



# C·V·R·D

## REGULAR BOARD MEETING

WEDNESDAY, JANUARY 14, 2009

6:00 PM - CVRD BOARD ROOM

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### AGENDA

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7. **INFORMATION:**  
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SR2 Staff Report from the Deputy Corporate Secretary  
Re: Results of Alternative Approval Process - Bylaw No. 3160 - Safer  
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| PH3        | Public Hearing Report and Minutes<br>Re: Official Community Plan Amendment Bylaw No. 3212 (Koksilah<br>DPA), applicable to Electoral Area E - Cowichan Station/Sahtlam/<br>Glenora                                     | 61-66 |
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| B2         | "CVRD Bylaw No. 3185 - Bald Mountain Street Lighting System<br>Reserve Fund Establishment Bylaw", 2008, adoption.  |       |
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| B3         | "CVRD Bylaw No. 3186 - Bald Mountain Drainage System Parcel Tax<br>Roll Bylaw, 2008", adoption.  |       |

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|--|--|---------|
| B4   | "CVRD Bylaw No. 3187 - Bald Mountain Sewer System Capital Reserve Fund Establishment Bylaw, 2008", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.  | 73-74   |
| B4   | "CVRD Bylaw No. 3187 - Bald Mountain Sewer System Capital Reserve Fund Establishment Bylaw, 2008", adoption.   |         |
| B5   | "CVRD Bylaw No. 3197 - Cowichan Lake Sports Arena Renovation Loan Authorization Bylaw, 2008", adoption.  | 75-76   |
| B6   | "CVRD Bylaw No. 3243 Environment Commission Amendment Bylaw, 2009", 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> reading.                                 | 77-78   |
| B6   | "CVRD Bylaw No. 3243 Environment Commission Amendment Bylaw, 2009", adoption.  |         |
| <b>Electoral Area Directors only vote on the following bylaws under Part 26 OR Section 791 of the <i>Local Government Act</i>:</b> |  |         |
| B7   | CVRD Bylaw No. 3101 - Area I - Youbou/Meade Creek Official Community Plan Amendment Bylaw (Urban Residential Lot Size), 2008, adoption.                            | 79-80   |
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| B9   | CVRD Bylaw No. 3139 - Area E - Cowichan-Koksilah Official Community Plan Amendment Bylaw (Kaelble), 2008, 3 <sup>rd</sup> reading.                                 | 83-86   |
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| B11  | CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008, be amended in accordance with SR3.  |         |
| B11  | CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008, 3 <sup>rd</sup> reading as amended. |         |
| B12  | CVRD Bylaw No. 3211 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (DEF Autoworld), 2008, 3 <sup>rd</sup> reading.                             | 97-100  |
| B13  | CVRD Bylaw No. 3212 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Koksilah DPA), 2008, 3 <sup>rd</sup> reading.             | 101-104 |

- |     |   |         |
|-----|---|---------|
| B14 | CVRD Bylaw No. 3238 - Area B - Shawnigan Lake Official Community Plan Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008, 1 <sup>st</sup> and 2 <sup>nd</sup> reading. | 105-113 |
| B15 | CVRD Bylaw No. 3239 - Area B - Shawnigan Lake Zoning Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008, 1 <sup>st</sup> and 2 <sup>nd</sup> reading.                  | 114-117 |

**12. RESOLUTIONS:**

- |                |  |
|----------------|--|
| <b>Summary</b> | 118-119  |
| RES1           | Appointments to the Cowichan Lake Recreation Commission  |
| RES2           | Appointments to the Electoral Area E - Cowichan Station/Sahtlam/Glenora Advisory Planning Commission |
| RES3           | Appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Advisory Planning Commission  |
| RES4           | Appointments to the Electoral Area H - North Oyster/Diamond Advisory Planning Commission             |

**13. UNFINISHED BUSINESS:****14. NOTICE OF MOTION:****15. NEW BUSINESS:****16. QUESTION PERIOD:**

- a) Public
- b) Press

**17. CLOSED SESSION:**

- |       |   |   |
|-------|---|---|
| CSM1  | Adoption of Closed Session Minutes of November 12, 2008 | 120-122                                   |
| CSSR1 | Employee Relations {Sub (1) (c)}                        | To be distributed under<br>separate cover |
| CSR1  | Third Party Negotiations {Sub (2) (b)}                  | 123-124                                   |

**18. ADJOURNMENT:**

The next Regular Board meeting will be held February 11, 2009 at 6:00 p.m., in the Board Room, 175 Ingram Street, Duncan BC.

Minutes of the Regular meeting of the Board of the Cowichan Valley Regional District held in the Board Room, 175 Ingram Street, Duncan, BC, on Wednesday, December 10, 2008 at 6:07 p.m.

**PRESENT:** Chair G. Giles  
Directors K. Cossey, M. Dorey, L. Duncan, B. Harrison,  
D. Haywood, R. Hutchins, L. Iannidinardo, P. Kent,  
K. Kuhn, M. Marcotte, T. McGonigle, I. Morrison,  
G. Seymour and T. Walker

**ALSO**

**PRESENT:** Warren Jones, Administrator  
Joe Barry, Corporate Secretary  
Kate McIntosh, Manager, Human Resources  
Tom Anderson, Manager, Development Services  
Mike Tippett, Deputy Manager, Development Services  
Rob Conway, Assistant Manager, Development Services  
Dan Derby, Manager, Protective Services  
Kate Miller, Environmental Manager

**APPROVAL OF  
AGENDA  
08-826**

**It was moved and seconded that the agenda be amended with the addition of the following New Business items:**

- NB1 Staff Report from the Deputy Corporate Secretary  
Re: Bylaw No. 3138 – South Cowichan Water Plan Study Service (Notice of Alternative Approval Process and Elector Response Form);**
- NB2 Appointments to the Area A – Mill Bay/Malahat Advisory Planning Commission;**
- NB3 Appointment to the Area A – Mill Bay/Malahat Parks and Recreation Commission;**
- NB4 Appointments to the Area B – Shawnigan Lake Advisory Planning Commission;**
- NB5 Appointment to the Area D – Cowichan Bay Advisory Planning Commission; and**
- NB6 Staff Report from the Manager, Protective Services  
Re: Fire Services Provision – Regional District of Nanaimo;**

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

**MOTION CARRIED**

ADOPTION OF  
MINUTES  
M1  
08-827

It was moved and seconded that the minutes of the November 12, 2008 Board meeting be amended by inserting the words “K. Cossey<6:05 p.m.>”, within the list of Directors, under the heading “PRESENT”; and that the minutes, as amended, be adopted.

MOTION CARRIED

M2  
08-828

It was moved and seconded that the minutes of the November 26, 2008 Special Board meeting be adopted.

MOTION CARRIED

M3  
08-829

It was moved and seconded that the minutes of the December 3, 2008 Inaugural Board meeting be adopted.

MOTION CARRIED

REPORT OF  
CHAIRPERSON  
RC1

The Chair provided an overview of the 2009 CVRD Board and Standing Committee appointments.

The CVRD Standing Committee appointments for 2009 are listed for information:

REGIONAL SERVICES COMMITTEE



- |                                 |                          |
|---------------------------------|--------------------------|
| Director P. <i>Kent</i> , Chair | Director R. Hutchins     |
| Director T. Walker, Vice-Chair  | Director L. Iannidinardo |
| Director K. Cossey              | Director K. Kuhn         |
| Director M. Dorey               | Director M. Marcotte     |
| Director L. Duncan              | Director T. McGonigle    |
| Director G. Giles               | Director I. Morrison     |
| Director B. Harrison            | Director G. Seymour      |
| Director D. Haywood             |                          |

ELECTORAL AREA SERVICES COMMITTEE

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

ENGINEERING SERVICES COMMITTEE

- |                                 |                      |
|---------------------------------|----------------------|
| Director K. Cossey, Chair       | Director G. Giles    |
| Director D. Haywood, Vice-Chair | Director B. Harrison |
| Director M. Dorey               | Director K. Kuhn     |
| Director L. Duncan              |                      |

**PARKS**

Director M. Dorey, Chair	Director D. Haywood
Director L. Iannidinardo, Vice-Chair	Director P. Kent
Director L. Duncan	Director K. Kuhn
Director G. Giles	

**HEALTH AUTHORITY ADVISORY**

Director G. Seymour, Chair	Director R. Hutchins
Director M. Marcotte, Vice-Chair	

**TRANSIT COMMITTEE**

Director G. Seymour, Chair	Director L. Iannidinardo
Director G. Giles, Vice-Chair	Director P. Kent
Director K. Cossey	Director K. Kuhn
Director L. Duncan	Director T. McGonigle
Director B. Harrison	Director I. Morrison

**COMMUNITY SAFETY ADVISORY COMMITTEE**

Director L. Iannidinardo, Chair	Director P. Kent, Vice-Chair
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**REGIONAL POLICING ADVISORY COMMITTEE**

Director T. Walker, Chair	Director R. Hutchins
Director G. Giles, Vice-Chair	Director K. Kuhn
Director K. Cossey	Director M. Marcotte
Director B. Harrison	Director T. McGonigle

**ECONOMIC DEVELOPMENT COMMISSION**

Director P. Kent	Director K. Cossey
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**KINSOL TRESTLE REVITALIZATION COMMITTEE**

Director G. Giles, Chair	Director D. Haywood
Director P. Kent, Vice-Chair	Director K. Cossey

08-830

**It was moved and seconded that the following CVRD Board appointments for 2009 be approved:**

**NON-CVRD COMMITTEES/AUTHORITIES**

1. **Mayor's Advisory Committee for People with Disabilities:**  
**Director G. Seymour**

- 2. Municipal Finance Authority:  
Director T. Walker
- 3. Municipal Insurance Association of BC (MIABC):  
Director T. Walker
- 4. Island Coast Economic Trust (ICET):  
Director G. Giles
- 5. Island Corridor Foundation (ICF):  
Jack Peake
- 6. Treaty Advisory Committee:  
Director L. Duncan  
Director R. Hutchins (Alternate)  
Director T. Walker (Alternate)
- 7. Library Board:  
Director M. Dorey  
Director L. Duncan (Alternate)



MOTION CARRIED

**CORRESPONDENCE**

C1

Letter from Rosemary Bonanno, Executive Director, Vancouver Island Regional Library dated November 17, 2008 was dealt with under Item No. RC1 – Standing Committee Appointments.

**COMMITTEE REPORTS**

CR1

Report and recommendation of the Regional Services Committee meeting of November 26, 2008, listing one item, were considered:

08-831

It was moved and seconded:

- 1. 1. That the Board adopt the draft environmental strategy and its “12 big ideas” framework, and that staff be directed to develop an implementation plan that identifies priorities and action plans consistent with those priorities.
- 2. That the CVRD embed an environmental lens into all decision making immediately.
- 3. That the Board re-affirm the role of the Environment Commission and enable it to play an active role in mobilizing this effort and supporting local government to lead the way.

4. That the CVRD eliminate the artificial separation between the environment and the economy in decision making.
5. That the CVRD provide resources to the Commission to continue the community conversation process to building a strong, resilient, sustainable Cowichan.

**MOTION CARRIED**

**CR2** Report and recommendation of the Cowichan Lake Recreation Commission meeting of November 20, 2008, listing one item, were considered:

**08-832** It was moved and seconded:

1. That the Chair and Corporate Secretary be authorized to execute the Community Access Program site funding agreement with the Victoria Free-net Association of funding and operation of the Industry Canada Community Access (CAP) Program at the Youbou Community Hall operated under the function of Cowichan Lake Recreation.

**MOTION CARRIED**

**CR3** Report and recommendation of the Kerry Park Recreation Commission meeting of November 4, 2008, listing one item, were considered:

**08-833** It was moved and seconded:

1. That the CVRD Board approve the extension of one (1) hour to the Kerry Park primary liquor license #037821 on Saturday, February 14, 2009 from 1:00 a.m. to 2:00 a.m. to accommodate the Kerry Park Men’s Curling bonspiel.

**MOTION CARRIED**

**CR4** Report and recommendation of the Environment Commission meeting of November 20, 2008, listing one item, were considered:

- 08-834** 1. That staff be directed to prepare an amendment to Bylaw 2943 as follows:

**Membership**

- (Change from 11 to 10) Ten Commission members shall be drawn from applicants in response to advertising and shall represent citizens, environmental professionals, community groups, organizations and/or sectors concerned with environmental sustainability within the Cowichan Valley Regional District.

- (Add) One Commission member shall represent the CVRD Economic Development Commission (with one member of the Environment Commission sitting on the Economic Development Commission).

Term of Office

- (Change) The term of office for Commission members shall be (from one to) two years, (add) with a one year staggering of terms for half the Commission members.

Responsibilities

- (Add) Monitor and advance implementation of the CVRD Environmental Strategic Plan and report annually, or as required, to the CVRD Board.
- (Delete) Report to the Board within one year after the inaugural meeting of the Commission on the appropriateness of the Commission mandate, structure and administration.

General

- (Add) That the Administrator be accountable for implementation of the CVRD Environmental Strategic Plan as approved by the Board.

**MOTION CARRIED**

**STAFF REPORTS**

**SR1** Staff Report from Parks Operations Superintendent dated December 3, 2008, re: Park Maintenance Services Contracts for Electoral Areas A – E and H, was considered.

**08-835** It was moved and seconded that the Board authorize a one month extension of the current Park Maintenance Services Contract for Electoral Areas A – E and H.

**MOTION CARRIED**

**SR2** Staff Report from Planning Technician dated December 5, 2008, re: Water Treatment Covenant, was considered.

**08-836** It was moved and seconded that the CVRD enter into a Restrictive Covenant for Parcel B, District Lot 93, Oyster District, PID 009-472-924 (5-H-07SA/Wiggens), respecting potability of water.

**MOTION CARRIED**

**SR3** Staff Report from the Human Resources Manager dated November 28, 2008, re: UBCM Community Health Promotion Fund Application, was considered.

**08-837** It was moved and seconded that the Board approve the UBCM Community Health Promotion Fund application as presented for up to \$25,000.

**MOTION CARRIED**

**SR4** Staff Report from the Chief Election Officer dated December 10, 2008, re: Report of the Chief Election Officer for the 2008 General Local Election and Referendums, was received as information.

**PUBLIC  
HEARINGS**

**PHI** Public Hearing Report and minutes, re: Official Community Plan Amendment Bylaw No. 3216 and Zoning Amendment Bylaw No. 3217 (Juch and Ferguson), were considered.

**08-838** It was moved and seconded that the Public Hearing Report and minutes, re: Official Community Plan Amendment Bylaw No. 3216 and Zoning Amendment Bylaw No. 3217 (Juch and Ferguson), be received.

**MOTION CARRIED**

**BYLAWS**

**B1  
08-839** It was moved and seconded that “CVRD Bylaw No. 3163 – Regional Parkland Acquisition Fund Service Establishment Bylaw” be adopted.

**MOTION CARRIED**

**B2  
08-840** It was moved and seconded that “CVRD Bylaw No. 3197 – Cowichan Lake Sports Arena Renovation Loan Authorization Bylaw, 2008” be referred back to staff.

**MOTION CARRIED**

**B3  
08-841** It was moved and seconded that “CVRD Bylaw No. 3205 – Shawnigan Lake North Water System Service Amendment Bylaw, 2008” be adopted.

**MOTION CARRIED**

**B4  
08-842** It was moved and seconded that “CVRD Bylaw No. 3225 – Shawnigan Beach Estates Sewer System Service Amendment Bylaw, 2008” be adopted.

**MOTION CARRIED**

**B5  
08-843**                    **It was moved and seconded that “CVRD Bylaw No. 3216 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Juch and Ferguson)” be granted 3<sup>rd</sup> reading.**

Opposed: Directors Duncan and Dorey

**MOTION CARRIED**

**B5  
08-844**                    **It was moved and seconded that “CVRD Bylaw No. 3216 – Area E – Cowichan Station/Sahtlam/Glenora and Area F – Cowichan Lake South/Skutz Falls Official Community Plan Amendment Bylaw (Juch and Ferguson)” be adopted.**

Opposed: Director Duncan

**MOTION CARRIED**

**B6  
08-845**                    **It was moved and seconded that “CVRD Bylaw No. 3217 – Area F – Cowichan Lake South / Skutz Falls Zoning Amendment Bylaw (Juch and Ferguson), 2008” be granted 3<sup>rd</sup> reading.**

Opposed: Director Duncan

**MOTION CARRIED**

**B6  
08-846**                    **It was moved and seconded that “CVRD Bylaw No. 3217 – Area F – Cowichan Lake South / Skutz Falls Zoning Amendment Bylaw (Juch and Ferguson), 2008” be adopted.**

Opposed: Director Duncan

**MOTION CARRIED**

**B7  
08-847**                    **It was moved and seconded that “CVRD Bylaw No. 3241 – Are B – Shawnigan Lake Zoning Amendment Bylaw (Cottyn Developments Ltd.), 2008” be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.**

**MOTION CARRIED**

**B8**                            Directors Duncan and Iannidinardo declared conflicts of interest with respect to Item No. B8 - “CVRD Bylaw No. 3242 Phased Development Agreement Authorization Bylaw (Youbou Lands), 2008” in that they are both owners of Timberwest Forest II Limited shares.

**6:37 p.m.**                    Directors Duncan and Iannidinardo left the Board Room at 6:37 p.m.

**08-848**                    **It was moved and seconded that “CVRD Bylaw No. 3242 Phased**

Development Agreement Authorization Bylaw (Youbou Lands), 2008” be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.

**MOTION CARRIED**

6:39 p.m. Directors Duncan and Iannidinardo returned to the Board Room at 6:39 p.m.

**RESOLUTIONS**

**RES1** It was moved and seconded that the following appointments to the  
**08-849** Kerry Park Recreation Commission be approved:

*Appointed for a term to expire December 31, 2010:*

Mike Croft  
Heather Broughton  
Doug Higginson  
Melanie Brancato

**MOTION CARRIED**

**RES2** It was moved and seconded that the following appointments to the  
**08-850** Area C – Cobble Hill Advisory Planning Commission be approved:

*Appointed for a term to expire November 30, 2009:*

John Bertagnolli  
Jens Liebgott  
Jerry Tomljenovic

*Appointed for a term to expire November 30, 2010:*

Rosemary Allen  
Robin Brett  
Al Cavanagh  
Brenda Krug  
Dave Thomson

*Appointed for a term to expire November 30, 2011:*

Rod de Paiva  
David Hart

**MOTION CARRIED**

**RES3** It was moved and seconded that the following appointments to the  
**08-851** Area C – Cobble Hill Parks and Recreation Commission be approved:

*For a term to expire December 31, 2010:*

Linden Collette  
John Krug  
Richard Shaw

Bill Turner  
Lynn Wilson

**MOTION CARRIED**

**NEW BUSINESS**

**NB1**

Staff Report from the Deputy Corporate Secretary, dated December 10, 2008, re: Bylaw No. 3138 – South Cowichan Water Plan Study Service (Notice of Alternative Approval Process and Elector Response Form), was considered.

**08-852**

**It was moved and seconded that the *Notice of Alternative Approval Process and the Elector Response Form* for CVRD Bylaw No. 3138, be approved.**

**MOTION CARRIED**

**NB2**

Memorandum from Director Brian Harrison, Electoral Area A – Mill Bay / Malahat dated December 10, 2008, re: Appointments to the Area A – Mill Bay / Malahat Advisory Planning Commission, was considered.

**08-853**

**It was moved and seconded that the following appointments to the Area A – Mill Bay / Malahat Advisory Planning Commission be approved:**

*Appointed for a term to expire November 30, 2009:*

**Dave Balding**

**Dola Boas**

**Cliff Braaten**

**David Gall**

**Margo Johnston**

**June Laraman**

**Deryk Norton**

**Ted Stevens**

**Archie Staats**

**MOTION CARRIED**

**NB3**

Memorandum from Director Brian Harrison, Electoral Area A – Mill Bay / Malahat dated December 10, 2008, re: Appointment to the Area A – Mill Bay / Malahat Parks and Recreation Commission, was considered.

**08-854**

**It was moved and seconded that the following appointment to the Area A – Mill Bay/Malahat Parks and Recreation Commission be approved:**

*Appointed for a term to expire December 31, 2009:*

**Paris Webster**

**MOTION CARRIED**

**NB4**

Memorandum from Director Ken Cossey, Electoral Area B – Shawnigan Lake dated December 10, 2008, re: Appointments to the Area B –

Shawnigan Lake Advisory Planning Commission, was considered.

**08-855**                    **It was moved and seconded that the following appointments to the Area B – Shawnigan Lake Advisory Planning Commission be approved:**

*Appointed for a term to expire November 30, 2009:*

- Rod Macintosh**
- Carol Lane**
- Graham Ross-Smith**
- Sara Middleton**
- John Clark**
- Cynara de Goutiere**
- Roger Painter**

**MOTION CARRIED**

**NB5**                    Memorandum from Director Lori Iannidinardo, Electoral Area D – Cowichan Bay dated December 10, 2008, re: Appointments to the Area D – Cowichan Bay Advisory Planning Commission, was considered.

**08-856**                    **It was moved and seconded that the following appointments to the Area D – Cowichan Bay Advisory Planning Commission be approved:**

*Appointed for a term to expire November 30, 2009:*

- Hilary Abbott**
- Cal Bellerive**
- Dan Butler**
- Brian Hosking**
- Al Jones**
- Kevin Maher**
- Gordon Rutherford**
- Jenny Serle**
- Calvin Slade**
- David Slang**
- Lillian Talbot**

**MOTION CARRIED**

**NB6**                    Staff Report from the Manager, Protective Services dated December 10, 2008, re: Fire Services Provision – Regional District of Nanaimo, was considered.

**08-857**                    **It was moved and seconded:**

1. That, if by December 15, 2008, the Regional District of Nanaimo is unable to secure a fire service contract for properties currently serviced by the North Oyster Department excluding those properties that will be amalgamated by the North Cedar Improvement District, that the Cowichan Valley Regional District agrees to renew the current fire services agreement for 2009; and
2. That subject to the North Oyster Fire Chief and North Oyster Fire Protection Service Management Commission consultation, the fire services agreement between the Cowichan Valley Regional District and the Regional District of Nanaimo be renewed under the same terms and conditions as currently provided.

MOTION CARRIED

**ADJOURNMENT**

6:48 p.m.  
08-858

It was moved and seconded that the Regular Board meeting adjourn.

MOTION CARRIED

The meeting adjourned at 6:48 p.m.

Certified Correct:

\_\_\_\_\_  
Chairperson

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

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

COWICHAN VALLEY REGIONAL DISTRICT  
ADMINISTRATIVE SERVICES DEPARTMENT

REQUEST FOR DELEGATIONS

APPLICATION DATED: December 19, 2008

NAME OF APPLICANT: Aick Brant

ADDRESS OF APPLICANT: \_\_\_\_\_

PHONE No.: \_\_\_\_\_

REPRESENTING: Cowichan 2008 NAIG  
Name of Organization

MEETING DATE: January 14, 2009

COMMITTEE/BOARD NAME: Board

NO. ATTENDING: 2

TOPIC TO BE PRESENTED:

NAIG report.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NATURE OF REQUEST/CONCERN:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: Once the request for delegation application has been favourably considered, presentations will be restricted to ten (10) minutes, unless notified otherwise.



RC1

REPORT OF THE CHAIRPERSON

CVRD BOARD MEETING  
JANUARY 14, 2009

DATE: January 7, 2009  
FROM: Chairperson Gerry Giles  
SUBJECT: Appointment to Cowichan Lake Community Forest Co-operative

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**Recommendation:**

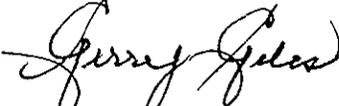
It is recommended that the CVRD Board approve the appointments of Area I Director Klaus Kuhn as CVRD's voting representative and Area F Director Ian Morrison as the alternate voting representative to the Cowichan Lake Community Forest Co-operative for the 2009 term.

**Purpose:**

To appoint a CVRD voting representative and alternate to the Cowichan Lake Community Forest Co-operative for 2009 in response to correspondence dated November 24, 2008.



Submitted by,

  
Chairperson Gerry Giles



# Cowichan Lake Community Forest Co-operative

97 South Shore Road, Box 428 Lake Cowichan, B.C. V0R 2G0  
Telephone: (250)749-6320 - Facsimile: (250) 749-6321  
email: clcfc@cowichanlake.ca

November 24<sup>th</sup>, 2008

Cowichan Valley Regional District,  
175 Ingram Street,  
Duncan, B.C.  
V9L 1N8

RECEIVED  
NOV 26 2008

Dear Directors:

The Cowichan Lake Community Forest Co-operative will be holding its Fourteenth Annual General Meeting on **January 15<sup>th</sup>, 2009 at 7:00 P.M.** at our office at 97 South Shore Road, Lake Cowichan, B.C.

As a paid-up member of the Co-operative it is once again necessary for your organization to appoint a voting representative and an alternate representative to the Co-operative as per the following statements from our incorporation documents:

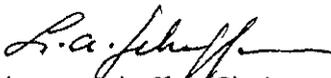
- Every member corporation shall elect or appoint, in a manner and on conditions agreeable to its members, shareholders or constituents, as the case may be, a person to act as its representative and to vote on its behalf at general meetings of the Co-operative.
- A member corporation shall also appoint an alternate representative to act on its behalf when its regular representative is unavailable or indisposed, and the member shall file with the Co-operative the names of both the representative and any alternate and the period for which they will serve.

The annual report and audited financial statements will be presented at the Annual General Meeting.

I wish to extend my sincere thanks to all Directors and Alternate Directors who have contributed their time, effort and expertise to the success of the Co-operative.

We look forward to hearing from you prior to **December 31<sup>st</sup>, 2008.**

Sincerely,

  
Lorne Scheffer, Chair

LAS/cia

Original	<i>file</i>	Sent to:	<i>Chair</i>
Exempt:			<i>JB</i>
Committee(s)			
Date:	<i>11/3/08</i>	Date:	<i>11/3/08</i>
File #	<i>260-20-CLCFC</i>		



## COWICHAN VALLEY REGIONAL DISTRICT 2009 COMMITTEE CALENDAR

**Legend:**

**Board Meeting**

**Electoral Area Services Committee (EASC)**

**Parks Committee (PC)**

**Regional Services Committee (RSC)**

**Engineering Services Committee (ESC)**

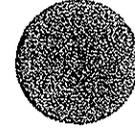
**Transit Committee (TC)**

<p><b>January 14..Board Meeting</b> 6 pm</p> <p>January 20.....EASC 3 pm</p> <p>January 28.....ESC 3:30 pm</p> <p>January 28.....RSC 6 pm</p>	<p>May 5.....EASC 3 pm</p> <p>May 13.....TC 3:30 pm</p> <p><b>May 13.....Board Meeting</b> 6 pm</p> <p>May 19.....EASC 3 pm</p> <p>May 27.....ESC 3:30 pm</p> <p>May 27.....RSC 6 pm</p>	<p>September 1.....EASC 3 pm</p> <p>September 9.....TC 3:30 pm</p> <p><b>September 9...Board Meeting</b> 6 pm</p> <p>September 15...EASC 3 pm</p> <p>September 23...ESC 3:30 pm</p> <p>September 23...RSC 6 pm</p>
<p>February 3.....EASC 3 pm</p> <p>February 11.....PC 3:30 pm</p> <p><b>February 11..Board Meeting</b> 6 pm</p> <p>February 17.....EASC 3 pm</p> <p>February 25.....ESC 3:30 pm</p> <p>February 25.....RSC 6 pm</p>	<p>June 2.....EASC 3 pm</p> <p>June 10....PC 3:30 pm</p> <p><b>June 10...Board Meeting</b> 6 pm</p> <p>June 16.....EASC 3 pm</p> <p>June 24.....ESC 3:30 pm</p> <p>June 24.....RSC 6 pm</p>	<p>October 6.....EASC 3 pm</p> <p>October 14.....PC 3:30 pm</p> <p><b>October 14.....Board Meeting</b> 6 pm</p> <p>October 20.....EASC 3 pm</p> <p>October 28.....ESC 3:30 pm</p> <p>October 28.....RSC 6 pm</p>
<p>March 3.....EASC 3 pm</p> <p>March 11.....TC 3:30 pm</p> <p><b>March 11....Board Meeting</b> 6 pm</p> <p>March 17.....EASC 3 pm</p> <p>March 25.....ESC 3:30 pm</p> <p>March 25.....RSC 6 pm</p>	<p>July 7.....EASC 3 pm</p> <p>July 8.....TC 3:30 pm</p> <p><b>July 8.....Board Meeting</b> 6 pm</p> <p>July 22.....ESC 3:30 pm</p> <p>July 22.....RSC 6 pm</p>	<p>November 3.....EASC 3 pm</p> <p>November 12....TC 3:30 pm</p> <p><b>November 12...Board Meeting</b> 6 pm</p> <p>November 17.....EASC 3 pm</p> <p>November 25.....ESC 3:30 pm</p> <p>November 25.....RSC 6 pm</p>
<p>April 7.....EASC 3 pm</p> <p>April 8.....PC 3:30 pm</p> <p><b>April 8.....Board Meeting</b> 6 pm</p> <p>April 21.....EASC 3 pm</p> <p>April 22.....ESC 3:30 pm</p> <p>April 22.....RSC 6 pm</p>	<p>August 4...EASC 3 pm</p> <p>August 12...PC 3:30 pm</p> <p><b>August 12..Board Meeting</b> 6 pm</p> <p>August 26...ESC 3:30 pm</p> <p>August 26...RSC 6 pm</p>	<p>December 1.....EASC 3 pm</p> <p><b>December 9...Board Meeting</b> 6 pm</p>

*L. Stinson*  
JAN 05 2009

C1

**Katimavik**



Attn: CVRD Board of Directors

Katimavik is a national volunteer service organization that aims to empower youth to make a significant contribution to local communities and participate in nation-building while fostering their personal and professional development through a challenging youth-volunteer, leadership and service-learning program.

Since 1977, Katimavik has enabled nearly 28,000 Canadians to be involved in more than 2,000 communities throughout the country. Approximately 1,000 youth participate in the program each year in 99 host communities across Canada. Katimavik partners with more than 650 community non-profit organizations each year.

Katimavik volunteers have been present in the Cowichan Valley since September 2008. The 11 participants from across Canada have been devoting their time to community events in addition to contributing 35 hours a week to non-profit organizations. Community partners include the Cowichan Green Community, Duncan Business Improvement Area Society (DBIA), Garry Oak National Preservation Society, Providence Farm, Parkside Academy, Social Planning Cowichan, Volunteer Cowichan and the Cowichan Bay Maritime Centre. They have also volunteered their time at several local events including Duncan's Spook-tacular and Christmas Kick-off, Cowichan Bay Christmas Sail Past, the IIHF U-17 World Hockey Challenge and many more.

This letter is a formal request to the CVRD Transit Committee to approve bus passes for the volunteers in the community. The majority of the work placements and volunteer opportunities take place in Duncan while the Katimavik house is located in Lake Cowichan. We were given 12 bus passes for September to December 2008 and they were essential to our program's success thus far. The bus passes allow the participants to get to and from their work placements every day, volunteer at local events and explore the Cowichan Valley and experience the island to the fullest extent. The Katimavik program will be running until the end of June 2009 and we hope to be back in the Cowichan Valley for the next program year. At this point, we would like to request to be approved for 12 bus passes from January 2009 until June 2009.

Thank you for considering this request.

*Craig York*  
Craig York

Katimavik Project Leader – Cowichan Valley

Original: <i>file</i>	Copies to: <i>PK - for info.</i>
Board:	
Committee(s): <i>Transit meeting</i>	
Directed by: <i>[Signature]</i>	Date: <i>Jan 5/09</i>
File #	

- 6:40 pm Director Hartmann returned to the Board Room at 6:40 pm.
- CR3 Report and recommendation of the Special meeting of the Transit Committee held September 30, 2008, listing one item, was considered:
- 08-680 ➔ **It was moved and seconded that the CVRD provide up to twelve bus passes to Katimavik students visiting our community from October, 2008 to December, 2008.**

**MOTION CARRIED**

### STAFF REPORTS

- SR1 Staff Report from Deputy Manager, Development Services dated September 30, 2008, re: Zoning Amendment Bylaw No. 3207 (separated parcel size – Area C), was received for information.
- SR2 Staff Report from Deputy Manager, Development Services dated September 30, 2008, re: Zoning Amendment Bylaw No. 3208 (Dix), was received for information.
- SR3 Staff Report from Corporate Secretary dated October 2, 2008, re: CVRD Bylaw No. 3161 – Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2008, was considered for information:
- 08-681 **It was moved and seconded that staff prepare a new bylaw for an annual financial contribution to Social Planning Cowichan with the participating areas being the 9 areas that gave consent to Bylaw No. 3161.**

**MOTION CARRIED**

- SR4 Staff Report from Deputy Manager, Development Services dated October 2, 2008, re: bylaw and hearing notice correction requires a new hearing for the Partridge application, was considered:
- 08-682 **It was moved and seconded that the CVRD hold another public hearing regarding both OSP Amendment Bylaw No. 3128 and Zoning Amendment Bylaw No. 3129, as amended, in Cowichan Bay, with Directors Tansley, Cossey and Walker as delegates of the Board.**

**MOTION CARRIED**

**SOUTH COWICHAN  
SERVICES & GOVERNANCE COMMITTEE MEETING  
– DECEMBER 16, 2008**

Minutes of the South Cowichan Services & Governance Committee meeting held at the Shawnigan Lake Community Centre on Tuesday, December 16, 2008 at 5:30 pm.

**PRESENT:** Bob Brooke  
Heather Broughton  
Sarah Fraser  
Paul Laraman  
Jens Liebgott  
Tim Parker  
Gordon Smith  
Margaret Symon  
David Towner  
Mark Wyatt

**ABSENT:** Dave Balding  
Robert Smethurst  
Warren Jones, Administrator, CVRD

**ALSO** Tom Reid, Study Manager, Sussex Consultants Ltd.  
**PRESENT:** Joe Barry, Corporate Secretary, CVRD  
Karen Lynch, Ministry of Community Development  
Gerry Giles, Director, Electoral Area C – Cobble Hill  
Lori Iannidinardo, Director,  
Electoral Area D – Cowichan Bay

**ADOPTION OF  
MINUTES**

It was moved and seconded that the minutes of the December 2, 2008 meeting of the South Cowichan Services & Governance Committee be amended by adding Bob Brooke and the names of the Area A, B, and C Directors who were in attendance at the meeting.

**MOTION CARRIED**

It was moved and seconded that the minutes of the December 2, 2008 meeting, as amended, be adopted.

**MOTION CARRIED**

**FINANCE  
SUB-COMMITTEE**

Paul Laraman provided an update of the Finance Sub-Committee meeting that was held prior to this meeting. The Sub-Committee considered the additional costs that would occur regarding the public communication process.

**REVIEW OF  
SUSSEX WORK  
PROGRAM AND  
STUDY TIMING**

Tom Reid provided an overview of the Sussex Work Program that will consist of consultation leading to a recommendation to the Ministry of Community Development. A communication program was not included in the \$40,000 work program.

Tom Reid distributed a proposed Communication and Consultation Plan along with a Potential Timing Chart.

The Committee considered the timing and location of public meetings. It was decided by consensus that there will be four meetings held on two Saturdays (one in each Electoral Area followed by one wrap-up session).

The meetings will be held on:  
February 7 (10 am to Noon; 2 pm to 4 pm) and on  
February 14 (10 am to Noon; 2 pm to 4 pm).

Tom Reid will give a 20- minute presentation that will be followed by an open discussion session with the public.

Tom Reid advised that he will have a draft document circulated to committee members by January 17.

**NEXT MEETING**

The Committee agreed to move the next Committee meeting to Tuesday, January 20<sup>th</sup> and that the meeting would be held in Mill Bay.

**MAILOUT**

This item was not include in the Sussex Work Program budget. Tom Reid suggested that an unaddressed mail-out be sent to all postal boxes in the three electoral areas. The mail-out will likely be received by 90% of the residences. The cost of the mail-out and newspaper advertisements should be approximately \$6,000.

Karen Lynch advised that up to \$10,000 for the communications plan should be fine with the Ministry.

**SURVEY**

The Committee agreed to distribute a survey at each meeting.

**STAKEHOLDER  
CONSULTATIONS**

The Committee agreed to add the farming community to the list of stakeholder consultation meetings. It was also decided that there will be one meeting for all the fire departments; one meeting for all the

water districts; and a combined meeting for the Mill Bay Community League and the Shawnigan Residents Association Executive.

**WEBSITE** The Committee agreed to use the SouthCowichanGovernance.ca name for the website.

**QUESTIONNAIRE** Tom Reid provided an overview of the proposed questionnaire.

**POTENTIAL TIMING CHART** Tom Reid will update the chart to reflect the decisions made at this meeting.

**OTHER BUSINESS** David Towner suggested forming a Communications Sub-Committee consisting of three people to proof the draft advertisements, approve website additions, and to edit mail-outs and press releases.

Mark Wyatt, Bob Brooke and Tim Parker agreed to be on the Communications Sub-Committee.

**ADJOURNMENT** The meeting adjourned at 7:08 pm.

---

J.E. Barry, Corporate Secretary

Dated



C·V·R·D

STAFF REPORT

BOARD MEETING  
OF JANUARY 14, 2009

DATE: January 5, 2009 BYLAW NO: 3138  
FROM: Kathleen Harrison, Deputy Corporate Secretary  
SUBJECT: Bylaw No. 3138 - South Cowichan Water Plan Study Service (Notice of Alternative Approval Process and Elector Response Form)

**Recommendations:**

- 1. That CVRD Board resolution 08-852 be rescinded.
- 2. That the *Notice of Alternative Approval Process* and the *Elector Response Form* for CVRD Bylaw No. 3138, be approved.

**Purpose:** To set the deadline for *Elector Response Form* submissions for the *Alternative Approval Process* for, "CVRD Bylaw No. 3138 – South Cowichan Water Plan Study Service Establishment Bylaw, 2008".

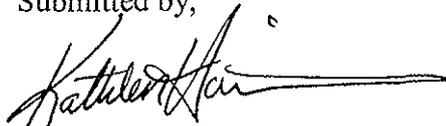
**Financial Implications:** Not applicable

**Interdepartmental/Agency Implications:** Not applicable

**Background:** A *Notice of Alternative Approval* and *Elector Response Form* for CVRD Bylaw No. 3138 were forwarded to the Board on December 10, 2008 to set the deadline for submissions. Since that time it has been determined that there was an error in the body of the notice which affects the deadline and therefore the notice must be republished. The revised notice and form are being submitted for consideration.

Pursuant to Section 801.3 of the *Local Government Act* and Section 86 of the *Community Charter*, the Board must set the deadline for receiving elector responses for an alternative approval process. The attached *Notice of Alternative Approval Process* and *Elector Response Form* set the deadline for responses for Monday, February 23, 2009.

Submitted by,

  
Kathleen Harrison  
Deputy Corporate Secretary

Department Head's Approval:  
  
NOT AVAILABLE  
Signature



**NOTICE TO ELECTORS OF ELECTORAL AREAS: A – MILL BAY/MALAHAT;  
B – SHAWNIGAN LAKE; C – COBBLE HILL; AND D – COWICHAN BAY**

**OF AN ALTERNATIVE APPROVAL PROCESS OPPORTUNITY FOR  
CVRD SERVICE ESTABLISHMENT BYLAW NO. 3138**

**NOTICE IS HEREBY GIVEN** that the Board of the Cowichan Valley Regional District proposes to adopt "CVRD Bylaw No. 3138 – South Cowichan Water Plan Study Service Establishment Bylaw, 2008".

**BYLAW SUMMARY**

If adopted, Bylaw No. 3138 will allow the Cowichan Valley Regional District to requisition up to \$100,000. per year or an amount that equals the amount raised by applying a property value tax rate of \$0.0283 per \$1,000. to the net taxable value of land and improvements for the purpose of creating a study function for continued investigation of ground and surface water in the South Cowichan area and to develop a South Cowichan Water Plan.

The maximum cost to property owners within the proposed service area with a residential property assessed at \$200,000 would be approximately \$5.21 per annum, as set out in the table below. The complete bylaw is available for review at the Cowichan Valley Regional District office, located at 175 Ingram Street in Duncan, during regular office hours, Monday to Friday 8:30 a.m. – 4:30 p.m. (excluding statutory holidays). A copy of the bylaw is also available on the CVRD website at [www.cvrld.bc.ca](http://www.cvrld.bc.ca).

Calculation Table

<b>Net Taxable Value (Land &amp; Improvements)</b>	<b>Maximum Annual Cost Per Residential Property Owner</b>	<b>Number of Electors in the Service Area</b>	<b>10% of the Electors</b>
\$200,000	\$5.21	15,138	1,514

**ALTERNATIVE APPROVAL PROCESS AND ELIGIBILITY**

The Regional District may adopt this bylaw unless at least 10% of electors within the proposed service area indicate that a referendum must be held by submitting a signed *Elector Response Form* to the Regional District office **no later** than 4:30 p.m. on Monday, February 23, 2009. *Elector Response Forms* must be in the form established by the Regional District, and only those persons who qualify as electors of the proposed service area comprised of Electoral Areas: A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; and D – Cowichan Bay, are entitled to sign. Service area electors may qualify as either resident electors or as non-resident property electors, as follows:

**Resident Elector** – You are entitled to submit an *Elector Response Form* as a resident elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, and have been a resident of the proposed service area for the past 30 days or more.

**Non-Resident Property Elector** – You are entitled to submit an *Elector Response Form* as a non-resident property elector if you are age 18 or older on the day of submission, are a Canadian citizen, have lived in BC for at least six months, have owned and held registered title to a property in the proposed service area for the past 30 days or more, and do not qualify as a resident elector. **NOTE:** Only one non-resident property elector may submit a response form per property, regardless of how many owners there may be.

If less than 10% (1,514) of the service area electors submit an *Elector Response Form*, the bylaw will be deemed to have the approval of the electors and the Regional District may proceed with adoption. For the purpose of conducting the alternative approval opportunity, the number of service area electors is calculated as 15,138.

A copy of the bylaw and *Elector Response Form* is available from the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC V9L 1N8, Phone 250.746.2500/1.800.665.3955, e-mail [kharrison@cvrd.bc.ca](mailto:kharrison@cvrd.bc.ca) **OR** on the CVRD website at [www.cvrld.bc.ca](http://www.cvrld.bc.ca).



**ELECTOR RESPONSE FORM  
BYLAW NO. 3138**

The Cowichan Valley Regional District is proposing to adopt "CVRD Bylaw No. 3138 – South Cowichan Water Plan Study Service Establishment Bylaw, 2008" which authorizes the Regional District to requisition up to One Hundred Thousand Dollars (\$100,000.) per year or an amount that equals the amount raised by applying a property value tax rate of \$0.0283 per \$1,000. to the net taxable value of land and improvements for the purpose of creating a study function for continued investigation of ground and surface water in the South Cowichan area; and to develop a South Cowichan Water Plan within the proposed South Cowichan Water Study Service Area comprised of Electoral Areas: A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; and D – Cowichan Bay. If you are opposed to the adoption of this bylaw, you may indicate your opposition by signing and returning this *Elector Response Form* to the Regional District office by 4:30 p.m., Monday, February 23, 2009. Only those persons who live or own property within the proposed South Cowichan Water Study Service Area and meet the following qualifications are eligible to submit an *Elector Response Form*.

I hereby certify that:

- I am a Canadian citizen;
- I am an individual who is age 18 or older;
- I have been a resident of British Columbia for at least the past six months;
- I have been a resident of the proposed South Cowichan Water Study Service Area for the past 30 days or I am entitled to register as a non-resident property elector;
- I am not disqualified by the *Local Government Act*, or any other enactment, from voting in an election or am not otherwise disqualified by law.

I understand and acknowledge that I may not sign an *Elector Response Form* more than once in relation to this alternative approval process.

NAME OF ELECTOR: \_\_\_\_\_  
(Please Print Full Name)

ELECTOR STREET ADDRESS: \_\_\_\_\_

**OR**

Address of property in relation to which I am entitled to register as a non-resident property elector (**non-resident property electors only**) \_\_\_\_\_

SIGNATURE OF ELECTOR: \_\_\_\_\_

ELECTORAL AREA \_\_\_\_\_

**NOTE:** The *Elector Response Form* must be returned to the Cowichan Valley Regional District, 175 Ingram Street, Duncan, BC, V9L 1N8 on or before 4:30 p.m., **Monday, February 23, 2009**. Regular office hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding statutory holidays.

**Section 86(6) of the *Community Charter* requires all electors to submit their response on the form established by the CVRD, or an accurate copy of that form. If this form is altered in any way, including by writing or printing on the back of it, it must and will be rejected by the CVRD.**



SR2

**STAFF REPORT**

**REGULAR BOARD MEETING  
OF JANUARY 14, 2009**

**DATE:** January 5, 2009 **BYLAW NO:** 3160  
**FROM:** Kathleen Harrison, Deputy Corporate Secretary  
**SUBJECT:** Results of Alternative Approval Process - Bylaw No. 3160 – Safer Futures Program Annual Financial Contribution Service.

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**Recommendation:**

That the *Certificate of Results* confirming that the CVRD Board may proceed to adopt Bylaw No. 3160, be received.

**Purpose:**

To present the results of the Alternative Approval Process for "CVRD Bylaw No. 3160 – Safer Futures Program Annual Financial Contribution Service Establishment Bylaw, 2008".

**Financial Implications:**

N/A.

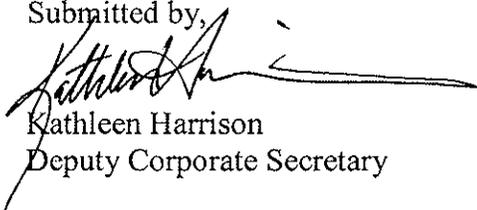
**Interdepartmental/Agency Implications:**

Once adopted, a certified copy of the bylaw must be filed with the Province. The Financial Services Department is responsible for grant administration.

**Background:**

Following provincial approval, an alternative approval process for CVRD Bylaw No. 3160 was launched on November 14, 2008 and closed December 22, 2008. A total of four (4) *Elector Response Forms* were submitted indicating opposition to the adoption of Bylaw No. 3160. One (1) form was rejected pursuant to Section 51(2) of the *Local Government Act*. As outlined in the attached *Certificate of Results*, the three (3) *Elector Response Forms* that were accepted as valid in opposition to the adoption of Bylaw No. 3160 represent less than 10% of the total eligible electors (4,680) and therefore the Board may proceed to adopt CVRD Bylaw No. 3160.

Submitted by,

  
Kathleen Harrison  
Deputy Corporate Secretary

Department Head's Approval:

NOT AVAILABLE

Signature

Attachment: Certificate of Results – Bylaw No. 3160



**CVRD Bylaw No. 3160  
Certificate of Results - Alternative Approval Process**

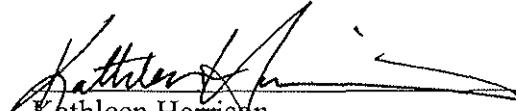
I hereby certify that Three (3) valid *Elector Response Forms* were received in opposition to the adoption of "CVRD Bylaw No. 3160 – Safer Futures Program Annual Financial Contribution Service Establishment Bylaw, 2008", which establishes a service for the purpose of assisting the Cowichan Women Against Violence Society with programming and service delivery costs for the Safer Futures Program.

The total number of electors within the service area to which the Alternative Approval Process applies is estimated at 46,799.

In accordance with Section 86 (1) of the *Community Charter*, the number of elector response forms received represents less than 10% of the electors in the area to which the Alternative Approval Process applies, and the Cowichan Valley Regional District may proceed to adopt CVRD Bylaw No. 3160.

DATED at Duncan, British Columbia  
this 5<sup>th</sup> day of January, 2009

)  
)  
)  
)

  
 Kathleen Harrison  
 Deputy Corporate Secretary

Number of Electors in the Service Area	10% of the Electors	Valid Elector Response Forms Received
46,799	4,680	3



C·V·R·D

SR3

**STAFF REPORT**

**REGULAR BOARD MEETING  
OF JANUARY 14, 2009**

**DATE:** January 5, 2009 **FILE NO:** 5-E-07RS  
**FROM:** Mike Tippett, Deputy Manager **BYLAW NO:** 3210  
**SUBJECT:** Proposed adjustments to Official Community Plan Amendment Bylaws 3210  
(DEF Autoworld)

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**Recommendation:**

Provided for information purposes only.

**Purpose:**

To propose two additional development permit guidelines for the Koksilah Development Permit Area, comprising part of OCP Amendment Bylaw 3210.

**Financial Implications:**

None apparent

**Interdepartmental/Agency Implications:**

None apparent

**Background:**

OCP Amendment Bylaw No. 3210 went to public hearing on November 24<sup>th</sup> and at that venue, Director Duncan mentioned to those present that he would be recommending two minor additions to the proposed Koksilah Development Permit Area.

The proposed changes are as follows:

1. The following would be inserted under the "Environmental Protection" heading in Section 13.8.4 as new item (c), and all the following guidelines would be reallocated new letters from (d) forward:
  - c) *The entire Koksilah Development Permit Area sits upon a valuable aquifer that supplies drinking water to local residents. Applicants will submit a plan describing how they will protect this community resource on their site;*

2. The following will replace the fifth bullet under Section 13.8.6(a)(3):

- *Building elevation drawings for both existing and proposed structures complete with architectural details and a landscaping plan with drawings;*  
and the second to last bullet (“landscaping plan”) is deleted.

These changes are permitted following the public hearing, under the provisions of Section 894(1)(b) of the *Local Government Act*. These changes will have the effect of improving the quality of submissions and development in this proposed development permit area.

Submitted by,



Mike Tippett, MCIP  
Deputy Manager  
Development Services Department

MT/ca



SR4

STAFF REPORT

CVRD REGULAR BOARD MEETING  
OF JANUARY 14, 2009

DATE: January 7, 2009

File: 1855-02-GAS

FROM: Kate Miller, Environment Manager

SUBJECT: Funding Agreement Authorization

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**Recommendation:**

That the Chair and Corporate Secretary be authorized to sign the "Regionally Significant Project, Tier 1 and 2 Strategic Priorities Fund and/or Innovations Fund Funding Agreement Under the Agreement on the Transfer of Federal Gas Tax Revenues" for the Regional Community Energy Plan.

**Purpose:**

To obtain authorization to sign the Regionally Significant Project, Tier 1 and 2 Strategic Priorities Fund and/or Innovations Fund Funding Agreement under the Agreement on the Transfer of Federal Gas Tax Revenues.

**Background:**

The Union of British Columbia Municipalities has approved the following CVRD proposed project under the Innovations Fund program:

- Regional Community Energy Plan.

Funding is subject to CVRD Board resolution to enter into the Agreement and the execution of the Funding Agreement by the CVRD's authorized signatories.

Submitted by,

*for* Kate Miller  
Environment Manager

Department Head's Approval:  
  
Brian Dennison, Manager Engineering Services



## STAFF REPORT

REGULAR BOARD MEETING  
JANUARY 14, 2009

**DATE:** January 7, 2009 File No: 7200-01

**FROM:** Daniel Derby, Manager Protective Services

**SUBJECT:** NEW MODEL FOR DELIVERY OF FIRE SERVICES

---

**Recommendations:**

1. That the Regional District endorse the 36 recommendations of the Fire Services Liaison Group (FSLG).
2. That with regard to Element (Recommendation) 32, the Regional District promote and support a proposal by UBCM to request the provincial government to fund mandated training of volunteer firefighters.
3. That the Regional District ensure that Fire Departments current levels of service and financial stability are not adversely affected by any actions in support of this model.

**Purpose:**

To obtain Board of Directors endorsement of recommendations made by the Fire Services Liaison Group in their report entitled "Proposed Fire/Rescue Service Model" (attached).

**Background:**

The FSLG is an organization funded by the Office of the Fire Commissioner. In early 2007 the FSLG launched a major project funded by the provincial government to develop recommendations to improve the Fire/Rescue system. A working group consisting of representatives of the various fire-related professional associations developed a new proposed Fire Service Model. The model recognizes that fire departments do much more than fight fires, investigate fires, and perform fire inspections; however fire rescue and emergency services represent the majority of calls for many departments. The model recommends governance changes for the province-wide system that recognizes the full range of fire and rescue services. It recognizes the existence of service gaps; the need for equipment standardization, improving

compliance of competency standards, leadership, and management training; and recognizes that these services should fall under the authority of local or regional government wherever possible. As well, it recognizes that the suggestions cannot be implemented without adequate resources in the Fire Commissioner's Office and additional resources for Fire Departments. I have carefully reviewed the model and I fully support the recommendations.

Submitted by,



Daniel Derby  
Manager Protective Services

/bw

Attachment: UBCM Member Notice – Report on New Model for Delivery of Fire Services.



## **MEMBER NOTICE**

**TO: Mayor and Council  
Chair and Regional Board  
Administrator**

**FROM: Gary MacIsaac, Executive Director**

**DATE: December 18, 2008**

**RE: REPORT ON NEW MODEL FOR DELIVERY  
OF FIRE SERVICES**

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This memorandum is being forwarded to UBCM member local governments for your input. We would appreciate any comments or suggestions you may have concerning the report.

The Fire Services Liaison Group (FSLG – Fire Services Model Project) has released a draft report on its new model for the delivery of fire services. The FSLG is looking to obtain input on the report by January 31, 2009, so that it consider potential changes and fine tune the report.

Attached is a list of the 36 recommendations made in the report. A copy of the draft report prepared by the Fire Services Liaison Group entitled “Proposed Fire/Rescue Service Model” can be found on the UBCM web page: [www.civicnet.bc.ca](http://www.civicnet.bc.ca).

If you or your local government has any comments or input related to the information, please forward your comments to Ken Vance at the UBCM office in Richmond at 604-270-8226 (ext. 114) or at [kvance@civicnet.bc.ca](mailto:kvance@civicnet.bc.ca).

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## RECOMMENDATIONS – PROPOSED FIRE / RESCUE SYSTEM MODEL

### *ELEMENT 1: ESTABLISH COMMON VISION*

#### **RECOMMENDATION**

The following vision statement should be adopted by the Fire / Rescue System in British Columbia:

*"To have a competent level of fire and emergency services that is supported by sustainable resources for all residents of and visitors to the province of British Columbia"*

### *Element 2: Fire Service is the "Fire / Rescue System"*

#### **RECOMMENDATION**

The "Fire Service" should be recognized as the "Fire / Rescue System".

#### **BACKGROUND**

Traditional "fire services" included structural fire suppression, fire investigation, fire inspections, and public education about fire safety. Many departments have added a range of rescue and emergency services, including:

Medical first responder

Road rescue

Hazardous material response

Technical rescue services, including high angle rescue, enclosed space rescue, swift water rescue, etc.

### *Element 3: Local Government Autonomy*

#### **RECOMMENDATION**

The new Model recognizes that the existing policy that provision of fire / rescue services are "permissive" for local governments (i.e., are not mandatory) should be continued.

That is, local governments (i.e., municipalities and regional districts) may determine:

If they wish to establish or maintain a fire / rescue department

The form and nature of any fire / rescue department they may decide to establish, e.g., career or volunteer, internal department or contracted services

The range of fire and rescue services that the department will provide

The service areas where fire and other services are to be provided

The response time targets for providing fire and rescue services

Funding and funding mechanisms

#### **BACKGROUND**

Local governments retain their autonomy about decisions regarding whether and where fire and rescue services will be delivered within their jurisdictions and how such services

will be funded. In particular, local governments are free to decide not to provide such services.

The Fire Services Liaison group strongly recommends that local governments ensure all incorporated communities have, at a minimum, a fire / rescue department capable of mounting an exterior attack on structure fires.

Local government autonomy does not extend to mandated standards for firefighter safety and training. This restriction on local autonomy is a continuation of the present situation.

*Element 4: Local Government Responsibility for Fire / Rescue Departments*

**RECOMMENDATION**

Municipalities should be responsible for all fire / rescue departments within their jurisdictions, other than industrial, federal government, and First Nations departments. Regional districts should be responsible for all other fire / rescue departments (except industrial, federal, and First Nations departments).

The Fire Services Liaison Group recognizes this element of the proposed Model will require a long time to achieve. It is important that local governments have the time needed to effect this change in an orderly manner. However, the principle that fire / rescue services are provided by government is an important one that should guide the ongoing evolution of the Fire / Rescue System.

**RESPONSIBILITY**

Local governments are responsible for local fire / rescue departments

Provincial government should amend the *Fire Services Act* and other enactments as necessary to provide statutory support for this element

*ELEMENT 5: TRANSPARENCY AND ACCOUNTABILITY*

**RECOMMENDATION**

Local government (i.e., municipalities and regional districts) should, for each fire / rescue department in their jurisdiction (other than industrial, federal, and First Nations departments), annually publish service plans that document the fire and rescue services to be provided, the zone or zones where the services will be delivered, and the response time targets for each service. Fire / rescue department service plans should be public documents.

**RESPONSIBILITY**

The provincial government is responsible for mandating local government responsibility for fire / rescue departments

Local governments are accountable for service provision decisions

*ELEMENT 6: AMEND THE FIRE SERVICES ACT*

**RECOMMENDATION**

As part of its existing plans to revise and update the *Fire Services Act*, the provincial government should include amending the Act to enable implementation of the proposed Fire / Rescue System Model.

*Element 7: Establish a Fire Services Advisory Board*

**RECOMMENDATION**

A Fire Services Advisory Board ("FSAB") should be appointed to provide province-wide policy leadership and coordination for the Fire / Rescue System. The board should consist of representatives of stakeholders with operating or governance roles in the Fire / Rescue System. The Fire Services Advisory Board should be chaired by the Fire Commissioner. The Board should be permanent, meet regularly and be appropriately funded.

*Element 8: Fire Commissioner Mandate to Include Rescue Services*

**RECOMMENDATION**

The Fire Commissioner's advisory/coordination mandate should be expanded to include the full range of rescue services in addition to fire services.

*Element 9: Education of Stewards*

**RECOMMENDATION**

The Office of the Fire Commissioner and the Fire Services Advisory Board should develop educational material for local government officials on fire and rescue related issues.

**RESPONSIBILITY**

The Fire Services Advisory Board should create a working group from the Fire / Rescue System and local governments to develop educational materials

The Union of British Columbia Municipalities should make the educational materials available to local government elected officials and managers

*Element 10: OFC Research Role*

**RECOMMENDATION**

The Office of the Fire Commissioner should research fire, rescue and emergency services trends and issues to develop a fact base for effective Fire / Rescue System decision-making.

*Element 11: Gaps in Service Coverage*

**RECOMMENDATION**

Decisions about where services are provided and where they are not should be documented by the Office of the Fire Commissioner and made available to the emergency services and public safety community and to the public.

*Element 12: Services Provided to Provincial Agencies*

**RECOMMENDATION**

The provincial government and the Fire Services Advisory Board should undertake a joint study to examine the impact on fire / rescue departments of services provided to provincial government agencies and areas under provincial government jurisdiction along with the compensation paid for these services.

The results of the joint study should form the basis for ensuring the relationships are appropriately beneficial to both parties for each service.

*Element 13: Improved Liability Protection***RECOMMENDATION**

Fire / rescue departments, their personnel, their local municipal and regional district administrators and elected officials should be protected against liability claims or actions arising from the good faith performance of their functions, duties or powers. This is particularly important to smaller departments when providing out-of-boundary service.

*Element 14: Work with BC Ambulance Service to Reduce Gaps***RECOMMENDATION**

The Fire / Rescue System and the B.C. Ambulance Service should develop a joint strategy to reduce performance gaps in emergency medical first responder service, especially in northern B.C. and rural areas. This project should consider both risks to public safety (as a result of gaps in coverage) and efficiency considerations (i.e., which agencies can most cost effectively reduce risks to public safety).

*Element 15: Local Fire Bylaws***RECOMMENDATION**

The provincial government should support local governments in enactment of bylaws covering fire prevention, fire detection, fire mitigation, and building codes, including sprinkler systems and other mitigation strategies.

*Element 16: Improve Fire Investigation***RECOMMENDATION**

The fire investigation system should be reengineered to ensure that investigations in all communities are timely and appropriate.

*Element 17: Improve Fire Inspection***RECOMMENDATION**

The fire inspection system should be reengineered to ensure that inspections are appropriately undertaken in all communities, are efficiently delivered, and to address liability concerns. In particular, an improved fire inspection system should ensure that all schools, hospitals, and other public buildings in the province are inspected.

*Element 18: Improve Public Education***RECOMMENDATION**

A province-wide fire safety public education strategy should be implemented.

*Element 19: Trusted Service Providers***RECOMMENDATION**

Registered and certified fire / rescue departments should be "trusted providers" under the Provincial Emergency Program.

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*Element 20: First Nations & Other Emergency Services Providers***RECOMMENDATION**

The Fire / Rescue System should seek opportunities to cooperate with First Nations fire / rescue organizations and other emergency services providers.

*Element 21: Improving Adherence to Competency Standards***RECOMMENDATION**

The Fire Services Advisory Board and the Fire Commissioner should take immediate action to clarify and specify training standards for fire and rescue services, specifically regarding identification of mandatory requirements. In the longer term, mandatory competency standards should be established for core fire / rescue services.

In particular, the Fire Services Advisory Board and the Fire Commissioner should immediately address the standards that apply to interior firefighting. This standard must consider both the competencies required for interior attack and the current capabilities of the many small fire / rescue departments in the province.

The Fire Services Advisory Board and the Fire Commissioner should also develop a strategy that allows fire / rescue departments, where needed, to improve competencies to adhere to standards.

**RESPONSIBILITY**

Local governments are responsible for ensuring fire / rescue departments upgrade their capabilities to meet mandated standards

The Fire Services Advisory Board is responsible for recommending competency standards to the Fire Commissioner

Caveat: Mandatory standards, especially for interior firefighting, should only be implemented once the training system and funding for volunteers is improved to required levels and departments have had a reasonable opportunity to improve competencies (see Element 32)

*Element 22: Fire / Rescue Department Registration & Certification***RECOMMENDATION**

All fire / rescue departments (other than federal and First Nations departments) should be registered with and certified by the standards enforcement authority.

*Element 23: Improve Training Delivery***RECOMMENDATION**

The system to deliver training to firefighters should be improved in order to ensure all firefighters and fire / rescue departments are able to meet provincially-mandated standards.

*Element 24: Leadership and Management Training***RECOMMENDATION**

A leadership and management training program for fire / rescue departments should be implemented.

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*Element 25: Best Practices Guidelines***RECOMMENDATION**

The Office of the Fire Commissioner and the Fire Services Advisory Board should develop, publish, and promote "best practices" guidelines for fire and rescue services. A best practices guideline for risk assessment / risk management should be an early priority.

*Element 26: Improve Fire / Rescue Information***RECOMMENDATION**

The currency, completeness, and accuracy of information about the Fire / Rescue System and the delivery of its services should be improved.

*Element 27: Improve Interoperability***RECOMMENDATION**

The Fire / Rescue System and local governments should undertake initiatives to improve interoperability. The Fire Services Advisory Board and the Office of the Fire Commissioner should provide leadership to assist departments and local governments in this.

*Element 28: Efficiency Initiatives***RECOMMENDATION**

Fire / rescue departments and local governments should encourage efficiency improvement initiatives in the three different circumstances created by population/development patterns within the province:

The metropolitan Vancouver and Victoria areas

The regional urban / suburban situation (outside of Vancouver and Victoria)

The rural / small communities situation

**RESPONSIBILITY**

Fire / rescue departments and local governments are responsible for finding and implementing efficiency improvements

The Fire Services Advisory Board should work with representatives of local government and the Fire / Rescue System to identify potential efficiency improvement projects

Responsibility for specific projects will depend on the specific projects identified

*Element 29: Communications and Information Management***RECOMMENDATION**

The Office of the Fire Commissioner and the Fire Services Advisory Board should establish a working group to develop specific recommendations for improving communications and information management systems in the Fire / Rescue System. Three phases of work are required to develop a detailed plan are (i) baseline analysis, (ii) gap analysis, and (iii) project definition.

*Element 30: Linked Regional Records Management Systems***RECOMMENDATION**

The provincial government should fund a project to evaluate the feasibility of linked regional records management systems.

*Element 31: Equipment Standardization & Joint Purchasing***RECOMMENDATION**

A purchasing cooperative (or other appropriate legal vehicle) should be established to purchase trucks, equipment, apparatus, etc. on behalf of participating fire / rescue departments.

**RESPONSIBILITY**

Local government is responsible for the equipment standardization

The Fire Services Advisory Board is responsible for developing recommended practices for equipment with the support of the Office of the Fire Commissioner. The Fire Services Advisory Board is also responsible for facilitating the establishment of a purchasing cooperative vehicle

*Element 32: Province to Fund Volunteer Training***RECOMMENDATION**

The provincial government should fund mandated training of volunteer firefighters. The provincial trades training system provides a model that could be applied to volunteer training.

*Element 33: Recruitment / Retention Programs***RECOMMENDATION**

The Fire Services Advisory Board with the support of the Office of the Fire Commissioner should develop volunteer recruitment and retention programs that local governments and fire / rescue departments may adopt.

Local governments should assist departments recruit and retain volunteer firefighters.

*Element 34: Recruitment / Retention Incentives***RECOMMENDATION**

The provincial government should provide tax or other incentives to encourage volunteer firefighter recruitment and retention. Incentives for both volunteers and employers (to release employees to respond to calls) need to be considered. Additionally, incentives should be structured to recruit volunteers from non-traditional groups.

Local governments should also consider providing incentives to volunteer firefighters and their employers.

*Element 35: Local Government Administration and Management Support***RECOMMENDATION**

Local governments should ensure that volunteer fire / departments within their jurisdiction have necessary administrative and management support.

*Element 36: OFC Focus on Small Departments***RECOMMENDATION**

The Office of the Fire Commissioner should create a specific unit to assist small departments address the trends, issues, and challenges within that sector of the Fire / Rescue System.



SR6

## STAFF REPORT

REGULAR BOARD MEETING  
JANUARY 14, 2009

DATE: January 7, 2009

File No.:0550-05

FROM: Daniel J. Derby, Protective Services Manager

SUBJECT: CVRD Volunteer Fire Department Appointments 2009 - 2010

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### Recommendation:

That the Board of Directors approves the following appointments to the CVRD Volunteer Fire Departments:

Honeymoon Bay VFD – Fire Chief, John Rowley – Deputy Fire Chief, Keith Bird  
Malahat VFD – Fire Chief, Dave Balding – Deputy Fire Chief, Rob Patterson  
Mesachie Lake VFD – Fire Chief, Nick Sohye - Deputy Fire Chief, Gary Eve  
North Oyster VFD – Fire Chief, Jason de Jong – Deputy Fire Chief, Jason Layman  
Sahtlam VFD – Fire Chief, Mike Lees – Deputy Fire Chief, Jonathan Hebden  
Youbou VFD – Fire Chief, Orest Smycniuk – Deputy Fire Chief, Stu McKee

all for a 2-year term to expire December 31, 2010.

**Purpose:** To obtain Board of Director's approval for the positions of Fire Chief and Deputy Fire Chief for each of the CVRD Volunteer Fire Departments.

**Background:** CVRD Fire Department Bylaws state that "subject to the Position Posting and Eligibility Program for all CVRD fire departments, the Fire Chief, Deputy Fire Chief and Senior ranking officers shall be appointed by resolution of the Regional Board for a 2-year term."

Submitted by,

Daniel Derby  
Manager, Protective Services

/ge



C·V·R·D

PUBLIC HEARING REPORT  
Bylaws No. 3139 and 3140

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3139 and Zoning Amendment Bylaw No. 3140 (Kaelble), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Monday, November 24, 2008, at the Eagles Hall, 2965 Jacob Road, Duncan, BC, at 7:05 p.m.:

**HEARING DELEGATES** Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora, Chairperson  
Director K. Cossey, Electoral Area B – Shawnigan Lake

Absent:  
Director G. Giles, Electoral Area C – Cobble Hill

**CVRD STAFF PRESENT** Mr. M. Tippet, Deputy Manager, Development Services Department  
Ms. J. Hughes, Recording Secretary, Development Services Department

Members of the Public:  
There were approximately 15 members of the public present.

**CALL TO ORDER** Director L. Duncan, Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present.

**PROCEDURES** Mr. Tippet explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Friday, November 14, 2008 and Wednesday, November 19, 2008) and in the *Leader Pictorial* (Saturday, November 15, 2008 and Wednesday, November 19, 2008) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Mr. Tippet reviewed the proposed Bylaws:  
**Official Community Plan Amendment Bylaw No. 3139** proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490, applicable to Electoral Area E, by redesignating Lot 4, Section 14, Range 6, Quamichan District, Plan 1275, except parts in Plans 9717 and 28381, from Urban Residential to Industrial.

**Zoning Amendment Bylaw No. 3140** proposes to amend CVRD Zoning Bylaw No. 1840, applicable to Area E – Cowichan Station/Sahtlam/Glenora, by rezoning Lot 4, Section 14, Range 6, Quamichan District, Plan 1275,

except parts in Plans 9717 and 28381, from Urban Residential 3 to Light Industrial I-1.

The purpose of Amendment Bylaws 3139 and 3140 is to permit light industrial land uses on the subject lands, which are located in an area that is generally industrial. The subject lot was shown on a map on the wall.

Mr. Tippet stated that no letter of response had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office on November 24, 2008 at 4:30 pm.

**Correspondence**

No correspondence was received.

**Location of File**

Director Duncan advised that the Information Binder was available for review on the side table, along with copies of the proposed Amendment Bylaws and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

**APPLICANT,  
Cliff Kaelble**

Mr. Kaelble was not present at the Public Hearing.

**QUESTION  
PERIOD**

Director Duncan opened the public question period of the Public Hearing. He stated that the Public Hearing Delegates and Staff members could answer questions at this time, and that after the close of the Question Period and the opening of the official Public Hearing there could be no questions taken.

**Len Bakker,  
5323 Miller Road**

➤ Was it a pure accident that the zoning was changed from light industrial to residential or had there been a rezoning application made?

**Mike Tippet**

➤ The Official Community Plan (OCP) and the Zoning Bylaw review process began in 1994 and they were adopted in 1998;  
➤ It could have been a mistake during the Zoning Bylaw review process and it was not the applicant who applied for the change in zoning.

**Len Bakker**

➤ Felt that the property owner must have known that the property had been rezoned.

**Director Duncan**

➤ Felt it probably happened within the CVRD's Mapping Department and that it did not have anything to do with the political side or the Planning Department;  
➤ During an OCP review process if someone wanted their zoning to change they would have had to participate in that process and there would have been a record of it and stated that there is no official record of that ever happening.

**Mike Tippet**

➤ Individual people are not notified when a new Zoning Bylaw is adopted as

- it covers an entire Electoral Area;
- Notification of the new Zoning Bylaw would have only been through newspaper advertisements;
  - The property owner brought forward the issue two years ago to the attention of the CVRD's Electoral Area Services Committee's and the Regional Board instructed Staff to proceed with the subject Amendment Bylaws.
- Tony Raistrick,  
5288 Koksilah Road**
- Felt that the current property owner did not own the subject property at the time the new Zoning Bylaw was adopted as he understood that property was previously owned by Rob Armour.
- Mike Tippett**
- That information was also given to him when he was carrying out hand deliveries a few weeks ago.
- Director Duncan**
- Mr. Armour did not apply to rezone his property from the previous Industrial zoning.
- Peggy LaRoche,  
5329 Miller Road**
- What is on the property at the present time?
- Mike Tippett**
- Subject property has an industrial row building on it, across from GT Collision and Cowichan Rentals is one of the tenants.
- Peggy LaRoche**
- Concerned about too much industrial land being located so close to the River bank.
- Wendy Raistrick,  
5288 Koksilah Road**
- Concerned about more noise coming from the industrial area as it impacts the residential area;
  - Many uses that are carried out during the day time hours are now being carried out during the night time hours and asked what the permitted uses are in the Industrial Zone.
- Mike Tippett**
- Read verbatim the permitted uses from the I-1 Light Industrial Zone.
- Wendy Raistrick**
- Is there an hours of operation for business within that Zone and are they permitted to operate 24 hours per day.
- Director Duncan**
- No hours of operation to regulate Industrial zones and it is expected that a certain amount of noise is generated from Industrial zones;
  - Noise is a difficult subject in an Industrial zone.
- Mike Tippett**
- Presently there is an existing building on the subject property with tenants and noted that use might still carry on but noted that there is always the possibility in the future that the building could be demolished and some other permitted use could take place on that property.

- Wendy Raistrick**
- Level of noise is her concern as noise rises up to the residential area;
  - How is the community protected from noise concerns?
- Peggy LaRoche**
- There should be a law about any of those trees being taken down from Allenby Road as she noted that the more trees that come down the more noise that rises up to the residential areas of Miller Road;
  - Asked if industrial land could be rezoned to residential land as she felt there should be no industry located on the top of the road?
- Mike Tippett**
- Rezoning of industrial lands to residential lands can be done and noted that the Regional Board is currently looking at rezoning industrial land to a mixed residential/commercial in Youbou on the old Youbou mill site.
- Director Duncan**
- There are regulations in place that protect the hillside from the cutting of trees;
  - If the subject building was to burn down or is too old he was not sure if the Regional District would permit a rebuild due to geotechnical issues;
  - New enforcement powers have been given to the CVRD Bylaw Enforcement Officer with the new Ticketing Bylaw and stated that would help if there was any tree cutting;
  - CVRD does not have a Tree Cutting Bylaw but noted that there are regulations in place with regard to tree cutting on that hillside.
- Mike Tippett**
- Why the Regional District cannot enforce development permits is there are no enforcement tools with regard to legislation given by the Province of BC.
- Director Duncan**
- Asked for further questions from the public present with regard to the proposed Amendment Bylaws.
- Eric Monk,  
2997 Phillips Road**
- His property borders Mr. Kaelble's property at the top of the hill and stated that for the past three weeks Mr. Kaelble has been working his machinery on the property and has completely cleared it and stated that he felt nothing will now stop the water from washing that bank away.
  - He asked what will stabilize that property now that it has been cleared off?
  - Felt that the property owner should be made to replant that property with trees.
- Director Duncan**
- Mr. Kaelble owns the buildings down below the bank and stated if the bank fails and destroys the buildings below he would likely not be able to rebuild them.
- Eric Monk**
- As his property borders Mr. Kaelble's property that could affect his property and felt the problem has now been made worse with those clearing of the trees.
- Director Duncan**
- Suggested that he call the CVRD Bylaw Enforcement Officer and make a

- formal complaint as that will help establish a record of activities;
- Every winter something happens on that slope which concerns him greatly.
- Anita Kerber,  
3296 Mt. Sicker  
Road**
- Asked if the subject property owner is not following the bylaw rules at the present time why would the Regional Board even consider changing the zoning in his favour when he does not follow the rules that the rest of the public has to follow?
- Director Duncan**
- Support for or against the rezoning should be made during the formal portion of the Public Hearing.
- Director Cossey**
- The Regional Board cannot rezone an individual they can only rezone land.
- Anita Kerber**
- Felt that the Public Hearing was rezoning the land at the request of the person who owned it.
- Director Cossey**
- Court precedence states that the Regional Board cannot rezone an individual, they could only rezone land.
- Director Duncan**
- Perhaps a more rigorous development permit requirement should be attached to the rezoning.
- Anita Kerber**
- What is the recourse for all the other people who are being affected by his actions by not following the bylaws in place?
  - If rezoned to Light Industrial there is the possibility of more undermining of that bank and stated that she felt the two are intermeshed.
- Wendy Raistrick**
- Concerned that if the CVRD could not do anything with the individual by creating more industrial land could impede the bank further and there could be more noise generated;
  - Felt that a \$100 fine would not be enough to stop someone from cutting down trees.
- Director Cossey**
- The Directors need to know why the public supports or do not support the application.
- Len Bakker**
- Is a person who owns industrial land allowed to take all their rubbish (old cars, tires, etc.) and dump it into a residential area and then be able to rent it out to somebody else?
- Mike Tippett**
- The CVRD does have an Unsightly Premises Bylaw in place and if there are concerns a complaint should be made to the CVRD's Bylaw Enforcement Officer.
- Director Duncan**
- Section 5.15 of the Area E Zoning Bylaw states a landscape screen or fence shall be established as a buffer so that people do not have to view the industrial uses.

- Len Bakker** ➤ The property damage always takes place during the weekends, holidays or times when the CVRD is not open for business.
- Director Duncan** Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3139 and Zoning Amendment Bylaw No. 3140.
- PUBLIC COMMENTS** The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair Duncan reminded the public that the Information Binder was available for review located on the side table, along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.
- Margaret Peggy LaRoche,  
5329 Miller Road** ➤ It is not a good idea to rezone the subject property to Industrial for the reasons of noise, encroachment on the unstable bank and encroachment onto Cowichan River as the River is in very close proximity to the subject property.
- Len Bakker,  
5323 Miller Road** ➤ In principle he has no problem with the rezoning but he would like to see some stricter regulations put in place;  
➤ Concerned about the possibility, in the future, if the building was removed what else would be permitted on that site;  
➤ He does not want to see more chips created from the grinder on the site;  
➤ The Evans property on Koksilah Road is unsightly at the present time and he does not want to see that happen in the future on the subject property;  
➤ If the subject property was an animal hospital or something else that did not make a lot of noise he would not oppose the application.
- Anita Kerber,  
3296 Mt. Sicker Road** ➤ The property should not be rezoned due to the instability of the bank as more work has been carried out on the top of the bank and it could now be more unstable and quite dangerous to the road below and the Cowichan River.
- Director Duncan** ➤ Asked for further comments from the public present with regard to Amendment Bylaws No. 3139 and 3140.
- Wendy Raistrick,  
5288 Koksilah Road** ➤ Against the rezoning due to the fact the ineffectiveness of the Regional District Enforcement with regard to the trees that have been taken down and the bank instability along the road;  
➤ There is no way to enforce regulations effectively in the area and the rezoning should not proceed for public safety.
- Speaker** ➤ Asked if the Public Hearing was for Bylaw No. 3212?
- Director Duncan** ➤ Advised that Public Hearing No. 1 was for Amendment Bylaws No. 3139

and 3140 and Public Hearing No. 3 was for Amendment Bylaw No. 3212.

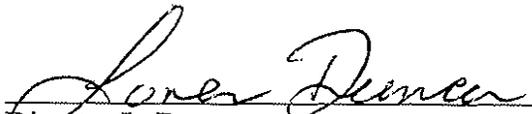
**ADJOURNMENT**

Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3139 and Zoning Amendment Bylaw No. 3140.

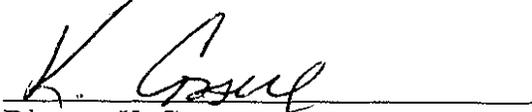
Chairperson Duncan declared the Public Hearing closed at 7:48 pm.

CERTIFICATION:

We attended the Public Hearing on Monday, November 24, 2008, and hereby certify that this is a fair and accurate report of the Public Hearing.

  
Director L. Duncan

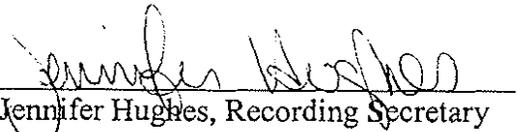
Date Jan 9, 2009

  
Director K. Cossey

Date DEC 19/08

  
Mike Tippett, Deputy Manager

Date 2008/12/16

  
Jennifer Hughes, Recording Secretary

Date DEC 12/08



C·V·R·D

PUBLIC HEARING REPORT  
Bylaws No. 3210 and 3211

Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3210 and Zoning Amendment Bylaw No. 3211 (DEF Autoworld), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Monday, November 24, 2008, at the Eagles Hall, 2965 Jacob Road, Duncan, BC, at 7:49 p.m.:

**HEARING DELEGATES** Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora, Chairperson  
Director K. Cossey, Electoral Area B – Shawnigan Lake

Absent:  
Director G. Giles, Electoral Area C – Cobble Hill

**CVRD STAFF PRESENT** Mr. M. Tippet, Deputy Manager, Development Services Department  
Ms. J. Hughes, Recording Secretary, Development Services Department

Members of the Public:  
There were approximately 15 members of the public present.

**CALL TO ORDER** Director L. Duncan, Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present.

**PROCEDURES** Mr. Tippet explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Friday, November 14, 2008 and Wednesday, November 19, 2008) and in the *Leader Pictorial* (Saturday, November 15, 2008 and Wednesday, November 19, 2008) and letters had also been sent to adjacent owners and occupiers of the property as required by the *Local Government Act*.

Mr. Tippet reviewed the proposed Bylaws:  
**Official Community Plan Amendment Bylaw No. 3210** proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490, applicable to Electoral Area E, by creating a new Koksilah Development Permit Area that would establish conditions for industrial land uses, such as environmental protection, landscaping, building appearance, screening, sign and lighting requirements and similar requirements. Through Bylaw 3210, this new development permit area would only apply to Lot 1, Section 13, Range 6, Quamichan District, Plan 9381.

Official Community Plan Amendment Bylaw No. 3210 would also delete the existing Policy 9.2.2, which only suggests that industrial infill would be supported in the Koksilah Industrial Park, by replacing it with the following wording:

**POLICY 9.2.2**

Infilling of light industrial and mixed commercial/industrial land uses on vacant commercially and industrially-designated sites in the Allenby and Koksilah areas will be encouraged.

**Zoning Amendment Bylaw No. 3211** proposes to amend CVRD Zoning Bylaw No. 1840, applicable to Area E – Cowichan Station/Sahtlam/Glenora, by creating a new variation on the present Commercial 2 Zone, called Commercial 5 – Local Commercial (Special). This new zone would in most respects be identical to the existing C-2 Zone, with the exception that the following uses would also be permitted”

- (1) animal hospital;
- (2) automotive sales and repair.

This zone would only apply to Lot 1, Section 13, Range 6, Quamichan District, Plan 9381, which was indicated on the map on the wall.

The purpose of Amendment Bylaw 3210 and 3211 is to allow two new permitted uses on the subject property in the Koksilah Industrial Park, and to add the subject property to a new development permit area for the Industrial Park.

Mr. Tippett stated that no letter of response had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office on November 24, 2008 at 4:30 pm.

**Correspondence**

The following item was received is attached to the Minutes as an Exhibit:

- 1) Petition dated December 24, 2008 (EXHIBIT 1).

**Location of File**

The Chair advised that the Information Binder was available for review on the side table, along with copies of the proposed Amendment Bylaws and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

**APPLICANT,  
DEF Autoworld/  
Doug Fulton**

Michael Ker was present on behalf of the Applicant, DEF Autoworld/Doug Fulton.

Mr. Ker stated the following:

- He is a local building designer in Duncan at Square One Design;
- He was engaged by the owner of the property to design a building that he is proposing to use for automotive sales office and garage repair;
- He has read the file and noted in the past there were concerns from the

neighbours who opposed the use of the property but noted that the building has been designed to suit the needs of the owner for the intended use of the property;

- The property will also be subject to a new development permit area and the building will be reviewed by several agencies along with the CVRD to ascertain whether it is a development that is attractive and is in scope and scale of the existing neighbourhood;
- Public Hearing is to rezone to a new C-2 Zone not to an Industrial Zone;
- He has copies of the plan with regard to their intentions and what the building will look like;
- Setbacks within the zone are 6 m from the front, side and rear;
- Design incorporates landscape screens and buffers and parking will follow the CVRD's Parking Bylaw regulations;
- There will be an enhancement of the ditch fronting Koksilah Road;
- There is also floodplain requirements within the Koksilah Industrial Park area that they will have to follow and the building will have to be built to conform with floodplain elevations;
- Building is designed to have a small sales office in the front and a small garage in the rear and the entrance to that would be on the offside not facing Koksilah or Allenby it would face the internal property line;
- Also a small accessory residential use would be permitted up top of the building;
- The applicant wants to sell and fix cars from the property;
- Building is a fairly small character style design and it will fit in with the local area;
- Building will have hardy plank siding, asphalt shingles and screened glass which is beyond the concrete block type building.

#### **QUESTION PERIOD**

Director Duncan opened the public question period of the Public Hearing. He stated that the Public Hearing Delegates and Staff members could answer questions at this time, and that after the close of the Question Period and the opening of the official Public Hearing there could be no questions taken.

#### **Speaker**

- Is the front of the building along Koksilah Road or Allenby Road?

#### **Michael Ker**

- Building faces Allenby Road and one side it also faces Koksilah Road but noted that there is no doorways or garage access;
- Car repair entrance way will not be visible;

#### **Tony Raistrick, 5288 Koksilah Road**

- One of his main concerns is if the Ministry of Transportation is taking any property away from them for the possible expansion of the intersection with a third lane as truck traffic is very heavy?
- He subdivided property and lost some of his property to the Ministry of Transportation for sidewalks.

#### **Director Duncan**

- Agreed it is a very dangerous corner;
- Ministry of Transportation is the subdivision authority and they get

involved during the subdivision process and that during the rezoning process they are forwarded the application for their comments.

- Director Cossey** ➤ Asked if the subject property was within 800 m of a controlled highway and noted that if it is the commercial application must be referred to the Ministry of Transportation for review.
- Tony Raistrick** ➤ Not opposed to something going on the site but noted he was concerned about the existing road, traffic congestion and pedestrian safety.
- Michael Ker** ➤ The CVRD may require that the ditch be upgraded.
- Director Duncan** ➤ The ditch is considered to be a fish bearing stream and that will fall under the Riparian Areas Regulations.
- Michael Ker** ➤ All onsite stormwater has to be contained on site and cannot be directed toward the ditch.
- Wendy Raistrick** ➤ In the past there was a store and gas station on site and asked if the ground has been tested for contaminants?
- Mike Tippett** ➤ Prior to making application for rezoning the applicant had to fill out a Site Profile form or declaration and it was forwarded onto the Ministry of Environment's office in Surrey and comments came back from that office to the CVRD that stated the site was remediated to their satisfaction and there was no residual contamination on that site.
- Al Neison,  
5310 Koksilah Road** ➤ A Petition (EXHIBIT 1) was submitted last December to the CVRD and asked if that Petition meant anything at all?  
➤ The Petition was signed in the past by 16 homeowners who opposed the application.  
➤ New property owner purchased the land and knew what the existing zoning was on site.  
➤ The existing zoning was fine with the homeowners;  
➤ If the property owner wanted a garage in an industrial zone he should move his business to Boal Road.
- Director Duncan** ➤ The Petition was received by the CVRD and originally the applicant applied to rezone to Light Industrial and he spoke to the applicant about the concerns, the applicant met with the local Advisory Planning Commission (APC) with regard to his plans and advised after those meetings the applicant changed his plans to rezone from Light Industrial to Commercial;
- Al Neison** ➤ Felt the rezoning is being made specific for the subject property.
- Director Duncan** ➤ Applicant made application for rezoning and the application has been going through the rezoning process.

- Al Neison**
- Felt that once the Petition was received by the CVRD the applicant should have been told there was no hope for rezoning;
  - Intersection is huge concern as many trucks come and go all day and noted at the present time they have a good line of sight both ways.
- Michael Ker**
- Building will be set down quite low on the property.
- Director Duncan**
- If the applicant does not receive rezoning approval he could still put a gas bar or other commercial uses on the site.
- Al Neison**
- Felt that Tim Horton's would be a better use than what was being proposed.
- Director Duncan**
- Stated that the submitted Petition was paid attention to and not discounted.
- Gindo Dodd,  
5303 Koksilah Road**
- Asked if a paint shop would be permitted on site as he lives on the backside of the subject property.
- Director Duncan**
- A body shop is not permitted under the proposed Zone.
- Tom Mattin,  
5305 Koksilah Road**
- Asked if the applicant would be permitted a paint booth on site that would generate paint fumes?
- Director Duncan**
- A paint boot was not a permitted use under the proposed Zone.
- Wendy Raistrick**
- If the subject property will be used as an auto sales building will there be another access off Koksilah Road?
- Michael Ker**
- Designated road access is off the Allenby Road side and the property will be fenced along two sides keeping Allenby and Koksilah frontages open;
- Wendy Raistrick**
- Presently that is an extremely busy and dangerous intersection;
  - She would also like to see a sidewalk put alongside the road for public safety.
- Len Bakker,  
5323 Miller Road**
- Asked if the floodplain level was 100 year or 200 year and how high the building will be built up?
- Michael Ker**
- According to CVRD floodplain elevation map it is 13.0 m elevation geodetic about sea level;
  - They had a surveyor plot the corner elevations and they have benchmarked the hydro pole on the corner and stated that benchmark has 13 m height indicated on it;
  - 200 year flood and maximum projected height of that flood is 13 m.;
  - All foundations below that level are concrete including the sidewalls of the crawlspace in the garage because if it ever flooded the wood structure and

insulation is not inundated and noted that another requirement for the floodplain is that there be no electrical or mechanical installed below that level.

- Len Bakker** ➤ Felt the building will be high and cause a visibility problem on the corner.
- Michael Ker** ➤ 13 m is not the height of the building it is the elevation of the 200 year flood waters;
- Director Duncan** ➤ In the Industrial Zone there is a 0 lot line setback and stated that the neighbourhood objected to that 0 lot line setback;
- Bee Woywitka,  
2922 Allenby Road** ➤ Her property is located adjacent to the subject property to the east;  
➤ One of her past concerns was the leaching of contamination over onto her property.
- Mike Tippett** ➤ Ministry of Environment dealt with the remediation process and the Ministry's Surrey office has stated it is fine as far as they are concerned;  
➤ Noted that a property in Lake Cowichan has been going through a lengthy remediation process.
- Bee Woywitka** ➤ Asked if there is something in the Bylaw to make sure there is no future seepage of oils onto their property.
- Mike Tippett** ➤ The subject property will also fall within a Development Permit Area and stated that there would have to be containment of vehicle fluids in place to make sure it does not leave the building.
- Michael Ker** ➤ The CVRD's Staff Report mentions that Ministry of Environment would like an Environmental Technician on site when they carry out the site excavation.
- Director Cossey** ➤ Stated that past contamination could be applied under an Environmental Tort but noted that is out of the CVRD's jurisdiction.
- Bee Woywitka** ➤ Asked if the proposed setbacks are the same as the other properties along Allenby Road?
- Michael Ker** ➤ Stated that setbacks within the proposed zone are 6 m as compared to adjacent industrial parcels that have 0 lot line setbacks.
- Director Duncan** Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3210 and Zoning Amendment Bylaw No. 3211.
- PUBLIC  
COMMENTS** The Public Hearing was then opened to those members of the public present who deemed themselves affected by the proposed Amendment Bylaws. Chair

Duncan reminded the public that the Information Binder was available for review located on the side table, along with copies of the proposed Amendment Bylaws, and that all submissions must be received at the head table prior to the close of the Public Hearing.

**Al Neison,  
5310 Koksilah Road**

➤ His concern was with regard to the previously submitted Petition to the CVRD as he noted they want to keep the zoning as it is and not change the zoning.

**Bee Woywitka**

➤ No objection to the proposed building as it would be a big improvement on site;  
➤ Pleased with the proposed design, setbacks and height;  
➤ Thanked for the confirmation that the excavation will be watched carefully.

**Wendy Raistrick,  
5288 Koksilah Road**

➤ As a residential property owner she has concerns with regard to the congestion at the corner of Koksilah Road and Allenby Road and access onto Koksilah Road;  
➤ Access needs to be addressed off Allenby Road only.

**Director Duncan**

➤ Asked for further comments from the public present with regard to the proposed Amendment Bylaws.

**Len Bakker,  
5223 Miller Road**

➤ If 16 people who live very close to the subject property have signed a Petition requesting no change is made to the existing Bylaw he would recommend that the Directors look very seriously at that Petition before making any decision on the rezoning.

**Director Duncan**

➤ Asked for comments a 1<sup>st</sup> and 2<sup>nd</sup> time with regard to Official Community Plan Amendment Bylaw No. 3210 and Zoning Amendment Bylaw No. 3211.

**Al Neison**

➤ If the rezoning is approved he has no animosity against the property owner.

**Tony Raistrick**

➤ Concerned about traffic patterns, width of traffic lanes, width of the corner and the possibility for a third lane at the corner.

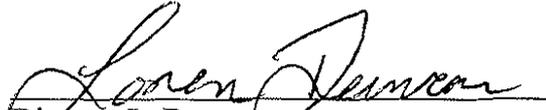
**ADJOURNMENT**

Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3210 and Zoning Amendment Bylaw No. 3211.

Chairperson Duncan declared the Public Hearing closed at 8:39 pm.

CERTIFICATION:

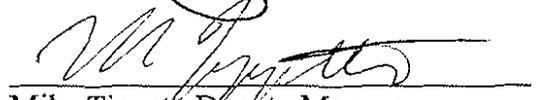
We attended the Public Hearing on Monday, November 24, 2008, and hereby certify that this is a fair and accurate report of the Public Hearing.

  
Director L. Duncan

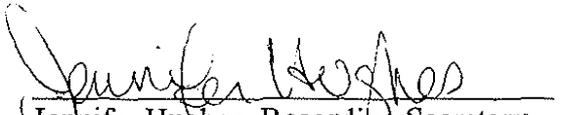
Date Jan 9, 2009

  
Director K. Cossey

Date Dec 19/08

  
Mike Tippett, Deputy Manager

Date 2008/12/16

  
Jennifer Hughes, Recording Secretary

Date Dec 12/08



**PUBLIC HEARING REPORT**  
**Bylaw No. 3212**

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Following is a summary of the proceedings of the Public Hearing for Official Community Plan Amendment Bylaw No. 3212 (Koksilah DPA), applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora, held on Monday, November 24, 2008, at the Eagles Hall, 2965 Jacob Road, Duncan, BC, at 8:40 p.m.:

**HEARING  
DELEGATES**

Director L. Duncan, Electoral Area E – Cowichan Station/Sahtlam/Glenora,  
Chairperson  
Director K. Cossey, Electoral Area B – Shawnigan Lake

Absent:

Director G. Giles, Electoral Area C – Cobble Hill

**CVRD STAFF  
PRESENT**

Mr. M. Tippett, Deputy Manager, Development Services Department  
Ms. J. Hughes, Recording Secretary, Development Services Department

Members of the Public:

There were approximately 12 members of the public present.

**CALL TO ORDER**

Director L. Duncan, Chaired the Hearing and called the meeting to order. The Chairperson introduced the Hearing Delegates and CVRD Staff present.

**PROCEDURES**

Mr. Tippett explained the requirements under Section 890 of the *Local Government Act*. He advised that notice of the Hearing was advertised in two consecutive issues of the *Citizen* (Friday, November 14, 2008 and Wednesday, November 19, 2008) and in the *Leader Pictorial* (Saturday, November 15, 2008 and Wednesday, November 19, 2008) as required by the *Local Government Act*.

Mr. Tippett reviewed the proposed Bylaws:

**Official Community Plan Amendment Bylaw No. 3212** proposes to amend Cowichan-Koksilah Official Community Plan Bylaw No. 1490, applicable to Electoral Area E, by adding all industrial and commercially-zoned lands in the Koksilah Industrial Park to the new Koksilah Development Permit Area. For those parcels in the Koksilah Industrial Park that are presently in the Trans-Canada Highway Development Permit Area, the latter would be repealed so the affected parcels of land are only subject to one development permit area for the form and character of commercial and industrial development. The subject lands were indicated on the wall map in a yellow colour.

The purpose of Amendment Bylaw 3212 is to introduce throughout the Koksilah Industrial Park a single development permit area for the form and character of development. At the present time, only portions of this Industrial Park that are within 200 metres of the Trans-Canada Highway are subject to a development permit area. Having a single development permit area that applies throughout the Industrial Park should improve, through time, the appearance and quality of development in this area.

Mr. Tippett stated that one (1) letter of response had been received at the CVRD office from the date the advertising was placed within the local newspapers to the close of the CVRD office on November 24, 2008 at 4:30 pm.

**Correspondence**

The following item was received and is attached to the Minutes as an Exhibit:

- 1) Letter dated November 20, 2008, from Reena Parhar, Parhar Group (EXHIBIT 1).

**Location of File**

The Chair advised that the Information Binder was available for review on the side table, along with copies of the proposed Amendment Bylaw and advised that any letters or submissions which were to be included as part of the Public Hearing record must be received at the front table prior to the close of the Public Hearing.

**APPLICANT**

Director Duncan advised that the CVRD is the Applicant.

**QUESTION PERIOD**

Director Duncan opened the public question period of the Public Hearing. He stated that the Public Hearing Delegates and Staff members could answer questions at this time, and that after the close of the Question Period and the opening of the official Public Hearing there could be no questions taken.

**Tony Raistrick,  
5288 Koksilah Road**

- Asked if Mr. Kaelble's property would fall within the proposed Development Permit Area?

**Mike Tippett**

- If Mr. Kaelble's property is rezoned that property would be part of the Development Permit Area.

**Tony Raistrick**

- There is an already existing lighting problem from Mr. Kaelble's property and that light is directed right down the road into people's eyes which should be addressed.

**Director Duncan**

- Stated that when Bylaw No. 3212 is forwarded to the Board for Third Reading he would like to see the following amendment made to it:  
"Section 13.8.4 – The entire Development Permit Area sits upon a valuable drinking water aquifer. Applicants should submit a plan on how they shall protect the resource."

“13.8.6 – A-3 (2<sup>nd</sup> Bullet)

Building elevation drawings complete with architectural features and landscape drawings.”

- Margaret LaRoche, 5329 Miller Road** ➤ Firmly believes there should be no industrial zoning above the bank.
- Director Duncan** ➤ Existing Official Community Plan (OCP) was adopted in 1994 and he believes it is a very strong OCP but noted that he is hoping to start the OCP planning review process in 2010;  
➤ The OCP review is fairly intense and it will take over one year to complete.
- Wendy Raistrick** ➤ Asked if the public is invited to be involved in the OCP review process?
- Director Duncan** ➤ The public is involved and it is a major review process of the OCP.
- Mike Tippett** ➤ Industrial zoning going up the bank is something that will be reviewed during that OCP review process.
- Wendy Raistrick** ➤ There is no place for people to walk safely in the area and asked if Allenby Road could be looked at for making it safer for pedestrians.
- Mike Tippett** ➤ That would be looked at during the guidelines of the Development Permit Area process;  
➤ Over time there is hope to eventually piece something together for safe pedestrian access.
- Wendy Raistrick** ➤ No safe place to walk or ride along Allenby Road and also noted that the side of the road has large holes.
- Mike Tippett** ➤ A municipality builds their own roads and sidewalks and in the Regional Districts the Provincial Crown owns the roads and stated that they do not like sidewalks;  
➤ Ministry of Transportation will support a walking path rather than a conventional sidewalk;  
➤ The Regional District wishes they had the same ability to put in sidewalks in some areas for safe pedestrian routes.
- Director Cossey** ➤ The CVRD could set up a Subdivision Servicing Bylaw which requires an applicant to carry out curb/gutter sidewalks but noted that the CVRD does not approve roads that approval would have to come from the Ministry of Transportation and noted that they normally do not approve those requests.
- Wendy Raistrick** ➤ Lots of people ride their bikes along that roadway and stated it is very dangerous.

- Director Cossey**           ➤ If a person is concerned about road safety those concerns should be directed to the Ministry of Transportation.
- Tony Raistrick**           ➤ He is concerned about the land on the other side of the Highway along Boys Road and contamination into the River.
- Director Duncan**           ➤ That property has been looked at closely and there have been improvements and on that property.
- Frank Pierce,  
5131 Elliott Road**           ➤ Owns property on Polkey Road.  
➤ Presently their property is subject to the 200 year floodplain regulations and asked how he can re-beautify his property;  
➤ Noted that they want to upgrade their hydro but noted that Hydro stated they cannot go underground.
- Director Duncan**           ➤ That property looks at drainage more than anything;  
➤ How to make a ditch aesthetically pleasing that now has fish in it is a very challenging thing to do;  
➤ As infill continues into existing residential areas there will be further drainage issues and the CVRD is trying to get a handle on it;  
➤ Containment of water on property is also a big issue instead of putting it back into the ditches.
- Mike Tippett**           ➤ Guidelines are within a Development Permit Area and each site is closely reviewed;
- Frank Pierce**           ➤ Asked where landscaping could occur on the site?
- Mike Tippett**           ➤ From the street and possibly next to a stream  
➤ Common sense process and development permit guidelines are reviewed to see if it is a reasonable proposal or not.
- Director Duncan**           ➤ A very good example of property is GT Collision's property and noted that Mr. Stevens has done a very good job with his property.
- Len Bakker**           ➤ Last year GT Collision was flooded from the removal of the trees from the bank.
- Director Duncan**           ➤ Believes that the proposed Development Permit Area will help address some of the water issues.
- Frank Pierce**           ➤ If a Development Permit Area is in place a geo-technical process has to be carried out during the building permit process.
- Director Duncan**           Asked for further questions from the public present regarding Official Community Plan Amendment Bylaw No. 3212.

**PUBLIC  
COMMENTS**

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

**Len Bakker,  
5323 Miller Road**

➤ Totally in favour of the proposed Amendment Bylaw.

**Al Neison,  
Koksilah Road**

➤ Looking forward to seeing the CVRD have real controls over the Industrial Park.

**Frank Pierce**

➤ In support of the Bylaw as long as it is realistic.

**Wendy Raistrick,  
5288 Koksilah Road**

➤ In favour of the proposed Bylaw with the hope that it improves the pedestrian walkways for people living in the Koksilah Road and Allenby Road areas.

**Margaret LaRoche,  
5329 Miller Road**

➤ 95 percent in favour of the proposed Bylaw but noted that she would like to see the piece of property above the bank out of that industrial area.

**Bee Woywitka,  
2922 Allenby Road**

➤ Likes the spirit of the Development Permit Area but she hoped that the Development Permit Area is applied with common sense and not as a blanket.

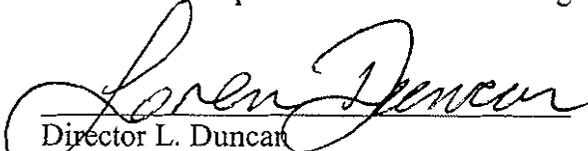
**ADJOURNMENT**

Chairperson Duncan asked for public comments or submissions three times from the public present regarding Official Community Plan Amendment Bylaw No. 3212.

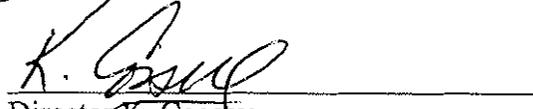
Chairperson Duncan declared the Public Hearing closed at 9:19 pm.

CERTIFICATION:

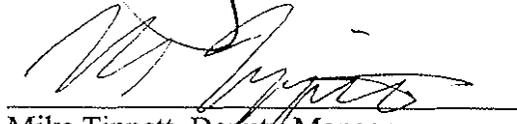
We attended the Public Hearing on Monday, November 24, 2008, and hereby certify that this is a fair and accurate report of the Public Hearing.

  
\_\_\_\_\_  
Director L. Duncan

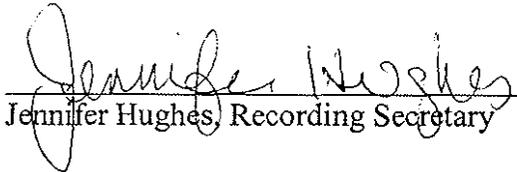
Date Jan 9, 2009

  
\_\_\_\_\_  
Director K. Cossey

Date DEC 19/08

  
\_\_\_\_\_  
Mike Tippett, Deputy Manager

Date 2008/12/16

  
\_\_\_\_\_  
Jennifer Hughes, Recording Secretary

Date Dec 12/08



C·V·R·D

B1

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3160**

**A Bylaw to Establish a Service to Provide an Annual Financial Contribution to the Cowichan Women Against Violence Society for the Safer Futures Program.**

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**WHEREAS** pursuant to Sections 796 and 800 of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district;

**AND WHEREAS** the Board of the Cowichan Valley Regional District wishes to establish an annual financial contribution service to assist the Cowichan Women Against Violence Society with programming and service delivery costs for the Safer Futures Program, within the Cowichan Valley Regional District;

**AND WHEREAS** the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

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

1. **CITATION**

This Bylaw may be cited for all purposes as "**CVRD Bylaw No. 3160 – Safer Futures Program Annual Financial Contribution Service Establishment Bylaw, 2008**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to the Cowichan Women Against Violence Society with programming and service delivery costs for the Safer Futures Program, within the Cowichan Valley Regional District. The service shall be known as the "Safer Futures Program Annual Financial Contribution Service".

3. **BASIS OF CONTRIBUTION**

Any funds awarded to the Cowichan Women Against Violence Society for the Safer Futures Program will be based on budget submissions that detail programming costs in each and every year that the contribution is available.

4. SERVICE AREA BOUNDARIES

The boundaries of the service area are: the City of Duncan; the District of North Cowichan, the Town of Ladysmith; and Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Sahtlam/Glenora/Cowichan Station; and G – Saltair/Gulf Islands.

5. PARTICIPATING AREA

The participating areas for this service are: the City of Duncan; the District of North Cowichan; the Town of Ladysmith; and Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Sahtlam/Glenora/Cowichan Station; and G – Saltair/Gulf Islands.

6. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area.

7. MAXIMUM REQUISITION

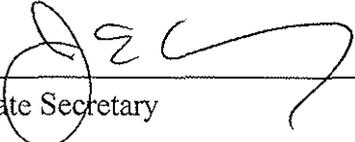
The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$40,000. or an amount equal to the amount that could be raised by a property value tax of \$.0039 per \$1,000. of net taxable value of land and improvements within the service area.

READ A FIRST TIME this 13<sup>th</sup> day of August, 2008.

READ A SECOND TIME this 13<sup>th</sup> day of August, 2008.

READ A THIRD TIME this 13<sup>th</sup> day of August, 2008.

I hereby certify this to be a true and correct copy of Bylaw No. 3160 as given Third Reading on the 13<sup>th</sup> day of August, 2008.

  
Corporate Secretary

AUGUST 18, 2008  
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 24<sup>th</sup> day of October, 2008.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008. 9

Chairperson

Corporate Secretary



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3185**

**A Bylaw to Establish a Reserve Fund for the  
Bald Mountain Street Lighting System**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Bald Mountain Street Lighting System Service Area* under the provisions of CVRD Bylaw No. 3181, cited as "CVRD Bylaw No. 3181 – Bald Mountain Street Lighting System Service Establishment Bylaw, 2008";

**WHEREAS** the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

**AND WHEREAS** the Board wishes to establish a Reserve Fund to be used for the purposes of maintenance of the Bald Mountain Street Lighting System;

**NOW THEREFORE** the Board of the Cowichan Valley Regional District enacts as follows:

**1. CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3185 – Bald Mountain Street Lighting System Reserve Fund Establishment Bylaw, 2008**".

**2. ESTABLISHMENT OF FUND**

A Reserve Fund to be known as the "Bald Mountain Street Lighting System Reserve Fund" is hereby established.

**3. PAYMENTS INTO FUND**

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Reserve Fund.

**4. EXPENDITURES FROM FUND**

- a) Money in the Reserve Fund, and interest earned on it, shall only be used for expenditures relating to maintenance of the Bald Mountain Street Lighting System Service Area.

.../2

b) The expenditures of funds in the Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3186**

**A Bylaw to Authorize the Preparation of a  
Parcel Tax Roll for the Bald Mountain Street Lighting System**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Bald Mountain Street Lighting Service Area* under the provisions of CVRD Bylaw No. 3181, cited as "CVRD Bylaw No. 3181 – Bald Mountain Street Lighting Service Establishment Bylaw, 2008";

**AND WHEREAS** the Board of the Cowichan Valley Regional District is empowered under Section 803 of the *Local Government Act* and Section 5 of CVRD Bylaw No. 3181 to recover annual servicing costs by imposing a parcel tax on lands within the service area;

**AND WHEREAS** it is deemed desirable and expedient to impose a parcel tax on land benefiting from such service to meet such costs;

**AND WHEREAS** for the purpose of imposing a parcel tax the Board must, pursuant to Section 806.1 of the *Local Government Act*, provide for the preparation of a parcel tax roll for the service area;

**NOW THEREFORE** the Board of the Cowichan Valley Regional District enacts as follows:

**1. CITATION**

This bylaw may be cited as "**CVRD Bylaw No. 3186 – Bald Mountain Street Lighting Parcel Tax Roll Bylaw, 2009**".

**2. DEFINITIONS**

In this bylaw, unless the context otherwise requires:

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

.../2

**3. PREPARATION OF PARCEL TAX ROLL**

Beginning in the year 2009 and annually thereafter, a parcel tax roll shall be prepared in accordance with Division 4 of Part 7 of the *Community Charter* and will include all parcels of land within the boundary of the Bald Mountain Street Lighting Service Area.

**4. BASIS OF PARCEL TAX**

The said parcel tax shall be imposed on the basis of a single amount for each parcel.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3187**

**A Bylaw to Establish a Capital Reserve Fund for the  
Bald Mountain Sewer System**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established the *Bald Mountain Sewer System Service Area* under the provisions of CVRD Bylaw No. 3179, cited as "CVRD Bylaw No. 3179 – Bald Mountain Sewer System Service Establishment Bylaw, 2008";

**WHEREAS** the *Local Government Act* and *Community Charter* empower regional districts to establish reserve funds for specified purposes;

**AND WHEREAS** the Board wishes to establish a Capital Reserve Fund to be used for the purposes of constructing, altering, extending, replacing and/or upgrading the works of the Bald Mountain Sewer System;

**NOW THEREFORE** the Board of the Cowichan Valley Regional District enacts as follows:

**1. CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3187 – Bald Mountain Sewer System Capital Reserve Fund Establishment Bylaw, 2008**".

**2. ESTABLISHMENT OF FUND**

A Capital Reserve Fund to be known as the "Bald Mountain Sewer System Capital Reserve Fund" is hereby established.

**3. PAYMENTS INTO FUND**

Money from current revenues or, as available, from general revenue surplus or as otherwise provided by law may be paid into the Capital Reserve Fund.

**4. EXPENDITURES FROM FUND**

- a) Money in the Capital Reserve Fund, and interest earned on it, shall only be used for expenditures relating to constructing, altering, extending, replacing and/or upgrading the work in the Bald Mountain Sewer System Service Area.

.../2

b) The expenditures of funds in the Capital Reserve Fund shall be authorized by bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3197**

**A Bylaw to Authorize the Borrowing of Seven and a Half Million Dollars  
(\$7,500,000) to Renovate the Cowichan Lake Sports Arena**

---

**WHEREAS** the Board of Directors of the Cowichan Valley Regional District established the Cowichan Lake Sports Arena service area under the provisions of "CVRD Bylaw No. 2316 – Cowichan Lake sports Arena Service Establishment Bylaw, 2002".

**AND WHEREAS** the Board of Directors deems it desirable and expedient to renovate the Cowichan Lake Sports Arena;

**AND WHEREAS** the estimated cost of renovating the Cowichan Lake Sports Arena, including expenses incidental thereto, is the sum of Seven and a Half Million Dollars (\$7,500,000) which is the maximum amount of debt intended to be created by this bylaw;

**AND WHEREAS** the maximum term for which a debenture may be issued to secure the debt created by this bylaw is for a term not to exceed twenty (20) years;

**AND WHEREAS** the authority to borrow under this bylaw expires five years from the date on which this bylaw is adopted;

**AND WHEREAS** the Board of Directors of the Cowichan Valley Regional District has obtained the assent of the electors by referendum pursuant to Section 801.2 of the *Local Government Act*;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3197 – Cowichan Lake Sports Arena Renovation Loan Authorization Bylaw, 2008**".

2. **LOAN AUTHORIZATION**

The Cowichan Valley Regional District is hereby empowered and authorized to undertake and carry out or cause to be carried out the renovation of the Cowichan Lake Sports Arena and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

- a) To borrow upon the credit of the Regional District a sum not exceeding Seven and a Half Million Dollars (\$7,500,000) for the renovation of the Cowichan Lake Sports Arena.
- b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the renovation of the Cowichan Lake Sports Arena.

3. **TERM OF DEBENTURES**

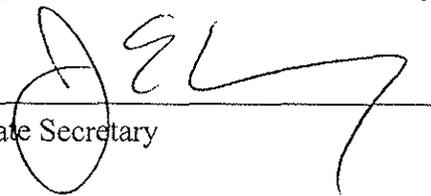
The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is twenty (20) years;

READ A FIRST TIME this 13<sup>th</sup> day of August, 2008.

READ A SECOND TIME this 13<sup>th</sup> day of August, 2008.

READ A THIRD TIME this 13<sup>th</sup> day of August, 2008.

I hereby certify this to be a true and correct copy of Bylaw No. 3197 as given Third Reading on the 13<sup>th</sup> day of August, 2008.

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

AUGUST 15, 2008  
 \_\_\_\_\_  
 Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 9<sup>th</sup> day of September, 2008.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008. **9**

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3243**

**A Bylaw to Amend CVRD Bylaw No. 2943 – Environment Commission Bylaw, 2007**

---

**WHEREAS** the Board of the Cowichan Valley Regional District established an Environment Commission under the provisions of "CVRD Bylaw No. 2943 – Environment Commission Bylaw, 2007";

**AND WHEREAS** the Board wishes to amend CVRD Bylaw No. 2943 to make changes to the membership composition; term of office; and responsibilities;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3243 – Environment Commission Amendment Bylaw, 2009**".

2. **AMENDMENTS**

That CVRD Bylaw No. 2943 be amended as follows:

**a) That Section 3 be deleted and replaced with the following:**

"The Commission shall consist of fifteen members, as follows:

- a) Three Commission members shall be Directors of the Cowichan Valley Regional District.
- b) One Commission member shall represent First Nations in the CVRD.
- c) Ten Commission members shall be drawn from applicants in response to advertising and shall represent citizens, environmental professionals, community groups, organizations and/or sectors concerned with environmental sustainability within the Cowichan Valley Regional District.
- d) One Commission member shall represent the CVRD Economic Development Commission.
- e) All Commission members shall be appointed by the Board.

.../2

**b) That Section 4 be deleted and replaced with the following:**

- a) The term of office for the ten Commission members who are drawn from applicants in response to advertising shall be two years. However, in calendar year 2009, five members shall be appointed to a term expiring December 31, 2009 and the other five members shall be appointed to a term expiring December 31, 2010.
- b) In the event of an appointment vacancy, a replacement appointee shall be appointed for the otherwise unexpired term of appointment.
- c) The Board may remove from membership any member who has failed to attend three consecutive Commission meetings without good cause.

**c) That Section 6 d) be deleted and replaced with the following:**

- d) Monitor and advance implementation of the CVRD Environmental Strategic Plan and report annually, or as required, to the Board.

**d) That the following Section 10 be added:**

- 10. That the Chief Administrative Officer for the CVRD be accountable for implementation of the CVRD Environmental Strategic Plan as approved by the Board.”

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3101**

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

---

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

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

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

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

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3101 - Area I – Youbou/Meade Creek Official Community Plan Amendment Bylaw (Urban Residential Lot Size), 2008**".

2. **AMENDMENTS**

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

3. **CAPITAL EXPENDITURE PROGRAM**

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

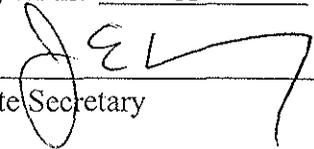
**CVRD Bylaw No. 3101**

READ A FIRST TIME this 9<sup>th</sup> day of April, 2008.

READ A SECOND TIME this 9<sup>th</sup> day of April, 2008.

READ A THIRD TIME this 13<sup>th</sup> day of August, 2008.

I hereby certify this to be a true and correct copy of Bylaw No. 3101 as given this  
Reading on the 13<sup>th</sup> day of August, 2008.

  
Corporate Secretary

SEPT 3 / 2008  
Date

APPROVED BY THE MINISTER OF COMMUNITY DEVELOPMENT UNDER  
SECTION 913(1) OF THE LOCAL GOVERNMENT ACT

this 17<sup>th</sup> day of December, 2008.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008. 9.

\_\_\_\_\_  
Chairperson

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



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3102**

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

---

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

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

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

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

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3102 - Area I – Youbou/Meade Creek Zoning Amendment Bylaw (R-3 Lot Size), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 2465, as amended from time to time, is hereby amended in the following manner:

- a) Section 5.7.2.a is deleted and replaced with the following:
  - a. 1600 m<sup>2</sup> if connected to a community water system and a community sewer system;
- b) Section 5.7.2.c is deleted and replaced with the following:
  - c. 2 hectares if not connected to a community water system.
- c) Appendix One is amended in accordance with Section 5.7.2.a and 5.7.2.c above.

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this 9<sup>th</sup> day of April, 2008

READ A SECOND TIME this 9<sup>th</sup> day of April, 2008

READ A THIRD TIME this 13<sup>th</sup> day of August, 2008

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



C·V·R·D

**B9**

**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3139**

**A Bylaw for the Purpose of Amending Official Community Plan Bylaw No. 1490,  
Applicable to Electoral Area E – Cowichan Station/Sahtlam/Glenora**

---

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Official Community Plan Bylaw No. 1490;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1490;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3139 - Area E – Cowichan-Koksilah Official Community Plan Amendment Bylaw (Kaelble), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1490, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

READ A FIRST TIME this 25<sup>th</sup> day of June, 2008

READ A SECOND TIME this 25<sup>th</sup> day of June, 2008.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



**C·V·R·D**

**SCHEDULE "A"**

**To CVRD Bylaw No. 3139**

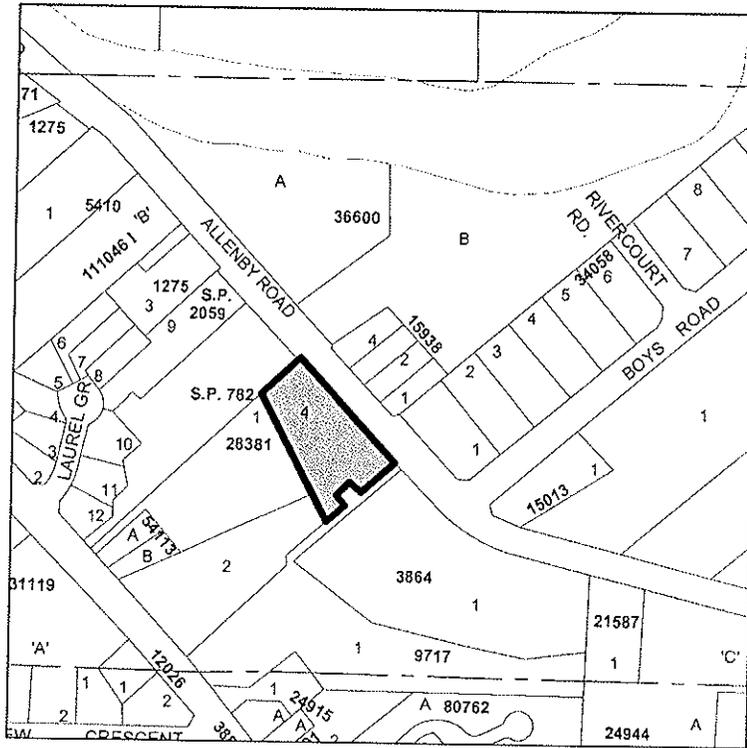
---

Schedule A to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

1. That Lot 4, Section 14, Range 6, Quamichan District, Plan 1275, except parts in Plans 9717 and 28381, as shown outlined in a solid black line on Plan number Z-3139 attached hereto and forming Schedule B of this bylaw, be redesignated from Urban Residential to Industrial; and that Schedule B to Official Community Plan Bylaw No. 1490 be amended accordingly.

PLAN NO. \_\_\_\_\_ 73

SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO. \_\_\_\_\_ 312  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM

Urban Residential

TO

Industrial

APPLICABLE

TO ELECTORAL AREA E



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3140**

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

---

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Zoning Bylaw No. 1840;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1840;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3140 - Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Kaelble), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1840, as amended from time to time, is hereby amended in the following manner:

- a) That Schedule B (Zoning Map) to Electoral Area E – Cowichan Station/Sahtlam/Glenora Zoning Bylaw No. 1840 is further amended by rezoning Lot 4, Section 14, Range 6, Quamichan District, Plan 1275, except parts in Plans 9717 and 28381, as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3140, from R-3 (Urban Residential) to I-1 (Light Industrial).

.../2

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this 25<sup>th</sup> day of June, 2008

READ A SECOND TIME this 25<sup>th</sup> day of June, 2008.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

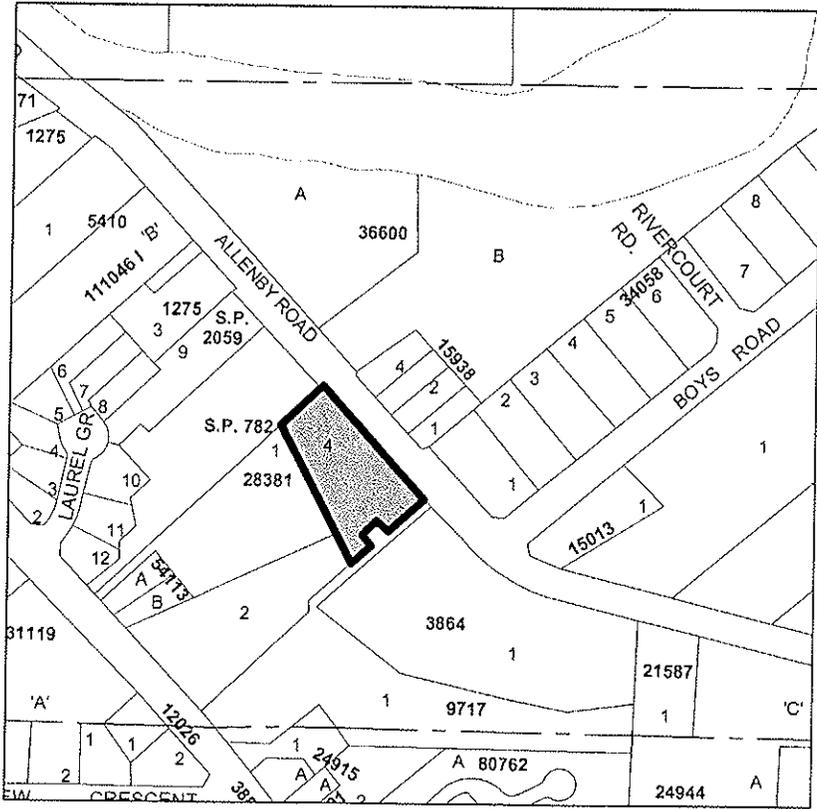
\_\_\_\_\_  
Chairperson

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

PLAN NO. Z-3140

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

3140



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

R-3 (Urban Residential) TO

I-1 (Light Industrial) APPLICABLE

TO ELECTORAL AREA E



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3210**

**A Bylaw for the Purpose of Amending Cowichan-Koksilah Official Community  
Plan Bylaw No. 1490, Applicable to  
Electoral Area E – Cowichan Station/Sahtlam/Glenora**

---

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Cowichan-Koksilah Official Community Plan Bylaw No. 1490;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1490;

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

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3210 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1490, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

READ A FIRST TIME this 14<sup>th</sup> day of May, 2008

READ A SECOND TIME this 14<sup>th</sup> day of May, 2008.

READ A THIRD TIME this 12<sup>th</sup> day of November, 2008.

RESCIND THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

THIRD READING AS AMENDED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



## C·V·R·D

### SCHEDULE "A"

#### To CVRD Bylaw No. 3210

---

Schedule A to Official Community Plan Bylaw No. 1490, is hereby amended as follows:

1. That Schedule A (Cowichan-Koksilah Plan text) is amended by adding the following after Section 13.7.9:

#### **13.8      KOKSILAH DEVELOPMENT PERMIT AREA**

##### **13.8.1    CATEGORY**

The **Koksilah Development Permit Area** is designated pursuant to Section 919(1)(a) and (f) of the *Local Government Act*, for the protection of the environment, its ecosystems and biodiversity, and establishment of objectives for the form and character of commercial, industrial, and multi-family residential development.

##### **13.8.2    AREA OF APPLICATION**

The **Koksilah Development Permit Area** applies to all commercially and industrially-designated lands within the OCP area, including: Lot 1, Section 13, Range 6, Quamichan District, Plan 9381, as shown on **Figure 15: Koksilah Development Permit Area**.

##### **13.8.3    JUSTIFICATION**

- a) The OCP aims to ensure that the design of any commercial and industrial development is in keeping with the community's expectations for visual quality, and that it is functionally compatible with surrounding land uses.
- b) The OCP aims to ensure that future commercial and industrial developments offer safety and accessibility, and are adequately landscaped.
- c) The OCP aims to ensure that the integrity of surface water and groundwater is protected from inappropriate development, in areas where land uses within the development permit area may directly impact surface and groundwater resources.

.../2

Form and Character of Buildings and Structures

- g) Buildings and structures will be designed in consideration of improving upon the aesthetics of the surrounding area, with finishes that are attractive, such as tinted concrete, some natural materials and natural colours;

Vehicle Access, Pedestrian Access and Parking

- h) Where two or more commercial or industrial facilities adjoin one another, vehicle access points, pedestrian pathways and parking and circulation patterns should be linked and possibly shared in order to encourage as safe a flow of pedestrian and vehicle traffic as possible. This can be accomplished by reciprocal easements and or rights of way. Unnecessary duplication of access points is strongly discouraged;
- i) Parking areas will be designed to physically separate pedestrian and motorized traffic, for example, through the use of raised pedestrian routes;
- j) Parking surfaces will be paved in a suitable material, whether pervious or impervious, and will not be located within 3 metres from any major road network route and the Trans-Canada Highway;
- k) Where required, pedestrian routes across, within and between sites should be clearly delineated by means of separate, raised walkways, sidewalks or paths;

Signs

- l) Signs should be designed to reflect the site's architecture and landscaping and should be limited to not more than 5 metres in height and also of limited area;
- m) Translucent "can" or panel signs that are wholly illuminated from behind are not permissible whether free-standing or mounted on a building fascia; however, the Board may consider permitting backlit signs if only the lettering and logos are illuminated at a low intensity. Fluorescent lighting projected towards a sign is very strongly discouraged, and low intensity incandescent lighting is preferred for that purpose.
- n) If multiple signs are required, they should be grouped and shared, and moving signs or signs with moving images or text will not be supported;

Wiring

- o) Underground wiring is encouraged in preference to overhead wiring;

Lighting

- p) Parking areas and pedestrian routes should be well lit, without glare to other lands and roads;

.../4

### 13.8.5 EXEMPTIONS

The following is exempted from the requirement of obtaining a development permit in the **Koksilah Development Permit Area**:

- a) construction or renovations of single family dwellings and residential accessory uses;
- b) interior renovations to existing buildings; or
- c) changes to the text or message on an existing sign allowed by a previous development permit, provided the net illuminated area is at most equal to what was previously approved.

### 13.8.6 APPLICATION REQUIREMENTS

(a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the **Koksilah Development Permit Area**, the applicant must submit a development permit application, which at a minimum includes:

1. a written description of the proposed project;
2. reports or information as listed in the relevant Development Permit Guidelines;
3. information in the form of one or more maps, as follows:
  - location/extent of proposed work;
  - location of watercourses/waterbodies, including top of bank;
  - percentage of existing and proposed impervious surfaces;
  - existing tree cover and proposed areas to be cleared;
  - building elevation drawings for both existing and proposed structures complete with architectural details and a landscaping plan with drawings;
  - existing and proposed property parcel lines;
  - existing and proposed vehicular access points, roads and driveways;
  - existing and proposed pedestrian walkways and bike paths;
  - existing and proposed drainage ditches, septic tanks/fields;
  - existing and proposed water lines and well sites;
  - existing and proposed erosion mitigation measures and bank alterations;
  - location of slopes exceeding 25 percent grade;
  - location of lands subject to periodic flooding;
  - areas of sensitive native plant communities;
  - topographical contours;
  - existing and proposed parking and loading areas;
  - existing and proposed outdoor illumination points/areas;
  - existing and proposed sign design and location.

.../5

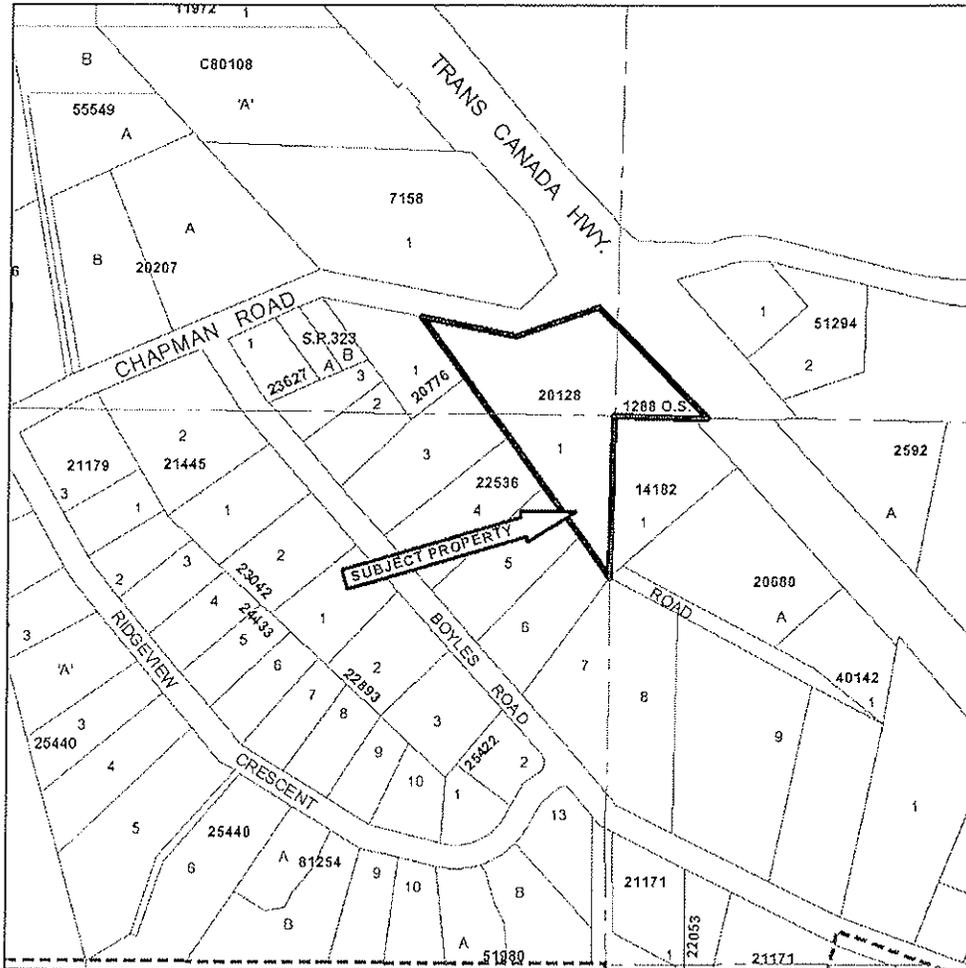
- (b) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense: , a report certified by a professional engineer with experience in geotechnical engineering which includes:
  - 1. a hydrogeological report, certified by a professional engineer with experience in geotechnical engineering, which includes an assessment of the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition;
  - 2. a report certified by a professional engineer with experience in geotechnical engineering, on the safety of the proposed use and structures on-site and off-site, indicating that the land may be used safely for the use intended; and
  - 3. an environmental impact assessment, certified by a registered professional biologist, assessing any environmental impacts of the project.

2. That Policy 9.2.2 is deleted and replaced with the following:

**POLICY 9.2.2**

Infilling of light industrial and mixed commercial/industrial land uses on vacant commercially and industrially-designated sites in the Allenby and Koksilah areas will be encouraged.

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM  
C-4 (Tourist Recreational Commercial) and C-7 (Marine and Recreational Vehicle Commercial) TO  
C-9 (Mixed Use Commercial) APPLICABLE  
TO ELECTORAL AREA C



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3211**

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

---

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

**AND WHEREAS** the Regional District has adopted a zoning bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Zoning Bylaw No. 1840;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Zoning Bylaw No. 1840;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3211 – Area E – Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (DEF Autoworld), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 1840, as amended from time to time, is hereby amended in the following manner:

- a) C-5: Local Commercial (Special) 5 is added to Section 6.1: Creation of Zones.
- b) The following is inserted following Section 9.3(c):

.../2

9.4 C-5 ZONE – LOCAL COMMERCIAL (SPECIAL)

Subject to compliance with the General Requirements in Part Five of this Bylaw, the following provisions apply in the C-5 Zone:

(a) Permitted Uses

The following uses, uses permitted under Section 4.4, and no others are permitted in a C-5 Zone:

- (1) animal hospital and veterinary clinic;
- (2) arcade, billiard and games room and bowling alley;
- (3) automotive sales and repair;
- (4) business or commercial private school;
- (5) funeral parlours;
- (6) gas bar;
- (7) hardware and camping supply sales, excluding external storage of goods;
- (8) *offices*, banks, credit unions and other financial establishments;
- (9) parking garages and lots, bus depots;
- (10) *personal service establishments*;
- (11) plant nurseries, *horticulture*, *retail* sales of gardening supplies and produce, *accessory* outdoor storage;
- (12) printing and publishing, libraries;
- (13) repair, servicing, sales and rentals of personal and household goods and power tools, electric and electronic equipment, but excluding external storage of goods;
- (14) restaurants, catering;
- (15) *retail* stores, including *convenience stores* and automotive parts and accessory sales but excluding external storage of goods;
- (16) one single *family dwelling* per *parcel accessory* to a use permitted in Section 9.4(a)(1) to (15).

(b) Conditions of Use

For any *parcel* in a C-5 zone:

- (1) the *parcel coverage* shall not exceed 50 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

(3) the minimum *setbacks* for the types of *parcel* lines set out in Column I of this section are set out for all *buildings* and *structures* in Column II:

COLUMN I Type of Parcel Line	COLUMN II Buildings & Structures
Front	6.0 metres
Interior & Exterior Side	6.0 metres
Rear	6.0 metres

(c) Minimum Parcel Size

Subject to Part 12, the minimum *parcel* size is:

- (1) 0.1 ha for *parcels* served by a *community water and sewer system*;
- (2) 0.3 ha for *parcels* served by a *community water system* only;
- 1.0 ha for *parcels* served neither by a *community water* or *sewer system*.

- c) Schedule B – Zoning Map – is amended by adding Local Commercial (Special) C-5 to the legend.
- d) Schedule B – Zoning Map – is further amended by rezoning Lot 1, Section 13, Range 6, Quamichan District, Plan 9381, as shown outlined with a thick black line on Plan number Z-3211 attached hereto and forming Schedule B of this bylaw, from Local Commercial C-2 to Local Commercial (Special) C-5.

3. FORCE AND EFFECT

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

READ A FIRST TIME this 10<sup>th</sup> day of September, 2008

READ A SECOND TIME this 10<sup>th</sup> day of September, 2008.

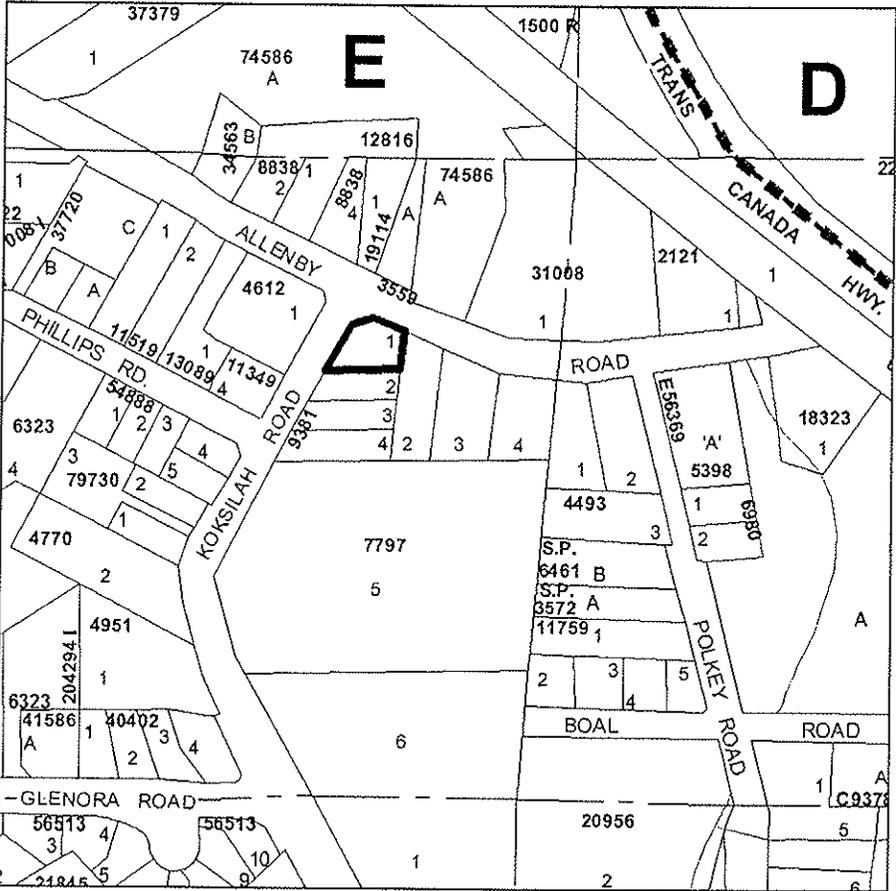
READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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

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



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM  
C-2 (Local Commercial) TO  
C-5 (Local Commercial – Special) APPLICABLE  
TO ELECTORAL AREA E



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3212**

**A Bylaw for the Purpose of Amending Cowichan-Koksilah Official Community  
Plan Bylaw No. 1490, Applicable to  
Electoral Area E – Cowichan Station/Sahtlam/Glenora**

---

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area E – Cowichan Station/Sahtlam/Glenora, that being Cowichan-Koksilah Official Community Plan Bylaw No. 1490;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1490;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3212 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Koksilah DPA), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Cowichan-Koksilah Official Community Plan Bylaw No. 1490, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

.../2





C·V·R·D

SCHEDULE "A"

To CVRD Bylaw No. 3212

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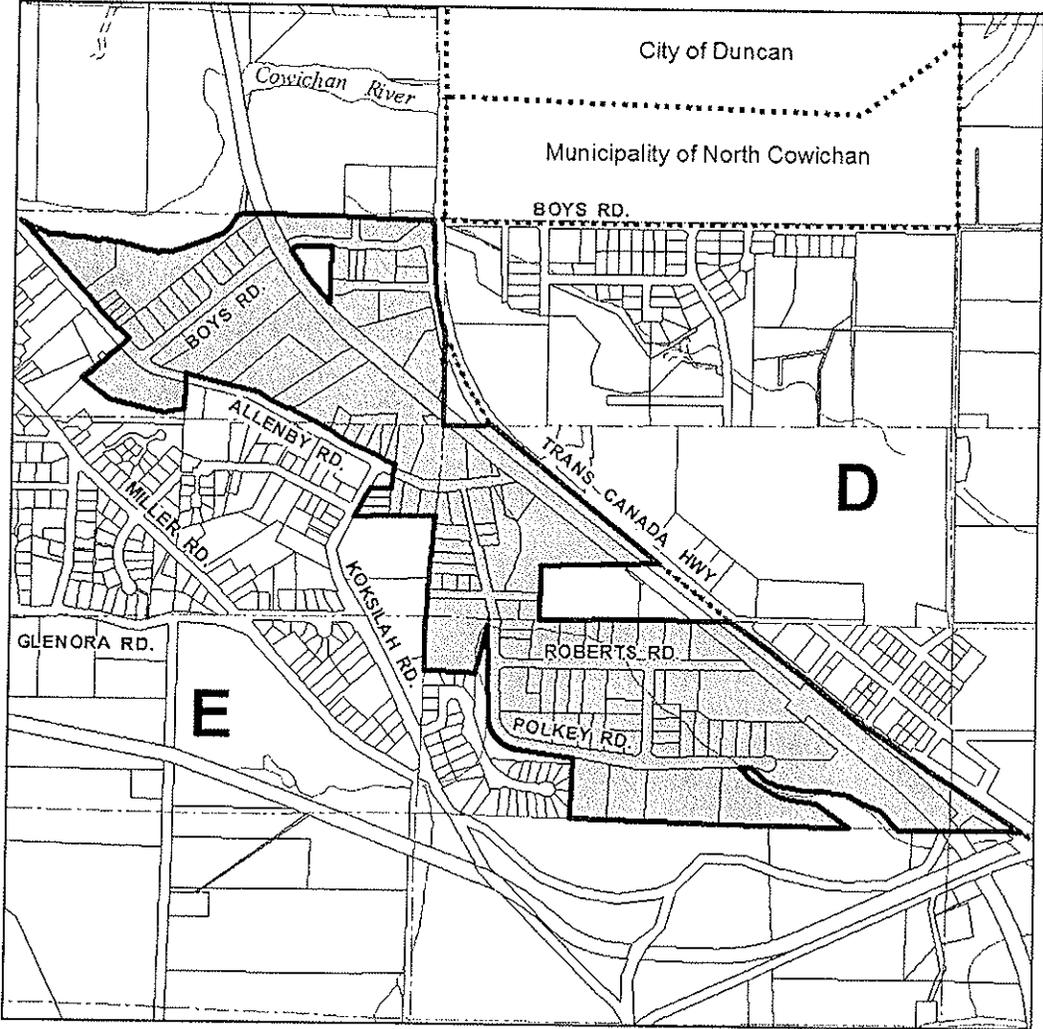
Schedule A to Official Community Plan Bylaw No. 1490 is hereby amended as follows:

1. That Policy 13.1.4(a) is amended by adding the following at the end of the sentence:

The Trans-Canada Highway Development Permit Area does not apply to parcels within the **Koksilah Development Permit Area**.

2. That Figure 15: Koksilah Development Permit Area map is amended by adding the parcels shown outlined with a thick black line on Plan number Z-3212 attached hereto and forming Schedule B of this bylaw.

SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO.  
OF THE COWICHAN VALLEY REGIONAL DISTRICT



THE AREA OUTLINED IN A SOLID BLACK LINE IS  
added to the Koksilah Development Permit Area

APPLICABLE TO ELECTORAL AREA E



**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW NO. 3238**

**A Bylaw for the Purpose of Amending Official Community Plan  
Bylaw No. 1010, Applicable to Electoral Area B – Shawnigan Lake**

---

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

**AND WHEREAS** the Regional District has adopted an official community plan bylaw for Electoral Area B – Shawnigan Lake, that being Official Community Plan Bylaw No. 1010;

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

**AND WHEREAS** after the close of the public hearing and with due regard to the reports received, the Regional Board considers it advisable to amend Community Plan Bylaw No. 1010;

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3238 - Area B – Shawnigan Lake Official Community Plan Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Official Community Plan Bylaw No. 1010, as amended from time to time, is hereby amended as outlined on the attached Schedule A.

3. **CAPITAL EXPENDITURE PROGRAM**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairperson

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



C·V·R·D

## SCHEDULE "A"

To CVRD Bylaw No. 3238

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Schedule A to Official Community Plan Bylaw No. 1010, is hereby amended as follows:

1. That the following be added after Policy 12.8:

### Policy 12.9 ECO-INDUSTRIAL DEVELOPMENT PERMIT AREA

#### *I. Category*

- (a) The Eco-Industrial Development Permit Area is designated pursuant to Section 919.1(1)(a), (b), (e), (f), (h), (i) and (j), for
  - (a) Protection of the natural environment, its ecosystems and biodiversity;
  - (b) Protection of development from hazardous conditions,
  - (c) Establishment of objectives for the form and character of intensive residential development;
  - (d) Establishment of objectives for the form and character of commercial, industrial and multifamily residential development;
  - (e) Establishment of objectives to promote energy conservation;
  - (f) Establishment of objectives to promote water conservation; and
  - (g) Establishment of objectives to promote the reduction of greenhouse gas emissions.

#### *II. Justification*

- (a) The CVRD Board wishes to encourage a very high standard of visual quality in the Shawnigan Lake area. The Shawnigan Lake Road corridor is a main corridor to the South Cowichan and should leave a favourable impression upon visitors and residents, and enhance their enjoyment of the area.
- (b) The CVRD wishes to ensure that the design of any industrial development within Electoral Area B Shawnigan Lake has a very high standard of aesthetic quality, in keeping with the community's high expectations for visual quality.
- (c) The CVRD wishes to ensure that industrial lands will be developed without negative impacts to adjacent lands.
- (d) Land uses within the Shawnigan Lake Industrial Development Permit Area may impact Shawnigan Lake and streams, wetlands and the underlying aquifer. An objective of the CVRD Board is to ensure that the integrity of surface water and groundwater is protected from inappropriate development.
- (e) The CVRD Board wishes to ensure that land (including wildlife habitat), water and air quality is protected.

.../2

- (f) The CVRD Board wishes to ensure that the industrial development offers safety and accessibility and is adequately landscaped and screened.
- (g) The Board wishes to promote energy conservation, water conservation and a reduction in greenhouse gas emissions.

### *III. Scope*

The Eco Industrial Development Permit Area applies to those lands shown outlined in a thick black line on Figure 5f.

### *IV. Guidelines*

Prior to commencing any development, including subdivision, construction or land clearing, on lands within the Eco Industrial Development Permit Area, the owner shall obtain a development permit that conforms to the following guidelines:

- (a) A Canadian Green Building Council LEED (Leadership in Energy and Environmental Design) rating system, or its equivalent, as determined by a LEED-accredited professional consultant retained by the owner, is required. Development will be LEED certified and site preparation will meet or exceed "Develop with Care" guidelines with any applicable criteria from the Canadian Green Building Council LEED rating system, or its equivalent, being used as a standard. The applicable LEED methodology, or its equivalent, shall be acceptable to the CVRD.
- (b) A treed buffer will be provided between the industrial use and adjoining non-industrial parcels, South Shawnigan Lake Road and Stebbings Road. The buffer shall be densely vegetated such that parking areas, garbage collection areas, service areas, outdoor storage areas, fuel tanks, air conditioning units and delivery areas are buffered to reduce noise and visual impacts.
- (c) Landscaping should be in keeping with the visual beauty of the area. Existing mature trees should be incorporated into the landscape design.
- (d) Vehicle access points, circulation patterns and parking layouts shall be designed in such a way as to reduce impacts upon Shawnigan Lake Road, Stebbings Road and adjacent parcels. Sites should be designed to allow delivery trucks to maneuver without having to block or back onto an adjacent street, parking aisle or pedestrian route. Emergency vehicles should be able to reach all parts of the development easily.
- (e) The use of permeable parking materials such as hard grass (grass-crete) is strongly encouraged to soften the visual effect of parking lots and minimize changes to site drainage. Parking areas are required to contain oil/water separators where they are paved with impervious materials.
- (f) Parking lots containing over thirty spaces should be located in discontinuous areas, or be separated by mid-lot landscaping, incorporated into the design.
- (g) Parking areas and pedestrian routes should be well lit, without glare to adjoining non-industrial parcels or public roads.
- (h) Underground wiring shall be encouraged instead of overhead wiring.

.../3

- (i) Signs shall be designed to reflect the architecture of the site and be in harmony with the landscaping plans for the site, but shall be limited in height and area commensurate with the site characteristics. If multiple signs are required, they should be grouped and shared. Florescent lighting shall not be used. Non-lit signs, or frontal lighting with incandescent bulbs is preferred.
- (j) All building and landscaping designs should promote personal and public safety. Crime Prevention through Environmental Design (CPTED) will be considered in landscaping plans and building designs.
- (k) Roofing materials and insulation must meet or exceed the appropriate fire rating requirements contained in the BC Building Code. Eaves, attics, decks and other building openings should be screened to prevent the accumulation of combustible material. Fuel reduced buffers at least 10 metres in width should be maintained around buildings to minimize fire risk.
- (l) A storm water management plan is required. Impervious surfaces will be limited to protect property from flooding, erosion or other undesirable impacts as the result of changes to stormwater runoff.
- (m) A treed buffer 30 metres in width is required from the high water mark of Van Horn Creek. Wetland areas and streams are subject to the Riparian Areas Regulation Development Permit Area. Riparian areas shall be left natural and wild to protect surface waters and riparian ecosystems. Bark mulches, impermeable landscape fabric and plant species that require the use of pesticides or fertilizers shall not be located in these areas.
- (n) Proposed sewage treatment and disposal methods will be designed to avoid impacts upon the environment and shall meet the requirements of the South Sector Liquid Waste Management Plan.
- (o) The use of rainwater catchment tanks and cisterns for re-use is required.
- (p) The use of alternative and renewable sources of energy should be considered.
- (q) Site planning for buildings and land uses will incorporate studies, submitted to the CVRD, to facilitate utilization of energy and water conservation measures, including solar orientation, prevailing wind direction, elevation contours, existence of significant vegetation and means to retain mature vegetation.
- (r) The latest best management practices for land development of the BC Ministry of Environment should be respected.
- (s) Baseline noise levels will be provided, and noise restrictions imposed.
- (t) All internal road building and drainage works shall conform with appropriate functioning condition assessment methods.
- (u) Grease traps are required for restaurant operations.

*V. Exemptions*

The terms of the Eco-Industrial Development Permit Area shall not apply to the following:

- Interior or minor exterior renovations to an existing building;
- Changes to the text or message of existing signage allowed by a previous development permit;
- Construction or renovation of single family dwellings.

.../4

## VI. *Variances*

Where a proposed development plan adheres to the guidelines of this development permit area, the Regional Board may give favourable consideration to variances of the terms of its zoning, sign and parking bylaws, where such variances are deemed by the Regional Board to have no negative impact on adjacent parcels and would enhance the aesthetics of the site in question, Such variances would be incorporated into the development permit.

## VII. *Application Requirements*

Before the CVRD Board authorizes the issuance of a development permit for a parcel in the Eco-Industrial Development Permit Area, the applicant's submission shall include:

- (a) A written description of the proposed development.
- (b) Information with respect to the subject property in the form of one or more maps/elevation drawings as follows:
  - Location and extent of proposed work;
  - Location of watercourses and water bodies, including top of bank;
  - Percentage of and location of impervious surfaces;
  - Setback distances from watercourses and waterbodies;
  - Existing tree cover, and proposed areas to be cleared;
  - Existing and proposed buildings and structures;
  - Location of existing and proposed parcel lines;
  - Existing and Proposed building setback distances from parcel boundaries;
  - Existing and proposed roads, driveways, parking and loading areas, vehicular access points, pedestrian walkways, and outdoor lighting design,
  - Existing and proposed drainage works, runoff mitigation, water retention areas, culverts and ditches;
  - Location of water lines, wells and utility lines;
  - Topographical contours, including location of slopes exceeding 25 percent grade;
  - Location of lands subject to periodic flooding;
  - Areas of sensitive native plant communities;
  - Proposed landscaping plan, identifying the number of plant species types proposed for all landscaping areas;
  - Existing and proposed septic tanks and sewage treatment systems, and drainage fields; and
  - Existing and proposed sign design and location.
- (c) A preliminary building design, including proposed roof and exterior finish details.
- (d) The CVRD may require the applicant to furnish, at the applicant's expense, a report certified by a professional engineer with experience in geotechnical engineering, which shall include:
  - i. A hydrogeological report/environmental impact assessment assessing any impact of the project on water surfaces in the area; and

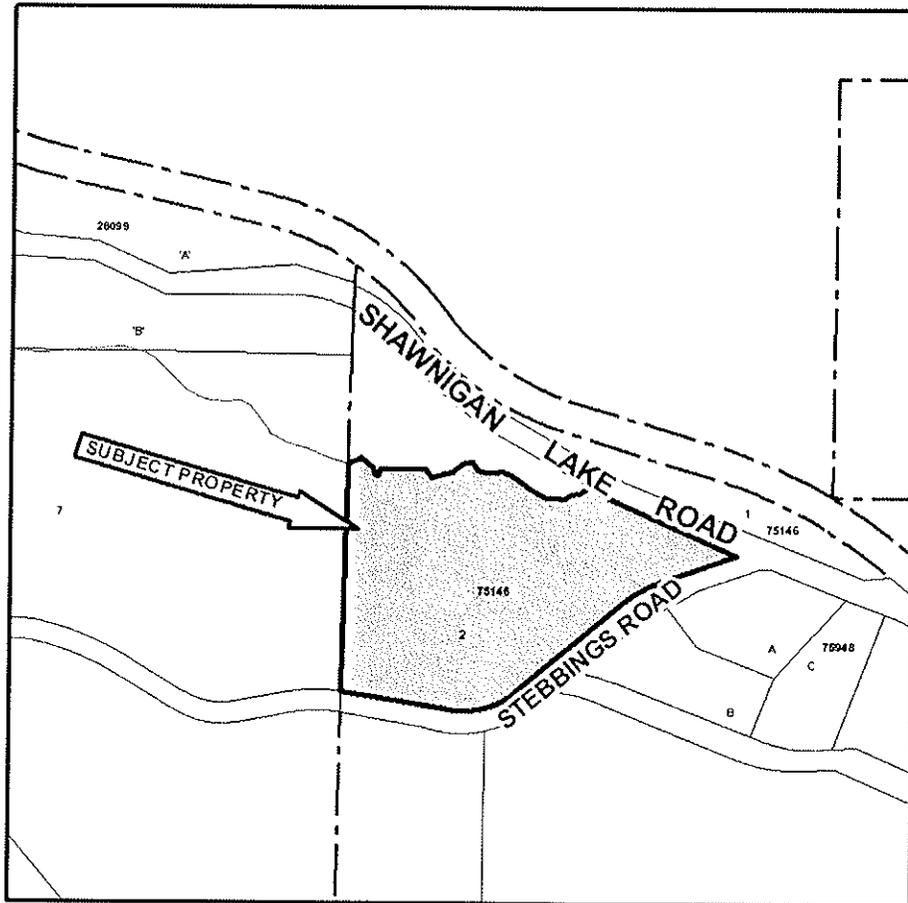
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- 
- ii. A report on the potential impact of the development on the groundwater resource.
    - iii. For development that will create more than 280 m<sup>2</sup> of new impervious surfacing, a report prepared by a professional engineer that determines the extent of changes to the natural drainage system, identifying any conditions that should be incorporated into the development permit to protect property from flooding, erosion or other undesirable impacts as the result of changes to stormwater runoff. Particular attention should be paid to ensuring that drainage changes will not result in detrimental impact such as runoff conditions on adjacent lands or into nearby watercourses. A combination of natural wetland protection or artificial wetland creation, to buffer storm flows should be incorporated, along with measures to minimize impervious surfaces.
    - iv. A baseline noise level study may be provided, and noise restrictions imposed.
  2. That Schedule B (OCP Map) to Electoral Area B – Shawnigan Lake Official Community Plan Bylaw No. 1010 is further amended by redesignating part of Lot 2, District Lot 132, Malahat District, Plan VIP 75146, as shown outlined in a solid black line on Schedule B attached hereto and forming part of this bylaw, numbered Z-3238, from Forestry to Industrial.

PLAN NO. Z-3238

**SCHEDULE "B" TO PLAN AMENDMENT BYLAW NO.  
OF THE COWICHAN VALLEY REGIONAL DISTRICT**

3238



**THE AREA OUTLINED IN A SOLID BLACK LINE IS REDESIGNATED FROM**

Forestry

**TO**

Industrial

**APPLICABLE**

**TO ELECTORAL AREA B**



Cowichan  
Valley  
Regional  
District

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 considered for convenience purposes only and that boundaries are representational.

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

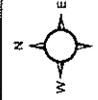
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Figure 5F

Legend



Subject Property



Printed: December 19, 2008

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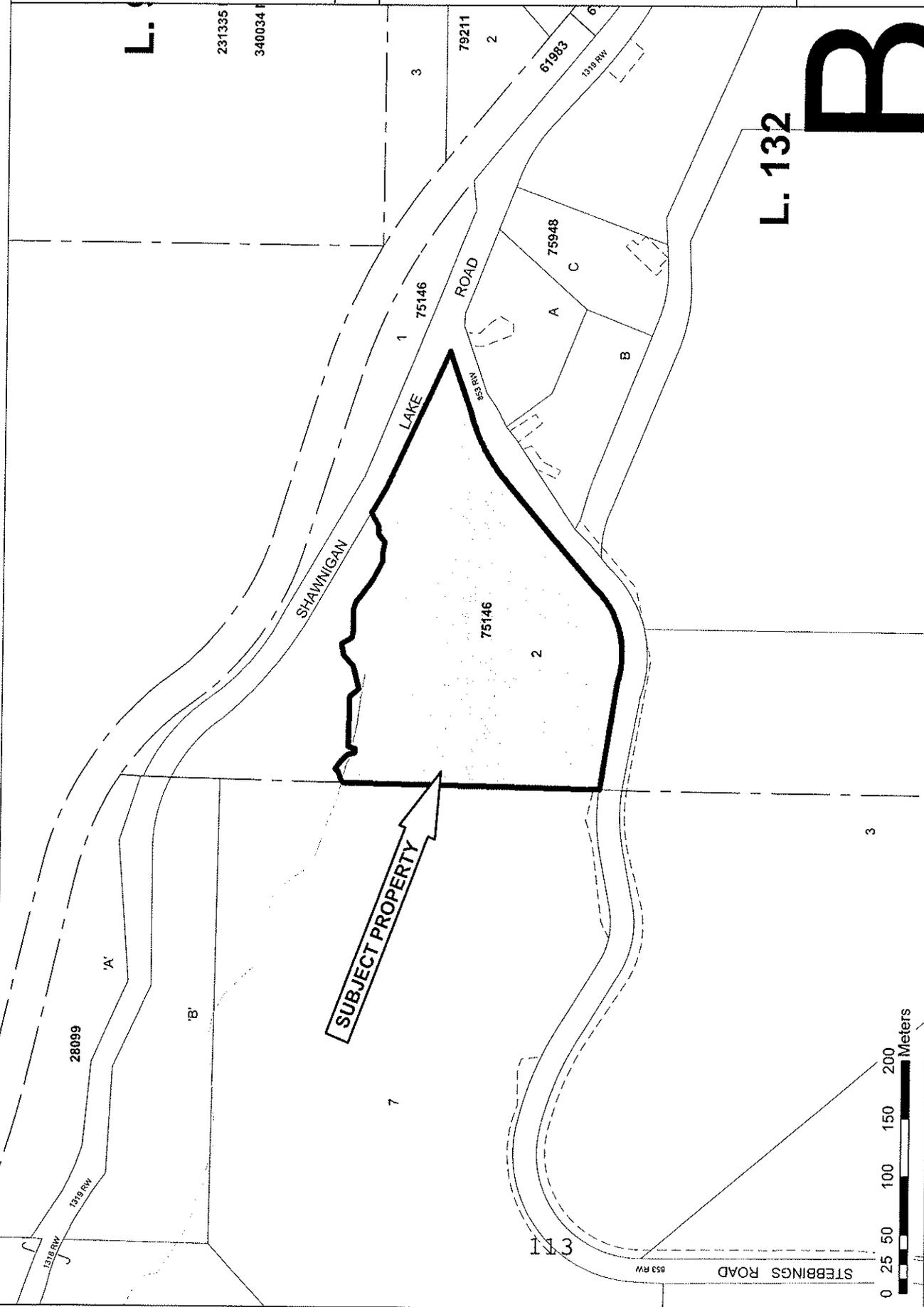
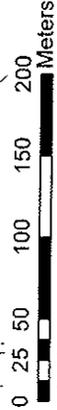
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B

SUBJECT PROPERTY





**COWICHAN VALLEY REGIONAL DISTRICT**

**BYLAW No. 3239**

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

---

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

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

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

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

**NOW THEREFORE** the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw shall be cited for all purposes as "**CVRD Bylaw No. 3239 - Area B – Shawnigan Lake Zoning Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008**".

2. **AMENDMENTS**

Cowichan Valley Regional District Zoning Bylaw No. 985, as amended from time to time, is hereby amended in the following manner:

- a) That Section 6.1 be amended by adding "I-5" in Column 1 following I-4, and by adding "Eco Industrial I-5" in Column B following "Aggregate and Mineral Processing Industrial";

.../2

- b) That the following text be added following Section 11.6 (I-4 - Aggregate and Mineral Processing Zone):

11.7 I-5 ZONE – ECO - INDUSTRIAL ZONE

(a) Permitted Uses

The following uses and no others are permitted in an I-5 Zone:

- 1) secondary processing and manufacturing of wood products, including the making of plywood, lath, particleboard and similar products, and the manufacturing of modular or pre-fabricated homes and structures, excluding sawmills, pulp and paper mills and log storage and sorting;
- 2) boat building, repair and storage;
- 3) book binding, publishing, and storage;
- 4) building supplies, sale and storage;
- 5) clothing cleaning, manufacture, repair and storage;
- 6) equipment repair, sales, storage and rental;
- 7) feed, seed and agricultural supplies, sales and storage;
- 8) food processing, storage, packaging, and catering, excluding fish cannery and abattoir;
- 9) industrial processing, manufacturing, repair, storage and packaging enclosed within a building;
- 10) laboratory, kennel and animal hospital;
- 11) lumber yards, storage yards, auction grounds;
- 12) recycling facility for bottles, wood, metal and/or paper, excluding automobile parts and any type of septage, animal material, or animal substance;
- 13) warehousing, mini-warehousing, freight handling and storage;
- 14) research and development education centre;
- 15) micro brewing outlet, excluding neighbourhood pub;
- 16) restaurant, excluding drive through;
- 17) research, development, incubation and high technology facilities;
- 18) incubator mall concept;
- 19) office, retail sales, accessory to a principal use;
- 20) one single-family dwelling unit or mobile home accessory to a use permitted in 11.7(a)1 to 18.

(b) Conditions of Use

For any parcel in an I-5 Zone:

- 1) the parcel coverage shall not exceed 50 percent for all buildings and structures;

.../3

- 2) the height for all buildings and structures shall not exceed 10 metres;
- 3) the setbacks for the types of parcel lines set out in Column 1 of this section are set out for all buildings and structures in column II:

Column I Type of Parcel Line	Column II Buildings and Structures
Front	9.0 metres
Interior Side	0 metres where the abutting parcel is zoned Industrial; 9.0 metres where the abutting parcel is not zoned Industrial
Exterior Side	4.5 metres
Rear	9.0 metres

- c) That Section 13.1 be amended by adding “1-5 Eco-Industrial ” in Column I following “I-1 Light Industrial” and by adding in the same table “1 ha” in the last row of the second column, “1 ha” in the last row of the third column, and “1 ha” in the last row of the fourth column;
- d) That part of Lot 2, District Lot 132, Malahat District Plan VIP 75146, as shown outlined in a thick black line on the Plan numbered Z-3239 and forming Schedule B of this bylaw, be rezoned from F-1 (Primary Forestry) to I-5 (Eco-Industrial), and that the Schedule B “Official Zoning Map” of CVRD Bylaw 985 be changed accordingly;

**3. FORCE AND EFFECT**

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

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

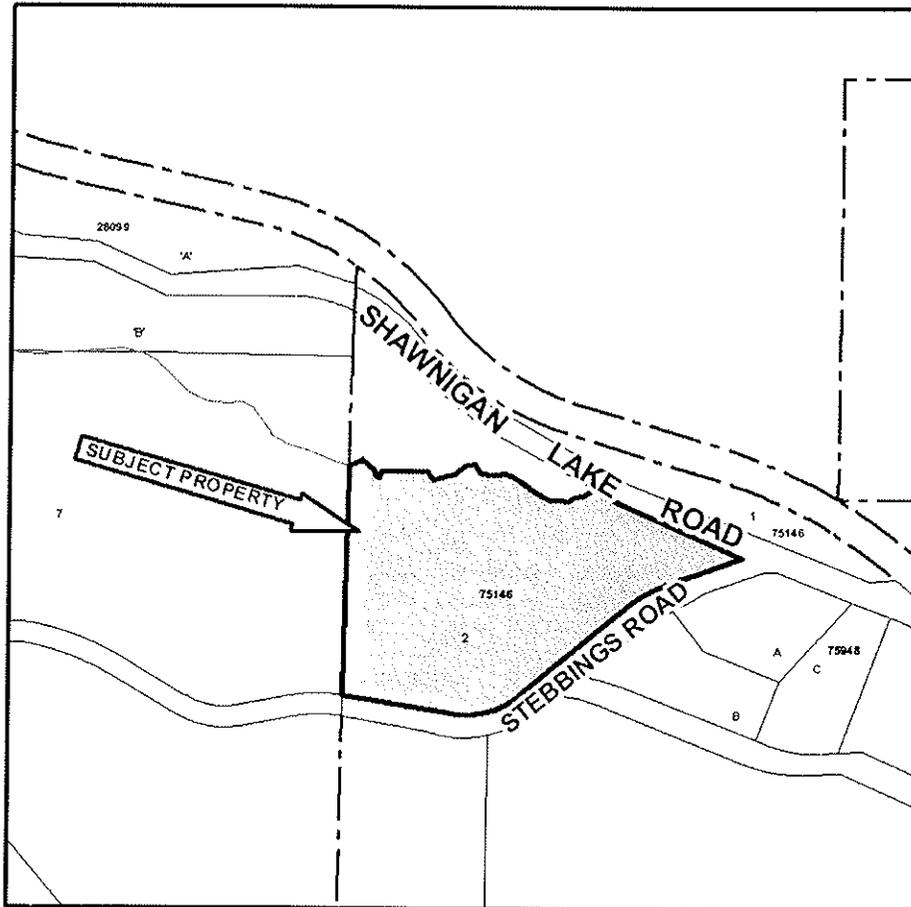
\_\_\_\_\_  
Chairperson

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

PLAN NO. Z-3239

**SCHEDULE "A" TO ZONING AMENDMENT BYLAW NO. 3239  
OF THE COWICHAN VALLEY REGIONAL DISTRICT**

3239



**THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM**

F-1 (Primary Forestry)

TO

L-5 (Eco-Industrial)

APPLICABLE

TO ELECTORAL AREA B



## C·V·R·D

### RESOLUTIONS SUMMARY

BOARD MEETING – JANUARY 14, 2009

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**RES 1** That the following appointments to the Cowichan Lake Recreation Commission be approved:

*Term to expire December 31, 2009:*

Dave Darling  
Sheila McFarlane  
Bill Peters  
Rocky Wise  
Larry Olson  
Corey Bath

**RES 2** That the following appointments to the Electoral Area E - Cowichan Station/Sahtlam/Glenora Advisory Planning Commission be approved:

*Term to expire November 30, 2009:*

Ben Marrs  
Keith Williams  
John Salmen  
Jim Marsh  
Frank McCorkell  
David Coulson  
Dan Ferguson  
Colleen MacGregor  
David Tattam

**RES 3** That the following appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Advisory Planning Commission be approved:

*Term to expire November 30, 2009:*

Joe Allan  
Dave Anderson  
Phil Archbold  
Peter Devana  
Joan McKenzie  
Brian Peters

.../2

**RES 4** That the following appointments to the Electoral Area H - North Oyster/Diamond Advisory Planning Commission be approved:

*Term to expire November 30, 2009:*

Mike Fall

Gary Fletcher

Chris Gerrand

John Hawthorn

Gaynel Lockstein

Janice Tuckham



## NEW BUSINESS SUMMARY

BOARD MEETING - JANUARY 14, 2009

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**NB1** Appointments to the Area F - Cowichan Lake South/Skutz Falls Advisory Planning Commission

**CSNB1** Third Party Negotiations {Sub (2) (b)} - Delegation Verbal

And the following deletion from the agenda: **D1**



**NB1**

## COMMISSION APPOINTMENTS

REGULAR BOARD MEETING  
OF JANUARY 14, 2009

**DATE:** January 9, 2009

**FROM:** Director Morrison, Electoral Area F - Cowichan Lake South/Skutz Falls

**SUBJECT:** Electoral Area F - Cowichan Lake South/Skutz Falls  
Advisory Planning Commission Appointments

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**Recommendation:**

That the following appointments to the Electoral Area F - Cowichan Lake South/Skutz Falls Advisory Planning Commission be approved:

*Term to expire November 30, 2009:*

Shirley Burden  
David Lowther