



COWICHAN VALLEY REGIONAL DISTRICT

NOTICE OF REGULAR BOARD MEETING

DATE: Wednesday, June 14, 2017

**TIME: REGULAR SESSION
6:30 PM**

PLACE: BOARD ROOM

175 INGRAM STREET

**Joe Barry
Corporate Secretary**



**REGULAR BOARD MEETING AGENDA
WEDNESDAY, JUNE 14, 2017
6:30 PM - CVRD BOARD ROOM**

	PAGE
1. <u>APPROVAL OF AGENDA</u>	
2. <u>ADOPTION OF MINUTES</u>	
M1 Regular Board Meeting of May 24, 2017	1
Recommendation That the minutes of the Regular Board meeting of May 24, 2017 be adopted.	
3. <u>BUSINESS ARISING FROM THE MINUTES</u>	
4. <u>DELEGATIONS</u>	
5. <u>REPORT OF THE CHAIRPERSON</u>	
6. <u>CORRESPONDENCE</u>	
7. <u>INFORMATION</u>	
8. <u>COMMITTEE/COMMISSION REPORTS</u>	
CR1 Report and Recommendations of the Electoral Area Services Committee Meeting of June 7, 2017 - Director Morrison	7
Recommendation 1. 1. That the Certificate of Sufficiency confirming that a sufficient petition requesting inclusion into the Twin Cedars System service area be received; 2. That CVRD Bylaw No. 2871 – Twin Cedars Sewer System Service Establishment Bylaw, 2006 be amended to include the property described as PID 017-996-783, Lot 1, Section 12, Range 5, VIP 55417, Shawnigan District; and 3. That the amendment bylaw be forwarded to the Board for consideration of three	

readings and upon payment of the connection fees, adoption.

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

2. 1. That Development Permit with Variance Application No. 04-F-16DP/VAR (5525 Jenny Place) be approved;

2. That the General Manager of Planning & Development be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 1945;

3. That Section 3.22 of Zoning Bylaw No. 2600 be varied to 10.9 metres for the shop, 4.5 metres for the garage, and 13.5 metres for the concrete retaining wall;

4. That a 'Save Harmless Covenant' be registered against the property prior to issuance of the Development Permit with variance; and

5. That a landscape security bond be provided in accordance with the CVRD Landscape Security Policy.

3. That Application No. 01-B-16DVP (2370 MacDonald Road, PID: 000-287-288), to vary Clause 5 of Land Use Contract No. G58863 to reduce the side parcel line setback from 3.0 m to 1.0 m and the rear parcel line setback from 3.0 m to 1.5 m; and to vary Section 8.6(b)(3) of Zoning Bylaw No. 985 to reduce the rear parcel line setback from 4.5 m to 1.5 m, be approved.

4. That Application No. 01-D-17DVP (PID: 029-746-841, Vee Road) to vary Section 5.7.4 (d) of Zoning Bylaw No. 3705 to increase the maximum permitted height of a principal residential building from 7.5 metres to 9.5 metres be approved.

5. 1. That the referrals to Ministry of Transportation and Infrastructure, Island Health, School District 79, Cowichan Tribes, Sahtlam Fire Department, be accepted;

2. That amendment bylaws for Rezoning Application No. 01-E-16RS (4681 Sahtlam Estates Road) be forwarded to the Board for consideration of first and second readings;

3. That a public hearing be scheduled with

Directors from Electoral Areas E, F and D as delegates; and

4. That covenant(s) be drafted prior to public hearing to secure the areas to be dedicated to the CVRD.

6. 1. That Zoning Amendment Bylaw Nos. 4059 and 4060 (Road End Water Zone) be forwarded to the Board for consideration of first and second readings;

2. That the proposed Amendment Bylaws, along with this staff report, be referred to Cowichan Tribes, Lake Cowichan First Nation, Ditidaht First Nation and the Town of Lake Cowichan for information only; and

3. That a public hearing be waived in favour of public notice.

7. 1. That Zoning Amendment Bylaw Nos. 4118 through 4125 inclusive be forwarded to the Board for consideration of first and second readings;

2. That Zoning Amendment Bylaw Nos. 4118 through 4125 not be referred to any agencies; and

3. That a single Public Hearing be held in Duncan at the CVRD Office in the Board Room for Amendment Bylaw Nos. 4118 through 4125; and that the Directors from all nine Electoral Areas be delegated to attend.

CR2 Report and Recommendations of the Corporate Services Committee meeting of June 14, 2017 - Director Day

To Be Distributed

9. **DIRECTOR REPORTS**

10. **STAFF REPORTS**

11. **PUBLIC HEARINGS**

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

9

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

12. BYLAWS

- B1 "CVRD Bylaw No. 4103 - Saltair Water System Management Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading. 123
 "CVRD Bylaw No. 4103 - Saltair Water System Management Amendment Bylaw, 2017", be adopted.
- B2 "CVRD Bylaw No. 4110 - Solid Waste Management Charge and Regulations Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading. 125
 "CVRD Bylaw No. 4110 - Solid Waste Management Charge and Regulations Amendment Bylaw, 2017", be adopted.
- B3 "CVRD Bylaw No. 4112 - Cowichan Bay Sewer System Service Amendment Bylaw (PID 029-865-310), 2017", be adopted. 127
- B4 "CVRD Bylaw No. 4114 - Shawnigan Lake North Water System Management Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading. 131
 "CVRD Bylaw No. 4114 - Shawnigan Lake North Water System Management Amendment Bylaw, 2017", be adopted.
- B5 "CVRD Bylaw No. 4127 Electoral Area H Community Parks Capital Reserve Fund Expenditure (Phase II Bank Stabilization/Elliots Beach Park - \$25,000) Bylaw, 2017", be granted 1st, 2nd and 3rd reading. 135
 "CVRD Bylaw No. 4127 Electoral Area H Community Parks Capital Reserve Fund Expenditure (Phase II Bank Stabilization/Elliots Beach Park - \$25,000) Bylaw, 2017", be adopted.

13. BYLAWS - ELECTORAL AREA DIRECTORS

- BEA1 "CVRD Bylaw No. 4070 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Nantree/Peri Road), 2016", be granted 3rd reading. 137
 "CVRD Bylaw No. 4070 - Area I - Youbou/Meade Creek Official Community Plan Amendment (Nantree/Peri Road), 2016", be adopted.
- BEA2 "CVRD Bylaw No. 4071 - Electoral Area I - Youbou/Meade Creek Official Zoning Amendment (Nantree/Peri Road), 2016", be granted 3rd reading. 141
 "CVRD Bylaw No. 4071 - Electoral Area I - Youbou/Meade Creek Official Zoning Amendment (Nantree/Peri Road), 2016", be adopted.

14. RESOLUTIONS**15. UNFINISHED BUSINESS****16. NOTICE OF MOTION**

17. **NEW BUSINESS**

18. **QUESTION PERIOD**

19. **ADJOURNMENT**

The next Regular Board meeting will be held Wednesday, June 28, 2017 at 1:30 PM, in the Board Room, 175 Ingram Street, Duncan, BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan BC, on Wednesday, May 24, 2017 at 1:30 PM.

PRESENT Chair J. Lefebure
Director S. Acton
Director B. Day
Director M. Clement <after 1:55 PM>
Director K. Davis
Director M. Dorey
Director L. Iannidinardo
Director S. Jackson
Director M. Marcotte
Director K. Marsh
Director I. Morrison <after 1:34 PM>
Director A. Nicholson
Director A. Stone
Director T. Walker
Alternate Director J. Tatham

ALSO PRESENT B. Carruthers, Chief Administrative Officer
J. Barry, Corporate Secretary
M. Kueber, General Manager, Corporate Services
J. Elzinga, General Manager, Community Services
R. Blackwell, General Manager, Land Use Services
H. Hatami, General Manager, Engineering Services
C. Lockrey, Manager, Strategic Services
B. Dennison, Manager, Water Management
K. Miller, Manager, Environmental Services
J. Wakeham, Manager, Facilities & Transit Management
T. Daly, Recording Secretary

ABSENT Director K. Kuhn

APPROVAL OF AGENDA

17-215 It was moved and seconded that the agenda be amended with the addition of one Closed Session New Business item: CSNB1 Appointment to the 2018 BC Summer Games Committee {Sub (1)(a)}; and that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES

M1 Regular Board Meeting of May 10, 2017

17-216 It was moved and seconded that the minutes of the Regular Board meeting of May 10, 2017 be adopted.

MOTION CARRIED

1:34 PM Director Morrison entered the meeting at 1:34 PM.

COMMITTEE/COMMISSION REPORTS

CR1 Report and Recommendations of the Electoral Area Services Committee Meeting of May 17, 2017

17-217 It was moved and seconded:

1. That a lease be prepared for the three South Cowichan Historical Societies (Mill Bay-Malahat, Bamberton, Cobble Hill) to use the historic Mill Bay Church as a museum.
2. That a Land Disposition and Intention to Provide Assistance Public Notice be advertised pursuant to Section 286 of the *Local Government Act* for the lease of the Mill Bay Historic Church to the Mill Bay-Malahat, Bamberton and Cobble Hill Historical Societies.
3. That a Grant-in-Aid, Electoral Area G - Saltair/Gulf Islands, in the amount of \$250 be provided to Saltair Ratepayers Association to support an appreciation event for the Saltair Cycling Group and 150 Quilters and Take 5 advertising.
4. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$7,500 be provided to Cowichan Lake District Chamber of Commerce Visitor Centre to assist in delivery of Visitor Centre services.
5. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$5,000 be provided to Caycuse Volunteer Fire Department to support fire/rescue services for West Cowichan Lake area.
6. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$500 be provided to Honeymoon Bay Community Society to assist with Canada Day, Bay Days and Outdoor Movie Night.
7. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$550 be provided to Lake Days Society to assist with Electoral Areas F & I's hosted Breakfast in the Town Event for Lake Days.
8. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$500 be provided to Cowichan Lake

Community Radio Society to support "Summer Nights" Music in the Park Events.

- 9. That a Grant-in-Aid, Electoral Area F - Cowichan Lake South/Skutz Falls, in the amount of \$2,000 be provided to Lady of the Lake Society to assist with the Ambassador Program activities.**
- 10. That a Grant-in-Aid, Electoral Area D – Cowichan Bay, in the amount of \$500 be provided to Cowichan Bay Improvement Association to support Low Tide Day.**

MOTION CARRIED

17-218 It was moved and seconded:

- 11. 1. That Development Permit with Variance Application No. 02-B-17-DP-VAR (2054 Butler Road) be approved;**
- 2. That Section 5.14(a) of Zoning Bylaw No. 985 be varied to decrease the setback from a watercourse from 15 metres to 7.5 metres; and**
- 3. That the General Manager of Land Use Services be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 3510.**
- 12. That the Province be sent a formal request to grant the Cowichan Valley Regional District the Approving Officer authority.**

MOTION CARRIED

CR2 Report and Recommendations of the Regional Services Committee meeting of May 24, 2017

17-219 It was moved and seconded:

- 1. That the contract for supply and delivery of one 2018 Freightliner M2-112 (tandem axle roll-off truck) be awarded to P&R Truck Centre in Duncan BC, for a total of \$224,176.34 (excluding applicable taxes and extended warranties).**
- 2. 1. That the one year License of Occupation issued by the Municipality of North Cowichan for development and maintenance of a gravel parking area to access Stoney Hill Regional Park be renewed for up to 10 years; and**
- 2. That \$15,000 be funded from the 2017 Regional Parks budget as a financial contribution to the Municipality of North Cowichan to expand the existing gravel parking area on their lands to accommodate increased public visitation to Stoney Hill Regional Park.**

MOTION CARRIED

CR3 Report and Recommendations of the Special Transit Committee meeting of May 24, 2017

17-220 It was moved and seconded:

- 1. That three southbound and three northbound trips per Saturday, excluding statutory holidays be provided for the Duncan-Victoria Express transit pilot service to maximize travel opportunities in both directions, be approved.**
- 2. That cash-only fares of \$10.00 per one-way trip be implemented for the Duncan-Victoria Saturday Express transit pilot service, be approved.**
- 3. That the Duncan-Victoria Saturday Express transit pilot service use the same routing and bus stops as Duncan Commuter Route 66, be approved.**

MOTION CARRIED

STAFF REPORTS

SR1 Staff Report from the Finance Division Re: 2017 - 2021 Five Year Financial Plan Amendment, was received for information.

SR2 Staff Report from the Water Management Division Re: UBCM Strategic Priorities Fund Grant Applications

17-221 It was moved and seconded:

- 1. That two applications to the Strategic Priorities Fund be submitted for the following projects as listed in priority order:**
 - 1. Mill Bay Wastewater Integration Project (Area A).**
 - 2. Cobble Hill Wastewater Integration and Re-use Upgrade Project (Area C).**

MOTION CARRIED

17-222 **2. That, subject to the Strategic Priorities funding approval, capital reserve funds and operating reserve funds be used and loan authorization bylaws be prepared, and public approval be obtained to allow for borrowing to cover the remaining funds needed to pay for the local share of ineligible costs.**

MOTION CARRIED

SR3 Staff Report from the Corporate Secretary Re: Resignation of Director Furstenau

The Corporate Secretary announced the resignation of Director Furstenau and informed the Board that Director Acton has assumed the position of director for Electoral Area B (Shawnigan Lake) until after the by-election and the new director is sworn in.

BYLAWS

B1
17-223 It was moved and seconded that "CVRD Bylaw No. 4113 - Malahat Fire Protection Service Amendment (PID 029-941-997), Bylaw, 2017", be adopted.

MOTION CARRIED

B2
17-224 It was moved and seconded that "CVRD Bylaw No. 4117 - Five Year Financial Plan (2017 - 2021) Amendment Bylaw, 2017", be granted 1st, 2nd and 3rd reading.

MOTION CARRIED

B2
17-225 It was moved and seconded that "CVRD Bylaw No. 4117 - Five Year Financial Plan (2017 - 2021) Amendment Bylaw, 2017", be adopted.

MOTION CARRIED

UNFINISHED BUSINESS

UB1 Regional Overdose Prevention Site (*Referred from Item D1 - May 10, 2017 Regular Board Meeting*)

17-226 It was moved and seconded that a letter be sent to Island Health advising the CVRD Board supports the establishment of an Overdose Prevention Site in the Cowichan Valley.

MOTION CARRIED

UB2 Correspondence from Ditidaht First Nation Re: Sponsorship of Ditidaht First Nation for the Strategic Priorities Fund (*Referred from Item NB1 - May 10, 2017 Regular Board Meeting*)

The Manager, Environmental Services, provided an overview of the procedure for application to the Strategic Priorities Fund.

1:55 PM Director Clement entered the meeting at 1:55 PM.

17-227 It was moved and seconded that the CVRD support the Ditidaht First Nation in their Gas Tax application under the Capacity Building Fund.

Opposed: Director Jackson

MOTION CARRIED

CLOSED SESSION

17-228
2:00 PM It was moved and seconded that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90 (1)(f) Law Enforcement (2 items); (1)(l) Legal Opinion; (1)(a) Appointment to the Cowichan 2018 BC Summer Games Board of Directors; and the Closed Session minutes of May 10, 2017.

MOTION CARRIED

17-233 **It was moved and seconded that the Board rise with report on Item**
2:09 PM **CSNB1, and return to the Open portion of the meeting.**

MOTION CARRIED

CSNB1 **It was moved and seconded that Ann Danyliw be appointed to the**
17-232 **Cowichan 2018 BC Summer Games Board of Directors (for Logistics)**
 replacing Jim Dias.

MOTION CARRIED

ADJOURNMENT

17-234 **It was moved and seconded that the meeting be adjourned.**
2:09 PM

MOTION CARRIED

The meeting adjourned at 2:09 PM.

Certified Correct:

Chairperson

Corporate Secretary

Dated: _____



ELECTORAL AREA SERVICES COMMITTEE REPORT

OF MEETING HELD JUNE 7, 2017

DATE: June 12, 2017

To: Board of Directors

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

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

2. 1. That Development Permit with Variance Application No. 04-F-16DP/VAR (5525 Jenny Place) be approved;
 2. That the General Manager of Planning & Development be authorized to permit minor revisions to the permit in accordance with the intent of development permit guidelines of Official Community Plan Bylaw No. 1945;
 3. That Section 3.22 of Zoning Bylaw No. 2600 be varied to 10.9 metres for the shop, 4.5 metres for the garage, and 13.5 metres for the concrete retaining wall;
 4. That a 'Save Harmless Covenant' be registered against the property prior to issuance of the Development Permit with variance; and
 5. That a landscape security bond be provided in accordance with the CVRD Landscape Security Policy.
3. That Application No. 01-B-16DVP (2370 MacDonald Road, PID: 000-287-288), to vary Clause 5 of Land Use Contract No. G58863 to reduce the side parcel line setback from 3.0 m to 1.0 m and the rear parcel line setback from 3.0 m to 1.5 m; and to vary Section 8.6(b)(3) of Zoning Bylaw No. 985 to reduce the rear parcel line setback from 4.5 m to 1.5 m, be approved.
4. That Application No. 01-D-17DVP (PID: 029-746-841, Vee Road) to vary Section 5.7.4 (d) of Zoning Bylaw No. 3705 to increase the maximum permitted height of a principal residential building from 7.5 metres to 9.5 metres be approved.
5. 1. That the referrals to Ministry of Transportation and Infrastructure, Island Health, School District 79, Cowichan Tribes, Sahtlam Fire Department, be accepted;
 2. That amendment bylaws for Rezoning Application No. 01-E-16RS (4681 Sahtlam Estates Road) be forwarded to the Board for consideration of first and second readings;
 3. That a public hearing be scheduled with Directors from Electoral Areas E, F and D as delegates; and
 4. That covenant(s) be drafted prior to public hearing to secure the areas to be dedicated to the CVRD.

6.
 1. That Zoning Amendment Bylaw Nos. 4059 and 4060 (Road End Water Zone) be forwarded to the Board for consideration of first and second readings;
 2. That the proposed Amendment Bylaws, along with this staff report, be referred to Cowichan Tribes, Lake Cowichan First Nation, Ditidaht First Nation and the Town of Lake Cowichan for information only; and
 3. That a public hearing be waived in favour of public notice.

7.
 1. That Zoning Amendment Bylaw Nos. 4118 through 4125 inclusive be forwarded to the Board for consideration of first and second readings;
 2. That Zoning Amendment Bylaw Nos. 4118 through 4125 not be referred to any agencies; and
 3. That a single Public Hearing be held in Duncan at the CVRD Office in the Board Room for Amendment Bylaw Nos. 4118 through 4125; and that the Directors from all nine Electoral Areas be delegated to attend.



PUBLIC HEARING REPORT
Bylaw Nos. 4070 and 4071

The following is a summary of the proceedings of the Public Hearing to consider Official Community Plan Amendment Bylaw No. 4070 and Zoning Amendment Bylaw No. 4071 (Nantree/Peri Road) – applicable to Electoral Area I – Youbou/Meade Creek, held on Thursday, March 30, 2017, at Youbou Community Hall, 8550 Hemlock Street, Youbou, BC

INTRODUCTIONS
7:07 p.m.

Director K. Kuhn, Electoral Area I – Youbou/Meade Creek opened the meeting at 7:07 p.m. Introduced the Regional Board delegates and CVRD staff present.

HEARING DELEGATES

Director K. Kuhn, Electoral Area I – Youbou/Meade Creek
 Director K. Davis, Electoral Area A – Mill Bay/Malahat
 Director M. Clement, Electoral C – Cobble Hill
 Director A. Nicholson, Electoral Area E – Cowichan Station/Sahtlam/Glenora
 Director I. Morrison, Electoral Area F – Cowichan Lake South/Skutz Falls
 Director M. Dorey, Electoral Area G – Saltair/Gulf Islands
 Director M. Marcotte, Electoral Area H – North Oyster/Diamond

ABSENT

Director S. Furstenau, Electoral Area B – Shawnigan Lake

Director Kuhn stated that Director Lori Iannidinardo (Electoral Area D – Cowichan Bay) has declared a conflict of interest as she is one of the subject property owners.

CVRD STAFF PRESENT

R. Conway, Manager, Development Services Division, Land Use Services Department
 M.A. McAdam, Recording Secretary, Land Use Services Department
 R. Blackwell, General Manager, Land Use Services Department
 A. Melmock, Manager, Economic Development Commission

Members of the Public:

There were approximately 60 members of the public present.

EXPLANATION OF PROPOSED REZONING APPLICATION & BYLAWS

Mr. Conway explained that this Public Hearing has been organized to give the public an opportunity to provide input on proposed Official Community Plan Amendment Bylaw No. 4070 and Zoning Amendment Bylaw No. 4071 (applicable to Electoral Area I – Youbou/Meade Creek).

PowerPoint presentation by Rob Conway (Exhibit 1). Outline of the subject properties and proposed Official Community Amendment Bylaw No. 4070 and Zoning Amendment Bylaw No. 4071 (applicable to Electoral Area I – Youbou/Meade Creek).

APPLICANT
Tom Sharpe

Tom Sharpe was present and made a presentation on behalf of the property owners (EXHIBIT 11).

QUESTION and ANSWER SESSION

A question and answer session was carried out.

7:35 p.m. – 8:23 p.m.

Break

CALL TO ORDER
8:43 p.m.

Chair Kuhn, Electoral Area I – Youbou/Meade Creek, called the Public Hearing to order at 8:43 p.m.

Location of the File

Chair Kuhn stated that the Information Binder was available for review on the back table, along with copies of the proposed Amendment Bylaws. He advised that any letters or submissions which are to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing. He further advised that all correspondence submitted to the CVRD in response to this Notice will form part of the public record and will be published in a meeting agenda that is posted online when this matter is before the Board or a Committee of the Board. The CVRD considers the author's address relevant to the Board's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information to be disclosed.

**EXPLANATION OF
 PROPOSED BYLAW
 AMENDMENTS**

Mr. Conway advised that notice of the Public Hearing was advertised in two consecutive issues of the *Cowichan Valley Citizen* (Wednesday, March 22, 2017, and Friday, March 24, 2017). Letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Mr. Conway stated that Official Community Plan Amendment Bylaw No. 4070 would amend Electoral Area I - Youbou/Meade Creek Official Community Plan Bylaw No. 2650 by adding a policy that would allow zoning for recreational camping to be considered for land within a residential designation that is susceptible to seasonal flooding or is otherwise unsuitable for year-round residential use.

Mr. Conway stated that Zoning Amendment Bylaw No. 4071 would amend Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465 by creating a new "Residential/Recreational Camping 1 (R/RC 1) Zone" and rezoning the subject properties from Suburban Residential (R-2) to Residential/Recreational Camping 1 (R/RC 1).

Mr. Conway advised that the proposed R/RC 1 zoning would allow the subject properties to be used for one single family dwelling and one recreational campsite, or for up to three recreational campsites on parcels without a single family dwelling. The zone also contains various regulations and development criteria.

Mr. Conway stated that 13 items of correspondence had been received at the CVRD office from the date the advertising was placed within the local newspaper (*Cowichan Valley Citizen*) to the opening of the Public Hearing today (March 30, 2017).

Correspondence

The following items are attached to the Minutes as Exhibits:

- 1) CVRD Power Point Presentation (EXHIBIT 1)
- 2) Correspondence & photos from Michael Loseth & Scott Paro (EXHIBIT 2)
- 3) Email from Terese Peters dated March 30, 2017 (EXHIBIT 3)
- 4) Email from Erin Robertson, dated March 30, 2017 (EXHIBIT 4)
- 5) Email from Dave Trufen, dated March 30, 2017 (EXHIBIT 5)
- 6) Email from Bill Peters, dated March 30, 2017 (EXHIBIT 6)
- 7) CVRD Power Point Presentation (EXHIBIT 1)
- 8) Correspondence & photos from Michael Loseth & Scott Paro (EXHIBIT 2)
- 9) Email from Terese Peters dated March 30, 2017 (EXHIBIT 3)

- 10) Email from Erin Robertson, dated March 30, 2017 (EXHIBIT 4)
- 11) Email from Dave Trufen, dated March 30, 2017 (EXHIBIT 5)
- 12) Email from Bill Peters, dated March 30, 2017 (EXHIBIT 6)
- 13) Email from Iris Reid, dated March 30, 2017 (EXHIBIT 7)
- 14) Email from Lorraine & Ric Avison, dated March 29, 2017 (EXHIBIT 8)
- 15) Email from Wendy Webb, dated March 28, 2017 (EXHIBIT 9)
- 16) Email from Michael Iddon, dated March 28, 2017 (EXHIBIT 10)
- 17) Correspondence from 'The Applicants', dated March 28, 2017 (EXHIBIT 11)
- 18) Email from Bill Peters, dated March 27, 2017 (EXHIBIT 12)
- 19) Email from Michael Loseth, dated March 27, 2017 (EXHIBIT 13)
- 20) Correspondence from Sherri Nilsson, dated March 27, 2017 (EXHIBIT 14)
- 21) Email from Dalton Smith, dated March 26, 2017 (EXHIBIT 15)
- 22) Email from Karen Blades, dated March 22, 2017 (EXHIBIT 16)

PUBLIC COMMENTS

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

Scott Paro

- Has noticed deterioration since living in the neighbourhood and are strongly opposed to this rezoning which would create a campsite zone in a residential area.
 - Sewage, water quality, parking, garbage should be taken into account and requires better enforcement.
 - Recognizes that the area has an element of recreation (Cottages at Marble Bay, Bayview Village & Woodland Shores) but the number of units needs to be taken into consideration
 - What is being proposing here is a 45 unit campsite, 15 properties having 3 campsites each.
 - If recreational use were to be accommodated in this area, the CVRD should limit the number of cabins or RV units to 1 per lot, the same as currently allowed for residents under the existing zoning.
 - Referred to Cottages at Marble Bay, Bayview Village & Woodland Shores as an example where they were appropriately planned with a limit of 1 unit per property. Believes this is fair as it does not significantly change the fabric of the neighbourhood.
 - Permanent residents deserve the same respect from seasonal campers.
 - Should not allow recreational sites to rent out units on a nightly or monthly basis for camping vacationers.
 - The CVRD should only make changes that it's prepared to enforce.
- EXHIBIT 13** – Michael Loseth

Dalton Smith

- Why didn't Director Kuhn listen to the will of the APC? If he were a member of the APC he would be offended if the committee didn't listen to the recommendations.
- Opposed and we need proper enforcement.

Iris Reid

- Residents of permanent dwellings followed the requirements by obtaining building permits.
 - Financially invested in their properties. Has been asking the CVRD to curb the camping since 1988. Now the residents are faced with an even bigger problem and the lake reservoir is not being protected [sewage concerns].
- EXHIBIT 7**

Jeff Abbott

- Member of the Area I – Youbou/Meade Creek – APC. Voted against it on the APC.
- Someone purchased property near the Youbou sign, now there is a large common area with campers and campfires. The same thing has occurred in another location.
- If this rezoning is approved, what will stop others from asking for the same? Maybe there could be a land swap.
- Concerned about wildlife (elk) but also realizes that this is a provincial problem.

Mark Sheffer

- Opposed to this rezoning. Does not think this is the right thing to do in an effort to make peace with the neighbours. Properties were purchased knowing it was residential. One resident who is in between 2 campsites. If this rezoning is successful then the resident/homeowner situated in between these properties would have 3 campsites on either side of his property, for a total of 6 campsites surrounding him.
- The current R-2 zoning allows for residents to build homes and install proper sewage systems.
- As a former APC member, he is aware that the OCP states you can't put your sewer into this area and haul it away. It is supposed to be a proper septic system.
- It is the responsibility of the CVRD to make sure this doesn't happen.

Greg Whynacht

- If all the potential recreational lots within the centre block of Nantree & Peri Roads were sold to a consortium this block could end up resembling an RV Park. The zoning bylaw should not allow this to happen.

Danielle Rados

- Has been coming here to camp for 32 years with parents and grandparents. Hopes to continue camping with her children as well. Provincial parks don't allow privacy. Not partyers. Not here to make trouble. Wants to peacefully camp. Others campers have created problems.
- Has reported infractions that impact them and the neighbourhood. Is just as concerned about lack of bylaw enforcement.

Danielle Rados's Mother

Purchased the property. It is a summer place that has been used for the last 32 years. Has tried to follow all the rules.

Does not believe that resident campers are responsible for parking congestion; recognizes vehicles from the Lake Cowichan area that are using Nantree Park and park on the road. Agrees that Nantree Road can be busy. Respects their property as well as the property of permanent residents in the area.

The area has also been recreationally impacted by residents from the cities who camp around Lake Cowichan.

Agrees that wildlife in the area has been impacted and elk are now on her property since the advent of Laketown Ranch.

Andy Ross

- This is a bad idea. There are many contraventions.
- CVRD comments need to be clearer, then bring this back to people.

Joe Allan

- Aware that the situation here has been going on for decades. Applaud the CVRD's attempt to rectify this problem. We don't rezone people, we rezone land. The zoning was wrong from the beginning.
- CVRD needs to take a step back, take stock of the situation, and come back with a zoning solution.

Brooke Hodson

- His property would qualify as recreational property as it is susceptible to seasonal flooding. One would have to ask, "How many properties don't have seasonal flooding."
- Zoning Bylaw No. 4071 shouldn't be considered until the OCP is amended with regards to the pumping of sewage.
- Applaud the attempt for a solution, but sewage needs to be addressed before this goes ahead.

**ADJOURNMENT
9:10 p.m.**

Chair Kuhn asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 4070 and Zoning Amendment Bylaw No. 4071.

Chair Kuhn declared the Public Hearing closed at 9:10 p.m.


CERTIFICATION:

We attended the Public Hearing on Thursday, March 30, 2017, and hereby certify that this is a fair and accurate report of the Public Hearing.



Director Klaus Kuhn, Chair

Date 3 May 2017



Director Kerry Davis

Date May 3/2017

ABSENT

Director Sonia Furstenau

Date —



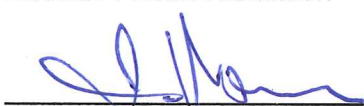
Director Matteus Clement

Date May 10/2017



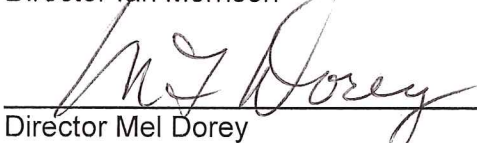
Director Alison Nicholson

Date 3 May 2017



Director Ian Morrison

Date May 3/17




Director Mel Dorey

Date May 3, 2017



Director Mary Marcotte

Date May 17, 2017



Rob Conway, Manager

Date May 4, 2017



Mary Anne McAdam, Recording Secretary

Date May 3, 2017

EXHIBIT 1

Public Hearing

OCP Amendment Bylaw No. 4070
Zoning Amendment Bylaw NO. 4071

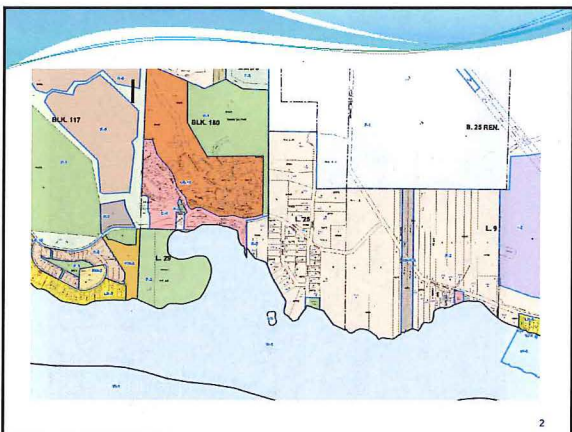
Application No. 1-I-15RS
(Nantree/Peri Road)

1

Subdivision and Land Use Background:

- Lots subdivided in 1961
- Approved by Department of Highways
- No water or sewer system – well and septic
- Lots well under today's minimum parcel size standard of 1.0 ha. (2.47 ac.)
- Entire subdivision below 200 year flood elevation
- No zoning in place until 1975
- Area used for recreational camping for many years

4



1974 letter from CVRD Building Inspector:

5

Property Information:

Lot Sizes

- 0.21 to 0.27 ha (0.52 to 0.67 ac.)

Current Zoning

- Suburban Residential

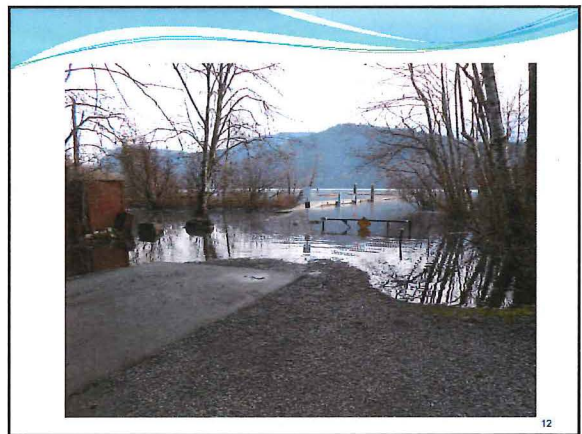
Current Use

- RV Camping/Seasonal Cottage

3

1975 letter from BC Assessment Authority:

6





2015 Neighbourhood Meetings

- Sewage Disposal
- Lakeshore Protection
- Flooding
- Noise/Nuisance
- Use of Nantree Park
- Visual & Aesthetic Impacts
- Bylaw Enforcement


1 Bylaw No. 4070 Amendment to Official Community Plan

- Adds Policy 4.17

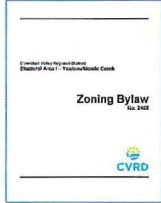
Policy 4.17: Zoning for recreational camping may be considered for land within a Residential designation that is susceptible to seasonal flooding or is otherwise unsuitable for year-round residential use.

OFFICIAL COMMUNITY PLAN & REZONING AMENDMENT

1 Amendment to the Electoral Area I Official Community Plan No. 2650



2 Amendment to the Electoral Area I Zoning Bylaw No. 2465



2 Bylaw No. 4071 Zoning Amendment Bylaw


- Creates a new Residential/Recreational Camping (R/RC) 1 Zone

1. Permitted Uses
 - Residential Uses:**
 - a. Single Family Dwelling
 - Accessory Residential Uses:**
 - b. Home Occupation;
 - c. Bed and Breakfast Accommodation;
 - d. Horticulture;
 - e. Buildings and structures accessory to a principal permitted use.
 - Recreational Camping Uses:**
 - a. Recreational campsite.
 - Accessory Recreational Camping Uses:**
 - a. Horticulture;
 - b. Buildings and Structures accessory to a principal permitted use.

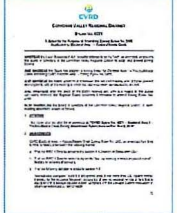
"recreational campsite" means a designated area of not more than 200 square metres intended for the exclusive temporary occupancy of one recreational vehicle or tent that is equipped with a sewage disposal system compliant with the Sewage System Regulation or otherwise authorized by Island Health.

Amendments Proposed:

1 Bylaw No. 4070 Official Community Plan



2 Bylaw No. 4071 Zoning Bylaw



2. Maximum Permitted Density:
 - Residential Use:**
 - a. One Single Family Dwelling per parcel
 - Recreational Camping Use**
 - a. One Recreational Campsite per parcel for lots with Single Family Dwelling Use;
 - b. Three Recreational Campsites per parcel without Single Family Dwelling Use.
3. Minimum Parcel Size:

The minimum parcel size in the R/RC 1 Zone is one hectare.
4. Conditions of Use:

Prior to any parcel being used for recreational camping, the perimeter of the parcel shall be screened with fencing or hedging with a minimum height of 1.2 metres. Screening shall not be required along parcel boundaries abutting Cowichan Lake.

5. Setbacks

Residential Use Setbacks:

Parcel Line	Residential Use	Accessory Residential Use
Front	7.5 metres	7.5 metres
Interior side	3.0 metres	3.0 metres
Exterior side	4.5 metres	4.5 metres
Rear	3.0 metres	3.0 metres

Recreational Camping Setbacks:

Parcel Line	Recreational Camping and Accessory Recreational Camping Uses
Front	7.5 metres
Interior side	6.0 metres
Exterior side	6.0 metres
Rear	6.0 metres

25

6. Height:

The following maximum height regulations apply in the R/RC 1 Zone:

- Principal residential buildings and structures – 10 metres
- Accessory residential buildings and structures – 6.0 metres
- Principal and Accessory recreational camping buildings and structures – 6.0 metres

7. Parcel Coverage:

The minimum parcel size in the R/RC 1 Zone is one hectare.

8. Recreational Vehicle Parking and Storage:

Notwithstanding Section 3.26 of this bylaw, recreational vehicle parking or storage is prohibited on lots used for Recreational Camping.

26

2 Bylaw No. 4071
Rezones the subject property from R-2 to R/RC-1

27

EXHIBIT 2

149-0342 Michael Loseth / S. + D. →
7350 Nantree Rd PH1
Box 1503
Lake Cowichan BC V0R2G0

My name is Scott Paro, and I and my spouse live on Nantree Road – in the middle of the area in question. We are permanent residents, and have owned our property for the past 18 years.

We have seen the situation on Nantree and Peri Roads deteriorate – particularly over the past few years. We have seen the regional district do nothing to enforce the current zoning over the past 20 years in this neighbourhood. A few warning letters, and no follow through.

We are strongly opposed to this rezoning application. Creating a campsite zone in a residential neighbourhood makes no sense and I strongly encourage the CVRD to have a second look at this. A detailed report and presentation has been prepared that outlines a range of concerns. I wish to table a copy of those materials for the formal record.

The CVRD has listened to a number of the concerns that raised over the past 2 years around this issue – and the proposed new zoning does take into account a range of important things. Sewage, water quality, parking, garbage, screening, etc. In any future scenario, these items should be absolutely non negotiable – and should be strictly enforced.

But there are two additional things that to me are very important that have not been included. If the CVRD decides to entertain any kind of new zone – then I would respectfully ask the CVRD to amend the current proposed zoning with 2 added elements.

First – the number of units. While I can't speak for others, I do recognize that our area does have a recreational element to it. We have the cottages at Marble Bay close by, Bayview village, the cottages at Woodland Shores. If the CVRD were to propose a true recreational zone – that would be far more palatable than what is currently proposed.

What is proposed now is a 45 unit campsite. 15 properties with 3 campsites each. I draw a clear distinction between campsites and recreational properties. They are not the same thing. And should not be treated by the CVRD as the same.

If the CVRD wishes to accommodate recreational use in this area, then they should limit the number of units (be it cabins or RVs). I would argue one unit per property – the same as is currently allowed for a residence under existing zoning. This is the same way the CVRD has treated owners in Bayview Village, the Cottages at Marble Bay and elsewhere. Those areas have not created major issues, as they have been appropriately planned and the number of units has been tightly controlled at one unit per property.

I believe that this is fair. It allows continued recreational use, but does not significantly change the fabric of the neighbourhood.

Recognizing a few properties have specific challenges, an additional option might be for each of the 15 properties in question – to look at the land title for each at the time this rezoning request was submitted. If a property has a single registered owner (or couple who jointly own it) – then they should be allowed to have a single recreational unit (RV or cabin).

If there are 2 owners, then 2 units be allowed on that property only, 3 owners, 3 units. But in no case should more than 2 or 3 units be permitted. And this should be based on the land title when the application first went in – not after owners scramble to change the number of owners on title tomorrow.

If the history of the area dictates that owners be allowed to continue to use their property for recreational use – then limit the number of units to the number of owners on each property. That is fair, and would be principled decision making. Why should a single owner be allowed to use their property for more than their

own intended personal use? One owner one unit. There is no legal or other basis for a single owner to have multiple units on a small, unserviced lot.

I do not support creating campsites where multiple visitors come up to party for the weekends or months at a time – and then go home to Victoria or wherever they live during the week and expect calm and quiet in their neighbourhoods. This is my neighbourhood, and I deserve the same respect here as they do wherever they might live. NO Camping – and limited and principled decision making for recreational use only.

The other condition that I believe must be included – is that if limited recreational use is to be permitted, then it must be only owner occupied.

The zoning should not allow owners that have an RV to rent out their lots, by the night, week, or month – and have strangers come into our residential area to “camp” for their vacation. I would like to think that the owners in the room would respect their neighbours and the bylaws that exist – weekend campers cannot realistically be expected to do the same. If non-owners want to camp – go to a campsite – it is not appropriate in my neighbourhood. This should be written right into the zoning.

To close:

Please respect the residential nature of this area, and the fact that virtually all permanent residents have opposed through petition this rezoning request.

If you do not turn down this request completely - Limit the number of recreational units to one, unless at the time the rezoning request went in there was more than one owner of a lot.

Do not create a 45 unit campsite in my neighbourhood – campsites do not equal recreational properties – do not treat them the same.

Require any recreational use to be owner occupied only. Do not permit rentals or weekend camping warriors into our residential neighbourhood. That will only make the situation worse, and create major issues for the CVRD down the road.

Whatever you decide, be prepared to enforce it. The CVRD's record in this neighbourhood has been an embarrassment. Only change what you are prepared to enforce.

I thank you for your time and attention.

Michael Loseth
7350 Nantree Road PH1
Box 1503
Lake Cowichan BC V0N 2G0

Opposition to CVRD Rezoning Application 1-I-15 RS
and
Input into the associated CVRD Zoning Review process

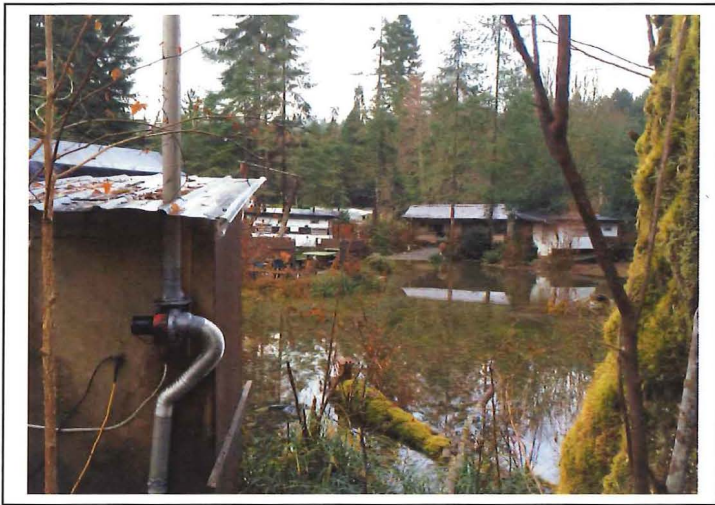


Table of Contents

Contents

1.0	Opposition to Rezoning Application	3
2.0	History and Context:	4
3.0	Lack of Alignment with Official Community Plan	6
4.0	Zoning History	7
5.0	Definition of Cottage vs RV	7
6.0	Density	8
7.0	Flood Plain	9
8.0	Septic Services	11
9.0	Riparian Zone / Environmentally Sensitive Area	14
10.0	Parking	15
11.0	Noise and Disruption	16
12.0	Precedent for other areas.....	16
13.0	CVRD Enforcement	14
	Appendix A –Property Owners in Neighbourhood Opposing Rezoning	18
	Appendix B – 1975 CVRD Area I Bylaws.....	19

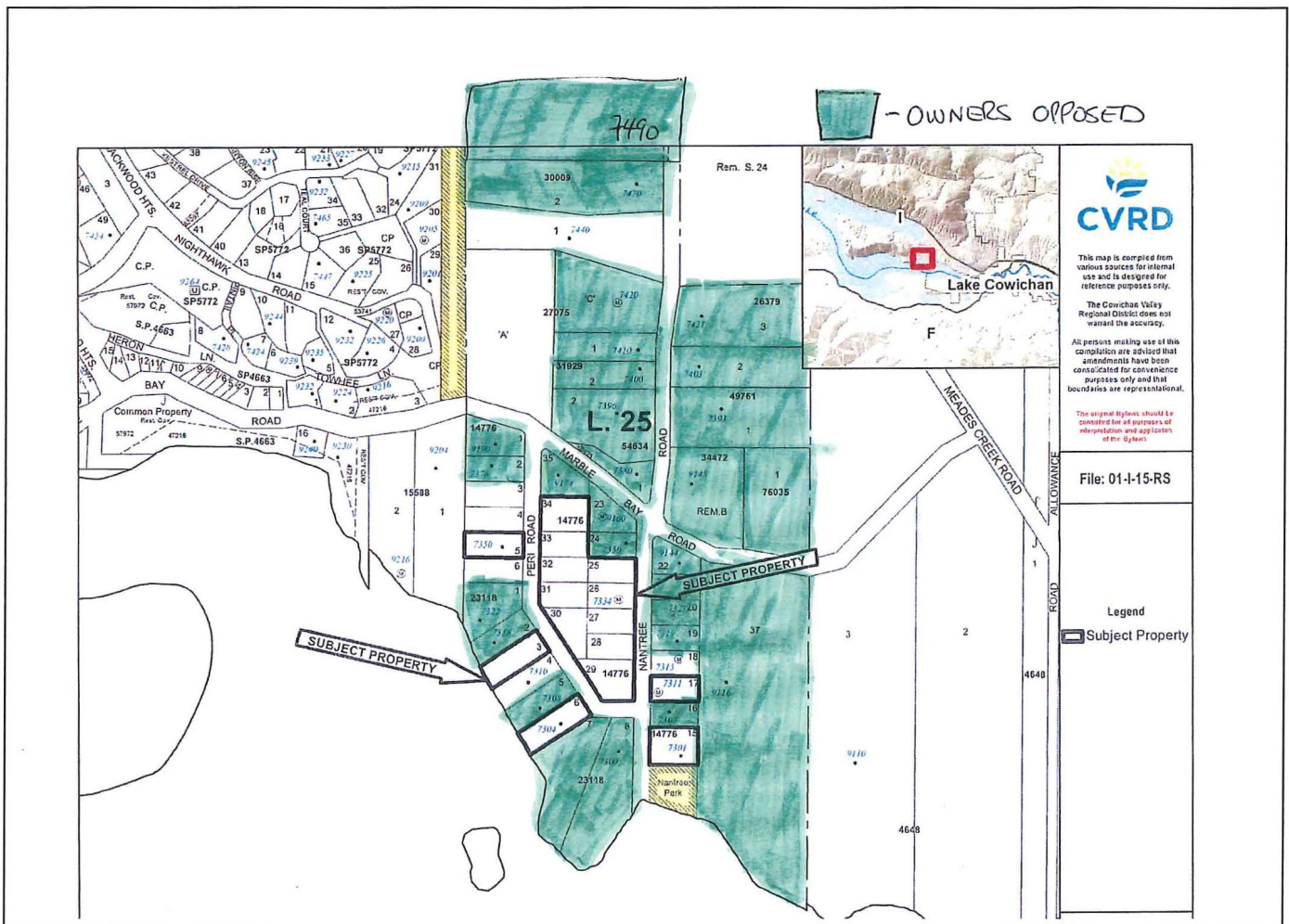
1.0 Opposition to Rezoning Application

There is significant opposition to this rezoning application, and any consideration to change the zoning for the properties in question away from single family residential, with a maximum of one dwelling per property.

The majority of the property owners in the neighbourhood vehemently oppose this rezoning application, and have asked that the CVRD enforce the existing zoning and bylaws. Petitions in opposition have been forwarded to the Regional District, and the permanent residents intend to voice their concerns during public consultation opportunities. A list of property owners in the immediate neighbourhood that have signed petitions and are opposing this rezoning application are listed in Appendix A.

This document provides a summary of the concerns that the permanent residents have with the rezoning application, and we request that the CVRD carefully consider each of these concerns during the zoning review process.

Highlighted properties below are those that have signed petitions and voiced their strong opposition to this rezoning application.



2.0 History and Context:

The Cowichan Valley Regional District (CVRD) has received a rezoning application for 15 R-2 zoned properties in the Nantree Road – Peri Road neighbourhood of Marble Bay, part of Area I Youbou/Meade Creek (Rezoning Application 1-I-15 RS). The request is to create a new zoning category that would allow each of these properties to have up to 4 permanent cottages or recreational vehicles (RVs) used for accommodation on each lot, plus associated accessory buildings and structures. Each lot is approximately ½ acre in size or less.

The current zoning of the properties is R-2 (suburban residential 2 zone) and permits a single family dwelling on each parcel. Within the R-2 Zone a secondary dwelling unit or secondary suite is permitted on parcels larger than 0.4 ha in size, however, none of the parcels involved in this rezoning application appear to be 0.4 ha or larger in size.¹

The current zoning in the neighbourhood is single family residential. It is, and always has been, a rural residential neighbourhood. There are permanent full time residents with single family residences, as well as a small number of seasonal recreational cottages/cabins (but each with only one residence per property). There are also a number of undeveloped properties. The R-2 single family zoning covering all of these properties has been in place at least as far back as 1975 (please see Appendix B – Bylaw No. 184 dated 1975).

Over the past number of years, the 15 property owners making this rezoning application (all with undeveloped lots) have started using recreational vehicles as “recreational campsites” on their properties. First one trailer, camper or motorhome, and over time adding more and more RVs to each lot. There have been numerous complaints to the Regional District to enforce the zoning and bylaws, but without resolution. The CVRD bylaw enforcement department has sent warning letters, but without follow up, penalties or enforcement actions being taken.

While no doubt an unintended consequence, this lack of enforcement has created an expectation that “the Regional District won’t do anything, so the bylaws don’t need to be followed”. As a result, over the past 2-3 years, the situation has been rapidly spiraling out of control, with some property owners having 4, 5, 6 or 7 recreational vehicles parked either permanently or seasonally on their properties – in clear contravention of the bylaws.

CVRD Area I – Youbou / Meade Creek Zoning Bylaw No 2465 clearly states under section 3.24 Use of Tents, Trailers or Recreational Vehicles as a Residence:

A tent, trailer, recreational vehicle, park model unit, bus or other motor vehicle must not be used as a residence except in accordance with Section 3.4 of this Bylaw.²

Section 3.4 provides for temporary use of an RV during the construction of a permanent residence for not longer than 12 months (which is not the case in any of the 15 properties in question).

¹ CVRD Electroal Area Services Committee Meeting – Committee Report, dated March 24, 2015, pg 1.

² CVRD Area I Youbou/Meade Creek Zoning Bylaw No.2465, pg. 24

Examples of Residences in the Area – this is a neighbourhood



3.0 Lack of Alignment with Official Community Plan

CVRD Area I has an Official Community Plan (OCP) No. 2650, adopted November 2005.

An Official Community Plan is a statement of objectives and policies to guide future development and land use in the Plan area, in this case Electoral Area I (Youbou/Meade Creek)... The Plan...outlines the various types of land uses and densities local residents and the Regional Board feel would be appropriate in the future. Once adopted, the Plan becomes the basis for all application regulatory bylaws (eg zoning and subdivision). The intent of the Plan is to ensure the careful management of future land use and development in Youbou/Meade Creek, and to thus protect the quality of life presently enjoyed in the OCP area.³

The OCP states under its implementation and administration objectives that the OCP has as objectives:

a/ to provide effective development standards, to mitigate impacts on the natural environment and residents, and to provide a good level of service to the community

b/ To minimize land use conflicts and to enhance public involvement in the planning process...

It goes on to say that:

Policy 20.1: This Official Community Plan will form the basis for all land use proposals in the Plan area. All development proposals must be consistent with the objectives and policies of this Official Community Plan.

We believe that it is quite clear that this rezoning application is not consistent with the general intent of the Official Community Plan, nor is it in compliance with the various policies as laid out in the OCP (as outlined in this document). We encourage the zoning review process to review the objectives of the Official Community Plan as a part of their review process.

Policy 20.5: The Regional Board will maintain ongoing communication with senior government agencies such as the Ministry of Transportation, Ministry of Water, Land and Air Protection, Ministry of Health, Ministry of Forests, Environment Canada, Transport Canada, and Department of Fisheries and Oceans, to ensure the up-to-date interpretation of provincial and federal interests and policies and to work toward the realization of the goals, objective and policies within this Plan.

We would request that the CVRD engage with all of the appropriate agencies required, to ensure that all of the concerns outlined in this document and as may be raised through the various public consultation processes for this zoning review process, are fully explored, clarified and taken into account in any decision making.

³ CVRD Area I Youbou/Meade Creek Official Community Plan, 2005, pg 1

4.0 Zoning History

As you will find in Appendix B, single family residential zoning has been in place in this neighbourhood for at least the last 40 years. Cowichan Valley Regional District Bylaw number 184, dated 1975 and which covers zoning regulations within the boundaries of Electoral Area I clearly states under section 4.1 subsection 3:

Prohibited uses of land, buildings and structures

*The following shall be **prohibited** in all zones:*

d) A use located in part or in total in a tent, trailer or mobile home...⁴

The current bylaws continue to maintain the same prohibition:

A tent, trailer, recreational vehicle, park model unit, bus or other motor vehicle must not be used as a residence...⁵

We understand that some of the rezoning applicants in question believe that because they have been illegally using their properties as campsites, that they should somehow be grandfathered or allowed to now change their zoning to accommodate their unauthorized use of their properties as multi-unit RV campsites.

The bylaw history and facts clearly demonstrate that at least for the past 40 years, all owners and new purchasers of properties in the area in question would have been aware that the zoning for the properties was single family residential, and that the bylaws DID NOT allow the use of RVs as permanent or seasonal living quarters. As such, we do not believe the CVRD should entertain any argument for grandfathering.

5.0 Definition of Cottage vs RV

In the rezoning application it asks to permit recreational uses on the subject properties in the form of cottages and recreational vehicles (a maximum of four per parcel) as well as associated accessory buildings and structures.

We would ask the CVRD in its consideration of this application, to provide clarification on what constitutes a cottage vs recreational vehicle. Is a cottage simply defined as a building of a particular maximum size? What kind of set backs will be required? Spacing between units? How does a cottage differ from a small single family house? Would this zoning if approved simply allow 4 small single family structures/homes? Do the units need to be separated or could they be in a townhouse/rowhouse nature of construction?

⁴ CVRD Area I Bylaw 184, dated 1975, pg 6.

⁵ CVRD Area I Bylaw 2465, dated 2005, pg.24

What constitutes a recreational vehicle? Motorhome, trailer or camper only? What about modular or mobile homes as long as they still have permanent wheels attached?

Given the history of the properties in question, we believe that the CVRD should be very specific in any decisions it makes, and eliminate any opportunity for “interpretation” or “stretching” of the rules.

6.0 Density

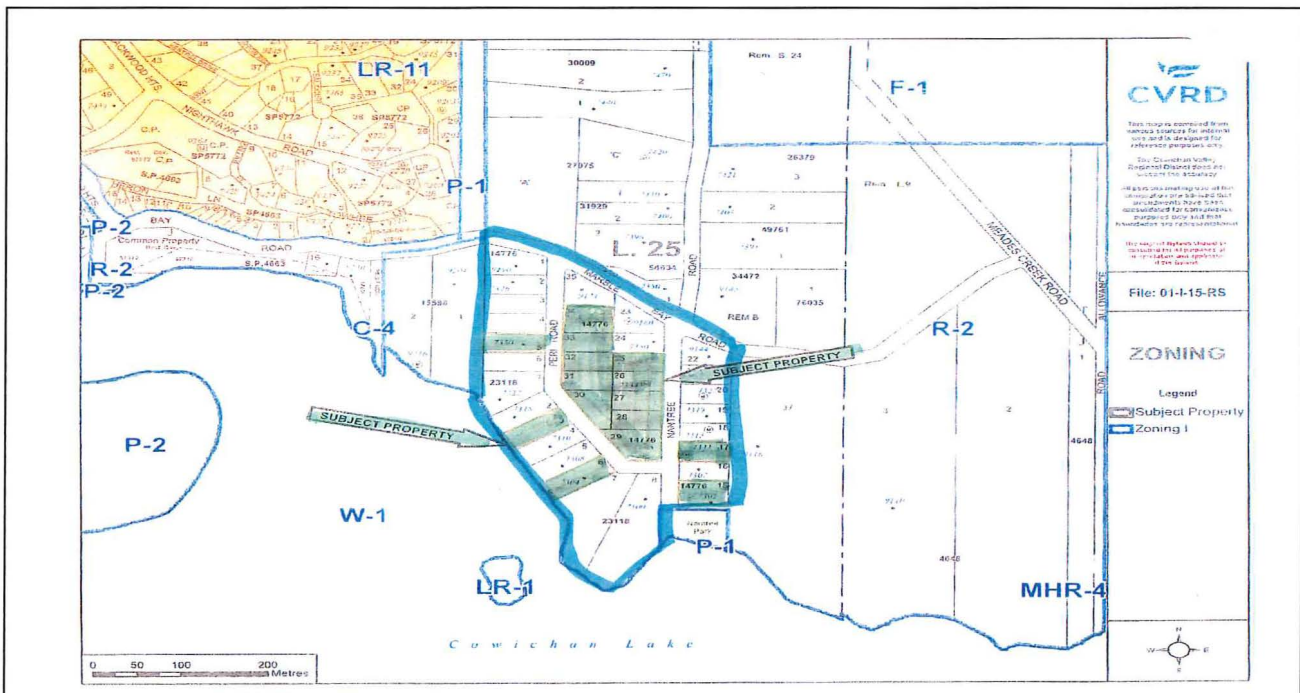
The neighbourhood in question is a rural, residential neighbourhood. The 15 lots in the area in question are ½ acre in size or less. It is unrealistic to expect to be able to place 4 cottages or permanent RVs on a lot of this size, plus accessory buildings and structures, and ensure adequate space for setbacks, septic treatment facilities, ground water systems, off road parking, etc.

The existing bylaws clearly state in Section 3.11 that:

Not more than one dwelling unit shall be located on any one parcel...⁶

This respects the residential nature of the neighbourhood, and the intentions and understanding under which the area was developed and all of the owners in the area purchased their properties.

To permit up to 4 cottages or permanent recreational vehicles on each of the 15 lots in question, would see 60 units across the 15 lots. This would drastically change the residential nature of the neighbourhood in question – which is roughly the size of 2-3 city blocks. The Nantree-Peri Road area in question totals 35 properties, to change the zoning for 15 of these properties would drastically change the nature and density of the neighbourhood. It would also lead to a range of other development issues, further outlined in this document.



⁶ CVRD Area I Bylaws, pg 17

7.0 Flood Plain

The 15 lots in question are all in a natural flood plain, well within the 200 year flood plain restrictions. Every winter, the whole area in question floods as Lake Cowichan pushes beyond its banks and floods. Sections of Peri Road are typically closed for at least 1-2 months during the winter, when the flood waters cover parts of the road making it impassible. All of the 15 lots in question in this rezoning application are subject to annual flooding - where the lots in question are partially or completely covered by lake/flood waters for at least part of the winter season.

Permanent residents have had to add fill to their lots and raise their property levels in order to build, and to ensure septic systems are not subject to annual flooding/contamination. The lots in question could also have fill added, making the lots suitable for single family usage.

We believe that any development within any of the 15 lots in question or any consideration of rezoning must be done in full recognition of the annual flooding of the area, and be done in accordance with Regional District requirements for construction within a natural (200 year) flood plain.

Furthermore, the Official Community Plan for Area I clearly states under Policy 2.6

...Where lands within the 200 year flood plain are required for the construction and siting of buildings, such buildings will be flood proofed and will be located to those standards specified by the British Columbia Building Code and the Regional Board.⁷

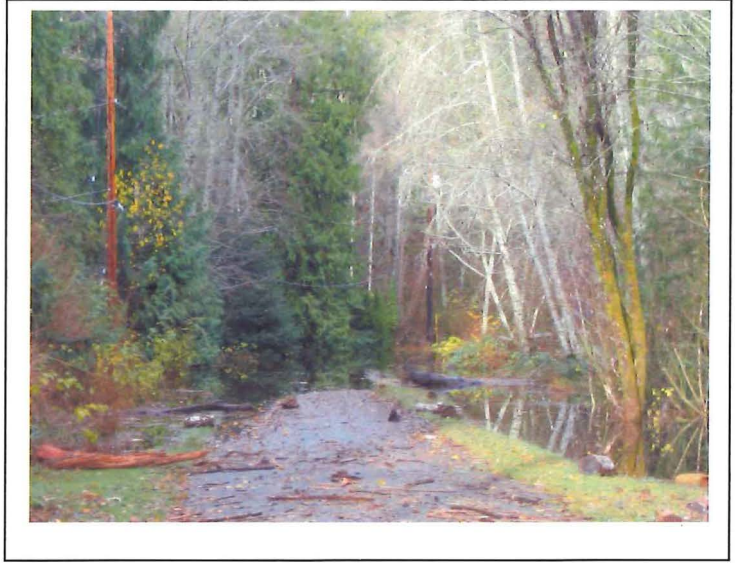
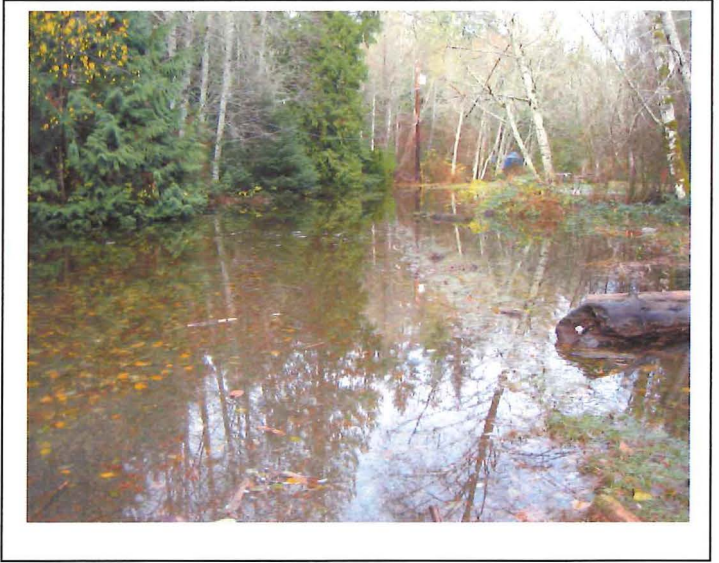
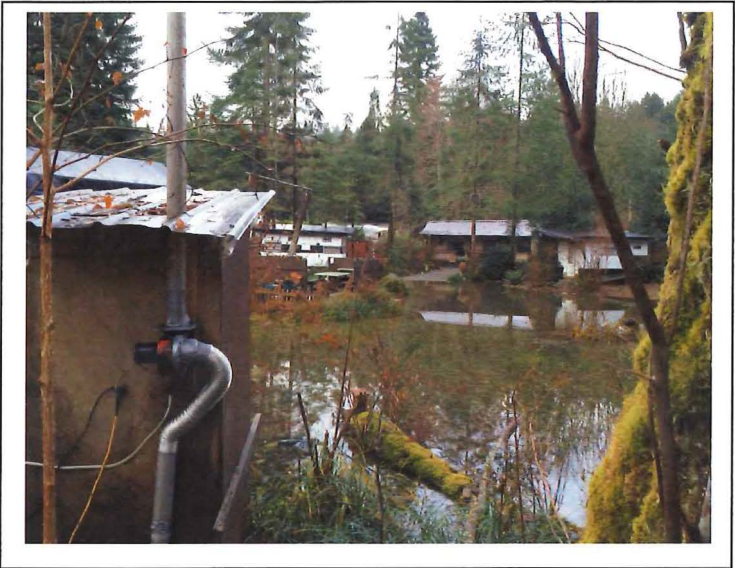


Cowichan Lake Flood Plain Map, Drawing 84-33 Block #3, BC Ministry of Environment.

Note: the dotted line denotes the 200 year flood plain; the entire area in question is well within the flood plain

⁷ Electoral Area I – Youbou/Meade Creek Official Community Plan No. 2650, pg 5.

Properties in Question – Annual Flooding and Peri Road flooding (in the midst of the properties)



8.0 Septic Services

In the March 24, 2015 report of the Electoral Area Services Committee Meeting, it states that:

The properties are serviced by wells and on-site sewage disposal, and Fire Protection is provided by the Lake Cowichan Fire Department...⁸

We believe that this statement is incorrect. We would strongly suggest that the CVRD verify “on-site sewage disposal” with the Vancouver Island Health Authority (VIHA), as we are under the understanding that none of the 15 properties in question have approved or inspected septic disposal systems. We have contacted VIHA in Duncan, and understand that there are a number of infractions on file with regard to some of the properties in question, they have a large file on the area in question.

We understand that VIHA has ordered some property owners to remove their “privies” in the past, and that there are past infractions where a number of RVs on one site were dumping raw sewage directly into outhouses and allowing grey water to run freely. This is being done in a low lying area, directly adjacent (and draining into Lake Cowichan). It is also in an area where all permanent residents get their drinking water from ground water wells (most less than 20-30 feet in depth).

The permanent residents have serious concerns over the current situation, and will be raising these concerns directly with VIHA requesting further enforcement action. More significantly, we have major concerns with any change in the zoning that would increase the density from single family residential – creating a significantly greater amount of sewage and sewage disposal on very small lots in an environmentally sensitive area.

As noted in the Official Community Plan:

Policy 11.4: Where a parcel of land is not connected to a community owned and operated sewage disposal system, all sewage effluent originating on that parcel will be disposed of on that parcel by an acceptable means of ground disposal approved by the authority having jurisdiction.⁹

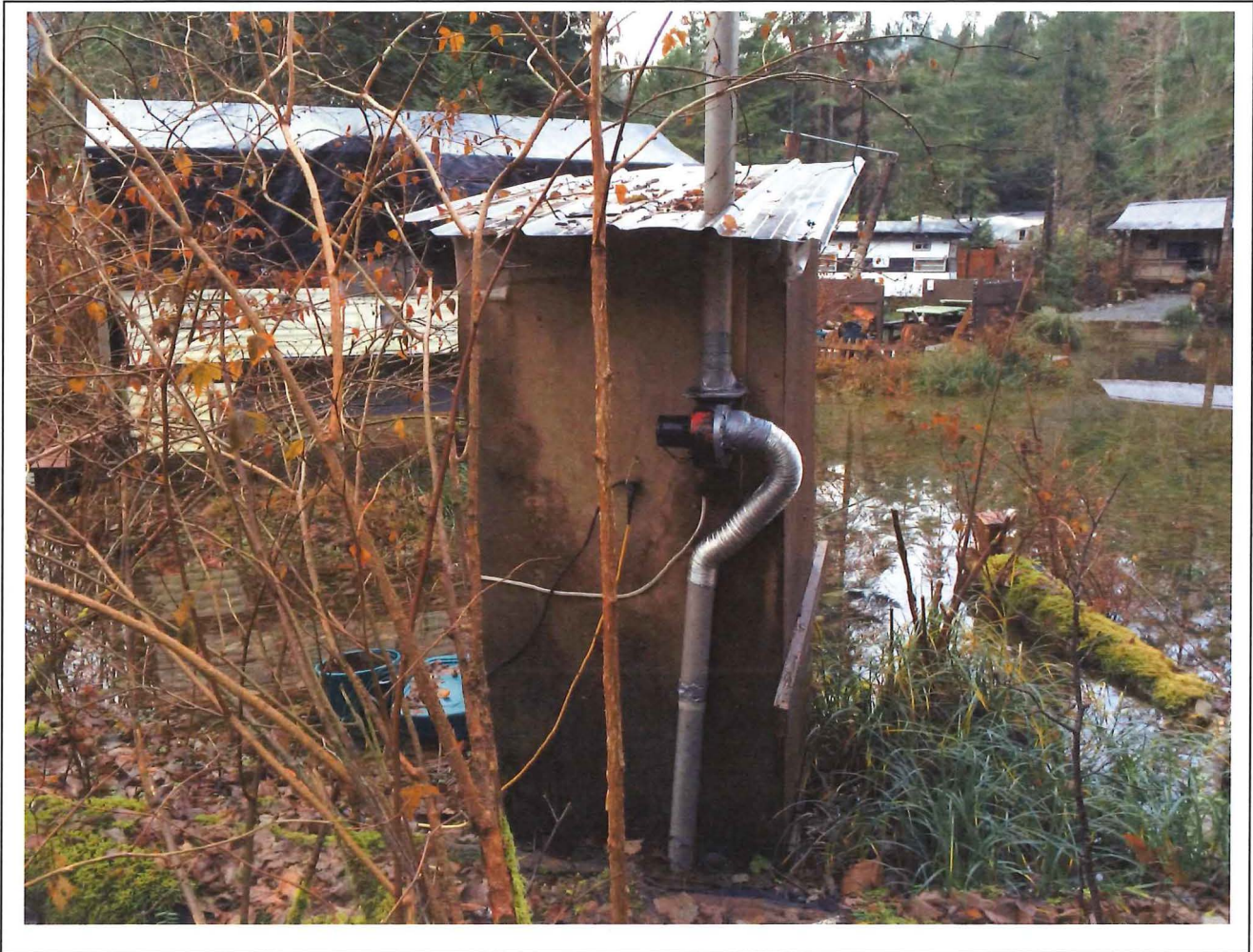
Policy 11.7: Septic fields and other sewage disposal systems must be well removed from watercourses and constructed, operated and maintained in a manner which precludes effluent from reaching the drainage network.

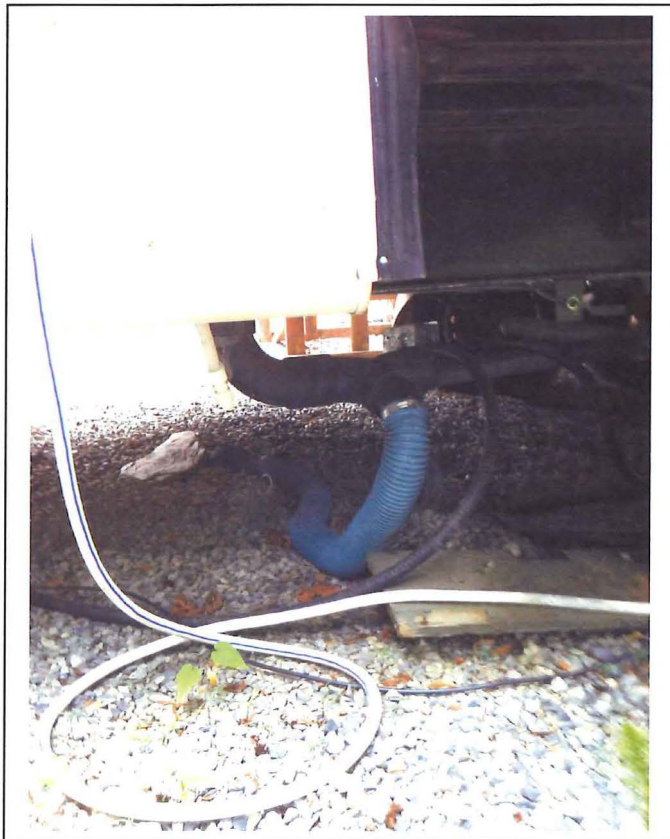
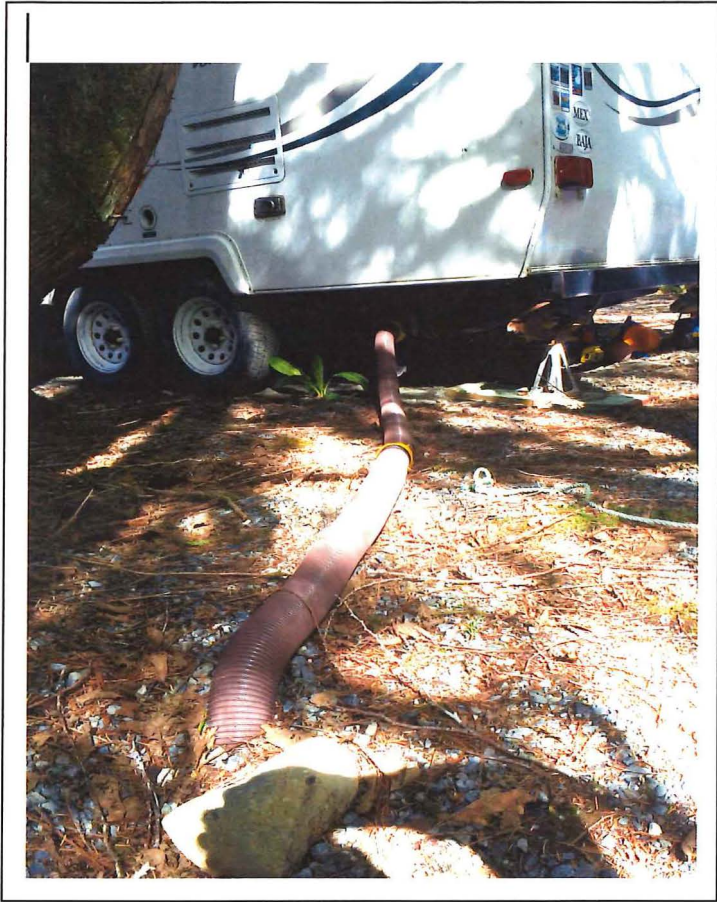
Policy 11.9: Land use development requiring the disposal of waste materials including sewage will be prohibited where it would reduce the present quality of surface or ground water resources. The discharge of untreated sewage into any watercourse is prohibited.

As you will note from the photos below, the current situation is alarming and does not represent acceptable on- site sewage disposal.

⁸ CVRD Electoral Area Services Committee Meeting, March 24, 2015, Pg. 1

⁹ Electoral Area I – Youbou/Meade Creek OCP, pg 38





9.0 Riparian Zone / Environmentally Sensitive Area

Prior to considering a rezoning application of this nature, that would significantly increase the density of residences in the area, we would request that the CVRD undertake a full environmental assessment.

The area in question is a low lying area, directly adjacent to Cowichan Lake, with natural groundwater and surface water draining into the Lake throughout the year. Any activities that occur on the properties in question will have a direct environmental impact both on the natural water flows and drainage in the area, but also will create pollution concerns for Cowichan Lake.

Representing a natural riparian wetland zone, the area is home to a range of amphibians, and in the winter periods when flooding, are part natural spawning areas for trout and other fish species.

We believe that the rezoning application in question is completely contrary to any consideration of environmental or riparian zone considerations.

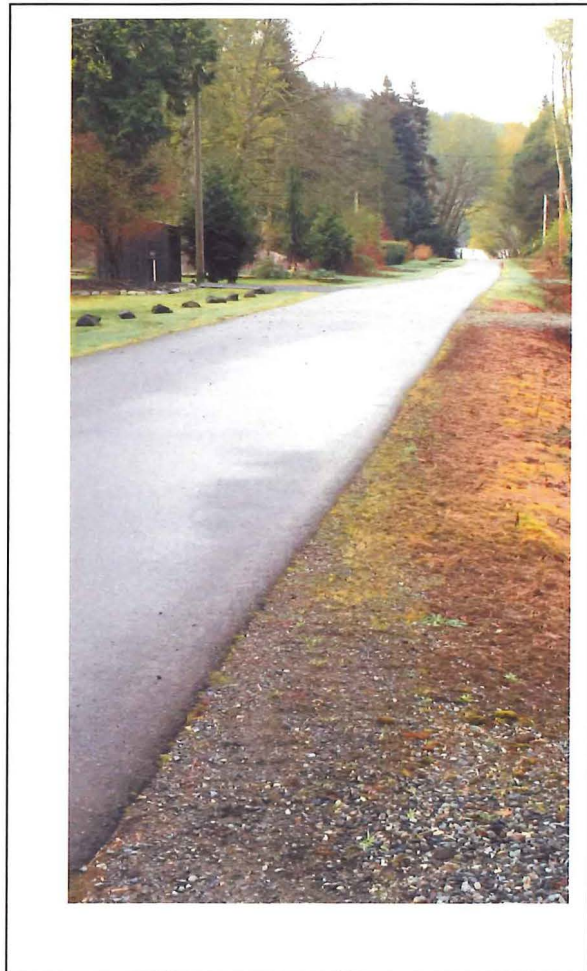
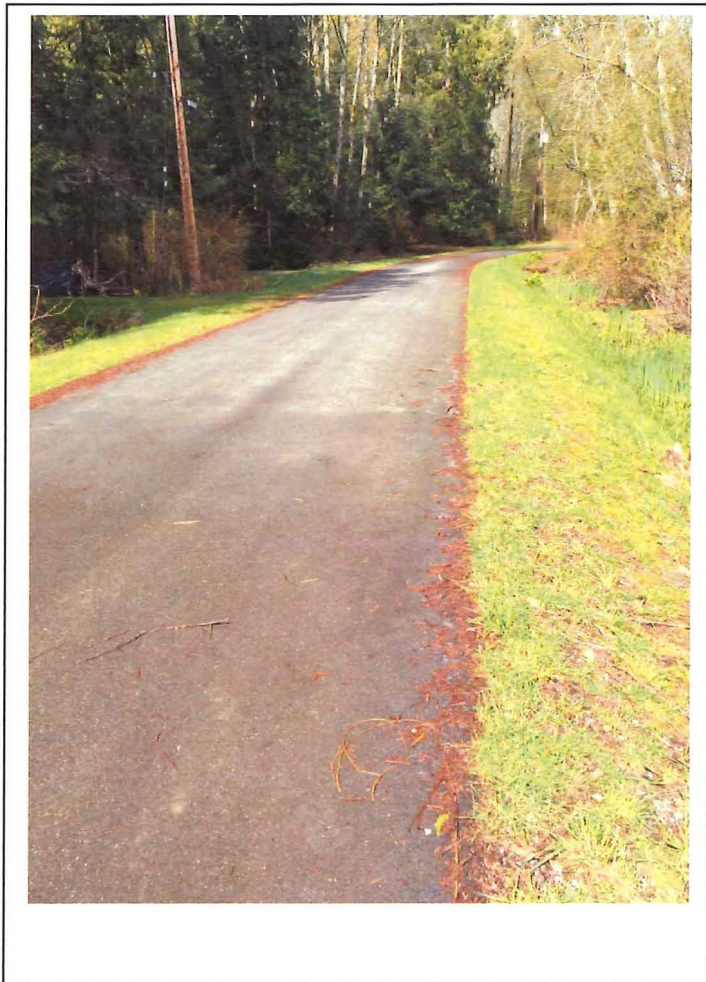


10.0 Parking

While both Peri Road and Nantree Roads are paved and maintained roads, they are very narrow and would be considered rural minor roads. While two vehicles can pass each other, it requires both drivers to slow and pull very close to the shoulders to allow room to pass. All permanent residents in the area have adequate off road parking – and respect the limitations that exist for space on the roads in question.

On an ongoing basis during the summer months, the properties in question, with 3, 4, 6, 7 RVs on each lot are using the shoulders of Nantree and Peri roads for parking, as they not have adequate space on their lots for parking. Unfortunately, the road shoulders are very small, as large ditches are required on both sides of the roads to remove the significant natural water drainage and flood water. This means parked vehicles on the roads block one lane of traffic, making it dangerous and difficult for regular residential traffic.

Any development on any of the lots in question must account for adequate off-road parking (as required by the CVRD). Given the high density of the rezoning application, this may well not be possible given all the other site requirements.



11.0 Noise and Disruption

The Nantree – Peri Road neighbourhood is a quiet, rural neighbourhood. It is not a party zone, it is not a summer campsite. Unfortunately, through lack of enforcement of the bylaws, the situation is fast deteriorating.

In recent years there have been numerous situations where permanent residents have had to go and ask owners of some of the properties in question to respect the noise bylaws and their neighbours. There have been situations where the RCMP were called and formal noise/disturbance complaints made.

Unfortunately, many of the properties in question are treating their properties as recreational campsites, where they and their friends and family can go and camp and party for weekends or for extended periods of the spring, summer and fall months. This is directly contrary to the zoning of the area, and residential neighbourhood that exists.

The rezoning application in question would further exacerbate this situation, by allowing up to 60 units in the area to be permanent “recreational campsites” in the middle of a residential neighbourhood.

What the rezoning applicants fail to appreciate, is that they wish to use our rural neighbourhood (where we live full time) as their recreational campsites. We believe that if the tables were turned and applications to rezone for campsites in their home neighbourhoods in Mill Bay, Duncan, Ladysmith, where they live full time, they would equally be opposed to that kind of development in “their back yards”.

The rezoning application is not consistent with the rural neighbourhood of the area, and the intended use of the properties and majority of residents in the area.

12.0 Precedent for other areas

While we recognize that this rezoning application is specific to the 15 properties in question, we would ask that the formal zoning review process give serious consideration to the precedent that any decision in this area will have for other parts of CVRD Area I, or for other areas within the regional district. The creation of a new zoning category for recreational usage with up to 4 cottages or RVs, must recognize that that other property owners may also wish to consider applying for similar rezoning using this new category.

Less than 1 km from the properties in question is Woodland Shores, a beautiful new recreational development. Most properties are recreational in nature, with only seasonal usage by owners. Given there are fewer permanent residents per capita in this area - compared to the area in question – and the area is largely recreational in nature – would a new recreational zoning category allowing up to 4 RVs also considered there? What about the various communities in Youbou, Honeymoon Bay, Mesachie Lake which all have areas very similar in nature to the Nantree-Peri Rd community?

13.0 CVRD Enforcement

The permanent residents in the area would like to ensure that whatever decision that the CVRD Board makes with regard to this rezoning application, **that the direction also be given for that decision to be strictly enforced.**

The opponents to this rezoning application are not “anti-development”, we would encourage any and all of the 15 property owners in question to properly develop their lots and build CVRD inspected and approved single family residential buildings. But we are vehemently opposed to creating and legalizing recreational campsites in a residential neighbourhood.

We are of the opinion that any development on these properties should be in line with the Official Community Plan, and be in accordance with the existing bylaws and regulations that exist.

Appendix A –Property Owners in Neighbourhood Opposing Rezoning

Please note that formal signed petitions have been signed and filed with the Regional District and Area I Director from each of the property owners listed below. Additional copies can be provided upon request.

1	Heidi Kern	9116 Marble Bay Road
2	Bill & Terry Peters	9144 Marble Bay Road
3	Dale and Vilma Delmage	9160 Marble Bay Road
4	Pete Robison	9174 Marble Bay Road
5	Carl Newcombe and Cheryl Power	9190 Marble Bay Road
6	Bryan and Cindy Saunders	7376 Peri Road
7	Jessica and Darren Meiner	7322 Peri Road
8	Eric and Velma Avison	7318 Peri Road
9	Stu and Iris Reid	7318 Peri Road
10	Ken and Sharon Madison	7302 Peri Road
11	Mick and Teresa Farup	7300 Peri Road
12	Dave and Val Trufen	7307 Nantree Road
13	Richard Lopeter	7319 Nantree Road
14	Steven Danvers and Katheryn Edwards	7327 Nantree Road
15	Bill Robertson	7337 Nantree Road
16	Michael Loseth and Scott Paro	7350 Nantree Road
17	Kerry Bell	9145 Marble Bay Road
18	Patricia Gorski	7380 Nantree Road
19	Dalton Smith	7396 Nantree Road
20	Ken Krus and Maureen Stone	7400 Nantree Road
21	Jeff and Sandra Vermiere	7393 Nantree Road
22	Dianne Martin	7403 Nantree Road
23	Alisen Krake	7410 Nantree Road
24	Janice Brooks	7420 Nantree Road
25	Scott Ross and Deborah Mahoney	7421 Nantree Road
26	Maureen Holgate	7470 Nantree Road
27	William McBride	7490 Nantree Road

Appendix B - 1975 CVRD Area I Bylaws

COWICHAN VALLEY REGIONAL DISTRICT

BY-LAW NO. 184

A by-law to effect Zoning regulations
within the boundaries of Electoral
Area "I"

PART ONE - SHORT TITLE

- 1.1 This By-Law may be cited as "The Cowichan Valley Regional District Zoning By-Law No. 184, 1975," and further referred to as "this By-Law".

PART TWO - INTERPRETATION

- 2.1 In this By-Law, unless the context otherwise requires:

"accessory to" means customarily associated with or incidental to the permitted use of land, buildings and structures located on the same lot;

"agriculture" means a use providing for the growing, rearing, producing and harvesting of agricultural products; includes the processing on an individual farm of the primary agricultural products harvested, reared, or produced on that farm and the storage of farm machinery, and implements, and agricultural supplies, and repairs to farm machinery and implements used on that farm as well as the growing, rearing, of fur-bearing animals, poultry and other livestock;

"basement" means that portion of a building between two floor levels which is partly underground but which has at least one-half of the height from finished floor to finished ceiling above adjacent finished grade as approved;

"building" means a structure wholly or partly enclosed by a roof or roofs supported by walls, columns or posts.

"civic use" means a use providing for government functions and services; includes federal, provincial, regional, and municipal offices, public schools, colleges, public hospitals, firehalls, community halls, libraries, museums, parks, cemeteries, jails and prisons, courts of law, public thoroughfares, water ways and facilities and sewage facilities, excludes government owned or operated storage and works yards;

"commercial use" means a use providing for the selling of goods, and for commercial office functions; includes retail sales, wholesaling incidental to retail sales, and medical services, indoor commercial recreation and entertainment services, household services and all associated repairs, other personal - non-personal services, and administrative commercial, and professional offices; excludes manufacturing, salvaging, warehousing, auto wrecking, processing and the selling servicing and repair of industrial and agricultural machinery;

"community sewer" means a system of laterals, collectors, mains, trunks, and appurtenant works, including treatment and disposal facilities approved by the Pollution Control Branch, and the Department of Health and that provides a connection for each registered parcel of land within the boundary of the system, and is owned and operated by the Regional District;

"community water system" means a system of waterworks which is owned, operated, and maintained by an Improvement District under the Water Act, or the Municipal Act or Water Utilities Act and is approved by the Regional District Board;

- 2 -

"dwelling unit" means one or more habitable rooms used for the residential use of one family and containing one set of cooking facilities, sleeping facilities and toilet facilities.

"extraction industrial use" means a use providing for the extraction; grading, crushing, screening, and storage of sand, gravel, minerals, soil and peat.

"family" means:-

- (a) an individual, or two or more persons related by blood, marriage, adoption or foster parenthood sharing one dwelling unit; or
- (b) not more than three unrelated persons sharing one dwelling unit;

"farm unit" means the land and areas under cultivation, or used for grazing, or is considered potential farm land plus the associated buildings and structures;

"front building line" means the extended line of the wall of the building which faces the front lot line;

"front lot line" means the lot line common to the lot and abutting street, or where there is more than one lot line common to abutting street, the shortest of these lines shall be considered as the front lot line;

"habitable room" means a room used for cooking, eating, sleeping, or human occupancy; excludes bathrooms, utility rooms, workrooms, furnace rooms, or storage rooms;

"height" means the vertical distance from the average finished ground level at the perimeter of a building or structure, to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof, and in the case of a structure without a roof, to the highest point of a structure;

"lane" means a road allowance not less than 10 feet but less than 33 feet in width;

"lot coverage" means the horizontal area within the vertical projection of the but most walls of the building on a lot, expressed as a percentage of the lot area;

"mobile home" means a single family dwelling unit suitable for year-round occupancy, specially designed to be moved along the highway from time to time, and which arrives at the site where it is to be occupied complete and ready for occupancy including flush toilet, bath or shower requiring only connection of utilities and some incidental assembly; This definition does not include those dwellings that have been designed to propel themselves or be classed as motor homes.

"mobile home park" means a residential use of a lot on which are located two or more mobile homes, and which is governed by the B.C. Mobile Home Park Regulations;

"one family residential use" means a residential use of a building containing only one dwelling unit;

"two family residential use" means a residential use of a building containing two self-contained dwelling units.

"principal use" means the primary and chief purpose for which land, buildings, and structures are used;

"public service use" means a use providing for the essential servicing of Electoral Area "1" of the Cowichan Valley Regional District with water, sewer, solid waste disposal, electricity, telephone and similar services (other than microwave towers and nuclear plants) where such use is established by the Cowichan Valley Regional District by another government body, by an improvement district operating under the jurisdiction of a federal or provincial government body;

- 3 -

"resource use" means a use providing for the conservation, management, and extraction of primary forest, mineral, and other resource materials on a lot, and in addition, includes only the preliminary grading, cutting, or crushing for shipment of such materials as are harvested or mined on that lot; excludes all manufacturing of products and any processing not specifically included in this definition;

"sign animated" means an illuminated sign which exhibits changing or moving color effects maintained at a constant or varying intensity of illumination;

"sign freestanding" means a sign which is not attached to any building or other structure, save and except that required for its own support;

"sign projecting" means a sign attached to a wall or face of a building or structure, which projects 90 degrees from the face of said building or structure with the purpose of display along said 90 degrees plane;

"street" means a road allowance 33 feet or more in width;

"structure" means any construction fixed to, supported by, or sunk into water or land; excludes concrete and asphalt paving or similar surfacing of a lot;

"use" means the purpose or function to which the land, buildings or structures on a lot are put;

"yard front" means the area of a lot between the principal building and the front lot line in depth and between side lot lines in width;

"yard rear" means the area of a lot between the principal buildings and the rear lot line in depth and between the side lot lines in width;

"yard side" means the area of a lot between the principal building and side lot lines in width and from the front yard to the rear yard in depth.

PART THREE - BASIC PROVISIONS

3.1 This By-Law shall be applicable to Electoral Area "I" of the Cowichan Valley Regional District as defined in the Letters Patent and amendments thereto, except forest lands referred to in Section 794 A of the Municipal Act.

3.2 Zones

(1) For the purpose of the By-Law the area incorporated into Electoral Area "I" of the Cowichan Valley Regional District is classified and divided into the following zones:

A-1 - Agricultural
 A-2 - Agricultural Resource
 R-1 - Urban Residential
 R-2 - Suburban Residential
 R-3 - Mobile Home Park Zone
 C-1 - Convenience Commercial
 C-2 - Service Commercial
 C-3 - Tourist Commercial
 P-1 - Civic and Institution
 W-1 - Water Zone
 I-1 - Light Industrial

(2) The area extent of the said zones is shown on the attached Schedule A, being the Zoning Map of the Regional District Zoning By-Law No. 184 which is an integral part of this By-Law and is signed and dated by the Chairman and Secretary-Treasurer.

- 4 -

(3) The boundary lines of said zones shall be the center lines of road allowances, railways, or water courses unless referenced to lot lines, regional district electoral area boundaries or shown otherwise on the attached "Zoning Map of the Cowichan Valley Regional District Zoning By-Law No. 184".

(4) Where a zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the said Zoning Map.

3.3 Permitted Uses of Land, Buildings, and Structures

The use of land including the surface of water, of buildings, and of structures, shall be in accordance with the permitted uses specified in this By-Law, and in conformity with the regulations for permitted uses specified in this By-Law.

3.4 Size, Shape, and Siting of Buildings and Structures

The construction, reconstruction, alteration, moving or extension of buildings and structures within any zone shall be in conformity with the regulations for the size, shape, and siting of buildings and structures specified in this By-Law.

3.5 Off-street Parking and Loading Spaces

Off-street parking spaces and off-street loading spaces shall be provided in conformity with the off-street parking spaces and off-street loading space requirements of this By-Law.

3.6 Enforcement

(1) Inspection

The Building Inspector or any other employee of the Cowichan Valley Regional District appointed by the Board to administer or enforce this By-Law, may request permission to enter any premises or property between the hours of 9:00 a.m. to 5:00 p.m. to ascertain whether the regulations and provisions of this By-Law are being or have been complied with.

(2) Violation

a) It is unlawful for any person to cause or suffer, or permit any building or structure to be constructed, reconstructed, altered, moved, extended, occupied, or used, or any land to be occupied or used, in contravention of this By-Law or otherwise to contravene or fail to comply with this By-Law.

b) It is unlawful for any person to prevent or obstruct, or attempt to prevent, or obstruct the authorized entry of the Building Inspector or other appointed employee, authorized under Section 3.6 (1) of this By-Law.

(3) Penalties

a) Any person who violated the provisions of this By-Law is liable on summary conviction to a penalty not exceeding five hundred dollars (\$500.00) and also the cost of the prosecution.

b) Each day during which such violation is continued, shall be deemed to constitute a new and separate offence.

c) Remedial Powers - The Board may in accordance with the provisions of the Municipal Act, authorize the demolition, the removal, or the bringing up to standard of any building, structure, or thing, in whole or in part, that is in contravention of this By-Law.

3.7 Amendment Procedures

In addition to the requirements of the Municipal Act, the following requirements for amendment to this By-Law shall apply:-

(1) Any person applying to have this By-Law amended shall apply in writing to the Secretary-Treasurer of the Cowichan Valley Regional District, fully describing the proposed change and furnishing reasons in support of the application. For re-zoning, the application shall include a registered plan showing the location of the property sought to be re-zoned, a sketch map outlining existing use, including natural features such as trees, rock outcrops, gullies and creeks, a sketch map outlining the proposed use of the property and if the applicant is not the owner, the owner's consent to the applicant for re-zoning.

(2) Where an application for amendment to this By-Law has been refused, no re-application for the same amendment shall be considered within six months of the previous application.

3.8 Severability

If any section, subsection, sentence, clause or phrase, of this By-Law is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this By-Law.

3.9 Appeal

The Board of Variance duly established under a by-law of the Cowichan Valley Regional District shall hear and determine any appeal pursuant to Section 709 of the Municipal Act.

PART FOUR - GENERAL REGULATIONS**4.1** Uses of land, buildings, and structures**(1)** Non-conforming Uses

- (a) A lawful use of premises existing or lawfully under construction at the time of the adoption of this By-Law, although such use does not conform to the provisions of this By-Law, may be continued, subject to the provisions of the Municipal Act respecting non-conforming uses.
- (b) A building existing prior to the date of this By-Law, which fails to comply with siting requirements herein shall not be reason thereof be deemed to be non-conforming. However, any subsequent alterations or additions to such building shall be permitted only in accordance with the siting requirements of this By-Law.

(2) Permitted uses of land, buildings, and structures

Utility poles, transmission towers, wires, traffic controls, directional signs, and underground utility systems shall be permitted in all zones.

(3) Prohibited uses of land, buildings, and structures

The following uses shall be prohibited in all zones:

- (a) a use providing a street access or egress driveway that is within 25 feet of the nearest point of intersection of two street allowances.
- (b) where a parcel of land not served by a community water system no residential, commercial, or industrial development of this parcel shall be undertaken unless a water supply is proven of 250 gallons of potable water per 24 hours on site.
- (c) where a parcel is not served by a community sewer system, there shall be sufficient area in the parcel to dispose of human and other wastes in accordance with the Sewage Disposal Regulations adopted pursuant to the Health Act.

- (d) a use located in part or in total in a tent, trailer, or mobile home, except as specifically permitted in this or any other by-law governing Electoral Area "1" of the Cowichan Valley Regional District.

4.2

Regulations for the size, shape, and siting of buildings and structures

- (1) One or more buildings may be sited on one lot, except as otherwise limited in this By-Law.

(2) Siting Exceptions:-

- (a) where chimneys, cornices, leaders, gutters, pilasters, belt-courses, sills, bay-windows or ornamental features project beyond the face of a building, the minimum distance to an abutting lot line as permitted elsewhere in this By-Law may be reduced by not more than two feet, providing such reduction shall apply only to the projecting feature.
- (b) where steps, eaves, sunlight-control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an interior side lot line as permitted elsewhere in this By-Law may be reduced by two feet, providing such reduction shall apply only to the projecting feature.
- (c) freestanding lighting poles, warning devices, antennas, masts, utility poles, wires, flagpoles, signs and sign structure may be sited on a parcel in such a manner as to not create a visual obstruction.

(3) Height Exceptions:-

- (a) the heights of buildings and structures permitted elsewhere in this By-Law may be exceeding for industrial cranes, grain elevators, tower tanks and bunkers, retaining walls, radio and television antennas, church spires, belfires and domes, monuments, smoke and fume disposal and dispersing facilities, industrial processing and manufacturing equipment, flag poles, drive-in theater screens, stadium bleachers, lighting poles, elevator shafts, stair towers, and scenery lofts.
- (b) there shall be no obstruction to the line of vision, by buildings, structures, or landscape screens between the heights of three feet and ten feet above the established grade of street within an area bounded by the centre lines of intersecting or intercepting streets and a line joining a point on each of the centre lines eight feet from their intersection.

(4) Undersized Lots

Parcels of land that are shown on a plan deposited in the Land Registry Office prior to the passing of this By-Law, which have less than the required minimum SITE AREA for the zone in which that parcel is situated, may be used for any USE permitted in that ZONE, subject to all of the other regulations for that ZONE provided that the method by which sewage is to be disposed of is satisfactory to the Medical Health Officer.

(5) Flood Control Requirements:-

- (a) No building shall be constructed nor mobile home located:

- (i) within twenty-five (25) feet of the natural boundary of the sea or a lake;
- (ii) within one hundred (100) feet of the natural boundary of any watercourse or source of water supply;
- (iii) with any part of the floor system of habitable spaces, or in the case of a mobile home, the ground level on which it is located, lower than two feet above the one in 100 year flood level where it can be determined, or if not, not less than ten (10) feet above the natural boundary of a lake, and any other water course, nor less than five (5) feet above the natural boundary of the sea in the immediate flood hazard area.
- (iv) the requirements stated in (i), (ii), (iii) above, may be reduced in specific cases upon appeal to the Deputy Minister of ~~Water Resources~~ ENVIRONMENT

- (b) The required elevation for building stated in Section 4.2(5)(a) may be achieved by landfill, thereby raising the ground level on which any said building is to be constructed or located, or by structurally elevating the said building or by a combination of both landfill and structural elevation, provided however, that in any event no area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater. Where fill is used to raise the natural ground elevation, the toe of the fill slope shall be no closer to the natural boundary than the distances stated in Section 4.2(5)(a) above, and the face of the fill slope must be adequately protected against erosion from flood flows.
- (c) No building permit shall be issued for the construction of a building or development of a mobile home park on land which has a natural elevation below the elevations noted in Section 4.2(5)(a) above, unless the owner of the building or developer of the mobile home park enters into an agreement registrable under the Land Registry Act,
- (1) to save harmless the Cowichan Valley Regional District and the Province of British Columbia in the event of flood damage to either the building or the contents thereof;
- (ii) to maintain adequate flood insurance coverage in respect to both the building and contents thereof at such time as an official Provincial flood insurance program is made available by the Insurance Corporation of British Columbia, or otherwise.

4.3

Regulations for Accessory to One Family Residential Use

An Accessory One Family Residential Use shall:-

- (a) be limited to two per lot
- (b) have a maximum floor area of 500 square feet each
- (c) be located in the rear yard allowing five foot setbacks on all sides.

*Deleted by
Bylaw #885*

4.4

Regulations for Home Occupation Use

In the Zones permitted, a Home Occupation Use shall:-

- (a) be conducted by the residents, and shall not employ more than two persons on the premises
- (b) be completely enclosed within the interior of a dwelling, except where it involves horticulture, or a kindergarten or nursery school.
- (c) not create a nuisance by reason of sound, sight, or smell
- (d) not involve material or products that produce flammable or explosive vapours or gases under ordinary temperatures
- (e) not involve storage exterior to the dwelling of any material used in the processing or resulting from the processing of any product

6.6 R-2 One-Family Suburban Residential

Designates land that because of partial subdivision to smaller lot development without the necessary community water or community sanitary sewer system is premature and is best suited for one-family residential development of parcels of five acres or more, thereby safeguarding public health.

6.7 R-2 Permitted Uses

The following uses and no others of land, buildings and structures are permitted in the R-2 Zone:

- (a) agricultural, horticultural, silviculture, and those land uses and structures normally accessory to these uses;
- (b) one-family residential or one double wide mobile home which conforms to the C-240 Z standards.
- (c) two-family residential
- (d) home occupation
- (e) the keeping of livestock for the personal use of the owner as well as other agricultural uses which shall not include mushroom growing or the keeping of swine, poultry, fur bearing animals or other livestock for commercial purposes.
- (f) utility buildings used to accommodate activities customarily associated with home life.

6.8 Site Area

The minimum site area per dwelling unit is as follows:

Community Water Supply and Community Sanitary Sewer	Non-applicable
Community Water Supply but no Community Sanitary Sewer	1 acres
Neither Community Water Supply nor Community Sanitary Sewer	5 acres

6.9 Regulations (in addition to those in Section 4.2) for size, shape, and siting of buildings and structures

All buildings and structures with the exception of fences:

- (a) together shall not exceed lot coverage of 25%
- (b) shall not exceed height of 30 feet
- (c) shall not be sited less than
 - (i) 25 feet from a front lot line
 - (ii) 10 feet from any other lot line

6.10 Storage

No lot shall be used for the wrecking or storage of derelict automobiles, tractors, machinery, or as a junk yard, and any vehicle which has not been licensed for a period of one year and is not housed in a garage or carport shall be deemed to be a derelict vehicle or junk.

Michael Joseph
7350 Wattle Road
Lake Cowichan BC V9N2G0



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Opposition to CVRD Rezoning Application 1-I-15-RA

April 2015

Nantree/Peri Rd is a Neighbourhood

Zoned R-2 Single Family Residential

52



PH1



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PH1



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PH1



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PH1



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PH1



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PH1

Zoning restricted to single family residential

A tent, trailer, recreational vehicle, park model unit, bus or other motor vehicle must not be used as a residence....

*CVRD Area I Youbou/Meade Creek Zoning Bylaw
No.2465, pg. 24*

Zoning restrictions in place since at least 1975

*The following shall be **prohibited** in all zones:*

A use located in part or in total in a tent, trailer or mobile home...

CVRD Area I Bylaw 184, dated 1975, pg 6.

Numerous Complaints

- Form letters from the CVRD
- No follow up inspection or enforcement

Rezoning Request

Permit recreational uses...in the form of cottages or recreational vehicles (i.e. a maximum of 4 per property) as well as associated accessory buildings and structures

This is what the CVRD is being asked to legitimize through this rezoing application



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PH1



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PH1



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PH1



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PH1



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PH1



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PH1



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PH1

The whole area is in a flood plain



Cowichan Lake Flood Plain Map, Drawing 84-33 Block #3, BC Ministry of Environment.



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PH1



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PH1



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PH1



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PH1



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PH1

Sewage a key concern

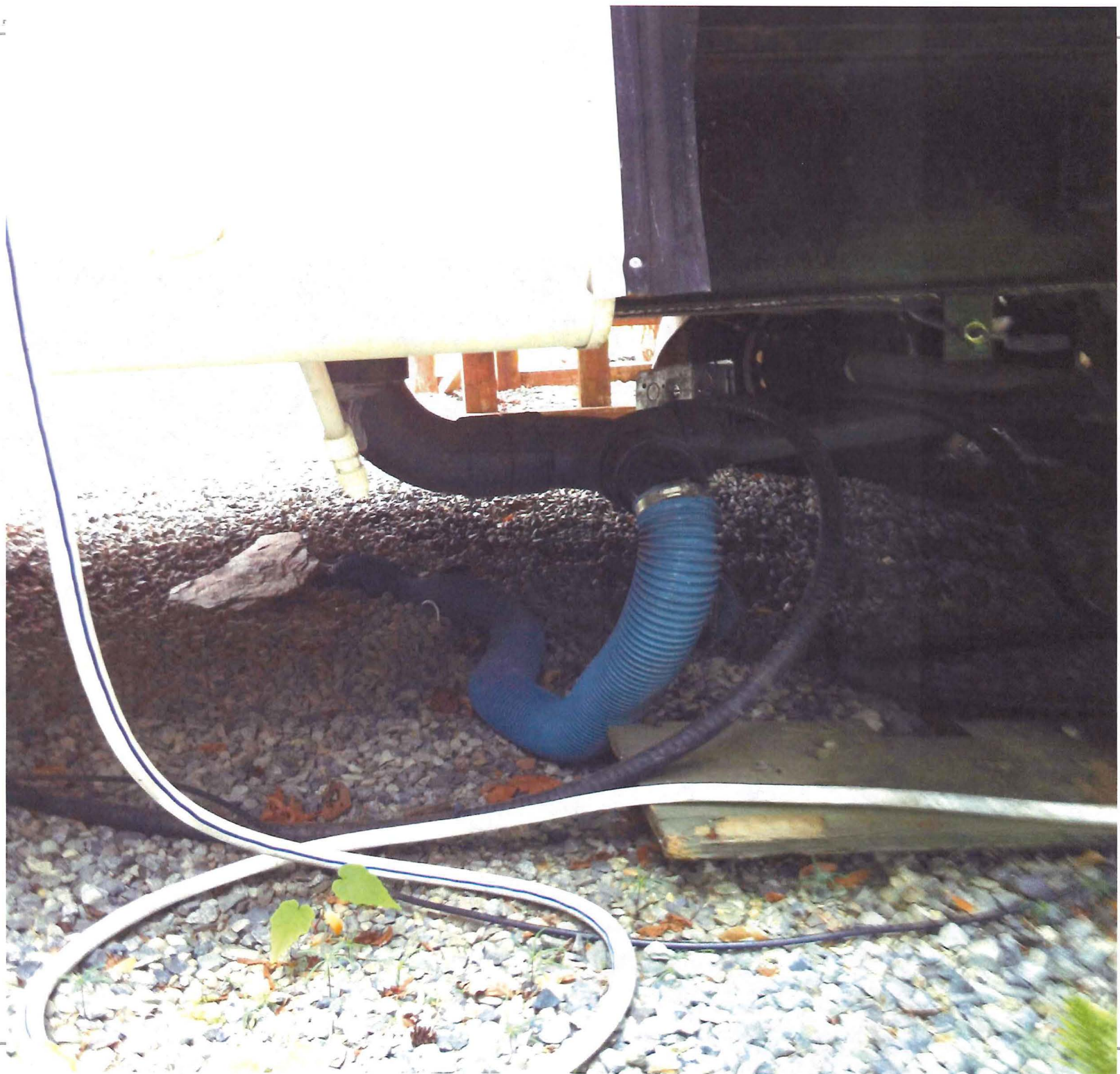




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PH1







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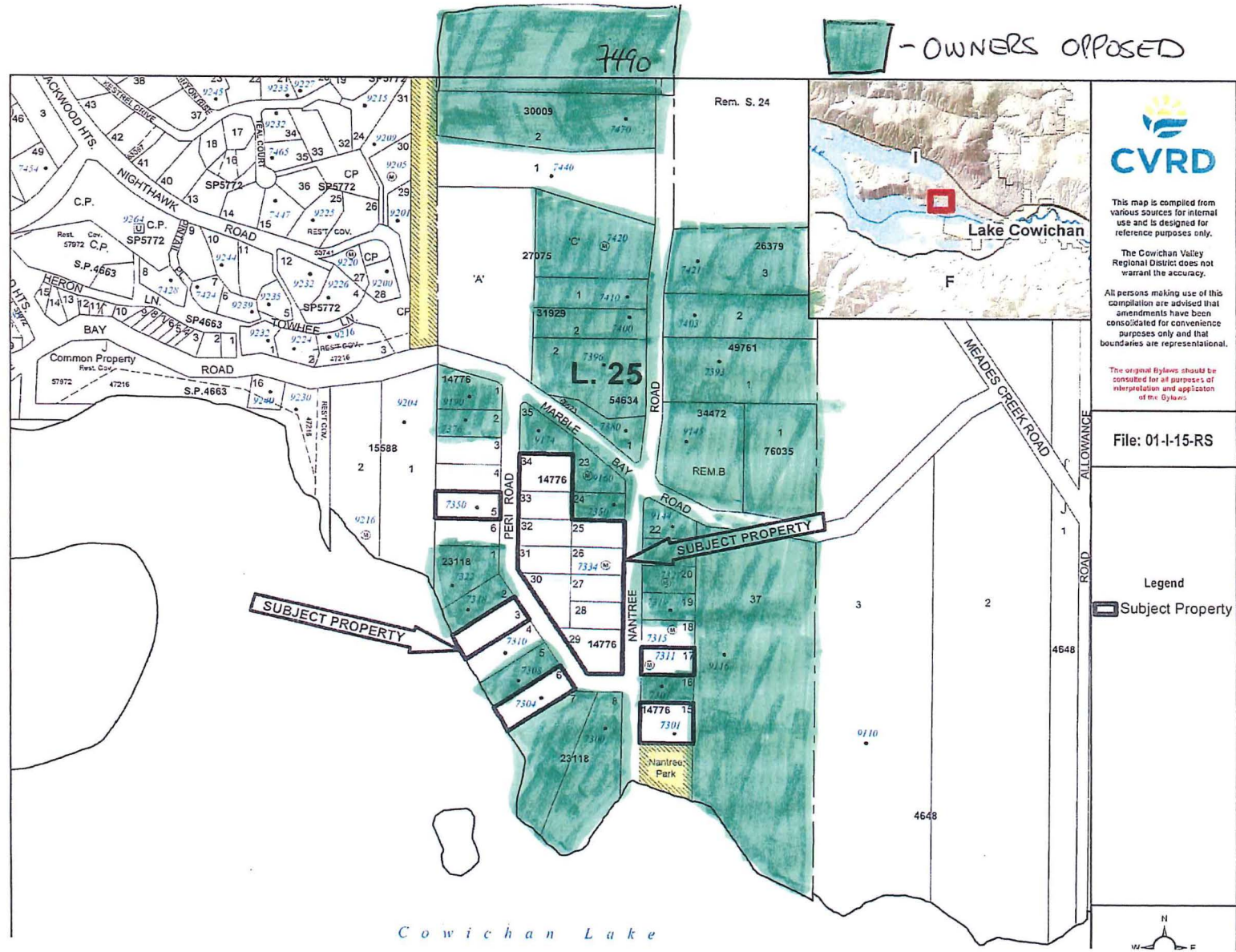




Other issues

- Definition – Cottage or RV
 - Riparian Zone
 - Parking
 - Noise and Disruption
 - Lack of fit with OCP
- Precedent within CVRD

Vehemently Opposed



97

EXHIBIT 3

Planning and Development

From: wnpeters@shaw.ca
Sent: March-30-17 4:03 PM
To: Planning and Development
Subject: E A I Zoning Amendment Blaw No. 4074

I am against amending the current bylaw. Possibly 3 families per lot at 15 lots is a possible 45 families. Camping does not blend well with residential. Too much traffic, too much noise as people are primarily living outside when camping.

Because the lots are small, vehicles end up being parked on the road causing congestion.

The permanent resident's homes in this neighbourhood are well maintained as are the properties. The current campsites are trashy, some have derelict RVs stored on them and many use tarps that are in various stages of decay.

Should this amendment be accepted my concern is how the new bylaw will be enforced. There are often many RVs arriving in the neighbourhood on a Friday afternoon. Will the bylaw enforcement officer be available to enforce the (3 RVs per site) bylaw if necessary? There is a general attitude that it's okay to do as you please...no one will do anything about it. I have lived in this neighbourhood for 27 years and the current bylaw has never been enforced despite concerns and complaints from the residents.

I ask all the members of the EASPC to ask yourselves how this situation would play out in your neighbourhood. Would you be happy living amongst a campground?

Thank you for your consideration.

Terese Peters
9144 Marble Bay Rd

EXHIBIT 4**Planning and Development**

From: Erin Robertson <erin1911@outlook.com>
Sent: March-30-17 1:23 PM
To: Planning and Development
Subject: File 01-I-15RS

I write in regards to the amendments No.4070 and No.4071 I the owner of lot 21 and full time resident of 7337 nantree road along with my family are Strongly Against this rezoning. You have already stated you do not have the man power to enforce the by laws, so allowing more campers an trailers along with more vehicles into the neighborhood is setting our streets up for a huge hazard for fire trucks etc. We have already experienced high volume of traffic over the years an our roads are very narrow. This area is built for single family dwellings not a campground. I did not purchase my family home to be set in the middle of a campground breathing in fire smoke, having unwanted extra noise and nor would you. I pay high taxes and keep my yard well kept unlike other lots around the area with there properties looking a mess. The lots depreciate the value of my home and the other homes in the area. Septic is a major concern because we all drink the ground water an there will not be enough enforcement to protect the area. Enforce the zoning that is in place now.

Bill Robertson and Family

Sent from my iPhone

EXHIBIT 5**Planning and Development**

From: Dave - Printer World <davet@printerworld.com>
Sent: March-30-17 12:29 PM
To: Planning and Development
Subject: Zoning Amendment 4071 Comment

ATTENTION: CVRD BOARD**RE: ZONING AMENDMENT BYLAW 4071**

We have concerns regarding this application. We purchased our property in the fall/winter of the year and were not aware of any camping going on in the area at the time. As any purchaser should, we did our due diligence and obtained a copy of the zoning bylaws for the property and confirmed this was a zoned residential area with applicable restrictions as to usage. Based on that bylaw, we purchased our property.

In 2007 we received a letter from the CVRD stating that camping and non-conforming use was not allowed as this was a residential area and that action would be taken for those not complying with the bylaw.

Since that time there has been nothing done in terms of enforcement but compromise on the part of the CVRD to try and satisfy everyone's wishes.

With this new amendment, we have issues that need consideration.

First of all our residential lot is located in between 2 parcels that are proposed recreational. For the past few years we have had to put up with camping next door to us. While that in itself, is not an issue as the campers have been reasonably good, we have health related issues that come from campfires located close to us. Campfire smoke will fill up the second story of our home and cause breathing issues as both of us suffer from lung problems. Closing windows on a hot night does not help and portable air conditioners pull in more smoke. For us this is a health related issue and it must be addressed.

Another issue is sewage disposal as there are pit toilets close to us. We have had our water tested from time to time and at times it has come back as contaminated. While this may be the result of several factors outside of anyone's control, we have had to switch to bottled water for drinking purposes as a precaution and added cost.

On the suggestion of allowing 3 campsites per undeveloped parcel, we are concerned with allowing them because there are some that are left year round and are unsightly from the road. Either they should be completely screened of from being visible or follow the example that one of our neighbors does, is they bring their campers with them and take them when they leave so it is a short stay at most a few days and that is perfectly acceptable. As well, the issue of allowing 3 campers, is that there is overnight parking on the road shoulder and this has created issues at times when vehicles have parked poorly. Nantree Park is a public dock and in the summer many many cars will be parked along the road allowance and then coupled with the recreational usage, both Peri and Nantree Road become quite congested with parked vehicles. Therefore, any parking must be on the owners lots and not on the roadway.

Thank you for your consideration
Dave Trufen
7307 Nantree Road

EXHIBIT 6

Planning and Development

From: wnpeters@shaw.ca
Sent: March-30-17 11:47 AM
To: Planning and Development
Subject: Bylaws 4070 & 4071

To whom it may concern:

I am apposed to any rezoning of the properties in our subdivision. Reasons being, listed below.

1) I bought knowing how the property was zoned and if it was zoned differently, (ie. R/RC 1), I probably would not have purchased the property.

Anyone that bought their property here knew (or should have known) how the property was zoned.

2) "Block" rezoning as seen in this proposal is frowned upon by the area I commission (OCP) and they have not given their approval of the changes.

The lots applying for the zoning change are scattered randomly among our subdivision. It is a mishmash and poorly thought out.

3) I cannot condone spending taxpayer monies on creating a "new" zone to appease nonconforming residents.

4) Given the CVRD record of Bylaw enforcement, which has been basically nonexistent in our subdivision, I cannot see them enforcing any new Bylaws.

All that has to be done is for the Board and staff to step up to the plate and do their job.

5) The best answer to the problem is to forget any rezoning and enforce the existing Bylaws. It should have been done a long time ago and I know it can be done still.

Thank you in advance for your consideration:

Bill Peters 9144 Marble Bay Road.

Area I

EXHIBIT 7

Planning and Development

From: iris reid <irisinvic@yahoo.ca>
Sent: March-30-17 8:55 AM
To: Planning and Development; Iris Reid
Subject: Fw: cvrd file # 01-1-15RS

Zoning Amendment Bylaw No. 4071

I am totally against the re-zoning for Recreational Camping.

There is pollution entering the lake as the RV's are dumping sewer into a hole in the ground (no septic or sewer). Gray water is being dumped on top of the ground. As these units never leave the properties.

These properties drain directly into the lake. The lake is a water supply for thousands which is in jeopardy under these conditions. Also many of these lots do not have a water source to fight fire if one should break out

Residents have large financial investments, which have been subject to permits and inspections. Regulations have been in place since the early 1970's. Residents of the area have been asking CVRD to stop tent cities in this area since 1988. While the number of abusers was small no CVRD workers would stand up, now all they want to do is give the campers their own way because its easier for the CVRD employees.

CVRD Employees should not be assisting the bylaw breakers and should be enforcing the by-laws. Instead statements of working

with and in favour of the by-law breakers, (re meeting of October 19, 2014)

There are large parcels of land that could be developed into proper RV parks where each unit would have proper sewer or septic and one RV unit per space.

These properties are suitable for year round residential use as long as you prepare your property and abide by the permits/bylaws that are in place...Many of these are being used for full time use now... One new home has just been built on Peri Rd. for year round use..

Stu & Iris Reid 7308 Peri Rd.

EXHIBIT 8**Planning and Development**

From: Lorraine & Ric Avison <lorric2@shaw.ca>
Sent: March-29-17 12:17 PM
To: Planning and Development
Subject: Zoning Amendment Bylaw No 4071

We the undersigned owners of 7318 Peri Road, Marble Bay, Lake Cowichan.B.C. hereby advise you we are very much opposed to any new rezoning designation for this area that would allow up to 3 recreational campsites on parcels without a single family dwelling.

Eric L.and Velma L. Avison

EXHIBIT 9

Jennifer Hughes

From: Klaus Kuhn <k.k@shaw.ca>
Sent: Tuesday, March 28, 2017 2:13 PM
To: Jennifer Hughes
Subject: Fw: Please read - lots of conflicts within this proposal....

Another one.

From: Klaus Kuhn
Sent: Tuesday, March 28, 2017 10:39 AM
To: Wendy Webb
Subject: Re: Fwd: Please read - lots of conflicts within this proposal....

Thanks Wendy,

Klaus

From: Wendy Webb
Sent: Tuesday, March 28, 2017 8:00 AM
To: Klaus Kuhn
Cc: Klaus Kuhn
Subject: Fwd: Please read - lots of conflicts within this proposal....

Hi Klaus,

I am not available to attend this meeting but want to let you know my view.

I don't know what the various regulations and development criteria are so can not speak to that.

I am most concerned about densification permitted by this and the provisions for sewage treatment. Also I am unclear what properties this will be subject to.

I don't mind someone having family or friends visit with a trailer, but do we want the whole community to become a trailer park?

Without more information I do not support this amendment.

Thanks,
Wendy

Public Hearings & Meetings

NOTICE OF PUBLIC HEARING – Thursday, March 30, 2017

Applicable to Electoral Area I – Youbou/Meade Creek
Official Community Plan Amendment Bylaw No. 4070
Zoning Amendment Bylaw No. 4071

Date: Thursday, March 30, 2017

Time: 7:00 p.m.

Place: Youbou Community Hall, 8550 Hemlock Street, Youbou, BC

Official Community Plan Amendment Bylaw No. 4070 would amend Electoral Area I - Youbou/Meade Creek Official Community Plan Bylaw No. 2650 by adding a policy that **would allow zoning for recreational camping** to be considered for land within a **recreational designation** that is **susceptible to seasonal flooding or is otherwise unsuitable for year-round residential use**.

Zoning Amendment Bylaw No. 4071 would amend Electoral Area I - Youbou/Meade Creek Zoning Bylaw No. 2465 by creating a new "Residential/Recreational Camping 1 (R/RC 1) Zone" and rezoning the properties from Suburban Residential (R-2) to Residential/Recreational Camping 1 (R/RC 1).

The proposed R/RC 1 zoning would allow the subject properties to be used for **one single family dwelling** and **one recreational campsite, or for up to three recreational campsites on parcels without a single family dwelling**. The zone also contains various regulations and development criteria.

EXHIBIT 10

Jennifer Hughes

From: Klaus Kuhn <k.k@shaw.ca>
Sent: Tuesday, March 28, 2017 2:07 PM
To: Jennifer Hughes
Subject: Fw: Meeting Thurs at 7 pm

Hi Jennifer,
 here is one of the letters for Nantree

From: Michael.Iddon@forces.gc.ca
Sent: Tuesday, March 28, 2017 9:07 AM
To: bcw1200@gmail.com ; k.k@shaw.ca
Subject: RE: Re: Meeting Thurs at 7 pm

Hi Cathie, Klaus,

This is a precarious road to go down. Currently we have a considerable problem with RVs on properties and the concerns are well known to By-Law Enforcement. The main issue is; when problems are identified, By-law Enforcement will do nothing to correct the problem or enforce the law. I know this first hand from a situation in my neighborhood. We asked for assistance with neighbors that have an abundance of RVs that become "party central" in the summer and they refused to enforce the law. In fact, the problem is even worse now because the people realize that they will not be forced to abide by the law. So you have to know from the start, if a problem develops, which it will, no one is coming from CVRD to clean up the mess they have allowed to happen.

The By-Law was put in place and remains in place for a reason! Amongst other reasons, it is to protect the residents from weekend party goers and reduce ambient noise. If I were to go and park a bunch of trailers next to someone's house in Victoria and have a loud party every weekend, they would be extremely angry. So why would anyone believe that type of behaviour is acceptable in Cowichan. Why do people believe that because it is a lake area that the rules don't apply?

If this is allowed, it will open the floodgates to RVs and there will be a problem that will be uncontrollable.

My recommendation to you is; ask Nino Mirano (CVRD Chief By-Law Enforcement Officer) to attend the meeting and ask him directly what steps he and his staff are willing to take do to deal with secondary concerns that will develop if this rezoning is allowed. Don't expect much because his office doesn't do anything now to control the existing problem and he certainly won't provide any useful assistance in the future.

For once, CVRD needs to have a plan in place to deal with issues BEFORE they become a significant problem, not after.

It might be interesting to ask what funding is being put in place prior to deal with residents' concerns.

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

EXHIBIT 11

To: EASC March 28, 2017

Re: Rezoning Application File 01-I-15 RS (Fritsch) – Nantree, Peri Road
Public Hearing Remarks

From: The Applicants

First off, We, the applicants would like to thank Rob Conway, Ross Blackwell, the CVRD staff, Director Kuhn and all the directors that form the Electoral Area Services Committee. We appreciate your many hours of time, effort and dedication that has gone into this process to try and resolve an issue that has been going on for a number of years. Hopefully the end result will prove a successful resolution.

As Rob mentioned, we, the applicants own 15 of the 35 lots that comprise the Peri, Nantree road area south of Marble Bay road. In addition to our 15, the majority of the remaining 35 lots are used for seasonal residency. In fact, when the lots were originally subdivided in 1961, they were marketed as recreational properties. Being in the flood plain, these lots were never intended as building lots, and in fact the CVRD building inspector in 1974 documented that the CVRD would not be prepared to issue building permits for any construction on these properties.

Yes, in today's world, these lots could in fact be made suitable for building on, but imagine what a detrimental change it would make to the landscape and the footprint. Trees would have to come down to allow for countless truckloads of soil to bring the land levels above the flood plain. Wildlife that wanders in and out of these properties would be displaced much as they have been for Woodland Shores and Laketown Ranch. Instead of having a small population increase during the summer months, you current full-time residents would have monster homes invading your privacy for 12 months of the year.

The new zoning will provide for up to 3 recreational campsites per lot for temporary occupancy. This is not a change from what these lots have always been used for. Please do not misconstrue the term "campsite" to envision each lot containing separate sites such as you would see at Gordon Bay or Lakeview campground. We, the owners, use our individual RV's as our sleeping quarters, no differently than permanent residences use three bedrooms in their homes. There will not be separate campfires, picnic tables and such on our lots no more than you would have at your home.

Under the amended bylaw "recreational campsite" includes in its definition a requirement to be equipped with a sewage disposal system compliant with the Sewage System Regulation or as otherwise authorized by Island Health. Currently seasonal residents are using RV holding tanks and/or porta potties or outdoor privies. We in fact as a group had consulted with Island Health previous to making our rezoning application, and agreed to work with them to comply with their disposal requirements. At the time a public health inspector toured our properties and no infractions were noted. We have since delayed further communication awaiting the outcome of our rezoning application. Upon approval, we will once again become proactive and consult with Vancouver Island Health Authority for necessary actions to ensure we are compliant with current requirements for temporary occupancy.

There is most definitely an increase in activity in our area through the summer months. A few of us seasonal users might spend 3-4 weeks total out there. I note that others are out for short stints, more often than not for a weekend at a time. There are also those that do not live in the area that frequent the Nantree road beach because it is usually quieter than other beaches closer to town. What was once

a well-kept secret is a now a desirable beach along the lake. A few permanent residents that are opposed to the rezoning have in the past placed the blame for increased activity at the beach solely on us seasonal residents which is not true. There are many people from various areas that prefer the Nantree beach as a lakeshore location. Some pet owners from the neighboring Bayview Village prefer the Nantree beach because they can take their pets along with them. The origin of beach goers can be witnessed by the increased parking near the beach and along the street. We, the applicants, park on our lots. The increased traffic can also be attributed to the ongoing expanse of Woodland Shores and the Laketown Ranch development.

If you tour around the lake today, there is no question that density has increased all around the lake. Many of the newer "cottages" are multi-level luxury homes, that during summer months host large numbers of guest (some are rented out to 20+ people in a single dwelling). Pristine peaceful areas like the Nantree/Peri road area are rapidly disappearing.

We all want to preserve the wonderful outdoor recreation area that is Lake Cowichan for our children and their children to come. Removing all the trees, building up surface soil above the flood plain to accommodate building and septic fields is not the answer.

The intent of our rezoning application is simply to allow us to continue to enjoy our summer retreats as we have in the past. In actuality, we are not applying to change things, we are applying to stay the same.

In conclusion, We ask for your support for this new zoning and pledge that we will continue to be good neighbors.

EXHIBIT 12**Jennifer Hughes**

From: Rob Conway
Sent: Monday, March 27, 2017 2:11 PM
To: wnpeters@shaw.ca
Cc: Jennifer Hughes; Shannon Carlow
Subject: RE: re;bylaw 4071

Good Day Mr. Peters

The minimum parcel size regulation you have noted is a subdivision regulation, and all it does is establish a minimum size for the creation of new lots. Because all of the lots in question are well under 1.0 ha, the regulation will not have any meaningful effect because they are all much too small to be subdivided. If the zoning amendment is adopted the lots could still be used for the uses permitted in the new zone. The only effect it has is to prevent further subdivision.

1.0 ha. is the minimum parcel size that Island Health recommends for lots serviced with well and on-site sewage disposal and most CVRD zoning bylaws use the 1.0 ha. standard for lands not serviced with community water or sewer. Admittedly the minimum parcel size is a little confusing given the context, but we wanted to have something in the zone and anything less than 1.0 ha. would not be appropriate.

If I can provide any further clarification, please let me know.

Regards

Rob

Rob Conway, MCIP, RPP
Manager, Development Services Division
Land Use Services Department
Cowichan Valley Regional District
Phone: (250) 746-2618
Fax: (250) 746-2621
e-mail: rconway@cvrd.bc.ca

From: wnpeters@shaw.ca [mailto:wnpeters@shaw.ca]
Sent: Monday, March 27, 2017 11:41 AM
To: Shannon Carlow
Subject: re;bylaw 4071

Hi Shannon:

I'm hoping you can explain something to me.
Included in Bylaw 4071 is the following amendment.

b) That the R/RC 1 Zone be added to Appendix One, by inserting a minimum parcel size of 1 hectare for all levels of servicing.

My question. What is the reason for this amendment as all of the properties in question are less than one hectare?

Please let me know so that I can make an educated decision on the new Bylaw.

Thanx in advance for your help.

Billy Peters.

EXHIBIT 13

Planning and Development

From: Michael Loeth <loeth@bcfii.ca>
Sent: March-27-17 10:09 AM
To: Planning and Development
Cc: Rob Conway; Klaus Kuhn
Subject: Public input for Nantree Peri Road rezoning File:01-I-15RS

Michael Loeth
7350 Nantree Road
PO Box 1503
Lake Cowichan, BC
V0R 2G0
loeth@shaw.ca
250-749-0242

March 27, 2017

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

Re: Rezoning Request 01-I-15RS – Nantree Peri Road

Please accept this written information as input to be considered for public input on this rezoning request.

I have been a permanent resident in the neighbourhood in question for the past 18 years. We have seen the situation deteriorate for some years, driven by a complete lack of enforcement by the CVRD of bylaws and zoning rules.

I am strongly opposed to this rezoning application. Creating a campsite zone in a residential neighbourhood makes no sense and I strongly encourage the CVRD Directors to have a closer look at this.

While I can't speak for others, I do recognize that our area does have a recreational element to it. We have the cottages at Marble Bay close by, Bayview village, the cottages at Woodland Shores. If the CVRD were to propose a true recreational zone – that would need to be different than what is currently proposed to be acceptable.

What is proposed now equates to a 45 unit campsite. 15 adjoining properties with 3 campsites each. I draw a clear distinction between campsites and recreational properties. They are not the same thing. And should not be treated by the CVRD as the same.

If the CVRD wishes to accommodate recreational use in this area, then you should limit the number of units (be it cabins or RVs). I would argue one unit per property – the same as is currently allowed for a residence under existing zoning. This is the same way the CVRD has treated owners in Bayview Village, the Cottages at Marble Bay and elsewhere. Those areas have not created major issues, as they have been appropriately planned and the number of units has been tightly controlled at one unit per property.

I believe that this is fair. It allows recreational use, but does not significantly change the fabric of the neighbourhood.

Recognizing a few properties in question have specific challenges, an additional option might be for each of the 15 properties in question – to look at the land title for each at the time this rezoning request was submitted. If a property has a single registered owner (or couple who jointly own it) – then they should be allowed to have a single recreational unit (RV or cabin).

If there are 2 owners, then 2 units be allowed on that property only, 3 owners, 3 units. But in no case should more than 2 or 3 units be permitted. And this should be based on the land title record when the application first went in – not after owners scramble to change the number of owners on title.

If the history of the area dictates that owners be allowed to continue to use their property for recreational use – then limit the number of units to the number of owners on each property. That is fair, and would support principled decision making – principles that could be applied elsewhere in the CVRD if the need arises. Why should a single owner be allowed to use their property for more than their own intended personal use? One owner one unit. There is no legal or other basis for a single owner to have multiple units on a small, un-serviced lot.

I do not support creating campsites where multiple visitors come up to party for the weekends or months at a time – and then go home to Victoria or wherever they live during and expect calm and quiet in their neighbourhoods. This is my neighbourhood, and I deserve the same respect here as they do wherever they might live. NO Camping – and limited and principled decision making for recreational use only. Campsites in established residential areas will create major interface issues.

If a recreational zone that allows an RV is to be established, then the other condition that I believe must be included is that it must be only owner occupied. The zoning should not allow owners that have an RV pad to rent it out, by the night, week, or month – and have strangers come into our residential area to “camp” for their vacation. Failure to do so will create “campsites” not a recreational zone. This will only create additional issues for residents,

owners and the CVRD in the future. Steps need to be taken now to reduce these future issues.

Do not create a 45 unit campsite in my neighbourhood – campsites do not equal recreational properties – please do not treat them the same.

Finally, whatever you decide, be prepared to enforce it. The CVRD's record in this neighbourhood has been an embarrassment. Only change what you are prepared to enforce.

I appreciate you taking into consideration my input.

Sincerely,

Michael Loeth

Sherri Nilsson
1041 Jasmine Avenue
Victoria BC V8Z 2P5

March 27, 2017

Attention: CVRD Board of Directors

**Re: File No. 01-1-15RS
Nantree/Peri Road**

I am the owner of Lot 28, Nantree Road, Lake Cowichan. This neighbourhood has been enjoyed by many families as recreational properties and permanent homes since the early 1960's. Of the 35 properties in this neighbourhood, there are 10 permanent residents. The remaining properties are a mixture of seasonal homes, cottages and RV's. Most of these lots fall in the flood zone, which make them unsuitable for year round use. I believe bringing in enough fill to make these lots suitable for building would be more detrimental to the environment and esthetics of the neighbourhood. The seasonal use of RV's would have a much smaller impact.

Regarding Density:

Opponents of this proposed new zone are concerned that allowing 3 RV's on each property will overcrowd the neighbourhood. If I built a 3 bedroom home, the density would be the same if not more. I could comfortably fit more people in a 3 bedroom dwelling than I could in 3 small RV's. Potentially, a permanent dwelling could increase density year round as opposed to the summer season.

One thing I don't understand is why some of our opponents don't want us to have up to 3 RV's on our properties, when some of the waterfront lots will have up to 14 RV's on many weekends.

Regarding Sewer/Gray Water:

RV's are self contained, tanks can be pumped, or visitors haul away to the sani-dump when they leave.

Regarding Parking and Crowding at Nantree Park:

The owners of recreational properties are being blamed for the crowding, parking and noise at Nantree Park. The property owners, seasonal and permanent, all park on their own properties and walk to the beach. Nantree Park is a Public Park. It is not the little secret that it was 15-20 years ago when it was generally only used by the neighbourhood. It is posted on Lake Cowichan tourism sites as public access and has consistently become busier and busier especially since the opening of Lake Town Ranch.

In closing, I would like to say that I take pride in, and have enjoyed my property for 20 years and hope to continue to enjoy it in the years to come. Please find attached photos of my property in both summer and winter.

Sincerely,



Sherri Nilsson

Attachments



EXHIBIT 15

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Dalton Smith <daltysmith@gmail.com>

Date: 2017-03-26 12:57 PM (GMT-08:00)

To: Klaus Kuhn <KKuhn@cvrd.bc.ca>, Ian Morrison <imorrison@cvrd.bc.ca>, kdavis@shaw.ca, sfurstenaue@cvrd.bc.ca, Alison Nicholson <ANicholson@cvrd.bc.ca>, mdoray@cvrd.bc.ca, Mary Marcotte <mmarcotte@cvrd.bc.ca>

Cc: Planning and Development <ds@cvrd.bc.ca>, bobkday@lakecowichan.ca

Subject: Zoning amendment bylaw 4071 -Youbou Meade Creek / Nantree /Peri Road community

Dear Directors

My name is Dalton Smith and I have owned , and have been a permanent resident of L.25 since 1975. My lot has frontage on both Marble Bay road and Nantree Road and should the proposed zoning bylaw amendment be approved, my property will continue to be negatively impacted by a planning process with lack of vision . The proposed amendment to the bylaw would create an unrealistic enforcement nightmare for the C.V.R.D and Ministry of Health . Given the fact that there is a proven track record that enforcement has never been implemented ,with the exceptions of an attempt in the past by administration to send off letters to offenders of the current bylaw, how could residents expect actions with new conditions and higher density?

Last year ,along with a number of permanent residents and homeowners I attended several working sessions at the Youbou Hall to discuss what was indeed a misleading process to explore the problems and solutions to " camping mixed in with residential use " within the C.V.R.D. I sincerely believe that there was a clear message at those meetings that people that owned homes in the area affected were overwhelmingly in support of enforcement of the current bylaws. Of course there was opposition, but clearly ,defending the position of campers was indeed weak and did not support best practices for planning and environmental protection . Furthermore , all agencies acknowledge that this area is impacted by serious flooding annually and one would expect that given increased turbidity levels in Lake Cowichan that as a community we should act responsibly and respond accordingly to mitigate any possibility of further contamination to the Lake .

I also want to make it clear that my opposition is against the proposed bylaw , not towards the people who want to enjoy recreational opportunities that the lake provides .

In the past , for the most part , the residents of this area have supported and endorsed the planning and development of Bayview Village recreational lots as well as the Woodland Shores developments.

Both of these developers have constructed proper sewage systems to protect the Lake from the possibilities of contamination and one would hope that we would insist and implement policy and procedures to ensure the same for all development in sensitive areas around the lake .

I have more to bring forward at the public meeting and look forward to hearing staff rationale for recommending a new bylaw.

Sincerely

Dalton Smith

Jennifer Hughes

From: Ian Morrison
Sent: Sunday, March 26, 2017 1:40 PM
To: Dalton Smith; Klaus Kuhn; kdavis@shaw.ca; sfurstenaue@cverd.bc.ca; Alison Nicholson; mdoray@cverd.bc.ca; Mary Marcotte
Cc: Planning and Development; bobkday@lakecowichan.ca; Rob Conway; Jennifer Hughes
Subject: Re: Zoning amendment bylaw 4071 -Youbou Meade Creek / Nantree /Peri Road community

Dalton,

I have forwarded your comments to Rob Conway Mgr in our Land Use dept. for inclusion in the file at the public hearing Thursday. You may be interested to know that all 9 Electoral Area Directors have been delegated to attend the hearing. I would suggest if you have further comments between now and the hearing, that you submit them in writing at the hearing also, so we have them when we consider the file again in committee.

Again, thank you for your comments.

In service,

Ian Morrison- Chair

Electoral Area Services Committee

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Dalton Smith <daltysmith@gmail.com>

Date: 2017-03-26 12:57 PM (GMT-08:00)

To: Klaus Kuhn <KKuhn@cverd.bc.ca>, Ian Morrison <imorrison@cverd.bc.ca>, kdavis@shaw.ca, sfurstenaue@cverd.bc.ca, Alison Nicholson <ANicholson@cverd.bc.ca>, mdoray@cverd.bc.ca, Mary Marcotte <mmarcotte@cverd.bc.ca>

Cc: Planning and Development <ds@cverd.bc.ca>, bobkday@lakecowichan.ca

Subject: Zoning amendment bylaw 4071 -Youbou Meade Creek / Nantree /Peri Road community

Dear Directors

My name is Dalton Smith and I have owned , and have been a permanent resident of L.25 since 1975. My lot has frontage on both Marble Bay road and Nantree Road and should the proposed zoning bylaw amendment be approved, my property will continue to be negatively impacted by a planning process with lack of vision . The proposed amendment to the bylaw would create an unrealistic enforcement nightmare for the C.V.R.D and Ministry of Health . Given the fact that there is a proven track record that enforcement has never been implemented ,with the exceptions of an attempt in the past by administration to send off letters to offenders of the current bylaw, how could residents expect actions with new conditions and higher density?

Last year ,along with a number of permanent residents and homeowners I attended several working sessions at the Youbou Hall to discuss what was indeed a misleading process to explore the problems and solutions to " camping mixed in with residential use " within the C.V.R.D. I sincerely believe that there was a clear message at those meetings that people that owned homes in the area affected were overwhelmingly in support of enforcement of the current bylaws.

Of course there was opposition, but clearly ,defending the position of campers was indeed weak and did not support best practices for planning and environmental protection .

Furthermore , all agencies acknowledge that this area is impacted by serious flooding annually and one would expect that given

increased turbidity levels in Lake Cowichan that as a community we should act responsibly and respond accordingly to mitigate any possibility of further contamination to the Lake .

I also want to make it clear that my opposition is against the proposed bylaw , not towards the people who want to enjoy recreational opportunities that the lake provides .

In the past , for the most part , the residents of this area have supported and endorsed the planning and development of Bayview Village recreational lots as well as the Woodland Shores developments. .

Both of these developers have constructed proper sewage systems to protect the Lake from the possibilities of contamination and one would hope that we would insist and implement policy and procedures to ensure the same for all development in sensitive areas around the lake .

I have more to bring forward at the public meeting and look forward to hearing staff rationale for recommending a new bylaw.

Sincerely

Dalton Smith

Sent from my iPad

Planning and Development

From: Dalton Smith <daltysmith@gmail.com>
Sent: March-26-17 12:57 PM
To: Klaus Kuhn; Ian Morrison; kdavis@shaw.ca; sfurstenae@cvrld.bc.ca; Alison Nicholson; mdoray@cvrld.bc.ca; Mary Marcotte
Cc: Planning and Development; bobkday@lakecowichan.ca
Subject: Zoning amendment bylaw 4071 -Youbou Meade Creek / Nantree /Peri Road community

Dear Directors

My name is Dalton Smith and I have owned , and have been a permanent resident of L.25 since 1975. My lot has frontage on both Marble Bay road and Nantree Road and should the proposed zoning bylaw amendment be approved, my property will continue to be negatively impacted by a planning process with lack of vision . The proposed amendment to the bylaw would create an unrealistic enforcement nightmare for the C.V.R.D and Ministry of Health . Given the fact that there is a proven track record that enforcement has never been implemented ,with the exceptions of an attempt in the past by administration to send off letters to offenders of the current bylaw, how could residents expect actions with new conditions and higher density?

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Both of these developers have constructed proper sewage systems to protect the Lake from the possibilities of contamination and one would hope that we would insist and implement policy and procedures to ensure the same for all development in sensitive areas around the lake .

I have more to bring forward at the public meeting and look forward to hearing staff rationale for recommending a new bylaw.

Sincerely

Dalton Smith

EXHIBIT 16

Planning and Development

From: KEN BLADES <kkblades@shaw.ca>
Sent: March-22-17 7:05 PM
To: Planning and Development
Subject: Public Meeting - bylaw 4071

Hello Rob,

I'm not able to attend the public meeting March 30th regarding bylaw 4071, being a full time resident I want to let the CVRD know that I do not agree with 3 campsites per lot. Having been in the area for several years now I think that there should only be 2 units allowed even if there is not currently a house on the property. Screening, setbacks on the property are all important. Grey & black water as well as garbage must be addressed.

I hope the meeting is well attended.

I will be soaking up the sun,

Thank you,

Karen Blades

7315 Nantree Rd

Sent from my Samsung Galaxy smartphone.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4103

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

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

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to revise Schedules B of the bylaw.

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

1. CITATION

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 4103 – Saltair Water System Management Amendment Bylaw, 2017**".

2. AMENDMENT

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

UNDETECTED LEAKS:

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

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

Fee adjustments are as follows:

1. If the leak is found in the service line, the average billing at the property over the last two years, for the appropriate billing cycle, will be charged
2. If the leak is associated with an in-home plumbing fixture or irrigation system, the average billing at the property over the last 2 years plus 50% of the water used in

that period to a maximum added value of \$500 will be charged.

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

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

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

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

ADOPTED this _____ day of _____ , 2017.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4110

A Bylaw to Amend Solid Waste Management Charges and Regulations Bylaw No. 2108

WHEREAS the Board of Directors of the Cowichan Valley Regional District established a scale of charges for its solid waste disposal facilities under the provisions of Bylaw No. 2108, cited as "CVRD Bylaw No. 2108 – Solid Waste Management Charges and Regulations Bylaw, 2000";

AND WHEREAS the Board of Directors wishes to amend Schedule B of Bylaw No. 2108 to provide for the exemption of tipping fees under specific conditions;

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

1. CITATION

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 4110 – Solid Waste Management Charges and Regulations Amendment Bylaw, 2017**".

2. AMENDMENT

That the following new section be added to Schedule B of Bylaw No. 2108:

6. Tipping Fee Exemption

Upon application, tipping fees will be waived subject to the following conditions:

- a) The applicant must be a non-profit or non-government organization that undertakes clean-up, rehabilitation, or enhancement of public lands and waterways within the CVRD's jurisdiction.
- b) The materials that will be disposed of must directly derive from the clean-up, rehabilitation, or enhancement of the public lands and waterways within the CVRD's jurisdiction.
- c) Garbage and recyclable items must be pre-sorted before disposed at Disposal Facilities, and the disposal of all materials must comply with the conditions set by Bylaw No. 2108.
- d) The maximum tipping fee waiver amount is \$500 per clean-up project.
- e) If the total tipping fee charges exceed the maximum waiver amount of \$500 per clean-up project, the applicant must pay the excess amount.

- f) The total value of all approved Tipping Fee Exemption applications must not exceed \$5,000 per calendar year.
- g) Clean-up cannot involve projects that displace work carried out by local government staff or contractors or private sector companies.
- h) Clean-up projects must be completed within a short period of time (maximum 2 months).
- i) The applicant will be required to present an approved Tipping Fee Exemption application form issued by the Engineering Services Department upon arrival at a Disposal Facility. Failure to provide this will lead to the applicant being denied the waiving of tipping fees.

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

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

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

ADOPTED this _____ day of _____ , 2017.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4112

A Bylaw to Amend the Boundaries of the Cowichan Bay Sewer System Service Area

WHEREAS the Board of the Cowichan Valley Regional District established the *Cowichan Bay Sewer System Service Area* under the provisions of Bylaw No. 2128, cited as "CVRD Bylaw No. 2128 – Cowichan Bay Sewer System Service Establishment Bylaw, 2000", as amended;

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

- PID 029-865-310, Lot A, Sections 2 and 3, Range 5, Cowichan Land District, Plan EPP62069;

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

AND WHEREAS the Director of Electoral Area D – Cowichan Bay has consented, in writing, to the adoption of this bylaw;

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

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 4112 – Cowichan Bay Sewer System Service Amendment Bylaw (PID 029-865-310), 2017**".

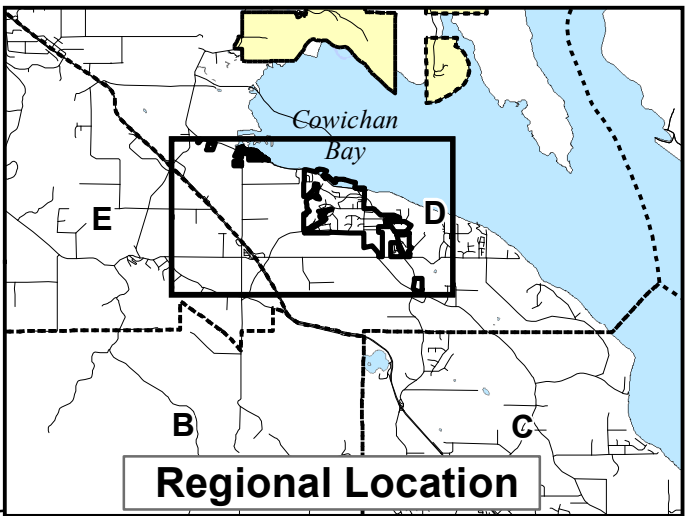
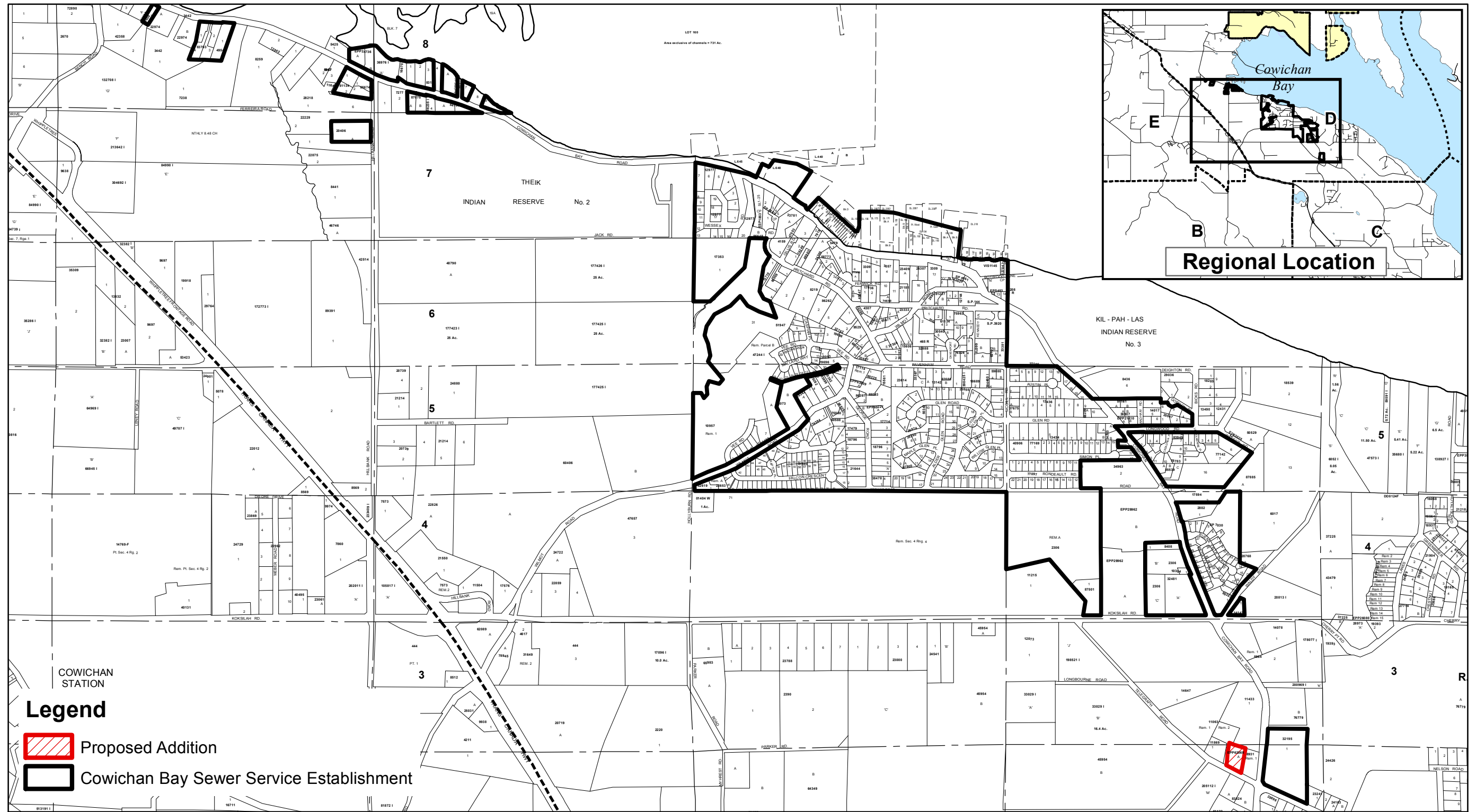
2. **AMENDMENT**

That CVRD Bylaw No. 2128 be amended by deleting the existing Schedule A and replacing it with Schedule A attached to this bylaw.



READ A FIRST TIME this 12th day of April, 2017.
READ A SECOND TIME this 12th day of April, 2017.
READ A THIRD TIME this 12th day of April, 2017.
ADOPTED this _____ day of _____, 2017.

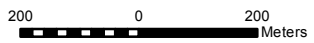
Chairperson

Corporate Secretary



Legend

-  Proposed Addition
-  Cowichan Bay Sewer Service Establishment



Schedule A to CVRD Bylaw No. 2128 - Cowichan Bay Sewer System Service Establishment Bylaw, 2000. As Amended by Bylaw No. 4112. Adopted _____, 2017.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4114

A Bylaw to Amend the Shawnigan Lake North Water System Management Bylaw No. 1967

WHEREAS the Board of the Cowichan Valley Regional District established the management of the *Shawnigan Lake North Water System* pursuant to CVRD Bylaw No. 1967, cited as "CVRD Bylaw No. 1967 – Shawnigan Lake North Water System Management Bylaw, 1999";

AND WHEREAS the Board of the Cowichan Valley Regional District deems it desirable to update the language and revise Schedules A and G of the bylaw and undertake some minor housekeeping.

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

1. CITATION

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 4114 – Shawnigan Lake North Water System Management Amendment Bylaw, 2017**".

2. AMENDMENT

1. That Section 1.1.(a) in **Schedule A – Water Service Connection, Existing Lot** be deleted and replaced with the following Section 1.1.(a):

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

19-mm diameter connection.....	\$300.00
25-mm diameter connection.....	\$450.00

plus a deposit in the amount of the **Manager's estimate** for **construction costs** to complete such works. The above charges and deposit must be received by the Cowichan Valley Regional District before the work can be scheduled. The deposit will be applied against the actual cost of the **Water Service Connection** installation. The **construction cost** is **not** payable, up to a maximum of \$3500.00, if the CVRD water parcel tax has been paid for at least 15 years **and** no extension to the watermain is required. Any portion of the **Construction costs** over \$3500.00 must be paid for by the applicant.

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

3. That the definition for "Construction Costs" be added to Section 2. DEFINITIONS as follows:

"Construction Costs" means the actual cost for the installation of a **Water Service Connection**.

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

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

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

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



SCHEDULE G
TO CVRD BYLAW NO. 1967

MISCELLANEOUS CHARGES

1) **1. Testing of Water Meter**

An application for testing the **Water Meter** shall be accompanied by a deposit in the amount of\$50.00

2. Charge to Customer

a) Where the **Water Meter** is found to measure the flow of water accurately.....\$50.00

b) Turning Water Service on each time.....*Equivalent to 50% of user fee
Turning Water Service off each time.....*Equivalent to 50% of user fee

*if the building services or water service connection location is not known, the actual cost incurred for locating the service will be borne by the homeowner.

3. Notes

(1) Inactivation of the account will be at the discretion of the **Manager**

(2) Charges for “turn on” or “turn off” shall **not** be levied where:

a) It is necessary to interrupt the supply of water so as to permit the consumer to correct faults on the building service.

b) The water is to be “turned on” for newly installed or water service connection

2) **Sprinkling Permit Application Fee**.....\$25.00



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4127

A Bylaw Authorizing the Expenditure of Funds from the
Electoral Area H Community Parks Capital Reserve Fund
Established Pursuant to CVRD Bylaw No. 2744

WHEREAS as of April 30, 2017, there is an unappropriated balance in the *Electoral Area H Community Parks Capital Reserve Fund* of One Hundred and Twenty-Three Thousand Nine Hundred and Twenty-Five Dollars (\$123,925) that has been calculated as follows:

BALANCE in Reserve Fund as at December 31, 2016:	\$130,078
ADD: Additions to the fund; Including interest earned for the current year to date.	<u>\$347</u>
DEDUCT: Commitments outstanding under bylaws previously adopted.	\$6,500
UNCOMMITTED BALANCE In Reserve Fund as at April 30, 2017:	<u><u>\$123,925.</u></u>

AND WHEREAS it is deemed desirable and expedient to expend not more than Twenty-Five Thousand Dollars (\$25,000) of the said balance for the purpose of Phase II bank stabilization at Elliots Beach Park;

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

1. CITATION

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 4127 – Electoral Area H Community Parks Capital Reserve Fund Expenditure (Phase II Bank Stabilization/Elliots Beach Park - \$25,000) Bylaw, 2017**".

2. SUM TO BE APPROPRIATED

- a) An amount not exceeding the sum of Twenty-Five Thousand Dollars (\$25,000) is hereby appropriated from the *Electoral Area H Community Parks Capital Reserve Fund* for the purpose of Phase II bank stabilization at Elliots Beach Park.

.../2

- b) The expenditure to be carried out by the monies hereby appropriated shall be as specified in the 2017 budget, as adopted.

3. **SUMS REMAINING**

Should any of the said sum of Twenty-Five Thousand Dollars (\$25,000), remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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

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

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

ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4070

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

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4070 – Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Nantree/Peri Road), 2016**".

2. **AMENDMENTS**

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

3. **CAPITAL EXPENDITURE PROGRAM**

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

.../2

READ A FIRST TIME this 14th day of December, 2016.
READ A SECOND TIME this 14th day of December, 2016.
READ A THIRD TIME this _____ day of _____, 2017.
ADOPTED this _____ day of _____, 2017.

Chairperson

Corporate Secretary



SCHEDULE "A"

To CVRD Bylaw No. 4070

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

1. Policy 4.17 is inserted after Policy 4.16:

Policy 4.17: Zoning for recreational camping may be considered for land within a Residential designation that is susceptible to seasonal flooding or is otherwise unsuitable for year-round residential use.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 4071

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

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

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

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

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

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

1. CITATION

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 4071 – Electoral Area I – Youbou/Meade Creek Zoning Amendment Bylaw (Nantree/Peri Road), 2016**".

2. AMENDMENTS

CVRD Electoral Area I – Youbou/Meade Creek Zoning Bylaw No. 2465, as amended from time to time, is hereby amended in the following manner:

- a) That the R/RC 1 Zone be added to the Section 4.1 Creation of Zones after CD-1.
- b) That the R/RC 1 Zone be added to Appendix One, by inserting a minimum parcel size of 1 hectare for all levels of servicing.
- c) That the following definition is added to Section 1.3:

"recreational campsite" means a designated area of not more than 200 square metres intended for the exclusive temporary occupancy of one recreational vehicle or tent that is equipped with a sewage disposal system compliant with the *Sewage System Regulation* or otherwise authorized by Island Health.

- d) That Section 5.49 be added after Section 5.48:

5.49 R/RC 1 Residential/Recreational Camping 1 Zone

Subject to compliance with the general regulations detailed in Part 3 of this Bylaw, the following regulations apply in the R/RC 1 Zone:

1. Permitted Uses

Residential Uses:

- a. Single Family Dwelling.

Accessory Residential Uses:

- b. Home Occupation;
c. Bed and Breakfast Accommodation;
d. Horticulture;
e. Buildings and structures accessory to a principal permitted use.

Recreational Camping Uses:

- a. Recreational campsite.

Accessory Recreational Camping Uses:

- b. Horticulture;
c. Buildings and structures accessory to a principal permitted use.

2. Maximum Permitted Density:

Residential Use:

- a. One Single Family Dwelling per parcel.

Recreational Camping Use:

- a. One Recreational Campsite per parcel for lots with Single Family Dwelling Use;
b. Three Recreational Campsites per lots without Single Family Dwelling Use.

3. Minimum Parcel Size:

The minimum parcel size in the R/RC 1 Zone is one hectare.

4. Conditions of Use:

Prior to any parcel being used for recreational camping, the perimeter of the parcel shall be screened with fencing or hedging with a minimum height of 1.2 metres. Screening shall not be required along parcel boundaries abutting Cowichan Lake.

5. Setbacks:

Residential Use Setbacks:

Parcel Line	Residential Use	Accessory Residential Use
Front	7.5 metres	7.5 metres
Interior Side	3.0 metres	3.0 metres
Exterior Side	4.5 metres	4.5 metres
Rear	3.0 metres	3.0 metres

Recreational Campsite Setbacks:

Parcel Line	Recreational Camping and Accessory Recreational Camping Uses
Front	7.5 metres
Interior Side	6.0 metres
Exterior Side	6.0 metres
Rear	6.0 metres

6. Height:

The following maximum height regulations apply in the R/RC 1 Zone:

- a) Principal residential buildings and structures – 10 metres
- b) Accessory residential buildings and structures – 6.0 metres
- c) Principal and accessory recreational camping buildings and structures – 6.0 metres

7. Parcel Coverage:

Parcel coverage in the R/RC 1 Zone shall not exceed 10%

8. Recreational Vehicle Parking and Storage:

Notwithstanding Section 3.26 of this bylaw, recreational vehicle parking or storage is prohibited on lots used for Recreational Camping.

e) Schedule A (Zoning Map) is amended by rezoning the properties legally described as:

- Lots 5, 15, 17, 25-34, District Lot 25, Cowichan Lake District, Plan 14776 and
- Lots 3 and 6, District Lot 25, Cowichan District, Plan 23118

as outlined in solid black lines on Schedule A, Plan Z-4071 attached to and forming part of this Bylaw, from R-2 (Suburban Residential) to R/RC 1(Residential/Recreational Camping 1).

3. FORCE AND EFFECT

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

READ A FIRST TIME this 14th day of December, 2016.

READ A SECOND TIME this 14th day of December, 2016.

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

ADOPTED this _____ day of _____, 2017.

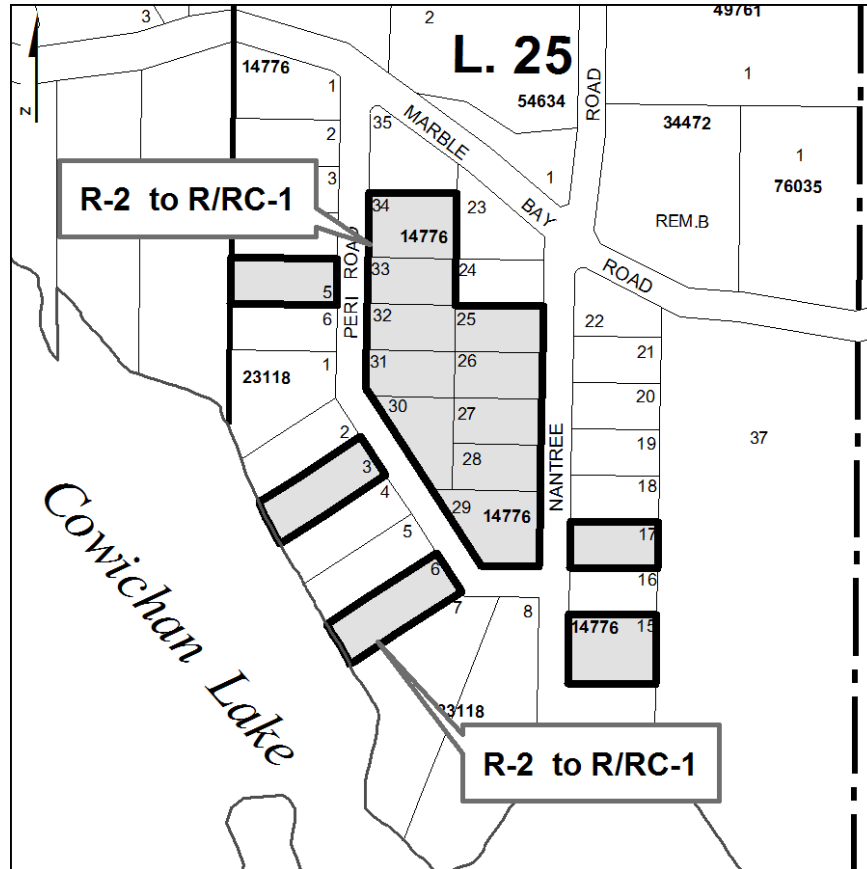
Chairperson

Corporate Secretary

PLAN NO. Z-4071

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

 4071



THE AREAS OUTLINED IN A SOLID BLACK LINE ARE REZONED FROM

 R-2 (Suburban Residential) TO

 R/RC 1 (Residential/Recreational Camping 1) APPLICABLE

TO ELECTORAL AREA I