



ELECTORAL AREA SERVICES COMMITTEE MEETING AGENDA

WEDNESDAY, SEPTEMBER 6, 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 August 16, 2017	1
Recommendation That the minutes of the Regular Electoral Area Services Committee meeting of August 16, 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 G - Saltair/Gulf Islands, Re: Thetis Island Parents Association	7
Recommendation That it be recommended to the Board that a Grant-in-Aid, Electoral Area G - Saltair/Gulf Islands, in the amount of \$344.74 be provided to Thetis Island Parents Association to support the purchase of a purple air sensor.	
C2 Saltair Community Centre Re: Letter Request to Approve Furnace Install	9
Recommendation For direction	
C3 Saltair Community Centre Re: Letters	13
Recommendation For information	
6. <u>INFORMATION</u>	

7. **REPORTS**

- R1 Application No. 13-D-17DP (Road Construction) - Report from Development Services Division 59
- Recommendation** That it be recommended to the Board:
1. That Development Permit Application No. 13-D-17DP for Road Construction be approved; and
2. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3605.
- R2 Application No. 01-I-17DVP - Report from Development Services Division 75
- Recommendation** That it be recommended to the Board that Development Variance Permit Application No. 01-I-17DP/VAR (8852 Meades Creek Road) be approved:
a) Section 5.12(4) of Zoning Bylaw No. 2465 is varied from 7.5 metres to 3.5 metres for the front parcel line setbacks, and from 3.0 metres to 1.9 metres for the side interior parcel line setback.
b) Section 5.12(5) of Zoning Bylaw No. 2465 is varied by increasing the maximum permitted height of an accessory building from 6 metres to 8.5 metres.
- R3 Soil Deposit Bylaw - Report from Inspection & Enforcement Division 121
- Recommendation** That it be recommended to the Board that first, second and third readings be given to the draft CVRD Soil Deposit Bylaw and that the draft bylaw be forwarded to the Province for review.
- R4 Building Compliance Policy Re: Requirement for Professional Building Survey Policy - Report from Inspection & Enforcement Division 149
- Recommendation** That it be recommended to the Board that the Building Compliance Policy – Required Professional Surveys attached to the Inspection & Enforcement Division’s July 28, 2017, Staff Report be approved.
- R5 Bylaw Enforcement and Compliance Policy - Report from Inspection & Enforcement Division 153
- Recommendation** That it be recommended to the Board that the Bylaw Enforcement and Compliance

Policy attached to the Inspection & Enforcement Division's July 28, 2017, Staff Report be approved.

R6 Seasonal Cabins Policy - Report from Inspection & Enforcement Division 161

- Recommendation** That it be recommended to the Board;
1. That the Seasonal Cabins Policy attached to the Inspection & Enforcement Division's July 26, 2017, Staff Report be approved; and
 2. That the July 8, 2009, Seasonal Cabins Policy be rescinded.

R7 Gas Tax Re: Community Works Fund Update and Future Projects - Report from Engineering Services Department 165

- Recommendation**
1. That it be recommended to the Board that the Community Works Funds be allocated to the electoral area projects (No.1 to 3 & 6 to 13) as identified in Table 1.0 for consideration in the 2018 budget.
 2. That it be recommended to the Board that the Community Works Funds be allocated to the electoral area B project No. 4 & 5, as identified in Table 1.0 for the 2017 budget, thus requiring an amendment to the 2017 Five Year Financial Plan Bylaw.

R8 Mesachie Lake Sewer Loan Authorization and Service Area Boundary Amendment Bylaws - Report from Engineering Services Department 191

- Recommendation** That it be recommended to the Board:
1. That the Certificate of Sufficiency confirming that sufficient petitions authorizing a boundary reduction and borrowing up to \$251,226 for capital improvements to the Mesachie Lake Sewer System Service Area, be received.
 2. That a Loan Authorization bylaw be established for the purpose of borrowing up to \$251,226 for capital improvements to the Mesachie Lake Sewer System Service.
 3. That "Mesachie Lake Sewerage Special Service Area Bylaw No 15", be amended to reduce the boundary to accurately reflect properties that are connected and to change the name from Mesachie Lake Sewerage Special Service Area to Mesachie Lake Sewer System Service Area.
 4. That the Mesachie Lake Sewer System

Service Loan Authorization Bylaw and the Mesachie Lake Sewer System Service Area Amendment Bylaw be forwarded to the Board for consideration of three readings and, following provincial approval, adoption.

8. **UNFINISHED BUSINESS**

9. **NEW BUSINESS**

NB1 Grant-in-Aid Request, Electoral Area D - Cowichan Bay, Re: Cowichan Bay Seniors & Community Association / Cowichan Bay Wooden Boat Society 195

Recommendation That it be recommended to the Board that a Grant-in-Aid, Electoral Area D - Cowichan Bay, in the amount of \$400.00 be provided to Cowichan Bay Seniors & Community Association / Cowichan Bay Wooden Boat Society to provide support for their publicity plan.

NB2 Verbal report from the Land Use Services Department Re: Cowichan 2050 Planning Process

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 meeting of August 16, 2017

CS R1 - Report from Parks & Trails Division, Re: Land Acquisition {Sub (1)(e)}

12. **ADJOURNMENT**

The next Electoral Area Services Committee Meeting will be held Wednesday, September 20, 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 S. Acton

Director M. Clement
Director K. Davis
Director M. Dorey

Director L. Iannidinaro
Director K. Kuhn
Director A. Nicholson

Minutes of the Electoral Area Services Committee Meeting held on Wednesday, August 16, 2017 in the Board Room, 175 Ingram Street, Duncan BC at 1:30 PM.

PRESENT: Director I. Morrison, Chair
Director S. Acton
Director M. Clement <until 4:12 PM>
Director K. Davis
Director M. Dorey
Director L. Iannidinardo
Director K. Kuhn
Director M. Marcotte
Director A. Nicholson

ALSO PRESENT: B. Carruthers, Chief Administrative Officer
R. Blackwell, General Manager, Land Use Services
H. Hatami, General Manager, Engineering Services
M. Tippett, Manager, Community Planning
R. Conway, Manager, Development Services
B. Dennison, Manager, Water Management
B. Farquhar, Manager, Parks & Trails
E. Young, Planning Technician
M. Kueber, General Manager, Corporate Services
N. Morano, Bylaw Enforcement Officer
I. MacDonald, Senior Building/Plumbing Inspector
K. Madge, Recording Secretary

APPROVAL OF AGENDA

It was moved and seconded that the agenda be approved.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Electoral Area Services Committee meeting of August 2, 2017

It was moved and seconded that the minutes of the Regular Electoral Area Services Committee meeting of August 2, 2017 be adopted.

MOTION CARRIED

CORRESPONDENCE

C1 A letter from Saltair Community Society, regarding the Saltair Community Centre was received for information.

REPORTS

R1 Saltair Community Centre Facility Condition Assessment - Report from Engineering Services Department

The Asset Coordinator, introduced Claire Ha, P. Eng., and J.J. McCuaig, P. Eng. both of McCuaig & Associates Engineering LTD, who provided a PowerPoint presentation on the Saltair Community Centre Facility Condition Assessment.

It was moved and seconded that staff prepare a report, outlining all of the options for upgrading the Saltair Community Centre, prior to holding a public meeting hosted by the CVRD.

MOTION CARRIED

R2 Application No. 03-F-17DP - Report from Development Services Division

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

- 1. That Development Permit Application 03-F-17DP (5577 River Bottom Road West) be approved; and**
- 2. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of the Official Community Plan No. 1490.**

MOTION CARRIED

R3 Application No. 09-B-16DP - Report from Development Services Division

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

- 1. That Development Permit Application No. 09-B-16DP (2786 Meadowview Road) be approved.**
- 2. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3510.**

MOTION CARRIED

2:46 PM The Committee took a recess at 2:46 PM

2:55 PM The meeting resumed at 2:55 PM

R4 Application No. 01-A-17DP/S - Report from Development Services Division

Renee Eastman, of Talon Signs LTD. provided a PowerPoint presentation regarding Application No. 01-A-17DP/S.

It was moved and seconded that Application No. 01-A-17DP/S be referred back to staff for discussion with the applicant.

MOTION CARRIED

R5 Application No. 2-E-14TUP - Report from Development Services Division

It was moved and seconded that it be recommended to the Board that the application to renew Temporary Use Permit 2-E-14TUP to allow three additional special event shoots per year and adjusted start times for weekend competitive shoots from 10:00 a.m. to 9:00 a.m. in 2018, 2019 and 2020 be approved.

MOTION CARRIED

R6 Application No. 20-C-17BE - Report from Inspection & Enforcement Division

It was moved and seconded that the Liquor Control Board be advised that the Cowichan Valley Regional District wishes to “opt out” of providing comment to the Liquor Control and Licencing Branch with regard to the application for a Permanent Change to a Liquor Licence for increased liquor service hours by the Cobblestone Inn (liquor licence 038301) located at 3566 Holland Avenue, Cobble Hill (Area C).

MOTION CARRIED

R7 Curbside Recycling - Contamination Audit Results - Report from Fatima Ansari Recycling & Waste Management Division, was received for information.

4:11 PM Director Iannidinardo left the Board Room at 4:11 PM

4:12 PM Director Clement left the meeting at 4:12 PM

R8 Statutory Right of Way for Honeymoon Bay - Report from Water Management Division

It was moved and seconded that it be recommended to the Board that a Statutory Right of Way be registered over Honeymoon Bay R.V. Park Inc. land (Lot 9, Section 34, Renfrew District) for the purpose of installing discharge piping and hydro service infrastructure for the Honeymoon Bay Water System.

Director Iannidinardo was absent during the vote

MOTION CARRIED

4:14 PM Director Iannidinardo returned to the Board Room at 4:14 PM

R9 Saltair Water System, Statutory Right-of-Way, 10335 Chemainus Road - Report from Water Management Division

It was moved and seconded that it be recommended to the Board that a Statutory Right of Way be registered through 10335 Chemainus Road (PID: 005-835-003) for the purpose of installing a watermain and future maintenance of the Saltair Water System.

MOTION CARRIED

R10 Cowichan Bay Sewer Inclusion Request - 1500 Cowichan Bay Road - 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 Cowichan Bay Sewer System Service Area be received.**
- 2. That CVRD Bylaw No. 2128 – Cowichan Bay Sewer System Service Establishment Bylaw, 2000, be amended to include the property described as PID 005-490-227.**

MOTION CARRIED

R11 Arbutus Ridge Sewer Loan Authorization Bylaw - 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 sufficient petitions authorizing the borrowing of up to \$2,475,000.00, be received.**
- 2. That a Loan Authorization bylaw be established for the purpose of borrowing for the Arbutus Ridge Sewer System Service Area and forwarded to the Board for consideration of three readings and, following provincial approval, adoption.**

MOTION CARRIED

R12 July 2017 Building Inspections Report - Report from Ian MacDonald, Senior Building/Plumbing Inspector, Inspection & Enforcement Division, was received for information.

R13 Electoral Area Strategic Focus Area Review - Budget Direction - Report from the Office of the CAO

It was moved and seconded that it be recommended to the Board that the strategic actions identified in the August 3, 2017 Electoral Area Strategic Focus Area Review Budget Direction report be approved and that the associated budget requirements be prepared for consideration during the 2018 budget process.

MOTION CARRIED

It was moved and seconded that it be recommended to the Board that staff provide supplemental budgeting information for general enforcement.

MOTION CARRIED

CLOSED SESSION

4:55 PM It was moved and seconded that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90 {Sub (1)(g)} Potential Litigation.

MOTION CARRIED

RISE FROM CLOSED SESSION

4:56 PM It was moved and seconded that the Committee rise without report, and return to the open portion of the meeting.

MOTION CARRIED

ADJOURNMENT

4:56 PM It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

Chair

Recording Secretary

Dated: _____



COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director DOREY Area G

Grantee: Thetis Island Parents Assoc. Grant Amount \$ 344.74

NAME: Ron Bannister

ADDRESS: Box 14-7 Thetis Island BC V0R 2Y0

Contact Phone No: 250-252-0099

PURPOSE OF GRANT: Purple air sensor purchase

REQUESTED BY:

Director's Signature

ACCOUNT NO.	AMOUNT
01-2-1950-0431-117	\$ 344.74

FOR FINANCE USE ONLY

BUDGET APPROVAL X

Approval at Regional Board Meeting of _____

Finance Authorization _____

Saltair Community Society
3850 South Oyster School Rd
Ladysmith BC V9G 1Z4

August 22, 2017

Electoral Services Committee
175 Ingram Street,
Duncan BC V9L 1N8

Dear Electoral Service Directors

The Saltair Community Society requests approval to install a York – high efficient TM9Y – two stage natural gas furnace to provide heating for classrooms #17, #18 & #19. The Society will pay for this unit with funds accrued through rental income. (See attached: Quotation from local company - LD Plumbing and Heating).

The Society recognizes that the future of the Saltair Community building is yet to be determined. However, the Society will not be able to operate the community centre without this small initial investment.

The installation of this furnace is an operational necessity to maintain the integrity of the above mentioned classrooms for community rental usage. The Society believes it is in the CVRD's best interest to protect Area G's asset by properly heating this area of the centre until a decision is made regarding the long term future of this facility.

The Saltair Community Society remains committed to successfully operating the Saltair Community Centre for the use and benefit of Saltair and area residents.

The Society has 16 months remaining in the lease agreement with the CVRD and currently has a waiting list of 9 interested clients requesting rental space at the Centre. Inquiring Little Minds Daycare occupies the remaining sector of the building and their area is heated by the building's existing furnaces. In order for the Society to fulfill these and other requests, heating must be supplied to the Society's section of the facility.

Thank you for your consideration.

Yours sincerely,

Bill Cleary
President, Director of
Saltair Community Society



Quotation

Quote valid for 30 days

Serving the Mid-Island for over 25 years.

TO: Bill McCleary
RE: Saltair Community Center

DATE: AUGUST 22, 2017
Submitted by Tim Godau

DESCRIPTION

We are submitting the following quotation for your review and consideration. For more information on the unit we will be installing, I have provided the link to the Manufacturer's Website below

<http://www.york.com/for-your-home/furnaces>

Job Scope:

- Remove and dispose of oil furnace and tank
- Supply & install new gas lines from meter to all furnace locations in building
- Supply and Install one York high efficient TM9Y 2 stage natural gas furnace
- All venting for new furnace (location #4) and concentric termination cap
- Condensate pump and drain line
- Honeywell programmable thermostat
- All sheet metal transitions to accommodate new furnace
- Commercial BC Safety Authority gas permit

Project Costs: Our price for the above scope of work is \$4750.23

Limited Lifetime Warranty on Heat Exchanger, 10 years on parts

Note: Warranty does not include but recommends regular preventative maintenance (i.e. Annual Service)

We accept your proposal

Per: _____ Date: _____

Name: _____ Signature: _____

LD Plumbing & Heating will be pleased to match competitor quotes for comparable equipment

If you require further details or information, please do not hesitate to contact us at the numbers provided below or by email at ldheat@shaw.ca. We look forward to hearing from you.



From: Joe Barry
Sent: August-16-17 10:00 AM
To: Brian Farquhar <bfarquhar@cprd.bc.ca>
Subject: FW: Fw: 16 Aug 2017 EASC Meeting - Saltair Community Centre Facility Condition Assessment

From: tom hawk [<mailto:twhockin@gmail.com>]
Sent: Monday, August 14, 2017 9:16 AM
To: tom hockin <twhockin@gmail.com>
Subject: Fwd: Fw: 16 Aug 2017 EASC Meeting - Saltair Community Centre Facility Condition Assessment

some folks may have received a copy of this well written and articulate plea to the board of the cvrd to hit the big red stop button on any further expenditures of tax payer money ..

if more people also submit their view to stop the endless disbursement of money into the bottomless pit , perhaps common sense will be awoken , and we can better utilize our limited resources to improve our aged and failing water system...

please email your concerns , and cc to myself and lynne so the directors can see that we all stand shoulder to shoulder

thank you , tom

Good day All Electoral Area Directors,

R1 [Saltair Community Centre Facility Condition Assessment - Report from Engineering Services Department](#)

Recommendation For direction

9

CVRD Staff Report 21 Jul 2017

“Total estimated investment over 10 years is \$3,074,593, of which \$737,436 is recommended to be invested immediately”

“ A class D cost estimate for demolition was \$300,000 – 350,000.”

I ask that the Electoral Area Directors press the PAUSE button on the Saltair Community Centre/Former Mt. Brenton School and take a step back to allow the Saltair taxpayers a democratic vote to indicate if Saltair taxpayers want or do not want a Community Centre at this time. This Conditional Assessment should have taken place prior to the

CVRD Board purchasing the Former Mt. Brenton School in 2014 (note 1) to know the true costs of the purchase. Brian Farquhar stated at the 7 Sept 2016 EASC meeting that it was about purchasing “land” but the building figures of “\$3,074,593 of which \$737,436 is recommended to be invested immediately” show that the purchase was most definitely not just about “land”. Did the CVRD process fit with the principles of justification, transparency & intelligibility? Fairness – the importance of the decision to the individuals affected – Saltair taxpayers.

The McQuaig & Associates Engineering Ltd report indicates many extra assessment (“hidden damage”) are required, so \$3M is just a starting figure with many unknown additional costs to be added by other professionals.

If the building was in reasonable shape it would not need \$3M+ in repairs and upgrades. With \$737,436 needing to be invested immediately.

This report indicates clearly what many of the Saltair taxpayers have been saying for the past 3 1/2 years that the costs to repair & upgrade the Saltair Community Centre/Formal Mt. Brenton School are beyond the Saltair taxpayers. The CVRD Board bought the building and is the owner of the building but the Area G Saltair taxpayers are required to pay the loan for the purchase. Loans that were used to increase Saltair taxpayers Parks and Recreation budget taxations to the max of the bylaws. The Area G – Director Mel Dorey advising taxpayers at a meeting Jun 2014 that Saltair taxpayers consent was not required to make this purchase and that he could just do it (purchase this property no matter what the Saltair taxpayers wanted).

At no time have the Saltair taxpayers been given a democratic opportunity to express their voice with regards to even if they are wanting a community centre in Saltair at this time and if they are willing to financially via an increase in taxation support a community centre at this time. Saltair taxpayers have many facility options within close proximity 5 – 10 min away.

Saltair taxpayers ask the Electoral Area Directors:

- 1) To create and pass a motion to place the Saltair Community Centre/Formal Mt. Brenton School on PAUSE.
- 2) To create and pass a motion to allow the Saltair taxpayers a democratic opportunity to vote on if they are wanting a community centre in Saltair at this time and if they are willing to financially support a community centre at this time via an increase in taxation.
- 3) To create and pass a motion to allow the Saltair taxpayers a democratic opportunity to vote on if they support a community centre at this time and are willing to finance via an increase in taxation the centre, would it be investing \$3M+ into the Former Mt. Brenton School/Saltair Community Centre or building a small community centre for approx \$400,000 or no community centre at this time.

Another option for the building would be to board it up as the North Cowichan did with the Old Chemainus Elementary School until a viable plan can be put in place with the Saltair taxpayers democratic say. Minimal cost to the Saltair taxpayers.

The Saltair Community Society (registered Jul 2015) has held a lease for the building since Jun 2016 and has currently a small quilting group of approx 6 ladies meeting once a week. The Society has not demonstrated to the Saltair taxpayers a public benefit from this lease. The daycare was operating in the building prior to the Society lease. The Society has derived a financial benefit from the lease as the daycare rent of approx \$18,000 is no longer collected and placed in the Saltair Recreation Function 456 to assist with the current loan on the building but collected by the Society.

The CVRD staff hold meetings in the Chemainus Senior Centre that rents for \$150 per meeting when a CVRD meeting is required for Area G – Saltair.

Area G – Saltair is a small community made up of approx 850 parcels. The Saltair taxpayers are currently working on a \$4.5M – 15 year upgrade to the Saltair Water Distribution System via an increase in taxation and are also looking a VIHA mandated filtration system of approx \$5M for our Saltair Water System. The Saltair taxpayers have stepped up to the plate to provide safe drinking water to our community as a priority and will have to most likely increase taxation to finance the mandated filtration system.

I see all the Electoral Areas struggling with Water & Wastewater Utilities and their financial needs. I am sure the taxpayers in your areas would want a democratic say in where they are willing to spend their taxation increases and dollars.

The Area G Director – Mel Dorey talks about the Former Mt. Brenton School/Saltair Community Centre as his “dream” but many taxpayers in Saltair see it as their nightmare.

The purchase of the property/building may have been a Policy decision. The CVRD does “owe a duty of care to persons specifically impacted by Operational decisions. Meaning those decisions that are made on the basis of administrative direction, expert opinion, technical or general standards or reasonableness.” per a legal opinion I have obtained.

Press Pause and allow the Saltair taxpayers a democratic voice with regards to a community centre in Saltair at this time.

Regards,
Lynne Smith
Saltair taxpayer

Note 1- I have obtained many documents regarding the CVRD purchase of the Former Mt. Brenton School & Property via the CVRD FOI process.

22 Aug 2014 the CVRD Board purchased the Former Mt Brenton School property including the old school building .
 - Original offer made 13 Jun 2014 – Contract of Purchase (Realty) “subject to a feasibility study which may include environmental, survey, GST Liability, building inspection, septic inspection, review of leases, etc....The seller will allow reasonable access for this purpose”
 - Board Chair & Corporate Secretary were authorized to sign the necessary documents to complete the land purchase 9 Jul 2014 CVRD Board Closed Session
 - “due diligence inspections of the building” was one of the conditions of the purchase set out in the 2 Jul 2014 CVRD Staff Report for the 8 Jul 2014 EASC meeting Closed Session
 - Only two inspections took place with many inspections remaining per 21 Jul 2014 CVRD Staff Report for the 22 Jul 2014 EASC meeting Closed Session. The CVRD Staff Report was received and filed at the 22 Jul 2014 EASC meeting.

From: Jane Walton [mailto:waltonjc@shaw.ca]
Sent: August-14-17 9:44 AM
To: Brian Carruthers <BCarruthers@cverd.bc.ca>
Cc: Mel Dorey <mdorey@cverd.bc.ca>; Brian Farquhar <bfarquhar@cverd.bc.ca>; Joe Barry <jbarry@cverd.bc.ca>; Kirsten Schrader <kschrader@cverd.bc.ca>; BCleary@shaw.ca; debbieneil27@gmail.com; waltonjc@shaw.ca
Subject: Saltair Community Centre

3420 Hillside Rd.
 Chemainus, BC
 V0R 1K2

Dear Brian Carruthers, CAO

We are writing to express our enthusiastic support for the new Saltair Community Centre. It will be a wonderful resource in our community providing:

- o A place for community members to meet each other, for sports groups and clubs, hobby groups, town hall meetings, senior's activities, community picnics etc.
- o A facility for artists, cultural and crafts groups like the Waterfront building in Ladysmith.
- o Continued operation of the Daycare which serves the needs of young families both by providing child care near to home and by employing roughly nine individuals.
- o Educational enrichment such as lectures, arts classes, drama groups, dance lessons, music lessons, Elder College and VIU outreach, the possibilities are endless.

However, many residents are concerned that the CVRD may halt full operation of the Centre because it is too expensive to do all upgrades at once. We want to point out:

- o We don't need the building to look pretty. We don't need the stucco redone on the building or new lino (patches are fine); we don't need blackboards removed or walls changed etc.
- o What we do want is an old building proudly wearing its signs of age that is useable – that has heat, toilets, running water and keeps out the elements.
- o Costs can be reduced by repairing the school in stages, taking a gradual, as-needed approach, and redefining the facility goals, from “up to the standard it was built”, to minimum useable standards.
- o **Only the roof section** over the hallway and furnace room needs immediate repair, and can be done with the \$130,000 in gas tax money and if necessary, the \$16,000 in the rec fund from the first year's collected rent. Also, the CVRD could restore the additional \$18,000 that was lost through staff error when no rent was charged for months. The **second major issue is the furnace**, as the Saltair Community Centre

Society has the money to fix it, these two repairs – the lower roof and furnace can be done now and will make the building useable.

- o We believe the loan for the building will be paid off next year, so the same amount - \$200,000 – could be borrowed to do further repairs.
- o And in 2019, we can again apply for gas tax money and could receive \$100,000 or maybe even \$200,000 to use for the Centre.

A Community Centre for Saltair is very exciting! We hope that now the building assessment has been completed the CVRD will move forward with making the building a fully functioning facility.

Sincerely,

Jane Cole and Hugh Walton, Saltair residents

From: N. Smith [mailto:4smithn@telus.net]
Sent: August-15-17 9:54 AM
To: Brian Carruthers <BCarruthers@cvrld.bc.ca>; Brian Farquhar <bfarquhar@cvrld.bc.ca>; Joe Barry <jbarry@cvrld.bc.ca>
Subject: Fw: 16 Aug 2017 EASC Meeting - Saltair Community Centre Facility Condition Assessment
Importance: High

Good day All,

Please read my following concerns that I have expressed to the CVRD Directors with regards to the Saltair Community Centre Facility Condition Assessment Report and the need for the Saltair taxpayers to have a democratic vote in if a community centre is needed in Saltair at this time, if the Former Mt. Brenton School would be the building they would financially support or if a new smaller less expensive building that meets current building codes would be what the Saltair taxpayers are willing to financially support or if the Saltair taxpayer vote to not financially support any community centre building at this time.

Thank you for your time.

Regards,
Lynne Smith
Saltair taxpayer

From: N. Smith
Sent: Sunday, August 13, 2017 9:00 PM
To: I Morrison ; Kerry Davis ; Matteus Clement ; Lori Iannidinardo ; Alison Nicholson ; Klaus Kuhn ; Mary Marcotte ; sacton@cvrld.bc.ca
Cc: Chairperson ; astone@ladysmith.ca ; directorbobkday@gmail.com ; kate.marsh@northcowichan.ca ; sjackson@duncan.ca ; tomwalker@northcowichan.ca
Subject: Fw: 16 Aug 2017 EASC Meeting - Saltair Community Centre Facility Condition Assessment

Good day All Electoral Area Directors,

R1 [Saltair Community Centre Facility Condition Assessment - Report from Engineering Services Department](#)

9

Recommendation For direction

CVRD Staff Report 21 Jul 2017

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The McQuaig & Associates Engineering Ltd report indicates many extra assessment (“hidden damage”) are required, so \$3M is just a starting figure with many unknown additional costs to be added by other professionals.

If the building was in reasonable shape it would not need \$3M+ in repairs and upgrades. With \$737,436 needing to be invested immediately.

This report indicates clearly what many of the Saltair taxpayers have been saying for the past 3 1/2 years that the costs to repair & upgrade the Saltair Community Centre/Former Mt. Brenton School are beyond the Saltair taxpayers. The CVRD Board bought the building and is the owner of the building but the Area G Saltair taxpayers are required to pay the loan for the purchase. Loans that were used to increase Saltair taxpayers Parks and Recreation budget taxations to the max of the bylaws. The Area G – Director Mel Dorey advising taxpayers at a meeting Jun 2014 that Saltair taxpayers accent was not required to make this purchase and that he could just do it (purchase this property no matter what the Saltair taxpayers wanted).

At no time have the Saltair taxpayers been given a democratic opportunity to express their voice with regards to even if they are wanting a community centre in Saltair at this time and if they are willing to financially via an increase in taxation support a community centre at this time. Saltair taxpayers have many facility options within close proximity 5 – 10 min away.

Saltair taxpayers ask the Electoral Area Directors:

- 1) To create and pass a motion to place the Saltair Community Centre/Former Mt. Brenton School on PAUSE.
- 2) To create and pass a motion to allow the Saltair taxpayers a democratic opportunity to vote on if they are wanting a community centre in Saltair at this time and if they are willing to financially support a community centre at this time via an increase in taxation.
- 3) To create and pass a motion to allow the Saltair taxpayers a democratic opportunity to vote on if they support a community centre at this time and are willing to finance via an increase in taxation the centre, would it be investing \$3M+ into the Former Mt. Brenton School/Saltair Community Centre or building a small community centre for approx \$400,000 or no community centre at this time.

Another option for the building would be to board it up as the North Cowichan did with the Old Chemainus Elementary School until a viable plan can be put in place with the Saltair taxpayers democratic say. Minimal cost to the Saltair taxpayers.

The Saltair Community Society (registered Jul 2015) has held a lease for the building since Jun 2016 and has currently a small quilting group of approx 6 ladies meeting once a week. The Society has not demonstrated to the Saltair taxpayers a public benefit from this lease. The daycare was operating in the building prior to the Society lease. The Society has derived a financial benefit from the lease as the daycare rent of approx \$18,000 is no longer collected and placed in the Saltair Recreation Function 456 to assist with the current loan on the building but collected by the Society.

The CVRD staff hold meetings in the Chemainus Senior Centre that rents for \$150 per meeting when a CVRD meeting is required for Area G – Saltair.

Area G – Saltair is a small community made up of approx 850 parcels. The Saltair taxpayers are currently working on a \$4.5M – 15 year upgrade to the Saltair Water Distribution System via an increase in taxation and are also looking a VIHA mandated filtration system of approx \$5M for our Saltair Water System. The Saltair taxpayers have stepped up to the plate to provide safe drinking water to our community as a priority and will have to most likely increase taxation to finance the mandated filtration system.

I see all the Electoral Areas struggling with Water & Wastewater Utilities and their financial needs. I am sure the taxpayers in your areas would want a democratic say in where they are willing to spend their taxation increases and dollars.

The Area G Director – Mel Dorey talks about the Former Mt. Brenton School/Saltair Community Centre as his “dream” but many taxpayers in Saltair see it as their nightmare.

The purchase of the property/building may have been a Policy decision. The CVRD does “owe a duty of care to persons specifically impacted by Operational decisions. Meaning those decisions that are made on the basis of administrative direction, expert opinion, technical or general standards or reasonableness.” per a legal opinion I have obtained.

Press Pause and allow the Saltair taxpayers a democratic voice with regards to a community centre in Saltair at this time.

Regards,
Lynne Smith
Saltair taxpayer

Note 1- I have obtained many documents regarding the CVRD purchase of the Former Mt. Brenton School & Property via the CVRD FOI process.

22 Aug 2014 the CVRD Board purchased the Former Mt Brenton School property including the old school building .

- Original offer made 13 Jun 2014 – Contract of Purchase (Realty) “subject to a feasibility study which may include environmental, survey, GST Liability, building inspection, septic inspection, review of leases, etc....The seller will allow reasonable access for this purpose”

- Board Chair & Corporate Secretary were authorized to sign the necessary documents to complete the land purchase 9 Jul 2014 CVRD Board Closed Session

- “due diligence inspections of the building” was one of the conditions of the purchase set out in the 2 Jul 2014 CVRD Staff Report for the 8 Jul 2014 EASC meeting Closed Session

- Only two inspections took place with many inspections remaining per 21 Jul 2014 CVRD Staff Report for the 22 Jul 2014 EASC meeting Closed Session. The CVRD Staff Report was received and filed at the 22 Jul 2014 EASC meeting.

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

From: Dr. Edward C Nicholson [<mailto:kaixin@mac.com>]

Sent: Tuesday, August 15, 2017 11:51 AM

To: Joe Barry <jbarry@cvrd.bc.ca>

Subject: Community Centre

Hi Joe

I have read Diana's Newsie and Jane's thoughtful analysis and they both make a lot of sense. My wife Isla and would like to register our support for the SRC and pledge our assistance to the task of making it all happen.

As you may know, my specific area of interest is SALTAIR History, and I am prepared at any time to present on that topic in regards to why the task of preserving our unique past will require an "Operations Centre".

Please let me know when and how I can assist in this project.

Ed Nicholson

Sent from my iPhone

From: Ian Brand [mailto:ibrand@shaw.ca]
Sent: August-15-17 12:22 PM
To: Joe Barry <jbarry@cverd.bc.ca>; Brian Carruthers <BCarruthers@cverd.bc.ca>; Brian Farquhar <bfarquhar@cverd.bc.ca>
Subject: Old Mount Brenton School

Directors,

After reviewing the building conditional assessment recently released for the old Mount Brenton School, we now have some idea what the minimum cost to the Saltair tax payers will be to restore this building to a usable state. The cost of restoring the building far exceeds the replacement value. This assessment comes three years after the building was purchased and should have been done before purchasing. The purchase of the building was done without any approval from the tax payers of Saltair. We still have not had a vote to decide if we actually want a community centre. All of this is irresponsible of our elected officials and CVRD staff. Your primary responsibility should be to ensure our tax dollars are spent on essential items first and not wasted on things like the school without any idea what the final cost will be or any input from the tax payers.

As you are aware, we are in the process of having to replace our water mains in area G for approximately 4 million dollars and have been directed by VIHA to install a filter system that is estimated to cost a further 4 to 5 million dollars. These are essential and legal items that have the support of the majority of tax payers in the area. We are a relatively small area and it will be very difficult for us to fund these projects. We don't need the additional costs of funding a community centre, the cost of which far exceeds any real benefits to our community. In the three years we have owned the building there have been very few activities take place.

We are asking you as elected representatives and staff to stop wasting any more money on the old Mount Brenton school and instead concentrate on essential and legal items that are essential to our community. We already have good access to existing facilities nearby.

Ian & Islay Brand
Ph# 250-245-7073



Virus-free. www.avast.com

From: Gord Van Dyck [mailto:gvandyck@telus.net]
Sent: August-15-17 12:33 PM
To: Joe Barry <jbarry@cvrld.bc.ca>
Cc: Brian Carruthers <BCarruthers@cvrld.bc.ca>; Brian Farquhar <bfarquhar@cvrld.bc.ca>
Subject: Saltair Community Centre (SCC) Facility Condition Assessment

Dear Mr. Barry,

As I understand it, the SDRA is suggesting we should send our letters concerning the SCC Facility Condition Assessment to you. Accordingly, I attach a copy of the email I sent to the Directors.

Cheers.

Gord Van Dyck

Mesdames et Messieurs,

I received a copy of Lynne Smith's email asking the Electoral Area Directors to "press the PAUSE button". I concur. I submit the greater than three-million-dollar price tag for further assessments, major maintenance and renewals provides more than enough incentive for asking and answering the questions that have not yet been asked and answered.

1. Is there a need for a community centre or community hall in Saltair?

Since 2014, the only significant activity at the SCC has been the privately-operated daycare, which occupies perhaps 20% of the building. Other than this, there has only been a handful of private and public meetings, which could have been held at facilities in Ladysmith or Chemainus that are likely no more than 15 minutes away from any Saltair resident. I live a few minutes away from the SCC and visit Saltair Centennial Park frequently. Although I have not attended every event that has taken place in the old school building or on the old school grounds, I have yet to see anyone using the basketball court or fields that were purchased in 2014.

At the very least, I submit the EASC should undertake a needs analysis and that this analysis should include an analysis of the potential impact of the SCC on recreational facilities in Chemainus and Ladysmith. Will an updated facility in Saltair simply relocate activities from facilities in Ladysmith and Chemainus to Saltair? In its August 2017 letter to CVRD directors and staff, the Saltair Community Society (SCS) states that the Chemainus Sketch Group and other individuals and groups have expressed interest in rentals at the SCC. Notwithstanding that the SCS has not attached any projected income amounts to such rentals or otherwise submitted a business plan, where are these groups meeting now? Would an updated SCC negatively impact recreational facilities in Ladysmith and Chemainus?

2. Does the community want a community centre or community hall in Saltair?

Despite repeated calls for a referendum by Saltair taxpayers, there has been no referendum or significant survey concerning the willingness of Saltair taxpayers to have or fund a community centre or community hall in Saltair. Public meetings have been held concerning this but no vote has been held or tallied. Two small surveys have been conducted. The October 19, 2016 survey demonstrated that 82% of the respondents did not believe there was an immediate need for a community centre in Saltair, 81% had no interest in using the SCC and 63% did not think taxpayers should fund the SCC. An equally small survey at <https://saltairnews.com/>, demonstrates 86% of the respondents do not think the CVRD should spend tax or grant dollars on the SCC.

If the CVRD finds there is a need for a community centre or community hall in Saltair, I

submit it must take meaningful steps to find out whether Saltair taxpayers want and are willing to pay for such a facility. The CVRD has already spent more than \$200,000 taxpayer dollars on repurposing, assessing and maintaining the SCC. The three-million-dollar price tag for further assessments, major maintenance and renewals more than justifies the cost of a referendum now.

3. Is repurposing the old, Mount Breton Elementary School building our best option?

Even if there is a need, a want and a willingness to pay for a community centre or community hall in Saltair, I submit the CVRD will be remiss if it does not now identify, investigate and evaluate all our options. The need for further water system upgrades and filtration is consuming tax dollars. If there was ever a need for extreme care, it is now. Can we build or buy a new facility that meets our wants and needs for less than \$3M? Can we demolish the old building and subdivide? Can we lease the old Water Board property and build there?

Personally, I don't think Saltair needs or wants a community centre or community hall. Moreover, my sense is a referendum asking Saltair taxpayers to fund such a facility is certain to fail. I know the failure to answer these questions while throwing money at a building likely past its design service life is causing significant disruption. I urge you to find a way for the community to express its democratic will. I submit nothing less will calm the current situation.

All of which is respectfully submitted by,

Gord Van Dyck

From: JOYCE MARTELL [mailto:happypair@shaw.ca]
Sent: August-15-17 4:24 PM
To: Brian Carruthers <BCarruthers@cvrd.bc.ca>; Brian Farquhar <bfarquhar@cvrd.bc.ca>; Joe Barry <jbarry@cvrd.bc.ca>
Subject: Saltair Community Centre

Gentlemen

We are the Chemainus Sketch Group, a group of more than sixty local, active Artists and we are interested in renting a permanent space in the Centre as a meeting place and art studio.

It is very hard for Groups of our interest to find permanent rental space in Chemainus or Saltiar. Community centres such as Fuller Lake and Frank Jamieson focus on athletics, fitness and now dance. There is no consistent community space for the Arts, the Saltair Community Centre could become an important addition and fill that need.

As tenants, we would become involved in promoting the Centre to other art groups, photography groups, language clubs, helping groups such as Toastmasters and others. We are willing to undertake fund raising, to further draw attention to the Centre through sponsoring events and to take part in work projects. With heat, this building is functional for us, we would ask for a few minor changes in the room that we would fund.

The CVRD is asking that no new rentals be undertaken, this is a loss of income that could be used towards improvements. We are ready to be involved now.

It is not reasonable to let this major asset fall into disrepair because of lack of foresight. There will be negative voices but we believe this Centre will be a successful asset for the citizens of Saltiar. Let us be part of that success.

Yours truly
Joyce Martell (Saltarian)
president
Chemainus Sketch Group
happypair@shaw.ca
250 245 4681

From: John & Esther Sharp [<mailto:jesharp70@yahoo.ca>]

Sent: Monday, August 14, 2017 10:53 PM

To: Joe Barry <jbarry@cvrd.bc.ca>

Cc: Diana MacTavish <dianamac@shaw.ca>

Subject: Saltair Community Centre

Hi,

We support the efforts of the Saltair Community Society to keep the Saltair Community Centre open while it is being repaired and/or updated.

The Community Centre is being used, and there is no apparent reason for preventing its use. As such we support keeping it open as repair and upgrades are done over a period of time.

Regards,
John and Esther Sharp

From: Susan Odell [mailto:s.m.odell@shaw.ca]
Sent: August-16-17 5:35 PM
To: Brian Farquhar <bfarquhar@cvrd.bc.ca>
Subject: saving the Saltair Community Centre

Dear Brian

I will keep my letter short. I have read the report on the condition of the Saltair Community Centre and I do want the CVRD to strongly consider permitting the Centre to remain open. The repairs that are required are certainly not all needed immediately. The restoration of the building to 2017 standards is excessive. I feel that many in the community are more than willing to work on this and wish to see the many arts endeavours, day care, and meeting spaces used for the residents' enjoyment now and into the future. Please do not let this opportunity slip by.

Best regards

Susan Odell
10758 Guilbride Drive
Ladysmith BC

From: JOYCE MARTELL [<mailto:happypair@shaw.ca>]
Sent: Thursday, August 24, 2017 4:23 PM
To: Joe Barry <jbarry@cverd.bc.ca>
Subject: Fwd: Upcoming meeting EASC re Saltair Community Centre

attn. Joe Barry
Legislative Department Corporate Secretary
re Agenda upcoming EASC Meeting Sept 6th, 2017

CVRD Directors

As a resident and taxpayer of Saltair, I strongly support the restoration of the former Mount Brenton School building and property.

Failure of the CVRD to maintain and keep secure our asset is not acceptable. If the CVRD is not willing or able to provide the heat essential to keep the building viable, then at least let local volunteers do so.

Yours truly

Neil Martell

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

From: Judy George [<mailto:jlgontheisland@gmail.com>]

Sent: Thursday, August 24, 2017 7:43 PM

To: Joe Barry <jbarry@cvrd.bc.ca>

Cc: JOYCE MARTELL <happypair@shaw.ca>

Subject: Re: Saltair Community Centre - letter of support

To be included as "correspondence" in agenda item for the EASC meeting of September 6th, 2017.

I have been a member of this fine community for the last 13 years, and enjoy the quiet way of life that we are so blessed to be a part of.

But I have always questioned "What is Saltair?"

We have nothing to bring the people together to develop a sense of community. And yet we have a long history, as evidenced by a wonderful presentation put on a few years ago. (I can't even remember who was responsible for it?) The occasional Halloween party and Easter egg hunt, sponsored by individuals, and very well attended, I might add, are proof that there is interest in community activities.

Therefore I was delighted when the CVRD stepped forward and purchased the old Mount Breton School and grounds. What an opportunity!

I have been sad to see that opportunity become less and less of an asset, and more and more of a liability, with the inaction towards what is required to maintain that building. The loss of the gym space was a huge blow to what the centre could be used for?

The Saltair residents group have potential renters lined up and waiting to use the building. But essential issues like HEAT need to be addressed first! Why is this still in the discussion stage? This needs to be done - like yesterday!

I understand that the building will be paid for by the Spring of 2018. Let's move forward and do what is necessary to bring the old school up to the standard that it has the potential to be. An asset to the people of Saltair, so that people will no longer have to wonder "What is Saltair?"

I am but one small voice in this issue, but I am in full support of making the Saltair Community Centre the hub of our community.

Sincerely,
Judy George,
10701 Rocky Beach Road,

Sent from my iPad

From: John Silins [<mailto:johnsilins@gmail.com>]
Sent: Friday, August 25, 2017 2:16 AM
To: Joe Barry <jbarry@cvrd.bc.ca>
Subject: Letter of Support for Saltair Community Centre, to be tabled at the September 6, EASC Meeting

Joe Barry,

I strongly support the plans provided by the Saltair Community Society to convert / operate the former Mt Brenton School as community centre for the social, cultural, educational, economic and historical benefits for the residents of Saltair and the surrounding area.

John Silins
10470 Victoria Road

PS. I sent you a previous email on the subject but I don't know if it went since I can find no trace of it, given the uncertainties of satellite connections in the middle of the North Sea. If you did receive the first one then ignore one of them just.

Sent from my Galaxy Tab® A

From: John Silins [<mailto:johnsilins@gmail.com>]

Sent: Friday, August 25, 2017 2:33 AM

To: Joe Barry <jbarry@cverd.bc.ca>

Subject: Fwd: EASC Meeting, September 6, 2017, Letter of Support for Saltair Community Centre

Joe Barry,

I am writing to express my strong support for the plans provided by the Saltair Community Society for the former Mt Brenton School conversion to a Saltair community center.

Margaret Silins
10470 Victoria Road

Sent from my Galaxy Tab® A

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

From: Alan Purton [<mailto:a.purton@telus.net>]

Sent: Friday, August 25, 2017 3:37 PM

To: Joe Barry <jbarry@cvrd.bc.ca>

Subject: Letter of support for Saltair community centre

Dear Sir

I support the Saltair Community Centre . I think it is important to have a Centre for community activities and this building and property are perfect.

I understand some monies need to be spent on this building and I support that investment for a proper Community Centre

Yours truly
Alan Purton
3644 Seaview Crescent
Saltair

8 – 1195 Stuart Place
Ladysmith, BC
V9G 1P4

August 26, 2017

CVRD
Legislative Department
175 Ingram Street
Duncan BC
V9L 1N8

Dear Council Members

Re: Saltair Community Centre

As a member of the Saltair Community Society I would like to state in this letter that I am greatly in favour of the Saltair Community Centre being maintained and upgraded. I regularly attend the Centre as a member of a quilting group and the facilities provided there are wonderful for enjoying a day sewing and socialising with friends. The building and the extensive grounds have great potential to be used for all kinds of activities, not only by Saltair residents but also residents of Ladysmith, Chemainus and beyond.

Yours sincerely



Susan Maycock

August 26, 2017

From Grace and Warren Predy, Concerned Saltair residents.

***Saltair Community Centre – Letter of Support – to be entered as a “Correspondence”
Agenda item for the EASC meeting of September 6th, 2017***

To whom it may concern,

We would like to take this opportunity to voice our concerns and state our position regarding the future of the former Mount Brenton School Building which has been purchased by the CVRD and has begun its new function as the Saltair Community Centre.

First and foremost we believe that our community needs to have a central gathering place where the residents can utilize and benefit from a multifunction facility to participate in and enjoy community focussed events and programs. A central meeting place is and has always been a cornerstone of any community, across our province and our country.

Our community has been without a Community Centre or Community Hall for many years and the School building is presented as an opportunity to finally have a facility which can satisfy some of those current requirements of the community and work to provide a multipurpose facility for the future. In our opinion we would not only benefit from the social aspect, but the layout of the structure offers itself to diverse opportunities.

The demographics of Saltair is changing and the community is growing. We are proud to be residents of Saltair and truly love the area so we strongly believe that the Saltair Community Centre would only help the community be stronger.

The recently completed Facility Condition Assessment Report of the Saltair Community Centre was released at the Electoral Area Services Director’s Meeting on August 16th, 2017 and it basically states that overall, SCC is in fair condition for a building of its age.

Saltair Community Society is aware of the items identified in the report and it is clear that they have already been developing a plan to address the issues in a fiscally responsible, coordinated manner over a feasible period of time.

In our travels around the CVRD and neighboring jurisdictions, we have visited several community centers and halls which were far older and more challenging to renovate and maintain than the former school building, Eg: Ladysmith Aggie Hall, Cedar Hall, Union Bay Hall, Cowichan Station. The “bones” of our building are strong, as is the will and commitment of the community members who believe it can be a functional space needed now and for the upcoming years.

For these reasons we support the use of the existing building as a future community center and multipurpose facility.

Sincerely,

Warren and Grace Predy

From: Ian [<mailto:icamerons@telus.net>]

Sent: Sunday, August 27, 2017 8:36 PM

To: Joe Barry <jbarry@cvrd.bc.ca>

Subject: Saltair community centre-letter of support-to be entered as "correspondence" agenda item for each meeting of sept 6, 2017

I would like at this time to inform you that I, Ian Cameron and my wife, Leena Cameron, of 10741 Chemainus Road, Ladysmith B.C., V9G 2A6, fully support the purchase, maintenance and reconditioning of the old Saltair school building. I fail to understand why some of my fellow Saltair residents so vehemently oppose having a community centre in an electoral area that has no meeting place for its residents. In fact, it is disturbing that some of these residents insist that it is fine we go to Chemainus or Ladysmith to hold meetings. Surely anyone who thinks about it can see that the future of Saltair as an independent district needs a facility of our own in order to lay claim to being a community. Or perhaps some people see Saltair simply as a place to exist, and not to live.

The school purchase was an excellent bargain and will provide a community focus for Saltair for years to come, and I applaud the foresight that went into its purchase. Please ignore the noisy people and support the long-term future of Saltair.

Joe Barry and members of the EASC

We are sending this email because we want the SCS to continue operating the Community Centre. We care greatly about this but have not been vocal. It continues in use by the daycare, the quilters and for several functions. The Centre is generating revenue and can generate more – even in its current state. Next year it will be paid for and if being vocal is what gets attention, then we can certainly do that.

There would be even more dollars available for repairs if the CVRD had done due diligence and collected rent for the first 2 years the building was owned. There is gas tax money available to start repairs and possibly more in future now that the gas tax is distributed according to population. This means that over the next years we can keep it in a useable condition and reap the benefits of actually having a community centre. We do need a new furnace but I understand the Society has this money already. I understand the front of the roof may be leaking, but the majority is not. So let's replace the leaking part and leave the other for when more funds are available.

The engineering report was certainly thorough, but some of their suggestions seem unnecessary. The lighting has been deemed adequate yet they suggest replacing it with more efficient systems. I have problem with this. Many of us live in houses that we would like to upgrade to the latest standards for efficiency. I have one of them, but to replace all windows, for example, would cost many thousands which I do not have. So I pay a little more each month for Hydro, but I get to keep my house! Our Community Centre is like that. Saltair cannot afford to replace adequate with new. Floors don't have to be replaced- they can be repaired.

We know some people who are opposed to the Centre because they want NO tax increases for anything. Some were opposed to water main upgrades as well. Some people have been very vocal – one of them a contractor who wanted the building, another that wants all money to go to water upgrades and another that is using it to taunt our area Director. These very vocal people do not represent the majority of Saltair taxpayers. Most people have assumed the Centre will continue to operate and have not felt any need to do anything for this to happen.

We have a fledging society and a couple of people who have worked very hard, but frustration must be building in them even more than in taxpayers. Four years have gone by, rent not being paid for 2 of those years, and the society advised NOT to rent until all is settled so more time is going by and more money lost.

We are very much in favour of placing a new furnace in the Community Centre. There are people and groups lined up to rent. Take out the roadblocks that seem to exist for this Centre. Over a year ago we had to fight to even put up the banners now there. CVRD staff held the last Saltair meeting in Chemainus, citing asbestos problems with our Centre. The fake scares spread by CVRD staff need to stop!

We do not need a like new building. Our Centre was the Community Centre when it was a school. We need it to be a Community Centre again and it needs to be done realistically.

Mel Dorey and the SCS have our complete and total support.

Ken & Diana MacTavish

10582 Whitecap Place,
Ladysmith, BC, Canada
V9G 2B2.
jesharp70@yahoo.ca
250-246-9726.

CVRD,
c/o Joe Barry,
Legislative Department, Corporate Secretary,
175 Ingram St.
Duncan BC
V9L 1N8

Subject: Saltair Community Centre – Letter of Support – to be entered as a “Correspondence”
Agenda item for the EASC meeting of September 6th, 2017

Dear Sir or Madam:

We support the efforts of the Saltair Community Society to keep the Saltair Community Centre open while it is being repaired and/or updated.

The Community Centre is being used, and there is no apparent reason for preventing its use. As such we support keeping it open as repair and upgrades are done over a period of time.

Regards,
John and Esther Sharp

From: tom hawk [<mailto:twhockin@gmail.com>]

Sent: Monday, August 28, 2017 9:12 AM

To: Joe Barry <jbarry@cverd.bc.ca>

Subject: Saltair community hall...Letter for Referendum before \$\$ spent on repairs EASC Sept 6/17

Greetings Joe

Could you please submit this letter as new correspondence , on the agenda , for the EASC September 6th 2017 meeting

i would like this letter as entered on record for all the public to see

thank you , tom

To the Chair and Electoral Directors

Myself , and many other residents / taxpayers / voters, in Saltair , respectfully request that the pause button be activated in regards to further monies being spent (wasted) on the old school located in our community.

The first course of action should be to hold a Public Meeting / Town Hall , to discuss and review the McCauig report , then hold a Referendum to determine if the residents / taxpayers / voters , of Saltair wish to be TAXED an additional THREE MILLION DOLLARS on a building that was purchased without our consent.

The community has never had the respectful courtesy to vote on :

- 1) Do we want / need a community center / hall ?
- 2) what design / shape / size should a community hall be ?
- 3) how much money do we wish to spend (or not spend ?)

4) could a community hall be created / built without taxpayer levies ?

As you are aware , the most urgent issue in Saltair at this time , is to comply with Vancouver Island Health , to build a water filtration system at a projected cost of FIVE MILLION DOLLARS , in addition to the current upgrades costing FOUR POINT FIVE MILLION DOLLARS (9.5 million)

Suggested Referendum questions :

1) do you agree the community of Saltair should spend minimum , THREE MIILION DOLLARS in identified repairs to the old school ?

2) do you believe a taxpayer funded community hall is needed in Saltair ?

PLEASE , PLEASE ...pass a motion to hold a referendum before signing off on a blank cheque to effect repairs on an old building , and let the community of Saltair determine how we want to spend our limited tax dollars .

Keep in mind that the 2016 Census shows 33.6 % of the residents of Saltair are seniors , 65 year and older living on pension , and our demographic is aging older , not younger .

Respectfully ,

Tom Hockin

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

From: Diana MacTavish [<mailto:dianamac@shaw.ca>]

Sent: Monday, August 28, 2017 10:55 AM

To: Joe Barry <jbarry@cvrd.bc.ca>

Subject: Fw: A Message to Saltair Community Society Membership: Community Centre Status Update August 24th, 2017

Another letter in support of the Saltair Community Society - for the EASC meeting.

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

From: Nancy Heibein

Sent: Monday, August 28, 2017 10:47 AM

To: Diana MacTavish

Subject: Re: A Message to Saltair Community Society Membership: Community Centre Status Update August 24th, 2017

Hello Diana

I would love to forward a letter of support for the community centre and the current plans to up grade as needed. I was so relieved when that beautiful property was brought back to the whole community and I have difficulty understanding the, what I call ,short term thinking of others.

Anyway, as my computer skills don't include putting this into a PDF file, etc. I wonder if you would forward this for me.

Many thanks

Nancy Heibein

Buck Heibein

Sent from my iPad

> On Aug 27, 2017, at 1:23 PM, Diana MacTavish <dianamac@shaw.ca> wrote:

>

> minute

From: jim petrie [<mailto:petriejim196@gmail.com>]

Sent: Monday, August 28, 2017 12:43 PM

To: Joe Barry <jbarry@cverd.bc.ca>

Subject: Old School

To the Chair and Electoral Directors

Myself , and many other residents / taxpayers / voters, in Saltair , respectfully request that the pause button be activated in regards to further monies being spent (wasted) on the old school located in our community.

The first course of action should be to hold a Public Meeting / Town Hall , to discuss and review the McCauig report , then hold a Referendum to determine if the residents / taxpayers / voters , of Saltair wish to be TAXED an additional THREE MILLION DOLLARS on a building that was purchased without our consent.

The community has never had the respectful courtesy to vote on :

- 1) Do we want / need a community center / hall ?
- 2) what design / shape / size should a community hall be ?
- 3) how much money do we wish to spend (or not spend ?)
- 4) could a community hall be created / built without taxpayer levies ?

As you are aware , the most urgent issue in Saltair at this time , is to comply with Vancouver Island Health , to build a water filtration system at a projected cost of FIVE MILLION DOLLARS , in addition to the current upgrades costing FOUR POINT FIVE MILLION DOLLARS (9.5 million)

Suggested Referendum questions :

1) do you agree the community of Saltair should spend minimum , THREE MILLION DOLLARS in identified repairs to the old school ?

2) do you believe a taxpayer funded community hall is needed in Saltair ?

PLEASE , PLEASE ...pass a motion to hold a referendum before signing off on a blank cheque to effect repairs on an old building , and let the community of Saltair determine how we want to spend our limited tax dollars .

Keep in mind that the 2016 Census shows 33.6 % of the residents of Saltair are seniors , 65 year and older living on pension , and our demographic is aging older , not younger .

Respectfully ,

Jim Petrie, Barb Petrie, 10861 Lytton road

From: [Brian Farquhar](#)
To: [Kylie Madge](#)
Cc: [Ross Blackwell](#)
Subject: FW: Saltair Community Centre-Letter of Support-to be entered as a "correspondence" agenda item for the EASC meeting of September 6, 2017
Date: Tuesday, August 29, 2017 9:37:53 AM

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

From: Debbie Neil [<mailto:debbieneil27@gmail.com>]
Sent: Tuesday, August 29, 2017 4:29 AM
To: Joe Barry <jbarry@cvrd.bc.ca>
Subject: Saltair Community Centre-Letter of Support-to be entered as a "correspondence" agenda item for the EASC meeting of September 6, 2017

Dear EASC Board Members:

As a Saltair community member and CVRD taxpayer, I support the Saltair Community Centre Society board's expenditure plan regarding building maintenance, including but not exclusive to, the new heating system required for the unheated wing of the centre. Saltair's Official Community Plan gives you the customer service direction for your vote as it identifies the need for a local meeting place in Saltair. This centre currently provides walkability and direct service to our community helping it maintain it's livability and vibrancy, plus necessary support income for assisting in costs. Help put the "community" in Saltair through support of this CVRD asset.

Regards,

Debbie Neil
3741 Gardner Road

From: [Brian Farquhar](#)
To: [Kylie Madge](#)
Cc: [Ross Blackwell](#)
Subject: FW: Saltair Community Centre-Letter of Support-to br entered as a "Correspondence" agenda item for the EASC meeting of September 6, 2017
Date: Tuesday, August 29, 2017 9:38:58 AM

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

From: Steve Neil [<mailto:steveneil53@gmail.com>]
Sent: Tuesday, August 29, 2017 4:57 AM
To: Joe Barry <jbarry@cvrd.bc.ca>
Subject: Saltair Community Centre-Letter of Support-to br entered as a "Correspondence" agenda item for the EASC meeting of September 6, 2017

Dear EASC board members:

I support the Saltair Community Centre Society board's expenditure plan regarding building maintenance including but not exclusive to the new heating system required for the unheated wing of the centre. This centre's success adds community vitality and is part of the Saltair Community Official Plan. I ask that your vote and direction support this vital CVRD Saltair community asset.

Steve Neil
3741 Gardner Rd.

:

From: Peter Milne [mailto:milne_consulting@shaw.ca]
Sent: Tuesday, August 29, 2017 10:11 AM
To: Joe Barry <jbarry@cvrd.bc.ca>
Subject: Fwd: Fwd: Saltair community hall...Letter for Referendum before \$\$ spent on repairs EASC Sept 6/17

Greetings Joe

Could you please submit this letter as new correspondence , on the agenda , for the EASC September 6th 2017 meeting

I would like this letter as entered on record for all the public to see. I am not for or against spending moneys on a worthy project

but I do feel that the home owners in Saltair should be given a choice of how their money is being spent. The water filtration system

is a much more urgent need in Saltair and finding money for this should be out top priority.

Thank you ,

Peter & Marilyn Milne

To the Chair and Electoral Directors

Myself , and many other residents / taxpayers / voters, in Saltair , respectfully request that the pause button be activated in regards to further monies being spent (wasted) on the old school located in our community.

The first course of action should be to hold a Public Meeting / Town Hall , to discuss and review the McCauig report , then hold a Referendum to determine if the residents / taxpayers / voters , of Saltair wish to be TAXED an additional THREE MILLION DOLLARS on a building that was purchased without our consent.

The community has never had the respectful courtesy to vote on :

- 1) Do we want / need a community center / hall ?
- 2) what design / shape / size should a community hall be ?
- 3) how much money do we wish to spend (or not spend ?)
- 4) could a community hall be created / built without taxpayer levies ?

As you are aware , the most urgent issue in Saltair at this time , is to comply with Vancouver Island Health , to build a water filtration system at a projected cost of FIVE MILLION DOLLARS , in addition to the current upgrades costing FOUR POINT FIVE MILLION DOLLARS (9.5 million)

Suggested Referendum questions :

- 1) do you agree the community of Saltair should spend minimum , THREE MILLION DOLLARS in identified repairs to the old school ?
- 2) do you believe a taxpayer funded community hall is needed in Saltair ?

PLEASE , PLEASE ...pass a motion to hold a referendum before signing off on a blank cheque to effect repairs on an old building , and let the community of Saltair determine how we want to spend our limited tax dollars .

Keep in mind that the 2016 Census shows 33.6 % of the residents of Saltair are seniors , 65 year and older living on pension , and our demographic is aging older , not younger .

Respectfully ,

Peter & Marilyn Milne
3711 Gardner Road



Virus-free. www.avast.com

From: Christa Stegemann [<mailto:peaceshalom41@gmail.com>]
Sent: Tuesday, August 29, 2017 2:04 PM
To: Joe Barry <jbarry@cvrd.bc.ca>
Subject: Saltair Community Centre

August 29th, 2017

From John and Christa Stegemann, Concerned Saltair residents.

Saltair Community Centre - Letter of Support - to be entered as a “Correspondence” agenda item for the EASC meeting of September 6th, 2017.

To Whom it may concern:

We herewith would like to take this opportunity to voice our stand with regard to the former Mt. Brenton School building which was purchased by the CVRD in order to function as the Saltair Community Centre.

As Saltair is growing, we believe that our community needs to have a gathering place. A central meeting place has always been the cornerstone of any community in this wonderful country of ours.

We, in Saltair, have been without a Community Hall for many years and the School building has presented us with the opportunity to at last have a facility where we can meet and attend functions, both presently and in the future. The structure and location of this building offers itself to many divers opportunities. We love this area and are grateful to have been a part of Saltair, off and on for 42 years.

The Facility Condition Assessment Report of the Saltair Community Centre was released at the Electoral Area Services Directors' Meeting on August 16th, 2017 and it generally states that, considering its age, the building is in good condition.

The Saltair Community Society is aware of the identified items in the report and it is clear that they have already been developing a plan to address the issues over a feasible period of time.

There are Community Centres on this Island that are much more challenging and in greater need of repair than our former school building. i.e. Ladysmith Aggie Hall.

The structure of our building is strong as is the will and commitment of the community members who believe it can be a functional space needed now and for the upcoming years.

For these reasons we support the use of this building as a Community Centre for present and future use.

Respectfully submitted,

John and Christa Stegemann

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

From: tim godau [<mailto:tgodau@hotmail.com>]

Sent: Tuesday, August 29, 2017 10:43 PM

To: Joe Barry <jbarry@cvrd.bc.ca>

Subject: Saltair community center

Please submit this email under: Correspondence as agenda item for the EASC meeting of September 6th 2017.

Dear Electoral Directors,

I would like to voice my support for the Saltair community center and also my support to the hard working volunteers of the Saltair community center Society. I've read though the last 3 Saltair Official Community Plans which span over more than thirty of the past years and discovered that the people of Saltair have coveted the Mount Brenton school as an important and very useful facility. The people of Saltair cherished the convenience of having the Mount Brenton school as a place for gatherings, meetings, elections etc... In 2002 the school was closed.

So what's changed between (1950 - 2002) to now? We as the community now own the building, that's what's changed!

So I feel everyone loves the facility when they don't have to pay for it. I feel I have to speak up! I would like to see an investment made in this building as it is an asset that needs to be maintained and fostered in Saltair for generations to come.

Thank you

Tim Godau Saltair Resident

Sent from my iPad

Re: Saltair Community Center

To whom it may concern

The “Saltair Community Center” has become, perhaps it always was, a matter of division in the community. While it is really a matter of the CVRD, it impinges more on the ratepayers of Saltair, not only for what it costs, what it is going to cost, and in the way that it is draining resources from other services and upgrades to the area.

Does Saltair need a community Center? Probably not. You cannot live in Saltair without personal mobility by motor vehicle. Saltair residents live 5 minutes from either Ladysmith or Chemainus, which offer numerous community centres and activities. If you build it, will people come? Or at least that was the theme of a great sports movie. But I don’t think the community needs or would use a community Center. Is there a need for a meeting place for the once or twice a year that there might be a need to discuss some issue, like the community Center. There are facilities close enough to accommodate those who would attend such meetings. The gymnasium of the old school would of course accommodate such meetings but to upgrade just the gymnasium presents prohibitive expenses that simply are not justifiable for such limited usage.

Ultimately the “Saltair Community Center” is a project not of Saltair residents but of the CVRD. There was no referendum or vote that sought the mandate of the community. The decision was made by the CVRD, based on pressure from only a few persons who wanted to take advantage of what was purported to be a good deal. At the time there were many voices warning of unknown traps, dealing mostly with the condition of the building and potential safety issues. Most lately we are told that the building is in fair condition for a building its age. That is probably what can be said about most residents of Saltair, we are in fairly good condition for our age, as we start to check out nursing homes.

The CVRD perhaps saw this property of the old school as a potential investment, because of the land size and location. It perhaps has potential for development. The school is basically a tear down, now or in the proximate years to come. Is it worth investing money into it, even restoring only parts of the school? Quite a few neighbour’s have boats in the harbour, and they say that having a boat is like walking down to the water and throwing money into the sea each time. However those boats are for the most part sources of pleasure and can be sold when no longer needed. The Saltair Community Center seems to be like an old boat that is sinking but requires a lot of money just to keep parts of it afloat, what for? A rental space for a child daycare Center? Maybe a room for a club or two?

The Saltair Community Center is not a community Center of Saltair. It is a poor investment made by the CVRD, which is now faced with two options. Cut their losses and further burden on the community, or find an alternate use for the property that would recover the initial investment and perhaps still provide some service to the community.

Sincerely,

Phil Little
10846 Grandview Road
Ladysmith, BC V9G1Z7
250-2457245

From: Carole MacLeod [<mailto:carolemacleod@shaw.ca>]
Sent: Wednesday, August 30, 2017 8:18 AM
To: Joe Barry <jbarry@cvrd.bc.ca>
Subject: Saltair Community Centre – Letter of Support – to be entered as a “Correspondence”
Agenda item for the EASC meeting of September 6th, 2017

Dear Joe,
I would like to support of the updating and maintenance of the Saltair Community Centre. This Centre when maintained could be the new art space for the Chemainus Sketch Group, of which I am part. It belongs to the community, so please, lets make it useable.
Thanks,
Carole MacLeod
3641 Seaview Cresc.
Saltair

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

From: GERALD PORTER [<mailto:porterg-s@shaw.ca>]

Sent: Wednesday, August 30, 2017 8:42 AM

To: Joe Barry <jbarry@cvrd.bc.ca>

Subject: Saltair Community Centre

Please accept this as an indication of our support for the Saltair Community Centre and it's beneficial contributions to our community.

Sincerely and with respect,
Dr. Gerald and Sandra Porter

Sent from my iPad

3420 Hillside Rd.
Chemainus, BC V0R 1K2

Dear Brian Carruthers, CAO

We are writing to express our enthusiastic support for the new Saltair Community Centre. It will be a wonderful resource in our community providing:

- A place for community members to meet each other, for sports groups and clubs, hobby groups, town hall meetings, senior's activities, community picnics etc.
- A facility for artists, cultural and crafts groups like the Waterfront building in Ladysmith.
- Continued operation of the Daycare which serves the needs of young families both by providing child care near to home and by employing roughly nine individuals.
- Educational enrichment such as lectures, arts classes, drama groups, dance lessons, music lessons, Elder College and VIU outreach, the possibilities are endless.

However, many residents are concerned that the CVRD may halt full operation of the Centre because it is too expensive to do all upgrades at once. We want to point out:

- We don't need the building to look pretty. We don't need the stucco redone on the building or new lino (patches are fine); we don't need blackboards removed or walls changed etc.
- What we do want is an old building proudly wearing its signs of age that is useable – that has heat, toilets, running water and keeps out the elements.
- Costs can be reduced by repairing the school in stages, taking a gradual, as-needed approach, and redefining the facility goals, from “up to the standard it was built”, to minimum useable standards.
- **Only the roof section** over the hallway and furnace room needs immediate repair, and can be done with the \$130,000 in gas tax money and if necessary, the \$16,000 in the rec fund from the first year's collected rent. Also, the CVRD could restore the additional \$18,000 that was lost through staff error when no rent was charged for months. The **second major issue is the furnace**, as the Saltair Community Centre Society has the money to fix it, these two repairs – the lower roof and furnace can be done now and will make the building useable.
- We believe the loan for the building will be paid off next year, so the same amount - \$200,000 – could be borrowed to do further repairs.
- And in 2019, we can again apply for gas tax money and could receive \$100,000 or maybe even \$200,000 to use for the Centre.

A Community Centre for Saltair is very exciting! We hope that now the building assessment has been completed the CVRD will move forward with making the building a fully functioning facility.

Sincerely,
Jane Cole and Hugh Walton, Saltair residents

August 30, 2017

Dear Mr. Barry

Please add my name to the list of Saltair residents in favour of keeping the Saltair Community Centre open for the enjoyment through use by the citizens of Saltair. There are a number of arts organizations in need of this space while many families keep their children in the ILM Daycare. We need the furnace installation approved before the upcoming cold winter months.

There are residents waiting to assist in the maintenance and improvements of this facility. Others prefer that no money be spent anywhere in the community unless applied to the water system. There are many animosities from residents regarding this issue and who prefer to control any discussions through intimidation and vitriolic speech. Can this not be two things and not one or the other? Certainly there is more to a healthy society than the infrastructure needs which are provided for elsewhere. I would like to be able to enjoy meeting with my neighbours here in Saltair and would like to join with them for recreation here in Saltair.

Thank you

Susan Odell

10758 Guilbride Drive

V9G 2B3



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 18, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017

FROM: Development Services Division
Land Use Services Department

SUBJECT: Development Permit Application for PID: 005-167-841 and 009-032-649)

FILE: 13-D-17DP (Road Construction)

PURPOSE/INTRODUCTION

The purpose of this report is to consider a Development Permit application to permit road construction within Phase 3 of Cowichan Bay Estates subdivision.

RECOMMENDED RESOLUTION

That it be recommended to the Board that:

1. That Development Permit Application No. 13-D-17DP for Road Construction be approved; and
2. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3605.

BACKGROUND

Location of Subject Property: Lot 1, Section 5, Range 4, Cowichan District, Plan 10957, Except That Part of Said Lot Shown Outlined in Red on Plan 1659-R and Except Parts in Plan 15342, 16358, 18893, VIP81664, EPP16402 and EPP51947 (PID: 005-167-841) and Parcel B (DD 472441) of Section 6, Range 4, Cowichan District, Except Parts in Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP81664 (PID: 009-032-649)

Owner: Cowichan Bay Estates Ltd.

Applicant Cam Williams

Size of Parcel: 5 ha

Zoning: R-3
Minimum parcel size 700 m²

Plan Designation: Village Residential

Current Use of Property: Vacant – proposed Phase 3 of Cowichan Bay Estates

Surrounding Properties

North: Wessex Ravine Park
South: Residential
East: Residential

West: Agricultural

Road Access:

Vee Road (new)

Water:

Cowichan Bay Waterworks District

Sewage Disposal:

Cowichan Bay Sewer (CVRD)

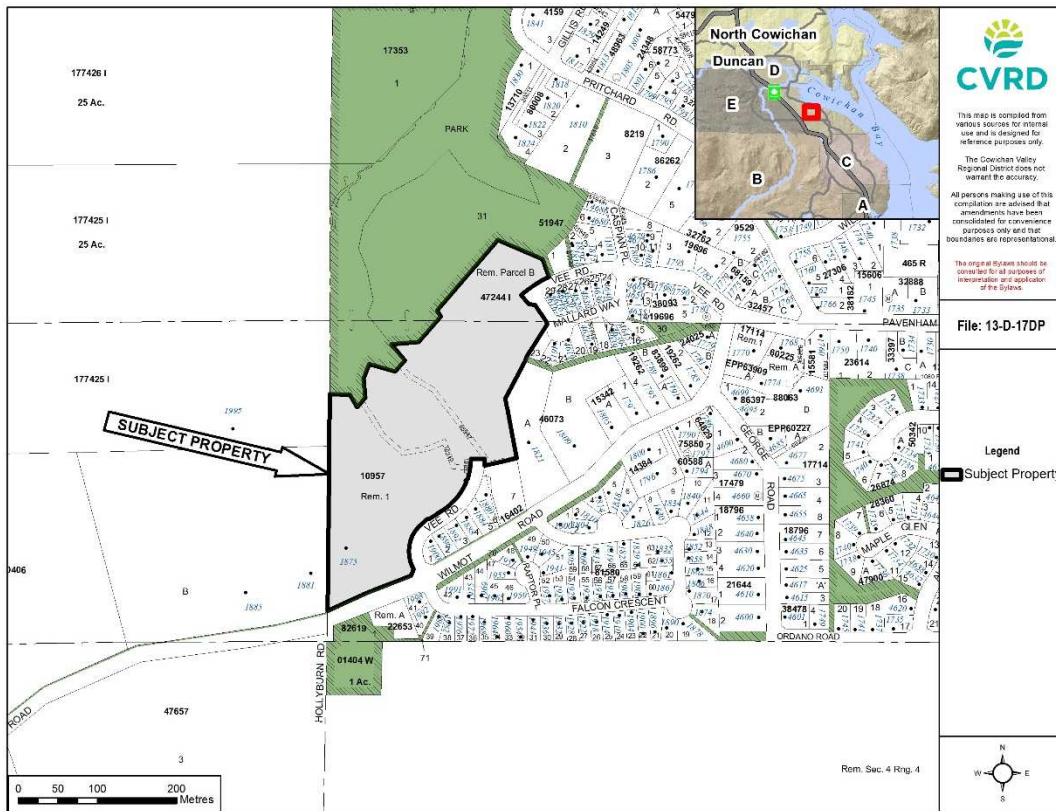
Environmentally Sensitive Areas:

Heron protection Development Permit Area and Steep Slopes

Fire Protection:

Cowichan Bay Volunteer Fire Department

LOCATION MAP



APPLICATION SUMMARY

CVRD is in receipt of a Development Permit application for Phase 3 of the Cowichan Bay Estates subdivision consisting of 49 residential lots. One lot is to be transferred to CVRD.

Topographic mapping of the site indicates steep slopes¹ within a portion of the site. The two sections of Vee Road are separated by a steep slope. Above this slope, on the bulk of the parcel proposed to be subdivided (the southwest portion), the lot does not have steep areas. For reference, please see Attachment C illustrating the steep slopes on the site. A geotechnical report has also been submitted that outlines measures for construction of the roadway (Attachment G).

The applicants have requested permission to begin work on a section of connecting road between both portions of Vee Road. As the property is within a Development Permit Area, the Development Permit is required to be issued prior to work commencing. Development Permit

¹ For the purposes of the Development Permit Area, "Steep slopes" are defined as lands in exceedance of 15%.

applications for subdivisions proposing more than three new lots are required to be reviewed by the Advisory Planning Commission (APC) and the Electoral Area Services Committee (EASC).

Given the backlog of development applications, and the process moving forward (referral to APC followed by referral to EASC), this review will consist of several months, and the applicant is concerned that this review will delay approvals until the winter months, when work on the steeper sections of the site is not recommended.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

As discussed above, this application has not been referred to the Advisory Planning Commission (APC). The scope of the proposed works is technical in nature and not subject to form and character guidelines of the Development Permit Area.

The Development Permit application for the subdivision will be referred to the Advisory Planning Commission once a report has been formulated in accordance with CVRD Fees and Procedures Bylaw which requires subdivision for more than three new lots be reviewed by the APC.

OFFICIAL COMMUNITY PLAN/POLICY CONSIDERATIONS

The primary consideration with this application is compliance with the Development Permit Area Guidelines, in particular with regards to the steep slopes and critical habitat (heron rookeries in Cowichan Bay).

Steep Slopes

The guidelines require submission of a geotechnical report and a sediment and erosion control plan. These have been submitted with the geotechnical report outlining measures for construction of the roadway. A post-construction report will be required as part of the Development Permit to ensure that the roadway has been constructed in accordance with the recommendations of the engineer.

Critical Habitat

Development within 100 metres of all great blue heron nests is subject to the "Critical Habitat Protection Development Permit Area". There is a former heron colony located within 100 metres of the boundary of the proposed subdivision. The proposed works are beyond 200 meters from any heron rookery. The active heron breeding season, when development activities are not recommended, is from February 15th to August 31st, and the road construction works are proposed to begin as early as possible this fall.

PLANNING ANALYSIS

The current application is confined to portions of the proposed connection of Vee Road. This is the steepest section of the site, and as a result it is important that the construction proceed in the dry season. Consideration of the Development Permit application for the subdivision will be forthcoming, and will be considered in context of the applicable development permit guidelines.

This application is considered to satisfactorily address the relevant development permit guidelines. The attached draft development permit notes requirements of approval, which include implementation of the geotechnical report and the sediment and erosion control measures.

Option "1" is recommended.

OPTIONS

Option 1:

That it be recommended to the Board that:

- 3. That Development Permit Application No. 13-D-17DP for Road Construction be approved; and
- 4. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3605.

Option 2:

That Development Permit Application No. 13-D-17DP be denied based on stated inconsistency with specific guidelines.

Prepared by:

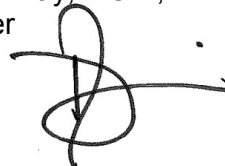


Rachelle Rondeau, MCIP, RPP
Planner II

Reviewed by:



Rob Conway, MCIP, RPP
Manager



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

ATTACHMENTS:

- Attachment A – Zoning Map
- Attachment B – Orthophoto Map
- Attachment C - Steep Slopes Development Permit Area Map
- Attachment D – Subdivision Plan
- Attachment E – Phasing Map
- Attachment F – Sediment and Erosion Control Plan
- Attachment G – Geotechnical Report
- Attachment H – Letter of Rationale
- Attachment I – Draft Development Permit



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: 13-D-17DP

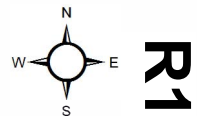
ZONING

Legend

- Subject Property
- Zoning D Uplands
- Zoning D' (with trees)



Rem. Sec. 4 Rng. 4





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File: 13-D-17DP

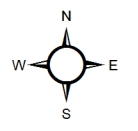
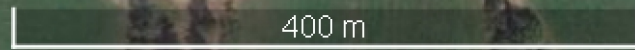
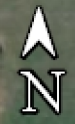
Google Earth Photo (2016)



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Google Earth

Image © 2017 DigitalGlobe



R1



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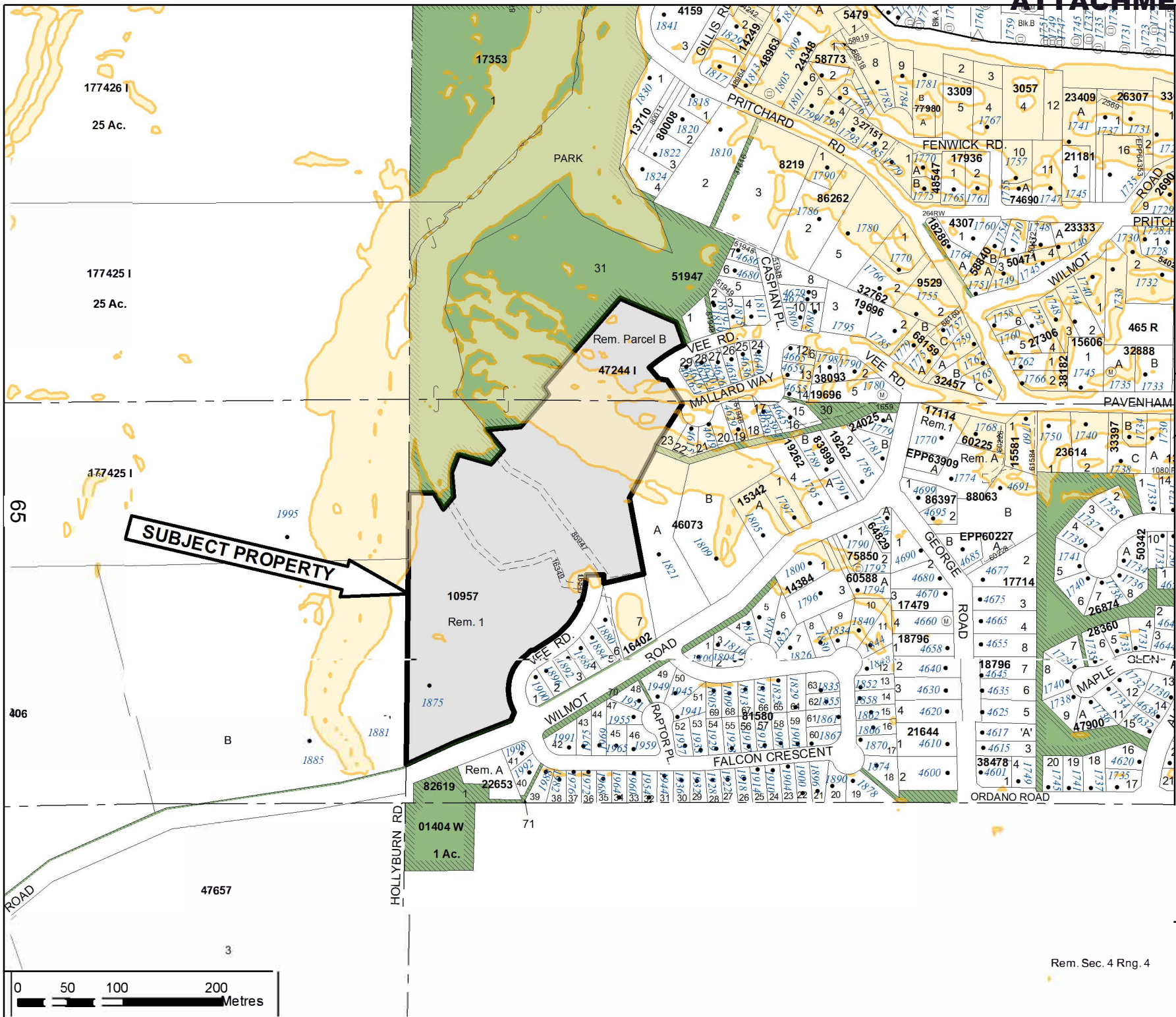
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 13-D-17DP

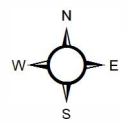
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Legend

- Subject Property
- Steep Slopes



Rem. Sec. 4 Rng. 4

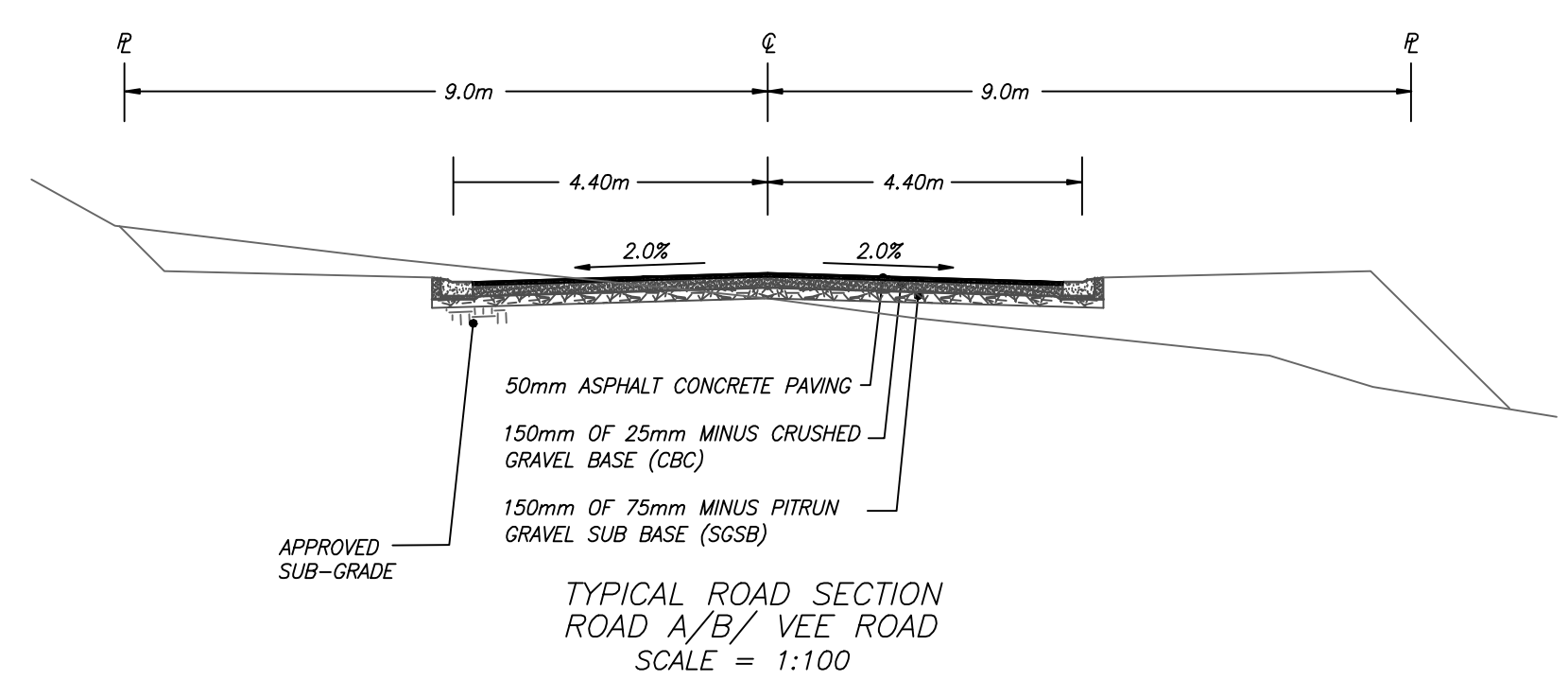


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KEY PLAN
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NOTES:
1. DIMENSIONS ARE IN METRES. ALL DISTANCES AND AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY.
2. ROADS SHALL BE CURB AND GUTTER, UNDERGROUND UTILITIES INCLUDED.



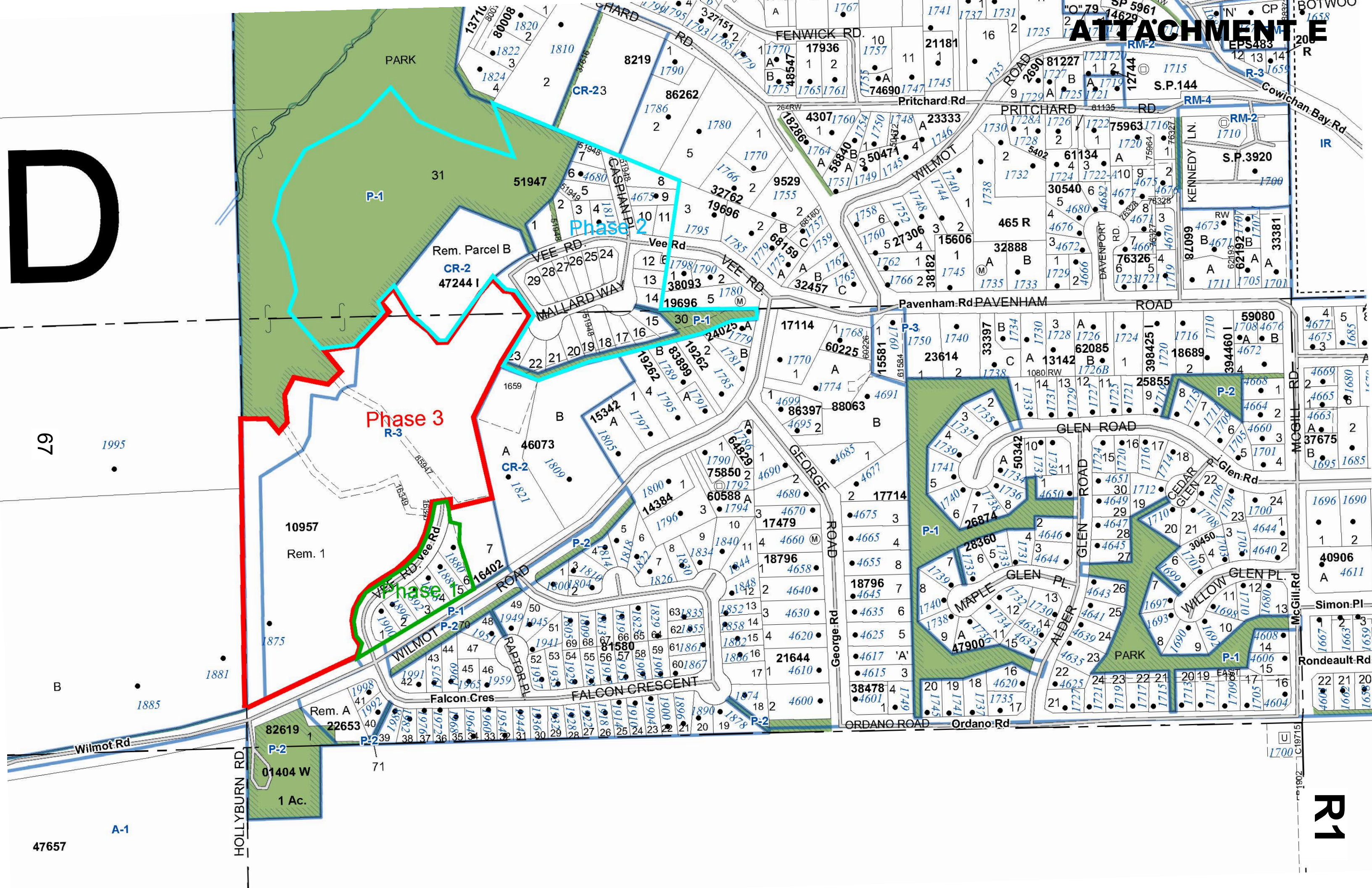
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CLIENT:	COWICHAN BAY ESTATES LTD.		
PROJECT:	COWICHAN BAY ESTATES PHASE THREE		
SHEET TITLE:	CONCEPTUAL SUBDIVISION LAYOUT OF REMAINDER LOT 1, PLAN 10957, AND REMAINDER (DD 472441), COWICHAN DISTRICT. TO ACCOMPANY LAYOUT APPLICATION		
 COWICHAN ENGINEERING SERVICES 715 CANADA AVE DUNCAN, BC V8L 1V1 250-737-1440 creativeengineering@shaw.ca	DRAWN: SB	DATE:	
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ATTACHMENT E

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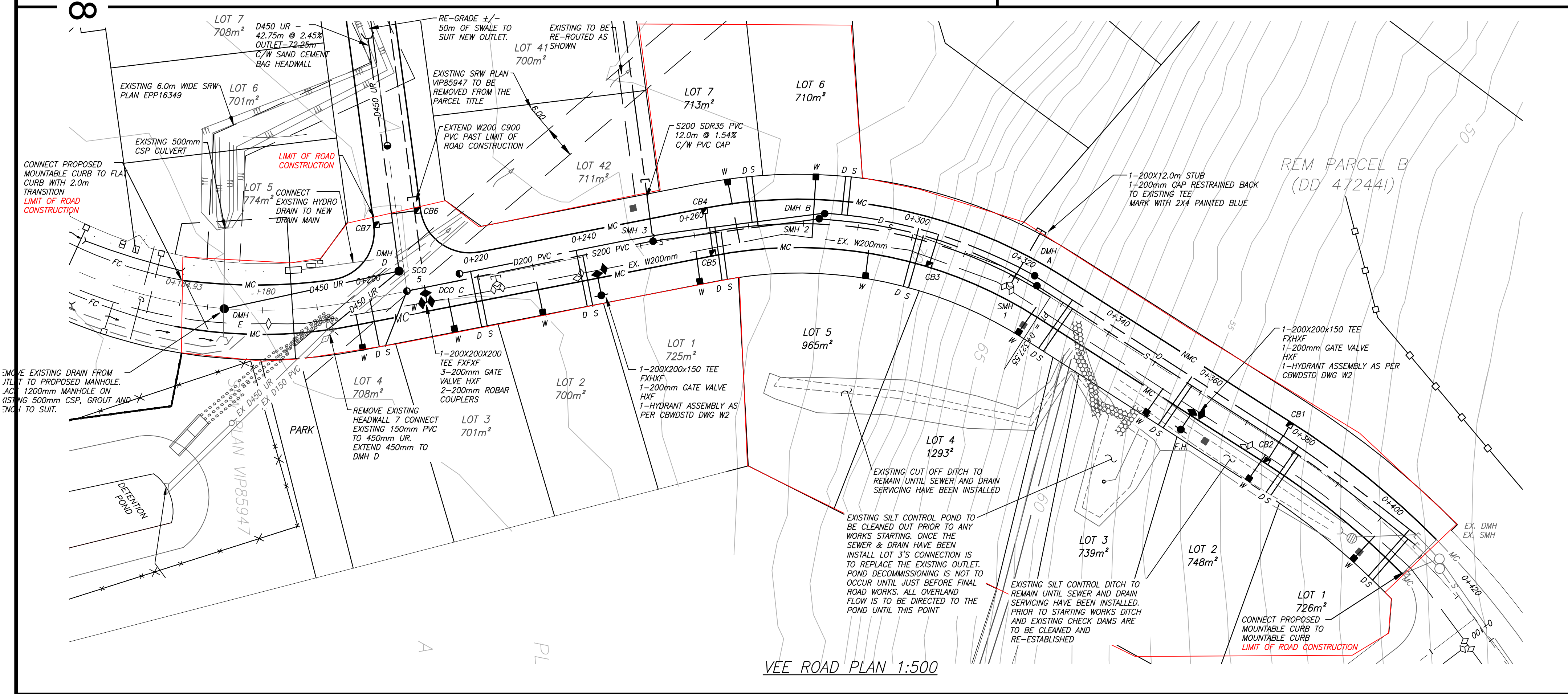
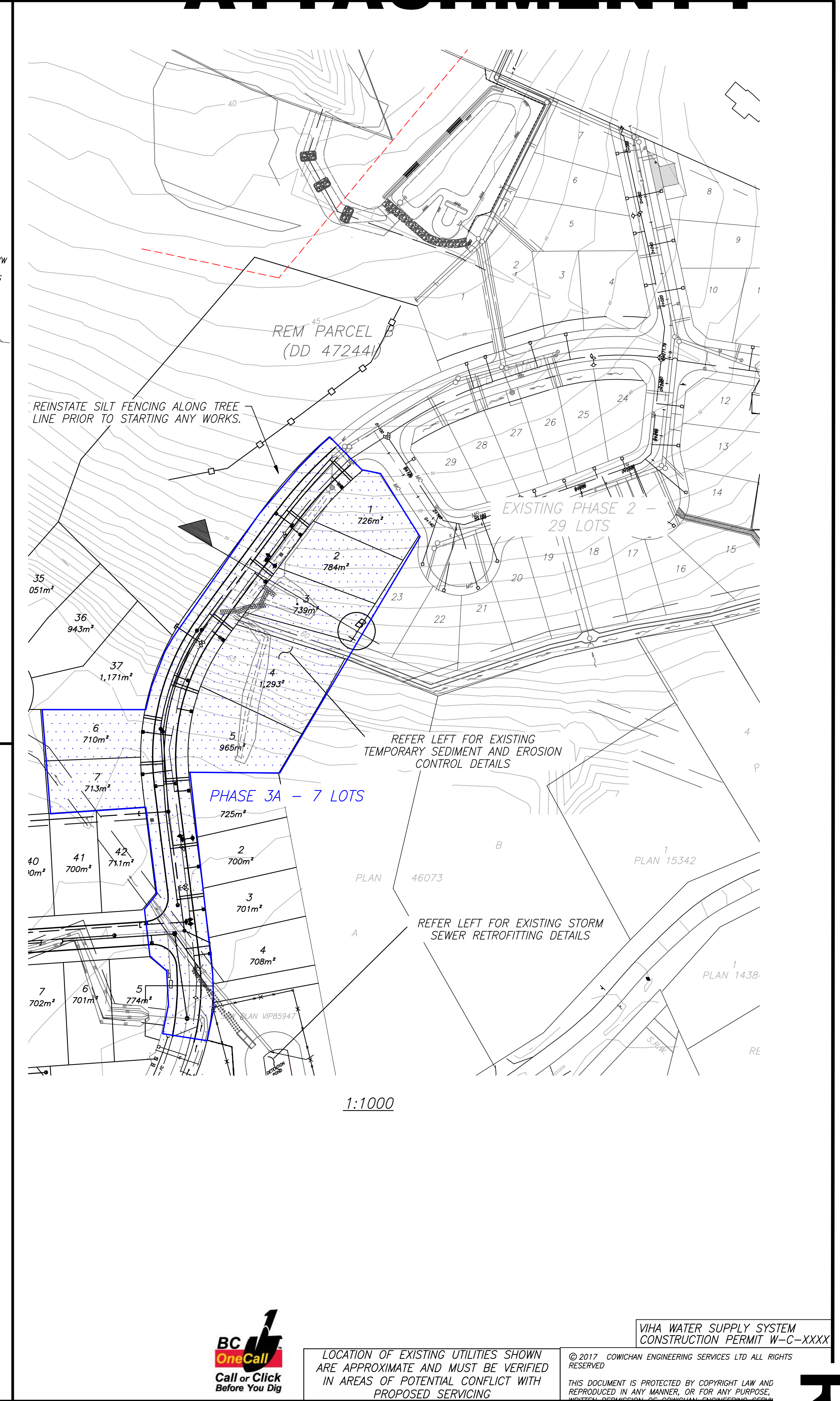
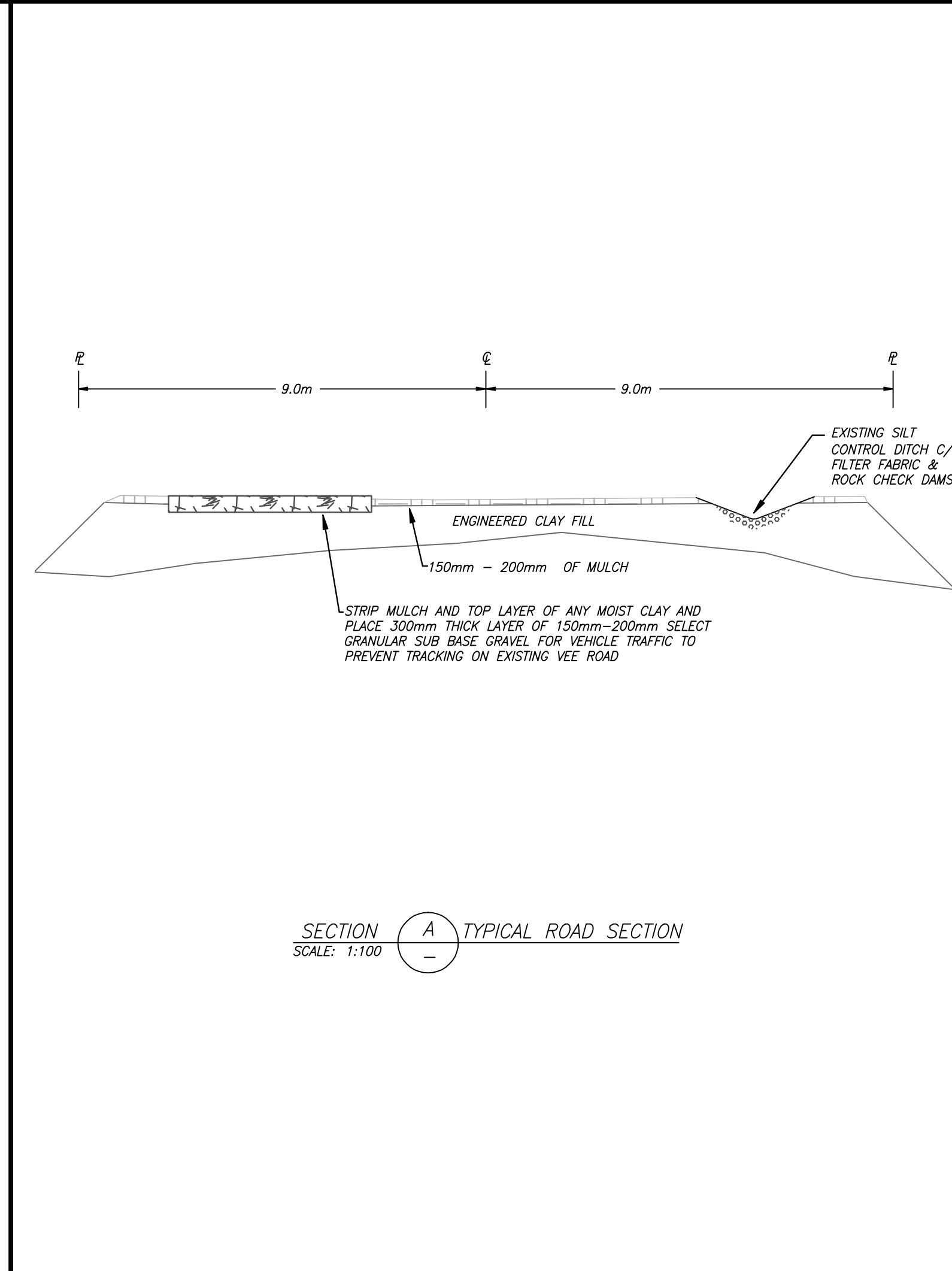
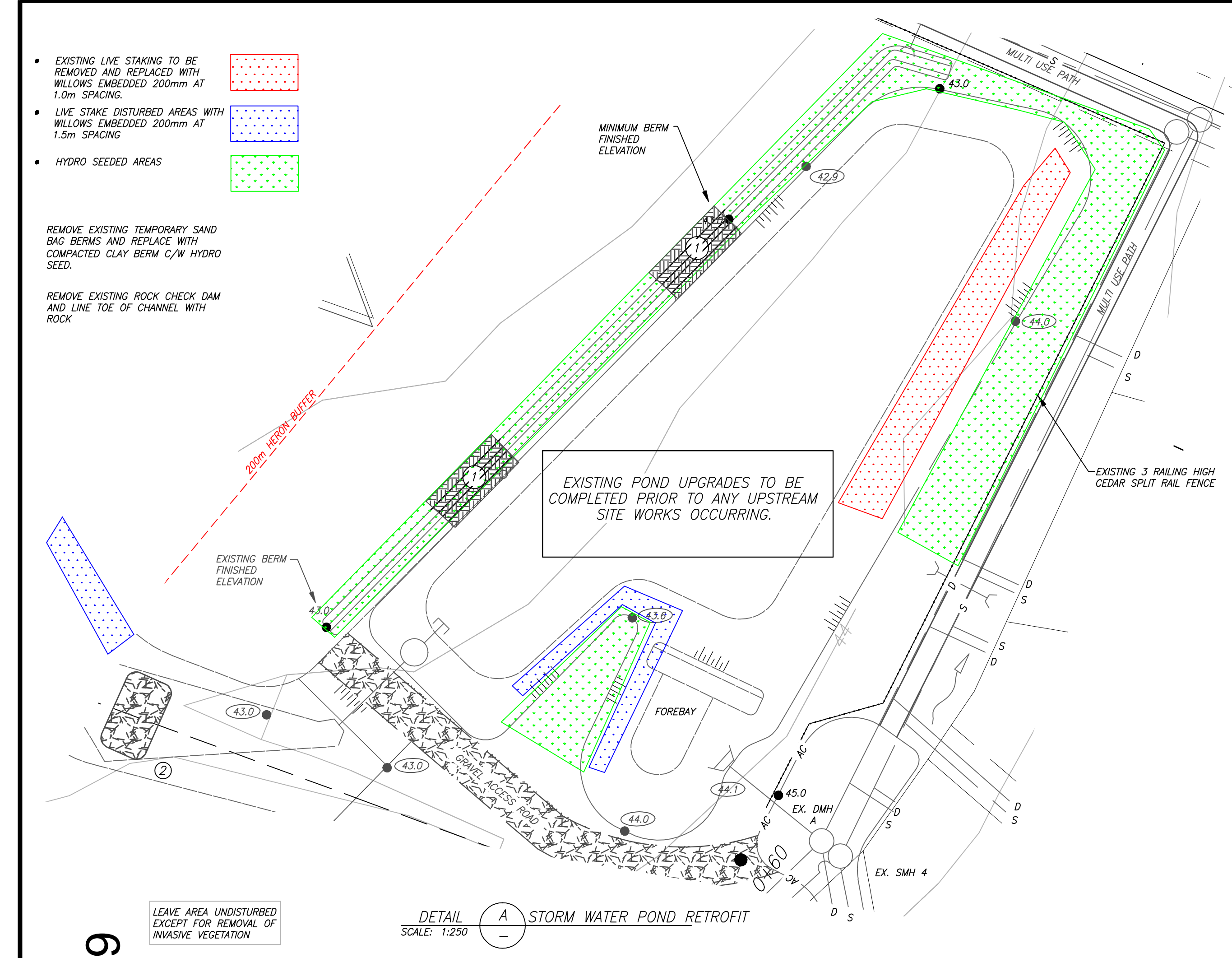
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C19715

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ATTACHMENT F



LEGEND:		PROPOSED		EXISTING	
—	WATERMAIN	●	MANHOLE	○	UTILITY POLE
—	SANITARY SEWER	●	CLEANOUT	◆	WATER VALVE
—	STORM DRAIN	—	CULVERT	◆	HYDRANT
—	UTILITY	—	CATCHBASIN	●	FLUSHOUT
—	U/G UTILITY	—	DITCH	⊙	AIR VALVE
—	EDGE OF PAVEMENT	—	ANCHOR	■	WATER METER
		★	LIGHT	⊙	HYDRO
		⊞		⊞	TEL
		⊞		⊞	CABLE

REVISION DESCRIPTION	DATE	BY
ISSUED FOR A ROAD DEVELOPMENT PERMIT	17/08/09	CW
ISSUED FOR DEVELOPMENT PERMIT	17/05/10	CW

DESIGN: CW	DRAWN: C.W./S.B.
CHECKED: M.A.	APPROVED:
DATE: Aug 9TH, 2017	SCALE: AS NOTED

COWICHAN ENGINEERING SERVICES LTD
8488 NORCROSS ROAD
DUNCAN, BC
V8L 6C5
cowichaneng@shaw.ca

SCALE = 1:500

0 5 10 15 20 25 30 METRES

LEGAL DESCRIPTION: COWICHAN VALLEY REGIONAL DISTRICT

CLIENT: COWICHAN BAY ESTATES

PROJECT: VEE ROAD DEVELOPMENT PERMIT

CLIENT FILE: 1053-C

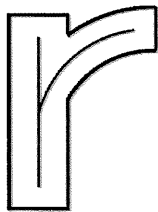
SHEET: 1 OF 1

REVISION: A

DRAWING: 1053-C-01

FILE:

R1



RYZUK GEOTECHNICAL
ENGINEERING & MATERIALS TESTING

28 Crease Avenue
Victoria, B.C.
V8Z 1S3
Tel: 250-475-3131
Fax: 250-475-3611
mail@ryzuk.com

Geotechnical Field Review / Site Instruction

Project No: 4558-9

Project: Proposed Subdivision - Wilmot & Vee Roads - Cowichan Bay, BC

Client: Cowichan Engineering Services Ltd.

Contact: David Conway, P. Eng.

Email / Fax No: profeng@shaw.ca

Date: May 12, 2017

Copy to:	Email / Fax:	Copy to:	Email / Fax:
<input checked="" type="checkbox"/> C. Williams, AScT	consultcd@shaw.ca	cowichanengineering@shaw.ca	

As requested, we visited the referenced site recently to review the conditions and discuss the proposed Phase 3 construction of the subdivision, with emphasis on the approach to address the potentially problematic seepage zone. Our associated comments and recommendations are contained herein.

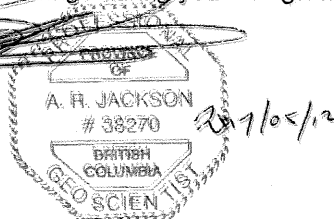
Based on our past experience within the area, we noted that a narrow seepage zone of silty sand exists within the sloped area of the northern portion of Phase 3, generally between approximate elevation 60 m and 65 m geodetic, being in the vicinity of proposed Lots 4, 36, 37, 38, and the roadway. These soil conditions can be problematic for excavation of building lots, as well as utility trenches and subgrade support for roadway structures. As such we recommend the following methodology for the phasing of the development to manage the seepage area.

- Install the road services (being in the order of 1.8 m deep) by placing a layer of non-woven geotextile within the base and sides of the trench with a 300 mm thick layer of clear crushed gravel with a 150 mm diameter weeping tile drain installed within the trench bases. The pipes would be parallel to the trench and would joint the storm main via a man hole within the alignment at the low end of the seepage area. A trench dam should be included on the downslope side of the manhole, as well as within adjacent utility trenches.
- At the upper and the lower end of the seepage zone include lateral weeping tile trenches wrapped in drain rock to provide subsurface drainage within the lot setback areas of the lots, extending across the slope on either side of the main. The trenches should be as deep as possible based on the mainline gradient, however, we expect that a depth of 1.5 to 2 m would be manageable, though trench shoring may be required if instability due to piping occurs. These lines would be delegated as municipal drainage right-of-ways or easements.
- Once the drainage measures are in place the seepage conditions throughout the lots and the proposed roadway should be improved, however, it may be prudent to budget for a layer of non-woven geotextile below the proposed roadway structure within these areas and such can be assessed at the time of construction.
- We recommend that the subgrade preparation for the proposed residences of the lots within the seepage zone areas be prepared under geotechnical supervision or at the discretion of the CVRD building department.

Given the above, we consider that the construction would be feasible provided the noted recommendations are implemented into the civil design. Please call if you have questions, and we would be pleased to review the Phase 3 servicing progress drawings during your design work.

Kind regards,

Andrew Jackson, P. Geo.
Project Geoscientist



**Cowichan Engineering Services LTD.**

6468 Norcross Road
Duncan BC
V9L 6C5
Phone 250-737-1440
Fax 250-737-1551
cowichanengineering@shaw.ca

August 29th, 2017

Our File: 1053-C

Cowichan Valley Regional District
175 Ingram Street
Duncan BC
V9L 1N8

Attn: Rob Conway

Dear Sir:

**RE: Parts of Rem Parcel B DD 472441 7 Rem 1 Plan 19957 – Development Permit
Application For Road Construction**

We submit this letter for purposes of amending our subdivision Development Permit Application for the above noted property to apply to road construction only.

Description of the Works:

The works are to take place within a corridor that will eventually be taken over by the Ministry of Transportation & Infrastructure in the form of Road Dedication and connect lower Vee road to the upper section of Vee Road.. The works will occur in an area that has already been stripped to a road sub-grade as part of a previous approval. Since the last activity occurred in the area numerous invasive species have become present within the proposed area; this vegetation would be removed and disposed of as part of the works.

Prior to starting any activity the existing temporary and permanent stormwater management facilities, and temporary sediment and erosion control measures will be amended as per drawing 1053-C-01 Revision 'A". Once these items have been completed, the installation of sewer, drain and underground electrical utilities will begin as the water line is already in place. Once the servicing has taken place road base gravels will be placed, followed by concrete curbs, and asphalt. It should be noted that the collection of the run-off from this work area conforms to the accepted July 2015 stormwater management report.

**Cowichan Engineering Services LTD.**

6468 Norcross Road
Duncan BC
V9L 6C5
Phone 250-737-1440
Fax 250-737-1551
cowichanengineering@shaw.ca

Rationale for Works

We are requesting that a Development Permit for road construction be issued separately from the subdivision since the majority of the earth works have already been completed and weather conditions are ideal. The site in general can be sensitive to moist weather therefore permitting these works through favourable weather conditions provides a positive solution for all parties involved.

Sincerely,

A handwritten signature in black ink, appearing to read "Cam Williams", is written over a light blue horizontal line.

Cam Williams, AScT
Owner, Cowichan Engineering Services Ltd.



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMITFILE NO: 13-D-17DPDATE: APRIL 6, 2016REGISTERED PROPERTY OWNER(S):COWICHAN BAY ESTATES

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 and only to those lands within the Regional District described below (legal description):

Lot 1, Section 5, Range 4, Cowichan District, Plan10957, Except That Part of Said Lot Shown Outlined in Red on Plan 1659-R and Except Parts in Plans 15342, 16358, 18893, VIP81664, EPP 16402 and EPP 51947) (PID: 005-167-841)

Parcel B (DD 47244I) of Section 6, Range 4, Cowichan District, Except Parts in Plan 4159, 4307, 8219, 9529, 17353, 19696 and VIP81664 (PID: 009-032-649)

3. **Authorization is hereby given for road construction in accordance with the following requirements:**
 - The construction of the road is authorized in the location shown on Schedule A;
 - Construction of the road must be completed in accordance with the recommendations of Schedule B – the Geotechnical Report;
 - Construction of the road must implement the sediment and erosion control measures of Schedule C – the Sediment and Erosion Control Plan;
 - Removal and proper disposal of invasive plant species, prior to final approval;
 - Erosion and sediment control methods be implemented to retain all eroded soil, control surface runoff and stabilize any disturbed slopes that may arise during road construction, including but not limited to:
 - i) Where possible, conducting earthworks activities during dry months of the year;
 - ii) Covering temporary fills or stockpiles with sheeting or tarps;

- iii) Installing sediment ponds or traps to retain washdown water and sediments at construction site access points;
- iv) Halting construction during periods of significant precipitation;
- v) Staging development activities to allow re-establishment of vegetation and minimize bare areas; and
- vi) 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.

4. 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.

5. The following Schedules are attached:

- Schedule A – Road Construction Location Plan
- Schedule B – Geotechnical Report
- Schedule C – Sediment and Erosion Control Plan

6. **This Permit is not a building permit or subdivision approval.** No certificate of final completion or recommendation of subdivision approval by the Cowichan Valley Regional District shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Planning & Development Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. XXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE XTH DAY OF MONTH, 2017.

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 requirements 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 CAM WILLIAMS, agent for COWICHAN BAY ESTATES, 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 August 16, 2017
MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017
FROM: Development Services Division
 Land Use Services Department
SUBJECT: Development Variance Permit Application (8852 Meades Creek Road)
FILE: 01-I-17DVP

PURPOSE/INTRODUCTION

The purpose of this report is to present a Development Variance Permit application that proposes to permit construction of an accessory building within the front and interior side setbacks specified in Zoning Bylaw No. 2465. The application also proposes a variance to the maximum permitted height of an accessory building.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Development Variance Permit Application No. 01-I-17DP/VAR (8852 Meades Creek Road) be approved:

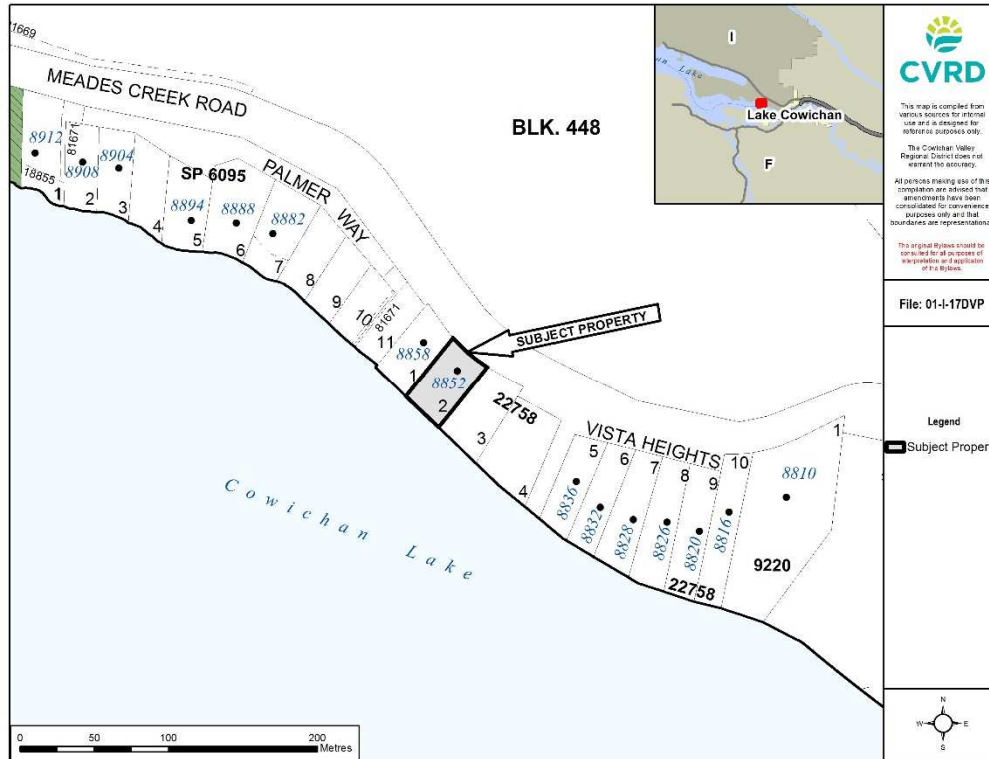
- a) Section 5.12(4) of Zoning Bylaw No. 2465 is varied from 7.5 metres to 3.5 metres for the front parcel line setbacks, and from 3.0 metres to 1.9 metres for the side interior parcel line setback.
- b) Section 5.12(5) of Zoning Bylaw No. 2465 is varied by increasing the maximum permitted height of an accessory building from 6 metres to 8.5 metres.

BACKGROUND

<u>Location of Subject Property:</u>	8852 Meades Creek Road
<u>Legal Description:</u>	Lot 2, Block 488, Cowichan Lake District, Plan 22758 (PID: 000-060-798)
<u>Size of Parcel:</u>	1456 m ² (0.36 acres)
<u>Zoning:</u>	R-2 (Suburban Residential)
<u>Plan Designation:</u>	Suburban Residential
<u>Use of Property:</u>	Residential
<u>Sewage Disposal:</u>	Septic
<u>Fire Protection:</u>	Lake Cowichan Volunteer Fire Department
<u>Agricultural Land Reserve:</u>	N/a
<u>Archaeological Sites:</u>	None identified
<u>Environmentally Sensitive</u>	Cowichan Lake shoreline riparian area

Areas:

LOCATION MAP



APPLICATION SUMMARY

The applicants have owned the property for approximately one year, and have been renovating the existing dwelling. They propose to replace an existing garage in the same location. The garage is currently located 3.5 metres from Meades Creek Road and 1.9 metres from the interior side parcel line, which does not conform to current bylaw standards.

The minimum setbacks for an accessory building (garage) are 7.5 metres from the front parcel line and 3.0 metres from the side parcel line, therefore a variance has been requested.

Additionally, a variance is requested to increase the maximum permitted height of an accessory building from 6 metres to 8.5 metres. Due to the steep grade of the parcel, the front of the building at Meades Creek Road is proposed to be a one-level garage with a height of no more than 6 metres, which complies with the Zoning Bylaw. However, the rear of the proposed garage will consist of two levels, resulting in an average height of no more than 8.5 metres.

A portion of the new accessory building would be located within the Riparian Areas Regulation (RAR) assessment area, therefore an RAR report was prepared. The RAR report notes that the land has an overall approximate grade of 34% towards the lake, with the steepest section being on the upper third of the parcel at approximately 59%. For reference, please see attached RAR report and site plan which includes elevation points.

The dwelling and existing garage are located at the front (top) of the property and the property slopes steeply towards the lake. The property has formerly been terraced with four retaining walls, and three flat grassy benches.

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS**Surrounding Property Owner Notification and Response:**

A total of 11 letters were mailed-out or hand delivered as required pursuant to CVRD Development Application and Procedures and Fees Bylaw No. 3275. The notification letter described the purpose of this application and requested comments regarding this variance within a recommended time frame. To date, one letter of support has been submitted with the application, and this was from the neighbouring property where the reduced side setback is proposed.

BC Ministry of Transportation and Infrastructure

The BC MoTI requires a 4.5 metre setback from roads within its jurisdiction. The applicants have obtained the necessary permit for reducing this 4.5 metre required setback from the Ministry.

OFFICIAL COMMUNITY PLAN/POLICY CONSIDERATIONS***Watercourse Protection Development Permit Area***

The high water mark for Cowichan Lake is defined as the 164 metre contour elevation, and any development within 30 metres of the high water mark is required to obtain a Development Permit and accompanying RAR assessment prepared by a Qualified Environmental Professional (QEP).

The 164 metre elevation does not coincide with the natural boundary of the shoreline on the original survey plan, resulting in the proposed garage being marginally within the RAR Assessment area of Cowichan Lake. Therefore an RAR report was prepared which identified a Streamside Protection and Enhancement Area (SPEA) of 15 metres.

The proposed garage is located beyond the 15 metre SPEA and the 15 metre setback from Cowichan Lake as specified in the Zoning Bylaw. There is pre-existing development within the SPEA which is permitted to remain, however, no new development is permitted within the SPEA, and the RAR report specifies measures to protect the SPEA.

Currently, drainage from the house and garage is directed to the ground and the perimeter drainage is directed to the third terrace up from the lake. No uncontrolled rainwater discharge to the Lake will be permitted.

A geotechnical and structural engineer will be engaged in the project as part of the building permit process.

Zoning

The application proposes the following variances:

1. Reduction of the front parcel line setback from 7.5 metres to 3.5 metres;
2. Reduction of the side parcel line setback from 3.0 metres to 1.9 metres;
3. Increase permitted height from 6.0 metres to 8.5 metres.

PLANNING ANALYSIS

The accessory building is being proposed in a location currently occupied by an existing garage.

Aside from the driveway, there is no on-site parking or appropriate location for parking. The new garage will be designed to accommodate two parking spaces, resulting in a total of three parking spaces on the property, which will avoid visitors parking on the road that has a narrow road shoulder.

The dwelling is also located in line with the proposed 3.5 metre setback. The property becomes

steeper towards the Lake making construction of a new driveway and accessory building in compliance with the setback impractical, and would also bring the construction closer to the 15 metre setback from the Lake.

A site visit concluded that there are no residences across the road or nearby that would be affected by the proposed height variance. The BC MoTI has approved the reduced setback to the front parcel line, and the adjacent property owner is in support of the reduced side yard setback.

Given the steep topography of the property, and the pre-existing retaining walls and terraces, which are in good function and showing no signs of erosion or soil creep, focusing construction of the new accessory building at the top of the parcel, closer to the road, is appropriate.

Option 1 is recommended.

OPTIONS

Option 1:

1. That it be recommended to the Board that Development Variance Permit Application No. 01-I-17DP/VAR (8852 Meades Creek Road) be approved:

- c) Section 5.12(4) of Zoning Bylaw No. 2465 is varied from 7.5 metres to 3.5 metres for the front parcel line setbacks, and from 3.0 metres to 1.9 metres for the side interior parcel line setback.
- d) Section 5.12(5) is varied by increasing the maximum permitted height of an accessory building from 6 metres to 8.5 metres.

Option 2:

That it be recommended to the Board that Development Variance Permit Application No. 01-I-17DP/VAR (8852 Meades Creek Road) be denied.

Prepared by:

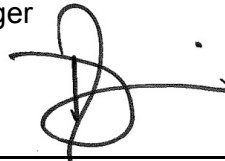


Rachelle Rondeau, MCIP, RPP
Planner II

Reviewed by:



Rob Conway, MCIP, RPP
Manager



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

ATTACHMENTS:

- Attachment A – Zoning Map
- Attachment B – Orthophoto Map
- Attachment C – Site Plan
- Attachment D – Riparian Areas Regulation Assessment Report
- Attachment E – Letter of Rationale
- Attachment F – Adjacent Property Owners Letters
- Attachment G – BC MoTI Permit Approval
- Attachment H – Draft Development Variance Permit



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.

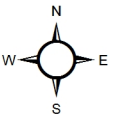
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 01-I-17DVP

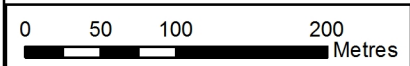
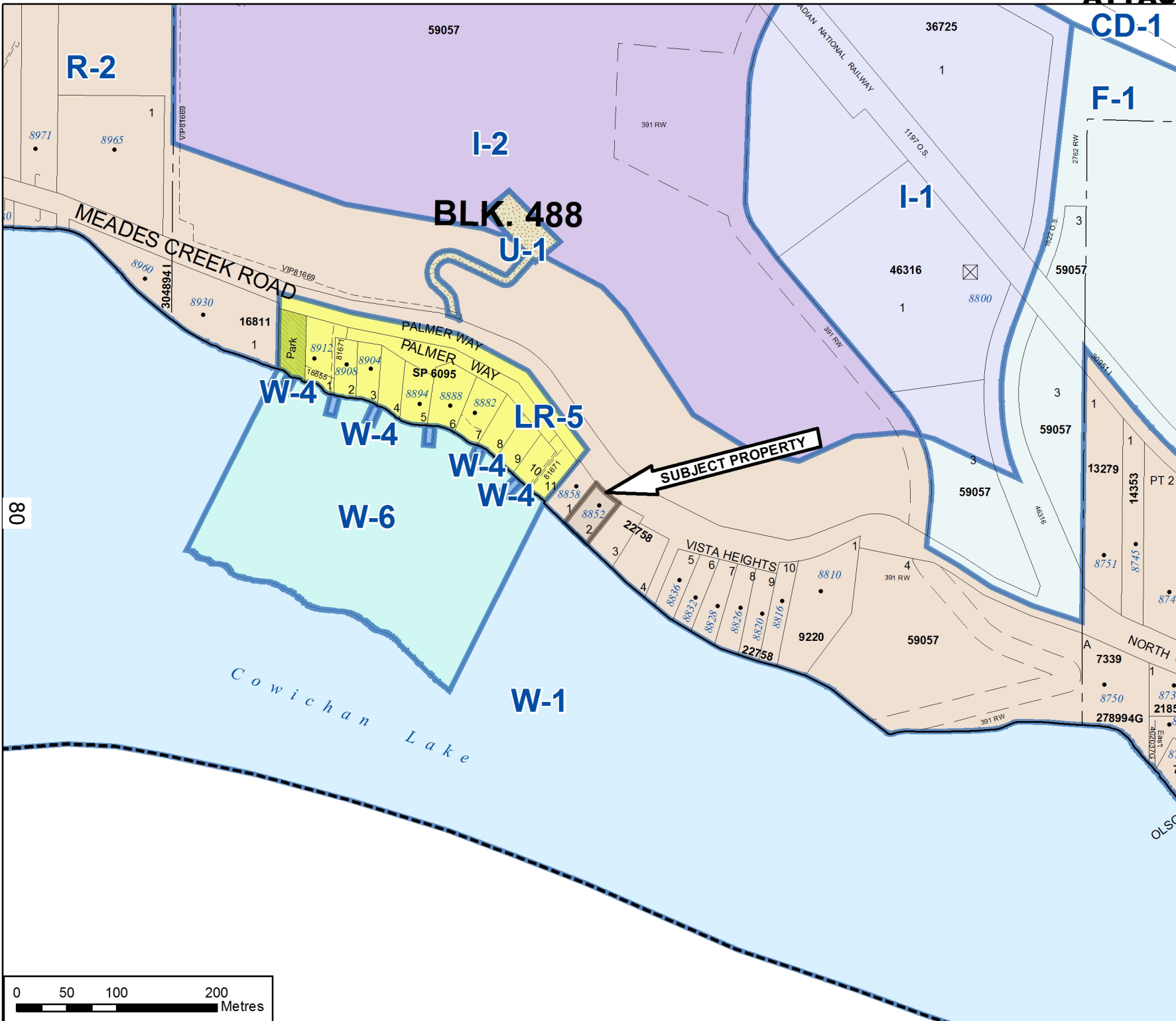
ZONING

Legend

- Subject Property
- Zoning I



R2





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

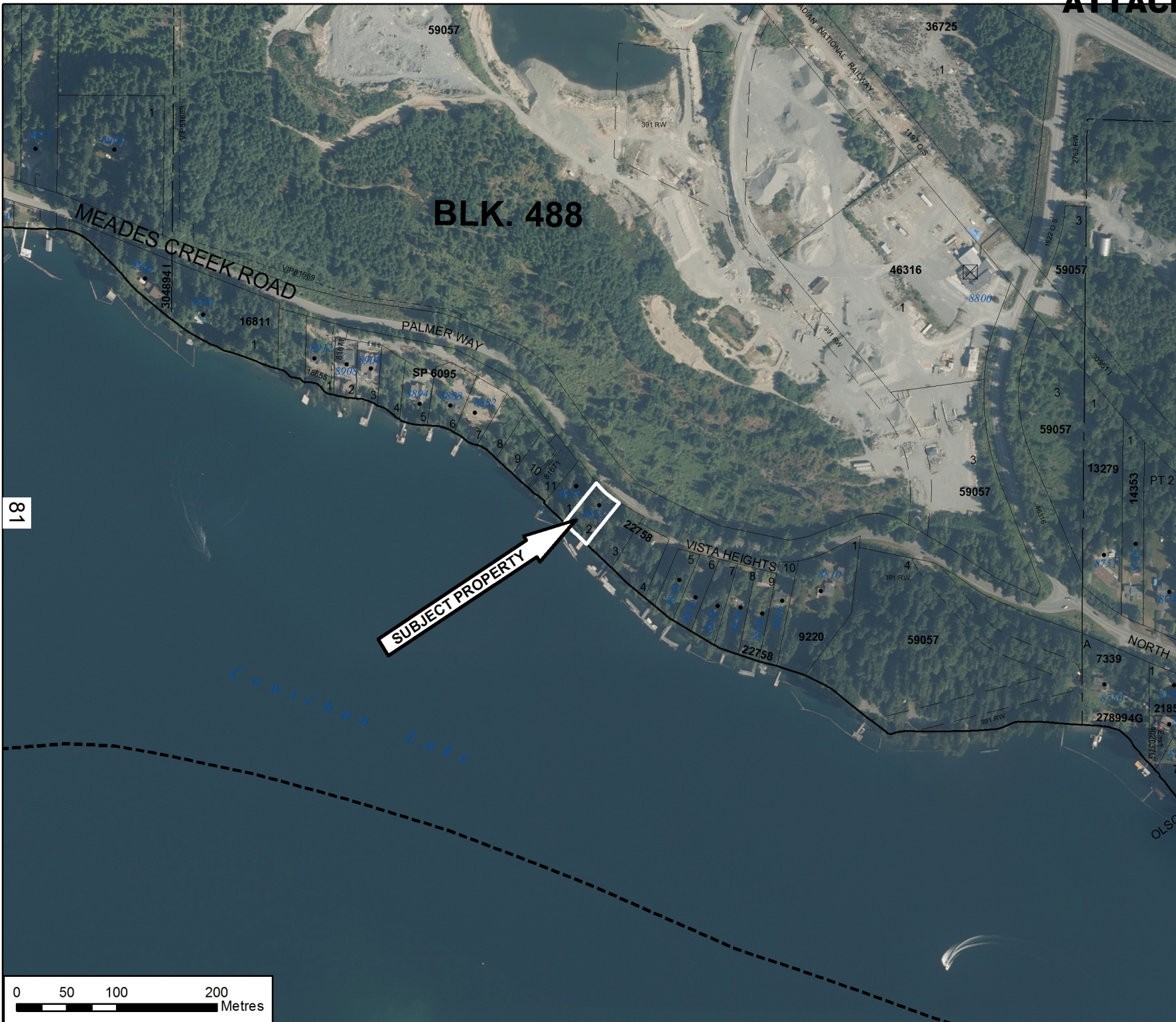
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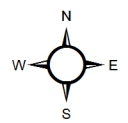
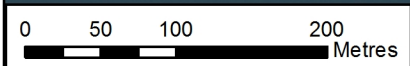
The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

File: 01-l-17DVP

TRIM Orthophoto (2014)



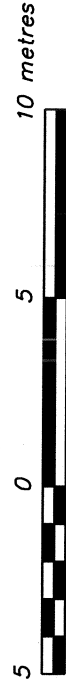
81



R2

82
**SITE PLAN OF
 LOT 2, BLOCK 488,
 COWICHAN LAKE DISTRICT, PLAN 22758**

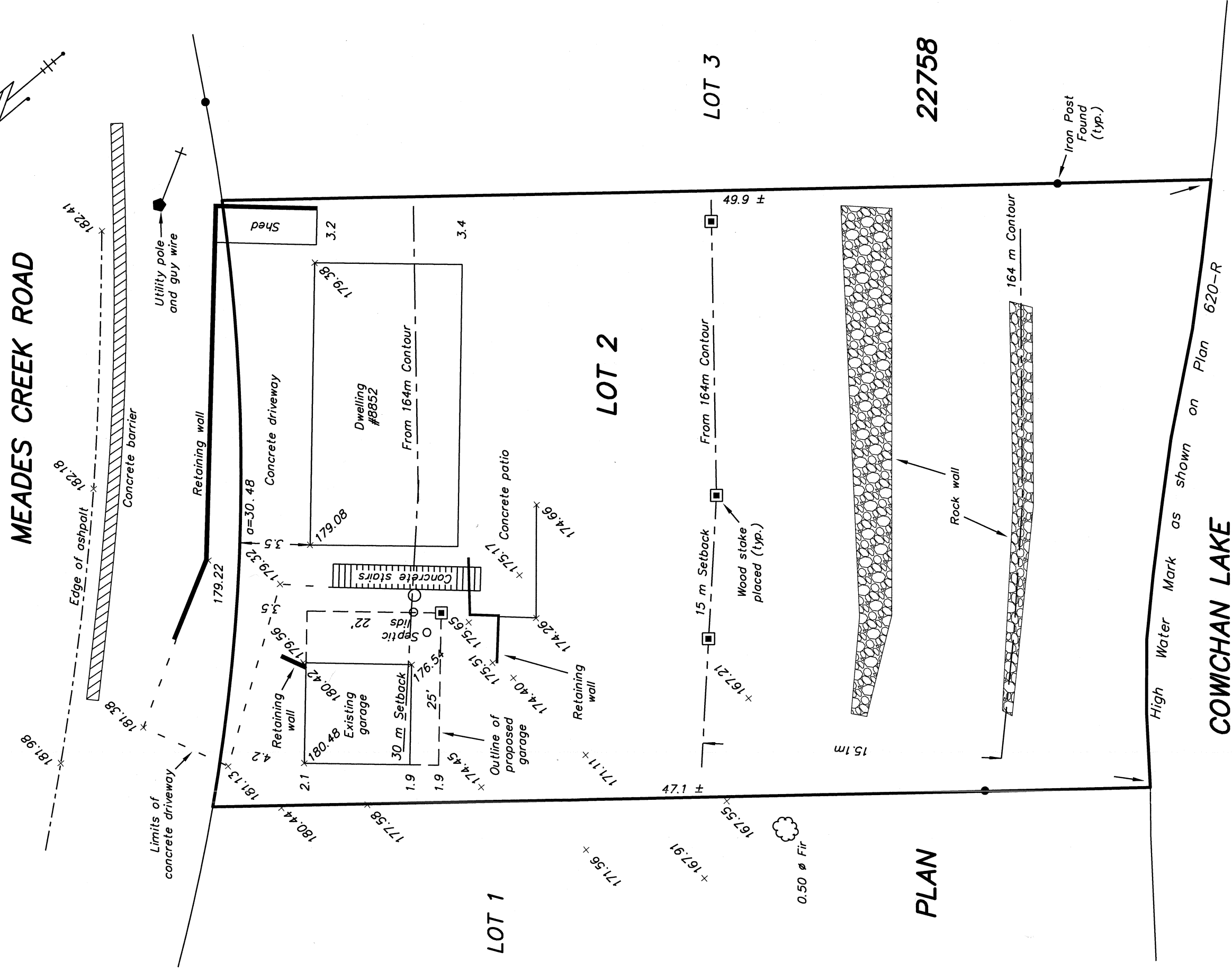
SCALE 1 : 200



All distances and elevations are in metres.

x denotes location of spot elevation.

Elevations are derived from BC Water Resources Service Benchmark 728 with a published elevation of 166.497 m.



PLAN

High Water Mark as shown on Plan 620-R
COWICHAN LAKE

Note: Lot 2 lies within the C.V.R.D. Area 1 and is Zoned R-2.
 Bylaw setback requirements are as follows:

Residential Use	Accessory Use
Front	7.5 m
Side (Interior)	3.0 m
Side (Exterior)	4.5 m
Rear	3.0 m

KENYON WILSON
 PROFESSIONAL LAND SURVEYORS
 221 CORMORANT AVENUE
 B.C. V9L 2T1 (250)746-4745
 FILE: 17-8064_SK.dwg

R2

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Date

I. Primary QEP Information

First Name	Ian		Middle Name	
Last Name	Wright			
Designation	Professional Agrologist	Company Madrone Environmental Services Ltd.		
Registration #	2710	Email Ian.Wright@madrone.ca		
Address	1081 Canada Avenue			
City	Duncan	Postal/Zip	V9L 1V2	Phone # 250-746-5545
Prov/state	BC	Country	Canada	

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name	Harry		Middle Name	
Last Name	Williams			
Designation	RPBio	Company Madrone Environmental Services Ltd.		
Registration #	963	Email Harry.Williams@madrone.ca		
Address	1081 Canada Avenue			
City	Duncan	Postal/Zip	V9L 1V2	Phone # 250-746-5545
Prov/state	BC	Country	Canada	

III. Developer Information

First Name	Ken		Middle Name	
Last Name	Neal			
Company				
Phone #	250-715-6505	Email kenneal@shaw.ca		
Address	H2-6222 Lower Chippewa Road			
City	Duncan	Postal/Zip	V9L 5P8	
Prov/state	BC	Country	Canada	

IV. Development Information

Development Type	Accessory Buildings			
Area of Development (ha)	0.01	Riparian Length (m)	30.4	
Lot Area (ha)	0.14	Nature of Development	Redevelopment	
Proposed Start Date	July 15, 2017	Proposed End Date	September 30, 2019	

V. Location of Proposed Development

Street Address (or nearest town)	8852 Meades Creek Road			
Local Government	Cowichan Valley Regional District	City	Area I – Meade Creek	
Stream Name	Cowichan Lake			
Legal Description (PID)	000-060-798	Region	Vancouver Island	
Stream/River Type	Lake	DFO Area	South Coast	
Watershed Code	920-257700			
Latitude	48	49	47	Longitude 124 5 43

Table of Contents for Assessment Report

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

The following description of the property and Riparian Assessment Area (RAA) is based on a field assessment conducted on June 13 of 2017, completed under favourable weather conditions and with full access to the RAA.

Property and Riparian Assessment Area Description

The subject property is located at 8852 Meades Creek Road, in Electoral Area I (Meade Creek / Youbou) of the Cowichan Valley Regional District (CVRD), approximately 2km west of the Town of Lake Cowichan. It is a waterfront property on the north shore of Cowichan Lake and the majority of the parcel is within the Riparian Assessment Area (RAA). The property is zoned R-2 Suburban Residential and is located within a Suburban Lakefront Residential OCP designated area. Residential properties are located adjacent to the site to the west and east, and the property is bounded by Meades Creek Road to the north and Cowichan Lake to the south.

Covering approximately 1,432m², the parcel is rectangular in shape with approximately 30.4m of lake frontage (riparian length). With a southwest aspect, the land is steeply sloping (~34% overall) towards the lake. The upper third of the parcel has the steepest overall slope of approximately 59%, while the lower two thirds has a 30% grade overall. However, the slope has been terraced to create relatively flat benches in between rip-rap retaining walls, as part of previously completed landscaping (Photos 7 and 10-18). The terraces consist of four retaining walls constructed with rip-rap rock that range from approximately 1.5 to 2.5m high, and three flat grassy benches that range from about 3.5 to 7m in width. Mature conifer trees are present in a ~5x5m patch immediately downslope of the existing garage, and in a narrow strip along the shoreline, while the remainder and majority of the property has been previously cleared and landscaped. An existing house (105m²) and garage (26.4m²) are situated at the top of the hill at the northeast end of the property (Photos 1-5 and 10).

The shoreline appears to experience regular wave action with cobble, gravel and sand as the dominant substrates along the present water level (Photos 10, 17 and 18). There is some native vegetation growing just above the present water level including red alder (*Alnus rubra*), Pacific ninebark (*Physocarpus capitatus*), sweet gale (*Myrica gale*), Nootka rose (*Rosa nutkana*) and some sedges (*Carex* sp.). These plants have established roots, but are sparse and appear to be cut back on a regular basis. Trees along the shoreline include three mature western redcedars (*Thuja plicata*), two mature lodgepole pines (*Pinus contorta*) and one young red alder. These mature trees are topped at a height of approximately 15 to 20m (Photo 6). While the redcedars appear healthy, the lodgepole pines are nearing the end of their lifespan. Two large stumps from western redcedar trees that were previously removed are also located along the shoreline. The stumps are freshly cut – apparently for the rounds to build stools for around the fire ring (Photos 17, 19 and 20). The top round that was cut is well-weathered, indicating that these trees were cut down years ago.

Although the majority of the SPEA has been cleared and landscaped, the southwest corner of the waterfront and west and east perimeter of the property host a canopy of mature and young Douglas-fir (*Pseudotsuga menziesii*), western redcedar and lodgepole pine trees (most trees located on neighbouring properties) with an understory of red alder, arbutus (*Arbutus menziesii*) and bigleaf maple (*Acer macrophyllum*) saplings, Saskatoon (*Amelanchier alnifolia*), willow (*Salix* sp.), salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*), sword fern (*Polystichum munitum*) and bracken fern (*Pteridium aquilinum*). The lower two rip-rap retaining walls are mainly vegetated with native species, including a Douglas-fir sapling, salal, kinnickinnick (*Arctostaphylos uva-ursi*), tall Oregon grape (*Mahonia aquifolium*), honeysuckle (*Lonicera involucrata*), sword fern and bracken fern (Photo 16). There are also some ninebark shrubs which are an ornamental variety of the native species.

On the first terrace up from the water's edge, there are two young planted western redcedar trees that are ~4m tall, as well as two ornamental maple (*Acer* sp.) trees ~5m tall and a rhododendron (Photo 15). Also on this terrace are a fire ring with seating, a stack of scrap wood and firewood (Photos 19 and 20). The second terrace up is entirely lawn with one young cherry (*Prunus* sp.) tree (Photo 13), and the third terrace is a grassy walkway (Photo 12).

Generally, non-native plant species are more prevalent upslope from the second terrace. Non-native plant species observed on site include holly (*Ilex aquifolium*), rhododendrons, lilac (*Syringa* sp.), tree peony (*Paeonia* sp.), St. John's wort (*Hypericum calycinum*) and Scotch broom (*Cytisus scoparius*). Only one of these – Scotch broom – is particularly invasive and will require control. Holly can also be quite invasive, but there is only one individual plant and it does not appear to be spreading.

Proposed Development

Proposed development within the RAA consists of the following components:

- **Septic:** Replacement of the existing septic system with a Type 2 (treatment plan) drip pressure system suitable for a 1300L daily design flow. Effluent will be pressure fed into a single zone 44m² drip distribution system, protected by a minimum 115 micron fine filter before the field. Access to replace the septic system will require the removal of the existing garage. The replacement of the septic tank will involve the use of a crane truck (parked in the driveway at the top of the hill) and a mini excavator. The drip line field will be installed by hand on the slope between the concrete walkway at the south end of the house and the upper riprap retaining wall, and will be at least 4.5m away from the SPEA boundary. ***The proposed footprint of the new septic system is beyond the Streamside Protection and Enhancement Area (SPEA) – See Section 4 for Measures to Protect the SPEA from this development proposal within the RAA and Section 5 for details regarding Environmental Monitoring.***
- **Garage:** Replacement of the existing garage with a new garage that is proposed to be extended towards the existing house and towards the lake by approximately 2.6m and 1.5m respectively. The new garage footprint is proposed to be 6.7m deep and 7.6m wide (51m²), and will be located ~13m away from the SPEA boundary. The existing garage was built in 1975 and is legally non-conforming to current front and side lot setback requirements as per the CVRD Zoning Bylaw No. 2465. The proponent has filed a Development Variance Permit application with the CVRD with the intention to maintain the front and side extents of the existing garage for the new garage footprint. The existing garage is set back approximately 3.7m from the lot front and 1.9m from the side, which are less than the setback requirements of 7.5m from the front and 3.0m from the side. Siting of the new garage is constrained by the existing dwelling, the front and side lot boundaries and the steep slope down towards the lake. These constraints form the rationale for the Development Variance Permit application. Due to the steep slope, the CVRD requires a geotechnical assessment and structural engineer's design for the construction of the proposed garage. ***The proposed footprint of the new garage is beyond the Streamside Protection and Enhancement Area (SPEA) – See Section 4 for Measures to Protect the SPEA from this development proposal within the RAA and Section 5 for details regarding Environmental Monitoring.***

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Fisheries Resource Values

Cowichan Lake provides highly valuable fisheries resources and is known to support a wide variety of anadromous and resident fish species, including:

chinook salmon	<i>Oncorhynchus tshawytscha</i>
coho salmon	<i>O. kisutch</i>
kokanee	<i>O. nerka</i>
coastal cutthroat trout (including anadromous form)	<i>O. clarkii clarkii</i>
rainbow trout (resident form) and steelhead (anadromous form)	<i>O. mykiss</i>
bull trout (including anadromous form)	<i>Salvelinus confluentus</i>
brown trout (including anadromous form)	<i>Salmo trutta</i>
Dolly Varden (including anadromous form)	<i>Salvelinus malma</i>
Pacific lamprey	<i>Entosphenus tridentatus</i>
Vancouver (Cowichan Lake) lamprey (protected under <i>Species At Risk Act</i>)	<i>Lampetra macrostoma</i>
smallmouth bass	<i>Micropterus dolomieu</i>
brown catfish	<i>Ameiurus nebulosus</i>
prickly sculpin	<i>Cottus asper</i>
threespine stickleback	<i>Gasterosteus aculeatus</i>

(Species table based on BC HabitatWizard / FISS query)

The Cowichan Lake Shoreline Habitat Assessment (BC Conservation Foundation, 2012) found that 15% of total fish abundance was accounted for by gravel and sandy shore types, which is the prevalent habitat type on the subject property. Without woody debris cover and submerged or emergent vegetation, gravel and sandy shorelines were determined to be most suitable and utilized by threespine sticklebacks and prickly sculpins, likely due to high water temperatures in the summer, high wave energy and lack of security habitat, which decrease habitat suitability for salmonids. However, gravel shorelines with sweet gale shrub cover were well correlated with juvenile coho salmon use, likely due to increased shading, security habitat and a reduction in wave energy.

Cowichan Lake High Water Mark

For RAR assessments on Cowichan Lake within the CVRD, the high water mark is not interpreted by the QEP; it is set at the 164m above mean geodetic sea level elevation contour (as defined in Zoning Bylaw No. 2465), which was determined to be the average high water level or 1 in 5 year flood level. The precise location of this line was identified and marked on the property by Kenyon Wilson Professional Land Surveyors. It is generally located along the first riprap retaining wall up from the normal water level, which extends 6.5m to 10m inland from the parcel boundary along the lakeshore.

References

- BC Conservation Foundation. 2012. Cowichan Lake Shoreline Habitat Assessment – Foreshore Inventory and Mapping Project. Volume I – Report. Accessed at http://www.cowichan-lake-stewards.ca/CSSP_Bkgnd/Cow_Lake_Report_Vol_1.pdf
- BC MoE. N.d. BC HabitatWizard. Accessed at <http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/ecosystems/habitatwizard>

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Section 2. Results of Riparian Assessment (SPEA width)

Attach or insert the Form 3 or Form 4 assessment form(s). Use enough duplicates of the form to produce a complete riparian area assessment for the proposed development

--

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: June 13, 2017

Description of Water bodies involved (number, type)

1 – Cowichan Lake

Stream	
Wetland	
Lake	X
Ditch	
Number of reaches	N/A
Reach #	N/A

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point	N/A	N/A	I, <u>Ian Wright, PAg</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
upstream	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
downstream	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
	N/A	N/A	
Total: minus high /low mean	N/A	N/A	
	N/A	N/A	
	R/P	C/P	S/P
Channel Type	N/A	N/A	N/A

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>Ian Wright, PAg</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:	1		Method employed if other than TR
SPVT Type	LC	SH	TR
			X

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	N/A	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	15				
Litter fall and insect drop ZOS (m)	15				
Shade ZOS (m) max	30	South bank	Yes	No	X

Form 3 Detailed Assessment Form
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

SPEA maximum

15

 *See Comments Below

I, Jan Wright, PAg, hereby certify that:

- a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Neal;
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

The shade zone of sensitivity is 30m; however, because the property is on the north shoreline of the lake, the shade ZOS does not contribute to the width of the SPEA on the property (the shade ZOS shifted south 30m is on the lake itself). Therefore, the resulting SPEA on the property is determined by the LWD, Bank and Channel Stability ZOS and the Litter Fall and Insect Drop ZOS, which are both 15m.

The SPEA is measured perpendicularly inland from the 164m elevation contour (the designated high water mark for Cowichan Lake), and in this case **the SPEA width is 15m** horizontal distance (as opposed to 15m following the slope).

Both the HWM and the SPEA have been located and marked on site by Kenyon Wilson Professional Land Surveyors (BCLS) – Please refer to the Site Plan in Section 3.

Note that the intention of the SPEA is for the protection and enhancement of riparian vegetation, for the purpose of providing the features, functions and conditions that support fish. Typically, the SPEA is to be considered a “no-go” zone, in which development is prohibited, and often it is encouraged and appropriate to install fencing or a hedge along a SPEA boundary. Where SPEAs have been historically disturbed, they should be enhanced through the removal of invasive plants and planting native species. Also under normal circumstances, trails within the SPEA are generally discouraged, and where deemed appropriate they should be no more than 1.5m in width and be laid out to minimize the impact on riparian vegetation and function. However, in this case the full intention of the SPEA cannot be realized, based on historic and continued land uses.

As described in Section 1, and discussed in further detail in the Encroachment Measures (Section 4), the majority of the SPEA has been previously cleared and landscaped. Its past and current use is as a lawn and garden area with a fire ring and seating. Although the SPVT or “potential” vegetation within the SPEA is treed (i.e. historically this area would have been forested, and if left alone the forest would recover over time), the landowner cannot be expected to forfeit their existing use of the property. As stated in Section 1.4.1 of the RAR Assessment Methods, “Landowners can continue to use their property as they always have even if a streamside protection and enhancement area is designated on it.” As such, **the existing lawn and seating areas can continue to be used as they have been.**

No new development is proposed or permitted within the SPEA. However, part of the existing use within the SPEA is considered to be a development activity – the removal, alteration, disruption or destruction of vegetation. In this case, maintaining the lawn and seating areas are considered uses that are permitted to continue within the SPEA. However, the **existing rooted native vegetation along the shoreline that has been cut back must be allowed to grow freely.** The several metre wide riparian area between the normal water level and the lower riprap retaining wall is not considered to have an existing use. As such, this area must be allowed to naturally revegetate, and enhancement in this area is encouraged. For further details, refer to the Encroachment Measures in Section 4 of this report.

Section 3. Site Plan

Insert jpg file below

Site Plan



RAR Assessment Site Plan

SCALE 1 : 200

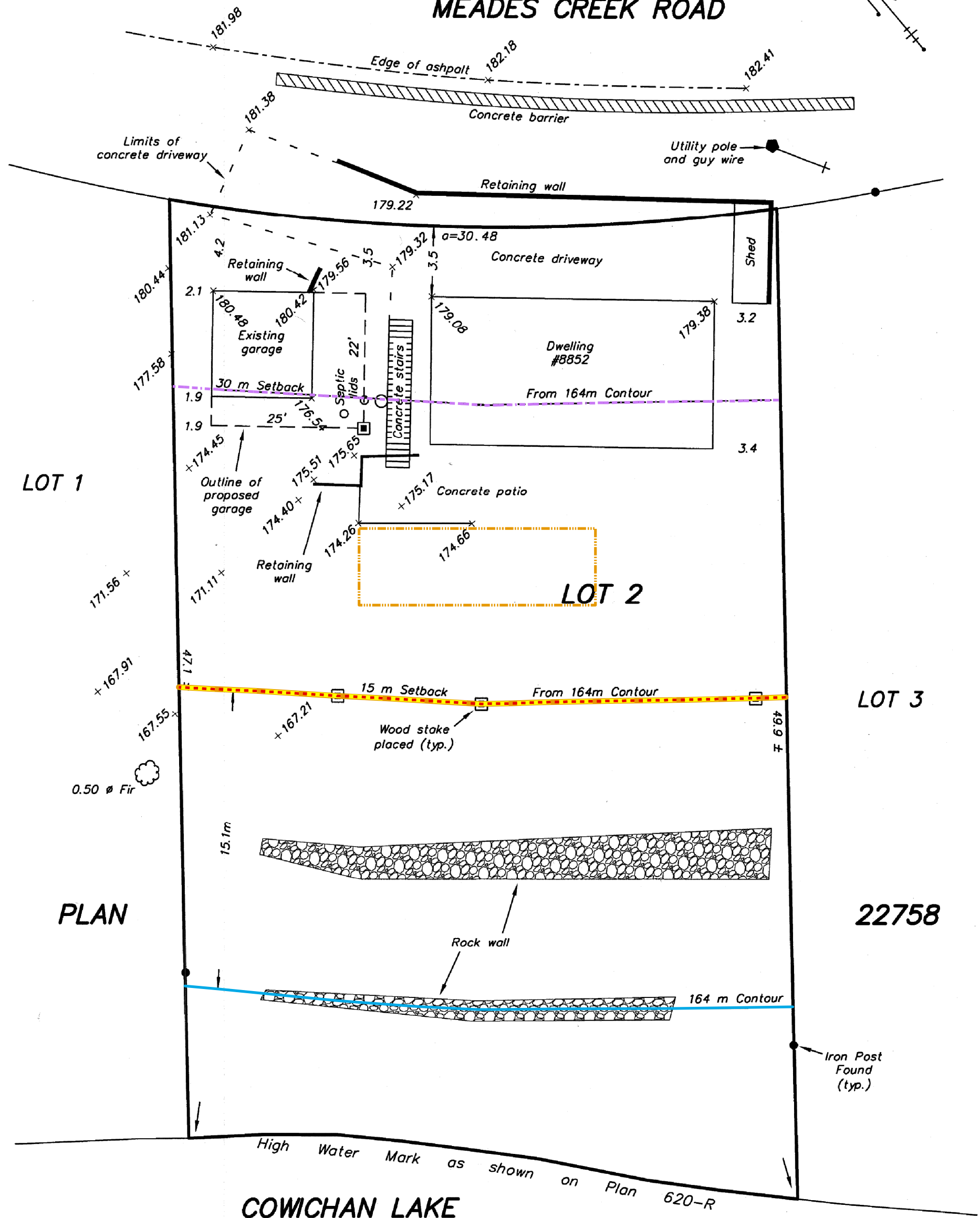
5 0 5 10 metres

All distances and elevations are in metres.

x denotes location of spot elevation.

Elevations are derived from BC Water Resources Service Benchmark 728 with a published elevation of 166.497 m.

MEADES CREEK ROAD



LEGEND

- 30m Riparian Assessment Area (RAA)
- 164m Contour High Water Mark (HWM)
- 15m Litter Fall and Insect Drop ZOS
- 15m Large Woody Debris ZOS
- 15m Streamside Protection and Enhancement Area (SPEA)
- Approximate Proposed Septic Footprint (~44m²)

KENYON WILSON
 PROFESSIONAL LAND SURVEYORS
 221 CORONATION AVENUE
 DUNCAN, B.C. V9L 2T1 (250)746-4745
 FILE: 17-8064_SK.dwg

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF before inserting into the assessment report. Use your “return” button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

<p>1. Danger Trees</p>	<p>One mature lodgepole pine was identified as a potential danger tree. It is located at the southeast corner property corner along the lakeshore. There are several weak branches that overhang the walkway down to the dock, which pose a hazard. The tree has been topped at some point. This may have been done to allow more sunlight into the yard, but by removing the upper part of the tree the risk of failure has also been lessened. The main tree trunk splits into three trunks approximately 1.5m above the ground. This is a weak structural arrangement that likely contains bark inclusions. The tree appears to be near the end of its lifespan.</p> <p>Three options are proposed to manage this potential danger tree:</p> <ol style="list-style-type: none"> 1. Remove the 3 largest, heavy overhanging branches and continue to monitor the tree for signs of weaknesses; 2. monitor the tree, especially in windy weather and be prepared for potential damage to the walkway; or 3. Remove the tree. <p>If the tree is removed, two trees must be planted to replace it. Lodgepole pine is an acceptable species for replanting but western redcedar or cottonwood (<i>Populus trichocarpa balsamifera</i>) are preferred. Trees for replanting must have a root ball size equivalent to a 2 to 5 gallon pot. Planting seedlings (plugs) is not acceptable in this location due to the shoreline’s exposure to wave action. Planting of several native shrubs (such as red-osier dogwood – <i>Cornus stolonifera</i>, ninebark, or hardhack – <i>Spiraea douglasii</i>) adjacent to newly planted trees is recommended to promote soil stability.</p>
<p>I, <u>Harry Williams, RPBio, Cert. Arborist, TRAQ</u>, hereby certify that:</p> <ol style="list-style-type: none"> a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation 	
<p>2. Windthrow</p>	<p>Generally, windthrow risk is a concern where a forest is cleared, leaving trees only within the riparian area. Risk is greatest where clearings are large, the edge formed by the remaining trees is straight and is relatively exposed to high wind speeds. Windthrow hazard depends on characteristics of the soil, topography, individual tree and stand of trees, as described in the Windthrow Handbook for British Columbia Forests (MoF 1994).</p> <p>The nature of the proposed tree removal for the garage expansion poses a relatively low risk in terms of windthrow, due to the following reasons:</p> <ul style="list-style-type: none"> • The majority of the property has been historically cleared of trees and the remaining trees are already exposed to storm winds. The trees have demonstrated that they are windfirm under these conditions since the historic clearing took place; .

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	<ul style="list-style-type: none"> • The focus trees inside the SPEA are Douglas-fir, which are a deep-rooting species in deep, well-draining soils, such as those present in this location. • Douglas-fir is very windfirm on dry sites, such as this one with well-draining soils and a steep southern exposure. • These trees appeared to have a moderate stem taper, moderate butt flare and small to medium sized crown. <p>Note that windthrow is a natural phenomenon and that trees are blown over even in uncut stands by high winds. As such, the risk of windthrow cannot be completely mitigated or eliminated. No significant increase in windthrow risk is expected to result from the clearing of trees for the garage expansion. However, no guarantees are made regarding the future occurrence of windthrow.</p>
<p>I, <u>Ian Wright, PAQ</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>3. Slope Stability</p>	<p>The cleared portion of the slope has been previously terraced with riprap retaining walls that appear to have been stable for years. Surficial material observed throughout the site is well-draining gravel and sand. Mature trees do not have 'J' shaped trunks that would indicate slope creep. No evidence of erosion, scouring, gullies, scarps, tension fractures, slumps or curved depressions, springs at the toe of slopes, or any deposits of colluvium were observed anywhere within the SPEA or RAA.</p> <p>The CVRD requires a geotechnical assessment to be completed for the construction of the new garage, and the proposed garage design to be approved by a structural engineer, to ensure that the building can be used safely. As long as the requirements set out in the geotechnical assessment are adhered to, there are no concerns in relation to protection of the SPEA from slope instability.</p>
<p>I, <u>Ian Wright, PAQ</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>4. Protection of Trees</p>	<p>Apart from the tree identified in this report as a danger tree, no trees are to be removed from the SPEA. As has been described in Section 1 and will be discussed further in the following Encroachment Measures, the majority of the tree canopy within the SPEA was cleared historically. The remaining trees around the perimeter of the property and lakeshore are therefore highly valuable and must be maintained.</p> <p>Given that nearly total encroachment into the SPEA has already occurred and the SPEA is being used for recreational purposes (see encroachment measures below), it is not reasonable to permanently fence off treed areas in the SPEA. Tree protection in the long term will rely on duly diligent management practices that must be adhered to as follows:</p> <ul style="list-style-type: none"> • Compost grass clippings and other yard waste away from tree roots. • Do not dump any materials organic or otherwise on top of the root

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	<p>zones of trees, as this seemingly harmless practice will stress and may slowly kill trees.</p> <ul style="list-style-type: none"> • Similarly, do not stockpile or store any materials such as the scrap wood and firewood at the southeast property corner on top of tree roots (Photo 20 – these materials must be moved outside of the drip line of these three Douglas-fir trees). <p>The SPEA is to be clearly identified with snow fencing during construction (septic and garage replacement). Trees that are within the SPEA but near the edge shall be given an added buffer from construction activities by placing the fence beyond the edge of the SPEA to encompass the drip line of these trees.</p>
<p>I, <u>Ian Wright, PAg</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
<p>5. Encroachment</p>	<p>SPEAs are intended as areas to be left in a natural state, or in cases where riparian areas have been historically disturbed they should be enhanced (i.e. removal of invasive plants and planting of native species). In general, SPEAs are to be considered a “no-go” zone in which development activities are prohibited.</p> <p>Development activities that are not permitted in the SPEA include the following:</p> <ul style="list-style-type: none"> • Removal, alteration, disruption or destruction of vegetation; • Disturbance of soils; • Construction of temporary or permanent structures; • Creation of non-structural impervious or semi impervious surfaces; • Flood protection works; • Construction of roads and trails; • Provision and maintenance of sewer/water services; • Development of drainage systems; and • Development of utility corridors. <p>Current land use within the SPEA includes a walkway for access to the dock, flat terraced lawn areas and a fire ring with a seating area. Native riparian vegetation within the SPEA is relatively sparse. Encroachment into the SPEA has already occurred through past and continuing land use, and the extent of the encroachment affects the majority of the SPEA.</p> <p>Although development activities have occurred within the SPEA in the past, no new development is permitted within the SPEA, and none is proposed. As stated in Section 1.4.1 of the RAR Assessment Methods, “Landowners can continue to use their property as they always have even if a streamside protection and enhancement area is designated on it.” As such, the existing lawn and seating areas can continue to be used as they have been.</p> <p>However, in cases such as this, the existing use within the SPEA is partially at odds with prohibited development activities, specifically the removal, alteration, disruption or destruction of vegetation. In order to balance these competing interests, the following are required measures to protect the SPEA from further encroachment:</p> <ul style="list-style-type: none"> • The existing native shrubs and sedges growing along the lakeshore

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	<p>must be allowed to grow freely. They appear to be cut back on a regular basis, which is impacting the features, functions and conditions that support fish in the lake. A 1.5m wide access for swimming from the beach is permitted; however, the remainder of the shoreline along the normal high water mark (similar to that observed during this assessment) must be allowed to naturally revegetate.</p> <ul style="list-style-type: none"> • Invasive plant species within the SPEA must be removed. Specifically, there are several Scotch broom plants near the shoreline at the southeast property corner. This does not apply to planted ornamentals or fruit trees. <p>Healthy native vegetation along the shoreline will provide direct positive contributions to fish habitat. Since the existing native vegetation along the shoreline is sparse, I recommend (not require), in addition to allowing the natural regeneration of this vegetation, planting the shoreline area below the lower riprap retaining wall. By doing this, the recovery of a minimally-functioning riparian area would be accelerated, which would be a significant improvement to the existing fish habitat. This would fulfill the “enhancement” intent of the SPEA, while avoiding any infringement upon the continuing use of the property.</p> <p>Note that by complying with the requirement to allow the natural recovery of native plants along the shoreline, these plants will eventually spread to cover the low bench area below the riprap. Planting is recommended to speed up the process. Functioning riparian zones not only provide important functions with regard to fish habitat, but also provide important ecological functions that can help protect property values. These functions are often overlooked, but healthy riparian zones can result in significant financial savings for waterfront property owners.</p>
<p>I, <u>Ian Wright, PAg</u>, hereby certify that:</p> <ol style="list-style-type: none"> I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>; I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation 	
<p>6. Sediment and Erosion Control</p>	<p>Sediment and erosion control is typically a major concern on steep sloped sites. The risk of erosion and sediment control issues during construction of the proposed development on this property is buffered by the existing terraces and the well-draining soils. Surface flows from heavy rains or groundwater from excavations will slow down on the flat terraces and will infiltrate unless the soils are fully saturated. However the terraces do not extend fully to the west property boundary and would not intercept surface flow from the garage foundation excavation. Along this west side, the slope flattens out near the bottom before the lakeshore, providing a reasonable buffer for infiltration.</p> <p>Because of the site conditions described above, it is highly unlikely that erosion would occur within or adjacent to the SPEA or that sediment-laden water would enter the lake as a result of construction under normal conditions. As such, erosion and sediment control measures necessary for the proposed development will likely be minimal, and will include the following:</p> <ul style="list-style-type: none"> • Schedule excavations and other soil-disturbing activities during a dry weather window – do not proceed if there is significant rainfall forecasted.

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	<ul style="list-style-type: none"> • If a significant rainfall event occurs while soils are exposed (i.e. open excavations with >20mm rain in 24 hours), you must retain a Qualified Environmental Professional to monitor the site conditions and provide directions to prevent erosion and sediment control, as necessary (See Section 5 of this report – Environmental Monitoring). <ul style="list-style-type: none"> ○ Some example erosion and sediment control measures that the Environmental Monitor may require include covering exposed soils and stockpiles with tarps, mulching exposed soils with straw, and installing temporary stormwater swales to intercept runoff. • Mulch and plant or seed all exposed soils upon completion of the new septic installation and garage construction. Mulch may be straw, bark mulch, wood chips, etc. Either seed the disturbed soils with your preference of grass seed, or plant with shrubs.
<p>I, <u>Ian Wright, PAg</u>, hereby certify that:</p> <ol style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation 	
<p>7. Stormwater Management</p>	<p>As mentioned above, surficial soils on the property are generally coarse and well-draining, and the terraces and natural slope breaks provide ample opportunity for the infiltration of runoff. The proposed increase in the footprint of the garage will result in an approximate increase in impervious roof surfaces of 25m². Existing roof leaders from the house and garage are directed to ground, and the perimeter drain from the house is conveyed in a 3" PVC pipe that discharges atop the third terrace up from the lake. There are no signs of erosion, scouring or continuous overland flow downslope from the perimeter drain outlet, indicating that all runoff from the roof has been infiltrating without issue. As such, the minor increase in roof area is not expected to result in any stormwater management concerns. All stormwater from the impervious surfaces on site must be directed to the ground to infiltrate in a way that is consistent with the geotechnical and structural engineering requirements of the new garage.</p>
<p>I, <u>Ian Wright, PAg</u>, hereby certify that:</p> <ol style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation 	
<p>8. Floodplain Concerns (highly mobile channel)</p>	<p>The SPEA for this property is measured from the 164m elevation contour line, which is the average high water level or 1 in 5 year flood level. Thus, normal flood levels are confined to a 2 to 3m wide strip of riparian area between the normal water level and the lower riprap retaining wall. The 200 year flood elevation is 167.33m, which would extend approximately 13m inland from the 164m contour (2m short of the SPEA boundary). There are no floodplain concerns in relation to the proposed development.</p>
<p>I, <u>Ian Wright, PAg</u>, hereby certify that:</p> <ol style="list-style-type: none"> a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Ken Neal</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation 	

Section 5. Environmental Monitoring

Environmental Monitoring

- Environmental monitoring **will not be required** for this development if **soil disturbance stages of construction are completed during dry weather**.
- Construction works, particularly **all excavation works, must be scheduled during a forecasted dry weather window**.
- If excavations are in progress and/or soils are exposed and there is forecasted rain, **all exposed soils and stockpiles must be covered with tarps or mulch** (i.e. thick layer of straw or woodchips).
- **If a significant rainfall event (>20mm in 24 hours) occurs** during the excavation stage of construction or if there are exposed soils, the proponent must retain a Qualified Environmental Professional to conduct a site assessment to evaluate the risk of erosion and sedimentation within the SPEA and in relation to Cowichan Lake. The proponent must follow the direction of the Qualified Environmental Professional and implement any measures they prescribe, as necessary, to protect the integrity of the SPEA and water quality in Cowichan Lake. Needs for further environmental monitoring will be determined by the Qualified Environmental Professional.

Post-Construction Assessment

- A post-construction assessment should be conducted by a Qualified Environmental Professional after the proposed development activities are completed.
- This assessment will serve to confirm whether the SPEA has been protected throughout the construction process, and that the measures detailed in this report have been followed.
- A Post-Construction Assessment Report can provide the proponent with proof of compliance with the RAR and Watercourse DPA requirements.

Section 6. Photos



Photo 1 – Front of the existing garage.



Photo 2 – West side of the existing garage, looking downslope from the front.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 3 – East side of the existing garage.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 4 – Looking towards the southeast corner of the existing garage.



Photo 5 – Looking upslope towards the south side of the existing garage.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 6 – Looking south from the existing house down to Cowichan Lake.

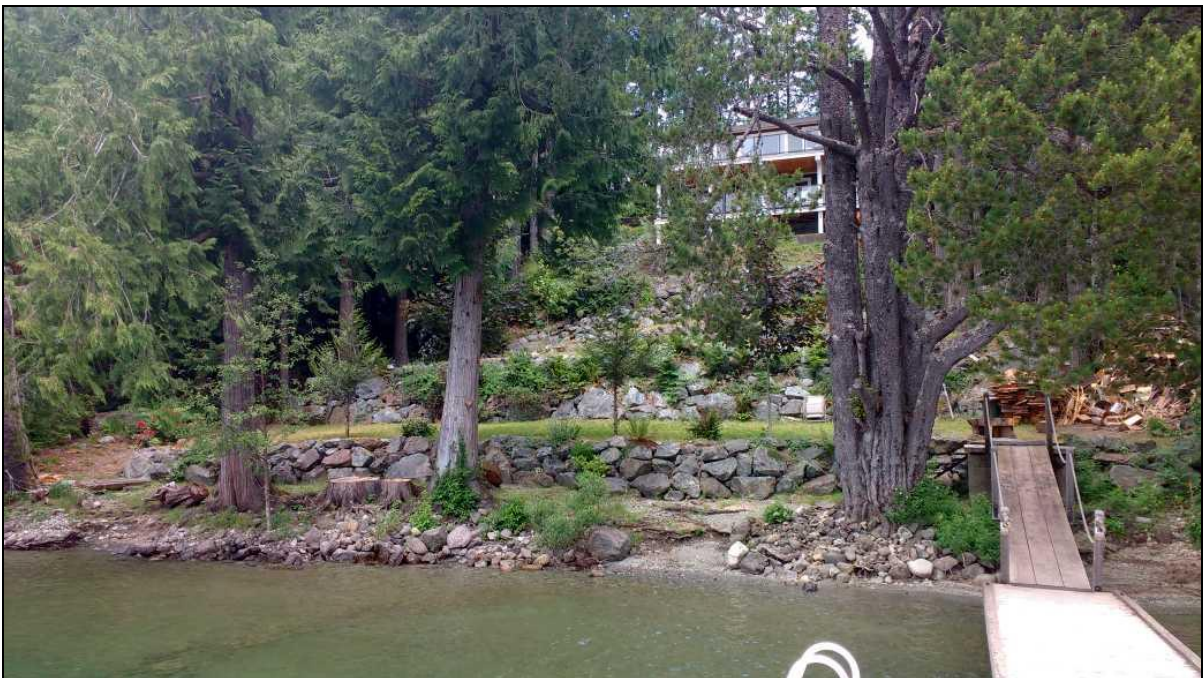


Photo 7 – Looking north from the existing dock towards the shoreline and steeply sloped property with the existing house in the background.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 8 – Looking along the shoreline towards the neighbouring properties to the east.



Photo 9 – Looking along the shoreline towards the neighbouring properties to the west.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 10 – Looking upslope towards the house from the base of the third riprap retaining wall up from the water's edge.

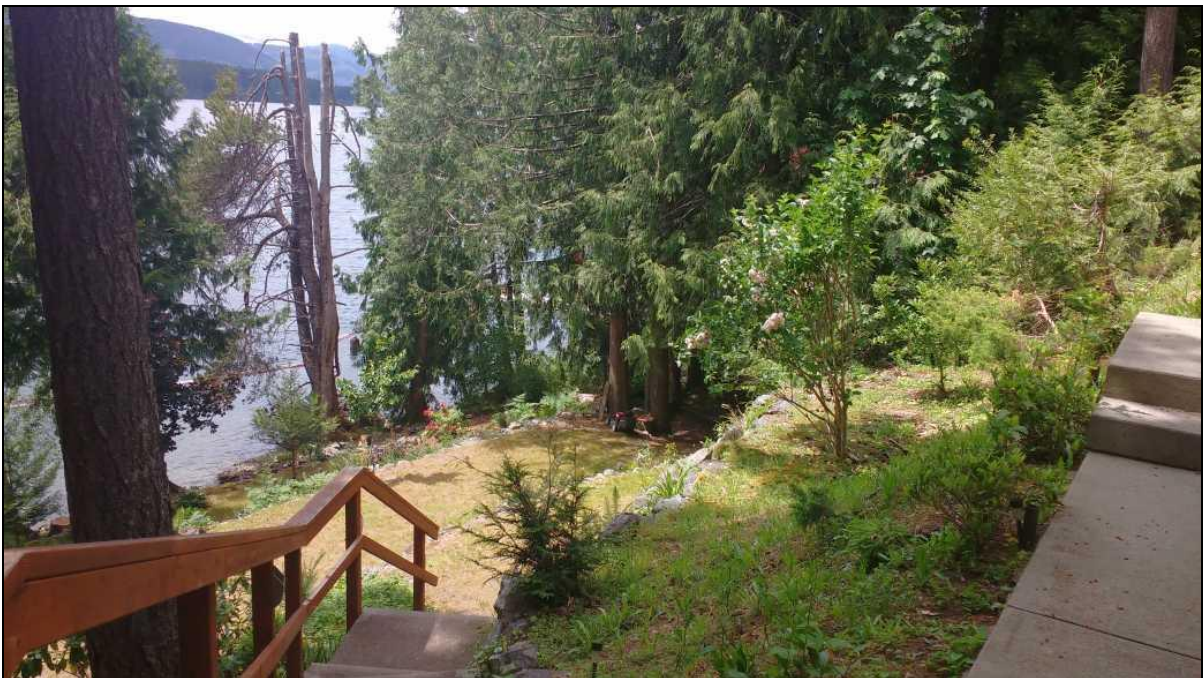


Photo 11 – Southwest view from the top of the stairs at the southeast corner of the existing house.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 12 – Looking east along the second and third terrace up from the lake.



Photo 13 – Looking west along the top of the second riprap retaining wall up from the lake.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 14 – Looking northwest at the third and fourth riprap retaining walls up from the lake, taken from the second terrace at the east property boundary.



Photo 15 – Looking west along the first terrace and second riprap retaining wall up from the lake.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 16 – Looking west along the first terrace and second riprap retaining wall up from the lake.



Photo 17 – Looking west along the first riprap retaining wall along the lakeshore.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 18 – Looking east along the first terrace and second riprap retaining wall up from the lake.



Photo 19 – Fire ring, seating area and scrap wood at the southeast property corner beside the lakeshore.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 20 – Fire ring, seating area, scrap wood and firewood at the southeast property corner beside the lakeshore. The lock block retaining wall is on the neighbouring property to the east.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

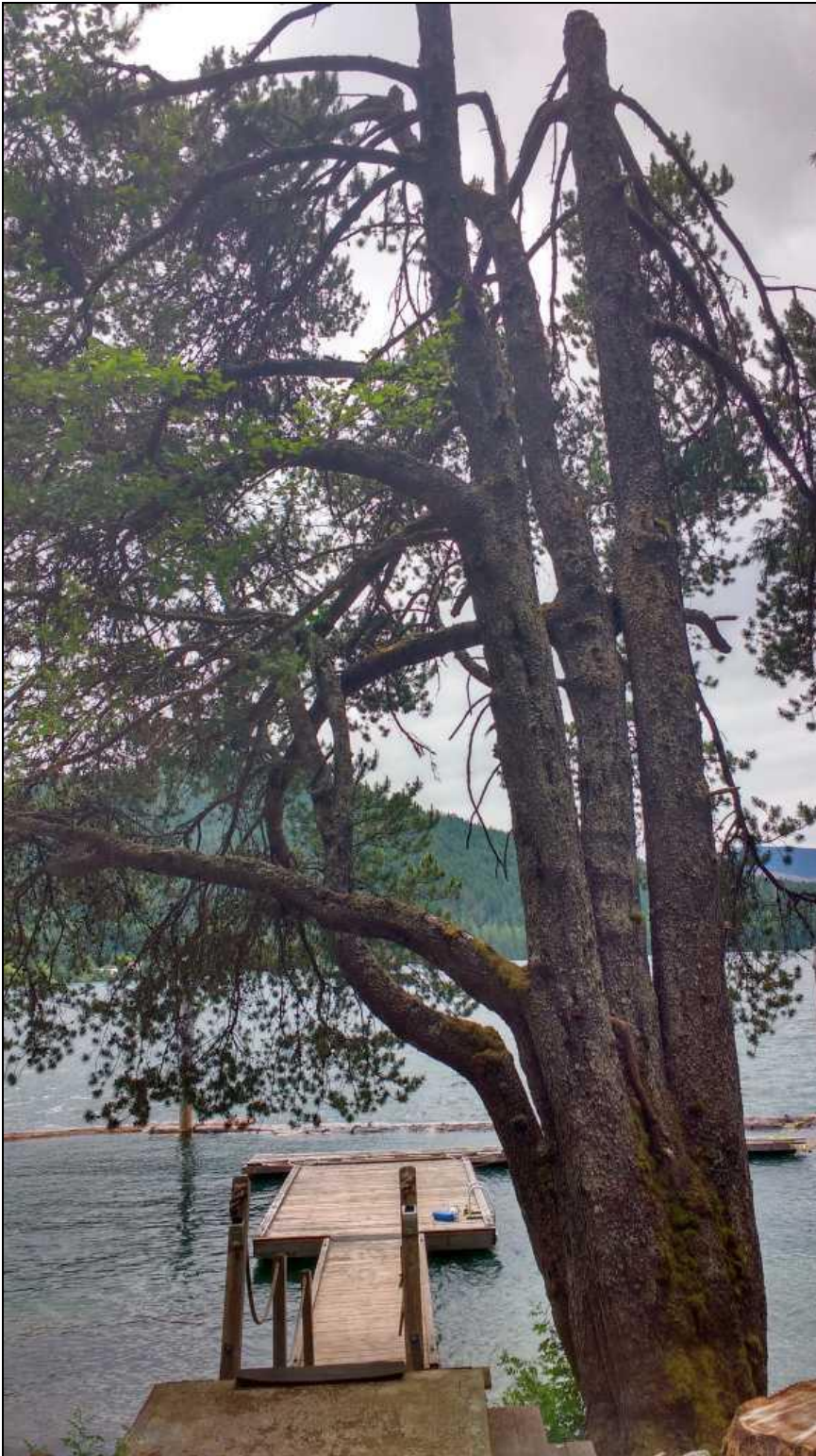


Photo 21 – View of the walkway to the dock and lodgepole pine tree with weak and potentially hazardous branches that should be removed. The trunk structure is also weak and as such this has been identified as a danger tree that is approved for removal (subject to replanting).

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 7. Professional Opinion**Assessment Report Professional Opinion on the Development Proposal's riparian area.**Date 1. I/We Ian Wright, PAg, and Harry Williams, RPBio

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Ken Neal, which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR** (Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
- b) if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.]

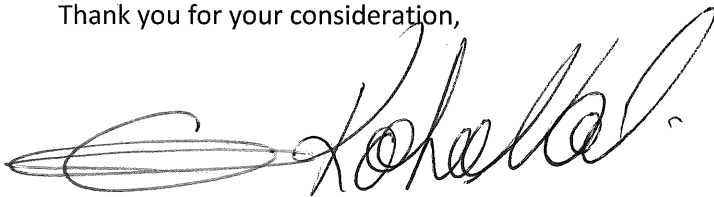
May 17, 2017

We are the owners of 8852 Meade's Creek Rd. We have sold our present home and plan on relocating to 8852 Meade's Creek Rd. The present garage that was built in 1975 was built on post and beams with a foundation wall facing Meades Creek Road. It is in a poor state and we feel that is beyond repair due to the fact that it is heavily rotted out and would not come close to meeting today's building codes. We don't feel this existing structure is safe to park a vehicle in & due to the extreme grade of the property parking is limited & we are required to park 1 of our vehicles on the street. We would like to build a new garage in the same location. We would like to build it approximately 22 feet deep and 25 feet wide extending it back towards the lake and towards the house, but at the same time keeping the same front and side yard setbacks as it was built in 1975, as shown on the site survey attached Dated September 13, 1983.

We would like to replace the original septic system and field on the property in a location below. The only feasible way to access a location to do this is to remove the garage and re build. This property is a steep sloping property from the road and the only possible location for a garage is where it is now. My Neighbor to the East is in a similar predicament and plans on rebuilding his garage in the future as well. Due to the steep slope the garage will have to have a full foundation and be suspended and engineered. The zoning states the height of the building can only be 6 meters from the average existing grade of the 4 corners of the building. I would like to have the front of the garage facing Meades Creek road to be no more than the 6 Meters in height so I can have a 9 foot high garage with a roof structure above. This will also require a variance as the back of the building would be much higher due to the grade.

We feel our property fits the criteria for a variance for the following reasons. 1. The steepness of the property makes it impossible to remediate these issues without a variance. 2. We will be protecting the environment by installing a modern septic system that will have no impact on the lake, and 3. The present structure is a safety concern to our property, guests and the neighboring property.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Ken and Kari Neal', with a large, stylized flourish on the left side.

Ken and Kari Neal

Rachelle Rondeau

From: Michael.Iddon@forces.gc.ca
Sent: Wednesday, May 31, 2017 8:13 AM
To: Emily Young
Cc: ken@kenneal.com
Subject: VARIANCE REQUEST - 8852 MEADE CREEK RD
Attachments: Ken Neal Variance Letter 23 may 2017.docx

Follow Up Flag: Follow up
Flag Status: Completed

Good morning Ms. Young,

Find enclosed a letter in support of Mr. Ken Neal's request for a variance.

If you have any questions, please don't hesitate to contact me at the numbers listed below.

Regards

Mike

Michael Iddon, CRSP
Formation Respiratory Protection Program Officer CFB Esquimalt Fire Department CFB ESQUIMALT | BFC ESQUIMALT
National Defence | Défense nationale Victoria, Canada V9A 7N2

Michael.Iddon@forces.gc.ca
Telephone | Téléphone 250-363-1920
Cell | Cell 250-888-4096

Michael Iddon
1118 Gracewood Terrace
Victoria, BC
V8X 4Z5

Emily Young
Cowichan Valley Regional District
175 Ingram Street
Duncan, BC
V9L1N8

23 May 2017

RE: VARIANCE REQUEST - 8852 MEADE CREEK RD.

Dear Ms. Young,

I am the owner of 8858 Meade Creek Road. My neighbor is Mr. Ken Neal who is the owner of 8852 Meade Creek Rd.

During recent discussions with Mr. Neal, it is my understanding that he is requesting a variance which will allow him to construct a new garage which exceeds the current allowable side yard, front yard and height restrictions. Mr. Neal's property is similar to mine in that the grade is very steep which makes construction challenging if not impossible while at the same time maintaining current building regulations.

The existing garage structure on Mr. Neal's property is in a state of severe disrepair and it is not fiscally reasonable to attempt a reconstruction of the structure.

Mr. Neal and I share a portion of driveway to our respective properties however parking is always difficult because of the limited space. These are lakefront homes and the coming and going of guests during the summer months is a common occurrence. Mr. Neal's garage plan will eliminate some of the parking problem because it will remove the necessity for people to park on the street which is currently an added danger to traffic and pedestrians.

Concurrently, Mr. Neal also plans to have a new engineered septic system which will be in close proximity to the new garage structure. The existing field is original and requires upgrading to a more modern system which will preclude possible contamination to the surrounding grounds or the lake. This is of significant importance considering many of the local residents use the lake as their source of potable drinking water.

I have spoken with Mr. Neal and I am in full support of his proposed building plan. As a stipulation, I have requested that Mr. Neal hire a survey company to identify the property boundary so the correct buffer distances can be maintained between our two properties to which he has agreed.

To date Mr. Neal has done a considerable amount of work to his home. The work he does is tasteful and has enhanced to overall beauty of the area. Therefore, I have full confidence that any future work will be of the same high caliber.

I am a qualified Health Inspector and professional Safety Officer; therefore I can attest that these changes Mr. Neal is proposing are of a benefit to not only himself, but also to the surrounding area and his neighbors. If you have any questions with regard to the content of this letter, please contact me at (H) 250 658-6299 or (C) 250 888-4096.

Regards

Michael Iddon, CRSP



PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Saanich Area Office
240-4460 Chatterton Way
Victoria, British Columbia V8X 5J2
Canada

("The Minister")

AND:

Ken e Neal
8852 Meades Creek Road
Youbou, British Columbia V0R 2N0
Canada

("The Permittee")

WHEREAS:

A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow an accessory building within the 4.5m setback from Meades Creek road, labeled as "Outline of proposed grage" on survey plan completed by Kenyon Wilson on June 30th, 2017, submitted with the application.

C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
3. Permitted structure must be constructed in accordance with attached location plan.
4. By accepting this permit the permittee acknowledges that all maintenance, repair and replacement of the permitted structure is the full responsibility of the permittee. Additionally the permittee must carry all applicable building permits and insurance for the permitted structure.



The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Victoria, British Columbia, this 25 day of July, 2017

On Behalf of the Minister



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMITFILE NO: 01-I-17DVP

DATE: _____

REGISTERED PROPERTY OWNER(S):KEN AND KARI NEAL

1. This Development Variance 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 Variance Permit applies to and only to those lands within the Regional District described below:

Lot 2, Block 488, Cowichan Lake District, Plan 22758 (PID: 000-060-798)

3. **Authorization is hereby given for construction of an accessory building in accordance with the following requirements:**
 - Development shall occur in accordance with the attached Schedules;
 - Section 5.12(4) of Zoning Bylaw No. 2465 is varied by reducing the front parcel line setback from 7.5 metres to 3.5 metres, and by reducing the interior side parcel line setback from 3.0 metres to 1.9 metres;
 - Section 5.12(5) of Zoning Bylaw No. 2465 is varied by increasing the maximum permitted height of an accessory building from 6 metres to 8.5 metres.
4. The following plans and specifications are attached to and form a part of this permit.
Schedule A – Site Plan
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. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Planning & Development Department.

AUTHORIZING RESOLUTION XXXX PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE XST DAY OF MONTH, 2017.

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 of the Development Variance 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 KEN AND KARI NEAL other than those contained in this Permit.

Owner/Agent (signature)

Witness (signature)

Print Name

Print Name

Date

Date

DRAFT



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 28, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017

FROM: Inspection & Enforcement Division
Planning & Development Department

SUBJECT: Soil Deposit Bylaw

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to update the Committee on the work completed to date pertaining to the proposed Soil Deposit Bylaw, and to advise the Committee of the next steps in its development and to seek three readings of the draft bylaw.

RECOMMENDED RESOLUTION

That it be recommended to the Board that first, second and third readings be given to the draft CVRD Soil Deposit Bylaw and that the draft bylaw be forwarded to the Province for review.

BACKGROUND

As a key priority of the Electoral Area Services Committee (EASC), it has been established that the CVRD requires a soil deposit bylaw to provide the ability to respond to soil deposit activities throughout the Regional District. Work on this project is nearing completion.

A staff report was presented to the Committee at a regular meeting on July 5, 2017, (see as attachment C) which introduced the proposed draft CVRD Soil Deposit Bylaw, and sought direction on a number of issues.

Following this direction, the proposed draft bylaw was updated and sent to CVRD legal counsel for review.

ANALYSIS

Following the legal review, CVRD legal counsel recommended that the CVRD follow specific process which is to grant first, second, and third readings of the draft bylaw, prior to, submission to the Province for review. After readings had been obtained, a report including the draft bylaw and a resolution should then be submitted to the Province for review. Submissions will be made to both the Ministries of Mines and Energy, and Environment this review may take up to six months to complete.

No Public Hearing is required for the proposed bylaw because it does not fall under the categories defined within the *Local Government Act S. 890*; adopting or amending official community plans, zoning bylaws or rural land use bylaws. However, this bylaw does require Ministerial approval due to the fact that there is a prohibition component included which is soil regulation.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with establishing a bylaw. However, there may be costs associated with administering it.

COMMUNICATION CONSIDERATIONS

Following Provincial review and approval, the bylaw will be communicated using the CVRD website, local media and other methods.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Adoption of a soils bylaw is a Key Electoral Area priority.

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

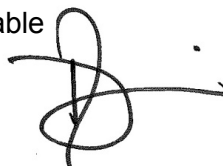
Prepared by:

Reviewed by:



Robert Blackmore, BSc., MSc.
Manager

Not Applicable
Not Applicable



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

ATTACHMENTS:

- Attachment A – Draft CVRD Soil Deposit Bylaw
- Attachment B – Schedule E Watershed map
- Attachment C – Staff Report to Committee July 5, 2017



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4147

A Bylaw to Regulate the Deposit of Soil on Lands Within Electoral Areas

WHEREAS the Board of the Cowichan Valley Regional District established the service of Removal and Deposit of Soil under the provisions of Bylaw No. 3947, cited as "CVRD Bylaw No. 3947 – Removal and Deposit of Soil Service Establishment Bylaw, 2015";

AND WHEREAS Section 327 of the *Local Government Act* authorizes a Regional District to regulate or prohibit the removal of soil, including sand, gravel, and rock, and the deposit of soil and other materials on any land within the electoral areas, to make different regulations and prohibitions for different areas, and to require permits and impose fees;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to regulate the deposit of soil and other materials within its Electoral Areas;

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

1. **CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 4147 – Soil Deposit Bylaw, 2017**".

2. **DEFINITIONS**

In this bylaw, the following definitions apply:

AGENT means a person who has been authorized in writing by an owner to apply for a permit on the owner's behalf.

APPLICANT means an owner, or their agent, who has completed the permit application and has paid the prescribed fee.

APPLICATION means an application for a permit to deposit soil, in the form of Schedule "B" to this Bylaw.

APPROVED PROFESSIONAL means a professional engineer, geoscientist, agrologist, biologist or other registered professionals who are qualified to provide a report or certification as to soil and site contamination, and for certainty includes a person who is on the Roster of Approved Professionals as maintained by the Ministry of Environment for the purposes of the Contaminated Sites Regulation.

BOARD means the Cowichan Valley Regional District Board.

BUILDING OFFICIAL means a Registered Building Official employed by the Cowichan Valley Regional District to administer and enforce the Cowichan Valley Regional District Building Bylaw.

BUILDING PERMIT means a permit issued under authority of the Cowichan Valley Regional District Building Bylaw.

BYLAW ENFORCEMENT OFFICIAL means a person designated by the Board to administer and enforce bylaws within the Cowichan Valley Regional District.

COMPOST means a product which is:

- (a) a stabilized earthy matter having the properties and structure of humus;
- (b) beneficial to plant growth when used as a soil amendment;
- (c) produced by composting; and
- (d) primarily derived from organic matter.

CONTAMINATED SITES REGULATION means the Province of British Columbia's Contaminated Sites Regulation.

CONTAMINATED SOIL means the presence in soil of a hazardous waste or another prescribed substance in quantities or concentrations that would, if deposited on land, exceed the allowable standards under the Contaminated Sites Regulation.

DEPOSIT means the placement, storage, filling, spilling or releasing, directly or indirectly, of soil or other material on a parcel in an Electoral Area where the soil or other material was not previously located.

CVRD means the Cowichan Valley Regional District.

ELECTORAL AREA means Electoral Areas A, B, C, D, E, F, G, H and I of the Cowichan Valley Regional District, either singularly or in any combination, as the context requires.

ELECTORAL AREA SERVICES COMMITTEE means the standing committee of the CVRD Board of that name.

GENERAL MANAGER means the General Manager, Land Use Services Department, Cowichan Valley Regional District, or a person authorized to act on his or her behalf.

HOLIDAY means:

- (a) Sunday,
- (b) Christmas Day, Good Friday and Easter Monday,
- (c) Canada Day, Victoria Day, British Columbia Day, Labour Day, Remembrance Day, Family Day and New Year's Day,
- (d) December 26, and
- (e) a day set by the Parliament of Canada or by the Legislature, or appointed by proclamation of the Governor General or the Lieutenant Governor, to be observed as a day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday.

INDUSTRY includes, but is not limited to, businesses that import soil, sand or gravel for the purposes of commercial resale, blending or other purpose.

NATURAL BOUNDARY means the visible high-water mark of a watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

OTHER MATERIAL includes, but is not limited to;

- (i) construction, reconstruction, renovation, building, demolition and road works wastes of any nature;
- (ii) hog fuel, edgings, or other wood waste which results from the manufacturing process of lumber or other wood products;
- (iii) land clearing wood waste, consisting of stumps, brush, and logs or any other material derived from land clearing activity;
- (iv) waste material derived from any commercial or industrial activity;
- (v) yard and garden waste;
- (vi) top soil, gravel, sand, rock, silt, clay, peat, sediment and other natural substances containing any invasive species; and
- (vii) top soil, gravel, sand, rock, silt, clay, peat, sediment and other natural substances containing contaminants from a Schedule 2 activity, as set out in the Contaminated Sites Regulation.

ORGANIC WASTE means biodegradable, compostable waste of plant or animal origin from domestic or industrial sources.

PARCEL means a lot, block or other area in which real property is held or into which real property is subdivided, and includes a strata lot created under the *Strata Property Act*, with the exception of a strata plan that contains strata lots, all the boundaries of which are coterminous with the walls of a building, with the exception of a balcony or a private exterior space that does not exceed 20% of the total floor area of the strata lot.

PERMIT means the written authority in the form attached as Schedule "C" to this bylaw issued by the General Manager for the deposit of soil on any parcel in an Electoral Area.

PERMIT AREA means the area of land over which the soil deposit occurs, or is proposed to occur, within the subject parcel.

PROVINCE means the Province of British Columbia.

REGISTERED PROFESSIONAL means an, engineer, geoscientist, agrologist, environmental consultant, soil scientist, biologist, or land surveyor who is registered with a professional association that is regulated by a statute, appointed to act in the capacities described under the sections of this bylaw requiring a registered professional, and within whose field of expertise they are qualified to offer expert advice.

REMOVAL OR REMOVE means to take, excavate, or extract soil from a lot on which it exists or has been deposited.

RIPARIAN AREA means all areas of a parcel that are within 30 meters of the natural boundary of a watercourse.

SOIL means clay, silt, topsoil, sand, gravel, cobbles, boulders, peat or other substance of which land is naturally composed, down to and including the bedrock and any other combination of these substances, that is free of manure from animals and household or farm compost material.

STOCKPILE means a man-made accumulation of soil or other material held in reserve for future use, distribution or removal.

SECURITY DEPOSIT means a cash deposit, certified cheque or irrevocable letter of credit provided by the applicant to ensure all works carried out in compliance with the conditions

of the bylaw.

UNSUITABLE MATERIAL means any rubbish, derelict vehicle, metals, demolition wastes, garbage or waste materials, including containers, packages, bottles, cans or parts thereof; or any abandoned or discarded article, product or goods of manufacture, other than minor amounts of concrete, asphalt and pipe that are removed as part of an excavation process and cannot be screened or removed from the excavated soil by any commercially reasonable method.

WATERCOURSE means a permanent or non-permanent (containing water at least six months of the year) source of water supply that is natural or man-made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well-defined banks and a bed of 0.6 m or more below the surrounding land serving to give direction to or containing a current of water but does not include a man-made pond that does not connect to a stream.

WATERSHED AREA means all those lands within the Electoral Areas that are shown outlined and labelled as “watershed areas” on Schedule E to this bylaw.

WOOD WASTE means wood residue in mechanically shredded form and includes sawdust, hog fuel, bark, chips, slabs, shavings, trimmings, edgings, or other such waste which is the result of any manufacturing process involved in the production of lumber or other wood products.

2.0 PURPOSE

This bylaw has been enacted for the purpose of regulating the deposit of soil within all Electoral Areas of the Cowichan Valley Regional District in the general public interest. This bylaw regulates the deposit of soil that originates internally within the CVRD, and soils being deposited from external sources.

The purpose of this bylaw does not extend:

- (a) to the protection of owners, occupiers or persons involved in the deposit of soil from economic loss;
- (b) to the assumption of the Cowichan Valley Regional District or any officer or employee of the Cowichan Valley Regional District of any responsibility for ensuring compliance by a person involved in the deposit of soil on land, his or her representatives, or any employees, contractors, or agents with this bylaw, or any other enactments applicable to the deposit of soil or the development of land;
- (c) to providing any person with a warranty that any deposit of soil will not violate this bylaw, any other enactment or create any nuisance of any type.
- (d) To relieve any person of the responsibility for removing any soil that has been deposited contrary to this bylaw or a permit issued under this bylaw.

3.0 APPLICATION

This bylaw applies within Electoral Areas A, B, C, D, E, F, G, H and I of the Cowichan Valley Regional District.

4.0 SEVERABILITY

If any section, subsection, sentence, paragraph, or schedule forming part of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the section, subsection, paragraph, or schedule may be severed from the bylaw without affecting the validity of the bylaw or any portion of the bylaw or remaining schedules.

5.0 INCORPORATION OF SCHEDULES

Schedules "A", "B", "C", "D", and "E" attached hereto are hereby made a part of this bylaw.

6.0 PROHIBITIONS

6.1 No person shall do any of the following anywhere in an Electoral Area:

- (a) unless an exemption under Section 7.1 applies, cause or permit the deposit of soil or other materials on any parcel, unless a permit allowing the deposit has first been obtained under this bylaw;
- (b) cause or permit the deposit of unsuitable material or contaminated soil on any parcel, except as permitted under this bylaw.

6.2 No person shall deposit soil within the watershed area unless the deposit is:

- (a) authorized under a development permit issued by the Cowichan Valley Regional District; and
- (b) authorized under the terms of permit or approval issued by the Province; or
- (c) exempt from the requirement for a permit under Section 7.1 of this bylaw.

7.0 PERMIT EXEMPTIONS

7.1 A person may deposit soil onto a parcel without a permit under this bylaw provided that at least one of the following conditions is satisfied:

- (a) All of the soil to be deposited is, in the opinion of a Building Official, necessary for the construction of basements, footings and foundations or the installation of works and services including septic fields and driveways in conjunction with a construction project for which a building permit has been issued and remains in force. Where the Building Official has reason to believe that the soil may be Contaminated Soil, a report of an approved professional may be required demonstrating that the soil to be deposited is free from contamination;
- (b) All of the soil to be deposited is, in the written opinion of an "authorized person", as defined under the Sewerage System Regulation, required for the maintenance, repair or replacement of a septic tank or field and associated works and is free from contamination;
- (c) If the soil deposit is not subject to the exemption under sub-section 7.1(a):
 - a. the total quantity of soil deposited for any purpose on the parcel is less than 10 m³ in any calendar year; or
 - b. The soil is sourced from a certified mine with a valid BC Mine Permit number, and such soil is free from contamination;
 - (d) The deposit of soil is authorized under a Contaminated Soils Relocation Agreement, under the Contaminated Sites Regulation, between the person depositing the soil and the Province, provided that the person depositing the soil provides the Cowichan Valley Regional District with the following before depositing the soil:
 - a. a copy of the Contaminated Soils Relocation Agreement;
 - b. all relevant documentation confirming the source of the soil and the nature and extent of contamination including trucking manifests, soil analysis reports, and reports of Registered Professionals;
 - c. the written assurance of the person depositing the soil that the terms and conditions of the Contaminated Soils Relocation Agreement and all other applicable statutes and regulations will be complied with;
 - (e) If the deposit is required for the construction or repair of works, roads, highways or services by or on behalf of the Cowichan Valley Regional District, its member municipalities or the Ministry of Transportation and Infrastructure, and the deposit is onto a parcel owned or leased by one of these authorities;
 - (f) If the deposit is to a parcel owned or leased by the government of Canada or the Province, excluding in all cases the deposit onto a parcel that is leased or licensed by the Province to a third party;

- (g) If the soil is being relocated within the boundaries of the parcel from which it originates;
- (h) If the soil is deposited on land used for commercial landscape supply, horticultural use or as a nursery in compliance with the applicable Zoning Bylaw and the *Agricultural Land Commission Act*, and such deposit is necessary as part of the business operations of the landscape supply, horticultural or nursery operation;
- (i) The soil is being used for the reclamation of a mine, as regulated by the Ministry of Mines;
- (j) The importation of soil, sand or gravel that has been certified by the Ministry of Mines for the process of industrial blending with blast rock and gravel for re-sale;
- (k) Deposit or importation of soil, sand or gravel that has been certified by the Ministry of Mines as clean for the purposes of farming, golf courses, stables or other appropriate use.

7.2 The onus of demonstrating compliance with Section 7.1 shall be at all times on the person undertaking the deposit of soil, who shall provide to General Manager, on request, sufficient documentation to confirm that the person meets the conditions for an exemption under Section 7.1.

8.0 PERMIT APPLICATION REQUIREMENTS

8.1 Every applicant for a permit must file with their application the following information about the parcel on which the permit area is located, as follows:

- (a) the street address;
- (b) the legal description;
- (c) a title search obtained no more than thirty days prior to the application, together with copies of all registered encumbrances;
- (d) copies of any water licences appurtenant to the parcel;
- (e) the name of the registered owner;
- (f) the signature of the applicant and the owner if the owner is not the applicant;
- (g) the applicable security deposit and permit fees in accordance with Schedule "A" to this bylaw;
- (h) a plan of the property showing the location of any structures, the area where soil is to be deposited, and the access points to and from the property;
- (i) the volume of soil to be deposited;
- (j) the legal description and street address, (regional area for the industry deposits) of the site from which the soil originates;
- (k) the proposed completion dates for stages of soil deposit, if applicable;
- (l) except for soil deposits of 10m³ or less, a detailed description of the source of the soil and its contents, and a report certified by an authorized professional that the soil is not contaminated soil the distance from the permit area to the nearest watercourse, and the name of watercourse or waterbody;
- (m) a report prepared by a Registered Professional as to the soils underlying the permit area: whether permeable, or whether a water restricting layer like hardpan or bedrock is present;
- (n) a vegetation remediation plan prepared by a Registered Professional for the management or remediation of the permit area in the event that any invasive species are introduced to the permit area as a result of the deposit of soil;

8.2 In addition to the requirements of Section 8.1, every applicant for a permit who intends to deposit 10 m³ or more of soil on a parcel within a calendar year must provide the report of a Registered Professional and a site remediation plan, which report must include the following:

- (a) plans, drawn to a scale of not less than 1:1000, showing the existing contours with contour intervals of not more than two (2) metres; and the location of buildings or structures; watercourses, tree cover, wells, known aquifers; sewage disposal fields, public utilities; the proposed permit area; driveways; and ingress and egress points from the proposed permit area to a highway.
- (b) a topographical survey of the parcel prepared by a British Columbia Land Surveyor, if in

the opinion of the General Manager, the nature or type of deposit requires accurate topographic information or the determination of the location of natural features, structures, services and property lines;

- (c) the proposed contours of the parcel in its final state upon completion of the permit activities with contour intervals of not more than two (2) metres;
- (d) the proposed slopes, which will be maintained upon completion of the deposit;
- (e) the method proposed to control the erosion of the banks of the soil;
- (f) the proposed completion dates for stages of deposit, if applicable;
- (g) the proposed methods to control: dust, noise, odour, smoke, vibration and visual impacts caused by the deposit on adjacent parcels, and the tracking of soil or other material onto highways;
- (h) plans to ensure that no silt seeps or flows into any watercourse, well or aquifer on, under or flowing through the parcel;
- (i) the proposed methods of drainage control and protection of connecting or nearby watercourses, wells or aquifers during the proposed deposit; and
- (j) proposed methods to stabilize the slopes of the soil, including any re-vegetation upon completion of the deposit.

Should it be found that soil deposited under 10m^3 contains contaminants, a court may order that the applicant remediate the soil.

8.3 If the applicant is not the owner of the parcel, the applicant must include with his or her application a signed letter from the owner of the parcel authorizing the applicant to carry out the deposit of soil on behalf of the owner.

8.4 The applicant must supply an approved professional's report, from both the source and receiving site, showing content, locations moved from and to and any significant differences in soil composition, in accordance with the following:

- (a) For soil amounts from 0 – 10 m^3 , an approved professional's report is not required unless the General Manager has cause to conclude that the soil may be Contaminated Soil;
- (b) For soil amounts from 10 – 500 m^3 , the approved professional's report must be to a minimum standard of Preliminary Site Investigation - Stage 1; and
- (c) For soil amounts greater than 500 m^3 , the approved professional's report must be to a minimum standard of Preliminary Site Investigation - Stage 2.

9.0 AUTHORITY TO ISSUE THE PERMIT

9.1 The Board hereby delegates to the General Manager the authority to issue a permit for the deposit of soil under this bylaw, up to and including 10 m^3 on a parcel in a calendar year.

9.2 At the discretion of the General Manager, an application for a permit may be referred to the Electoral Area Services Committee for consideration and recommendation to the Board.

9.3 The General Manager or the Board, as applicable, may refuse to issue a permit where the applicant has not provided to the Cowichan Valley Regional District sufficient evidence that the deposit of soil can be carried out without creating a hazard to persons or property, damage to the environment, or irreparable damage to highways or other public property.

9.4 A person who has been refused a permit by the General Manager may submit an application

for reconsideration by the Board, by giving notice in writing to the CVRD's Corporate Secretary within fourteen (14) days of the refusal.

10.0 COMMUNITY INVOLVEMENT

10.1 The General Manager will provide notice in writing, by regular mail, to the owner of a parcel that abuts a parcel or parcels where soil is proposed to be deposited, of the CVRD's receipt of a soil deposit application at least ten (10) days prior to a decision on the permit application. The General Manager may provide notice in writing to another local government within the watershed area.

10.2 The General Manager may call for and receive public comment about any permit application or permit renewal application, if the General Manager considers that the application may affect land other than the parcel that is the subject of the application. If the General Manager decides that the community should have an opportunity to comment, then the General Manager may:

- (a) require that a public meeting be held with respect to the proposed soil deposit;
- (b) publish notice of the time and place where the public meeting is to be held in two consecutive newspaper publications, paid for at the applicant's expense;
- (c) refer the application to the Electoral Area Services Committee for its consideration and recommendation to the Board following the public meeting, for permits other than those within the authority of the General Manager under Section 10.1

10.3 The General Manager will provide notice in writing, by regular mail, to the owner of a parcel that abuts a parcel subject to a soil permit, when the CVRD receives a request for a renewal of a soil deposit permit at least ten (10) days prior to a decision on the permit renewal.

10.4 The General Manager may make a decision regarding the renewal of a permit if he or she is satisfied that the CVRD made reasonable efforts to provide notice in accordance with Section 10.3.

11.0 PERMIT CONDITIONS

11.1 A permit may include one or more conditions pertaining to the regulations under this bylaw.

11.2 A permit may be issued if the person obtains a pre-deposit report, prepared by a Registered Professional to ensure compliance with the permit conditions;

- (a) Location of where the soil is coming from
- (b) Location of where the soil is to be deposited
- (c) Content and any significant differences in soil composition

11.3 No person shall engage in the deposit of soil:

- (a) on a Sunday or Holiday; or
- (b) between 19:00 – 06:00 on any day not referred to in Subsection 11.3 (a).
- (c) Must conform to the noise bylaw / bylaw for industry

11.4 A permit constitutes written authority under this bylaw to conduct only those activities described in the permit.

11.5 All plans, specifications and Engineer's Reports forming part of an application in respect of which a permit is issued shall form part of and be incorporated in the permit unless otherwise

specified by the General Manager and, without limiting the foregoing, a permit issued shall specify the maximum volume of soil that is to be deposited.

11.6 A permit for the deposit of soil shall not be issued if the General Manager considers that such deposit would conflict with the policies and guidelines established in the Official Community Plan and/or the permitted uses pertaining to the parcel established by the Zoning Bylaw of an Electoral Area.

11.7 A permit for the deposit of soil shall not be issued if the General Manager considers that such deposit would conflict with the policies and guidelines established within the CVRD solid waste bylaws.

11.8 The holder of the permit shall post a copy of the permit, or otherwise shall post a clear and legible sign, in English, indicating the duration and extent of the soil deposit at the point of entry to the property from the main road. The sign is to be, at a minimum, 1 m x 1 m square and must include the permit number on it.

11.9 The holder of the permit shall contact the Ministry of Transportation and Infrastructure and comply with its requirements for road maintenance and cleanup during and after the works.

11.10 The holder of the permit shall contact the Ministry of Environment, Ministry of Mines and the Agricultural Land Commission and comply with its requirements in relation to soil deposition, removal and distribution.

11.11 The General Manager may require a post-deposit report prepared by a Registered Professional confirming that the soil was deposited in compliance with the permit conditions.

12.0 ADMINISTRATION

12.1 Every permit issued under this bylaw expires upon the earlier of:

- (a) the deposit of the total amount of soil authorized to be deposited by the permit has occurred;
- (b) the expiry date expressly stated in the permit;
- (c) one (1) year after the date of permit issuance; or
- (d) Ten (10) year maximum for industry permits with submission of annual reports.

12.2 If the deposit authorized in a permit is not completed before the permit expires under Section 12.1, the General Manager may renew the permit provided that:

- (a) the applicant makes a written request to the General Manager for a renewal or extension a minimum of one (1) month prior to the expiry date;
- (b) the applicant has paid the required renewal and security fees;
- (c) the deposit is being carried out in compliance with the terms and conditions of the original permit, including any conditions of an Authorized Professional's Report which may apply;
- (d) there is no change in scope from the original application; and
- (e) adjacent land owners are notified in advance as provided for in Subsection 10.3.
- (f) an industry permit is issued for a specified time period longer than 12 months, and annual reports supplied to the Ministry of mines are supplied to the CVRD.

12.3 There is no limit on the number of times an applicant may apply for renewals, but no applicant has a vested right to receive any renewals. The terms and conditions that come into being at renewal time of the permit shall be those that are current at that time; there shall be no grandfathering of terms and conditions.

12.4 Requests for renewal which include a change in the scope of the original application will require a new application and fees to be submitted.

13.0 PERMIT SUSPENSION, CANCELLATION AND AMENDMENT

13.1 If there is a contravention of any term or condition of the permit, or the permit was issued on the basis of statements made in an application for a permit, report, declaration or record required under this bylaw that were false or misleading with respect to a material fact, or that omitted to state a material fact, the omission of which made the statement false or misleading, the General Manager may:

- (a) suspend in whole or in part the rights of the applicant under the permit;
- (b) revoke the permit;
- (c) amend the permit; or
- (d) attach new conditions to a permit, without the consent of the applicant.

13.2 For any proposed material changes to the permit, the General Manager may require:

- (a) the submission of further, amended, or new information referred to in Section 8.1 or 8.2;
- (b) further community consultation as outlined in Section 10.0; and
- (c) the submission of a new permit application, along with applicable fees.

14.0 FEES AND SECURITY DEPOSITS

14.2 An Industry permit is for those involved in the commercial importation of soil for commercial resale, blending or other use, and who are bound to the regulations set out by the Ministry of Mines. A non industry permit is for person who wish to import soil for a personal use with no commercial or financial use.

The fee for a non industry permit shall be as set out in Schedule "A", based upon the quantity of material to be deposited, and shall be paid in full before issuance of the permit.

The fee for a industry permit shall be as set out in Schedule "B", based upon the quantity of material to be deposited, and shall be paid in full before issuance of the permit.

14.3 As security for the due and proper compliance with all the requirements and conditions of this bylaw, the applicant shall, before receiving a permit for the deposit of soil, provide a cash deposit, certified cheque, or irrevocable letter of credit drawn upon a chartered bank, in the amount as set out in Schedule "B", based upon the permit area within the subject parcel designated for soil deposit. The security provided under this section must remain valid from the date of issuance of a permit to a date that is not less than six (6) months after the expiration date of the permit with confirmation of compliance with the permit conditions.

14.4 Should an applicant not comply with the Engineer's Report provided in the permit, the Cowichan Valley Regional District may undertake the necessary remedial actions and the full costs shall be borne by the applicant.

14.5 In the case of an application for a permit for a parcel in respect of which a permit issued under the *Mines Act* has also been issued, where a security deposit has been provided to the Ministry of Energy and Mines for the purpose of site reclamation, Section 14.3 shall not apply.

14.6 If an industry permit is issued for a specified time period longer than 12 months, and annual reports supplied to the Ministry of Mines are supplied to the CVRD, a large security deposit may be supplied, that is sufficient to cover the cost of remediating the site, in place of a permit fee. Following the completion of the project, and the satisfactory supply of all paperwork, the security deposit will be returned minus a permit fee based on the amount of soil imported, as set out in Schedule "B".

14.7 A person who deposits soil without a permit issued under this bylaw, and who subsequently applies for a permit to authorize the deposit, shall be required to pay double the applicable permit fee.

15.0 VIOLATIONS AND PENALTIES

15.1 Any person who contravenes any provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00 per offence,

15.2 A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

15.3 The penalties imposed under Subsection 15.1 and 15.2 hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this bylaw or any other statute, law or regulation including but not limited to an application to the Supreme Court of British Columbia by the Regional District to a court, for a mandatory injunction for the enforcement of this bylaw, including an order for the removal of any soil deposited contrary to the provision of the bylaw.

16.0 INDEMNIFICATION

16.1 The holder of the permit is at all times responsible for compliance with the provisions of this bylaw and any other applicable enactment and for any claim, demand, damage, loss, costs, expense, fees, or fine that may arise from a deposit of soil.

16.2 The holder of a permit shall save harmless, indemnify and keep indemnified the Cowichan Valley Regional District, its officers, employees, contractors, and elected officials from any and all claims, demands, damages, losses, costs, expenses, fees, fines, actions, proceedings whatsoever brought by any person arising from the issuance of a permit under this bylaw with respect to the deposit of soil authorized under a permit.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

APPROVED BY THE MINISTER OF ENVIRONMENT THIS ____ DAY OF _____, 2017.

APPROVED BY THE MINISTER OF ENERGY AND MINES THIS ____ DAY OF _____, 2017.

APPROVED BY THE MINISTER OF ENVIRONMENT THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

ADOPTED THIS ____ DAY OF _____, 2017.

CHAIR

CORPORATE OFFICER

DRAFT

SCHEDULE "A" non industry permit

SOIL QUANTITY (1)

PERMIT FEE (2)

SECURITY DEPOSIT (3)

RENEWAL FEE (4)

REQUIREMENTS (5)

less than 10 m³ none none N/A

Awareness of bylaw and contaminated soil remediation requirements

10 - 500 m³ or greater \$200 base fee

\$5,000 for the first hectare of land (or portion thereof) plus \$5000 for each additional hectare or portion thereof that will have soil deposited on it \$200

Authorised Professionals report of minimal standard or Preliminary Site Investigation level 1

500 m³ or greater \$200 base fee

plus \$100

for every

additional 100 m³

above 500 \$10,000 for the first hectare of land (or portion thereof) plus \$5000 for each additional hectare or portion thereof that will have soil deposited on it \$200 Authorised

Professionals report of minimal standard or Preliminary Site Investigation level 2

Must be accompanied by a contaminated sites authorised professionals report

(1) The applicant is responsible for ensuring that any conditions governing deposit of soil as defined in the *Mines Act* are adhered to.

(2) The permit fee must be provided prior to the issuance of a permit.

(3) The security deposit as defined in section 14.3, is required prior to issuance of a permit and must be renewed and in effect prior to renewal of any permit. The security deposit will continue in effect for six (6) months after the permit has expired.

(4) The renewal fee is required prior to an extension to the permit.

(5) The applicant is responsible for the obtaining and adherence to professional's reports and guidance

At the discretion of the General Manager of Land Use Services, a Contaminated Sites Approved Professionals (CSAP) report maybe requested, prior to any permit, regardless of soil volume.

SCHEDULE "B" Industry Permit

SOIL QUANTITY (1)

PERMIT FEE (2)

SECURITY DEPOSIT (3)

RENEWAL FEE (4)

Requirements

less than 10 m³ none none N/A

Annual submission of Ministry of Mines report

10 - 500 m³ or greater \$500 base fee

\$10,000 for the first hectare of land (or portion thereof) plus \$3000 for each additional hectare or portion thereof that will have soil deposited on it \$200

As above

500 m³ or greater \$500 base fee
plus \$1.00

for every

additional 100 m³

above 500 \$10,000 for the first hectare of land (or portion thereof) plus \$3000 for each additional hectare or portion thereof that will have soil deposited on it \$200 As above

(1) The applicant is responsible for ensuring that any conditions governing deposit of soil as defined in the *Mines Act* are adhered to.

(2) The permit fee must be provided prior to the issuance of a permit.

(3) The security deposit as defined in section 14.3, is required prior to issuance of a permit and must be renewed and in effect prior to renewal of any permit. The security deposit will continue in effect for six (6) months after the permit has expired.

(4) The renewal fee is required prior to an extension to the permit.

When deemed appropriate by the General Manager of Land Use Services, an industry member can apply for an exemption permit, which allows a large surety deposit to be used, which would cover the cost of remediating the site, in place of the above costs. On completion of the importation or relation, and confirmation that the site is clear of contaminants and the bylaw was adhered to, a percentage of the surety deposit would be returned and the CVRD would receive the remainder as permit revenue. This would be on a case by case basis and calculated in accordance to the volume imported and clarified via the annual report presented the mines industry.

Whilst in possession of a CVRD soils permit, the site must comply with the requirements of the Ministry of Mines and supply the CVRD with the same annual report required by the Ministry of Mines.

SCHEDULE "C"
SOIL DEPOSIT
APPLICATION FORM

Application Number: _____ (to be assigned by CVRD staff)

Name: _____

Telephone: _____

email: _____

Address: _____

I/we being the registered owner(s) of: (legal description of land and PID)

hereby make application to deposit _____ cubic metres of soil onto the above mentioned property.

The purpose of the soil deposit is as follows:

The area from / upon which soil is to be deposited is as shown on the attached plan and consists of _____ hectare(s) and the maximum depth to which the soil will be deposited is _____ metre(s).

Source of soil - The soil to be deposited originates from the following parcel(s) (civic address & legal description or PID):

Upon approval of this application, I / we hereby guarantee to fulfill the following conditions prior to the issuance of a Soil Deposit Permit:

- Supply a Security Deposit in the amount of \$ _____ (see Schedule A for amount)
- Submit the Permit fee in the amount of \$ _____ (see Schedule A for amount)

Authorized Professional or Contaminated Sites Approved Professional certification:

I hereby certify that the soil to be deposited is not contaminated under the Contaminated Sites Regulation.

Signature of Professional:

Professional's Seal:

Signature of Applicant:

Date:

SCHEDULE "D"
SOIL PERMIT

FILE NO:

DATE:

INDUSTRY PERMIT YES NO

Issued to the registered property owner(s):

1. This Soil Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, as well as any Provincial or Federal laws and regulations.

2. This Soil Permit applies to and only to those lands within the Regional District described below:

Civic address, if any, plus legal description (PID: xxx-xxx-xxx)

3. Authorization is hereby given for the deposit of soil in accordance with the conditions listed in Section 4, below.

4. The soil shall be deposited in compliance with the terms and conditions and provisions of this Permit and any schedules attached to this Permit shall form a part thereof.

a. b. c.

5. The following Schedules are attached:

Schedule A – Site Plan

Schedule B – Soil Deposition Plan

Schedule C – Authorized Professionals Report

Schedule D – If applicable

6. This Permit is not a Building Permit.

Issuance of this permit has been authorized by Section 9.1 of CVRD Soil Deposit Bylaw No. 4147.

General Manager
Land Use Services Department

NOTE: Subject to the terms of this Permit, if the holder of this Permit does not substantially start any soil deposition within 1 year of its issuance, this Permit will lapse.

I HEREBY CERTIFY that I have read the terms and conditions of the Soil 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 other than those contained in this Permit.

The holder of the permit shall at all times bear full responsibility for any accident which may occur, or damage which may be done to any person or property whatsoever, caused directly or indirectly by the work authorized by the permit, and shall save harmless and keep indemnified the Cowichan Valley Regional District from all claims and demands whatsoever in respect of the work.

SCHEDULE "E"

Watershed map (see attached)

DRAFT

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

DRAFT

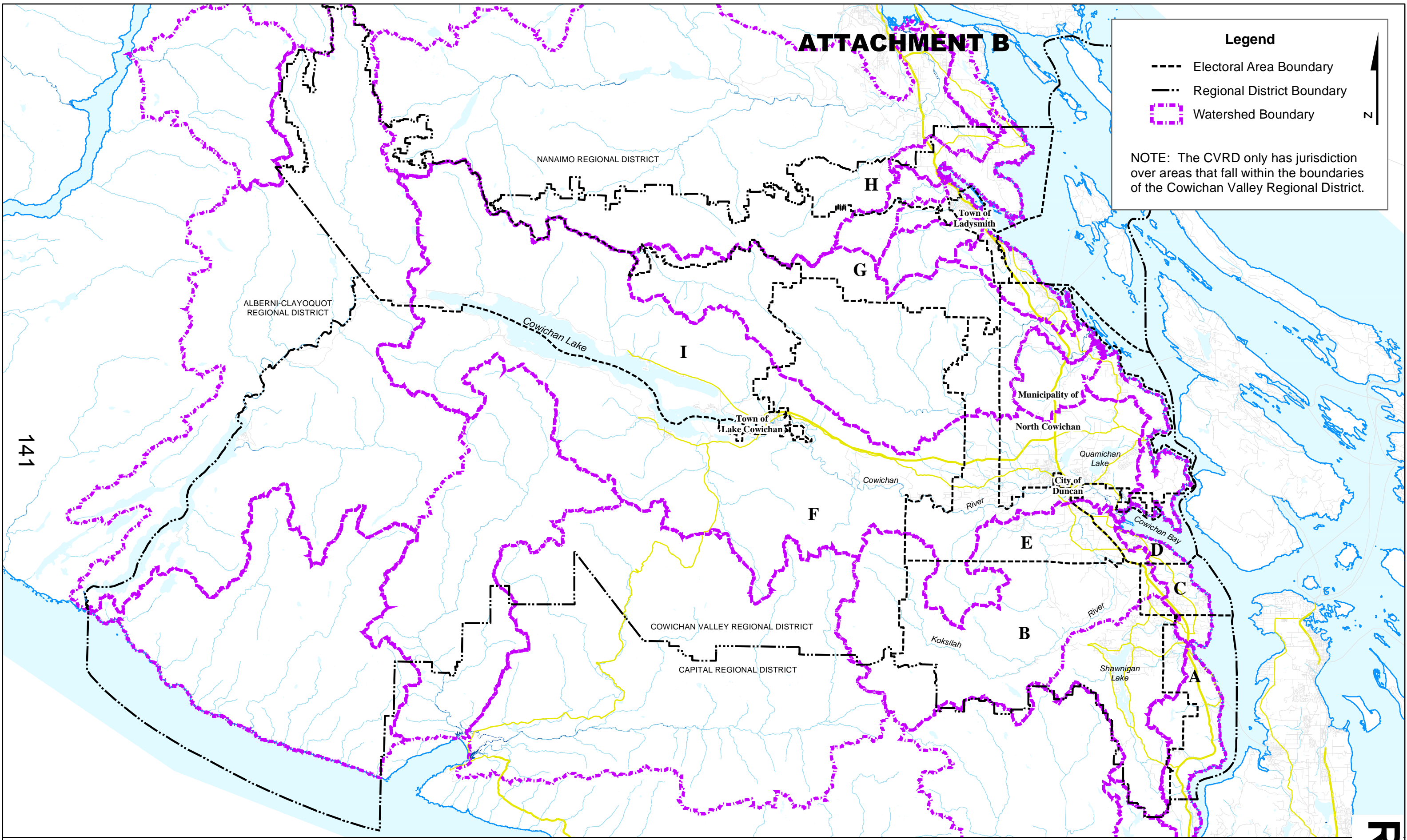
ATTACHMENT B

Legend

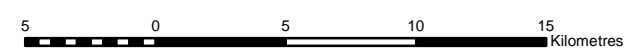
- Electoral Area Boundary
- .-.- Regional District Boundary
- Watershed Boundary



NOTE: The CVRD only has jurisdiction over areas that fall within the boundaries of the Cowichan Valley Regional District.



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STAFF REPORT TO COMMITTEE

DATE OF REPORT June 27, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of July 5, 2017

FROM: Inspection & Enforcement Division
Planning & Development Department

SUBJECT: Soil Deposit Bylaw

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to update the Committee on the results of the proposed soil deposit bylaw public consultation process and recommendations for the proposed soil deposit bylaw.

RECOMMENDED RESOLUTION

For information and direction.

BACKGROUND

As a key priority of the Electoral Area Services Committee (EASC), CVRD staff undertook a public engagement process between April 22, 2017 – May 19, 2017, to gauge public opinion on the proposed soil deposit bylaw.

This included a number of public consultation events and the creation of a PlaceSpeak page where stakeholders could provide their ideas and opinions on the suggested bylaw.

Below is a summary of the results of this process, which included online and paper surveys, suggested soil volumes and penalties and the option for free text to ensure that the public opinion was heard and taken into consideration.

ANALYSIS

PlaceSpeak page resulted in:

- 1086 Views;
- 109 Connects;
- 83 Comments; and
- 70 Surveys.

PlaceSpeak online survey, (70 completed) results:

Question	Yes (%)	No (%)	N/A (%)
Should the CVRD regulate soil deposits?	75	9	16
Should soil deposit be a user pay system?	74	9	17
Should there be penalties for infractions?	80	4	16

Public consultation paper surveys (25 completed)

Questions	Agree with suggested amounts (%)	Disagree with suggested amounts (%)
<p>What volumes of soil should require a permit?</p> <p>What awareness and responsibilities should depositors be aware of prior to deposit?</p> <p>What penalties, fines and remediation should be introduced for those who breach the proposed bylaw?</p>	53 %	47%

Additional comments:

- “Will it make a difference?”
- “We may end up getting stuck with contaminated soil”
- “Toxic soil should be fined the highest amounts”
- “RAR should be taken into account, 750 m minimum”

And

- “\$500 fines are peanuts to big companies”
- “Local companies only to complete assessments”
- “Bylaws are meaningless without enforcement”
- “Not enough penalties” “fees should be more” x 4
- “This is funny, bylaws don’t help”

PlaceSpeak discussion section results:

What are your thoughts on a soil deposit bylaw?	For soil to be deposited within the CVRD, what volumes should require a permit?	What requirements and responsibilities should depositors be aware of, prior to depositing of soil?	What penalties, fines and remediation should be introduced for those who deposit soil into the CVRD?
<p>Positive comments:</p> <p>Enforcement required</p> <p>CVRD bylaw to be equal to CRD’s</p> <p>CRD has Watershed protection areas</p> <p>Enforcement hotline, website and location</p>	<p>Positive comments:</p> <p>3 boxes or more should require a permit</p> <p>Fees should be \$1 per cubic meter for more than 10m³</p>	<p>Positive comments:</p> <p>Guidelines and standards that would identify soil types and potential contaminations</p>	<p>Positive comments:</p> <p>Suggested amounts seem adequate</p> <p>Stiffest penalties for those who deposit without permit or deposit contaminated soil</p> <p>Higher fines for</p>

to upload photos			dumping within riparian zones Soil removal or site remediation required Initial campaign when bylaw is rolled out
Negative comments: Bylaws are useless and not enforced Unrealistic fine expectations No need for further bureaucracy and tax residents more by greedy governments.	Negative comments: Current system is adequate, no bylaws required - (DNC resident) This is a cash grab by CVRD and not required, less CVRD staff not more	Negative comments: Not required, provincial level is enough Huge overkill – a content report should not be required for a truck load of soil Soil should be tested by two professionals and results compared for accuracy	Negative comments: Not required – DNC Un-necessary

The industry also provided valuable input and comment and where in support of the bylaw as long as it did not negatively impact their businesses;

- Do not charge by the truck load or volume, simply ask for a large surety deposit e.g. \$100,000, and at the end of the depositing, return \$90,000. The conditions of the bylaw will be adhered to and the CVRD will receive revenue. (Using the suggested values for over 500m³ would estimate \$28 per truck load, \$20 tipping fee per truckload plus \$8 per m³);
- Charge a flat fee for the industry;
- Longer permit times, minimum of 2-3 years, 5 is preferable;
- Charges applied by the box load (truckload) as is typical in the industry:
 - Truck: \$20;
 - Pup: \$40; and
 - 6 Axle: \$60.

Exemptions made for the following:

- Importation of clean soil for blending with granite and blast rock for resale (only soil free from contaminants can be used);
- Farmers, golf courses, stables import 100's of tons of sand, soil, gravel each year, which must be clean;
- In addition to the exemption for building footings and foundations, sand, gravel and stone which is re-sold (must be clean) and exemption for ongoing maintenance of properties, driveways etc., where aggregate is bought from a reputable source.

Based on the feedback provided and key directions obtained during the public consultation process, the attached proposed draft soil c₁₄₄ it bylaw is brought forward for review and

comment.

Key message from the public:

“Protect our watershed”

Key decisions which require Committee direction include:

- For soil to be deposited within the CVRD, what volumes will require a permit?
- Before applying for a soil deposit permit, what requirements and responsibilities should you be aware of?
- What penalties would be appropriate for contraventions of the soil deposit bylaw?
- What remediation would be required if soil was determined to be contaminated?
- Within the draft bylaw, suggestions and ideas from the engagement process for comment and inclusion.
- With the authority provided by bylaw 3947 to convert the function of removal and deposit of soil to a service, and the identification of large drinking water watersheds, does the committee, under the proposed soil deposit bylaw, want to prevent the deposit of soil within CVRD watersheds unless exempt? The penalty will be the removal of the soil in consultation with a registered professional.
- Legal opinion suggests that the bylaw can be regulatory but not preventative. The relevant ministries are the approving body, and may deem a restriction to be preventative if it interferes with “Provincial interest” in relation to soil removal or deposit.

Below are some tables and suggestions for CVRD for the above key considerations;

Volumes

Suggested CVRD volumes and permits requirements:

Soil Quantity	Permit fee (per year)	Security Deposit	Renewal Fee	Requirements
Less than 10 m ³	None	None	Na	Aware of Bylaw and contaminated soil remediation
10 – 500 m ³	\$200 base fee	\$5000 / hectare	\$200	Authorized Professionals report of minimal standard or Preliminary Site Investigation level 1
500 m ³ or more	Base fee plus \$100 / additional 100 m ³ above 500 m ³	\$10,000 for 1 st hectare plus \$5000 for each additional hectare	\$200	Authorized Professionals report of minimal standard or Preliminary Site Investigation level 2

FinesSuggested CVRD Violations and Penalties

Any person who contravenes any provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and:

- (a) On conviction of a ticket offence under the Municipal Ticket Information Bylaw, is liable for the fine imposed under that bylaw not less than \$500; or
- (b) For deposits of over 500 m³ - \$1000 (\$1000 per offence per day, is the maximum permitted by MTI under the *Community Charter*);
- (c) On summary conviction, is liable to not more than \$4,000; imposed by a court (Section 263 of the *Community Charter*);
- (d) This Bylaw may be enforced by issuing of a ticket for contravention in accordance with "CVRD Bylaw No. 3209 – Ticket Information Authorization Bylaw, 2008".

A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

The penalties imposed shall be in addition to and not in substitution.

Remediation of contaminated soil will be the onus of the receiver, and can include measures up to removal of the contaminated soil.

Direction is also sought on the following aspects:

- What is the cost of this bylaw? Is it revenue neutral or funded through permitting?
- As this bylaw is being created with consideration towards the protection of public water sources, should requisition be used as a funding source for enforcement action against offenders?
- Highlighted sections of the bylaw based on suggestions by the public and industry for comment and direction for inclusion.

FINANCIAL CONSIDERATIONS**COMMUNICATION CONSIDERATIONS****STRATEGIC/BUSINESS PLAN CONSIDERATIONS**

- Attachment A – Draft CVRD Soil Deposit Bylaw
- Attachment B – CVRD Soil Deposit Bylaw public engagement results summary
- Attachment C – Schedule E – CVRD watersheds
- Attachment D – Legal opinion

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



Mike Tippett, MCIP, RPP
A/General Manager

ATTACHMENTS:

- Attachment A – Draft CVRD Soil Deposit Bylaw
- Attachment B – CVRD Soil Deposit Bylaw Public Engagement Results Summary
- Attachment C – Schedule E – CVRD Watersheds
- Attachment D – Legal Opinion



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 24, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017

FROM: Inspection & Enforcement Division
Land Use Services Department

SUBJECT: Building Compliance Policy – Requirement for Professional Building Survey Policy

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to bring forward for consideration a proposed CVRD Building Compliance Policy – Required Professional Surveys.

RECOMMENDED RESOLUTION

That it be recommended to the Board that the Building Compliance Policy – Required Professional Surveys attached to the Inspection & Enforcement Division's July 28, 2017, Staff Report be approved.

BACKGROUND

The proposed Policy as attached provides the CVRD Building Inspectors with guidance regarding appropriate action when it is identified that a professional survey is required for a building siting infraction during the construction process. This proposed Policy identifies at the earliest possible stage when a building may be out of compliance with zoning or other bylaws, and provides the builder with an opportunity to address the issue in a timely manner.

ANALYSIS

The proposed policy is considered to be a necessary tool as the CVRD Building Bylaw and BC Building code are not able to address when a building may be out of compliance with zoning or other bylaws, and impose a method to address it, during the construction process.

There have been a number of instances where construction has proceeded, regardless of direction from CVRD staff, with the expectation that they will seek a variance to permit the building infraction. This has led to a number of recent high profile cases where variances have been denied, and corrective action, up to and including court orders are required to bring the building into compliance.

During the construction of a building there are nine possible inspections that CVRD Building Inspectors can complete including but not limited to:

- Footings / Foundation
- Storm / Sewer / Water
- Drain tile / damp-proofing
- Plumbing under slab
- Plumbing rough-in
- Framing
- Chimney / woodstove

- Insulation / Vapour barrier
- Final
- Other

During any of these inspections or re-inspections, usually during the framing inspection, it may be identified by the Building Inspector, that a professional survey is required. This may be due to, but not limited to:

- Building siting (including property setbacks and Riparian area regulations)
- Building height
- Building height from floodplain
- Other

Should a professional survey be required, the Building Inspector reserves the right to withhold further inspections and occupancy certificate, until the survey is satisfactorily supplied, and any action, amendments or variance are satisfied.

This policy is across the CVRD electoral areas and will be implemented once approved by the Building Inspections department.

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

The roll out of this proposed Policy will be communicated through the CVRD website and building forum.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Please see attached the proposed CVRD Building Compliance Policy – Required professional surveys

Referred to (upon completion):

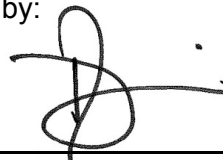
- Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- Engineering Services (*Environmental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

Prepared by:



Robert Blackmore, BSc., MSc.
Manager

Reviewed by:



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

ATTACHMENTS:

Attachment A – Building Compliance Policy – Required Professional Surveys

BUILDING COMPLIANCE POLICY – REQUIRED PROFESSIONAL SURVEYS

Applicability: Land Use Services

Effective date:

This policy provides the CVRD Building Inspectors with guidance regarding appropriate action when it is identified that a professional survey is required for a building.

During the construction of a building there are nine possible inspections that CVRD Building Inspectors can complete including but not limited to:

- Footings / Foundation
- Storm / Sewer / Water
- Drain tile / damp-proofing
- Plumbing under slab
- Plumbing rough-in
- Framing
- Chimney / woodstove
- Insulation / Vapour barrier
- Final
- Other

During any of these inspections (or re-inspections), but typically during the framing inspection, it may be identified by the Building Inspector, that a professional survey is required. This may be due to, but not limited to:

- Building siting (including property setbacks and Riparian area regulations)
- Building Height
- Building height from floodplain
- Other

Should a professional survey be required, the Building Inspector reserves the right to withhold further inspections and occupancy certificate, until this survey is satisfactorily supplied, and any action, amendments or variance are satisfied.

Any work that is completed prior to the satisfactory submission of the professional survey, may be an infraction of CVRD Building Bylaw No. 3422, and subject to sanctions by the Building Inspector including but not limited to:

- Verbal advice
- Written warning
- Written warning from the Chief Building Inspector
- Municipal Ticket Information
- Stop Work Order
- Occupancy Certificate withheld
- Notice 57 on title
- Other

Actions are at the discretion of the Building Inspector and in discussion with the Manager of Inspections & Enforcement.



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 25, 2017
MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017
FROM: Inspection & Enforcement Division
 Land Use Services Department
SUBJECT: Bylaw Enforcement and Compliance Policy
FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to bring forward for consideration a proposed CVRD Bylaw Enforcement and Compliance Policy.

RECOMMENDED RESOLUTION

That it be recommended to the Board that the Bylaw Enforcement and Compliance Policy attached to the Inspection & Enforcement Division's July 28, 2017, Staff Report be approved.

BACKGROUND

In accordance with the *Ombudspersons Guide to Bylaw Enforcement*, local government should establish a bylaw enforcement and compliance policy which would contain appropriate guidelines for members of the public and staff. This is intended to provide fair, reasonable and transparent practice in Bylaw Enforcement, which enhances citizen confidence in the CVRD.

ANALYSIS

The proposed policy will provide the public and CVRD staff with information and guidelines in respect to process and procedures of bylaw enforcement as pertaining to how to make a complaint, the investigation process and requirements of complainants.

A formal and approved policy provides the public with a method of following a standard compliance model, expectations around action towards compliance from warnings to court action, and an appeals process for those involved in compliance proceedings.

This policy will provide CVRD staff with an important resource with regard to best practices.

The proposed bylaw enforcement and compliance policy provides guidelines on:

- Making a complaint;
- Expectations of witnesses;
- Stages of investigation and enforcement;
- Appeals process.

The proposed policy would apply to all of the Electoral Areas

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

The roll out of this proposed policy will be communicated through the CVRD website.

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

Prepared by:



Robert Blackmore, BSc., MSc.
Manager

Reviewed by:

Ross Blackwell, MCIP, RPP, A.Ag.
General Manager**ATTACHMENTS:**

Attachment A – CVRD Bylaw Enforcement and Compliance Policy

BYLAW COMPLIANCE AND ENFORCEMENT POLICY

Applicability: Land Use Services

Effective date:

Policy Statement:

The purpose of this policy is to establish a protocol for addressing bylaw-related concerns and working proactively with residents to achieve compliance with Cowichan Valley Regional District (CVRD) bylaws. This policy provides general guidance for complainants on how to make a complaint and how it will be investigated. It also provides guidance to staff, in dealing with bylaw-related complaints within the CVRD in an effort to treat all residents (both complainants as well as alleged offenders) fairly and equitably.

The process is generally intended to be progressive in nature with an initial focus on gaining voluntary compliance, except where, in the opinion of the CVRD, health, safety or liability concerns necessitates more immediate and significant action(s). Unique circumstances may require alternative options be considered by either staff or the Board of Directors where and when warranted.

The CVRD will adopt a consistent, common sense approach, in order to achieve voluntary compliance. Everyone will be treated with dignity, fairness and respect. All cases will be reviewed on their own merits and reasonably dealt with. Any response will be appropriate to the scale of the offence. A structured approach to bylaw enforcement will assist the CVRD in guiding citizens who are in bylaw violation through the process and into compliance.

Appeals against CVRD action in relation to bylaw enforcement, must be submitted in writing and addressed to the Manager of Inspections and Enforcement. Appeals will be reviewed within 72 hours and the complainant will be informed that the appeal has been received. Complex cases may take longer to investigate, therefore requiring more time to review. Details of the appeal process will be listed below.

The CVRD's bylaw complaint process can generally be described as having four distinct components:

1. Consideration
2. Investigation;
3. Compliance Proceedings; and,
4. Enforcement Proceedings.

All complainants will be contacted to acknowledge receipt of their complaint, and provided with an update of any action taken by a Bylaw Compliance Officer (BCO).

Consideration

All complaints will be considered on a case-by-case basis and investigation files will be opened if appropriate.

All complainants must be willing to provide basic contact information. When considering the complaint, the BCO may take into consideration:

- The nature of the complaint
- The impact of the violation on the community
- The impact of the violation on the complainant and other individuals
- Urgency required and public safety

Investigation

The preliminary step for alleged bylaw infractions will be to conduct an investigation to determine if there is or has been a bylaw infraction within the electoral areas of the CVRD.

Complaints

Alleged bylaw infractions shall be directed to the BCO for further investigation. Identities of complainants are protected under the *Freedom of Information and Protection of Privacy Act*. The following conditions may initiate an investigation by the BCO:

- (i) Complaints from a member of the public in writing or in person (phone call, email, etc.) complete with their name, contact information, location and type of infraction occurring;
- (ii) Observation of a member of staff or Board of a bylaw infraction;
- (iii) Apparent unsafe condition, or failure to obtain a permit;
- (iv) Information from a credible third party source, such as a Police Officer, Peace Officer, Island Health Authority, Provincial or Federal Enforcement Official, Agricultural Land Commission, etc.; or
- (v) During the regular course of their duties, the BCO may seek out bylaw infractions for issues of public health and/or safety or other bylaw violations.

***Note:** All complaints received regarding animals are referred to the CVRD's contractor

Resources

Investigations will typically be conducted by the BCO; however, in some circumstances, it may be necessary to include staff from other Divisions or Departments depending upon the nature of the complaint. In these instances, the BCO, in consultation with the Manager of Inspections and Enforcement, shall determine what resources are required to investigate the complaint. The Manager of Inspections & Enforcement is authorized to investigate when required.

Property Information

Relevant property information (e.g. ownership, legal description, civic address, zoning, active permits, etc.) will be confirmed upon receipt of the complaint, including, where applicable, a review of the title for the subject property(ies) to determine related covenants, easements, or rights-of-way that have been registered on title, which may influence bylaw compliance actions.

Vehicle License Information

When required, the BCO may use vehicle license plate information to trace owner information during the course of an investigation into a bylaw infraction. This will be in accordance with the Information Sharing Agreement between the CVRD and ICBC.

Recording of Complaints

Where it is determined that a bylaw infraction is occurring, the information will be recorded by a BCO and stored on a CVRD database, with an associated paper file created. This information will be stored in compliance with the *Freedom of Information and Protection of Privacy Act*. The database will be used to maintain an accurate recorded history of calls, infractions and action(s) taken, and the outcome relating to addresses, vehicles and individuals in relation to CVRD bylaw infractions. Requests for this information must adhere to the CVRD Information Handling and Privacy Policy. CVRD Bylaw Enforcement Division staff will be responsible for the recording of complaints and documenting on the CVRD database.

Site Visit

CVRD staff may undertake a site visit to document the alleged bylaw infraction(s). When visiting the exterior of the property, the BCO is not obligated to provide notice and may inspect the property at any time. In accordance with provincial legislation, local government inspections may include entering onto property at reasonable times and in a reasonable manner to determine whether local government regulations, prohibitions and requirements are being complied with. When visiting a site without notice, the BCO will attempt to advise an owner/occupant that they are on site (e.g. knock on door) prior to conducting any site investigation.

When visiting the interior of a personal residence, obtain the occupant's consent to enter, or give written notice to the occupant at least 24 hours before entering, to assess if a bylaw infraction has occurred or is occurring.

BCO's authority to regulate the CVRD bylaws comes from the *Local Government Act, Part 12, Section 419*, which states: *"If a board has authority to regulate, prohibit and impose requirements in relation to a matter, the board may, by bylaw, authorize officers, employees and agents of the regional district to enter, at all reasonable times, on a property to inspect and determine whether all regulations, prohibitions and requirements are being met."*

In addition, Section 16 of the *Community Charter* provides, *"Authority to enter a property at reasonable times in a reasonable manner, without consent of the owner or occupier."*

The CVRD may also apply to the Provincial Court for an entry warrant if reasonable requests are refused.

Determination

If, following consideration or investigation, no infraction is found to have taken place, the complainant, and the property owner, will be so advised by the BCO and a record of the enquiry will be filed. If during an investigation, the BCO determines that an issue is not a CVRD bylaw enforcement matter, the affected parties involved will be notified, the investigation will cease, and the file will be closed.

Should the BCO determine that a bylaw infraction is occurring, they are responsible to the complainant for:

- Acknowledging receipt of the complaint;
- Describing any steps taken to address the complaint;
- Describing any enforcement action taken or planned, or the reasons for no enforcement action; and
- Providing any other relevant information.

Compliance proceedings

In the event that a bylaw infraction is confirmed, a Bylaw Compliance file will be created and compliance proceedings will commence in accordance with the provisions set out below.

BCO's will keep documentation, including any investigation notes, communications, rationale, evidence gathering, and references to any relevant bylaws. This evidence may be submitted and used in court or form the basis of reports submitted for court consideration.

Any response provided by the CVRD will be:

- Proportionate;
- Legal;
- Accountable;
- Necessary, and
- Justified.

Should the CVRD decide that enforcement proceedings are required, the reasons for this will be communicated to the person committing the infraction, including the appeals process. Officer discretion is always present and response can be escalated/de-escalated as appropriate.

Complainant Cooperation

For action beyond verbal or written advice, the complainant must be willing to provide a statement, and willing to attend court to attest to their evidence as the primary witness to the infraction. This commitment is required if a Municipal Ticket Information (MTI) is issued or if court action is initiated.

Bylaw Enforcement Logs

Where appropriate, the CVRD may request that complainants keep a bylaw enforcement log as ongoing evidence of repeat and continuous infractions. This is particularly relevant in noise complaints, where the victim is the primary witness. This evidence will be required should enforcement proceedings be pursued.

Voluntary Compliance

Verbal advice and education will be the first step towards obtaining voluntary compliance. Should the infraction continue or be repeated, the BCO may choose to:

- Write a letter and send it to the resident advising them of the alleged infraction;
- Outline the steps required to rectify the situation;
- Provide a timeline for specific actions; and
- Provide the resident an opportunity to meet with staff to further discuss the alleged infraction(s)

Individuals who are being investigated will generally be instructed to cease the activity and be given the opportunity to achieve voluntary compliance before further action is taken, except in the case of an imminent health, safety or liability concern, where the CVRD may be required to direct or take immediate action(s).

The BCO, in consultation with the Manager or General Manager, will outline a required course of action prior to the commencement of enforcement proceedings. Following this, a report will be prepared to seek direction from the Board of Directors.

Enforcement Proceedings

In an effort to rectify the bylaw infraction(s), enforcement proceedings will generally commence where and when voluntary compliance cannot be achieved. Depending on the circumstances, measures beyond Municipal Ticket Information may be considered and approved by the Board.

Municipal Ticket Information

Where initial voluntary compliance is not achieved, compliance will be sought through issuance of fines in accordance with the MTI Bylaw. The Manager of Inspections & Enforcement, and the BCO, have the authority to issue tickets for various bylaw infractions. Depending on the nature and severity of the infraction/violation, staff may also issue fines, immediately, under the MTI Bylaw, prior to seeking voluntary compliance.

Where compliance has still not been achieved, following the issuance of fines under the MTI Bylaw or issuance of a second letter, the BCO may initiate court action to obtain a Court Order to address the infraction and achieve compliance.

Injunction or Court Order

Where warranted, the Board may consider an application for an injunction or court order to stop work, and/or force compliance with CVRD bylaws. Generally, Injunctions or Court Orders are only considered for health and safety hazard situations and are subject to the discretion of the CVRD.

Appeals Process

Should a member of the public wish to appeal a decision with regard to action taken by the CVRD Bylaw Division, the appeal must be submitted in writing to the Manager of Inspections & Enforcement.

Appeal actions by the CVRD may consist of:

1. Discussion with a BCO to further understand the justification and appropriateness of action taken. At this stage, documented history regarding the citizen will be discussed.
2. Discussion with the General Manager of the Land Use Services Department regarding justification and appropriateness of action.
3. Closed session discussion with the Electoral Area Services Committee regarding justification and appropriateness of action.
4. Legal advice may be sought at any stage, and in particular if an injunction or court order are appealed.
5. An independent adjudicator may be sought to provide an unbiased and opinion to appeals.

Once an appeal decision has been reached, the complainant will be notified and provided with an explanation of the decision. The CVRD reserves the right to correctly investigate and apply appropriate time scales to the investigation. The complainant will be informed in writing unless they specify that phone calls or emails are adequate. Potential outcomes include:

1. No further action. If corrective action is taken regarding the offence, enforcement action may be removed.
2. Where MTI has been issued, this may be upheld and require payment or, if determined, the ticket may be cancelled.
3. For Court Orders or Injunctions, legal advice may be sought to continue pursuance or removal of restrictions.
4. Other options include, but are not limited to, re-iteration of action taken and its justification; re-imbursement of fines, fees or penalties; reconsideration of enforcement action; provision of verbal or written reasons for enforcement decision; meeting with the complainant; apologizing; investigation into malpractice; changing or developing a policy; and if necessary, amendment of the bylaw.

Any appeal to the above decision(s) would require legal representation.

Dealing with Repeat Complaints

CVRD reserves the right to not respond to anonymous complaints, multiple complaints about the same address or complaints about multiple addresses from the same complainant, unless public safety is an immediate concern. Frivolous, repeat or multiple complaints, without the basis of fact, will be dealt with on a case by case basis. In consultation with the Manager of Inspections and Enforcement, a suitable response will be selected for dealing with these types of calls. All complaints will be considered on their own merit to determine the appropriate response. The CVRD will focus on a fair balance between the interests of both the individual making the complaint and the broader community.

When handling repeat complaints, the CVRD will review the history of calls regarding the address, and/or person(s) associated, and any action taken. In addition, the facts of the call will be addressed to alleviate any ambiguity and ensure fairness and consistency in the CVRD's approach. All communication with the complainant and alleged offender will be documented and used to make informed decisions about future communication and action. When responding to multiple complaints about the same issue, the CVRD will address each person's specific concerns.

Persistent callers making same complaint but unwilling to provide evidence/statement(s) will be advised that their calls cannot be further investigated without their evidence and commitment to attest in court. As such, the file will be closed and no further complaints accepted in relation to that complaint.

If the CVRD decides to restrict a person from making complaints due to frivolous, repeat or multiple complaints, this decision is to be clearly communicated in writing to the person, outlining the nature of the restrictions, reasons for the restrictions, and when the restrictions will be reconsidered. Board approval may also be obtained in certain circumstances. The CVRD will not limit or prevent other necessary contact with staff that is unrelated to the person's complaints.

CVRD staff will not be subject to abuse or inappropriate behavior. This will not be tolerated, and members of the public acting in this manner will have appropriate action taken to address the behavior.



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 23, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of August 16, 2017

FROM: Inspection & Enforcement Division
Land Use Services Department

SUBJECT: Seasonal Cabins Policy - Revised

FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to bring forward for consideration updates to the CVRD's existing Seasonal Cabins Policy.

RECOMMENDED RESOLUTION

That it be recommended to the Board;

1. That the Seasonal Cabins Policy attached to the Inspection & Enforcement Division's July 26, 2017, Staff Report be approved; and
2. That the July 8, 2009, Seasonal Cabins Policy be rescinded.

BACKGROUND

During a meeting in July 2017, a staff report was presented to the Board, which introduced a Seasonal Cabins Policy. The following resolution was passed;

"That Item SR1, Staff Report from the Manager, Inspection & Enforcement Seasonal Cabins Policy, be referred back to staff for consideration of an amendment."

As per the Board's request, staff have revised the Seasonal Cabins Policy (see below).

Item #6:

Previously read: "Is used for no more than six months per calendar year.

Proposed revision: "Is used for no more than 30 weeks per calendar year".

(See Attachment A).

ANALYSIS

This proposed policy is important as the CVRD land use bylaws do not provide a definition of a "seasonal cabin".

The CVRD receives permit applications for seasonal cabins in remote areas and on the Gulf Islands. Only the Home Owner Protection Office can decide if a seasonal cabin requires a new home registration form. During the initial application phase and prior to the issuance of a Building permit for a seasonal cabin, the Homeowner Protection Office, may, at their discretion, have the homeowner register the property with (HPO) for warranty purposes, if it contains cooking, eating, living, sleeping and sanitary facilities. This is required whether or not the new building is intended for recreational or seasonal use only.

This HPO discretion was previously omitted from the 2009 Policy.

This proposed policy would apply across the CVRD electoral areas and will be implemented once approved by the Building Inspections department.

FINANCIAL CONSIDERATIONS

The typical cost to the homeowner is approximately \$425.

COMMUNICATION CONSIDERATIONS

The roll out of these proposed amendments will be communicated through the building forum and CVRD website.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

N/A

Referred to (upon completion):

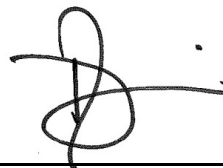
- Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- Engineering Services (*Environmental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

Prepared by:



Robert Blackmore, BSc., MSc.
Manager

Reviewed by:



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

ATTACHMENTS:

Attachment A – Seasonal Cabins Policy

ATTACHMENT A**SEASONAL CABINS POLICY**

Applicability: Land Use Services

Effective date:

PURPOSE:

CVRD land use bylaws do not define “seasonal cabin.” The CVRD receives permit applications for seasonal cabins in remote areas and on the Gulf Islands. A seasonal cabin (including recreational cabins) is a single, self-contained residence containing cooking, eating, living, sleeping and sanitary facilities. A New Home Registration Form may be required regardless whether or not the new building is intended for recreational or seasonal use only.

POLICY:

A “seasonal cabin” is defined as a structure that:

1. Is intended for recreational or seasonal use only;
2. Is not connected to a public/private sewer or water system;
3. May contain cooking, eating, living and sleeping facilities;
4. Has a self-contained sanitation facility and a source of potable water;
5. Has a floor area that does not exceed 74 m²; and
6. Is used for no more than 30 weeks per calendar year.

A seasonal cabin shall not be permitted in an area where sewer and water are readily available to the property.



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 15, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017

FROM: General Manager
Engineering Services Department

SUBJECT: Gas Tax - Community Works Fund Update and Future Projects

FILE: 0540-20-EAS/02

PURPOSE/INTRODUCTION

The purpose of this report is to present an update on Community Works Fund allocations and to obtain Committee approval for future projects.

RECOMMENDED RESOLUTION

1. That it be recommended to the Board that the Community Works Funds be allocated to the electoral area projects (No.1 to 3 & 6 to 13) as identified in Table 1.0 for consideration in the 2018 budget.
2. That it be recommended to the Board that the Community Works Funds be allocated to the electoral area B project No. 4 & 5, as identified in Table 1.0 for the 2017 budget, thus requiring an amendment to the 2017 Five Year Financial Plan Bylaw.

BACKGROUND

In May 2014, the federal government announced the renewal of the gas tax agreement for the next ten years. This program will provide two streams of grant funding: Community Works and Strategic Priorities. The Community Works Fund (CWF) component of the gas tax program will provide the Cowichan Valley Regional District (CVRD) a total of \$7,717,680 distributed over five years. Unlike some previous gas tax programs that required Union of British Columbia Municipalities (UBCM) authorization prior to projects proceeding, approval for CWF projects rests entirely with the Board. All that is required is the filing of an annual report with UBCM by June 30th each year, which is then reviewed to ensure that CWF funds were spent on only eligible expenses. If funds were spent on ineligible expenses, they must be repaid.

ANALYSIS

There is more than one basis upon which to make a determination to allocate funds. In the past, funds were allocated strictly on a merit basis. The Committee has already directed that funds be allocated based on electoral area population. In addition, the Committee directed that 10 percent of the funding amount will be set aside for regional projects conditional on receiving matching funding from municipal partners. An additional 10 percent of the funding amount is also set aside in reserve for future disbursement.

CVRD staff brought forward projects requesting CWF based on existing assets with condition ratings of poor or very poor. CVRD staff then meet with Electoral Area Directors to determine which projects they would support, or to bring forward their own projects. Table 1.0 shows CWF project contributions by Electoral Area that are seeking board approval. Attachment A includes detailed project lists with project descriptions, cost estimates and CWF contributions for Director supported projects.

Electoral Area B projects (No. 4 & 5) have been requested to be implemented in 2017. Project No. 4 - Arbutus Mountain Waste Water Treatment Plant Inlet Screen will result in immediate financial

and operational benefits, and project No. 5 - Pedestrian Safety Improvements – Shawnigan Beach Estates to Masons Beach, is already underway by the Ministry of Transportation and Infrastructure.

Project No.12 Regional SCADA Systems for Utilities is being requested from the first phase of CWF funding (CWF 1.0) prior to 2014.

Table 1.0 Director Supported Projects for Future Community Works Fund

No.	Project Name	Electoral Area	Project Lead	CWF Contribution
1	Brulette Place Sewer System	A	Water Management	\$ 220,000
2	West Mill Bay Community Sewer System	A	Water Management	\$ 200,000
3	Mill Bay Village Community Development Plan Phase 2 - Implementation	A	Community Planning	\$ 165,216
4	Arbutus Mountain Waste Water Treatment Plant Inlet Primary Screen	B	Water Management	\$ 50,000
5	Pedestrian Safety Improvements - Shawnigan Beach Estates to Masons Beach	B	Community	\$ 50,000
6	Cobble Hill Integrated Sewer System	C	Water Management	\$ 161,334
7	Sahtlam Water Source Development for Fire Protection	E	Public Safety	\$ 15,000
8	Community Roadside Pathway - Cowichan Station to TCH (Top Up)	E	Parks and Trails	\$ 55,608
9	North Oyster Fire Hall Building Upgrade	H	Public Safety	\$ 77,504
10	Asset Management (Top Up)	Regional	Engineering	\$ 20,000
11	Cowichan Valley Trail – Stocking Creek Park to Old Lake Cowichan Road (Top Up)	Regional	Parks and Trails	\$ 16,768
12	Regional SCADA Systems for Utilities	CWF 1.0 (A,B,C,D,E,F,H)	Water Management	\$ 35,000
TOTAL				\$ 1,066,430

Table 2.0 shows a CWF update including allocations, previously approved projects and remaining funding after the approval of Director supported projects in Table 1.0. Attachment B contains more details of funding allocated to previously approved project descriptions and current status.

Table 2.0 Community Works Fund Allocation and Project Summary Update

Electoral Area	Allocated Funding	Previously Approved Projects	Director Supported Future Projects	Remaining Funding
A	\$ 861,910	\$ 276,694	\$ 585,216	\$ -
B	\$ 1,594,781	\$ 1,354,193	\$ 100,000	\$ 140,589
C	\$ 940,940	\$ 779,606	\$ 161,334	\$ -
D	\$ 582,839	\$ 582,839	\$ -	\$ -
E	\$ 756,333	\$ 685,725	\$ 70,608	\$ -
F	\$ 323,525	\$ 323,525	\$ -	\$ -
G	\$ 438,364	\$ 438,364	\$ -	\$ -
H	\$ 457,504	\$ 380,000	\$ 77,504	\$ -
I	\$ 217,948	\$ 215,000	\$ -	\$ 2,948
Regional	\$ 771,768	\$ 735,000	\$ 36,768	\$ -
Reserve	\$ 771,768	\$ -	\$ -	\$ 771,768
CWF 1.0	\$ 6,452,140	\$ 6,373,207	\$ 35,000	\$ 10,591
TOTAL	\$ 7,717,680*	\$ 5,770,945*	\$ 1,066,430	\$ 925,896

*does not include **CWF 1.0****FINANCIAL CONSIDERATIONS**

The CVRD will receive a total of \$7,717,680 in CWF between 2014 and 2019. For 2014-16 the semi-annual payments were \$742,098. This amount increases for 2017-19 to \$816,237. Of the \$1,066,430 seeking approval, \$100,000 (Area B projects No. 4 & 5) is being requested to be spent in 2017, the remainder of the projects/funds will be included in the 2018 budget.

COMMUNICATION CONSIDERATIONS

The gas tax agreement includes a communications protocol that outlines various communications and signage requirements. They are discussed on page 17, schedule E, of the gas tax agreement.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

The receipt of gas tax funds is not contemplated in the *Corporate Strategic Plan*; however, the Plan serves as an excellent source of inspiration for potential projects which have been identified as priorities for the organization. In most cases, recommended projects align with 2018 Business Plan priorities.

Referred to (upon completion):

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

Prepared by:

Reviewed by:



Austin Tokarek, B. Sc., CEA
Asset Coordinator

Select DM Name Here
Select DM Title Here



Hamid Hatami, P. Eng.
General Manager

ATTACHMENTS:

Attachment A – Director Supported Projects for Future CWF

Attachment B – Update of CWF Allocations and Previously Approved Projects

Director Supported Projects for Future CWF

No.	Project Name	Description	Project Lead	Cost Estimate	CWF Contribution	Funding Area	Condition
1	Brulette Place Sewer System	The sewage treatment system serving the 56 customers of Brulette Place is out of compliance with the Ministry of Environment. This system consists of two small simple RBC type treatment plants. CVRD staff has tried to correct flaws in the system to meet standards; however this has not been successful. An engineering study conducted in 2008 identified that replacement of the two plants would be required for a cost of \$825,000. Staff has been investigating the possibility of a development partner to share in the costs of replacement. Major Liability as per Innova Utility Review.	Water Management	\$ 876,000	25% \$ 220,000	A	Very Poor
2	West Mill Bay Community Sewer System	A group of developers in the Mill Bay core are proposing a centralized WWTP that would amalgamate sewage flow from 4-6 different sources (Stonebridge Development, Brentwood College etc) some of which are excessively out of compliance with the Ministry of Environment, including one of our wastewater system, Brulette. The plant would be owned/operated by the CVRD .	Water Management	\$ 6,200,000	3% \$ 200,000	A	Very Poor
3	Mill Bay Village Community Development Plan - Phase 2 Implementation	The intent of this project is to implement the recommendations from the high level master planning exercise to examine the viability of and considerations for the development of a new village center in the community of Mill Bay.	Community Planning	\$ 165,216	100% \$ 165,216	A	New - funds requested for 2017
4	Pedestrian Safety Improvements - Shawnigan Beach Estates to Masons Beach	Calming techniques to road work completed by MOTI in July 2017. Delineators for Renfrew Rd/Shawnigan Lake Rd and East Shawnigan and a driver feedback boards for Renfrew Rd.	Community	\$ 50,000	100% \$ 50,000	B	New - MOTI infrastructure improvement, fund requested for 2017
5	Arbutus Mountain Waste water Treatment Plant Inlet Primary Screen	The addition of this screen will greatly decrease the amount of sludge wasting needed at the plant and would reduce sludge disposal costs and limit the amount of operational maintenance hours required by CVRD staff.	Water Management	\$ 50,000	100% \$ 50,000	B	Very Poor - MoE Inspection Report - Very Urgent

6	Cobble Hill Integrated Sewer System	This project entails the conversion of the 84 lot Cobble Hill Sewer (Gallier's Road) wastewater treatment plant to a pump station to allow for pumping sewage to Twin Cedars wastewater treatment plant; it would also convert Cobble Hill sewer disposal fields to RIB's and pump effluent from Twin Cedars to new RIB's. The existing RBC treatment plant is at the end of its service life.	Water Management	\$ 1,200,000	13%	C	Poor							
					\$ 161,334									
					7			Sahtlam Water Source Development for Fire Protection	The Sahtlam Fire Service Area is mostly without fire hydrant protection. With recent climate change, longer wildfire seasons, and the reduction of natural water sources, a strategic hydrant water supply installed around Riverbottom Road area would greatly enhance the firefighting efforts of the fire department. This would provide critical firefighting water to the area, reduce response times for water shuttling.	Public Safety	\$ 50,000	30%	E	Very Poor
												\$ 15,000		
												8		
\$ 55,609														
9	North Oyster Fire Hall Building Upgrade	Major renovations are planned to upgrade this critical infrastructure. Work is schedule d to start in fall 2017.	Public Safety	\$ 2,500,000	3%	H	Very Poor							
					\$ 77,504									
10	Cowichan Valley Trail – Stocking Creek Park to Old Lake Cowichan Road (Top Up)	Seeking a funding top up to complete this section of the CVT.	Parks and Trails	\$ 900,000	2%	Regional	New							
					\$ 16,768									

11	Asset Management Program: Phase 1 Electoral Areas (Top Up)	Seeking funding top up to continue the development of the CVRD's Asset Management Plan.	Engineering Services	\$ 20,000	100%	Regional	New
					\$ 20,000		
12	Regional SCADA Systems for Utilities	Install SCADA communications system to allow for remote access which will improve operational efficiency through reduced call outs and remote access to flow data and water quality information for MoE and VIHA reporting. Data will be accessed on web browser through CVRD servers. Shellwood Water (H), Mesachie Lake Water (F), Dogwood Ridge Water (E), Cherry Point Water (D), Douglas Hills Water (C,D), Satellite Park Water (C), Carlton Water (B), Arbutus Mountain Water (B), Fern Ridge Water (A), Kerry Village Sewer and Water (A).	Water Management	\$ 35,000	100%	A, B, C, D, E, F, H (CWF 1.0)	New - High Priority (CWF 1.0)
					\$ 35,000		

Director Supported Project Summary

Electoral Area	Remaining Funding as August 15, 2017	Director Supported	Remaining Funds after Director Supported Projects
A	\$ 585,216	\$ 585,216	\$ -
B	\$ 240,589	\$ 100,000	\$ 140,589
C	\$ 161,334	\$ 161,334	\$ -
D	\$ -	\$ -	\$ -
E	\$ 70,609	\$ 70,609	\$ -
F	\$ -	\$ -	\$ -
G	\$ -	\$ -	\$ -
H	\$ 77,504	\$ 77,504	\$ -
I	\$ 2,948	\$ -	\$ 2,948
Regional	\$ 36,768	\$ 36,768	\$ -
Reserve	\$ 771,768	\$ -	\$ 771,768
CWF 1.0	\$ 45,591	\$ 35,000	\$ 10,591
Total	\$ 1,174,967	\$ 1,066,431	\$ 925,896

CWF Electoral Area Project Allocations 2017 Summary Table

Electoral Area	Allocated Funding	Previously Approved Projects	Director Supported Projects	Remaining Funding
A	\$ 861,910	\$ 276,694	\$ 585,216	\$ -
B	\$ 1,594,781	\$ 1,354,193	\$ 100,000	\$ 140,589
C	\$ 940,940	\$ 779,606	\$ 161,334	\$ -
D	\$ 582,839	\$ 582,839	\$ -	\$ -
E	\$ 756,333	\$ 685,725	\$ 70,608	\$ -
F	\$ 323,525	\$ 323,525	\$ -	\$ -
G	\$ 438,364	\$ 438,364	\$ -	\$ -
H	\$ 457,504	\$ 380,000	\$ 77,504	\$ -
I	\$ 217,948	\$ 215,000	\$ -	\$ 2,948
Regional	\$ 771,768	\$ 735,000	\$ 36,768	\$ -
Reserve	\$ 771,768	\$ -	\$ -	\$ 771,768
TOTAL	\$ 7,717,680	\$ 5,770,945	\$ 1,031,430	\$ 915,305

Electoral Area A – Mill Bay/Malahat Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	KPRC Parking Lot Replacement	Design work for KPRC Parking Lot Replacement.	Facilities	\$ 16,000 100%	\$ 4,000 25%	A,B,C,D	Complete	Dec 9,2015	Areas A, B, C, and D will equally share 100% of the cost
	South Sector Liquid Waste Management Plan Update	Work has been underway on a substantial amendment of the SSLWMP. In the previous round of CWF, \$100,000 was allocated to the amendment process. It is clear that additional funding will be necessary for staff time, consulting, and expenses to complete the amendment process.	Environmental Initiatives	\$ 100,000 100%	\$ 33,333 33%	A,B,C	Approved - In Progress	Nov 12, 2015	Complete in 2017
	KPRC Building Envelope Repairs	There are a number of facility repair issues required that were not included as in the first phase of facility repairs being completed in 2014. These projects include replacement of: all exterior doors and frames, exterior facility cladding, roof over the warm room and McLean room, windows and insulation. The facility was built in the early 1970s and a number of these items are original to the facility and need to be replaced. These upgrades will increase facility energy efficiency and improve the operation of other building systems such as refrigeration, heating and ventilation systems.	Facilities	\$ 350,000 50%	\$ 41,230 23.56%	A,B,C,D	Complete	Dec 9,2015	Completed June 2017
	KPRC HVAC System Upgrades	This project consists of updating the heating and ventilation systems that supply the arena dressing rooms, warm room, arena concession and other areas that were not updated as part of the 2011 HVAC upgrade project. With the current installation of a new refrigeration heat recovery system as part of the phase 1 facility upgrades there are a number of areas in the facility where the recovered heat can be used to save energy costs. This project will increase facility operating efficiency thereby reducing heating costs as well as reducing GHG emissions.	Facilities	\$ 210,000 50%	\$ 24,738 23.56%	A,B,C,D	Approved - In Progress	Dec 9,2015	Design work started. Scheduled for 2018
	KPRC Outdoor Fitness Park	Purchase and Install of an outdoor fitness park at KPRC.	Facilities	\$ 30,000 100%	\$ 7,500 25%	A,B,C,D	Approved - In Progress	Apr 13, 2016	Areas A, B, C, and D will equally share 100% of the cost. Will be complete in 2017
	Malahat Fire Hall - Condition/Hazmat/ Seismic Assessments	The Public Safety Division is exploring what's essential towards the most cost-effective strategy to manage fire hall maintenance today and for the future. A Building Condition Assessment, Hazardous Materials Inspection and a Seismic Analysis of each CVRD fire hall is required towards developing long-term capital budget planning of expenditures for major repairs or replacements of fire halls. This three prong approach to asset management is a smart and cost effective way to maximize building life, and reduce repair and maintenance costs.	Public Safety	\$ 3,000 100% (for Condition Assessment only)	\$ 1,112 37.07%	A,B	Approved - In Progress	n/a	Directors support \$3,000 for condition assessment only (A = \$1,112 & B = \$1,888)
	Malahat Fire Hall - Emergency Power Generator	The fire hall has been without any backup emergency power for its existence. The fire station is located in an area of the valley where electricity can be lost for many hours or days during the winter. The fire station does not have alternate sources of heating or power to run operations.	Public Safety	\$ 15,000 100%	\$ 5,561 37.07%	A, B	Approved	n/a	Scheduled for 2018

Electoral Area A – Mill Bay/Malahat Approved CWF Projects									
No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	Bright Angel Park	The wood pole towers on this pedestrian suspension bridge require replacement due to age/slow deterioration at the bases. The bridge spans Koksilah River and provides access to the east side of Bright Angel Park where the most popular swimming areas on the river are located for families.	Parks & Trails	\$ 45,000	\$ 9,221	A, B, C, D, E	Approved - Not Started	n/a	2018 Project
				100%	20.49%				
	Mill Bay Village Community Development Plan	The intent of this project is to undertake a high level master planning exercise to examine the viability of and considerations for the development of a new village center in the community of Mill Bay. This review will be a technical exercise and will study land use, physiography, servicing, land assembly and other considerations associated with the development of a village concept plan.	Planning	\$ 150,000	\$ 150,000	A	Approved - Not Started	n/a	Waiting for Direction from Area Director
				100%	100.00%				

Electoral Area A Summary	
Allocated Funding	\$ 861,910
Previously Approved Projects	\$ 276,694
Remaining Funding	\$ 585,216

Electoral Area B – Shawnigan Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	KPRC Parking Lot Replacement	Design work for KPRC Parking Lot Replacement.	Facilities	\$ 16,000	\$ 4,000	A,B,C,D	Complete	Dec 9,2015	Areas A, B, C, and D will equally share 100% of the cost
				100%	25%				
	South Sector Liquid Waste Management Plan Update	Work has been underway on a substantial amendment of the SSLWMP. In the previous round of CWF, \$100,000 was allocated to the amendment process. It is clear that additional funding will be necessary for staff time, consulting, and expenses to complete the amendment process.	Environmental Initiatives	\$ 100,000	\$ 33,333	A,B,C	Approved - In Progress	Nov 12, 2015	Complete in 2017
				100%	33%				
	KPRC Building Envelope Repairs	There are a number of facility repair issues required that were not included as in the first phase of facility repairs being completed in 2014. These projects include replacement of: all exterior doors and frames, exterior facility cladding, roof over the warm room and McLean room, windows and insulation. The facility was built in the early 1970s and a number of these items are original to the facility and need to be replaced. These upgrades will increase facility energy efficiency and improve the operation of other building systems such as refrigeration, heating and ventilation systems.	Facilities	\$ 350,000	\$ 70,000	A,B,C,D	Complete	Dec 9,2015	completed June 2017
				50%	40.00%				
	KPRC HVAC System Upgrades	This project consists of updating the heating and ventilation systems that supply the arena dressing rooms, warm room, arena concession and other areas that were not updated as part of the 2011 HVAC upgrade project. With the current installation of a new refrigeration heat recovery system as part of the phase 1 facility upgrades there are a number of areas in the facility where the recovered heat can be used to save energy costs. This project will increase facility operating efficiency thereby reducing heating costs as well as reducing GHG emissions.	Facilities	\$ 210,000	\$ 42,000	A,B,C,D	Approved - In Progress	Dec 9,2015	Design work started. Scheduled for 2018
				50%	40.00%				
	KPRC Outdoor Fitness Park	Purchase and Install of an outdoor fitness park at KPRC.	Facilities	\$ 30,000	\$ 7,500	A,B,C,D	Approved - In Progress	Apr 13, 2016	Areas A, B, C, and D will equally share 100% of the cost. Will be complete in 2017
				100%	25%				
	Burnum Water System Upgrades	The newly acquired Burnum Water System, which serves 82 customers, requires substantial upgrades to meet municipal water treatment standards for arsenic removal. While additional improvements and upgrades will be needed, this initial project was identified as an immediate priority.	Water Management	\$ 200,000	\$ 100,000	B	Complete	Dec 9,2015	Complete in 2017
				50%	100%				

Electoral Area B – Shawnigan Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	SLCC Energy Upgrades	In 2014 Building Energy Solutions Ltd (BES) was contracted to preform energy audits at the Shawnigan Lake Community Centre. BES's report recommends 24 energy management measures to improve the facility's energy consumption by approximately 24% following implementation. These projects range from minimal items such as insulating hot water pipes to more significant projects such as replacing the conventional lighting systems with LED fixtures.	Facilities	\$ 50,000	\$ 25,000	B	Complete	Dec 9,2015	Complete in 2016
				50%	100%				
	Shawnigan Lake Village Community Rail Trail Walk	This project would see construction of a 2-m wide multi-use rail with trail constructed within the E&N Rail Corridor between Mason's Beach, Shawnigan Wharf Park, and Old Mill Park; a total of 2.1 kilometers. Once completed, this fully accessible trail will connect three popular waterfront community parks with the Shawnigan Village core, Elsie Miles Park, the Shawnigan Lake Community Centre, and several local neighborhoods.	Parks & Trails	\$ 450,000	\$225,000	B	Approved - In Progress	Dec 9,2015 & July 13, 2016	Parks asked for 100% funding for 50% of the project (July 13, 2016)
				50%	100%				
	Shawnigan Lake North Water - Capital Upgrade Pipe Replacement	Emergency replacement of a 210m section of watermain on Worthington Rd in the Shawnigan Lake North Water System. There have already been two breaks resulting in extensive damage and insurance claims.	Water Management	\$ 120,000	\$ 54,000	B	Complete	Feb 22, 2017	Work is complete, EA Director has agreed, pending board approval
				45%	100%				
	Elsie Miles Floor Replacement (Asbestos removal)	Due to the age of the recently purchased Elsie Miles School facility, the flooring is showing significant wear and is delaminating/chipping in some areas. The flooring is of an age that there is high potential to contain asbestos and with the current use as a child care facility this project should be a priority for the CVRD. To determine a price for the project we must first employ the services of an environmental consulting company to assess the safest and most cost effective solution to the flooring. Possible options may include a complete remove and replace or a simpler replace over existing flooring system. A very rough estimate of \$50,000 is a placeholder amount.	Facilities	\$ 50,000	\$ 50,000	B	Approved - Not Started	Feb 22, 2017	2018 Project
				100%	100%				

Electoral Area B – Shawnigan Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Shawnigan Beach Estates - Infiltration and Inflow (I & I) Remediation for MoE Compliance	<p>The CVRD owns and operates four sewer collection systems that have wet weather flows that exceed two times the dry weather flows. Under the MoE's existing Municipal Wastewater Regulation an owner of a sewer system must develop a plan to remediate the excess flow resulting from I & I (infiltration and inflow) and is considered out of compliance with regulatory standards.</p> <ul style="list-style-type: none"> Infiltration: Groundwater entering sanitary sewers through defective joints, deteriorating manholes and broken pipes Inflow: Water enters from cross connections such as sump pumps, roof drains, perimeter drains and storm water infrastructure. Operational concerns resulting from high I & I: <ul style="list-style-type: none"> Higher hydro costs due to increased run time on pumps The Collection system becomes overwhelmed with high flows (exceeds design capacity) Environmental and property damage due to surcharging Dilution of raw sewage decreases the efficiency of the wastewater treatment plant <p>The Engineering Services Dept. proposes use of industry-proven standards for restoration of the infrastructure such as slip lining, manhole grouting and spot repairs.</p>	Water Management	\$ 150,000	\$ 150,000	B	Approved - In Progress	Feb 22, 2017	Start work in 2018
				100%	100%				
	Malahat Fire Hall - Condition/ Hazmat/ Seismic Assessments	<p>With today's ever-tightening budgets and increasing building and maintenance costs for fire halls, we need to do more with less. The Public Safety Division is exploring what's essential towards the most cost-effective strategy to manage fire hall maintenance today and for the future. A Building Condition Assessment, Hazardous Materials Inspection and a Seismic Analysis of each CVRD fire hall is required towards developing long-term capital budget planning of expenditures for major repairs or replacements of fire halls. This three prong approach to asset management is a smart and cost effective way to maximize building life and reduce repair and</p>	Public Safety	\$ 3,000	\$ 1,888	A,B	Approved 0 In Progress	Feb 22, 2017	Directors supported condition assessment only for \$3,000 .
				100% (for Condition Assessment only)	62.93%				
	Malahat Fire Hall - Emergency Power Generator	<p>The fire station has been without any backup emergency power for its existence. The fire station is located in an area of the valley where electricity can be lost for many hours or days during the winter. The fire station does not have alternate sources of heating or power to run operations.</p>	Public Safety	\$ 15,000	\$ 9,440	A, B	Approved - Not Started	Feb 22, 2017	2018 Project
100%				62.93%					
Bright Angel Park	<p>The wood pole towers on this pedestrian suspension bridge require replacement due to age/slow deterioration at the bases. The bridge spans Koksilah River and provides access to the east side of Bright Angel Park where the most popular swimming areas on the river are located for families.</p>	Parks & Trails	\$ 45,000	\$ 15,651	A, B, C, D, E	Approved - Not Started	Feb 22, 2017	2018 Project	
			100%	34.78%					
SLCC Parking Lot Updates	<p>SLCC currently has very limited paved parking at the facility with overflow gravel parking available to the North and West of the gym. The gravel parking areas while functional require constant pothole repair to limit liability. Additionally, they are very difficult to maintain during the snow periods. These areas should be paved in an environmentally friendly manner including rain gardens or bio swales.</p>	Facilities	\$ 350,000	\$ 175,000	B	Approved - In Progress	Feb 22, 2017	DRAFT study report complete. No matching funds currently identified. Likely 2019 project.	
			50%	100%					

Electoral Area B – Shawnigan Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	SLCC Flooring Replacement	SLCC celebrated its 20 year anniversary in 2014. The sport flooring in the gym, meeting rooms and office are original to the building and have provided years of excellent service however they are past their usual serviceable life. This project would see the replacement of all sport floor systems in the facility to improve the users experience as well as operational maintenance and safety.	Facilities	\$ 50,000	\$ 25,000	B	Approved - Not Started	Feb 22, 2017	Looking for matching funds.
	Arbutus Mountain Estates - LED Ornamental Street Lighting Upgrade	Upgrade existing High Pressure Sodium ornamental street lights with energy efficient and low maintenance LED lamps. It will be most cost effective to update all six systems (155 lamps) with estimated annual energy and maintenance savings of \$10,000 and a 6 year payback. Cost Estimate just shows Area B system and includes design fees.	Water Management	\$ 11,381	\$ 11,381	B	Approved - In Progress	Feb 22, 2017	Arbutus Mountain = \$11,381 All systems = \$60,000. Planned for 2017.
	Phase 1 - Elsie Miles Park Upgrade Project	Implementation of the Elsie Miles Park Concept Plan which will include various upgrades and construction to the site including a nature playscape, multi-purpose covered area, public washroom, and entrance plaza.	Parks & Trails	\$ 300,000	\$ 300,000	B	Approved - In Progress	Feb 22, 2017	Work is planned for 2017 & 2018
	Ida Road Trail Connection	Construct a new trail within the Ida Road right of way between West Shawnigan Lake Road and the Cowichan Valley Trail. The cost estimate includes clearing and compaction of a 2.0 metre wide trail surface, culvert installation to deal with localized drainage issues, survey work to ensure the trail to be built will be within the r/w and trail signage.	Parks & Trails	\$ 15,000	\$ 15,000	B	Complete	Feb 22, 2017	Complete in 2017
	Cowichan Bay Boat Launch Upgrades (Hecate Park)	The Cowichan Bay Boat Launch is the only public boat launch between Mill Bay and Maple Bay. It is a highly used facility as indicated by 2014 vehicle counts (132,000) and the fact that the parking lot spaces are 80% dedicated to boat and trailer parking only. The current condition of the concrete ramp has deteriorated in areas, and the edge of the ramp has an 8 inch drop off due to its insufficient length. Consequently, users have reported damaged axles and stuck vehicles. Furthermore, the current condition of some sections of asphalt, primarily the travel lanes, has surpassed its lifespan, resulting in potholes and large sections of cracking. These areas require repaving to prevent further deterioration.	Parks & Trails	\$ 100,000	\$ 25,000	B,C,D	Approved - Not Started	Feb 22, 2016	Work is planned for 2017/18
	Koksilah Watershed Ecosystem-based Analysis	Koksilah Watershed Ecosystem-based Analysis.	Community	\$ 25,000	\$ 15,000	B,E	Approved - Not Started	Feb 22, 2017	Work is planned for 2017/18

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Electoral Area B Summary	
Allocated Funding	\$ 1,594,781
Previously Approved Projects	\$ 1,354,193
Remaining Funding	\$ 240,589

Electoral Area C – Cobble Hill Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	KPRC Parking Lot Replacement	Design work for KPRC Parking Lot Replacement.	Facilities	\$ 16,000	\$ 4,000	A,B,C,D	Complete	Dec 9,2015	Areas A, B, C, and D will equally share 100% of the cost
100%				25%					
	South Sector Liquid Waste Management Plan Update	Work has been underway on a substantial amendment of the SSLWMP. In the previous round of CWF, \$100,000 was allocated to the amendment process. It is clear that additional funding will be necessary for staff time, consulting, and expenses to complete the amendment process.	Environmental Initiatives	\$ 100,000	\$ 33,333	A,B,C	Approved - In Progress	Nov 12, 2015	Complete in 2017
100%				33%					
	KPRC Building Envelope Repairs	There are a number of facility repair issues required that were not included as in the first phase of facility repairs being completed in 2014. These projects include replacement of: all exterior doors and frames, exterior facility cladding, roof over the warm room and McLean room, windows and insulation. The facility was built in the early 1970s and a number of these items are original to the facility and need to be replaced. These upgrades will increase facility energy efficiency and improve the operation of other building systems such as refrigeration, heating and ventilation systems.	Facilities	\$ 350,000	\$ 39,778	A,B,C,D	Complete	Dec 9,2015	3 Phases (roof - started, cladding - started, doors postponed to 2017)
50%				22.73%					
	KPRC HVAC System Upgrades	This project consists of updating the heating and ventilation systems that supply the arena dressing rooms, warm room, arena concession and other areas that were not updated as part of the 2011 HVAC upgrade project. With the current installation of a new refrigeration heat recovery system as part of the phase 1 facility upgrades there are a number of areas in the facility where the recovered heat can be used to save energy costs. This project will increase facility operating efficiency thereby reducing heating costs as well as reducing GHG emissions.	Facilities	\$ 210,000	\$ 23,867	A,B,C,D	Approved - In Progress	Dec 9,2015	Design work started. Scheduled for 2018.
50%				22.73%					
	KPRC Outdoor Fitness Park	Purchase and Install of an outdoor fitness park at KPRC.	Facilities	\$ 30,000	\$ 7,500	A,B,C,D	Approved - In Progress	Apr 13, 2016	Areas A, B, C, and D will equally share 100% of the cost. Complete in 2017.
100%				25%					
		The 93 year old Cobble Hill Community Hall is the only one of its kind		\$279,000	\$175,000				

Electoral Area C – Cobble Hill Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Cobble Hill Hall Upgrade	remaining in the South Cowichan area. The Shawnigan Cobble Hill Farmers Institute and Agricultural Society (CHFIAS) will be undertaking an extensive upgrade to this facility in the 2015/2016 years and CWF would help ease the burden of raising all of the money necessary to complete this project. The Farmers Institute has applied for Heritage Canada funds for half of the above amount. The project consists of repairing and restoring the front stairway and landing to the hall; repairing and restoring the wheelchair access to the hall; painting the interior of main hall in preparation for upgraded lighting; electrical upgrades to the hall's main electrical panel, wiring and plugs; installation of LED light fixtures in the hall; construction of an addition to accommodate storage for chairs and tables; rebuilding the existing stage; replacing the aging oil furnace with commercial heat pump system; improving the sound and stage lighting system; replacing existing wooden tables with lifetime plastic tables; painting ceilings and walls in the dining hall, kitchen, bar and bathrooms; painting exterior walls and trim; and upgrading the youth hall's wiring, lighting and electrical and painting the interior and exterior.	Community	62.72%	100%		Complete	Phase 1 - Nov 12, 2014 Phase 2 - June 8, 2016	Ongoing - (Phase 1 = \$100K, Phase 2 = \$75K) - As of Dec/15 \$78,906.29 paid out
	Arbutus Ridge Sewer Disposal Field Replacement	The Arbutus Ridge sewer system, serving the 646 customers, is out of compliance with the Ministry of Environment. The original disposal system was poorly constructed and loading over the years has resulted in failure and surfacing of effluent. Replacement of the ground disposal system and identification of a reserve area are required for compliance.	Water Management	\$350,000 50%	\$175,000 100%	C	Approved - In Progress	March 11, 2015	Complete in 2017
	Twin Cedars Sewer System (Purple Pipe Parks Project)	Expansion of the existing 76 lot customer base of this service area to include residents in the Cobble Hill core area requires upgrades to the wastewater treatment plant. This includes a registration amendment, head works upgrades and instrumentation. Connection fees arising from the new connections outside the service area will provide funds for further development of the system. This project works in conjunction with the Cobble Hill Integrated Sewer System project.	Parks & Trails	\$160,000 40%	\$64,200 100%	C	Approved - In Progress	\$50,000, Nov 12, 2014 & \$14,200 Dec 10, 2014	Potential for 2017 - As of Dec/15 \$10,261 of \$50,000 & \$9,195 of \$14,200 paid out
	Bright Angel Park	The wood pole towers on this pedestrian suspension bridge require replacement due to age/slow deterioration at the bases. The bridge spans Koksilah River and provides access to the east side of Bright Angel Park where the most popular swimming areas on the river are located for families.	Parks & Trails	\$45,000 100%	\$8,892 19.76%	A, B, C, D, E	Approved - Not Started	Feb 22, 2017	2018 Project
	Cobble Hill Village & Twin Cedars - LED Ornamental Street Lighting Upgrade	Upgrade existing High Pressure Sodium ornamental street lights with energy efficient and low maintenance LED lamps. It will be most cost effective to update all six systems (155 lamps) with estimated annual energy and maintenance savings of \$10,000 and a 6 year payback. Cost Estimate just shows Area C system and includes design fees.	Water Management	\$18,036 100%	\$18,036 100%	C	Approved - In Progress	Feb 22, 2017	Cobble Hill Village = \$7,061 (also needs new fixtures) Twin Cedars = \$10,975 All systems = \$60,000
			The project will involve grading the existing soil, bring in new top soil,		\$130,000	\$130,000			

Electoral Area C – Cobble Hill Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	Cobble Hill Commons Landscaping	grassing, and irrigating. There will also be electrical runs made from the newly installed power pole to make future events more accessible. The EA Director has been working with parks staff to cost out the scope of this project. Those estimates were brought to the parks commission who have agreed to the project in principal. The cobble hill commons were acquired from the ministry of transportation the years ago and has had minimal upgrades since its acquisition.	Parks & Trails	100%	100%	C	Approved - Not Started	Feb 22, 2017	2017 Project
	Evergreen School Timber Framed Pavilion	These funds will be used to build a timber frame pavilion at evergreen school on Watson Avenue. The pavilion will be used for a variety of activities at the school including sports and outdoor concerts. The space can also be walled with canvas sheets for a mixed indoor/outdoor venue. With the shortage of available land in the village core, this communal arrangement benefits all of Cobble Hill. The EA Director is Moving forward with a village revitalization effort that includes creating amenities that allow for year round use.	Community Project	\$ 93,000 54%	\$ 50,000 100%	C	Approved - Not Started	Feb 22, 2017	\$43,000 from Evergreen School. There is an arrangement with evergreen school from a previous investment in their sports court that gives the public access after school hours, weekends as well as during the summer. If this project goes
	Cowichan Bay Boat Launch Upgrades (Hecate Park)	The Cowichan Bay Boat Launch is the only public boat launch between Mill Bay and Maple Bay. It is a highly used facility as indicated by 2014 vehicle counts (132,000) and the fact that the parking lot spaces are 80% dedicated to boat and trailer parking only. The current condition of the concrete ramp has deteriorated in areas, and the edge of the ramp has an 8 inch drop off due to its insufficient length. Consequently, users have reported damaged axles and stuck vehicles. Furthermore, the current condition of some sections of asphalt, primarily the travel lanes, has surpassed its lifespan, resulting in potholes and large sections of cracking. These areas require repaving to prevent further deterioration.	Parks & Trails	\$ 100,000 100%	\$ 50,000 50%	B,C,D	Approved - Not Started	Feb 22, 2017	Work is planned for 2017/18. Area C is covering Area A's portion of the project.

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Electoral Area C Summary	
Allocated Funding	\$ 940,940
Previously Approved Projects	\$ 779,606
Remaining Funding	\$ 161,334

CWF for Electoral Area D – Cowichan Bay Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	KPRC Parking Lot Replacement	Design work for KPRC Parking Lot Replacement.	Facilities	\$ 16,000	\$ 4,000	A,B,C,D	Complete	Dec 9,2015	Areas A, B, C, and D will equally share 100% of the cost
	KPRC Building Envelope Repairs	There are a number of facility repair issues required that were not included as in the first phase of facility repairs being completed in 2014. These projects include replacement of: all exterior doors and frames, exterior facility cladding, roof over the warm room and McLean room, windows and insulation. The facility was built in the early 1970s and a number of these items are original to the facility and need to be replaced. These upgrades will increase facility energy efficiency and improve the operation of other building systems such as refrigeration, heating and ventilation systems.	Facilities	\$ 350,000	\$ 23,993	A,B,C,D	Complete	Dec 9,2015	3 Phases (roof - started, cladding - started, doors - postponed to 2017)
	KPRC HVAC System Upgrades	This project consists of updating the heating and ventilation systems that supply the arena dressing rooms, warm room, arena concession and other areas that were not updated as part of the 2011 HVAC upgrade project. With the current installation of a new refrigeration heat recovery system as part of the phase 1 facility upgrades there are a number of areas in the facility where the recovered heat can be used to save energy costs. This project will increase facility operating efficiency thereby reducing heating costs as well as reducing GHG emissions.	Facilities	\$ 210,000	\$ 14,396	A,B,C,D	Approved - In Progress	Dec 9,2015	Design work started. Scheduled for 2018.
	KPRC Outdoor Fitness Park	Purchase and Install of an outdoor fitness park at KPRC.	Facilities	\$ 30,000	\$ 7,500	A,B,C,D	Approved - In Progress	Apr 13, 2016	Areas A, B, C, and D will equally share 100% of the cost. Complete in 2017.
	Lambourn Water System	The Lambourn water system is unmetered and the summer-time demand is high. Metering of the system would reduce peak flows which scour the distribution piping releasing precipitated Manganese into the water and improve function of greensand filter. It would also help with long-term sustainability of the water supply. Also, the burden of manganese sludge from the greensand filter on the sewage treatment plant is expected to reduce operable life cycle of the membrane systems. Settling tanks on the greensand filter discharge will allow for the greensand backwash to be discharged to the surface drainage system.	Water Management	\$ 350,000	\$ 300,955	D	Approved - In Progress	March 11, 2015	Complete in 2017.

CWF for Electoral Area D – Cowichan Bay Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
	Cowichan River Floodworks Project	This project consists of four small diking sections which will complete the comprehensive flood infrastructure system along the Cowichan River and protect against high velocity and deep water flooding of the City of Duncan and adjacent industrial area.	Environmental Initiatives	\$ 4,284,861 100%	\$ 163,284 3.8%	D, E, DU, CT	Approved - In Progress	July 9, 2014	Substantially Complete (Complete in 2017) - As of Dec/15 \$34,096.6
	Bright Angel Park	The wood pole towers on this pedestrian suspension bridge require replacement due to age/slow deterioration at the bases. The bridge spans Koksilah River and provides access to the east side of Bright Angel Park where the most popular swimming areas on the river are located for families.	Parks & Trails	\$ 45,000 100%	\$ 5,364 11.92%	A, B, C, D, E	Approved - Not Started	Feb 22, 2017	2018 Project
	Essex Ravine Park Community Pathway Connection	This project would see the development of a 2 metre wide trail and engineered staircase constructed within Wessex Ravine Park. Once completed this trail and staircase will provide connectivity from Pritchard Road down to Cowichan Bay Road. The trail and structure will be designed to limit the footprint within this sensitive ecosystem.	Parks & Trails	\$ 38,347 100%	\$ 38,347 100%	D	Approved - Not Started	Feb 22, 2017	CWF for Engineered Design only in 2017
	Cowichan Bay Boat Launch Upgrades (Hecate Park)	The Cowichan Bay Boat Launch is the only public boat launch between Mill Bay and Maple Bay. It is a highly used facility as indicated by 2014 vehicle counts (132,000) and the fact that the parking lot spaces are 80% dedicated to boat and trailer parking only. The current condition of the concrete ramp has deteriorated in areas, and the edge of the ramp has an 8 inch drop off due to its insufficient length. Consequently, users have reported damaged axles and stuck vehicles. Furthermore, the current condition of some sections of asphalt, primarily the travel lanes, has surpassed its lifespan, resulting in potholes and large sections of cracking. These areas require repaving to prevent further deterioration.	Parks & Trails	\$ 100,000 100%	\$ 25,000 25%	B,C,D	Approved - Not Started	Feb 22, 2017	Work is planned for 2017/18

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Electoral Area D Summary	
Allocated Funding	\$ 582,839
Previously Approved Projects	\$ 582,839
Remaining Funding	\$ -

Electoral Area E – Cowichan Station/Sahtlam/Glenora Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Dogwood Ridge Water System – Fire Pump Upgrades	In order to provide fire protection for the 33 customer Dogwood Water System, an electrical fire pump, new generator, and transfer switch are required at an estimated cost of \$80,000. The existing pump system delivers flow rates far short of standards for fire flow. This project would save Dogwood Ridge customers significantly in their house insurance costs offsetting somewhat, the high costs of this, the CVRD's most expensive system.	Water Management	\$ 80,000	\$ 80,000	E	Complete	Nov 12, 2015	Complete with \$12K remaining As of \$61,278 paid out
	2014 Cowichan River Floodworks Project	This project consists of four small diking sections which will complete the comprehensive flood infrastructure system along the Cowichan River and protect against high velocity and deep water flooding of the City of Duncan and adjacent industrial area.	Environmental Initiatives	\$ 4,284,861	\$489,852	D, E, DU, CT	Complete	July 9, 2014	Substantially Complete (Complete in 2017) - As of Dec/15 \$34,097 paid out
	Community Roadside Pathway - Cowichan Station to TCH	This project would involve the construction of a separated 1.5-metre gravel pathway within the Ministry of Transportation's Koksilah Road right of way from Cowichan Station to the Trans-Canada Highway, and then continued eastward in Cowichan Bay a few hundred meters to link with the existing Wilmot Road Community Pathway. The pathway would create a safe alternative transportation corridor for the Cowichan Station community to reach the TCT and Cowichan Bay Village area. Longer term plans would see continuation of this pathway from Cowichan Station to the Koksilah community and City of Duncan, providing an off-road pathway connection from Cowichan Bay to Duncan/North Cowichan. The overall length of the pathway.	Parks & Trails	\$ 200,000	\$ 100,000	E	Approved - Not Started	Dec 9, 2015	2018 Project
	Bright Angel Park	The wood pole towers on this pedestrian suspension bridge require replacement due to age/slow deterioration at the bases. The bridge spans Koksilah River and provides access to the east side of Bright Angel Park where the most popular swimming areas on the river are located for families.	Parks & Trails	\$ 45,000	\$ 5,873	A, B, C, D, E	Approved - Not Started	Feb 22, 2017	2018 Project
	Koksilah Watershed Ecosystem-based Analysis	Koksilah Watershed Ecosystem-based Analysis.	Community	\$ 25,000	\$ 10,000	B,E	Approved - Not Started	Feb 22, 2017	Work is planned for 2017/18

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Electoral Area E Summary	
Allocated Funding	\$ 756,333
Previously Approved Projects	\$ 685,725
Remaining Funding	\$ 70,609

Electoral Area F – Cowichan Lake South/Skutz Falls Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Honeymoon Bay Water System – Well Development and Protection Plan	The Honeymoon Bay water system, which provides water to 152 residential customers as well as 3 large RV sites, was converted to well- based water source which eliminated turbidity problems associated with the former Ashburnham creek source. However, peak demands in the summer exceed the capacity of the well at times and have resulted in storage capacities near zero, meaning that no firefighting capacity was available and that water service could be interrupted altogether in the higher areas of the service area. Additional well locations have been sited and funds allotted to drill an exploratory well, however additional funds are required for well development and to tie in to the existing system.	Water Management	\$500,000	\$123,525	F	Approved - In Progress	Dec 9, 2015 & \$23,000 on May 13, 2015	Complete in 2018
				50%	25%				
	Mesachie Lake Sewer Upgrades	Mesachie Lake is partly served by a primitive sewage collection and disposal system built in the 1940's. Sewer collection from the 49 homes in the service area is via a clay pipe based system which has almost no grade. Disposal is through two septic tanks and one trench system and a series of buried log "cribs". There have been chronic failures of the disposal system over the years. It is thought that the disposal system should be attended to first while the collection system is gradually improved. This project is to construct new pump stations in the septic tanks and a forcemain to convey effluent to a new disposal site, to be provided by Timber West.	Water Management	\$900,000	\$200,000	F	Approved - Not Started	Dec 9, 2015	Waiting for petition results for borrowing. Must be complete by March 2018.
Honeymoon Bay Firehall Energy Efficiency Upgrades	Complete various energy efficiency upgrades at the Honeymoon Bay Fire Hall including lighting upgrades, windows, and exterior doors.	Public Safety	\$16,671	\$16,671	F	Approved - Not Started	April 26, 2017	CWF 1.0 funds. Scheduled for 2018	
				100%	100%				

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Electoral Area F Summary	
Allocated Funding	\$ 323,525
Previously Approved Projects	\$ 323,525
Remaining Funding	\$ -

Electoral Area G – Saltair/Gulf Islands Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Thetis Island recycling depot baler & glass crusher	CWF would be used here to purchase a baler and a glass crusher for the Thetis Island garbage and recycling depot. This function is funded through a Thetis Island parcel tax with no other source of revenue or financial support. The baler will reduce operating costs by allowing the group to purchase this equipment rather than renting it as well as reducing trucking and ferry transportation costs. The glass crusher will allow the group to crush and repurpose glass locally, thereby improving its overall environmental impact, lowering emissions. and reducing costs.	Community	\$25,000	\$25,000	G	Approved - In Progress	Feb 11, 2015	None
	Former Mt. Brenton School Roof & Heating Upgrades	The recently acquired Mt. Brenton School is aged and requires upgrades. This project would consist of a \$50,000 upgrade to the current heating system which relies on oil, to a high efficiency heat pump system and a new roof on the building as the current roof if at the end of its service life. This is expected to cost \$400,000.Costs as this point are approximate.	Community Project	\$450,000	\$130,000	G	Approved - Not Started	Dec 9, 2015	None
	Parkinson/ Cliffcoe Community Trail	This project would see construction of a 2-m wide multi-use community pathway connecting Cliffcoe Road with Chemainus Road near the entrance to Stocking Creek Park; a total of 550 meters. Once completed, this fully accessible trail will provide a safe, direct, off road trail connection between neighborhoods in the Clifcoe Road area and local parks and amenities including Stocking Creek Park, Saltair Centennial Park, Diana Princess of Wales Park, and Cliffcoe Road Beach Access.	Parks & Trails	\$50,000	\$0	G	Approved - Not Started	Dec 9, 2015	Director canceled project and reallocated \$25,000 for Mt. Brenton School Condition Assessment
	Saltair Water System Upgrades (Old Victoria Rd.) Phase 1	The existing approximately 1500m, 100mm diameter water main on Old Victoria Road in the Saltair water system is inadequate to provide sufficient flows for firefighting purposes and requires upgrading. In addition, due to being a long dead end pipe, there is a tendency for the water to become stagnant. In 2011 this resulted in an algae bloom occurring which rendered the water undrinkable. The best long term solution to this is to loop the end of the pipe back into the system so that continuous flow occurs.	Water Management	\$ 258,364	\$ 258,364	G	Approved - Not Started	Feb 22, 2017	All remaining funding will be allocated to ongoing Saltair Upgrades
	Former Mt. Brenton School Condition Assessment	Condition Assessment (structural, mechanical, electrical), which will be used to prioritize various renovations/repairs	Parks & Trails	\$ 25,000	\$ 25,000	G	Approved - In Progress	Feb 22, 2017	Reallocating \$25,000 from Cliffcoe Community Trail

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Electoral Area G Summary

Allocated Funding	\$ 438,364
Previously Approved Projects	\$ 438,364
Remaining Funding	\$ -

Electoral Area H – North Oyster/Diamond Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Shellwood Water System Upgrades	Upgrades for this 26 customer system began in 2014 with design and tendering, but due to an unexpected higher cost of reservoir, which came in \$80,000 higher than expected, the project has been put on hold until additional funding can be found. Due to the layout of the infrastructure. we could not build the reservoir and Water treatment plant Independently.	Water Management	\$444,000	\$100,000	H	Complete	Feb 2015	Substantially complete - As of Dec/15 \$99,173.84 paid out. \$260,000 in CWF 1.0 previously allocated.
				81%	100%				
	Shell Beach Water System	Proposed acquisition of this 35 customer water system by the CVRD requires upgrade of various components of the water treatment facility and linking with the Shellwood system as determined in an engineering study. The existing system does not provide adequate flow for firefighting, which is of key importance to the customers of the system.	Water Management	\$460,000	\$230,000	H	Approved - In Progress	Dec 9, 2015	Moratorium on new take overs. Updated cost estimate is \$1.2M
	North Oyster Fire Department - Water Source Development	The North Oyster Fire Service Area is mostly without fire hydrant protection. With recent climate change, longer wildfire seasons, and the reduction of natural water sources, a strategic hydrant water supply installed around Simpson Road & TCH would greatly enhance the firefighting efforts of the fire department. This would provide critical firefighting water to the area, reduce response times for water shuttling, and reduce the impact and use on other, farther away, hydrant systems.	Public Safety	\$ 50,000	\$ 50,000	H	Approved - Not Started	Feb 22, 2017	Scheduled for 2018

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Electoral Area H Summary	
Allocated Funding	\$ 457,504
Previously Approved Projects	\$ 380,000
Remaining Funding	\$ 77,504

Electoral Area I – Youbou/Meade Creek Approved CWF Projects

No.	Project Name	Description	Project Lead	Total Cost Estimate & % of Total from CWF	EA's Contribution of Total Cost (\$ & % of total)	Funding Area	Status	Board Approval Date	Comments
Previously Approved	Youbou Water System Well Development & Protection Plan	This project will link an existing very large capacity well into the water supply network for the 530 customer Youbou water system. This will provide substantial extra capacity and eliminate the need to treat surface water from the Youbou Creek source. The compliance standard for the existing system requires that the Youbou Creek source is filtered and then bypassed during turbidity events in the winter leaving the existing wells to meet all the demand. However the bag filtration system has been put offline as it could not deal with the amount of organic debris in the water. This has rendered the system out of compliance. Due to the amount of organic matter, a filtration system is not thought to be feasible. Also, Island Health staff has indicated the system may have to meet the 4-3-2-1 standard in future. which would be cost prohibitive.	Water Management	\$140,000	\$70,000	I	Approved - In Progress	Dec 9, 2015	None
				50%	100%				
Previously Approved	Arbutus Park Washroom & Lifeguard Building, Picnic Shelter Replacement and Swim Dock Upgrade	Arbutus Park ranks as the most popular CVRD waterfront park for its size (other than perhaps Shawnigan Wharf Park in Shawnigan Lake) and benefits from the provision annually of lifeguards in the summer months through Cowichan Lake Recreation. The existing building provides both limited washroom space for the public and a lifeguard station; however the aged wooden building is beyond retrofitting or expansion. A new washroom building is proposed, inclusive of new sewage/water utilities.	Parks & Trails	\$290,000	\$145,000	I	Approved - In Progress	Dec 9, 2015	Complete in 2017
				50%	100%				

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Electoral Area I Summary	
Allocated Funding	\$ 217,948
Previously Approved Projects	\$ 215,000
Seeking Board Approval	\$ -
Remaining Funding	\$ 2,948

Approved Regional Projects								
	No.	Name	CWF Cost	Total Est. Cost	Funding Area	Status	Board Approval Date	Comments
Previously Approved	1	Asset Management Program: Phase 1 Electoral Areas	\$150,000	\$150,000	Regional	Approved - In Progress	December 9, 2015	n/a
	2	Cowichan Valley Trail – Shawnigan Lake Connection	\$300,000	\$1,800,000	Regional	Complete	December 9, 2015	Complete
	3	GIS Enhancement for Disaster Mitigation	\$30,000	\$120,000	Regional	Approved - Not Started	December 9, 2015	May be redundant, could be rolled into AMP
	4	Fire Protection Water Resource Study for Disaster Mitigation	\$30,000	\$30,000	Regional	Approved - Not Started	December 9, 2015	Waiting for recommendations from Community Wildfire Protection Plan (plan complete in March 2018).
	5	Cowichan Valley Trail – Stocking Creek Park to Old Lake Cowichan Road	\$225,000	\$900,000	Regional	Approved - Not Started	December 9, 2015	Complete in 2018

Regional Summary	
Allocated Funding	\$ 771,768
Previously Approved Projects	\$ 735,000
Remaining Funding	\$ 36,768



STAFF REPORT TO COMMITTEE

DATE OF REPORT August 22, 2017

MEETING TYPE & DATE Electoral Area Services Committee Meeting of September 6, 2017

FROM: Water Management Division
Engineering Services Department

SUBJECT: Mesachie Lake Sewer Loan Authorization and Service Area Boundary Amendment Bylaws

FILE: 0540-20-EAS/05

PURPOSE/INTRODUCTION

The purpose of this report is to receive the Certificate of Sufficiency, and to give direction to proceed with the preparation of a Loan Authorization bylaw related to upgrades to the Mesachie Lake Sewer System and a bylaw to reduce the boundary of the Mesachie Lake Sewer System Service Area.

RECOMMENDED RESOLUTION

That it be recommended to the Board:

1. That the Certificate of Sufficiency confirming that sufficient petitions authorizing a boundary reduction and borrowing up to \$251,226 for capital improvements to the Mesachie Lake Sewer System Service Area, be received.
2. That a Loan Authorization bylaw be prepared for the purpose of borrowing up to \$251,226 for capital improvements to the Mesachie Lake Sewer System Service.
3. That a bylaw be prepared to amend "Mesachie Lake Sewerage Special Service Area Bylaw No 15", to reduce the boundary to accurately reflect properties that are connected; to change the name from Mesachie Lake Sewerage Special Service Area to Mesachie Lake Sewer System Service Area; and to modernize the language of the bylaw.

BACKGROUND

The Mesachie Lake Sewer System is 70 years old and in need of upgrades. The system pre-dates any permits or regulations and does not comply with any modern day standards. The failures experienced by the system are an environmental and public health concern. These issues need to be addressed prior to further costly failures or mandated upgrades.

The Cowichan Valley Regional District (CVRD) has proposed a multi-phased project to upgrade the Mesachie Lake Sewer System and begin working towards a unified South Shore Sewer System. The Phase 1 upgrades would resolve the current environmental and health issues with the existing septic tanks and disposal fields.

The total cost of the Phase 1 upgrade project is \$1,477,793. A successful grant application to the Clean Water and Wastewater Fund (CWWF) program provides 83% (\$1,226,567) of the total project cost. Mesachie Lake has provided approval for the borrowing of the remaining 17% (\$251,226) through the petition process described below.

ANALYSIS

Sufficiency results: A total of 38 valid petitions were received for the creation of the Mesachie Lake Sewer Loan Authorization Services of up to \$251,226. Pursuant to Section 337.3 of the *Local*

Government Act, a petition is deemed sufficient if at least 50% of the owners of parcels sign it, and the total value of their parcels represents at least 50% of the net taxable value of all land and improvements within the proposed service area. In this case, the petitions received equal 79.16% of the property owners holding 80.61% of the net taxable value of all land and improvements within the proposed service area. Therefore the petitions are deemed sufficient and the CVRD has the authority to proceed with borrowing up to \$251,226 to complete the capital sewer upgrade work (see attached Certificate of Sufficiency).

FINANCIAL CONSIDERATIONS

It is estimated that \$1,477,793 is required for Phase 1 upgrades to the sewer system. \$1,226,567 has been awarded through the Clean Water and Wastewater Fund (CWWF) program. \$200,000 of Community Works Gas Tax Funding and \$46,000 in capital reserve funds are also available in case of cost overruns.

The petition represented elector consent to increase the Mesachie Lake Sewer System user fees by up to **\$353/year** for the capital upgrade.

COMMUNICATION CONSIDERATIONS

N/A

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

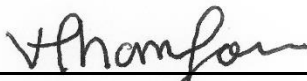
Provides a reliable essential service.

Referred to (upon completion):

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

Prepared by:

Reviewed by:



Vanessa Thomson, EIT
Assistant Project Engineer

Not Applicable
Not Applicable



Hamid Hatami, P. Eng.
General Manager

ATTACHMENTS:

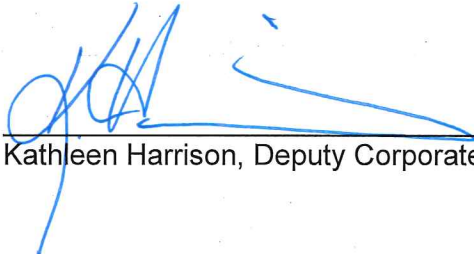
- Attachment A – Certificate of Sufficiency
- Attachment B – Proposed Boundary Reduction Map



CERTIFICATE OF SUFFICIENCY

I hereby certify that the petition to: reduce the boundary of the Mesachie Lake Sewer System Service Area to accurately reflect the properties that are connected to the system; and to borrow up to \$251,226 to fund the capital work necessary for wastewater collection, treatment and disposal upgrades to the Mesachie Lake Sewer System, within a portion of Electoral Area F – Cowichan Lake South/Skutz Falls, for a maximum term of debentures of 25-years, is sufficient pursuant to section 337.3 of the *Local Government Act*.

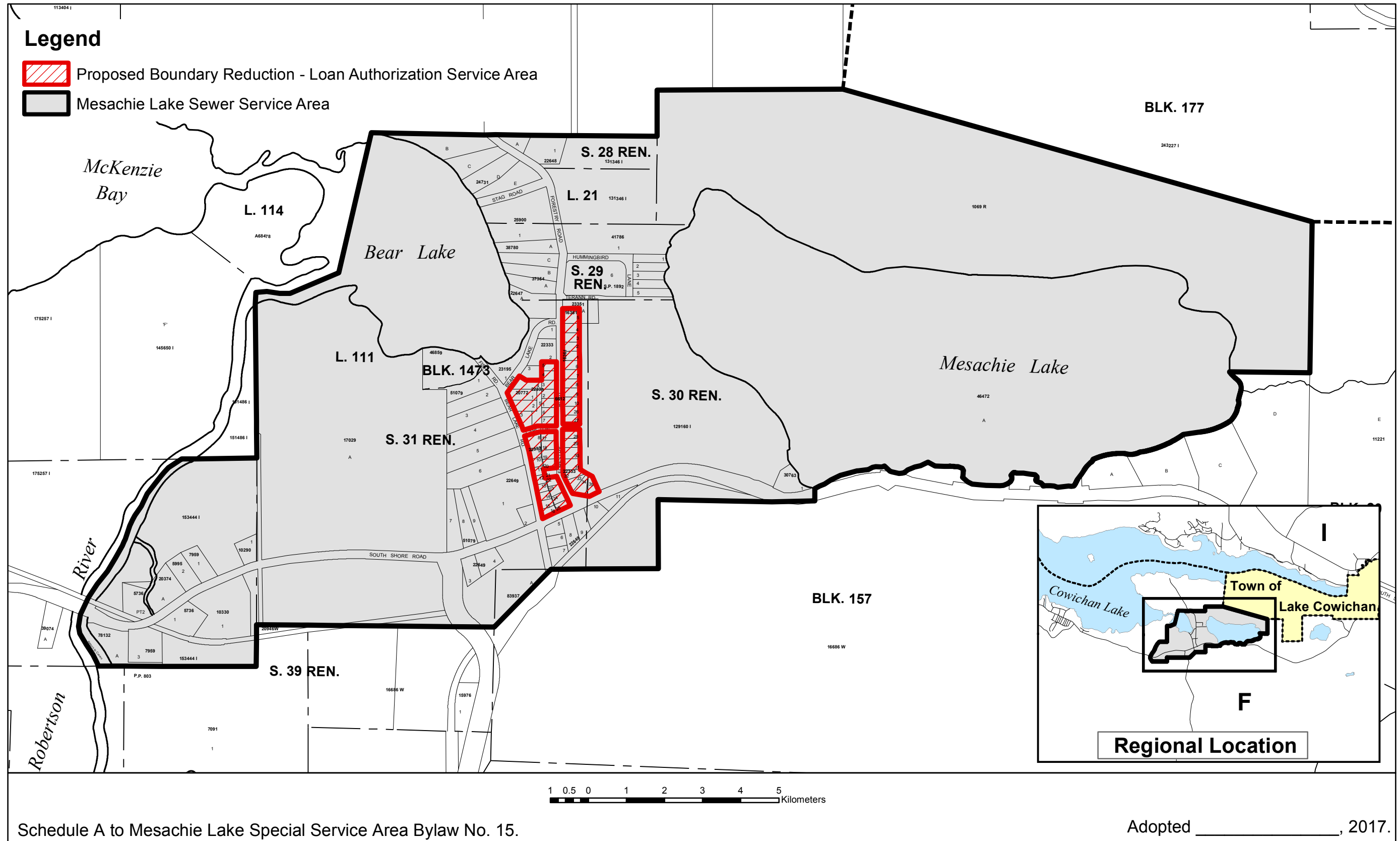
DATED at Duncan, British Columbia)
this 16th day of August, 2017)
)

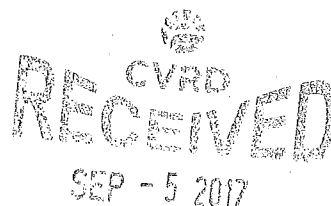


Kathleen Harrison, Deputy Corporate Secretary

Mesachie Lake Sewer System Service Area

Total Number of Parcels within the Sewer System Service Area:	48
Net Taxable Value of All Land and Improvements of Parcels Within the Sewer System Service Area:	\$10,660,100
Number of Petitions received as Valid: (48 - 9 not returned = 39 - 1 not valid = 38 or 79.16%)	38
Net Taxable Value of Petitions received (Land and Improvements): (80.61%)	\$8,592,800





COWICHAN VALLEY REGIONAL DISTRICT Finance Division

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

Submitted by Director IANNIDINARDO Area D

Grantee: _____ Grant Amount \$ 400⁰⁰/₁₀₀

NAME: COWICHAN BAY SENIORS + COMMUNITY ASSOCIATION

ADDRESS: COWICHAN BAY WOODEN BOAT SOCIETY (CBSCA)
1763 COWICHAN BAY RD.
COWICHAN BAY.

Contact Phone No: LEW PENNEY 250-746-4955.
DON BRIGHT 250-746-7190.

PURPOSE OF GRANT: SUPPORT FOR THEIR PUBLICITY PLAN

REQUESTED BY: *Lou L. Iannidinaro*
 Director's Signature

ACCOUNT NO.	AMOUNT
<u>01-2-1950-0432-114</u>	<u>400.⁰⁰</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL *A*

Approval at Regional Board Meeting of _____

Finance Authorization _____

Are You Interested in Co-op Housing in Cowichan Bay?



Sponsoring Organization
The Cowichan Bay Seniors and Community Association

Type of Co-op Housing

For practical purposes we need from forty to fifty participant individuals or families. An apartment complex is envisioned, since there is a dearth of land space available. The Co-op is planned in a semi-rural setting and most land is in Agricultural Land Reserve.

Organizational Meeting

If sufficient interest is shown, we will be holding an organizational meeting in mid October. So please contact us soon.

As a community organization, we wish to incorporate into the Housing Co-operative needed amenities for the community, such as a Community Centre and a safe and practical Emergency Assembly Site. These will be desirable amenities to potential Co-op residents as well.

**For potential participation and/or further information
Email <dmbright@telus.net> (use "Housing Co-op" for the title) and/or
phone 250 746 7190 for information.**

Advantages in Forming a Housing Co-op in Cowichan Bay

Cowichan Bay Seniors and Community Association (CBSCA)

The CBSCA, as a Community Organization, encourages the inclusion of a Community Centre and a safe and practical Emergency Assembly Location in the Co-operative Housing initiative. Several advantages of their inclusion (inclusion in finality to be determined by Co-op members) are listed below, as well as other advantages.

Advantages of Forming a Housing Co-operative are:

- the incorporation of an active **Community Centre** will see the joint development of facilities, such as a meeting hall, a commercial kitchen, an activity room, a recreation facility, etc., that will be an asset to both Co-op residents and the community.
- an active **Community Centre** will aid in preventing loneliness, helping to fight dementia and its many psychological and physical implications. This will have positive effects on both Co-op residents and community members.
- a safe and practical **Emergency Assembly Location** would treat minor injuries, provide shelter, contain needed emergency supplies and first aid supplies, and possibly save lives in the advent of a natural or man-made catastrophe. Our present site, Coverdale/Watson Park, is woefully inadequate in this respect and lacks heated shelters. Again, the advantages of a safe and practical **Emergency Assembly Location** will benefit both Co-op residents and the larger community.
- a lower cost of accommodation, with many individuals and families sharing the cost of facilities and services. (Implications for accommodation for seniors, single parent families, low-cost housing, retaining young people in the community, etc.)
- an aid to maintain a sense of independence, since each co-op member has a voice and franchise in choosing and utilizing his/her accommodation and services. Independence is a forgotten concept by most "housing-for-profit" housing complexes.
- a provision for down-sizing present accommodation, with maintenance personnel hired to care for more manual contingencies such as snow removal, gardening, lawn cutting, cleaning and maintenance, etc.

Advertising Proposal to Determine Level of Interest in Forming a Housing Co-op in Cowichan Bay Cowichan Bay Seniors and Community Association (CBSCA)

Rationale:

There could be many advantages in a Housing Co-op for Cowichan Bay/Area D.

A From a broader community perspective, the Co-op could:

1. include a solution to the lack of a **Community Centre** for the Area.
2. include a site for a practical **Emergency Assembly Location**, since the present location at Coverdale/Watson Park is woefully inadequate.

B From a more personal perspective, the Co-op could:

1. if A1. above is realized, an active **Community Centre** would be an aid in preventing loneliness, and help to fight dementia and its many psychological and physical implications.
2. if A2. is realized, a practical **Emergency Assembly Location** could treat injuries, provide shelter and possibly save lives in the advent of a natural or man-made catastrophe.
3. lower the cost of accommodation, with many individuals and families sharing the cost of facilities and services.
4. help to maintain a sense of relative independence, since each co-op member has a voice and franchise in choosing and utilizing his/her accommodation and services.
5. provide a solution for down-sizing present accommodation, with maintenance personnel hired to care for more manual contingencies such as snow removal, gardening, lawn cutting, cleaning and maintenance, etc.
6. enable present citizens to age in place in the sense of remaining close to family and friends and in a familiar social and physical environment
7. create more environmentally friendly and sustainable living conditions, acting as a prototype for future ecologically-friendly building construction.
8. function in encouraging and utilizing the slow social and business philosophy that makes Cowichan Bay/Area D such a desirable and unique place to live.
9. provide much-needed affordable accommodation in the Cowichan Valley that presently is subjected to inflationary housing costs because of an approximate 1% vacancy rate,

Co-op Housing Publicity Plan and Request for Funding

The Cowichan Bay Seniors and Community Association had originally wished to use flyer postal insert to determine if there is an interest in forming Co-op Housing in Cowichan Bay, with the incorporation of a Community Centre and a safe and practical Emergency Assembly Location. The cost of such, however, is in excess of \$3,000.00 Since Area D has been unsuccessful in obtaining funding under government-sponsored plans, and because of the increasing need for housing in the Area, we would like to suggest the following downsized alternative. Although more hit-and-miss than the original plan, it will hopefully achieve the same ends.

Publicity Plan

- a) Wendy Shaw with Sutton West Coast Realty has kindly agreed to carry notices for us in her "Cowichan Bay Tides" postal insert for the months of September and October. The notices are directed at seeing if there is sufficient interest in forming a Cowichan Bay Housing Co-op.
- b) Accordingly, if enough interest is shown, a Co-op organizational meeting is planned for mid-October
- c) Posters, a copy of which is included, will be posted in the Area and related locations.
- d) The Cowichan Citizen has priced the cost of a small BW ad related to the above in a weekly edition (possibly on Fridays) at \$58.70. There are four Fridays remaining in September and one ad to be placed in October.

Summary: Printing of Posters:ink cartidges (incl. tax)		\$ 125.26
Newspaper advertising (incl. tax)		328.20
CBSCA contribution	less	-53.46
Total funding requested		\$ 400.00

Respectfully submitted,
 Don Bright. Chairperson,
 4632 Alder Glen Rd.,
 Cowichan Bay, BC, V0R 1N1
 Cowichan Bay Seniors and Community Association (CBSCA)
 Ph. 250 746 7190

Since the CBSCA is an affiliate of the Cowichan Bay Wooden Boat Society, please make grants payable to:
 Attn. Lew Penney
 Cowichan Bay Wooden Boat Society,
 1763 Cowichan Bay Rd.,
 Cowichan Bay, BC, V0R 1N1
 Ph. 250 746 4955

