



C·V·R·D

SPECIAL BOARD MEETING

WEDNESDAY, JANUARY 28, 2009

5:45 PM - CVRD BOARD ROOM

AGENDA

PAGES

1. APPROVAL OF AGENDA:

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2. STAFF REPORTS:

| | | |
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| SR1 | Staff Report from the Corporate Secretary Re: CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/ Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008 | 2-4 |
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| SR2 | Staff Report from the Deputy Manager Development Services Re: Proposed adjustments to Official Community Plan Amendment Bylaw 3210 (DEF Autoworld) | 5-6 |
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3. BYLAWS:

Electoral Area Directors only vote on the following bylaw under Part 26 OR Section 791 of the *Local Government Act*:

| | | |
|----|---|------|
| B1 | CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008, be amended in accordance with Item SR2 | 7-14 |
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|----|---|--|
| B1 | CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008, 3 rd reading as amended | |
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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.



SR1

STAFF REPORT

**SPECIAL BOARD MEETING
OF JANUARY 28, 2009**

DATE: January 21, 2009

BYLAW No. 3085

FROM: J.E. Barry, Corporate Secretary

**SUBJECT: CVRD Bylaw No. 3210 – Area E – Cowichan Station/Sahtlam/Glenora Official
Community Plan Amendment Bylaw (DEF Autoworld), 2008**

Recommendation:

That Resolutions 09-031, 09-032 and 09-033 be rescinded.

Purpose:

To explain the discrepancy with the Schedule “A” map that was attached to CVRD Bylaw No. 3210 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008 on the Board’s January 14, 2009 agenda.

Background:

Following the adoption of a number of resolutions pertaining to CVRD Bylaw No. 3210 – Area E – Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008 at the January 14, 2009 Board meeting, Director Duncan noticed that the attached Schedule “A” map was incorrect. The attached map belonged to Bylaw No. 3120; not Bylaw No. 3210. Staff advised that they would clarify this issue.

Upon review, it turned out that a couple of administrative errors occurred during the preparation of the January 14th Board agenda. Inadvertently, the “3120” bylaw file was used instead of the “3210” bylaw file. This was a classic case of numbers being transposed.

Therefore, the wrong dates were listed for specific readings on Bylaw No. 3210. For example, the agenda copy of the bylaw stated that Bylaw No. 3210 received first two readings on May 14, and third reading on November 12. These dates were the dates that Bylaw No. 3120 received readings. Bylaw No. 3210 has never received third reading.

As a result of this erroneous information, the Board rescinded third reading of Bylaw No. 3210; amended the bylaw in accordance with the Deputy Manager Development Services’ staff report; and gave third reading. This was all in error and needs to be corrected.

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Correction:

The following steps have been taken by staff:

- Bylaw No. 3210 received first two readings on September 30, 2008. This correct date has been inserted on the agenda copy of the bylaw.
- The correct Schedule "A" map for Bylaw No. 3210 has been attached.

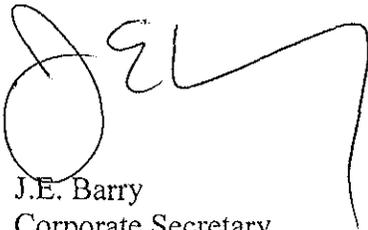
The following corrective steps need to be taken by the Board:

- That Resolution 09-031 be rescinded.
- That Resolution 09-032 be rescinded
- That Resolution 09-033 be rescinded

Later, during the Bylaw Section of the agenda, the Board will need to amend Bylaw No. 3210 in accordance with the Deputy Manager, Development Services' staff report.

The Board can then proceed to give Bylaw No. 3210 third reading.

Submitted by,



J.E. Barry
Corporate Secretary

B10
09-030 It was moved and seconded that "CVRD Bylaw No. 3140 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (Kaelble), 2008" be referred back to staff.

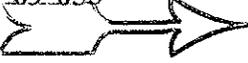
MOTION CARRIED

B11
09-031  It was moved and seconded that 3rd reading of "CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008, be rescinded.

MOTION CARRIED

B11
09-032  It was moved and seconded that "CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008", be amended in accordance with SR3.

MOTION CARRIED

B11
09-033  It was moved and seconded that "CVRD Bylaw No. 3210 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (DEF Autoworld), 2008, be granted 3rd reading as amended.

MOTION CARRIED

B12
09-034 It was moved and seconded that "CVRD Bylaw No. 3211 - Area E - Cowichan Station/Sahtlam/Glenora Zoning Amendment Bylaw (DEF Autoworld), 2008, be granted 3rd reading.

MOTION CARRIED

B13
09-035 It was moved and seconded that "CVRD Bylaw No. 3212 - Area E - Cowichan Station/Sahtlam/Glenora Official Community Plan Amendment Bylaw (Koksilah DPA), 2008", be granted 3rd reading.

MOTION CARRIED

B14
09-036 It was moved and seconded that "CVRD Bylaw No. 3238 - Area B - Shawnigan Lake Official Community Plan Amendment Bylaw (Malahat Joint Ventures/Lintaman), 2008", be granted 1st and 2nd reading.

MOTION CARRIED



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) | | |

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 24th 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,

A handwritten signature in black ink, appearing to read 'Mike Tippett', with a long horizontal flourish extending to the right.

Mike Tippett, MCIP
Deputy Manager
Development Services Department

MT/ca



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.

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READ A FIRST TIME this 30th day of September, 2008

READ A SECOND TIME this 30th day of September, 2008.

READ A THIRD TIME this _____ day of _____, 2009.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary



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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.

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13.8.4 GUIDELINES

Within the **Koksilah Development Permit Area**, no person will:

- subdivide land;
- alter land, including the removal of trees or vegetation and removal/deposit of soil;
- construct a road, bridge or driveway; or
- construct a building or structure

prior to the owner of land applying for and receiving a development permit from the CVRD, which will sufficiently address the following guidelines:

Environmental Protection

- a) Runoff from the development will be limited in order to prevent storm flows from damaging riparian areas during normal rainfall events. Preferably, on larger sites, natural wetland protection and enhancement should be incorporated, along with measures to limit impervious surfaces. Parking areas should contain oil/water separators, and – where feasible – use pervious landscaping that can absorb runoff. Applicants should submit figures for total site imperviousness. The Board may specify maximum site imperviousness in a development permit;
- b) The latest Best Management Practices for land development of the Ministry of Environment and Fisheries and Oceans Canada, should be respected;
- 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;

Landscaping

- d) Landscaping will be provided around the periphery of the parcel. Particular attention will be paid to landscaping measures along road frontages and parcel boundaries that may abut other uses such as residential. A combination of low shrubbery, ornamental trees and flowering perennials is recommended.
- e) The use of landscaped berms and raised planter berms as a visual and noise barrier between commercial/industrial uses and the Trans-Canada Highway is strongly encouraged. Such raised features need not exceed 1.5 metres in height, but should be at least 0.75 metres in height;
- f) Owner-designed landscape plans may be reviewed in accordance with the Landscape Standard developed jointly by the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA);

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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;

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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.

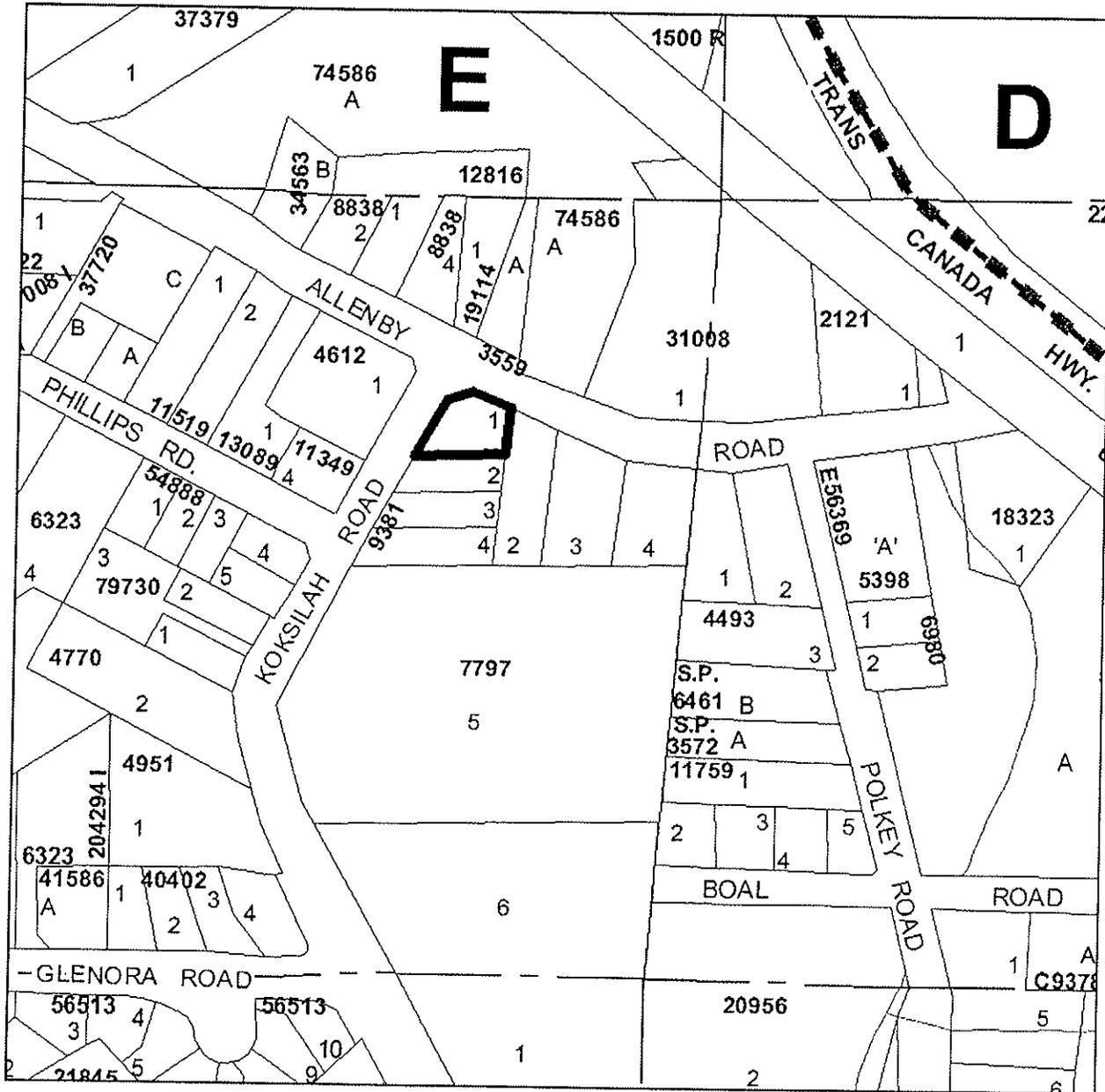
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- (b) In addition to the requirements listed above, the applicant may be required to furnish, at the applicant's expense: , a report certified by a professional engineer with experience in geotechnical engineering which includes:
1. a hydrogeological 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.

FIGURE 15



KOKSILAH DEVELOPMENT PERMIT AREA