



NOTICE OF ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
February 16, 2010
Regional District Board Room
175 Ingram Street, Duncan, BC

3:00 pm

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8. **CORRESPONDENCE**

C1 Grant-in-Aid Request Area E73-74

9. **NEW BUSINESS**

NB1 Discussion - Director I. Morrison regarding Bee Keeping in Area F

10. **PUBLIC/PRESS QUESTIONS**

11. **CLOSED SESSION**

Motion that the meeting be closed to the public in accordance with the Community Charter Part 4, Division 3, Section 90(1), subsections as noted in accordance with each agenda item.

SM1 Minutes of Closed Session EASC meeting of February 2, 201075-77

12. **NEXT MEETING**

Tuesday, March 2, 2010

13. **ADJOURNMENT**

NOTE: A copy of the full agenda package is available at the CVRD website www.cvrld.bc.ca

Director B. Harrison
Director K. Cossey
Director I. Morrison

Director M. Marcotte
Director G. Giles
Director K. Kuhn

Director L. Iannidinardo
Director L. Duncan
Director M. Dorey

000002

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, January 19, 2010 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director B. Harrison, Chair
 Director M. Marcotte, Vice-Chair
 Director L. Iannidinardo
 Director K. Kuhn
 Director I. Morrison
 Director L. Duncan
 Director M. Dorey
 Director G. Giles
 Director K. Cossey

CVRD STAFF

Tom Anderson, General Manager
 Mike Tippet, Manager
 Rob Conway, Manager
 Alison Garnett, Planning Technician
 Jill Collinson, Planning Technician
 Brian Farquhar, Parks and Trails Manager
 Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included moving agenda item D7 to D1, add-on items to Delegations D2, D3 and D4 and to Staff Reports SR9, and one item of New Business.

It was Moved and Seconded
 That the agenda, as amended, be accepted.

MOTION CARRIED

M1 - MINUTES

It was Moved and Seconded
 That the Minutes of the EASC meeting of December 1, 2009, be accepted.

MOTION CARRIED

BUSINESS ARISING

There was no business arising.

DELEGATIONS

D7 -Morgan

Roland Morgan spoke respecting the Hood Canal bridge which is presently being moored in Cowichan Bay. Mr. Morgan asked when the bridge will be removed and how it came to be allowed to arrive in the first place.

Mr. Anderson, General Manager, advised that the CVRD has consulted with the bridge owners, the Ministry and CVRD solicitors. He noted that the bridge is simply being stored at the present location which is permitted under our zoning bylaws but cannot become a permanent structure. We have been told verbally that it will be removed by the end of April of this year.

The Committee directed questions to staff.

Mr. Roland asked who to contact at the Ministry of Environment and Mr. Anderson suggested to contact Peter Law.

The Chair thanked Mr. Roland for appearing.

It was Moved and Seconded

That the Board Chair forward a letter to John Mulligan of Western Stevedoring, seeking confirmation that the Hood Canal Bridge will be leaving Cowichan Bay in April 2010.

MOTION CARRIED

It was Moved and Seconded

That staff be directed to write to the various provincial and federal ministries expressing concern about the sensitive environment present in the Cowichan Estuary and request that studies be undertaken to determine whether or not any environmental damage has occurred from the Hood Canal bridge being located in the Estuary for approximately a year, and further that these studies be made available to the Cowichan Valley Regional District upon their conclusion.

MOTION CARRIED

D1 - Tomaszewski

Mike Tippet presented Application No. 5-A-08RS (Mill Bay Marina Residences Ltd.) to permit full-time occupancy of the proposed 28 hotel unit structure at 740 Handy Road.

Max Tomaszewski was present and provided further information to the application. He stated that they want permanent residences permitted, allow extension of the marina, and allow a 10 metre building height.

Committee members directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 5-A-08RS (Mill Bay Marina Residences Ltd.) to permit full-time occupancy of Block C, Sections 1 and 2, Range 9, Shawnigan District, Plan 1720, except part in Plans 29781 and 30142 through a zoning amendment, be denied and that the appropriate refund be given to the applicants in accordance with the provisions of CVRD Development Applications Procedures and Fees Bylaw No. 3275.

MOTION CARRIED

000004

D2 - Gourley

Jill Collinson, Planning Technician, presented Application No. 1-C-09DVP (Marilyn Gourley) to relax the setback from a watercourse to allow for four supporting deck posts and a deck at the residence located on Marine Drive in Arbutus Ridge.

The Committee directed questions to staff.

Barry Kanard and Andrew Tidman were present on behalf of the applicant, and provided further information.

Director Giles suggested that the application be referred to the strata council for comment.

It was Moved and Seconded

That Application No. 1-C-09DVP (Gourley) be referred to the Arbutus Ridge strata council for their consideration and recommendation, and further that the application be referred back to staff to clarify if covenant conditions exist.

MOTION CARRIED

D3 - Ahola

Alison Garnett, Planning Technician, presented Application No. 2-G-09DP (Dennis and Leigh Ahola) to allow construction of two decks, a staircase to the beach, resurface a boat ramp and build two retaining walls at 3729 Gardner Road.

Dennis Ahola, applicant, was present and provided further information to the application.

The Committee directed questions to staff.

It was Moved and Seconded

That Application No. 2-G-09DP be approved, and that a development permit be issued to Dennis and Leigh Ahola for Lot 3, District Lot 34, Oyster District, Plan 18197, subject to the following:

- Development to be in substantial compliance with D & L Ahola Residence Renovations and Additions Landscape Plan, revised version dated December 15, 2009, and;
- Development must comply with the recommendations noted in Lewkowich Engineering Associates Ltd report, dated January 7, 2010.

MOTION CARRIED

D4 – Te-Zen Liu

Alison Garnett, Planning Technician, presented Application No. 2-D-09DP (Grand Motel/Te-Zen Liu) to allow construction of an addition to the motel located at 5325 Trans Canada Highway which will enclose the existing entrance canopy located on the south side of the building.

The applicant's son was present and presented further information to the application.

The Committee directed questions to staff and the applicant.

Some committee members felt that existing sign issues on the property should be dealt with prior to considering the application.

It was Moved and Seconded

1. That application No. 2-D-09 DP be approved, and that a development permit be issued to Te-zen Liu of 0786355 BC Ltd, for Lot 1, Section 13, Range 7, Quamichan District, Plan 2298, Except Part in Plans 40941 and 1036 RW, to permit the enclosure of the existing carport, subject to:
 - The proposed enclosure of the carport must be in substantial compliance with the attached image labelled "Proposed Addition".
 - The exterior finish, colour scheme and overall design of the enclosure must be consistent with, and complementary to, the existing building.
2. That application No. 2-D-09 DP be held in abeyance, pending receipt and approval of an acceptable signage plan that meets the relevant development permit guidelines.

MOTION DEFEATED

It was Moved and Seconded

That Application No. 2-D-09DP (Grand Motel/Te-Zen Liu) be held in abeyance pending receipt and approval of an acceptable signage plan that meets the relevant development permit guidelines.

MOTION CARRIED

D5 - Parkinson

Rob Conway, Manager, presented Application No. 2-G-08RS (Keith Parkinson) to rezone property located at 10755 Chemainus Road to allow subdivision into two parcels.

Keith Parkinson, applicant, was present and provided further information to the application.

There were questions directed to staff or the applicant.

000006

It was Moved and Seconded

1. That staff be directed to prepare OCP and Zoning amendment bylaws for Application No. 2-G-08RS (Parkinson) that would permit one new lot and that the bylaws be forwarded to the Board for consideration of 1st and 2nd readings.
2. That a public hearing be scheduled following submission of a draft covenant by the applicants committing to dedication of a 3 metre wide trail corridor along the north property boundary at time of subdivision; and that Directors Dorey, Marcotte and Iannidinardo be delegated to the hearing.
3. That application referrals to the Ministry of Transportation and Infrastructure, the Vancouver Island Health Authority, the Ministry of Community Services, and the CVRD's Parks, Recreation and Culture Department and Engineering and Environmental Services Department be accepted.
4. That costs to remove the northern arm of the Parkinson's treatment field, as per estimate of \$5,000 by Rivela Contracting of Parksville BC, be covered by the CVRD; and further that at the time of trail construction, a cost-sharing arrangement between the CVRD and the landowner for fencing of the trail boundary be discussed.

MOTION CARRIED

D6

Rob Conway, Manager, presented Application No. 3-D-08RS (Parhar Holdings Ltd.) to permit a mixed commercial and light industrial business park at 5301 Chaster Road.

Russ McArthur was present on behalf of the applicant and provided further information to the application.

The Committee directed questions to staff and the applicant.

Director Iannidinardo suggested that the application should be referred back to staff for tidying up.

It was Moved and Seconded

That Application No. 3-D-08RS (Parhar Holdings) be referred back to staff to address additional issues.

MOTION CARRIED

RECESS

The Committee adjourned for a short five minute recess.

000007

STAFF REPORTS

**SR1 – 2010 EASC
meeting schedule**

It was Moved and Seconded
That the 2010 EASC meeting schedule be tabled.

MOTION CARRIED

Director Giles left the meeting at this point.

SR2 – CEEMP

It was Moved and Seconded
That the Regional District provide the following in support of the Cowichan Estuary Environmental Management Plan:

- a. Meeting space and administrative support for coordinating agendas, taking and distributing minutes.
- b. Designate Kate Miller, Manager, Regional Environmental Policy, to sit on the CEEMP Committee along with existing representative, Mike Tippet, Manager, Community and Regional Planning.
- c. Direct that \$5,000 be allocated from a Regional Budget to the Community Planning budget (325) to compensate for the cost of administrative support for this support.

MOTION DEFEATED

It was Moved and Seconded
That the Regional District provide the following in support of the Cowichan Estuary Environmental Management Plan:

- meeting space and administrative support for coordinating agendas, taking and distributing minutes;
- existing representative, Mike Tippet, Manager, Community and Regional Planning, is designated to sit on the CEEMP Committee;
- \$5,000 to be allocated from a Regional Budget to the Community Planning budget (325) to compensate for the cost of administrative support for this support.

MOTION CARRIED

**SR3 – Bylaw
amendments, Area D**

It was Moved and Seconded
That staff be directed to prepare an Official Settlement Plan amendment bylaw that would adjust the existing Habitat Protection DPA to reflect the changing nesting locations of the Great Blue Herons, and further that the draft amendment bylaw be brought back to the EASC prior to being forwarded to the Board for consideration.

MOTION CARRIED

000008

It was Moved and Seconded

That staff be directed to investigate the feasibility of drafting amendment bylaws that would allow for the keeping of chickens in residential zones in the CVRD electoral areas.

MOTION CARRIED

Director Iannidinardo left the meeting at this point.

**SR4 – Bamberton
Strategy**

Director Cossey left the meeting at this point due to perceived conflict of interest related to his employer's involvement with the Bamberton application.

It was Moved and Seconded

That the consultation strategy as set out the Staff Report dated January 13, 2010, from Mike Tippet, Manager, regarding Bamberton OCP and Zoning Amendment Application No. 4-A-06RS be approved and that staff proceed with consultations accordingly.

MOTION CARRIED

**SR5 – Island Corridor
Workshops**

It was Moved and Seconded

That the Regional District reimburse interested APC members for registration fees to attend upcoming Island Corridor Foundation workshops.

MOTION DEFEATED

**SR6 – Medical grow-
ops**

It was Moved and Seconded

That the staff report dated January 12, 2010, from Tom Anderson, General Manager, regarding medical grow-ops, be received and filed.

MOTION CARRIED

SR7 to CSSR3

It was Moved and Seconded

That January 19th EASC agenda items SR7 to SR11, AP1 to AP5, PK1 to PK7, C1 to C5, IN1 to IN2, and SM1 to CSSR3 be referred to the next regular EASC meeting.

MOTION CARRIED

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 7:12 pm.

Chair

Recording Secretary

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, February 2, 2010 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

Director B. Harrison, Chair
Director M. Marcotte, Vice Chair
Director L. Iannidinardo
Director G. Giles
Director K. Kuhn
Director I. Morrison
Director M. Dorey
Director L. Duncan
Director K. Cossey

CVRD STAFF

Rob Conway, Acting General Manager
Mike Tippet, Manager
Warren Jones, Administrator
Jacob Ellis, Manager, Corporate Planning
Alison Garnett, Planning Technician
Jill Collinson, Planning Technician
Catherine Tompkins, Planner III
Ann Kjerulf, Planner III
Jennifer Hughes, Recording Secretary

**APPROVAL OF
AGENDA**

Mike Tippet introduced Ann Kjerulf, Planner III, to the Committee and welcomed Ann to the CVRD. He stated that Ann will be working on the new OCP for Cowichan Bay, other planning projects and will be assisting with applications.

The Chair noted changes to the agenda which included adding all items as listed on the New Business Summary. Director Giles stated that Director Cossey would like to discuss a personnel issue during the Closed Session.

It was Moved and Seconded
That the agenda, as amended, be accepted.

MOTION CARRIED

M1 - MINUTES

The January 19, 2010, EASC Minutes were not available for distribution but will be on the Agenda of the February 16th EASC meeting.

BUSINESS ARISING

Director Morrison noted that he would like the subject of beekeeping brought forward to the February 16th EASC meeting.

DELEGATIONS

D1 - Repath

Jill Collinson, Planning Technician, presented Application No. 6-A-09DP/VAR by Susan Repath to vary the side interior parcel line of an accessory building from 3 metres (9.8 feet) to 1.37 metres (4.5 feet) located at 2598 Melfort Place in Mill Bay.

Committee members directed questions to Ms. Collinson.

Susan Repath, applicant, was present. She provided further information with regard to the existing culvert under the driveway noting one side of the driveway it is at level or slightly below the level of the creek and the other end drops off. The culvert is slightly pointed downward; there have been no fish in it in the past as they would not be able to swim up the culvert.

It was Moved and Seconded

That Application No. 6-A-09DP/VAR by Susan Repath for a variance to Section 8.4(b)(3) of Zoning Bylaw No. 2000, to decrease the side interior parcel line setback for an accessory building from 3 metres (9.8 feet) to 1.37 metres (4.5 feet) at 2598 Melfort Place, Lot C, District Lot 18, Malahat District, Plan VIP53396 (*PID 017-568-048*) be approved, subject to the applicant providing a survey confirming compliance with the approved setback.

MOTION CARRIED

**D2 – Te-Zen Liu/
Grand Motel**

Alison Garnett, Planning Technician, presented Application No. 2-D-09DP by Te-Zen Liu to allow construction of an addition to the existing motel located at 5325 Trans Canada Highway which will enclose the existing entrance canopy located on the south side of the building.

Te-zen Lieu, applicant, was present

There were no questions from Committee members to staff or the applicant.

It was Moved and Seconded

That Application No. 2-D-09DP be approved, and that a development permit be issued to Te-zen Liu of 0786355 BC Ltd, for Lot 1, Section 13, Range 7, Quamichan District, Plan 2298, Except Part in Plans 40941 and 1036 RW, to permit the enclosure of the existing carport and modification to exterior signage, subject to:

- The proposed enclosure of the carport must be in substantial compliance with the attached image labelled “Proposed Addition”.
- The exterior signage on the site must be in substantial compliance with the attached plans labelled “Signage Specifications” pages 1-4, which indicates the removal of twelve (12) fascia signs and one (1) freestanding sign, the modification of six (6) fascia signs and two (2) free standing signs, and finally, that five (5) fascia signs and three (3) free standing sign will remain.

MOTION CARRIED

D3 – Parhar

Rob Conway, Manager, presented Application No. 3-D-08RS (Parhar) to permit a mixed commercial and light industrial business park located at 5301 Chaster Road.

Messrs. Parhar and McArthur, applicants, were present.

There were no questions from Committee members directed to staff or the applicant.

It was Moved and Seconded

That the draft amendment bylaws for Application 3-D-08RS (Parhar) be forwarded to the Regional Board for consideration of first and second reading; that a Public Hearing be arranged and that Directors Iannidinardo, Duncan and Giles be named as delegates to the public hearing; AND FURTHER that the application referrals to the Ministry of Transportation and Infrastructure, Ministry of Community and Rural Development, Agricultural Land Commission, Duncan Volunteer Fire Department, City of Duncan and Cowichan Tribes be accepted.

MOTION CARRIED

STAFF REPORTS

**SR1 – 2010 EASC
Meeting Schedule**

It was Moved and Seconded

That the staff report dated January 13, 2010, from Tom Anderson, General Manager, be referred to the end of the meeting when Director Cossey is in attendance.

MOTION CARRIED

**SR2 – Development
Application
Sustainability
Checklist**

It was Moved and Seconded

That an N/A Column be added to the proposed Sustainability Checklist as outlined in the staff report dated January 13, 2010, from Tom Anderson, General Manager, and that the Sustainability Checklist, as amended, be implemented for a 6-month trial period after which a staff report will be brought back to the EASC reporting on the practicality or acceptability of this model, and further that the Sustainability Checklist not be referred to the Electoral Area H – North Oyster/Diamond Advisory Planning Commission.

MOTION CARRIED

**SR3 – 2009 Year End
Report**

It was Moved and Seconded

That the 2009 Year End Report be received and filed.

MOTION CARRIED

3:50 p.m.

Director Cossey arrived to the meeting.

000013

**SR4 – Proposed
Bylaw Maintenance
Amendments to Area
E OCP and Zoning
Bylaw**

It was Moved and Seconded

1. That the draft amendment bylaw to amend the Cowichan Koksilah Official Community Plan regarding agricultural protection, and amendment bylaw to amend the Electoral Area E Zoning Bylaw with respect to suite regulations, Section 946 regulation, “no subdivision” covenant requirements, interpretation of regulations for split-zoned lands, Industrial 1 Zone changes, screening regulations, and regulations related to Streamside Protection and Enhancement Areas, be forwarded to the Regional Board for consideration of 1st and 2nd readings; and further that a public hearing be scheduled with Directors Duncan, Iannidinardo and Giles as delegates of the Board
2. That the draft Subdivision for a Relative Amendment Bylaw eliminating Area E and G from the ambit of Bylaw 1741 be forwarded to the Regional Board for consideration of 1st and 2nd readings;
3. That the draft Development Applications Procedures and Fees amendment bylaw to add Agricultural Protection Development Permit Areas to the list of applications that staff may issue permits for be forwarded to the Regional Board for consideration of 1st and 2nd readings.

MOTION CARRIED

**SR1 – 2010 EASC
Meeting Schedule**

It was Moved and Seconded

That the following 2010 Electoral Area Services Committee meeting schedule be approved with all meetings to convene at 3:00 pm in the Regional District Board Room:

Tuesday, January 19 th	Tuesday, June 15 th
Tuesday, February 2 nd	Tuesday, July 6 th
Tuesday, February 16 th	Tuesday, August 3 rd
Tuesday, March 2 nd	Tuesday, September 7 th
Tuesday, March 16 th	Tuesday, September 21 st
Tuesday, April 6 th	Tuesday, October 5 th
Tuesday, April 20 th	Tuesday, October 19 th
Tuesday, May 4 th	Tuesday, November 2 nd
Tuesday, May 18 th	Tuesday, November 16 th
Tuesday, June 1 st	Tuesday, December 7 th

MOTION CARRIED

**SR5 – 2009 Bylaw
Enforcement Report**

It was Moved and Seconded

That the Staff Report dated January 12, 2010, from Nino Morano, Bylaw Enforcement Officer, regarding 2009 Bylaw Enforcement Report be received for information purposes.

MOTION CARRIED

**SR6 – Cowichan
Valley Trap and Skeet
Club Special Event
Shoot 2010**

It was Moved and Seconded
That the Cowichan Valley Trap and Skeet Club Shoot Schedule for 2010 be approved.

MOTION CARRIED

**SR7 – Community
and Regional Parks
Portable Toilet
Contract**

It was Moved and Seconded
That the Community and Regional Parks Portable Toilet Services Contract be awarded to Coast Environmental Ltd. for a three year term, with an option that the contract may be renegotiated on a year-to-year basis for a maximum of up to two additional years, commencing February 1, 2010, and completing December 31, 2012.

MOTION CARRIED

**SR8 – Application for
Grant Funding for an
Operational Fuel
Treatment Program
in 5 Community
Parks**

It was Moved and Seconded
That grant applications be submitted for funding to prepare Fuel Management Prescriptions and to implement Community Operational Fuel Treatment Program prescriptions at five (5) Electoral Area Community Parks: Marble Bay Park (Area I), Silvermine Trail (Area B), Quarry Nature Park (Area C), Bright Angel Park (Area E) and Mill Bay Nature Park (Area A).

MOTION CARRIED

**SR9 – Shawnigan –
Cobble Hill Farmers'
Institute License
Agreement**

It was Moved and Seconded
That the Board Chair and Corporate Secretary be authorized to sign the necessary documents related to execution of a license agreement with the Shawnigan - Cobble Hill Farmers' Institute and Agricultural Society (SCHFI) permitting the CVRD to construct and maintain a public footpath, gates, landscaping and ornamental fencing on a portion of the SCHFI's property located adjacent Memorial Park in Cobble Hill, legally described as Lots A and 6 of Block 25, Section 12, Range 6, Shawnigan District, Plan 1809.

MOTION CARRIED

**SR10 – South
Cowichan Official
Community Plan**

Catherine Tompkins, Planner III, gave a verbal update to the EASC on the South Cowichan OCP process.

It was Moved and Seconded
That the staff report dated January 27, 2010, from Catherine Tompkins, Planner III, regarding South Cowichan Official Community Plan be received for information.

MOTION CARRIED

000015

**SR11 – Agricultural
Advisory Committee**

It was Moved and Seconded

That staff be directed to prepare a Draft Terms of Reference, as soon as possible, with regard to an Agricultural Advisory Committee for the Electoral Areas of the CVRD, and once drafted, the Draft Terms of Reference be referred back to the EASC for further review and direction.

MOTION CARRIED

**SR12 – “Gas Tax”
Community Works
Fund Extension 2010-
2014**

Engineering & Environmental Services Department Staff (Brian Dennison, General Manager, Dave Leitch, Manager, Bob McDonald, Manager, Kate Miller, Manager and Jason Adair, Manager) joined the meeting at this point.

It was Moved and Seconded:

That the Electoral Areas Curbside Program (1,000,000.) be removed from the Future Priorities List as noted on Page 3 of the staff report dated January 26, 2010, from Jacob Ellis, Manager, Corporate Planning, regarding “Gas Tax” Community Works Fund Extension 2010-2014, and that the remaining Future Priorities and 2010-2011 Projects as listed on Page 3 of that staff report be set as the Priority List.

MOTION DEFEATED

It was Moved and Seconded

That the Regional Board move forward with the “2010-2011 Projects” as listed on Page 3 of the staff report dated January 26, 2010, by Jacob Ellis, Manager, Corporate Planning, regarding “Gas Tax” Community Works Fund Extension 2010-2014, and at some time in the future that staff come back to the EASC with further consideration for the Future Priorities as listed on Page 3 of that staff report.

MOTION CARRIED

It was Moved and Seconded:

That staff review what funding is required for the Dogwood Ridge Reservoir Project and report back to the EASC; and further that the funding priorities be reviewed as to how those figures can be adjusted, if necessary.

MOTION CARRIED

That the Satellite Park System Upgrade (\$50,000 required to complete the project) be added into the 2010-2011 Projects List with adjustment made accordingly to the Future Priorities.

MOTION CARRIED

Engineering & Environmental Staff left the meeting at this point.

**SR13 – South
Cowichan Joint
Service Delivery
Options**

It was Moved and Seconded:

That staff be requested to arrange a special meeting with regard to the South Cowichan Joint Service Delivery Options, and further that staff compile information with respect to potential implications.

MOTION CARRIED

Mr. Ellis and Mr. Jones left the meeting at this point.

**SR14 – Release of
Covenant 2390 Mill
Bay Road**

It was Moved and Seconded

That the CVRD release Covenant FB252670 (2390 Mill Bay Road – May/Wilkinson) which has Funds Held in Trust with the CVRD, in the amount of \$5,000.

MOTION CARRIED

**SR15 – Special Event
Request – Bright
Angel Park**

It was Moved and Seconded

That the booking fee waiver request from the Cowichan Valley Metis Group for use of the two group shelters and a portion of the field area for the proposed Metis Cultural Camp at Bright Angel Park tentatively scheduled for May 2-7, 2010, be approved.

MOTION CARRIED

**SR16 – Request to
Update the 99 Year
Coverdale Watson
Lease Agreement**

It was Moved and Seconded

That the Board Chair and Corporate Secretary be authorized to execute an updated lease agreement with the Cowichan Bay Waterworks District which provides for mutually agreeable terms and conditions pertaining to the Regional District's leasing of those lands owned by the Waterworks District encompassing Coverdale Watson Park (PID 009-550-798), to address issues pertaining to liability and indemnification, insurance coverage provisions and use of the lands for community park purposes, and that the term of the updated lease remain consistent with the current lease (99 year term).

MOTION CARRIED

APC

AP1 to AP7 – Minutes

It was Moved and Seconded

That the following Minutes be received and filed:

- Minutes of Area C APC meeting of December 10, 2009;
- Minutes of Area D APC meeting of November 18, 2009;
- Minutes of Area H APC meeting of October 8, 2009;
- Minutes of Area H APC meeting of November 16, 2009;
- Minutes of Area I APC meeting of January 5, 2010;
- Minutes of Area C APC meeting of January 14, 2010;
- Minutes of Area A APC meeting of January 12, 2010.

MOTION CARRIED

000017

PARKS

**PK1 – Resignation
from Danica Rice,
Area D Parks
Commission**

It was Moved and Seconded

That the resignation of Danica Rice from the Area D Parks and Recreation Commission be accepted and that a letter of appreciation be forwarded to Ms. Rice.

MOTION CARRIED

PK2 to PK9 - Minutes

It was Moved and Seconded

That the following Minutes be received and filed:

- Minutes of *Special* Area G Parks Commission meeting of December 21, 2009;
- Minutes of Area F Parks Commission meeting of December 3, 2009;
- Minutes of Area I Parks Commission meeting of December 8, 2009;
- Minutes of Area A Parks Commission meeting of November 26, 2009;
- Minutes of South Cowichan Parks Commission meeting of November 2, 2009;
- Minutes of Extraordinary South Cowichan Commission meeting of January 11, 2010;
- Minutes of Area I Parks Commission meeting of January 12, 2010;
- Minutes of Area E Parks Commission meeting of January 28, 2010.

MOTION CARRIED

It was Moved and Seconded

That an amendment bylaw be prepared for the South Cowichan Parks Service Bylaw No. 2232 that would increase the requisition limit by up to 25 percent and that the Amendment Bylaw be forwarded to the Board for consideration of approval.

MOTION CARRIED

CORRESPONDENCE

**C1 – Building
SustainAble
Communities
Conference**

It was Moved and Seconded:

That up to three (3) Directors be authorized to attend the Building Sustainable Communities Conference in Kelowna from November 16-18, 2010.

MOTION CARRIED

**C2 – FCM 2010
Sustainable
Communities
Conference**

It was Moved and Seconded:

That the correspondence from FCM regarding FCM 2010 Sustainable Communities Conference (February 10-12, 2010, Ottawa) be received and filed.

MOTION CARRIED

**C3 to C5, C8, & Two
Area D Grant-in-Aid
Requests**

It was Moved and Seconded

That the following Grants-in-Aid be accepted:

That a Grant-in-Aid request (Electoral Area A – Mill Bay/Malahat) in the amount of \$1,500. be given to Frances Kelsey Secondary School to aid with financial assistance to three (\$500. each) Grade 12 students for post secondary education including trades.

That a Grant-in-Aid request (Electoral Area B – Shawnigan Lake) in the amount of \$1,500. be given to Cowichan Secondary School to assist two (\$750. each) students with their post secondary choices.

That a Grant-in-Aid request (Electoral Area C – Cobble Hill) in the amount of \$1,000. be given to Frances Kelsey Secondary School to provide assistance to a student continuing on with his/her education.

That a Grant-in-Aid request (Electoral Area B – Shawnigan Lake) in the amount of \$1,500. be given to Cowichan Family Caregivers Support Society to assist with the objectives of this Society's work.

That a Grant-in-Aid request (Electoral Area D – Cowichan Bay) in the amount of \$1,000. be given to Cowichan Secondary School to assist one student with their post secondary education.

That a Grant-in-Aid request (Electoral Area D – Cowichan Bay) in the amount of \$1,000. be given to Frances Kelsey Secondary School to provide assistance to a student continuing on with his/her education.

MOTION CARRIED

**C6 – Course Outline
With Regard to
Climate Change**

It was Moved and Seconded:

That the website information from Simon Fraser University regarding Course Outline, Climate Change for March 5, 2010, be received for information.

MOTION CARRIED

**C7 – Stz'uminus
(Chemainus) First
Nation Lands
Addition to Woodlot
1713**

It was Moved and Seconded

That the CVRD forward a letter to the appropriate Provincial agencies and Stz'uminus (Chemainus) First Nations objecting to the proposal that Lot 109 be added to the Stz'uminus woodlot, on the following grounds:

- the subject land is the watershed for the drinking water supply for a dense subdivision and other surrounding properties with historical and continuing water supply and water quality problems;
- the lands in question provide important groundwater recharge for all of the surrounding areas;
- the surrounding areas have historical problems with drainage; even small scale logging on the steep slopes of the subject property will result in drainage problems for the surrounding properties;
- the subject property is an environmentally sensitive area which contains important habitat for both plants and animals;

- the only access to and from the subject property through this dense subdivision; loaded logging trucks travelling through this dense subdivision with inadequate roads, no sidewalks and no street lighting will cause safety problems for the residents and in particular for the children who must walk to the nearby elementary school;
- as the subdivision directly abuts the subject property, noise and dust from the logging and logging trucks will impact the quality of life for the surrounding residents;
- there is an historical and ongoing use of the property for a variety of passive recreational uses;
- the CVRD and the Area H Parks Commission is on record as having expressed interest in obtaining Lot 109 as parkland and has engaged the province & treaty negotiators in discussions regarding the possibility of acquiring this land; these discussions were never concluded.

MOTION CARRIED

INFORMATION

IN1 & IN2 – Building Reports

It was Moved and Seconded
That the November and December, 2009 Building Reports be received and filed.

MOTION CARRIED

CLOSED SESSION

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), subsections as noted in accordance with each agenda item.

MOTION CARRIED

The Committee moved into Closed Session at 6:10 pm.

6:10 p.m.

Director Cossey left the meeting.

BREAK

The Committee took a 5 minute break.

RISE

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 6:45 pm.

Chair

Recording Secretary

000020



D1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 16, 2010

DATE: February 4, 2010 **FILE NO:** 8-B-09 DVP
FROM: Jill Collinson, Planning Technician **BYLAW NO:** 985
SUBJECT: Development Variance Permit Application No. 8-B-09DVP (Caporale Construction)

Recommendation:

That the application by Caporale Construction, on behalf of Charles and Karen Kerr, for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to the front parcel line for a residential use building from 7.5 metres to 4.5 metres, on Lot D, (being a consolidation of Lots 1 and 2, see FB313431) Section 1, Range 4, Shawnigan District Plan 1412, **be approved**, subject to legal survey.

Purpose:

To consider an application to vary the front parcel line setback from 7.5 metres (24.6ft), down to 4.5 metres (14.8ft).

Background:

Location of Subject Property: 1854 Norbury Road

Legal Description: Lot D, (being a consolidation of Lots 1 and 2, see FB313431) Section 1, Range 4, Shawnigan District Plan 1412, (PID- 028-112-741)

Date Application and Complete Documentation Received: December 23rd, 2009

Owner: Charles and Karen Kerr

Applicant: Caporale Construction (Patrick Caporale)

Size of Parcel: 1099sq.m (0.11 ha)

Existing Zoning: R-3

000021

Minimum Lot Size Under Existing Zoning: 1.0
 a (parcels not serviced by community water
 or sewer)
 0.2 ha (parcels serviced by community water only,
 or by water and sewer)

Existing Plan Designation: Urban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North: R-3 Urban Residential
 South: R-3 Urban Residential
 East: R-3 Urban Residential
 West: Shawnigan Lake

Services:

Road Access: Norbury Road
Water: Shawnigan Lake
Sewage Disposal: Septic System

Environmentally Sensitive Areas: None have been identified.

Archaeological Site: None have been identified.

The Proposal:

An application has been made to: the Regional Board to vary Section 8.3(b)(3) of Bylaw No. 985.

For the purpose of: constructing a single family dwelling 4.5 metres from the front parcel line.

Surrounding Property Owner Notification and Response:

A total of 27 letters were mailed out and/or otherwise hand delivered to adjacent property owners, as required pursuant to CVRD Development Application Procedures and Fee Bylaw No. 3275, which described the purpose of this application and requested comments on this variance within a specified time frame. During the 2-week period provided for a written reply, we received eight letters of correspondence in favour of the above mentioned variance request.

000022

Planning Division Comments:

The subject property is located at 1854 Norbury Road and is adjacent to the E&N rail line that borders the north-eastern arm of Shawnigan Lake. The subject property (Lot D) is a recent consolidation of Lot 1 and Lot 2 of Section 1, Range 4, Shawnigan District Plan 1412. The previous Lot 1 and Lot 2 each housed a single-family dwelling, resulting in the consolidated property (Lot D) having two homes sited on one lot. The applicants are proposing to remove both existing homes and construct a 325sq.m (3500 sq.ft) single-family dwelling 4.5 metres from the front parcel line.

Situated at the bottom of the hill, Lot D is a flat, rectangular 1099 sq.m parcel (0.27 acre) with a retaining wall running the length of the eastern parcel boundary. The location of the proposed home is greater than 30 metres from the natural boundary of Shawnigan Lake, and therefore outside the Riparian Areas Regulation Development Permit Area.

The applicants have applied to relax the setback to the front parcel line from 7.5 metres to 4.5 metres to allow greater room for placement of the septic field. A variance request of 3.0 metres is necessary to permit construction of the proposed new residence 4.5 metres from the front parcel line. Presently, the northern existing residence on the subject property is roughly 4.1 metres away from the front parcel line. The Ministry of Transportation requires a 4.5 metre setback from all highway rights-of-way under Ministry jurisdiction. As the applicants are requesting to relax the front parcel line setback from 7.5 metres to 4.5 metres, they are not encroaching into the 4.5 metre minimum building setback stipulated by the Ministry of Transportation.

Staff is recommending approval as there has been no objection from nearby neighbours and the applicants are abiding by all other regulations stipulated in Zoning Bylaw No.985.

Options:

1. That the application by Caporale Construction, on behalf of Charles and Karen Kerr, for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to the front parcel line for a residential use building from 7.5 metres to 4.5 metres, on Lot D, (being a consolidation of Lots 1 and 2, see FB313431) Section 1, Range 4, Shawnigan District Plan 1412, **be approved**, subject to a legal survey.
2. That the application by Caporale Construction, on behalf of Charles and Karen Kerr, for a variance to Section 8.3(b)(3) of Zoning Bylaw No. 985, by decreasing the setback to the front parcel line for a residential use building from 7.5 metres to 4.5 metres, on Lot D, (being a consolidation of Lots 1 and 2, see FB313431) Section 1, Range 4, Shawnigan District Plan 1412, **be denied**.

Option 1 is recommended.

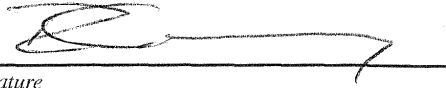
Submitted by,



Jill Collinson, Planning Technician
Development Services Division
Planning and Development Department

JC/ca

Department Head's Approval:



Signature

000024



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT

NO: 8-B-09 DVP (DRAFT)

DATE: FEBRUARY 16, 2010

TO: CHARLES AND KAREN KERR

ADDRESS: 1854 NORBURY ROAD

SHAWNIGAN LAKE, BC

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Regional District described below (legal description):

*Lot D (being a consolidation of Lots 1 and 2, see FB313431) Section 1, Range 4,
Shawnigan District Plan 1412 (PID 028-112-741)*
3. Zoning Bylaw No. 985, applicable to Section 8.5 (b)(3), is varied as follows:

The setback to the front parcel line is reduced from 7.5 metres to 4 metres, subject to the applicant providing a survey confirming compliance with the approved distance
4. The following plans and specifications are attached to and form a part of this permit.
 - Schedule A – Site Plan
5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
6. This Permit is NOT a Building Permit. No certificate of final completion shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Development Services Department.

000025

**AUTHORIZING RESOLUTION NO. XXXXX PASSED BY THE BOARD OF THE
COWICHAN VALLEY REGIONAL DISTRICT THE XXXX TH DAY OF
FEBRUARY 2010.**

**Tom Anderson, MCIP
General Manager, Planning and Development**

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

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

Signature

Witness

Owner/Agent

Occupation

Date

Date

000026



Cowichan
Valley
Regional
District

000027

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


The Regional District does not warrant the accuracy.

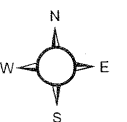
All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational.

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

**FILE: 8-B-09
-DVP**

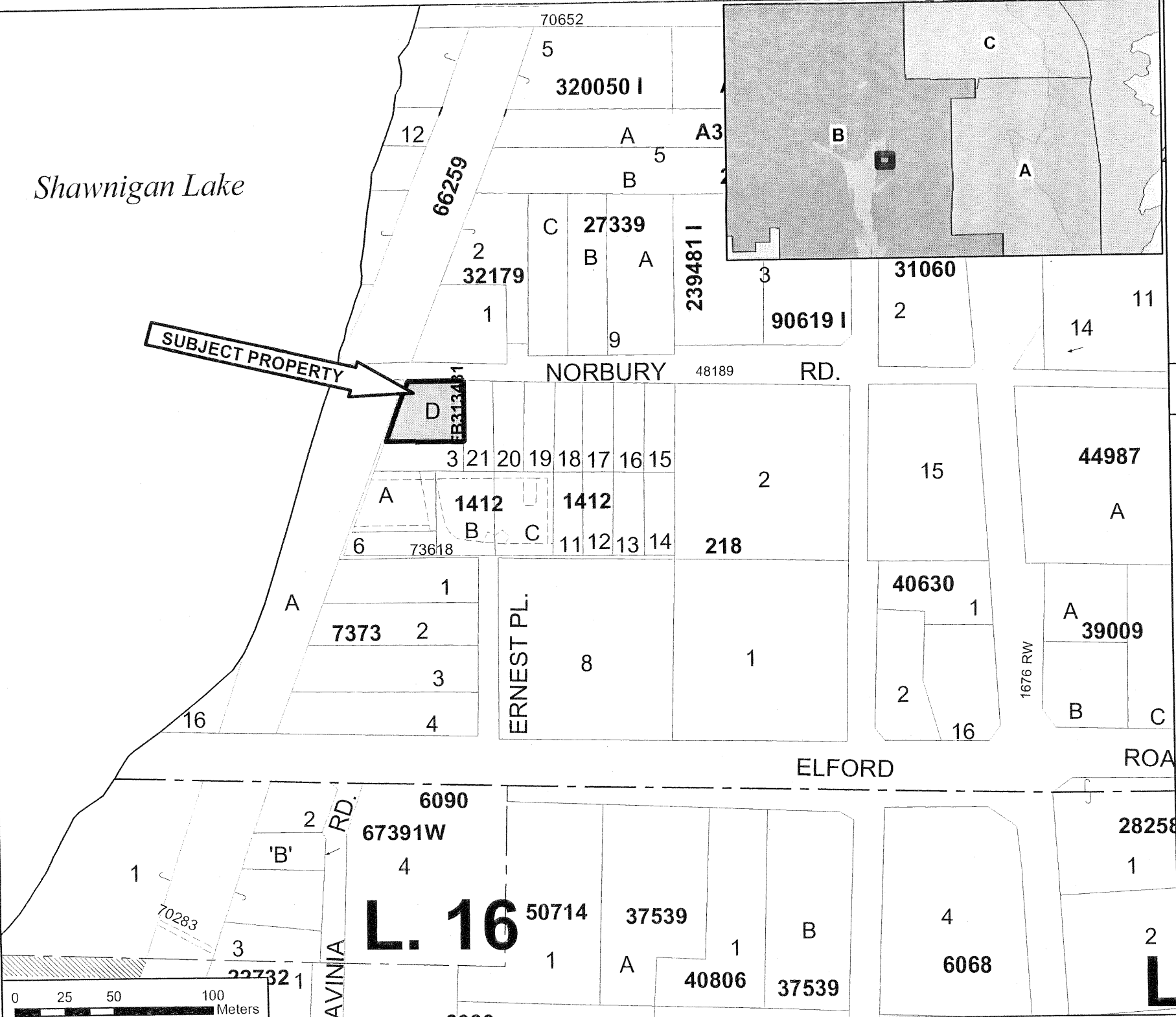
Legend

 Subject Property



Shawnigan Lake

SUBJECT PROPERTY



8.5 R-3 ZONE - URBAN RESIDENTIAL

(a) Permitted Uses

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

- (1) single family residential dwelling;
- (2) horticulture;
- (3) home occupation-service industry;
- (4) bed and breakfast accommodation;
- (5) daycare nursery school accessory to a residence; and
- (6) small suite or secondary suite

(b) Conditions of Use

For any parcel in an R-3 Zone:

- (1) the parcel coverage shall not exceed 30 percent for all buildings and structures;
- (2) the height of all buildings and structures shall not exceed 10 metres except for accessory buildings which shall not exceed a height of 7.5 metres;
- (3) the setbacks for the types of parcel lines set out in Column I of this section are set out for all structures in Column II:

COLUMN I Type of Parcel Line	COLUMN II Residential Use	COLUMN III Accessory Residential Use
Front Side (Interior)	7.5 metres 10% of the parcel width or 3 metres whichever is less	7.5 metres 10% of the parcel width or 3.0 metres whichever is less or 1.0 metres if the building is located in a rear yard
Side (Exterior)	4.5 metres	4.5 metres
Rear	4.5 metres	4.5 metres

January 24, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

I, the legal owner of 2624 Ernest Place, find no reason to oppose the application for variance at 1854 and 1856 Norbury Road, Shawnigan Lake, B.C. Charles and Karen Kerr have made me and my family aware of intended developments to their property and we support the application for variance as submitted.

Signed: Kirsten Andersen

Date: January 24, 2010

Name: Kirsten Andersen

Address: 721 Wilson Street, Victoria, BC, V9A 3H4

Phone 250-385-4293

000030

January 22, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

We being the legal owners of 2630 ERNEST PL. SHAWNIGAN LK. BC. V0R2W
find no reason to oppose the application for variance at 1854 and 1856 Norbury Road,
Shawnigan Lake, B.C. Charles and Karen Kerr have made us aware of intended
developments to their property and we support the application for variance as submitted.

Signed

Date

Name

Address

Phone

Lana Entzminger
Jan 24/10

LANA + JIM ENTZMINGER

2630 ERNEST PL.

250-743-4858

000031

January 22, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

We being the legal owners of 2631 Ernest Place, Shawnigan Lake, BC, find no reason to oppose the application for variance at 1854 and 1856 Norbury Road, Shawnigan Lake, B.C. Charles and Karen Kerr have made us aware of intended developments to their property and we support the application for variance as submitted.

Signed

Elaine & Dave Popove

Date

Jan. 23/2010

Name

Elaine & Dave Popove

Address

2631 Ernest Place, Shawnigan Lake, BC V0R 2W2

Phone

(250) 743-0783

000032

January 22, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

^{WE ARE}
I am the legal owner of 1849 NORBURY RD, SHAWNIGAN LK., find no reason to oppose the application for variance at 1854 and 1856 Norbury Road, Shawnigan Lake, B.C. Charles and Karen Kerr have made us aware of intended developments to their property and we support the application for variance as submitted.

Signed

J. Niziol

Date

01-23-10

Name

JOE + BRENDA NIZIOL

Address

1849 NORBURY RD

Phone

258-743-4018

000033

January 22, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

I am the legal owner of 1852 Norbury Rd, find no reason to oppose the application for variance at 1854 and 1856 Norbury Road, Shawnigan Lake, B.C. Charles and Karen Kerr have made me aware of intended developments to their property and I support the application for variance as submitted.

Signed 

Date

Jan. 23/2010

Name

Stuart Cameron

Address

1852 Norbury Rd.

Phone

250 701 8069

000034

January 22, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

We being the legal owners of 1853 NORBURY ROAD,
find no reason to oppose the application for variance at 1854 and 1856 Norbury Road,
Shawnigan Lake, B.C. Charles and Karen Kerr have made us aware of intended
developments to their property and we support the application for variance as submitted.

Signed

A Brunet AK Brunet

Date

01/23/2010

Name

ANNE & AL BRUNET

Address

1853 NORBURY RD, SHAWNIGAN LAKE

Phone

250-743-5605

000035

January 22, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

We being the legal owners of 1857 NORBURY ROAD,
find no reason to oppose the application for variance at 1854 and 1856 Norbury Road,
Shawnigan Lake, B.C. Charles and Karen Kerr have made us aware of intended
developments to their property and we support the application for variance as submitted.

Signed

MORA NASH

Date

Jan 23, 2010

Name

MORA + PETER NASH

Address

1857 NORBURY RD.
SHAWNIGAN LAKE, B.C.

Phone

250 743-0908

000036

January 24, 2010

To whom it may concern,

Re: Kerr Residence – File #8-B-09DVP (Caporale)

I, the legal owner of 2624 Ernest Place, find no reason to oppose the application for variance at 1854 and 1856 Norbury Road, Shawnigan Lake, B.C. Charles and Karen Kerr have made me and my family aware of intended developments to their property and we support the application for variance as submitted.

Signed: Kirsten Andersen

Date: January 24, 2010

Name: Kirsten Andersen

Address: 721 Wilson Street, Victoria, BC, V9A 3H4

Phone 250-385-4293

000037



SRI

**ELECTORAL AREA SERVICES COMMITTEE MEETING
FEBRUARY 16, 2010**

DATE: January 29, 2010 **FILE NO:** 0410-20-MOT
FROM: Daniel Derby, General Manager, Public Safety
SUBJECT: Exiting Fire Protection Area Sign for Mountain Road

Recommendation:

That a letter be sent to the British Columbia Ministry of Transportation and Infrastructure requesting authorization and assistance from the Ministry to erect a sign at the boundary of the Eagle Heights Fire Protection area within Electoral Area E, advising residents and motorists of the boundary of the Fire Protection Area and that properties after that point are outside any fire protection area.

Purpose:

To alert residents to the fire protection boundary in the Mountain Road area.

Financial Implications:

Cost of producing and installing the sign (if the Province's Ministry of Transportation and Infrastructure charges for installation).

Interdepartmental/Agency Implications:

n/a

Background:

There have been several incidents, the most recent in December 2009, where residents in the Mountain Road area have called for the Duncan Fire Department to attend a residential fire. Residents do not appear to be aware that fire protection does not extend past 3051 Mountain Road. The Chief of the Duncan Fire Department, Mike McKinley, requested that a sign be erected to create general knowledge of the boundary of the fire protection area.

Submitted by,

Daniel Derby
General Manager, Public Safety

/bw

000038



SR2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 16, 2010

DATE: February 8, 2010

FROM: Kate Miller, Manager, Regional Environmental Policy Division

SUBJECT: Water Balance Model

Recommendation:

That the Water Balance Model now be made available in the CVRD for developments that wish to make use of it and further, that the CVRD consider joining with other members of the Inter-governmental Partnership to modify the model as appropriate to conditions in the CVRD.

Purpose: Update the Board regarding a web based tool that will provide local government and the community access to information that will assist them in determining stormwater (rainwater) runoff.

Financial Implications: Funding was set aside in the 2009 budget to join an inter-governmental partnership and take advantage of the Water Balance Model. Financial implications for maintaining this the web tools base information over time will be minor as the data does not change.

Interdepartmental/Agency Implications: The Water Balance Model Tool supports and/or complements various *provincial initiatives*, notably: Living Water Smart, the Green Communities Project, A Guide to Green Choices and Beyond the Guidebook. Collectively, these initiatives establish expectations that, will influence local government, in the form and function of the built environment in general and green infrastructure in particular (natural drainage “infrastructure” eg, creeks, wetlands and aquifer recharge areas).

At a *local scale* the model substantially supports 10 of the 87 Cowichan Basin Water Management Plan recommendations approved by the CVRD Board under the partnership model of the plan. (see attachment for list of specific recommendations it supports.)

The use and provision of this tool does not limit the proponent, engineering or planning departments to provide or require additional information or in any way require development applicants to use the tool.

Sustainability Implications: CAVI initiatives and the Water Balance Model partnership support water sustainability and compliment the CVRD strategic goals, particularly those related to collaboration, environmental stewardship, green infrastructure and watershed based planning.

Unlike the traditional pipe-and-convey approach, the use of source control features (Green infrastructure- eg. rain gardens, soil depth, swales, detention features etc.) is an investment that brings returns for the developer and end-users of a site as well as a reduction of local government costs for the provision of drainage or other ecosystem services. The web-based Water Balance Model is one of the tools that quantifies the effectiveness of site designs that incorporate rainwater source controls such as rain gardens, tree canopy green roofs, absorbent soils, and infiltration facilities. It does a continuous simulation over one or more years to test facility performance under different combinations of land use, soil and rainfall.

Because the model demonstrates how to achieve a light hydrologic footprint, the tool helps planners, property owners and designers wrap their minds around how to implement “green solutions” on-the-ground. By enabling users to test the achievability of performance targets.

Legal implications: N/A

Background: The Water Balance Model has been developed by Inter-Governmental Partnership as an extension of the provincial Stormwater Planning Guidebook. The software model provides an opportunity for property owners and other users to determine the pre and post development impacts on surface run off at a site, neighborhood and watershed scale. The model is a web based tool and free for public use (as a basic level). Joining the partnership provides an opportunity for local government to refine the basic web based tool to more clearly reflect the specific local situations and constraints by adding zoning, soils and rainfall data. The model clearly demonstrates pre and post development run off from the site using clear and consistent graphics and allows a wide variety of site design consideration to be explored. Joining the partnership also provides a forum for local governments to share information and the benefits of new tool development.

The CVRD in partnership with the CAVI (Convening for Action on Vancouver Island – Leadership for Water Sustainability) leadership team has hosted a number of educational and outreach initiatives centered around this tool. These included: in 2007 a series of local and regional green infrastructure tours and educational “see- it” events, in 2008 a series of three learning lunch events (now used as a basis for the series throughout the province) and a water balance model workshop for local developers.

Submitted by,

Kate Miller
Manager, Regional Environmental Policy

KM:km

Approved by:

Brian Dennison, General Manager,
Engineering and Environmental Services

Appendix 1.

Actions include.. 10 of 98 recommended actions in the Cowichan Basin Water Management Plan

- 1c Ensure local governments and institutions are leaders in water conservation
- 1d Promote land use and interests water use efficiency.
- 1d-1 Prepare and amend land use and community plans to promote land uses and development patterns that maximize water efficiency and protect Cowichan Basin water resources and 1d-2 Revise municipal and regional policies , regulations and land use plans to include Low Impact Development and Smart Growth design principles.
- 2d-1 Implement Best management practices(BMPs) for stormwater management and protection of ground water resources in the Cowichan Basin
- 2e-1 Minimize effects of land cover changes on Basin hydrology by ensuring land management meets or exceeds enacted regulations and bylaws.
- 2e-4 Engage the community in developing and implementing land cover policies and other watershed practices that protect the Basins hydrology.
- 3b-2 Develop land use policies and development patterns that protect, maintain and enhance healthy aquatic and riparian ecosystems.
- 4e-1 Install appropriate stormwater management infrastructure based on Low Impact Development(reduced runoff, on-site infiltration) in new developments, and retrofit existing developments to reduce peak runoff consistent with the FDMP.
- 4e-2 Adopt subdivision or development services bylaws and Official Community Plan policies based on Low Impact Development principles.
- 5a-2 Promote, support and develop partnerships with non – governmental organizations in the implementation of the Water Management Plan.

Living Water Smart: British Columbia's Water Plan

Celebrating your story

Case Study for Living Water Smart: Cowichan Valley Water Balance Model Forum establishes practitioner expectations for rainwater management and green infrastructure

The Cowichan Valley is a Living Water Smart pilot region for an inclusive and collaborative approach to building green infrastructure capacity through education and training. In October 2008, the Cowichan Valley Regional District hosted a 'by invitation' Water Balance Model Forum. This was part of the implementation program for Beyond the Guidebook: The New Business As Usual.

Developed by an Inter-Government Partnership to facilitate a consistent provincial approach to rainwater management and green infrastructure, the web-based **Water Balance Model** is unique. The tool bridges engineering and planning, links development sites to the stream and watershed, and enables local governments to establish science-based runoff performance targets.

The purpose of the Cowichan Valley Forum was to inform, educate and enable those who wish to apply the Water Balance Model to support a 'design with nature' approach to land development. Willing development proponents and their planning/design consultants collaborated with the Water Balance Model team to develop three case study applications that were shared at the Forum.

Building on the Vancouver Island experience, the City of Surrey hosted the first Metro Vancouver Water Balance Model Forum in March 2009. This learning event adapted the Cowichan Valley format for establishing local government expectations.

"The Forum was an outcome of the 2008 Cowichan Valley Learning Lunch Seminar Series," explains **Kate Miller**, Manager of Regional Environmental Policy Division, CVRD. "The 2008 Series was the first step in building a regional team approach so that there would be a common understanding and consistent messaging regarding on-the-ground expectations for rainwater management and green infrastructure in the Cowichan Valley."

"The Forum was built around case study applications of the Water Balance Model. These provided the technical foundation for roundtable sharing, exploration and cross-fertilization of ideas on how to implement green infrastructure effectively."

"Case study applications help build a common understanding of how to achieve runoff-based performance targets for rainwater management and green infrastructure," elaborates **Rob Conway, Manager, Development Services Division Services, CVRD**. "What is unique about our approach is the educational context. Through this process, the design community is gaining an appreciation for protection of ecological values."

"The educational approach is helping us to identify and empower a core group of local champions who will then have the expertise to apply and advance the water balance approach to land development," adds **Peter Nilsen, Deputy Engineer** with the District of North Cowichan. "This building of practitioner capacity encompasses both local government and the development community. Project proponents and reviewers will have a common language."

"Throughout the 2008 series, our theme and our challenge was to ask participants what will they do better or differently to achieve a shared vision for the Cowichan Valley," states **David Hewetson, Building Inspector** with the City of Duncan.

Personal invitations from the Chair of the Regional Board enhanced the profile of the Cowichan Valley Water Balance Model Forum. "When we did an orientation session for the newly elected Board in January 2009, we briefed them regarding the Learning Lunch Series and Forum, and informed them that they are the change agents supporting the New Business As Usual in this region. This resonated," reports Kate Miller.

Who is CAVI?

CAVI is the acronym for Convening for Action on Vancouver Island – Leadership for Water Sustainability.

CAVI is a regional pilot program that is being implemented under the umbrella of the Water Sustainability Action Plan for British Columbia.

The CAVI vision is that by 2010, Vancouver Island will be well on its way to achieving water sustainability.

CAVI is an inclusive partnership, reaching out to audiences that share a vision of achieving water sustainability on Vancouver Island.

The CAVI Partnership comprises:

- British Columbia Water & Waste Association (BCWWA)
- Real Estate Foundation of British Columbia
- Ministry of Environment
- Ministry of Community Services
- Green Infrastructure Partnership

The CAVI Leadership Team is comprised of individuals from across sectors, including local and provincial government, the Water Sustainability Action Plan, Real Estate Foundation of BC, Islands Trust, POLIS Project, Highlands Stewardship Foundation, Nature's Revenue Streams and Corix.

CAVI is co-funded by the Province and the Real Estate Foundation of British Columbia. The Water Sustainability Committee of BCWWA is providing program delivery services.

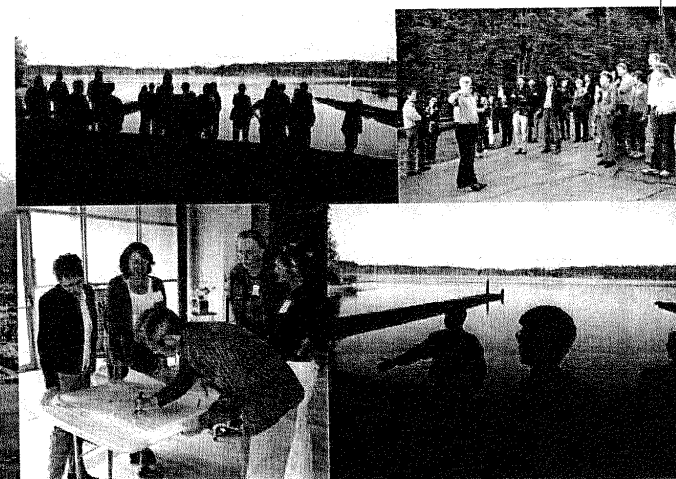


What does CAVI do?

CAVI provides leadership, coordination, research and education for practitioners. The target audience is primarily local government administrators, engineers, planners and elected officials, CAVI also encourages and supports participation by the development, academic, First Nations and citizen communities, so that collectively we can plan for sustainable water resources in the context of future settlement activity on Vancouver Island.

Between now & 2010, the CAVI mission is to:

1. Provide leadership on water sustainability
2. Integrate with other groups
3. Bring together local government and the development community
4. Provide access to expertise
5. Encourage introduction of a *Design with Nature* way of thinking
6. Celebrate examples of green infrastructure that achieve *Design with Nature* outcomes
7. Evolve a framework for water-centric planning that is keyed to accepting and managing risk, learning by doing, and rewarding innovation



The operative words are vision, partnerships, communication, ecological integrity, human well-being, sustainability, water-centric

...and simply put...a desire to work together for Vancouver Island.



CAVI is a grassroots, collective partnership committed to achieving settlement in balance with ecology, beginning with water-centric planning.

Green vocabulary defined

Projected growth and resulting cumulative impacts are the drivers for implementing changes in where and how we develop land and use water.

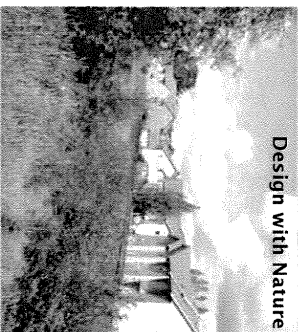
To help advance a new way of thinking about land development, CAVI has developed and is promoting use of the following hierarchy of "green" vocabulary:

- **Green Value** means land use strategies will accommodate settlement needs in practical ways while protecting the ecological resources upon which communities depend. At the heart of a *Green Value* approach is the valuation methodology that provides the business case for reconciliation of short-term versus long-term thinking related to risk and profit.

- **Design with Nature** is one approach to achieve *Green Value*, and is supportive of community goals that relate to building social capacity.

Design with Nature

- » Compact complete communities
- » More transportation options
- » Reduced loads on water, waste and energy systems
- » Urban greenspace protection
- » Lighter "hydrological footprint"
- » Stream, wetland & lake protection



- **Green Infrastructure** is the on-the-ground application of *Design with Nature* standards and practices.
- **Water Sustainability** emphasizes conservation and is achieved through *Green Infrastructure* practices that reflect a full and proper understanding of the relationship between land and water.

At CAVI...

We bring together those who plan and regulate land use (local government), those who build (developers) and those who provide the legislative framework (the Province).

We provide expertise and support to municipalities and organizations with a focus on achieving water sustainability and then help them share their ideas and successes so that others can see how they too can get on board.

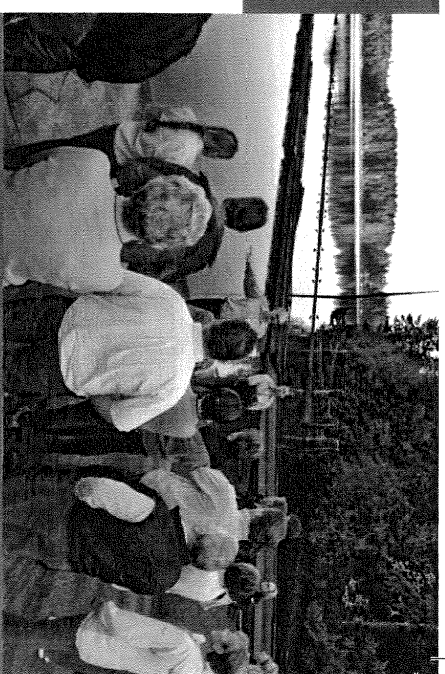
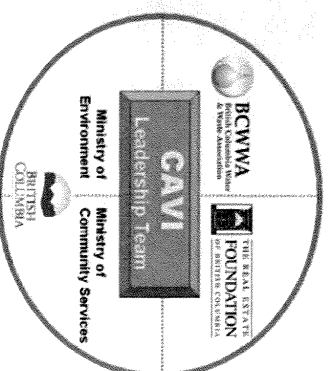
How do I learn more about CAVI?

For more information, contact Kim Stephens at: sustainabilitycoordinator@shaw.ca

or go to the Convening for Action

community-of-interest on the WaterBucket Website:

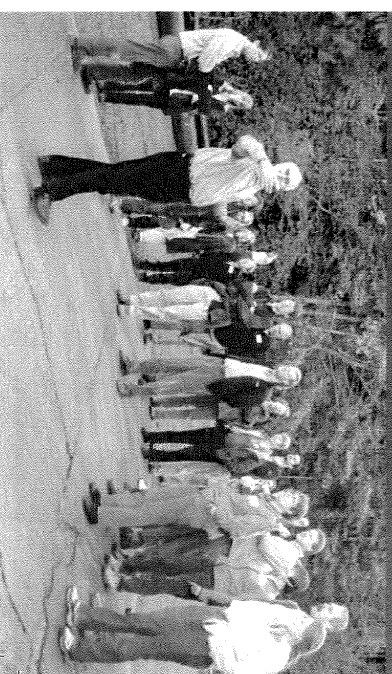
www.conveningforaction.ca



CAVI Convening for Action on Vancouver Island Leadership in water sustainability



A regional pilot program under the
Water Sustainability Action Plan for British Columbia



FEB 12 2009

Circular No. 09:03
ARCS File #: 195-20

February 10, 2009

To: All Municipal and Regional District Chief Administrative Officers,
Engineers and Planners

Re: **Beyond the Guidebook - Context for Rainwater Management and
Green Infrastructure in British Columbia**

Beyond the Guidebook reflects a 'design with nature' approach to climate change adaptation. *Beyond the Guidebook* was released in June 2007 as a guidance document to introduce a methodology for correlating green infrastructure effectiveness in protecting stream health through using a pragmatic approach to achieve performance targets based upon rain water balance.

The ongoing *Beyond the Guidebook* provincial initiative builds on the guidance provided in the original *Stormwater Planning: A Guidebook for British Columbia*. In 2008, Vancouver Island was home of the pilot region for a regional team approach to rainwater management and green infrastructure implementation. Partnerships and the Vancouver Island Learning Lunch Seminar Series enabled capacity building for stakeholders, local municipal staff, developers and consultants.

The Water Balance Model for British Columbia is a web-based decision support tool that provides easy access to the *Beyond the Guidebook* approach and is available at <http://bc.waterbalance.ca/>. This tool bridges engineering and planning and links the site to the stream and watershed. The Ministry of Community Development is a member of the inter-governmental partnership that develops and maintains the Water Balance Model. The Guidebook and supplementary guidance documents are downloadable from the website.

Over time, sustained application of the water balance methodology can help local governments protect and/or restore stream health.

Beyond the Guidebook supports and/or complements other provincial initiatives, notably: Living Water Smart, the Green Communities Project and A Guide to Green Choices. Collectively, these initiatives establish expectations that, in turn, will influence the form and function of the built environment in general and green infrastructure on the ground in particular.

For more information regarding the *Beyond the Guidebook* initiative and infrastructure grant programs, please contact the Local Government Infrastructure and Finance Division at 250 387-4060.


Glen Brown
Executive Director
Local Government Infrastructure and Finance

Dev. Services
Mike T
Tom A
Bryan D
Rob Conway
K Miller
Feb 19/09



SR3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 16, 2010

DATE: February 8, 2010 **FILE NO:** 5-E-07DP &
6-E-07DP
FROM: Rob Conway, MCIP **BYLAW NO:**
Manager, Development Services Division
Planning and Development Department
SUBJECT: Conditions for Issuance of Development Permit 05-E-07DP and 06-E-07DP

Recommendation:

1. That Board resolutions 08-173(22) and 08-173(23) be rescinded.
2. That Development Permit Application No. 5-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for an 809 square metre warehouse building on Part of Lot 3, Section 13, Range 7, Quamichan District, Plan 4493, subject to submission of an irrevocable letter of credit for landscaping of \$8,840.00 by April 30, 2010.
3. That Development Permit Application No. 6-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for a 805.3 square metre warehouse at Part of Lot 4, Section 13, Range 7, Quamichan District, Plan 7797, subject to submission of an irrevocable letter of credit for landscaping of \$10,223.00 by April 30, 2010.

Purpose:

To consider amending conditions for the issuance of development permit 5-E-07DP and 6-E-07DP and establishing an expiration date for completion of development permit conditions.

Financial Implications: N/A

Interdepartmental / Agency Implications: N/A

Background:

At the December 1, 2009 meeting of the Electoral Area Services Committee, the Committee reviewed a staff report regarding security for two development permits the EASC and Board dealt with in 2008. The report also noted that the Board's resolutions authorizing issuance of the permits (08-173(22) and 08-173(23)) did not include a time limit for the applicant to satisfy conditions for issuance of the permits. Staff's recommendation was to modify the security

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requirement required for issuance of the development permits and to establish a dead line by which the applicant must satisfy conditions for issuance of the permits.

The EASC referred this matter back to staff and requested that it be considered at a future EASC meeting. Discussion at the at the December 1, 2009 meeting suggested the Committee would like additional information regarding development permit security for before deciding on a course of action. This report is intended to provide additional information regarding security for development permits. The report reviewed at the December 1st meeting is also attached for the Committee's information.

Development Permit Security:

Section 925(2) of the *Local Government Act* identifies a limited range of conditions for which development permit security can be taken. Security related to a development permit can only be taken if the local government considers that,

- (a) a condition in a permit respecting landscaping has not been satisfied,
- (b) an unsafe condition has resulted as a consequence of contravention of a condition in a permit, or
- (c) damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit.

The Act does not authorize local government to require security to encourage performance for development permit conditions other those described above.

As most form and character development permits include requirements for landscaping and landscaping is not typically done until the permit has been issued and building construction is completed, it is common to require landscape security as a condition of the permit. Staff believe the *Act* permits local government to require security for landscaping because there is no other approval process that would be suitable for achieving compliance with for landscaping conditions. By contrast, development permit conditions for building design can be secured through the building permit process.

Other Forms of Development Security:

Security may be required through other permit and development approval processes. For example, local government can require security for works in a road allowance or statutory right of way, or to ensure performance development related works and services. These forms of security, however, are more suited to the Municipal context and are usually related to the construction of public infrastructure.

The Regional District occasional requires security as a condition of rezoning, where conditions for rezoning cannot reasonably be satisfied prior to adoption of the requested zoning amendment. The scope of security requirements for rezoning applications appears to be relatively broad, since it is not addressed in the *Local Government Act* and because rezoning can be a more discretionary process than the development permit process.

Summary:

Section 925(2) of the *Local Government Act* allows local government to take security for the performance of conditions respecting landscaping; the correction of unsafe conditions resulting from contraventions of a permit condition; and the prevention of damage to the natural environment resulting from such a contravention. The *Act* does not permit security to be taken for other purposes, such as ensuring buildings are constructed in accordance with approved plans.

Given the limitations for taking security in the *Local Government Act*, staff recommends amending the March 12, 2008 Board resolutions authorizing issuance of development permit 5-E-07DP and 6-E-07DP to amend the amount of security required from 10% of the project cost to 125% of the estimated cost of all required landscape works. The applicant has submitted cost estimates for landscaping, which form the basis of the amounts mentioned in the recommended resolutions.

Since the Board resolutions authorizing issuance of the development permits did not include a date by which condition for issuance of the permits must be met, staff also recommend that the applicant be given to the end of April meet any conditions for issuance of the permits.

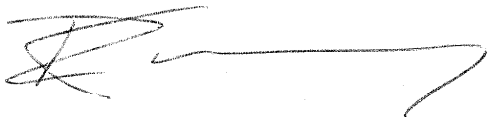
Options:

1. (a) That Board resolutions 08-173(22) and 08-173(23) be rescinded.
- (b) That Development Permit Application No. 5-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for an 809 square metre warehouse building on Part of Lot 3, Section 13, Range 7, Quamichan District, Plan 4493, subject to submission of an irrevocable letter of credit for landscaping of \$8,840.00 by April 30, 2010.
- (c) That Development Permit Application No. 6-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for a 805.3 m² warehouse at Part of Lot 4, Section 13, Range 7, Quamichan District, Plan 7797, subject to submission of an irrevocable letter of credit for landscaping of \$10,223.00 by February 9, 2010.
2. That Board resolutions 08-173(22) and 08-173(23) be rescinded and issuance of Development Permit 5-E-07DP and 6-E-07DP be authorized subject to conditions specified by the Committee.

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3. That Board resolutions 08-173(22) and 08-173(23) be maintained.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning and Development Department

RC/ca

Department Head's Approval:



Signature



STAFF REPORT

**ELECTORAL AREA SERVICES COMMITTEE
OF DECEMBER 1, 2009**

DATE: November 25, 2009

FILE No: 5-E-07DP &
6-E-07DP

FROM: Rob Conway, MCIP
Manager, Development Services Division
Planning and Development Department

BYLAW No:

SUBJECT: Conditions for Issuance of Development Permit 05-E-07DP and 06-E-07DP

Recommendation:

1. That Board resolutions 08-173(22) and 08-173(23) be rescinded.
2. That Development Permit Application No. 5-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for an 809 square metre warehouse building on Part of Lot 3, Section 13, Range 7, Quamichan District, Plan 4493, subject to submission of cash security or an irrevocable letter of credit for landscaping of \$8,840.00 by February 9, 2010.
3. That Development Permit Application No. 6-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for a 805.3 m2 warehouse at Part of Lot 4, Section 13, Range 7, Quamichan District, Plan 7797, subject to submission of cash security or an irrevocable letter of credit for landscaping of \$10,223.00 by February 9, 2010.

Purpose:

To consider amending conditions for the issuance of development permit 5-E-07DP and 6-E-07DP and establishing an expiration date for completion of conditions.

Financial Implications: N/A

Interdepartmental / Agency Implications: N/A

Background:

At the March 12, 2008 CVRD Board meeting, the Board passed the following two motions:

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08-173(22) *That Development Permit application No. 5-E-07DP be approved and that the Planning Division be authorized to issue a Development Permit to Parhar Holdings Ltd. Inc. No. 0279305 with respect to Part of Lot 3, Section 13, Range 7, Quamichan District, Plan 4493, for a new development within the Trans Canada Highway DPA, and that the Cowichan Valley Regional District retain an irrevocable letter of credit equal to 10% of the project cost to insure all requirements of the Development Permit have been met.*

08-173(23) *That Development Permit application No. 6-E-07DP be approved and that the Planning Division be authorized to issue a Development Permit to Parhar Holdings Ltd. Inc. No. 0279305 with respect to Part of Lot 4, Section 13, Range 7, Quamichan District, Plan 7797, for a new development within the Trans Canada Highway DPA, and that the Cowichan Valley Regional District retain an irrevocable letter of credit equal to 10% of the project cost to insure all requirements of the Development Permit have been met*

Despite the above-cited Board resolutions, the development permits have not been issued. This has not occurred because the applicant has not provided the 10% security specified by the Board. The applicant has indicated that the 10% project cost security is a considerable sum that would impose a financial burden on the project. The applicant has also objected to the condition because it is not a normal requirement for other development permits issued by the CVRD. This report is intended to allow an opportunity for the Committee to consider:

- a) If the security amounts specified in the March 12, 2008 resolutions are appropriate;
- b) If a deadline for completing conditions of issuance of the development permit should be specified.

Staff Comments:

Section 925(2) of the *Local Government Act* allows local government to take security for the performance of conditions respecting landscaping; the correction of unsafe conditions resulting from contraventions of a permit condition; and the prevention of damage to the natural environment resulting from such a contravention. The *Act* does not permit security to be taken for other purposes, such as ensuring buildings are constructed in accordance with approved plans.

Given the limitations for taking security in the *Local Government Act*, staff recommends amending the March 12, 2008 resolutions authorizing issuance of the permits to limit the amount of security to 125% of the estimated cost of all required landscape works. The applicant has submitted cost estimates for landscaping, which form the basis of the amounts mentioned in the recommended resolutions.

The March 12, 2008 resolutions did not include a date by which condition for issuance of the permits must be met. The fact that there is no date upon which the authorizing resolution will expire is somewhat contradictory to the intent of the development permit legislation, which allows development permits to be issued for up to a two year period. Should the Committee support amending the authorizing resolutions, staff recommend that the applicant be given 60 days to meet any conditions for issuance of the permits.


Options:

1. (a) That Board resolutions 08-173(22) and 08-173(23) be rescinded.
- (b) That Development Permit Application No. 5-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for an 809 square metre warehouse building on Part of Lot 3, Section 13, Range 7, Quamichan District, Plan 4493, subject to submission of cash security or an irrevocable letter of credit for landscaping of \$8,840.00 by February 9, 2010.
- (c) That Development Permit Application No. 6-E-07DP be approved and that the Planning and Development Department be authorized to issue a Development Permit to Parhar Holdings Ltd. for a 805.3 m2 warehouse at Part of Lot 4, Section 13, Range 7, Quamichan District, Plan 7797, subject to submission of cash security or an irrevocable letter of credit for landscaping of \$10,223.00 by February 9, 2010.
2. That Board resolutions 08-173(22) and 08-173(23) be rescinded and issuance of Development Permit 5-E-07DP and 6-E-07DP be authorized subject to conditions specified by the Committee.
3. That Board resolutions 08-173(22) and 08-173(23) be maintained.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning and Development Department

<p>Department Head's Approval:</p> 
<p>Signature</p>

RC/ca

000045



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 05-E-07 DP

DATE: _____

TO: Parhar Management Ltd.

ADDRESS: _____

1. This Development Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands within the Regional District described below (legal description) for purposes of constructing an 805.3m² warehouse:

Part Lot 3, Section 13, Range 7, Quamichan District, Plan 4493, PID 006-095-372.

3. Authorization is hereby given for the construction of an 805.3 m² warehouse and new parking lot in accordance with the Trans Canada Highway Development Permit guidelines subject to the following:
 1. That the proposed project be constructed to onsite storm water standards of Plan 1645-01 by Bullock Baur Civil Engineering.
 2. The building design, materials and colour be constructed in substantial compliance with the plans as submitted
 3. That landscaping be completed in accordance with BCSLA standards and the approved landscape plan, including retention of the existing willow tree, irrigation of all landscaped areas and cedar fencing.
 4. That the utility services be placed underground.
 5. That 75% of required landscape security be released upon completion of all required landscape works with the remainder released upon successful completion of a one year maintenance period.
4. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
5. The following Schedule is attached:
 - Schedule A – Drainage Plan 1645 by Bullock Baur Civil Engineering
 - Schedule B – Elevation Drawings
 - Schedule C – Landscape Plans

and it forms part of this Permit.

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

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ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. _____
PASSED BY THE BOARD OF THE COWICHAN VALLEY
REGIONAL DISTRICT THE _____ DAY OF _____ 2009.

Tom Anderson, MCIP
General Manager, Planning and Development Department

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

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

Signed

Witness

Owner/Agent

Occupation

Date

Date

000047



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 06-E-07 DP

DATE:

TO: Parhar Property

ADDRESS:

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

2. This Development Permit applies to and only to those lands within the Regional District described below (legal description) for purposes of constructing an 805.3m² warehouse:

Part Lot 4, Section 13, Range 7, Quamichan District, Plan 7797, PID 005-673-917.

3. Authorization is hereby given for the construction of an 805.3 m² warehouse and associated site and landscape works in accordance with the Trans Canada Highway Development Permit guidelines subject to the following:

1. That the proposed project be constructed to onsite storm water standards of Plan 1645-01 by Bullock Baur Civil Engineering.
2. The building design, materials and colour be constructed in substantial compliance with the plans as submitted
3. That landscaping be completed in accordance with BCSLA standards and the approved landscape plan, including of all plant materials and cedar fencing.
4. That the utility services be placed underground.
5. That 75% of required landscape security be released upon completion of all required landscape works with the remainder released upon successful completion of a one year maintenance period.

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

5. The following Schedule is attached:

- Schedule A – Drainage Plan 1645 by Bullock Baur Civil Engineering
- Schedule B – Elevation Drawings
- Schedule C – Landscape Plans

and it forms part of this Permit.

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

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ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE _____ DAY OF _____ 2009.

Tom Anderson, MCIP
General Manager, Planning and Development Department

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

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

Signed

Witness

Owner/Agent

Occupation

Date

Date

000049



STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF FEBRUARY 16, 2010

DATE: February 8, 2010

FILE NO:

FROM: Rob Conway, MCIP
Manager, Development Services Division

BYLAW NO: 985

SUBJECT: Proposed Boat Shelter OCP and Zoning Amendment – Shawnigan Lake

Recommendation:

That staff be directed to prepare amendments to Shawnigan Lake Official Community Plan Bylaw No. 1010 and Area "B" Zoning Bylaw No. 985 to permit boat shelters in the Water Recreation (W-2) Zone; AND FURTHER, that draft amendment bylaws be referred to the Area B Advisory Planning Commission, the Ministry of Environment, the Department of Fisheries and Oceans, and Transport Canada for review and comment.

Purpose:

To consider bylaw amendments that would permit boat shelters in the W-2 zone.

Financial Implications: N/A

Interdepartmental / Agency Implications: N/A

Background:

In the summer of 2008, the Regional District received complaints about a large boat shelter that was built at the south end of Shawnigan Lake. Upon investigation, it was determined that the majority of the Shawnigan Lake water surface is zoned Water Recreation (W-2), and the W-2 zone does not permit "boat shelter" as a permitted use.

Although the Zoning Bylaw does not permit boat shelters on the Lake, other than at the Galley Marina and a small area of lake surface near Shawnigan School, there are presently over 100 boat shelters on Shawnigan Lake. While it is possible that some of the boat shelters are legal nonconforming, many of the boat shelters have been built in contravention of the zoning. This situation created a bylaw enforcement dilemma, since it is difficult to pursue enforcement action against new structures when there are many existing structures on the Lake that do not comply with Zoning.

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To address this situation, staff were directed by the CVRD's Electoral Area Services Committee to identify options and to organize a public meeting where input from lakefront property owners and other Shawnigan Lake residents could be obtained and used to guide decisions regarding boat shelters.

A public meeting was held on June 23, 2008 at the Shawnigan Lake Community Centre. The meeting was well attended, with between 125 and 150 residents present. Community input obtained at the meeting was subsequently reviewed and discussed by the Electoral Area Services Committee and the Regional Board. The following resolution was passed at the August 13, 2008 Regional Board meeting, which staff believe accurately summarized the majority opinion of those who attended the public meeting.

That Planning Staff be directed to:

- 1) Prepare a draft amendment bylaw that would accommodate limited boat shelter use on Shawnigan Lake and that the draft amendment bylaw be forwarded to the South Cowichan OCP Review Committee for review and comment;***
- 2) Notify lakefront property owners that boat shelters are not a permitted use, but that bylaw enforcement action against existing boat shelters will not be pursued at this time; and that the Summary of Comment Sheets and Compiled Comment Sheets regarding the "June 23, 2008, Public Meeting Regarding Boat shelters" be forwarded as a follow-up to the lakefront owners and south Cowichan OCP Review Committee for further information;***
- 3) Pursue bylaw enforcement action against any new boat shelter on Shawnigan Lake;***
- 4) Meet with Timberwest staff to discuss Lake tenure issues.***

Since August, 2008, staff has undertaken the Board directives cited above. The Planning and Development department has also received periodic requests from lakefront property owners to replace existing boat shelters or construct new shelters. In accordance with the Board resolution, requests for new boat shelters have been denied. Because the replacement and repair of existing boat shelters was not addressed in the August 2008 resolution, these requests have been brought to the committee and have generally been approved.

The reason an amendment to the Area B Zoning Bylaw to address boat shelters was not pursued in 2008 was because the South Cowichan OCP review was underway and it was expected that a provision for boat shelters could be considered as part of the new zoning bylaw that was expected as an outcome of the OCP review. Unfortunately, the South Cowichan OCP review has taken longer than expected and now isn't expected to be completed until sometime in 2011.

Most lakefront owners undertake boat shelter construction in the spring or early summer. Since an update to the Area B Zoning Bylaw is not expected before the end of the year, the Regional District is faced with at least another season without any firm regulations regarding boat shelters on Shawnigan Lake. To address this situation, staff suggest proceeding with an amendment to the Bylaw in advance of completion of the South Cowichan OCP review.

Proposed Zoning Amendments:

The public consultation that occurred in 2008 indicated public support permitting boat shelters in the W-2 zone, provided they are modest in size and are designed to be visually unobtrusive. Based on the public input received, staff believe the following regulations were supported by the majority of residents who participated in the consultation.

- Limit the size of the boat shelter to approximately 40 square metres (430 sq. ft.)
- Limit height to 4.5 metres (14.85 ft.)
- Prohibit boat shelters with enclosed walls.

In addition, staff suggest that the zone be amended so that docks and boat shelters are not permitted to extend more than 12 metres from the lakeshore, as currently specified in the Shawnigan Lake Official Community Plan

A draft of the W-2 zone with the proposed amendments highlighted is attached to this report.

Proposed Official Community Plan Amendments:

Shawnigan Lake CVRD Official Community Plan Bylaw 1010 includes lake protection policies. Policy 4.15 states,

Not more than one private dock per property may be used for individual residents. It shall extend no more than 12 metres from the shore and no boat house shall be built over the water surface. Furthermore, any floating docks, rafts or other objects on the lake surface shall be appropriately marked and not located in a position more than 30 metres from shore or in a position to be a navigation hazard. Owners of lakefront lots are encouraged to arrange for leases of the lakebed for such purposes, through the owners of the bed of the lake: C.I.P. Incorporated, Tahsis Pacific Region.

Although the OCP is not a regulation, the CVRD Board cannot adopt zoning amendments that conflict with the OCP. Since the OCP presently does not support boat shelters on Shawnigan Lake, it will be necessary to have a complementary amendment to the OCP in order for the zoning bylaw to be amended to permit boat shelters in the W-2 zone. It is therefore proposed that Policy 4.15 be amended in the following manner:

Not more than one private dock and boat shelter per property may be used for individual residents. They shall extend no more than 12 metres from the shore. Furthermore, any floating raft or other object on the lake surface shall be appropriately marked and not located in a position more than 30 metres from shore or in a position to be a navigation hazard. Owners of lakefront lots are encouraged to arrange for leases of the lake bed for such purposes, through lake bed owner.

Lake Bottom Tenure:

Staff's understanding is that the bottom of Shawnigan Lake is owned by Timberwest, although there is no established title to the lake bottom. If this is the case, lakefront property owners may need leases from the lake bottom owner in order to construct docks or boat shelters on the lake surface.

The proposed bylaw amendments do not absolve lakefront owners of obtaining tenure for structures on the lake, nor do they imply that the CVRD condones construction of docks or boat shelters without the owner first securing tenure.

Bylaw Amendment Consultation:

As an OCP amendment is necessary, the CVRD is required to consider consultation with First Nations, the School District, and provincial and federal government agencies. In this case, staff recommend the proposed amendments be referred to the Ministry of Environment, the Department of Fisheries and Oceans and Transport Canada.

Staff further recommend that the proposed amendment bylaws be referred to the Area B Advisory Planning Commission for comment.

Options:

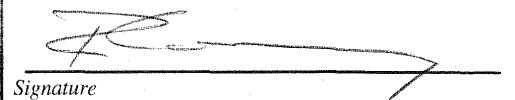
1. That staff be directed to prepare amendments to Shawnigan Lake Official Community Plan Bylaw No. 1010 and Area "B" Zoning Bylaw No. 985 to permit boat shelters in the Water Recreation (W-2) Zone; AND FURTHER, that draft amendment bylaws be referred to the Area B Advisory Planning Commission, the Ministry of Environment, the Department of Fisheries and Oceans, and Transport Canada for review and comment.
2. That the Regional Board policy with respect to boat shelters stated in the August 13, 2008 resolution be maintained, and the proposed zoning amendments be referred to the South Cowichan OCP Steering Committee for consideration in the South Cowichan OCP and zoning bylaw review.

Submitted by,



Rob Conway, MCIP
Manager, Development Services Division
Planning and Development Department

Department Head's Approval:



Signature

RC/ca

000053

W-2 Zone – Water Recreation (modified)

(a) Permitted Uses

The following and no others are permitted in a W-2 Zone:

- (1) Any use permitted in the W-1 zone;
- (2) Private and public wharf, dock or float use;
- (3) Boat shelter
- (4) Management of fish and other aquaculture facilities;
- (5) Breakwater ramp; and
- (6) Passive recreation (private and public)

(b) Conditions of Use

For any parcel in the W-2 zone:

- (1) Boat shelters shall not exceed a maximum horizontal surface area of 40 square metres, as measured from the outermost support columns of the structure;
- (2) No wharf, dock or boat shelter shall extend further than 12 metres from the high water mark.
- (3) No more than 10% of any boat shelter side or end wall may be enclosed
- (4) No building or structure shall exceed a height of ~~5.0~~ 4.5 metres;
- (5) No residential use of floats, structures, ~~piles~~ or vessels of any kind is permitted.

Definitions:

“Boat Shelter” means a structure which provides shelter for private boats.

HP1

Area "H" Advisory Planning Commission Minutes (subject to APC approval)

Date: November 16, 2009

Time: 8:02 PM

Location: North Oyster Community Center

Members Present: Chairperson – Mike Fall, Secretary – Jan Tukham, Chris Gerrand, John Hawthorn, Ben Cuthbert, Gaynel Lockstein, Jody Shupe

Members Absent: Alison Heikes, Gaynel Lockstein

Also Present: Area Director Mary Marcotte, and Alternate Director Rob Waters

Members of the Public Present: 3

Approval of Agenda: It was moved and seconded that the agenda, be approved.

Motion: Carried

Adoption of the Minutes:

It was moved and seconded, that the minutes of the October meeting of the Advisory Planning Commission, be accepted as circulated. Seconded.

Motion: Carried

Old Business: No Old Business

New Business:

Application No. 1-H-09RS –To consider an application to amend Area H- North Oyster/Diamond Official Community Plan Bylaw 1497 and Zoning Bylaw No. 1020 to allow the subject property to be developed for a manufactured home park, rural residential use and public and private open space.

Legal Description: District Lot 51, Oyster District, Except the right of way of the Esquimalt and Nanaimo Railway Company, Except part coloured red on Plan Deposited under DD27279' and Except part shown outlined in red on Plan deposited under DD28555':AND That Part of District Lot 51, Oyster District, Shown coloured red on Plan deposited under DD27279'.

Delegate(s) present: Bruce Muir (owner/developer), Dennis Lowen – hydrologist for Lowen Hydrology, Jennifer Ky, planner and Alison Wood

000055

Motion – To ask the delegates for a brief presentation to the Advisory Planning Commission highlighting the changes that have been made since our last meeting.
Seconded.

Motion: Carried

A brief presentation was made by the delegate(s) updating the Advisory Planning Commission motioned. A question/answer period ensued. Some concerns from the Advisory Planning Commission were:

Archeological study done
Site cleaned up even if this development does not go through
Concerns about the zoning change from A1 – MH.
Residential concentration – insult that the change indicates having 147 MH now rather than 150 as originally planned.
Urban Sprawl – will this entice infilling from the city of Ladysmith
Will residents actually be occupied year round or will this be a 'snowbird community'
Aquifer concerns – amount of available water – pollution from run off & septic should be no more building allowed on the aquifer
Access to public park – down a ravine?
Fish Habitat being affected in the Bush Creek by additional runoff
Parkland dedication boarding this proposed strata development, will invasive species and the use of fertilizers being introduced through private gardens
Is the developer willing to put back the 7 – proposed agricultural lots into the Agricultural Land Reserve
This is a huge leap from the Official Community Plan – could set a precedence for future developments
Soil study done – seems best soil is near the proposed strata development
Agricultural does not seem to mix with such a dense residential population. ie roosters, pigs other farm operations could be disturbing
Where would these manufactured homes be built – should be in the Cowichan valley
Are there guarantees in place to stop the property from being 'flipped' after rezoning

Motion: Motion to go ahead to public meeting/hearing, the Advisory Planning Commission has the following concerns:

- road structure be the same as indicated on the plans
- inclusion of property be serviced for a new fire hall
- the boundaries of the lots adjoining the power line include the power line
- access to the park be provided with the construction of a parking lot
- zoning change, if passed be site specific
- water conservation and storm water management swales etc. be constructed
- A2 lots must go back into the Agricultural Land Reserve
- A more comprehensive soil analysis be done

Seconded.

Motion: 3 in favour 3 against motion tied. Therefore Motion denied

Motion: To table this, until after the second public meeting/open house that is to be held on December 7, 2009. Seconded.

Motion: Carried

Regular Business:

A. Director's Report:

Director Marcotte did not have anything to report.

Next Meeting: The next regular meeting of the Advisory Planning Commission will be held

Thursday, December 10, 2009 7:00 PM North Oyster Community Hall

Adjournment: Moved and Seconded @ 10:07 PM

Jan Tukham - Secretary

Area "H" Advisory Planning Commission Minutes (subject to APC approval)

Date: December 10, 2009

Time: 7:02 PM

Location: North Oyster Community Center

Members Present: Chairperson – Mike Fall, Secretary – Jan Tukham, Chris Gerrand, John Hawthorn, Ben Cuthbert, Jody Shupe, Alison Heikes

Also Present: Area Director Mary Marcotte

Members of the Public Present: 3

Approval of Agenda: It was moved and seconded that the agenda, be approved.

Motion: Carried

Adoption of the Minutes:

It was moved and seconded, that the minutes of the November meeting of the Advisory Planning Commission, be accepted as presented. Seconded.

Motion: Carried

Old Business

Re: Application No. 1-H-09RS –To consider an application to amend Area H- North Oyster/Diamond Official Community Plan Bylaw 1497 and Zoning Bylaw No. 1020 to allow the subject property to be developed for a manufactured home park, rural residential use and public and private open space.

Legal Description: District Lot 51, Oyster District, Except the right of way of the Esquimalt and Nanaimo Railway Company, Except part coloured red on Plan Deposited under DD27279' and Except part shown outlined in red on Plan deposited under DD28555'..AND That Part of District Lot 51, Oyster District, Shown coloured red on Plan deposited under DD27279'.

Delegate(s) present: Bruce Muir (owner/developer, Jennifer KY, planner and Alison Wood

Motion – Whereas the Advisory Planning Commission feels that this issue is a major departure from the Official Community Plan of Area H, the Advisory Planning Commission would like to have public involvement in the process of this official proposal.

Therefore the Advisory Planning Commission recommends that this be moved forward to enable a public meeting/hearing subject to the concerns of the Advisory Planning Commission as below:

- to include the concerns mentioned in the Advisory Planning Commission meeting minutes from November 16, 2009
- this is a major departure from the Official Community Plan
- this motion is by no means to be construed as being an acceptance or approval for this proposal.

Seconded.

Motion: Carried, 1 opposed, Ben Cuthbert

Regular Business:

A. Director's Report:

Director Marcotte reported that the Chairman at the CVRD will remain the same for this next term.

Next Meeting: The next regular meeting of the Advisory Planning Commission will be held

Thursday, January 14, 2010 @ 7:00 PM Diamond Hall

Adjournment: Moved and Seconded @ 8:30 PM

Jan Tukham - Secretary

AP3

Area "H" Advisory Planning Commission Minutes (subject to APC approval)

Date: January 14, 2010

Time: 7:01 PM

Location: Diamond Hall

Members Present: Chairperson – Mike Fall, Secretary – Jan Tukham, Chris Gerrand, Ben Cuthbert, Jody Shupe, Alison Heikes

Also Present: Alternate Area Director Rob Waters

Absent: Director Marcotte and APC member – John Hawthorn

Members of the Public Present: 3

Approval of Agenda: It was moved and seconded that the agenda, be approved.

Motion: Carried

Adoption of the Minutes:

It was moved and seconded, that the minutes of the December meeting of the Advisory Planning Commission, be accepted as presented. Seconded.

Motion: Carried

Old Business arising from the regular meeting, December 10, 2009:

None

New Business:

A. Development Permit Application No. 3-H-09DP (AYPQ Architecture). To consider an application to construct a 24 unit residential care facility within the Cassidy Aquifer Development Permit Area.

Delegate(s) present: Owners - Peggy & Doug Kolosoff
Applicant – Angela YP Quek Architecture

The applicant made a presentation to the Advisory Planning Commission. After a brief question and answer discussion, a motion to do a site visit (visual inspection) was made. Seconded.

Motion: Carried

This visit was scheduled for January 17th, 2010 @ 9:00 AM

000060

B. Election of Chairman, Vice Chairman and Secretary for 2010.

A motion was made that this be tabled to the next regular meeting of the Advisory Planning Commission that will be held February 11, 2010. Seconded.

Motion: Carried

Regular Business:

A. Director's Report:

There was no report due to the absence of Director Marcotte.

Next Meeting: The next regular meeting of the Advisory Planning Commission will be held:

Thursday, February 11, 2010 @ North Oyster Community Center

Adjournment: Moved and seconded. @ 7:37 PM

Motion: Carried

Jan Tukham - Secretary

000061

AP4

AREA "H" ADVISORY PLANNING COMMISSION SITE VISIT MINUTES

(subject to APC approval)

Date: January 17th, 2010

Time: 9:00 AM

Location: 5130 Brenton Page Road

Applicant Present: Angela YP Quek Architecture

Owner Present : Doug Kolosoff

Members Present: Mike Fall, Chris Gerrand, Jan Tukham, Alison Heikes, Jody Shupe, and Ben Cuthbert

Also Present: Alternate Director: Rob Waters

The Advisory Planning Commission toured the subject property; Parcel 1 (DD14733N) of Parcel B (DD3329N) of District Lot 22, Oyster District, except part in Plan 18087 (PID009-449-604)

After this tour the Advisory Planning Commission made the following motion:

The recommendation by this Advisory Planning Commission to the CVRD board is to issue a development permit for the proposed application regarding the application for a long term care facility at Kiwi Cove with the following conditions:

- a). That an impervious (paved) parking lot be created for use by the employees
- b). That the assumption regarding the traffic in and out of the facility be moderately light.
- c). That should the amount of traffic in and out (employees and visitors) increase, this Advisory Planning Commission recommends that a new development permit be required of the owner and/or developer by the CVRD.
- d). Should this facility ever cease to be a long term care facility, this Advisory Planning Commission recommends a new development permit be required of the owner and/or developer by the CVRD.

Seconded.

Motion: Carried

Adjournment: The site visit was completed at 10:15AM

Jan Tukham - Secretary

000062



FEB 10 2010

Minutes of the regular meeting of the Area H Parks Commission held at Yellow Point Propagation Board Room on November 21, 2009.

PRESENT: Chairperson Bruce Mason, Don Pigott, Snuffy Ladret, Mary Marcotte, Secretary Barbara Waters

ABSENT: Brad Uytterhagen, Murray McNab

PK1

**APPROVAL OF
AGENDA**

Moved
Seconded

**That the agenda be approved, with numbering of items corrected.
MOTION CARRIED**

**ADOPTION OF
MINUTES**

Moved
Seconded

**That the minutes of the regular and in-camera meetings of
September 24, 2009 be adopted.**

MOTION CARRIED

It was noted that we did not achieve a quorum at the meeting scheduled for October 22, 2009. An informal discussion was held on that date but no minutes were taken.

**BUSINESS
ARISING FROM
THE MINUTES**

**B1 Wiggins
Property**

It was noted that the application for subdivision of this property has been withdrawn.

B2 Rock Donation

Don Pigott visited the site and determined that medium-sized rock will be suitable for the remediation required there. Barbara Waters is to follow up with Rob Waters regarding the DFO requirements.

Gravel could be used to build up the trail that floods in Trillium Park. It would be best to do this work after Christmas, whenever the water is at a low level.

**B3 Contractor
Hourly Rate re:
Picnic Tables**

Don Pigott reports that a local contractor has viewed the work to be done and recommends that the tables treated with Sikkens need to be sanded and refinished indoors. A trailer is available so they could be loaded and taken to a shop, the work being done during the winter months. It was suggested that a contract rate be obtained for this part of the project.

000063

**B4 Trees for
Chandler Road
Side of Trillium
Park**

Don Pigott recommends the use of Leyland Cypress, which are deer-resistant. They can be obtained from Cairn Park Nursery at a price of \$3.00 for a 3-foot tree in a 1-gallon pot, or \$17.50 for a 5-6-foot tree in a 3-gallon pot. Don is to determine the number of trees needed. Mary Marcotte has agreed to pick them up.

**B5 Letter to
CVRD re: Tree
Removal in
Trillium Park**

Bruce Mason reports that he sent a brief letter to the CVRD expressing the Parks Commission's disapproval and dismay at the work that was contracted in Trillium Park by the CVRD in the summer. No copy is available, and no reply has been received.

**B6 Survey of Blue
Heron Park
Boundaries**

Report not yet available.

**CORRESPON-
DENCE:**

**C1 Memo to
Warren Jones**

Mary Marcotte circulated copies of the memo she sent to Warren Jones subsequent to the September 24 meeting of Area H Parks Commission with Mr. Jones and Brian Farquhar. A copy is attached to these minutes. No response has been received to date.

**Moved
Seconded**

That the Area H Parks Commission remind the CVRD of our request to see the contractor's work sheet.

MOTION CARRIED

REPORTS:

**R1 Yellow Point
Park:**

The new creek crossing and trail are under 1.5 feet of water at the moment. The suggestion was made that perhaps this should be a seasonal trail only. The level at the existing horse crossing is 1 foot, and another potential crossing area 20 feet away is bone dry.

It was agreed that a danger tree assessment should be carried out in Yellow Point Park; a local contractor with the qualification will be contacted about performing the work.

The hole in the surround of the garbage can is too large, and in general needs either repair or replacement. Bruce Mason and Don Pigott to assess and report.

A discussion was held on the lease agreement and master plan for this park. Decision is to adhere to the terms of the current lease agreement.

**R2 Blue Heron
Park:**

Danger trees including 3 dead balsam and a big alder have been removed. The “No Parking” sign is still needed for the private driveway; Mary Marcotte will follow up.

R3: Raven Park:

No report.

**R4: Elliott’s
Beach:**

The toilet surround will need repairs in the spring.

**R5: Michael Lake
Trail:**

No report.

R6: Trillium Park

See item B4 above re: tree planting.

It was noted that because of the uneven ground, the grassy area at the Chandler Road entrance cannot be mowed as required. To remedy that situation, placement of topsoil in that area should be carried out in the spring.

NEW BUSINESS:

NB1: 2010 Budget:

The statement of revenue and expenses, and draft 2010 Community Park Budget Plan were distributed. Mary Marcotte reported that the requisition for this area had been increased without consultation with the parks commission, with a requirement that the year-end surplus go into a capital operating fund. This requirement has now been reversed.

**Moved
Seconded**

That the Area H Parks Commission approve the budget with a \$15,000 requisition, the 2009 year-end surplus of \$7324 to be carried over into our regular operating budget.

MOTION CARRIED

**NB2: 2002 Five
Year Plan Review**

Copies of the June 2002 Five Year Plan document were distributed. As it needs to be updated, Parks Commission members are to review the document for next meeting.

**NB3: Heart Lake
Development**

The plan for this proposed seniors community was reviewed. Some Parks Commission members toured the site previously with members of the APC and the developers.

To be determined in conjunction with updating the five-year plan.

**NB4: Future Work
Parties**

At the call of the chair.

**NEXT
MEETING:**

January meeting is scheduled for Thursday, January 28, 2010, 7:00 p.m., North Oyster Community Hall.

ADJOURNMENT

**Moved
Seconded**

That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 12:10 p.m.

Barbara Waters, Secretary
November 30, 2009



Minutes of the regular meeting of the Area H Parks Commission held at North Oyster Community Hall on January 28, 2010.

PRESENT: Acting Chairperson Don Pigott, Murray McNab, Brad Uytterhagen, Snuffy Ladret, Mary Marcotte, Secretary Barbara Waters

ABSENT: Bruce Mason

PK 2

**APPROVAL OF
AGENDA**

IT WAS MOVED AND SECONDED

That the agenda be approved with items added.

MOTION CARRIED

**ADOPTION OF
MINUTES**

IT WAS MOVED AND SECONDED

That the minutes of the regular meeting of November 21, 2009 be adopted as circulated.

MOTION CARRIED

**BUSINESS
ARISING FROM
THE MINUTES**

B1 Rock Donation

The 4 loads of rock to be donated by Terasen Gas are to be distributed as follows:

- Blue Heron Park: one load, small to medium (4-6" diameter) cobble to be spread to fill in gaps between existing rocks at the high water mark. Native plants to be planted where appropriate. DFO approval has been obtained.
- Elliott's Beach: two loads for erosion control near the big maple tree near the high water mark. One load of smaller rock to be placed on top of filter cloth; then one load of larger size rock.
- Yellow Point Park: one load of ¾" crush as parking lot gravel.
- Trillium Park: one load of ¾" crush to fill in flooded path area.
- Nothing designated for Raven Park at this time; continue to monitor.
- Work to be completed by May 1, 2010. Don Pigott and Rob Waters to coordinate, assisted by work parties as needed.

B2 Picnic Tables

Don Pigott agreed to follow up with local contractor as per November minutes. Completion this winter/spring.

000067

**B3 Trees for
Chandler Road
Side of Trillium
Park**

Don Pigott brought two samples of Leyland Cypress to the meeting; parks commission members decided to purchase 23 trees at \$15 apiece. Mary Marcotte agreed to purchase the trees for planting as soon as possible. Parks commission members also agreed to put down a 4-ft. wide gravel trail in that area, and then topsoil and grass seed on either side.

**B4 Contractor's
Worksheet**

Still not received. Mary Marcotte has again requested that the CVRD provide us with a copy of this report. It was noted that the contractor seems to be doing a good job.

**B5 Danger Tree
Assessment in YP
Park**

This has not yet been done.

**B6 Garbage Can
in Yellow Point
Park**

Mary Marcotte is to approach the same contractors as were hired to do the work for Blue Heron Park, to build a container for garbage and also for recycling.

**B7 Blue Heron
Park "No Parking
Sign"**

Not purchased yet. To be done before the good weather.

**B8 Five Year Plan
Review**

Completed. Mary Marcotte to print and distribute.

**B9 Heart Lake
Development**

Discussion took place. Parks commission consensus in favour of Area H unmanaged wilderness park, wildlife corridor with stream protection. It was suggested that we invite first nations participation. Mary Marcotte to draft proposal.

**B10 Blue Heron
Park Survey**

Murray McNab to obtain price estimate.

**CORRESPON-
DENCE:**

C1 Lot 10

A copy of a letter from Stz'uminus (Chemainus) First Nation to Mike Tippet, CVRD development manager, was circulated. The First Nation intention is to apply to add Lot 109 to their Woodlot 1713. A discussion ensued.

IT WAS MOVED AND SECONDED

000068

That the Area H Parks Commission request the CVRD to direct our objections to the proposal that Lot 109 be added to the Stz'uminus woodlot, on the following grounds:

- the parks commission is on record as having expressed interest in obtaining Lot 109 as parkland and has engaged the province and treaty negotiators in discussions regarding the possibility of acquiring this land; these

discussions are not yet concluded;

- there are sensitive watershed issues in the area, with implications for drainage and water quality on neighbouring properties;
- even small scale logging on the steep slopes of the subject property will result in drainage problems for the surrounding properties;
- the subject property is an environmentally sensitive area which contains important habitat for both plants and animals;
- the only access to this subdivision is through a densely populated subdivision with no sidewalks and no street lighting; loaded logging trucks travelling on these inadequate roads will pose safety problems for the residents, in particular school children who must walk to the nearby elementary school;
- noise and dust from logging and logging trucks would impact the quality of life for the surrounding residents;
- there is established local usage on Lot 109 for hiking, horseback riding and other passive recreational uses.

MOTION CARRIED

REPORTS:

Individual park reports were considered to have been covered under Business Arising From the minutes. Please see above.

NEW BUSINESS:

NB1 AGM

Mary Marcotte will advertise the Area H Parks Commission Annual General Meeting, to be held Thursday, February 25, 2010 at 6:30 p.m. at the North Oyster Community Hall.

NEXT

MEETING:

Thursday, February 25, 2010, following the AGM at North Oyster Community Hall.

ADJOURNMENT

IT WAS MOVED AND SECONDED

That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 8:00 p.m.

Barbara Waters, Secretary
February 2, 2010

000069

Area 3 Lakes Commission Annual General Meeting

Thursday, January 21, 2010 Honeymoon Bay Hall

Called to Order @ 19.03 Raymond Wear, Chairperson

	SIGN.	ADDRESS
Present: Brian Simpson	BS	Mesachie Lk
Judith Simpson	JS	Mesachie Lk
Ian Morrison		
Guy Latten	GL	Mesachie
David Lowther	DL	
Brian Morrison		
Peter van Gunten	PvG	Honeymoon Bay
Dick O'Connor	DO	Honeymoon Bay
Carolyn LeBlanc	CL	Mesachie Lake
Sharon Wilson	SW	Mesachie Lake
Ray Wear	RW	Honeymoon Bay
Judith Quinlan	JQ	Honeymoon Bay
For [unclear]		Mesachie Lk
[unclear]		MESACHIE LAKE

MdC: To approve the agenda.

Chair introduced Area 3 rep Ian Morrison to conduct election

Ian Morrison reported on the public notice and described the election process and duties related to the position

Election: three two year terms

Nominations: Shirley Burden (by letter) accepted
Sharon Wilcox accepted
David Sewther accepted
Carol Leblanc declined

Three positions acclaimed

Election: one one year term

Carolyn Leblanc acclaimed

MSC: to approve the Previous Minutes

Peter van Buiten and David Darling
appointed by the Director

Chair report: upgrades at Bear Lake
thanks to Ken McKenzie; Rebecca Goodall
repairs to ballfield
purchase of general store
budget

MSC: to accept the report

000071

Director's report: budget now includes replacement cost
planning and maintenance.

remarks on proposed burning ban.

MSC: to accept the report

MSC: to adjourn @ 19:45

000072



R

C1

FEB - 8 2010

COWICHAN VALLEY REGIONAL DISTRICT Financial Services Department

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

Submitted by Director Loren DUNN Area Cowichan St. John's Peninsula

Grantee:	Grant Amount \$ <u>1000</u>
NAME: <u>Cowichan Food Connection</u>	
ADDRESS: <u>#2- 5803 TRANS CANADA Highway</u>	
<u>Duncan B.C. V9L 4X2</u>	
Contact Phone No: <u>715-6044</u>	<u>Joyce Behner</u>
PURPOSE OF GRANT:	
<u>Dignified Access To Food For All</u>	
REQUESTED BY: <u>Loren Dunn</u>	Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
01-2-1950-0247-115	1000. ⁰⁰	10.0

<u>FOR FINANCE USE ONLY</u>
BUDGET APPROVAL <u>[Signature]</u>
VENDOR NO. _____

<u>Disposition of Cheque:</u>
Mail to above address: _____
Return to _____
Attach to letter from _____
Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____

RECEIVED
C.V.R.D.

FEB 03 2010

Cowichan Food Connection

Incorporated as a Society since January 16, 1997

"Dignified Access To Food For All"

#2 – 5803 Trans Canada Highway, Duncan, B.C. V9L 4X2
Phone Fred McGuinness (250) 746-5131 or Joyce Behnsen 715 6044

Dear Loren Duncan,
Area E Director

Re: CVRD Directors support to the Cowichan Food Connection

This letter is to express thanks for CVRD & Local Government support for our project over this past year.. We begin our 14th year of bringing surplus but still good foods to people in need rather than allowing it to go landfills.

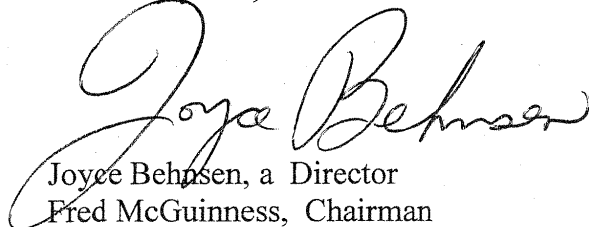
Better known as the 'Bread Van' with local sponsors logos on the Van itself. Showing once again the strength of 'Community.'

We clear from Weston's Nanaimo & Victoria warehouses, 12 to 15 thousand loaves each month and distribute to where people can access the food without feeling shame; schools, churches, daycare centers and food banks. This year we have added a Soup Program in conjunction with two churches to supply some of our local schools where it is much appreciated by students and teachers. A full stomach helps greatly with learning capacity.

We appeal to the community for funding rather than to professional fund-raisers. One hundred percent goes directly into the project. Our annual budget is \$25,000 - \$30,000. Your support in the past has carried us through. Please keep us on your list for 2010.

We greatly appreciate your kind consideration in supporting this worthwhile program.

Sincerely yours,



Joyce Behnsen, a Director
Fred McGuinness, Chairman
Henry Wikkerink CFC Treasurer

000074