	10	
August	15	18	32	
September	7	15	12	
October	14	17	22	
November	10	11	16	
December	9	12	11	
YTD Totals	137	182	205	

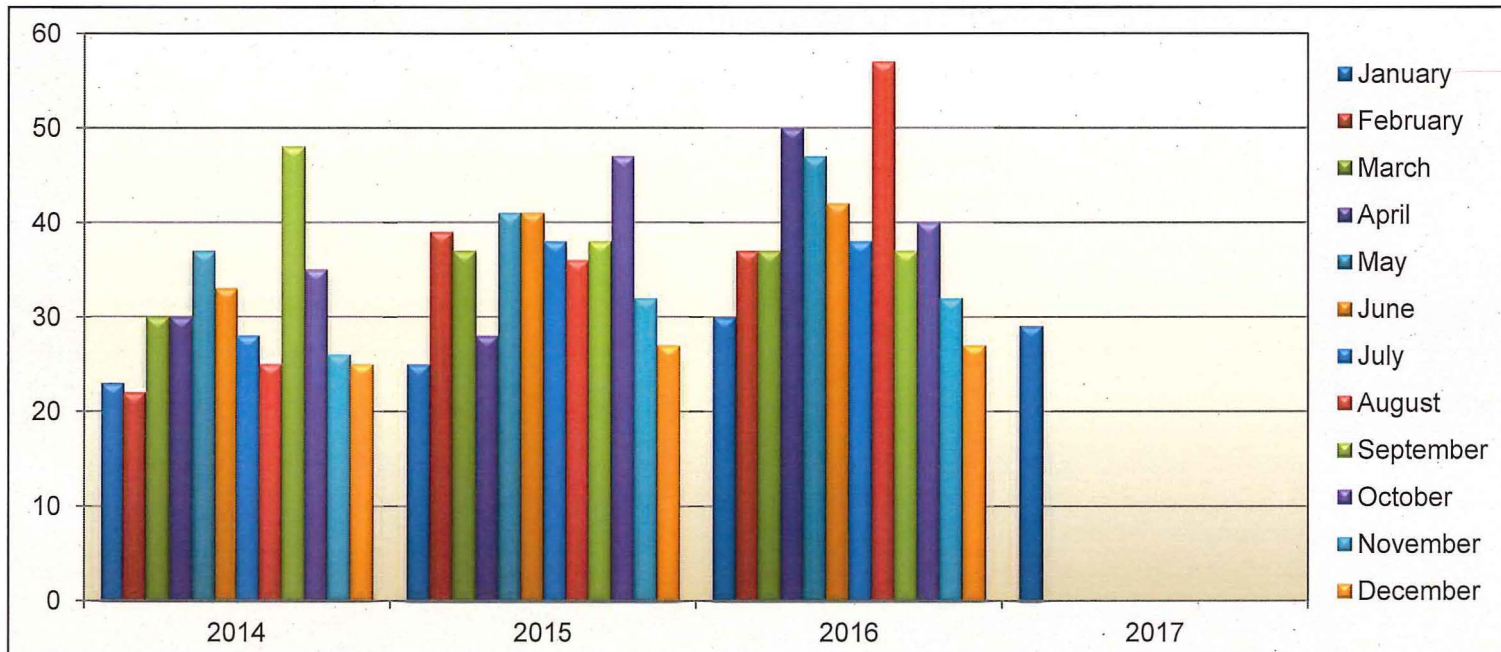


128



TOTAL BUILDING PERMITS ISSUED

	2014	2015	2016	2017
January	23	25	30	29
February	22	39	37	
March	30	37	37	
April	30	28	50	
May	37	41	47	
June	33	41	42	
July	28	38	38	
August	25	36	57	
September	48	38	37	
October	35	47	40	
November	26	32	32	
December	25	27	27	
YTD Totals	362	429	474	29



129

320 – Building Inspections Report – January 2017

Participating Areas All Electoral Areas

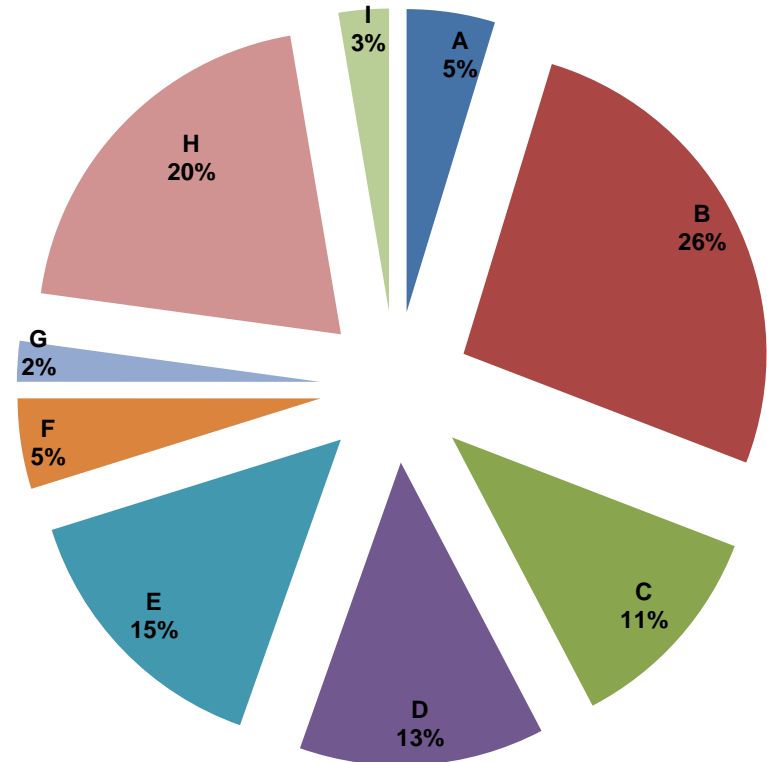
Purpose: Monthly review of building permits and new housing starts for January 2017

Permit Breakdown per electoral area

Electoral Area	Permits issued	Value	% for the month
A	5	184,515	5%
B	7	1,023,510	26%
C	3	449,220	11%
D	2	512,560	13%
E	3	578,620	15%
F	1	188,960	5%
G	3	84,760	2%
H	3	789,210	20%
I	2	105,000	3%

130

New Building Permits



320 – Building Inspections Report – January 2017

Participating Areas All Electoral Areas

Purpose: Monthly review of building permits and new housing starts for January 2017

What's happening in your area?:

Highs and lows

➤ Areas: B and H created the bulk of the new permits with 46% of the total for January

➤ Area: G and I had fewest new permits for January 5% of the monthly total

Trends and reasons

Typical reflection of the time of year

131

Total Building Values

➤ Month: \$3,916,355 for January 2017

➤ Year: \$39,163 building permit revenue, about the same as this time last year

New house Starts

➤ 205 for the year; increase of 12% on 2016

Building Permits issued

➤ 29 for the year; 1 less than in 2016

➤ 29 Permits issued in January, following a typical pattern of building during the winter period. Total inspections generated for January 261

➤ Total for the year: 261 building inspections

➤ New digital Building Inspections process is up and running, with 2017 permits being inputted by this system.

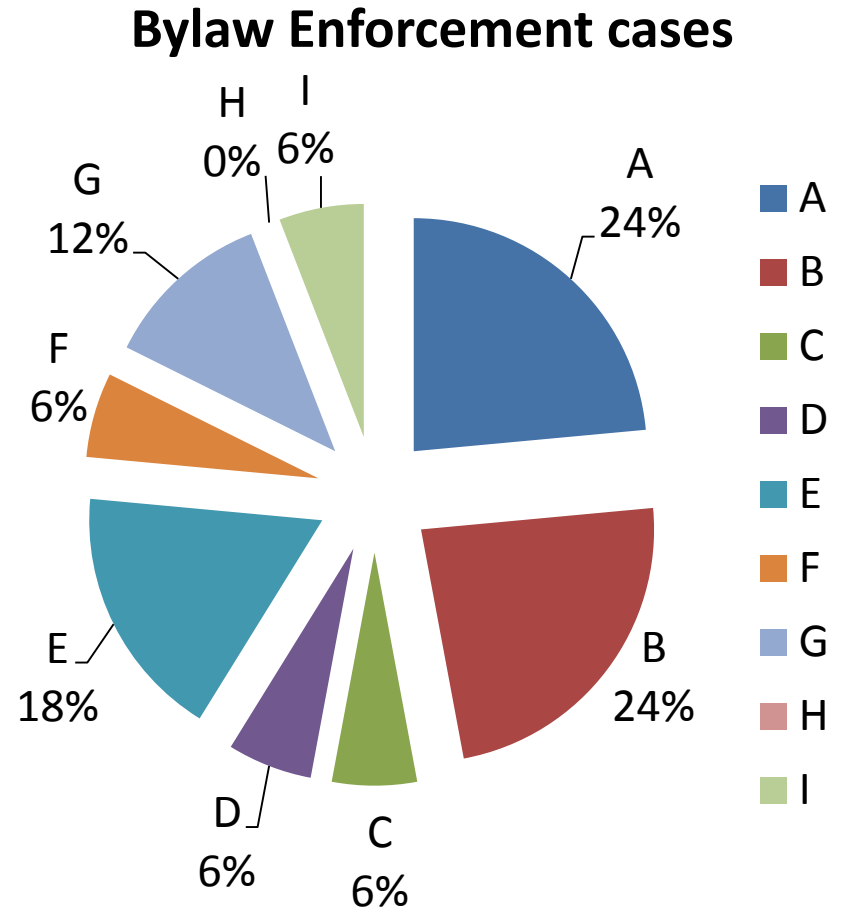
320 – Bylaw Enforcement Report – January 2017

Participating Areas – All electoral areas

Purpose – Monthly review of Bylaw Enforcement files

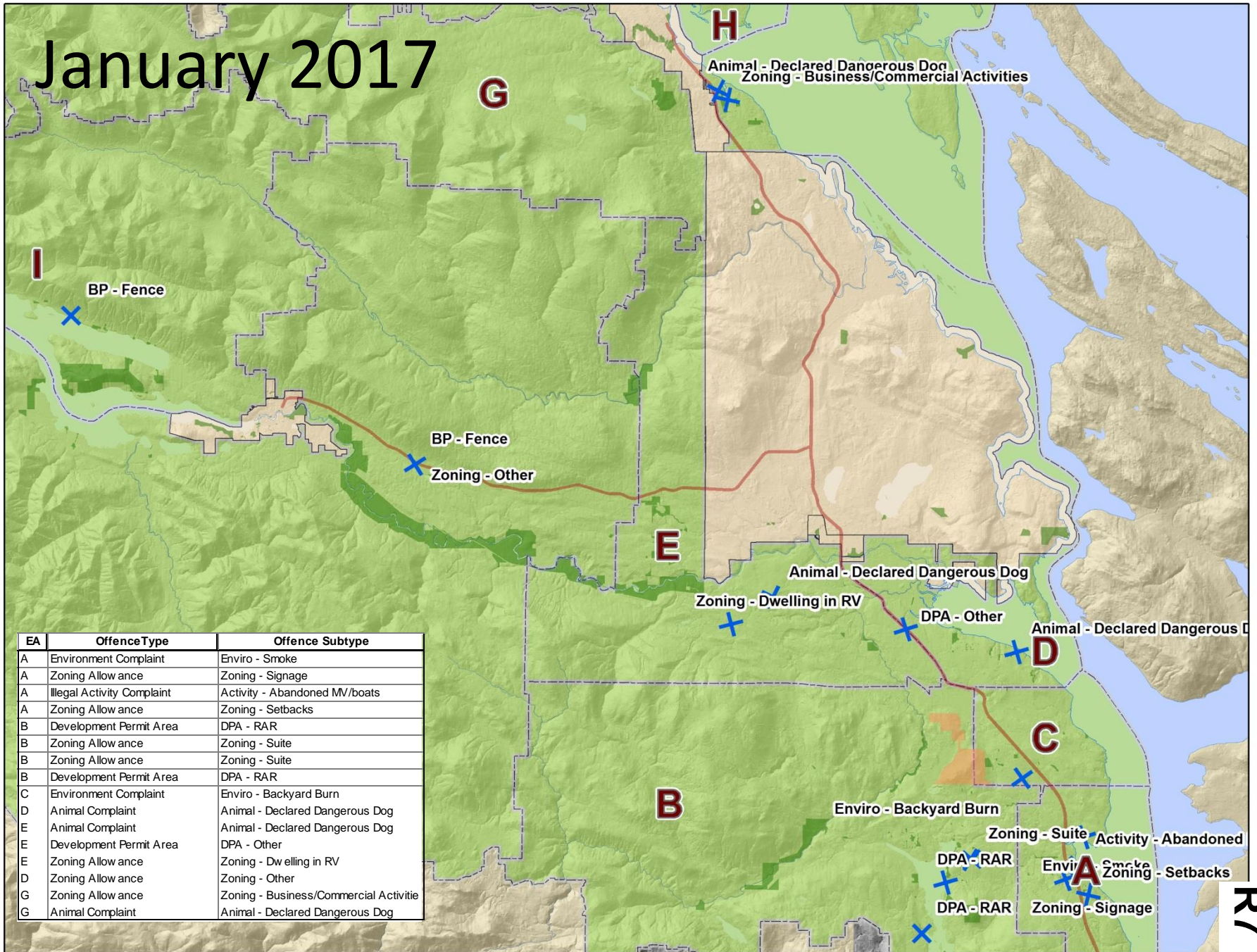
133

Electoral Area	Monthly Files	Percentage	Year total
A	4	24%	4
B	4	24%	4
C	1	6%	1
D	1	6%	1
E	3	18%	3
F	1	6%	1
G	2	12%	2
H	0	0%	0
I	1	6%	1



January 2017

134



EA	OffenceType	Offence Subtype
A	Environment Complaint	Enviro - Smoke
A	Zoning Allowance	Zoning - Signage
A	Illegal Activity Complaint	Activity - Abandoned MV/boats
A	Zoning Allowance	Zoning - Setbacks
B	Development Permit Area	DPA - RAR
B	Zoning Allowance	Zoning - Suite
B	Zoning Allowance	Zoning - Suite
B	Development Permit Area	DPA - RAR
C	Environment Complaint	Enviro - Backyard Burn
D	Animal Complaint	Animal - Declared Dangerous Dog
E	Animal Complaint	Animal - Declared Dangerous Dog
E	Development Permit Area	DPA - Other
E	Zoning Allowance	Zoning - Dwelling in RV
D	Zoning Allowance	Zoning - Other
G	Zoning Allowance	Zoning - Business/Commercial Activities
G	Animal Complaint	Animal - Declared Dangerous Dog

R7

What is happening in your area?

Area A and B had the highest number of cases opened with 4 each equaling 48%

Area H had the fewest calls with 0.

Types of issues –

Smoke Nuisance x 2

Abandoned MV (boat) x 1

DPA x 2

Dangerous dogs x 3

Zoning x 7

Open vs Closed

Total number of enquires (calls, emails, front desk): 90

Total cases opened during January: 17

Cases concluded: 17

Ongoing cases: 23



STAFF REPORT TO COMMITTEE

DATE OF REPORT February 22, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 1, 2017

FROM: Inspection & Enforcement Division
Planning & Development Department

SUBJECT: Dog Regulation Bylaw

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to advise the Committee of a proposed updated Dog Regulation Bylaw and to advise the Committee of the next steps in its development.

The CVRD has a number of public engagement priorities for 2017. The urgency and timing of the role out of this process, is at the discretion of the Committee, in relation to the other ongoing public consultation priorities.

RECOMMENDED RESOLUTION

For direction.

BACKGROUND

CVRD Dog Regulation Bylaw No. 3032 needs to be modernised to better respond to the issues faced in the community.

This was identified by a number of Area Directors to:

- Amend the designation “Declared Vicious” and create a more current and applicable to deal with aggressive and dangerous dogs.
- Review and amend the bylaw as a whole as it is dated and inadequate to respond to the issues faced in the community.

ANALYSIS

Implementation of the changes would increase regulatory powers in regards to dog regulation within all CVRD electoral areas.

The Key problems identified by the community would be used as topics for community engagement to create discussion and provide feedback. This feedback may then be included in the new bylaw.

Above all, the new bylaw should place the onus on the dog owner to ensure compliance with the bylaw and that their dog is safe when in public.

The key problems include:

- Licensing and control;
- Waste not picked up;
- Regulation around breeders and rescues;
- Heat distress;
- Barking Complaints;
- Bites and dog attacks; and

- Dangerous dogs.

In order to address the key issues, the new bylaw would be required to be much more regulatory and provide the ability to enforce various infractions.

The designation of “Declared Vicious” for dogs involved in serious incidents would require a more current and applicable replacement. A two tier system where dogs can be “Considered Aggressive” or Declared Dangerous” based on a number of factors would be suitable. These designations would bring additional restrictions to protect the public. An appeals process would also be required, for those owners who address their dog’s behaviour.

Barking and bite complaints should have minimum standards of investigation which are available for the public to review and understand, as per the ombudspersons guide.

The subject of how best to protect the public in relation to dangerous dogs is always a controversial topic which tends to divide the community 50/50. Public engagement would be required, to assess if the public will feel safe with new “Considered Aggressive” or Declared Dangerous” designations and restrictions, or of additional regulations are required.

Staff will prepare a plan for public engagement, that will include but is not limited to:

- CVRD Website preparation
- Place Speak preparation with discussion topics
- Story boards
- Newspaper
- Mail outs
- Public consultation – 3 meetings to discuss key problems
- Create draft bylaw
- Amend ticketing bylaw

FINANCIAL CONSIDERATIONS

A new regulatory bylaw would require increases in the fine amounts by Municipal Ticket Information, for offences detailed within the bylaw.

COMMUNICATION CONSIDERATIONS

These amendments are deemed necessary by Electoral Area Services Committee Directors and the Bylaw Enforcement Department, and would be suitable for public consultation. The roll out of this Bylaw will be communicated through the CVRD website, local press and other media.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

A new Dog Regulation Bylaw would include relevant sections on:

- Aggressive dog definition
- Dangerous dog definition
- Heat distress for dogs in cars

In accordance to the ombudspersons guide: the new bylaw would clearly provide, where authority and powers are derived from and the seizing dangerous dogs for the purpose of assessment and/or euthanization.

- A dog involved in a serious incident could be seized for a period of 21 days for professional assessment, with regards to the dog’s suitability for release back into the public.

New sections in the proposed bylaw would include:

- License provisions
- Presentation of license and Government Identification to Animal Control Officer with associated obstruction clause for none compliance
- Leashing of dogs in public
- Aggressive dogs muzzle and containment
- Number of dogs
- Removing excrement
- Aggressive and dangerous dogs – designation and restrictions

Also in accordance to the ombudspersons guide: It would include clear guidelines on how: Barking complaints will be investigated; Bite and aggression cases will be investigated; Appeals process to Aggression/Dangerous designation; and increased restriction on Aggressive/Dangerous dogs.

The role out of this process is at the discretion of the Committee, in relation to the other ongoing public consultation priorities in 2017.

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*)
- Engineering Services (*Environmental Services, Capital Projects, Water Management, Recycling & Waste Management*)
- Planning & Development Services (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

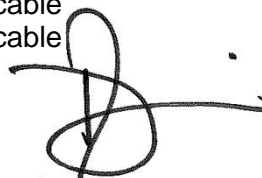
Prepared by:



Robert Blackmore, BSc., MSc.
Manager

Reviewed by:

Not Applicable
Not Applicable



Ross Blackwell, MCIP, RPP, A.Ag.
General Manager

ATTACHMENTS:
N/A



STAFF REPORT TO COMMITTEE

DATE OF REPORT February 14, 2017
MEETING TYPE & DATE Electoral Area Services Committee Meeting of March 1, 2017
FROM: General Manager
 Planning & Development Department
SUBJECT: Departmental Name
FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to introduce a name change for the *Planning & Development Department* to one that is more reflective of the scope of services provided.

RECOMMENDED RESOLUTION

For information.

BACKGROUND

The rationale for the Departmental change is two-fold. Firstly, the domain of the Divisions operating within the Department is significantly more diverse in scope than the existing name conveys. As such, it is inherently confusing/non-user-friendly to the public when trying to access information such as navigating the website, for instance.

The five departmental Divisions include:

- Community & Regional Planning Division;
- Development Services Division;
- Inspections & Enforcement Division;
- Economic Development Division; and
- Parks & Trails Division.

The commonality is that each Division has a core relationship to operational matters pertaining to an aspect of land use within the region. As such, the “land use” theme becomes the unifying attribute.

Secondly, the emphasis placed on the term “Development” in the Departmental name is misinforming as it infers a primary purpose of facilitating land development activity and associated services. This can be somewhat alienating and can be a trigger for some of the general public. As such, a more inclusive and neutral sounding term is favoured.

Although there is no Department name that can completely address all potential considerations, it is thought that “**Land Use Services Department**” is the most fitting. This name reflects the role of the Department, through its Divisions, in managing a range of matters that relate to the land base in its various iterations. This concept has been discussed with all Division Managers who are in support.

FINANCIAL CONSIDERATIONS

Minor financial considerations are anticipated. The administrative implementation will be incremental to minimize costs.

COMMUNICATION CONSIDERATIONS

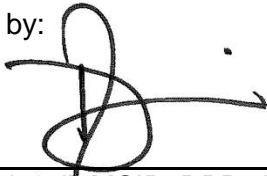
The website and other public interface vehicles will be updated strategically, to notify customers of the name change.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

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*)
- Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)
- Planning & Development Services (*Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

Prepared by:



Ross Blackwell, MCIP, RPP, A.Ag.
General Manager

Reviewed by:

Not Applicable
Not Applicable

Not Applicable
Not Applicable

ATTACHMENTS:
N/A

Comparison of Existing Parks Commission Bylaws and proposed Community Parks Advisory Commissions Bylaw

	<i>Existing Parks Commission Bylaws</i>	<i>Proposed Community Parks Advisory Commission Bylaw</i>	<i>Comments</i>
Number of Commissions	11 (1 per electoral area + South Cowichan Parks + Area G Recreation)	3 (1 per electoral area sub-region: south, west, and north)	Area G Recreation Commission is not active
Total Number of Commission Members	Up to 102	19	
Number of Members per Commission	Electoral Areas: A - 11; B - 7; C - 13; D - 7; E - 10; F - up to 10; G - 11; H - 7; I - 7. South Cowichan Parks: 10 Area G Recreation: 9	South Cowichan: 9 West Cowichan: 5 North (G & H): 5	
Area Director	Voting member on all commissions with exception of South Cowichan on which Directors are not commission members.	Not a member of the commission.	Directors may attend in a resource capacity.
Filling Vacancies	Appointed by the Board after the following processes which vary by electoral area: A, B, C, D, E, H, I: half nominated by Director; half elected at an Annual General Meeting (AGM). F: up to 4 nominated by Director; 5 elected at AGM. G - 10 nominated by Director. G (Recreation) - 8 nominated by Director. South Cowichan: 5 Parks Commission Chairs from A-E; 5 nominated from A-E Parks Commissions.	Publicly advertised through newspaper, website and social media. Members appointed by Board at the recommendation of the Area Director based on submissions received from interested community members in response to advertised invitation.	

Comparison of Existing Parks Commission Bylaws and proposed Community Parks Advisory Commissions Bylaw

	<i>Existing Parks Commission Bylaws</i>	<i>Proposed Community Parks Advisory Commission Bylaw</i>	<i>Comments</i>
Annual General Meeting	8 of the 9 electoral area parks commissions hold an AGM.	None	Not required by the <i>Local Government Act</i> .
Term of Office	Varies. 1 year, 1-2 years, 2 years, or 2 years staggered.	2 years	
Expiry Date	Varies. Mar 31, Nov 30, or Dec. 31.	Dec. 31, 2018	
Powers and Responsibilities	<p>The powers and responsibilities vary by electoral area. Areas A, B, C, D, E, F, and H, I bylaws detail administrative duties that are now performed by staff and contain wording (with slight variations) that empower the Commissions to exercise administrative powers of the Board in respect to:</p> <p>i) The management, policies, operation, and control of the Joint Parks and Recreation Commission and related activities.</p> <p>ii) Hire and dismiss such staff as may be required for the operation of its activities, subject to personnel policies of the Cowichan Valley Regional District, if such staff are to be employees of the Cowichan Valley Regional District.</p> <p>iii) The custodianship, care, and maintenance of any premises owned, leased, or rented, for the use of its operations.</p> <p>iv) To contract for materials and services in accordance with</p>	Provide advice on park and trail development; park amenities; ecological stewardship; parkland acquisition opportunities; and community parks events.	The powers and responsibilities detailed in the existing bylaws are reflective of an era prior to staff being hired to manage parks. The bylaws for Areas G and I were updated in 2004 and don't contain the wording from an earlier era.

Comparison of Existing Parks Commission Bylaws and proposed Community Parks Advisory Commissions Bylaw

	<i>Existing Parks Commission Bylaws</i>	<i>Proposed Community Parks Advisory Commission Bylaw</i>	<i>Comments</i>
145	<p>Cowichan Valley Regional District policy.</p> <p>v) To solicit or accept, for the purposes of its operation, any gifts, grants, bequests, or unconditional sources of money whatsoever.</p> <p>vi) To perform any act, or other matter, or thing incidental to the operation of the Joint Parks and Recreation Commission, provided that such act, matter, or thing, is not otherwise inconsistent with the provisions and intent of this bylaw.</p> <p>Some of the bylaws allow the Commission to make expenditures with the prior authorization of the Area Director.</p> <p>Areas G and I: The Commission shall advise the Board with respect to financing, equipping and operating Parks.</p> <p>Area G Recreation: The Commission shall advise the Board with respect to financing, equipping and operating recreation facilities.</p> <p>South Cowichan Parks: Commission shall advise the Board with respect to financing, equipping and operating those parks assigned to the South Cowichan Parks Service.</p>		

Comparison of Existing Parks Commission Bylaws and proposed Community Parks Advisory Commissions Bylaw

	<i>Existing Parks Commission Bylaws</i>	<i>Proposed Community Parks Advisory Commission Bylaw</i>	<i>Comments</i>
Agendas	Current practice: Not publically available before meetings	Publically available before meetings	Agendas will be prepared by staff.
Agenda items	Current practice: Commissions consider items referred to them or introduced on their own. Common for non-parks items to be placed on a parks commission agenda	The Board and staff may refer matters respecting community parks to the commission for advice.	Only those items referred to and pertaining to parks will appear on an agenda.
Procedure	Current practice: Commissions run their meetings differently between electoral areas. Consistency with the CVRD's Procedures Bylaw is lacking.	Staff will be in attendance to serve as a resource for the Commission and will be trained on basic meeting procedures.	
Minutes	Current practice: Lack of consistency with the CVRD's standard. Varies greatly between electoral areas. Minutes not always published in a timely manner.	Staff will serve as recording secretaries for the meetings.	Consistency for all commission meetings and timely publication of meeting minutes.

146



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4066

A Bylaw to Establish Community Parks Advisory Commissions Within the Cowichan Valley Regional District

WHEREAS the Board of Directors of the Cowichan Valley Regional District wishes to establish Community Parks Advisory Commissions to provide advice on park and trail development; park amenities; ecological stewardship; parkland acquisition opportunities; and community parks events;

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. 4066 – Community Parks Advisory Commissions Establishment Bylaw, 2017**".

2. DEFINITIONS

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

"**Commission**" means a Community Parks Advisory Commission established pursuant to this bylaw;

"**Community Park**" means a park located solely in one electoral area and funded by that electoral area or a sub-regional park funded by two or more electoral areas.

3. ESTABLISHMENT AND MEMBERSHIP

1. A South Cowichan Community Parks Advisory Commission is established consisting of nine residents who reside in the following geographical area:

- Electoral Area A – Mill Bay/Malahat;
- Electoral Area B – Shawnigan Lake;
- Electoral Area C – Cobble Hill;
- Electoral Area D – Cowichan Bay; and,
- That portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora located south of the Cowichan River.

2. A West Cowichan Community Parks Advisory Commission is established consisting of five residents who reside in the following geographical area:

- That portion of Electoral Area E – Cowichan Station/Sahtlam/Glenora located north of the Cowichan River;
- Electoral Area F – Cowichan Lake South/Skutz Falls; and,
- Electoral Area I – Youbou/Mea 147 reek.

3. A North Oyster - Saltair Community Parks Advisory Commission is established consisting of five residents who reside in the following geographical area:
 - That portion of Electoral Area G – Saltair/Gulf Islands located on Vancouver Island; and,
 - Electoral Area H – North Oyster/Diamond.
4. Directors, Alternate Directors, and CVRD employees are not eligible for appointment to a Community Parks Advisory Commission.
5. Applications will be sought from the public for consideration of appointment to the Commission whenever a vacancy occurs.

4. **TERM OF OFFICE**

- a) The term of office for Commission members shall be for a two year expiring on December 31st of 2018 (and every subsequent year ending in an even number).
- b) Commission members may be re-appointed for a further term or terms.
- c) In the event of vacancy of office, a replacement appointee shall hold office for the otherwise unexpired term of office.
- d) The Board may, at any time, terminate the appointment of a member.
- e) The Board may remove from membership any member appointed who has failed to attend three consecutive Commission meetings without good cause.

5. **PROCEDURE**

- a) At the first meeting in 2017 (and every subsequent year ending in an odd number), the Commission shall elect from amongst its own members, a Chairperson and a Vice-Chairperson of the Commission who shall hold office until a successor is elected.
- b) In the absence of the Chairperson or Vice-Chairperson, the Commission shall elect, from the members present, a temporary Chairperson for the purpose of that meeting only.
- c) A quorum is four members for the South Cowichan Community Parks Advisory Commission and three members for the West Cowichan Community Parks Advisory Commission and three members for the North Oyster - Saltair Community Parks Advisory Commission.
- d) All resolutions of the Commission shall be made by a majority of the members present at the meeting, with each member having one vote.
- e) Where not otherwise covered in this bylaw, the rules of procedure governing Commission meetings shall be those of the current Committee and Commissions Procedures Bylaw of the Cowichan Valley Regional District.

6. **RESPONSIBILITIES**

The responsibilities of the Commission shall be to provide advice on park and trail development; park amenities; parkland acquisition opportunities; and community parks events.

7. REFERRALS TO THE COMMISSION

The Board and staff may refer matters respecting community parks to the appropriate Community Parks Advisory Commission(s) in order that the Commission may provide advice on those matters.

8. GENERAL

All members of the Commission shall serve without remuneration, except for such "out of pocket" expenditures as may have received prior authorization by the Board.

9. REPEAL

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

- a) "Electoral Area "F" Parks and Recreation Commission" Bylaw No. 565, 1980";
- b) "CVRD Bylaw 696 - Electoral Area A Parks & Recreation Commission Establishment Bylaw, 1982";
- c) "CVRD Bylaw No. 1009 – Electoral Area C – Cobble Hill Parks and Recreation Commission Establishment Bylaw, 1986";
- d) "CVRD Bylaw No. 1238 - Electoral Area D Parks & Recreation Commission Establishment Bylaw, 1989";
- e) "CVRD - Electoral Area "H" Parks and Recreation Commission Establishment Bylaw No. 1342, 1991";
- f) "CVRD Bylaw No. 2057 - Electoral Area B – Shawnigan Lake Parks and Recreation Commission Establishment Bylaw, 2000";
- g) "CVRD Bylaw No. 2117 - Electoral Area E – Cowichan Station/Sahtlam/Glenora Parks and Recreation Commission Establishment Bylaw, 2000";
- h) CVRD Bylaw No. 2315 – Bright Angel Park Commission Bylaw, 2002";
- i) "CVRD Bylaw No. 2473 – South Cowichan Parks Commission Establishment Bylaw, 2004";
- j) "CVRD Bylaw No. 2484 – Electoral Area I – Youbou/Meade Creek Parks Commission Establishment Bylaw, 2003";
- k) "CVRD Bylaw No. 2494 – Electoral Area G – Saltair/Gulf Islands Parks Commission Establishment Bylaw, 2004";
- l) "CVRD Bylaw No. 2495 – Electoral Area G – Saltair/Gulf Islands Recreation Commission Establishment Bylaw, 2004".

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

February 23, 2017



Electoral Area Services Committee

CVRD

Subject: Fencing Requirement for Phase 3 of Inwood Creek Estates

This communication is in response to the recommended approach presented to the Committee by CVRD staff dated February 3, 2017.

The current residents of Phase 3 of Inwood Creek Estates are in agreement that the security funds to cover the cost of the fence should be drawn on by the CVRD. However, as we have clearly communicated in past correspondence with the CVRD, we are opposed to the plan whereby owners would be responsible for construction of the fence

This opposition is based on the following:

- This approach does not ensure that all owners will comply, with the corresponding result that there may be gaps in the fencing (this point is acknowledged in the staff report). This would be contrary to the original intent for construction of the fence (i.e. separation of private lands from the forestry conservation lands and to protect the conservation and environmental values of 100% of the forestry lands.)
- It would be more cost effective to hire one contractor to do the whole job rather than a "piecemeal" approach of each owner hiring their own contractor. If a contractor is not given the whole project, he would obviously charge more on a per meter basis.
- The recommended plan would put the owners in the position of financial risk in the likely event there is a shortfall in the amount of security currently available for this project

A more reasonable and effective approach to passing the fencing issue onto the owners, would be for the CVRD to either source the funds from internal financial sources or to take action against the developer (3L) to make up the shortfall. At this point in time there are several properties unsold and a narrow window of opportunity exists to take action against the developer.

As property owners, we value the forestry conservation lands abutting our properties. We are all in agreement that the fence should be constructed. The alternative approach identified in the report is the method that we feel should be adopted. We believe this approach accomplishes the original intent for the fencing in a much more comprehensive and cost effective way, which ultimately benefits all parties.

There has been significant time and energy expended by all parties and it is time to bring this matter to fruition. We hope that this can be resolved to everyone's satisfaction

Sincerely

Signed by the current residents of Phase 3, Inwood Creek Estates:

Lot 5 Geoff and Alisha Baker

Lot 6 Darlene Knott

Lot 9 Mark and Shelley Antonuk

Lot 11 Ryan and Jen Milley

Lot 13 Nancy and Mica VanderBasch

Lot 14 Brian and Erin Burton

Lot 15 Jim Watson and Nora Bryant

- cc. Rob Conway
- Ross Blackwell
- Brian Carruthers