



ELECTORAL AREA SERVICES COMMITTEE MEETING

Tuesday,
March 15, 2011
Regional District Board Room
175 Ingram Street, Duncan, BC

3:00 pm

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8. PUBLIC/PRESS QUESTIONS**9. CLOSED SESSION**

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

10. ADJOURNMENT

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

Director L. Iannidinardo
Director K. Cossey
Director I. Morrison

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

Director B. Harrison
Director L. Duncan
Director M. Dorey

Minutes of the Electoral Area Services Committee Meeting held on Tuesday, March 1, 2011 at 3:00 pm in the Regional District Board Room, 175 Ingram Street, Duncan, BC.

PRESENT

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

CVRD STAFF

Tom R. Anderson, General Manager
 Brian Farquhar, Manager
 Mike Tippet, Manager
 Rob Conway, Manager
 Brian Duncan, Chief Building Inspector
 Carla Schuk, Planning Technician
 Alison Garnett, Planner II
 Rachelle Moreau, Planner I
 Cathy Allen, Recording Secretary

APPROVAL OF AGENDA

The Chair noted changes to the agenda which included adding six items of listed new business, and two items of additional new business.

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

MOTION CARRIED

MINUTES

M1 - Minutes

It was Moved and Seconded
 That the minutes of the January 31, 2011 EASC meeting be adopted.

MOTION CARRIED

It was Moved and Seconded
 That the minutes of the February 1, 2011, EASC meeting be adopted.

MOTION CARRIED

Business Arising

The Chair brought forward a question arising from the February 24th EASC budget meeting. Because not all areas use the feasibility study function to the same degree, do all areas need to participate in that function? The Chair noted that 90% of the function is used for water and sewer but can be used for other things such as fire departments as well. Director Dorey stated that he feels it requires more research and should be referred back to staff.

It was Moved and Seconded

That staff be requested to provide further information respecting electoral area participation in the feasibility study function.

MOTION CARRIED

DELEGATIONS

D1 - Franson

Hilding Franson was present regarding the Bamberton rezoning application. He stated that he has now had an opportunity to read the staff report submitted by Rob Conway, Manager, Development Services Division, and addressed concerns he had in that report. Mr. Franson presented his 11 page report dated March 1st and asked that the EASC reconsider their decision respecting the Bamberton application.

The Committee members provided comments to the delegate.

The Chair thanked Mr. Franson for appearing.

STAFF REPORTS

R1 - Walter

Mike Tippet, Manager, Community and Regional Planning Division, advised that Director Cossey wishes Application No. 1-B-10RS (M. Walter) to be referred to the Area B Parks Commission for comment.

It was Moved and Seconded

That Application No. 1-B-10RS (Michael Walter) be referred to the Area B Parks Commission for comment.

MOTION CARRIED

R2 - Fraser

Carla Schuk, Planning Technician, presented Application No. 1-D-10ALR (Gordon Fraser) to allow construction of an addition to the existing building at 4461 Trans Canada Highway for the storage of an antique fire truck and equipment maintenance.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 1-D-10ALR, submitted by Gordon Fraser, made pursuant to Section 20(3) of the *Agricultural Land Commission Act* to construct an addition on the side of an existing building for the storage of an antique fire truck and equipment maintenance space on the subject property be forwarded to the Agricultural Land Commission with a recommendation to approve the application.

MOTION CARRIED

R3 - McKercher

Carla Schuk, Planning Technician, presented Application No. 2-D-10DVP (Peter and Margaret McKercher) to reduce the minimum required setback for the front parcel line from 7.5 metres to 5 metres to situate a new shop on their property located at 1145 Fairbanks Road.

There were no questions to staff or the applicant.

It was Moved and Seconded

That Application No. 2-D-10DVP, submitted by Peter and Margaret McKercher for a variance to Section 8.1(b)(3) of Zoning Bylaw No. 1015 by reducing the minimum front parcel line setback from 7.5 metres to 5 metres for Parcel B (DD 348731) of Section 4, Range 7, Cowichan District, Except part in Plan 2454, and Except part of Cherry Road lying within the Limits of said Parcel B, be approved, subject to the applicant providing a survey confirming compliance with approved setbacks.

MOTION CARRIED

R4 - Casler

Carla Schuk, Planning Technician, presented Application No. 8-G-10DP (Dan Casler) to legitimize and finish construction of a single family dwelling at 11195 Chemainus Road, within the Ocean Shoreline DPA.

The Committee directed questions to staff and the applicant.

It was Moved and Seconded

That Application No. 8-G-10DP be approved, and that a development permit be issued to Dan Casler for Lot 1, District Lot 34, Oyster District, Plan 18775 to legitimize and finish construction of a house, subject to compliance with the recommendations noted in the October 29th, 2010 report by Lewkowich Engineering Associates Ltd.

MOTION CARRIED

R5 - Lealand

Carla Schuk, Planning Technician, presented Application No. 1-G-11DP/VAR (Jerry Lealand/Crompt) to construct a two metre wide deck and wheelchair ramp onto the existing house located at 3900 Linton circle, within the Ocean Shoreline DPA.

The applicant was present and provided further information to the application.

There were no questions directed to staff or the applicant.

It was Moved and Seconded

That Application No. 1-G-11DP/VAR be approved, and that a development permit be issued to Brian and Sandra Crompt for Lot 4, District Lot 34, Oyster District, Plan 22516 and a variance to Section 3.24(1) of Zoning Bylaw No. 2524 to reduce the setback from a watercourse from 15 metres to 10 metres for the purpose of building a 2 metre wide deck and a wheelchair ramp on an existing house also be approved, subject to the applicant providing a survey confirming compliance with approved setbacks.

MOTION CARRIED

R6 - Hignell

Alison Garnett, Planner II, presented Application No. 1-F-10RS (David and Valerie Hignell) to rezone the subject property located at 5720 Riverbottom Road West, from C-4 to a residential River Corridor Zone to permit three lot residential subdivision.

The applicant was present and provided further information to the application. Mr. Hignell requested that the committee support Option B of the staff report.

There were no questions to staff or the applicant

It was Moved and Seconded

1. That the draft bylaws for Application No. 1-F-10RS (Hignell) be forwarded to the Board for consideration of first and second reading;
2. That the application referrals from the Ministry of Transportation and Infrastructure, Sahtlam Volunteer Fire Department, and Vancouver Island Health Authority be accepted;
3. That a public hearing be scheduled with Directors Morrison, Kuhn and Dorey appointed as delegates of the Board, following receipt of a draft covenant that would limit the subdivision of the subject property to a maximum of 3 lots.

MOTION CARRIED

R7 - Brubaker

Alison Garnett, Planner II, presented Application No. 1-I-10DVP (Rick Brubaker/Tonn) to increase the height of an accessory building located at 8360 Sa-Seen-os Road.

Greg Hall was present on behalf of the applicant.

The Committee directed questions to the applicant.

It was Moved and Seconded

That Application No. 1-I-10DVP, submitted by Rick Brubaker for Debby Tonn respecting Lot 28, District lot 32, Cowichan District, Plan 1003, except part in Plan 1584RS be approved to increase the height of an accessory building from 6 metres to 7 metres, subject to a survey confirming compliance with the approved height variance prior to issuance of building permit.

MOTION CARRIED

R8 - Lindsay

Rachelle Moreau, Planner I, presented Application No. 4-B-10DVP (Jim and Lisa Lindsay) to reduce the required exterior side setback from 4.5 metres to 3 metres to build a workshop at 2180 Renfrew Road.

There were no questions to staff or the applicant.

It was Moved and Seconded

That Application No. 4-B-10 DVP by Jim and Lisa Lindsay for a variance to Section 8.5(b)(3) of Bylaw No. 985 in order to reduce the required exterior side setback from 4.5 metres down to 3 metres on Strata Lot 8, Shawnigan Lake Suburban Lots, Shawnigan District, Strata Plan 731 (PID:000-020-711) be approved, subject to receipt of a post construction survey indicating the location of the workshop complies with the variance.

MOTION CARRIED

R9 - Salmen

Rachelle Moreau, Planner I, presented a request by John Salmen to allow an accessory building fixture at 4465 Uphill Road.

The applicant was present and presented further information to the request.

The Committee directed questions to the applicant and staff.

It was Moved and Seconded

That the request by John Salmen and Gretchen Hartley to allow a shower and utility sink, in addition to two permitted plumbing fixtures, within an accessory building at 4465 Uphill Road (Parcel C (DD 67607I) of Section 3, Range 1, Cowichan District PID: 009-534-555), be approved subject to registration of a covenant prohibiting occupancy of the accessory building as a dwelling.

MOTION CARRIED

R10 – Sidewalks

Tom Anderson, General Manager, presented staff report dated February 16, 2011, regarding Sidewalks within Ministry of Transportation road rights-of-way.

General discussion ensued.

It was Moved and Seconded

That pursuant to s.799 of the Local Government Act, the Board of the Cowichan Valley Regional District request that the Province provide the CVRD with additional powers and exceptions, including power to regulate, prohibit and impose requirements, in relation to the provision, construction, operation and maintenance of sidewalk services within Electoral Area A – Mill Bay/Malahat of the CVRD.

MOTION CARRIED

**R11 – Fire
Department
Appointments**

It was Moved and Seconded

That the following appoints to the CVRD Volunteer Fire Departments be approved: Mesachie Lake VFD – Fire Chief, Gary Eve and Deputy Fire Chief, David Middlemost; Youbou VFD – Fire Chief, Orest Smycniuk and Deputy Fire Chief, Stu McKee.

MOTION CARRIED

R12 – Fire Tender

It was Moved and Seconded

That the overall expenditure of no more than \$120,000 (increased from the original \$100,000) for the purchase of a used fire tender for the Malahat Volunteer Fire Rescue Service, be approved, and further that the CVRD Purchasing Policy be waived and the expenditure be approved prior to approval of the 2011 budget.

MOTION CARRIED

**R13 – Bright Angel
Park booking**

It was Moved and Seconded

That the request by the Cowichan Valley Metis Nation to waive the park booking fees at Bright Angel Park to host a cultural camp scheduled for May 8-13, 2011, be approved.

MOTION CARRIED

R14 – Park Caretaker

It was Moved and Seconded

That the Glenora Trails Head Park Caretaker Contract with the incumbent caretakers be extended for a maximum two year term extension beyond the original three year term, commencing March 1, 2011 and completing February 29, 2013.

MOTION CARRIED

**R15 – Special Event
Request**

It was Moved and Seconded

That staff report dated February 22, 2011, from Ryan Dias, Parks & Trails Operations Superintendent, regarding Half Iron Man Triathlon Special Event Request, be referred to the next meeting when the Area B Director is present.

MOTION CARRIED

**R16 – MTI
amendments**

It was Moved and Seconded

That staff report dated February 23, 2011, from Nino Morano, Bylaw Enforcement Officer, regarding MTI Ticketing amendments, be referred back to staff for a further detailed report.

MOTION CARRIED

**R17 – Floodplain
Mapping**

Mike Tippet, Manager, presented staff report dated February 17, 2011, regarding floodplain mapping for the lower Cowichan River.

It was Moved and Seconded

That staff be authorized to participate in the local government ad-hoc committee discussions regarding the new floodplain mapping for the lower Cowichan River, and to prepare a draft Floodplain Management Bylaw for the CVRD in conjunction with municipalities, for future consideration by the Electoral Area Services Committee.

MOTION CARRIED

**R18 – Bylaw 3460
Referrals**

It was Moved and Seconded
That CVRD Zoning Amendment Bylaw No. 3460 (Doole Road A1-A-2) be referred to the Stz'uminus First Nation, the Agricultural Land Commission and the Ministry of Transportation and Infrastructure.

MOTION CARRIED

CORRESPONDENCE

**C1 to C6 – Grants in
aid**

It was Moved and Seconded
That the following Grants-in-Aid be approved:

- Electoral Area C – Cobble Hill, in the amount of \$500 to Bard@Brentwood to assist with production of "Inherit the Wind".
- Electoral Area B – Shawnigan Lake, in the amount of \$200 to Shawnigan Beach Estates Neighbourhood Association to assist with start-up costs to create an association.
- Electoral Area B – Shawnigan Lake, in the amount of \$200 to Cowichan Spirit of Women to assist with the operations of the Womens Resource Centre.
- Electoral Area D – Cowichan Bay, in the amount of \$1,000 to Cowichan Wooden Boat Society to assist with funding for the 4th Annual Prawn Festival.
- Electoral Area D – Cowichan Bay, in the amount of \$375 to Bike to Work Cowichan to assist with costs for the bike to work week program.
- Electoral Area D – Cowichan Bay, in the amount of \$500 to Cowichan Seniors Community Foundation to assist with costs to offset staging a major fund raising.

MOTION CARRIED

INFORMATION

IN1 - Workshop

Tom Anderson, General Manager, advised of the free half day Coastal Douglas Fir Stewards Workshop being presented by the BC Ministry of Natural Resource Operations at three Vancouver Island locations in March 2011

It was noted that interested Directors need to send in their registration forms soon as space is limited.

**IN2 to IN11 & NB7 -
Minutes**

It was Moved and Seconded
That the following minutes be received and filed:

- Minutes of Area C Parks meeting of February 14, 2011
- Minutes of Area I Parks meeting of February 8, 2011
- Minutes of Area E Parks meeting of January 20, 2011
- Minutes of Area G Parks meeting of January 10, 2011
- Minutes of Area C Parks meeting of February 2, 2011
- Minutes of Area G APC meeting of February 10, 2011
- Minutes of Area B APC meeting of February 3, 2011
- Minutes of Area E APC meeting of January 20, 2011
- Minutes of Area I APC meeting of December 7, 2011
- Minutes of Area A APC meeting of February 8, 2011

- Minutes of Area H Parks AGM meeting of February 8, 2011

MOTION CARRIED

**IN6 – Evergreen
School agreement**

Motion extracted from IN6 Parks minutes:

It was Moved and Seconded

That the CVRD enter into a partnership agreement with Evergreen Independent School Society to assist with the building of a sport court on their property through contribution of an amount not to exceed \$28,500 from the 2011 Electoral Area C Community Parks (233) budget in exchange for which a community use agreement will be entered into between the CVRD and the Society for community after school, weekend and summer holiday use and potential summer programming.

MOTION CARRIED

**IN7 – Saltair Ocean
Shoreline DPA**

Motion extracted from IN7 APC minutes:

It was Moved and Seconded

That staff be directed to forward letters to approximately 140 Saltair ocean front owners located within the Ocean Shoreline Development Permit Area advising of the need to obtain development permits for retaining walls and other activities within the DP Area.

MOTION CARRIED

**IN12 – Building
Report**

It was Moved and Seconded

That the January 2011 Building Report be received and filed.

MOTION CARRIED

NEW BUSINESS

**NB1 – Notice of
Motion**

It was Moved and Seconded

That Notice of Motion regarding two separate Engineering Committees, be referred to the next meeting where Director Duncan will be present.

MOTION CARRIED

NB3

Additional public comments regarding Application No. 1-G-11DP (Agenda Item R5) was received for information.

NB4

Additional public comments regarding Application No. 1-I-10DVP (Agenda item R7) was received for information.

**NB5 – Fire Protection
Agreement**

It was Moved and Seconded

That it be recommended to the Board that the Chair and Corporate Secretary be authorized to sign the 2011 one-year Fire Protection and Emergency Response Services Agreement between the CVRD and the Capital Regional District for Malahat Fire Protection.

MOTION CARRIED

NB6 – Ruxton Is.

It was Moved and Seconded

That staff be directed to work with the Ruxton Water Conservation Society to prepare a draft Stewardship Agreement for Ruxton Island Community Park for consideration by the Electoral Area Services Committee and Board based on the proposal submitted by the Society dated February 17, 2011.

MOTION CARRIED

NB7 - Minutes

Area H Parks AGM minutes - received under Information.

NB8 – Ministerial Approval

Mike Tippett, Manager, advised of letter dated February 21, 2011, from the Ministry of Community, Sport and Cultural Development, advising of the Ministry's acceptance of the CVRD's offer to participate in the regional district land use bylaw exemption initiative. The CVRD is exempt from the requirement for ministerial approval for official community plan bylaws plus four other types of land use management bylaws for a period of two years. The exemption will speed up the bylaw adoption process.

The letter was received for information.

Mr. Anderson noted that the CVRD can ask for bylaws that were previously sent to the Province to be returned, and noted that Mr. Tippett and Mr. Conway will review and advise what bylaws can be returned.

NB9 – Burning Provisions

Director Iannidinardo expressed concern regarding fires burning at construction sites in Cowichan Bay. Materials being burned are creating poor air quality. Contractors are not following the CVRD land clearing bylaw. There are fire department regulations that exist that are also not being followed. A backyard burning bylaw was introduced but not passed in 2000. There are examples of burning bylaws from several other districts that could be used to prepare a new draft.

It was Moved and Seconded

That the issue of drafting provisions to prohibit burning of construction materials be referred to the Engineering and Environmental Services Department for review.

MOTION CARRIED

NB10 – BC Ferry Board

Director Giles advised Committee members that R. Dewar (formerly Island Savings Credit Union) who the CVRD nominated to the BC Ferry Board has been selected.

CLOSED SESSION

It was Moved and Seconded

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

MOTION CARRIED

The Committee moved into Closed Session at 5:40 pm.

Minutes

It was Moved and Seconded
That the minutes of the Closed Session EASC meeting of February 1, 2011, be
adopted.

MOTION CARRIED

Rise

The Committee rose without report.

ADJOURNMENT

It was Moved and Seconded
That the meeting be adjourned.

MOTION CARRIED

The meeting adjourned at 5:41 pm.

Chair

Recording Secretary



R1

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: March 8, 2011

FILE NO: 3-I-10DP/VAR

FROM: Rob Conway, MCIP

BYLAW NO:

SUBJECT: Development Permit Application 03-I-10DP/VAR (Michael Dix)

Recommendation/Action:

That application 3-I-10DP/VAR by Michael Dix for a single family dwelling and associated development at Island #4, Cowichan Lake (Block 1455, Cowichan Lake District, as shown on Plan 40413) be approved subject to the following conditions:

1. Authorization of the proposed SPEA encroachment by Department of Fisheries and Oceans and Ministry of Environment;
2. Compliance with RAR Assessment Report #1910;
3. On-site monitoring of construction by a Qualified Environmental Professional and submission of a post development report confirming compliance with the recommendations of RAR Assessment Report #1910 and any conditions of approval specified by the Ministry of Environment and Department of Fisheries and Oceans;
4. Determination of the high water mark by legal survey and confirmation that the proposed building location is a minimum of 15 metres from the high water mark of Cowichan Lake;
5. Installation of a 'Type 3' or better sewage disposal system authorized by the Vancouver Island Health Authority;

Relation to the Corporate Strategic Plan: N/A

Financial Impact: (Reviewed by Finance Division: N/A)

Background:

Location of Subject Property: Billy Goat Island, Island #4

Legal Description: Block 1455, Cowichan Lake District, as shown on Plan 40413
(PID: 000-121-924)

Date Application and Complete Documentation Received:

Initial Application Received January 15, 2010

Variance request received March 22, 2010

Amended application received February 9, 2011.

Owner: Michael Dix

Applicant: As above

Size of Parcel: ±1.45 hectares (3.6 acres)

Existing Zoning: LR-1

Minimum Lot Size Under Existing Zoning: 1 hectare

Existing Plan Designation: No designation

Existing Use of Property: Vacant Land

Existing Use of Surrounding Properties: Cowichan Lake

Services:

Road Access: Boat access only

Water: Lake Water

Sewage Disposal: Proposed on-site system

Agricultural Land Reserve The subject property is not within the ALR.

Status:

Environmentally Sensitive Areas: The subject property is located on Cowichan Lake, and is subject to the Riparian Area Regulation.

Archaeological Sites: The CVRD has no knowledge of an archaeological site on the subject property.

Application Context:

An application for a development permit and variance was initially submitted by Michael Dix in January, 2010. The initial application was for two dwellings on "Billy Goat Island" or Island #4, which is located south of Youbou and east of Sa-Seen-Os Point on Cowichan Lake. The Island is approximately 1.46 hectares in area and is comprised of an east and west lobe separated by a low area that floods in winter. As the width of the island varies between about 25 and 47 metres, and the Riparian Area Regulation establishes a Streamside Protection and Enhancement Area (SPEA) of 15 metres on the north shore of Cowichan Lake (south shore of the Island) and 30 metre from the south shore of the Lake (north shore of the Island), almost the entire Island is covered by SPEA.

The initial application proposed two dwellings – one on the east lobe and one on the west lobe of the Island. The LR-1 (Lakefront Residential 1) zoning that applies to the Island permits a single family dwelling as a permitted use. A secondary dwelling unit is also permitted by zoning, but is required to be a no closer than 60 metres from the natural boundary of the Lake. In order to obtain approval for the two dwellings, the owner required a development permit that would allow development within the SPEA for the two building sites and a variance to reduce the 60 metre setback for secondary dwelling unit from 60 metres to 15 metres.

The initial application was referred to the Area I APC, and notices were sent to adjacent property owners regarding the variance. The APC and some Youbou residents who responded to the notice were generally opposed to the variance. There was also general opposition any development on the Island. APC minutes and letters received in response to the application notification are attached to this report for the Committee's information.

In December, 2010, the applicant amended to the application to remove the variance request and the proposed secondary dwelling unit. The amended application removed all proposed development from the west lobe and focused on a single building site on the east lobe. This report addresses only the amended application and requests a development permit to authorize development within a SPEA.

Proposed Development:

The single family dwelling is proposed approximately at the high point of the Island's west lobe. This is the widest part of the Island, where the approximate distance between the high water marks of the north and south sides of the Island is about 47 metres. There is a narrow 2 metre strip where the house site is proposed that is outside of the SPEA, but because of the narrow width of the Island, the majority of the house site is within the SPEA. Schedule 2 shows the proposed development relative to the riparian boundaries and high water mark.

The proposed dwelling is comprised of two detached wings connected by a covered porch and screened hallway. The footprint of the structure, including the porch and hallway, is about 300 square metres (3230 sq. ft.). A 28 square metre (300 sq. ft.) detached utility shed is also proposed. Floor plans of the proposed dwelling and an image of one of the proposed wings is shown on Schedule 3.

The established 200 year flood elevation (including free board) for Cowichan Lake is the 167.33 metre geodetic elevation. The floor elevation of habitable space must be constructed to this level. Although the high point of the Island, where the dwelling is proposed, is at or slightly above the 167.33m elevation, much of the building's foot print is below this level and must be elevated to achieve the required main floor elevation. To minimize excavation and to avoid the placement of fill, the dwelling is proposed to be constructed on concrete pile foundation.

As the soils on the Island are shallow and cannot support a conventional septic system, a "Type 3" sewage disposal system¹ is proposed that would treat sewage effluent to a high quality before it is discharge to a disposal field. The disposal field would be located a minimum of 50 metres from the shoreline and would require approximately 18 inches of sand to be added to the existing soil to achieve the required depth. The identified disposal area on the east lobe is considered sufficient to support a three bedroom dwelling. A preliminary report regarding the proposed sewage disposal system is provided in Schedule 4.

The applicant has provided a detailed description of the mitigation and protection measures that will be taken to prevent negative impacts of development on fish and fish habitat. This material is provided in Schedule 5.

¹ Type 3 is the highest level of treatment within the Ministry of Health's Sewerage System Regulation. It is defined as treatment that produces effluent consistently containing less than 10 mg/L of total suspended solids and having a 5 day biochemical oxygen demand of less than 10 mg/L and a medium fecal coliform density of less than 400 Colony Forming Units per 100 ml.

Policy Context:

The subject property is located within the Watercourse Protection Development Permit Area (DPA). In accordance with the Youbou/Meade Creek Official Community Plan Bylaw No. 2650, the applicant must receive a development permit from the CVRD prior to commencing any site preparation or construction within 30 metres of the high watermark of Cowichan Lake. RAR Development Permit applications require an RAR assessment report, prepared by a Qualified Environmental Professional. The applicant has submitted an RAR assessment report prepared by Ted Burns (Schedule 6).

The RAR process and the Watercourse Protection Development Permit Area are primarily intended to protect riparian areas by directing development away from identified riparian areas. Although development within a SPEA is generally not supported, the Riparian Area Regulation does acknowledge that there may be situations where development with a SPEA is necessary. The Regulation is not intended to "sterilize" land by entirely precluding development that would otherwise be permitted. In situations of hardship, where compliance with the Regulation is not possible, the Regulation does allow variances to the SPEA to allow limited encroachment into it.

MoE and DFO have recently developed a Riparian Area Regulation Protocol that will establish a process for addressing variance requests to SPEA boundaries and cases of hardship. The Protocol has not yet been adopted by the agencies, but likely will be in the near future. The Protocol seems well suited to the current application and MoE staff has recommended that it be applied to the proposed development at Island #4.

The Draft RAR Variance Protocol is provided in Schedule 7. The Protocol essentially transfers the responsibility of determining hardship and SPEA relaxations to MoE and DFO. Local Government's role is primarily to minimize the extent of SPEA relaxations by relaxing other bylaw standards such as property boundary setbacks. Input from local government is strongly encouraged, and MoE has requested that the CVRD comment on the hardship aspect of the variance. If the EASC and Board consider the application to be a hardship situation and recommend that it proceeds, approval from MoE and DFO will still be required before the proposed development can proceed.

Staff Comments:

This application has been challenging for the Area I APC, staff and the applicant. The owner's expectation to use the property in a manner suggested by the LR-1 zoning potentially could conflict with the objectives of the Watercourse Protection DPA and Riparian Area Regulation. The situation appears to be one that may require compromise by both the applicant and the approval authorities involved.

Staff believe the application is a hardship situation, because without a relaxation of the SPEA a dwelling could not be constructed on the Island as permitted by the zoning. The RAR recognizes this scenario as hardship and case law generally supports the right of an owner to construct a dwelling on land zoned for residential use.

While the owner appears to have a case of hardship, hardship does not necessarily oblige approval of any requested development within the SPEA. Perhaps the most significant issue associated with this application is not the relaxation the SPEA boundary itself, but rather the degree or extent of development that is proposed within the SPEA and if it is reasonable given the site constraints and potential impacts. The RAR Assessment Report that was submitted with the application advises that the proposed development will not negatively impact fish habitat, and staff have no reason to conclude that fish habitat or the lake will be negatively impacted by the proposed development. The proposed dwelling, however, is relatively large and it is arguable if the proposed development has found an appropriate balance between the owner's right to construct a dwelling on the Island and the policy objective of minimizing encroachment

into riparian areas. In the absence of evidence that the proposal would result in negative impacts, staff recommend approval of the application subject to the conditions listed in Option 1.

Options:

Option 1:

That application 3-I-10DP/VAR by Michael Dix for a single family dwelling and associated development at Island #4, Cowichan Lake (Block 1455, Cowichan Lake District, as shown on Plan 40413) be approved subject to the following conditions:

1. Authorization of the proposed SPEA encroachment by Department of Fisheries and Oceans and Ministry of Environment;
2. Compliance with RAR Assessment Report #1910;
3. On-site monitoring of construction by a Qualified Environmental Professional and submission of a post development report confirming compliance with the recommendations of RAR Assessment Report #1910 and any conditions of approval specified by the Ministry of Environment and Department of Fisheries and Oceans;
4. Determination of the high water mark by legal survey and confirmation that the proposed building location is a minimum of 15 metres from the high water mark of Cowichan Lake;
5. Installation of a 'Type 3' or better sewage disposal system authorized by the Vancouver Island Health Authority;

Option 2:

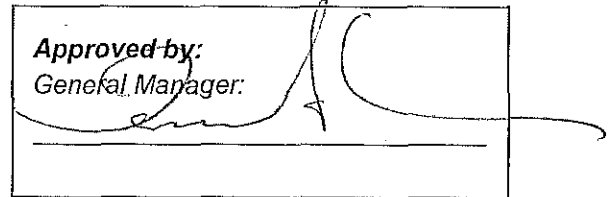
That application 3-I-10DP/VAR by Michael Dix for a single family dwelling and associated development at Island #4, Cowichan Lake (Block 1455, Cowichan Lake District, as shown on Plan 40413) not be approved in its current form, and that the applicant be requested to revise the proposal.

Submitted by,



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

Approved by:
General Manager:



RC/ca

Attachments:

- Schedule 1 – Location and Zoning Plan
- Schedule 2 – Site Plan
- Schedule 3 – Proposed Dwelling Plans
- Schedule 4 – On-site Waste Water System Report
- Schedule 5 – Proposed Construction Plan
- Schedule 6 – RAR Assessment Report #1910
- Schedule 7 – Draft RAR Variance Protocol
- Schedule 8 – APC Minutes
- Schedule 9 – Notification Response Letter re: Variance (no longer applicable)
- Schedule 10 – LR-1 Zone
- Schedule 11 – Watercourse Protection Development Permit Area
- Schedule 12 – Draft Development Permit Area



This map is compiled from various sources for internal use and is designed for reference purposes only. The Regional District does not warrant the accuracy. All persons making use of this compilation are advised that amendments have been consolidated for convenience purposes only and that boundaries are representational. The original Bylaws should be consulted for all purposes of interpretation and application of the Bylaws.

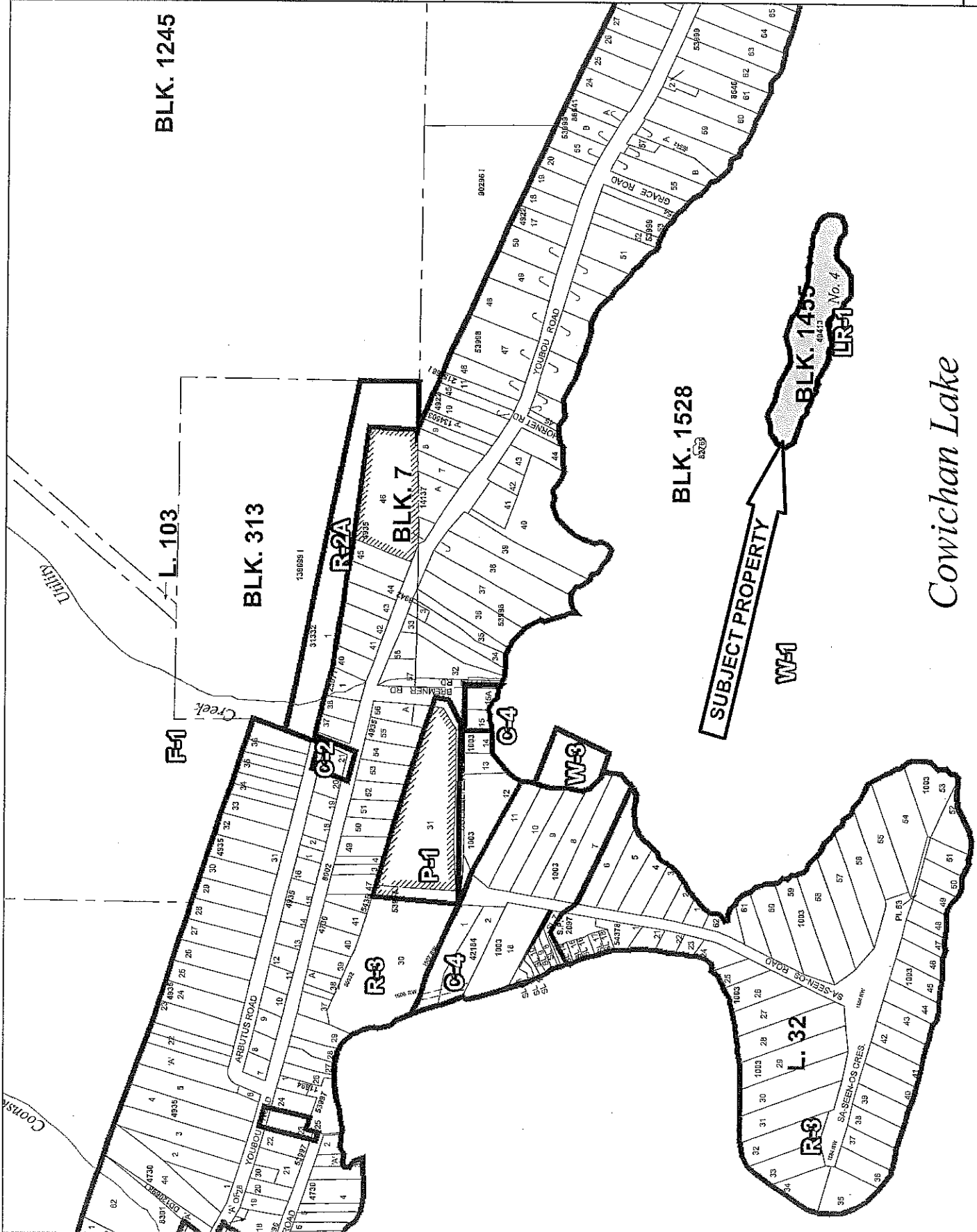
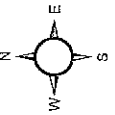
FILE:3-I-10
-DP-VAR

ZONING

Legend



Schedule 1



**EXPLANATORY PLAN OF BLOCKS 1455 AND 1456
COWICHAN LAKE DISTRICT, PURSUANT TO SECTION 70(1)
LAND TITLE ACT.**

Legend

- Mag Denotes magnetic.
- C.P. Denotes Old Post found.
- O.B.T. Denotes Bearing Tree found.
- B.T. Denotes Bearing Tree used.
- C.L.R. Denotes Copied Iron Post.
- Q.P. rock Denotes Standard Rock Post cemented in rock.
- Bearing reference referred to original survey of Block 1455 (filed 1978) by Jean Hirsch, B.C.L.S., 1906.

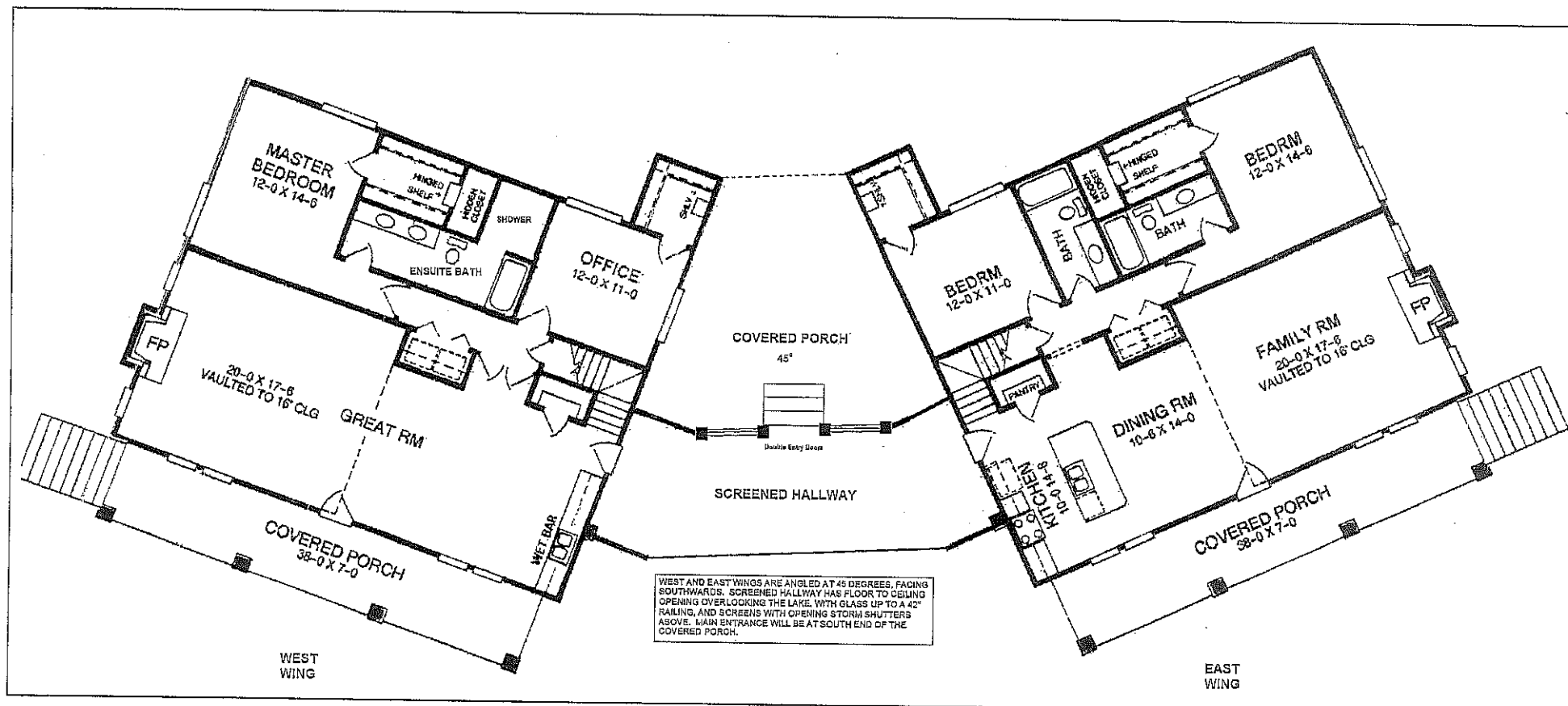
Scale: 1:1000
0 10 20 30 40 50 60 70 80 90 100
All distances are in metres unless otherwise noted.

Map Labels:

- LAKE
- SOLID ROCK BEACH
- PER GRAVEL BEACH
- SERTIC FIELD
- UTILITY SHED
- BLOCK 1455
- Wetland channel
- West Lobe
- HWM
- Compensation Zone
- BOUNDARY 18733M STAKE
- TO BLOCK 1456
- 3162-364
- 743-A
- 1455
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- 1499
- 1500

Annotations:

- Dashed lines represent Riparian assessment area
- 15 m SPEA and ZOS's for Riparian functions (South Side)
- 30 m SPEA and ZOS's for Riparian functions (North Side)



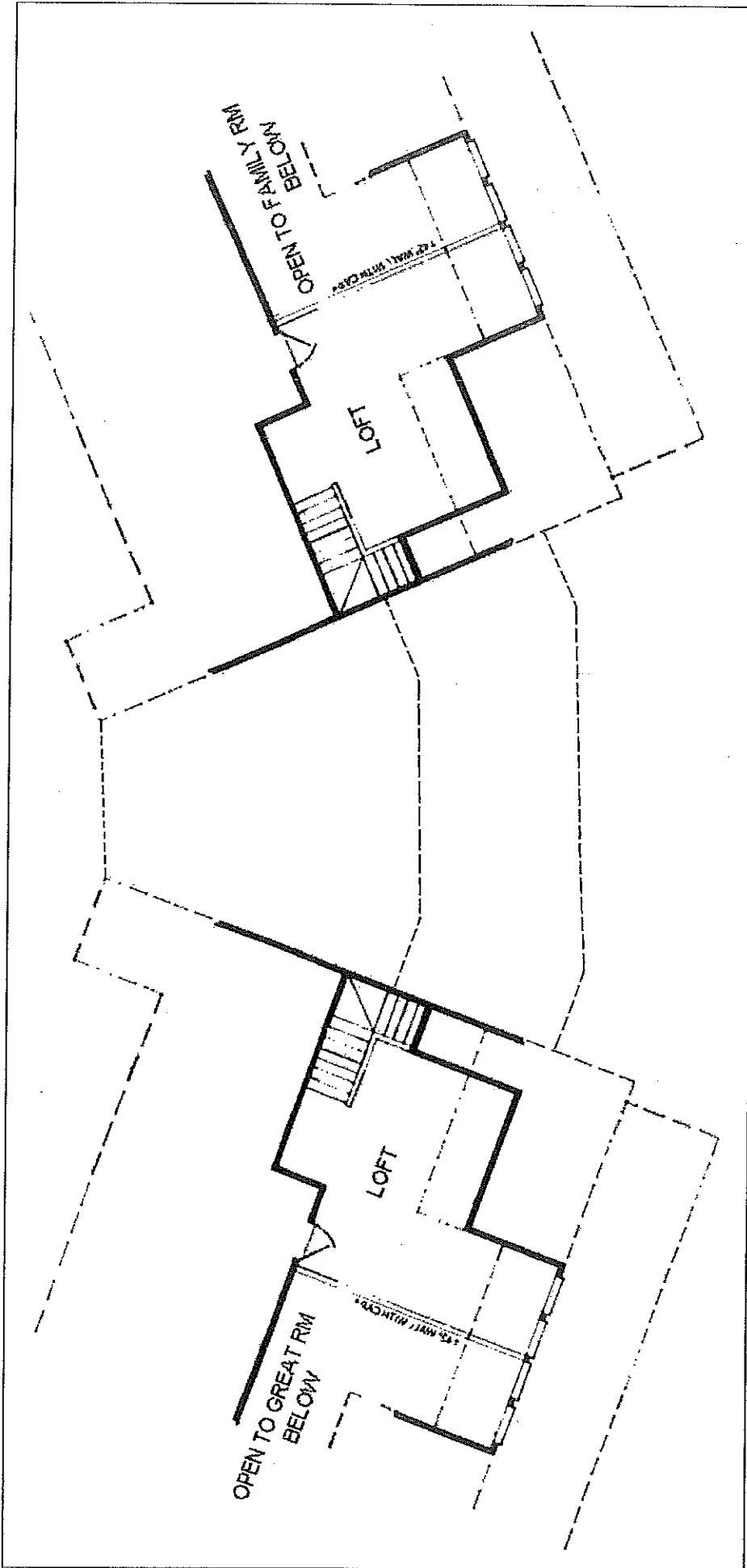
Specifications

Country Bungalow
Main Level: 1,404 Sq-Ft Each Wing
Total Living: 2,808 Sq-Ft; Plus
Covered Porch and
Screened Hallway

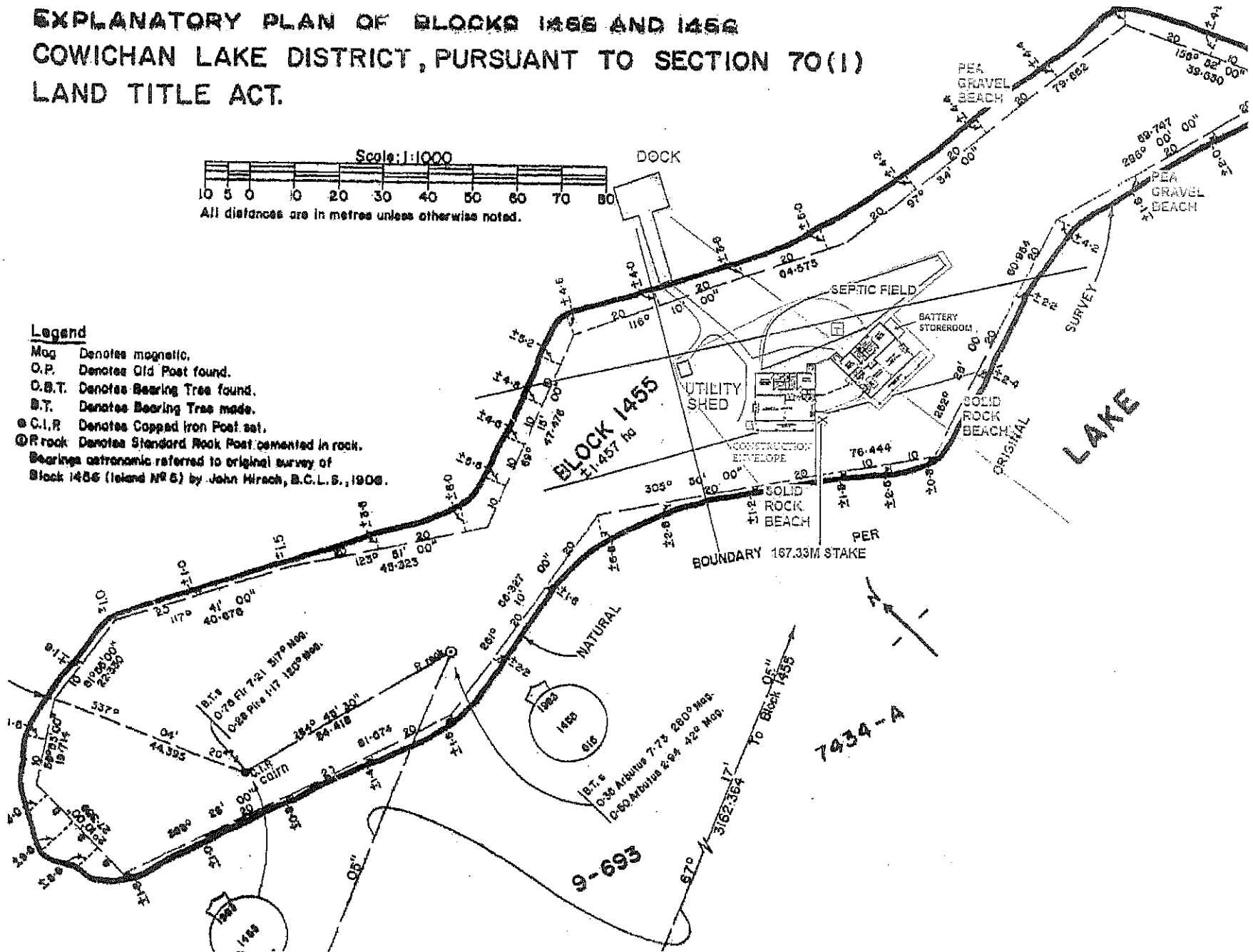
Bedrooms: 3
Baths: 3

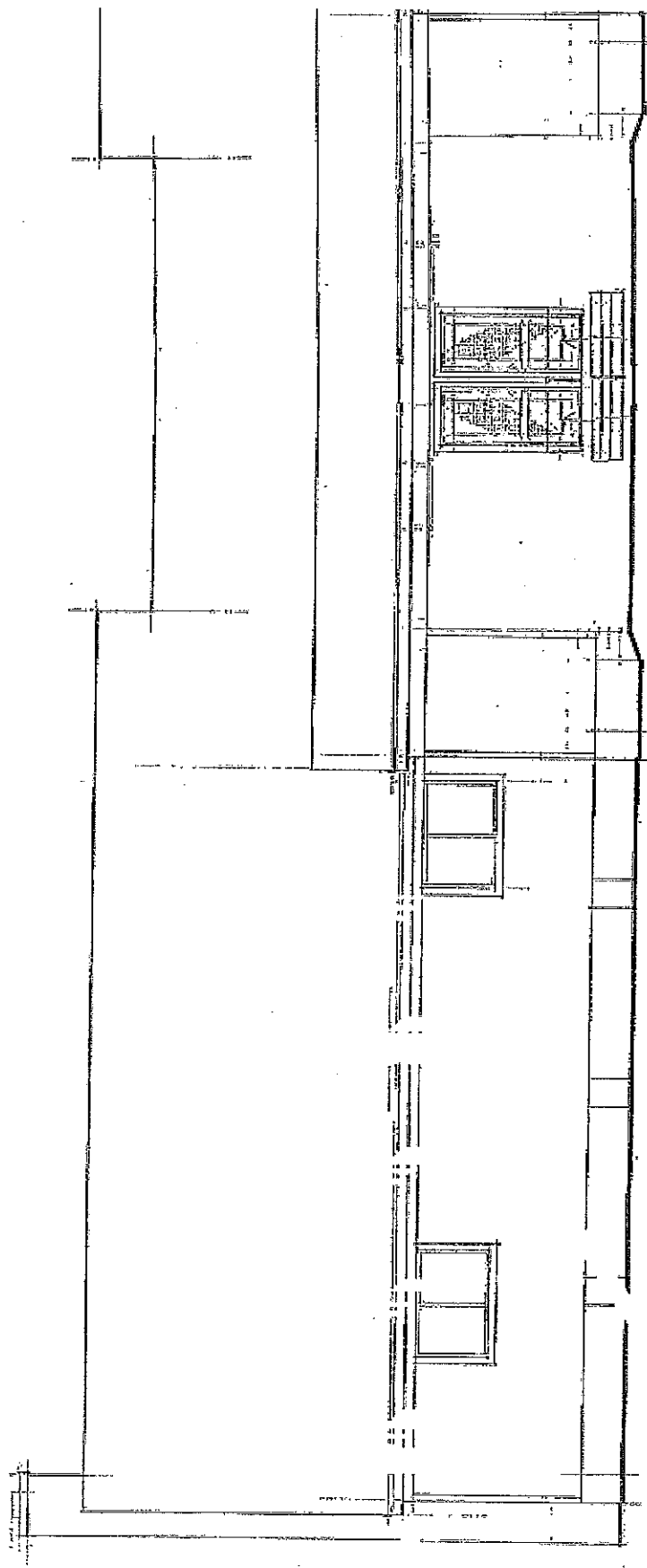
Width: 54' Each Wing.
Depth: 46' Each Wing.
Stories: 1.

Foundation: Post and Pier



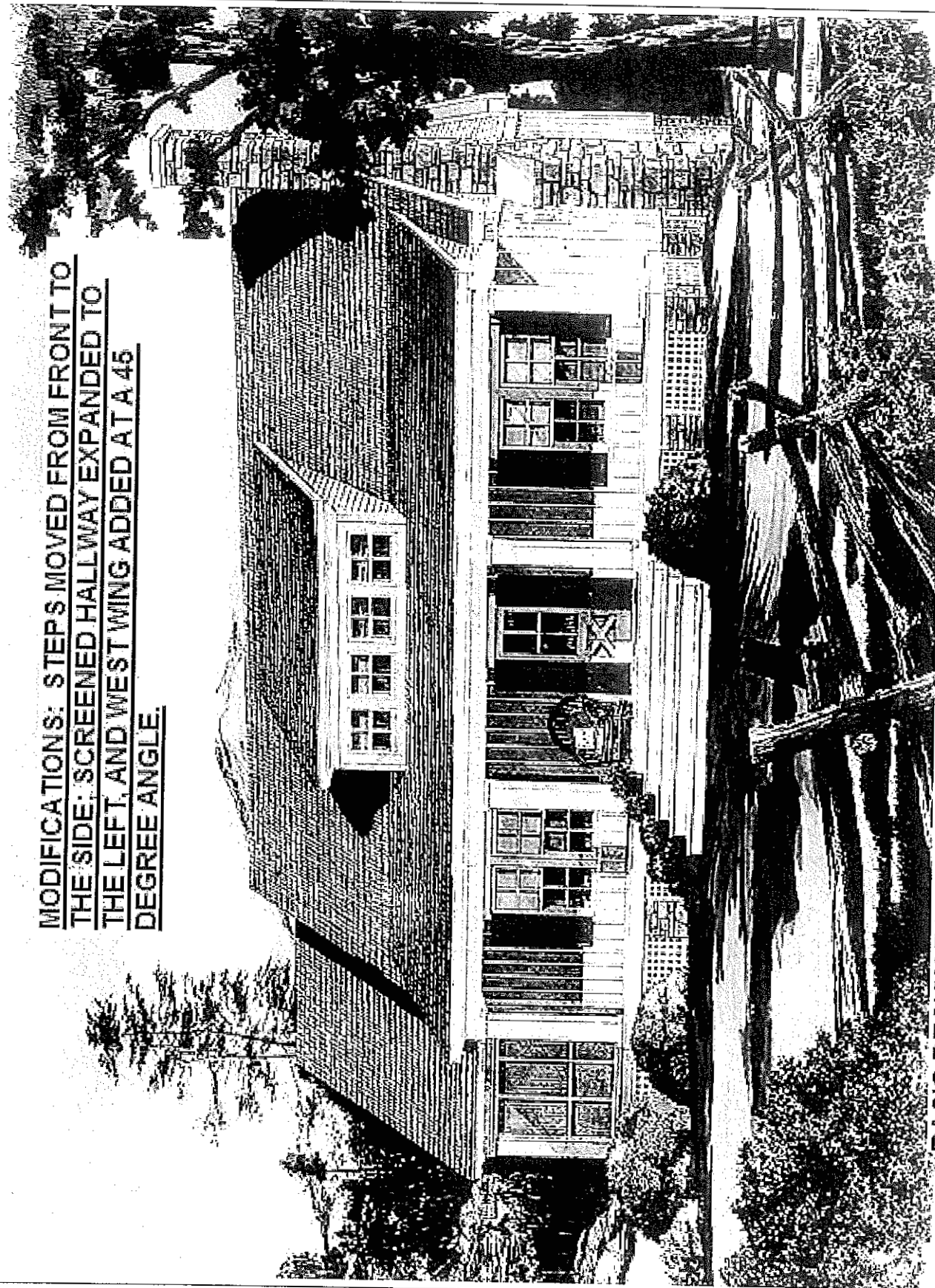
EXPLANATORY PLAN OF BLOCKS 1455 AND 1456
COWICHAN LAKE DISTRICT, PURSUANT TO SECTION 70(1)
LAND TITLE ACT.





REAR ELEVATION, North Face of East Wing and Main Entrance

MODIFICATIONS: STEPS MOVED FROM FRONT TO
THE SIDE; SCREENED HALLWAY EXPANDED TO
THE LEFT, AND WEST WING ADDED AT A 45
DEGREE ANGLE.



BASIC DESIGN FACING SOUTHWARD, WITH POST AND PIER FOUNDATION

OSI

ONSITE SYSTEMS INC.

APPROPRIATE TECHNOLOGY
FOR ON-SITE WASTEWATER SYSTEMS

September 29, 2005

Att. Mr. Norm deWit
Re/Max Camosun
4440 Chatterton Way
Victoria, BC V8X 5J2

e-mail: ndewit@waterfrontvancouverisland.com

*To Norm
5 pages.
1-250-744-3904
From Steve Bugges.*

Dear Sir:

**Re: Soil Analysis and Feasibility Study for Sewage Disposal on Island #4,
Cowichan Lake, BC**

OSI Onsite Systems Inc. has completed the Phase 1 Feasibility Study of the above property. The results of our findings are as follows and are based on the Ministry of Health's "Sewerage System Standard Practice Manual".

Soil Assessment

A representative of OSI was onsite August 23, 2005 to assess soil depths and permeability. Two sites were chosen for their proximity from high water and height above the lake level. Three holes were augered at various locations to determine soil depth and texture.

Site #1

At site #1 (east end of island) the auger holes were between 14 inches and 23 inches deep where a layer of rock was encountered. The upper layer of sandy gravelly material was very porous with limited structure. Our permeameter test confirmed the porosity was severe and too fast to adequately treat the effluent passing through this layer. Since the depth of soil averaged 18", with some areas of considerably less depth, and the limited space available, it was determined this area is only capable of supporting a 'type 3' system with a maximum flow of 300 IG per day (3-bedroom home). The area also had abundant understory vegetation and large fir trees. The trees within this area would aid in transepiration of the effluent and encourage a healthy eco-

OSI

**DUNCAN: 5798 Garden St., Duncan, B.C. V9L 3V9 TEL: 748-8500 FAX: 746-1898
RON K. PARKER, P.ENG.**

system is established within the drainfield area. The site would also require the addition of 18" of sand fill be placed above the native horizon to meet the required 24 inches of vertical separation from the trench bottom to the limiting layer (rock layer). There was a low-lying area (swampy) approximately 60 feet to the north of the site. The required setback distance from this area is 50 feet and so this limits the drainfield area. The close proximity to shorelines on two sides is slightly greater than 50 feet, thus meeting the setback requirements for 'type 3'. There is a rock knoll to the west of site #1 which further limits this area for ground disposal.

Site #2

At site #2 (west end of island) several test holes with the auger were conducted to determine soil depth. The permeable soil depth varies from 18" to 24" where a rock layer was encountered. The upper layer of sandy gravelly soil was very porous with limited structure, much like site #1. Our permeameter test confirmed the porosity was severe and too fast to adequately treat the effluent passing through this layer. Since both sites have similar soil types and severe limitations with respect to proximity to high water marks and wet areas and rock outcrops, it would be our recommendation that a 'type 3' treatment plant be designed for this site. Since both sites are sufficient in size to accommodate a 3-bedroom home with 'type 3' treatment, it is possible to have two houses on this island. The understory vegetation was similar to site #1. There would need to be 18" of sand fill added to this area, similar to site #1.

Site Constraints

The island has very porous soils that are considered too porous to provide adequate treatment. The Sewerage System Standard Practices Manual (SSSPM) considers the soils to be severe to very severe in nature. The close proximity to a rock layer below the drainfield would cause untreated effluent to surface downslope and potentially cause a health risk. If a 'type 3' treatment system is designed for this site then advanced treatment levels prior to discharge to ground will eliminate the health risk. We found enough soil and area at both sites to support 3-bedroom homes. The close proximity to the lake makes the 'type 3' system the only option available.

Design Considerations

The remoteness of the site and the requirements for a 'type 3' system with sand-lined trenches is very challenging to build and operate since power is required at the site. Some options for solar and wind energy or generator power are possible.

Use of lightweight products, such as fiberglass septic tanks and chambers for the drainfield will allow for easy transportation and installation at the site. Siting of the house and septic tank will be critical since rock is so shallow in many areas on the island. Rock blasting is a costly option, so if the tank location can be worked into existing features and fill placed around it, that would be preferable.

OSI

**DUNCAN: 5798 Garden St., Duncan, B.C. V9L 3V9 TEL: 748-8500 FAX: 746-1898.
RON K. PARKER, P.ENG.**

The 'Type 3' Treatment System:

The AdvanTex treatment system is capable of processing wastewater from the home to advance secondary treatment levels (less than 10/10 BOD, TSS) or 99% cleaner. The system consists of a 1200 IG fibreglass septic tank with a pump at the outlet end. This pump doses sequentially at timed intervals to the treatment device (AdvanTex pod). The wastewater is distributed throughout the top of the filter media and flows downward through the geotextile sheets where it comes in contact with microorganisms which clean the wastewater. This cleaned treated effluent then discharges to the disposal field to the chamber system, which disperses it through the sand fill and into the surrounding soil. When it reaches the bedrock layer it has been fully renovated back to water. The whole process is odourless and the homeowner can landscape his yard and the system becomes inconspicuous. Only several lids will be brought to the ground surface for maintenance of the system. The power requirements for the system will depend on the homeowner's choice, but generator power or solar are both possible.

Conclusion:

This island has two sites which have the potential to support a three-bedroom home, but require a 'type 3' treatment system in order to do so. Since the costs for such a system are much higher than a conventional septic system the following cost analysis has been included for your review.

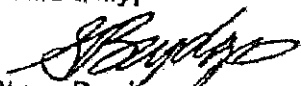
Preliminary Cost Estimate per Household

This does not include transportation of material costs to the island or building site access.

1. Treatment Equipment and Septic Tank	\$13,000.
2. Installation, electrical hook-up and drainfield installation	<u>12,000.</u>
	<u>\$25,000.</u>

If you have any questions regarding this report please call me at 250-748-8500.

Yours truly,


Steve Brydges
Construction Services Technician

SB/nb

Anita\staff\docume\Wency\June 2000\B Bowen, Jim (Is. Cow Lk)\Soil Analysis - Feas. Study\Is 4 Sep28.05.doc

OSI

DUNCAN: 5798 Garden St., Duncan, B.C. V9L 3V9 TEL: 748-8500 FAX: 746-1898
RON K. PARKER, P.ENG.

ATC Cowichan Islands 7:3

03

1455 AND 1456
TO SECTION 70(1)

PLAN 40413

0 10 20 30 40 50 60 70 80 METERS

SITE #2

SWAMPY AREA

SITE #1

BLOCK 1458

COWICHAN

LAKE

BLOCK 1456

#5

9-893

7434-A

1455
0-70 Pkt 0-05 178° 20' 00"
0-20 Pkt 0-05 180° 00' 00"
0-30 Pkt 0-05 182° 00' 00"

1456
0-70 Pkt 0-05 178° 20' 00"
0-20 Pkt 0-05 180° 00' 00"
0-30 Pkt 0-05 182° 00' 00"

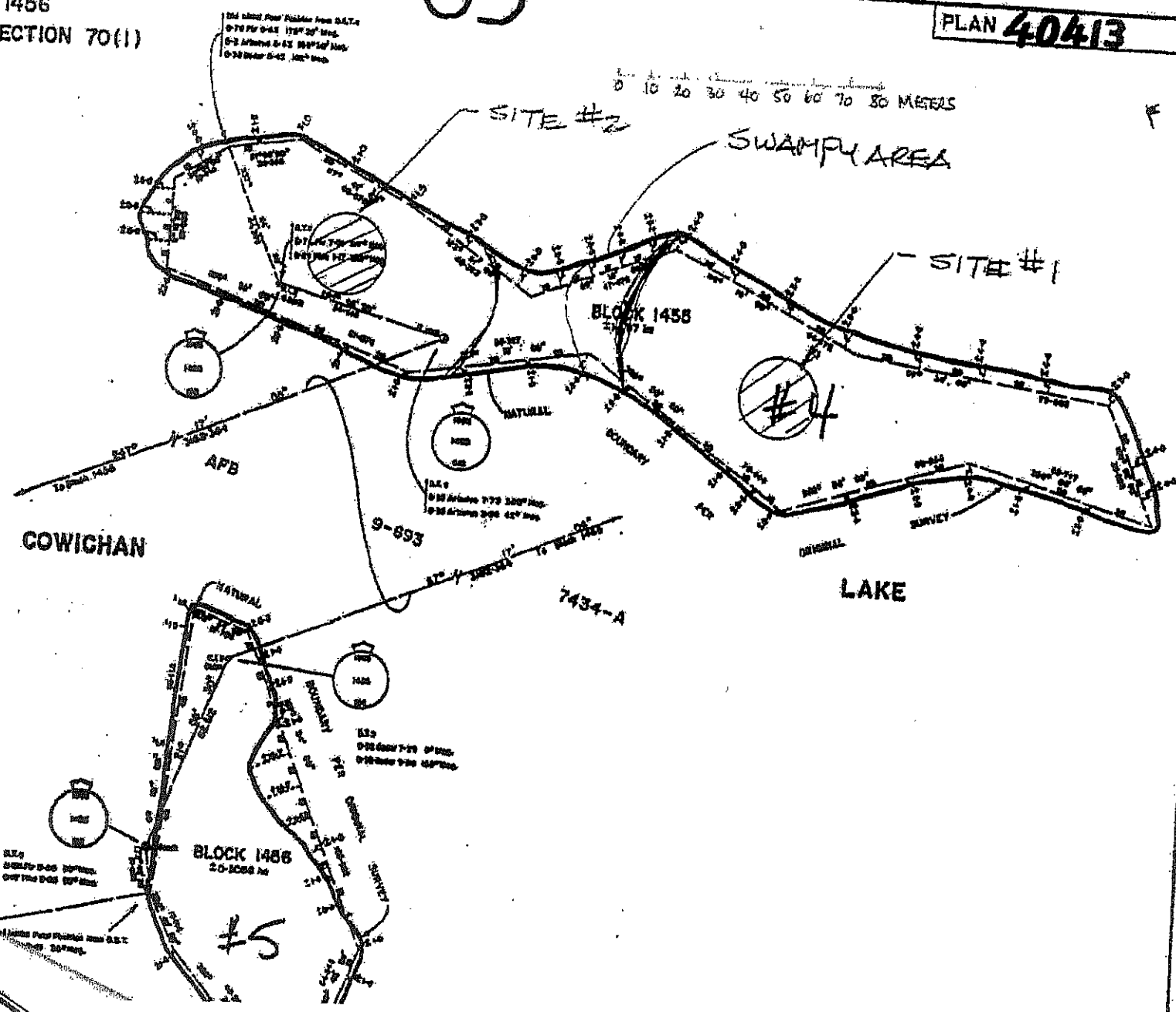
1457
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1458
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0-20 Pkt 0-05 180° 00' 00"
0-30 Pkt 0-05 182° 00' 00"

250-746-1898

Eagle&OSI

05 05:03p



PERMEAMETER TEST

Note: The predetermined coefficients are only valid if a 4" diameter permeameter and a 3" Edelman auger are used

Client:	MR. JIM BOWEN		Job #:
Location:	ISLAND # 4		Date: AUG. 23/05
Weather:	SUNNY	AH#: 2	AH location:
AH Depth:	21" (53cm)	AH diameter: 7.0 cm	AH radius: 3.5 cm
Permeameter ID#:	Height of air hole (H): 20 cm	Perm: ID =	cm Tested by:

Test Results:

[illegible]

$$\text{Stable rate of fall (mm/min)} = \frac{700}{(\text{soil factor})} \times \frac{72}{24} = K(\text{fs})/\text{mm}/\text{day} = \underline{64,800}$$

Soil factor: Sand: 0	Structured loams & clays 0	Unstructured clay 0
Sand factor = 72	Structured loams & clay factor = 55.3	Unstructured clay factor = 32.4
Calculate HLR for trenches /field:		
$\text{HLR} = \frac{\text{K(fa)}}{\text{K(sat)}} \times \text{Effluent quality factor} = \text{Design hydraulic loading rate (L / m}^2\text{)}$		
Comments: K(fa) mm/day = saturated HLR in L / m ² K(sat) is larger than K(fa)		
Reference: Moores, J.D., and D.H. Waller, 1993 ON-Site Wastewater Disposal in Nova Scotia, Final Report, On-Site Wastewater Research Program Phase 2 1990-1993. Technical University of Nova Scotia		

Billy Goat Island Proposed Construction Plan (February 8, 2011)

Billy Goat Island is a 3.65 acre cigar-shaped land mass, approximately 340 metres in length, and comprised of two upland forested lobes separated by a marshy area at the approximate halfway point. The island is located in Cowichan Lake approximately 250 metres from the north shore of the lake off Youbou.

The current owner has maintained the island in its natural pristine state during his 5 ½ years of stewardship. The owner desires to keep the island in as much of a natural state as possible, but now desires to construct a primary dwelling. It is proposed to build on the East Lobe of the island. The primary source of power will be solar PV, with a backup generator. Hot water and in-floor radiant heat will be by solar thermal heating. Potable water is proposed to be sourced from the lake.

The East Lobe of the island has professional survey markers (wooden stakes nailed to trees) in place identifying the 164 metre and the 167.33 metre marks. Ted Burns (QEP) has also conducted a RAR survey and the draft report has been prepared. The survey indicates the East Lobe of the island has a long narrow strip (approximately 2 metres wide) of upland outside of the SPEA, but this is too narrow for a desirable building design and septic disposal field. The entire West Lobe appears to be within the SPEA. A bend in the SPEA is requested for a building site on the East Lobe, for the primary dwelling, utility shed, dock, pathway for dock access, and for the septic system and field.

The following is the plan for low impact and soft touch construction methods proposed for the project. The plan is designed to avoid damage to fish and fish habitat. The construction will be performed in such a manner as to result in no harmful alteration, disruption or destruction of fish habitat, and the QEP will be used to monitor and ensure compliance.

Timing and Duration of Build

The project is planned to commence in May/June 2011 when the lake level permits full access to the natural rock and gravel beaches. A natural solid rock beach adjacent to the proposed construction envelope will enable the landing of heavy materials and a small excavator by barge, with minimal impact on the natural foreshore and fauna. The project completion is planned for the end of September 2011, well in advance of the rainy season and the natural lake level rise that typically occurs in November. In order to mitigate the risk of sediment runoff into the lake, work that creates dust or staining applications will be avoided during wet and rainy periods.

Site Preparation

The building site will be professionally surveyed to lay out the exact position and perimeter of the building site footprint, and the location of the SPEA around the building site footprint will be marked with snow fencing. A registered arborist will be used to consult on any hazardous/problem trees and to advise on proper protection of trees around the

construction envelope. An access path will need to be cleared between the access beach and the building site, to permit the ingress/egress of materials and machinery. The removal of select plants may be necessary to access the construction site. This removal will be kept to a minimum.

The clearing of the land for the building site will be kept to a minimum, but will require some degree of clearing to prepare a safe building envelope. A combination of manual labour and an excavator will complete the preparation of the building site. Standard safety and environmental protection procedures will be used in delivery, refueling and excavation practices to minimize the effect on the lake water, foreshore, and upland.

Effective sediment and erosion control measures will be installed before starting work to prevent the entry of sediment into the lake. These control measures will be inspected regularly during the course of construction and all necessary repairs will be made if any damage occurs.

Use of existing natural and deer trails will be used wherever possible to avoid disturbance to the riparian vegetation (vegetation that occurs adjacent to the lake).

Site Access

Construction material and machinery will be delivered by barge and pontoon boat from the private boat launch at Cowichan Lake RV Resort, located on Sa-Seen-Os Road in Youbou. The primary site for unloading on the island will be the nearest rock beach on the south shore, and material will be stored in front of the proposed building site above the HWM.

The storage of material and equipment will be done in a manner that takes advantage of natural clearings, thereby minimizing the need to clear salal and other vegetation. A secondary construction access point for ingress/egress to the island via pontoon boat is proposed at the nearest natural clearing on the north shore. Existing deer paths will be used where possible and widened to a maximum width of 2 metres, from the shore location to the building site. Eventually it is proposed to construct a permanent dock on the north shore, where it is protected from the prevailing winter winds, has suitable bank formation to accommodate a year-round ramp, and also has sufficient water depth at late summer lowest lake level.

Machinery Operation

Machinery will be operated primarily on land above the HWM or on water (from the barge) in a manner that minimizes disturbance to the banks or bed of the lake. Machinery will arrive on site in a clean condition and will be maintained free of fluid leaks, invasive species and noxious weeds. The washing, refueling and servicing of machinery and storing of fuel and other materials for the machinery will be away from the water to prevent any deleterious substance from entering the lake. An emergency spill kit will be kept on site in case of fluid leaks or spills from machinery. Banks will be restored to original condition if any disturbance occurs.

Foundations

A concrete pad/pier system will be used for the construction of the foundations. This will minimize the amount of concrete required, will reduce the amount of excavation required to a minimum, and will protect against extreme high lake levels. The excavator will be used to dig the pad footings, and excavator movement will be restricted to the construction envelope. All concrete will be mixed on site in a temporary enclosure designed to prevent the wind blowing dry pre-mixed concrete materials onto the lake surface, and prevent any run-off of concrete or sediment into the lake.

Structural Framing, Electrical and Plumbing

A proposed Structural Insulated Panel (SIP) house is planned for the primary dwelling. This includes the floor, walls, and roof system. This construction method will minimize the amount of on-site raw materials and waste, and will minimize the time to build this dwelling, thus again minimizing the effect on the island environment. Standard construction practices as per BCBC 2006 will be used for electrical and plumbing systems.

Servicing the Dwelling

Lake water will be used as the primary water source. A submerged foot valve will need to be located off the shore, with piping installed in a trench up to the dwelling. During dry land trenching for the water pipe, the material that is moved from the bank of the lake (below the HWM) will be stockpiled and returned to its original location once the pipe is installed.

Drinking water will either be from treated lake water or brought in by 5-gallon containers. Eagle Engineering has identified a suitable Type 3 septic field site, and the system will be built as per provincial regulations. Some sand will likely be needed to be brought in for a traditional Type 3 septic system, but the owner is also considering an alternative septic system from Germany which is even more environmentally friendly (this system has recently been approved by DFO and will be installed on the Mainland this Spring on the banks of the Fraser River, and safely discharges directly into the river). Electrical service will be via a combination of solar panels, backup generator, and possibly a wind turbine for winter use. A solar hot water system is also planned for heating water and for in-floor heating. The primary source of fuel for cooking, heating and the backup generator is proposed to be propane. A high efficiency wood stove is proposed for secondary heating.

Exterior Finishing

Construction-grade timber removed from the building envelope will be cut on site and used for the build where feasible, for exterior trim and siding details. Environmentally friendly stain treatments will be utilized.

Interior Finishing

The interior of the SIP skins will be either skim coated and then primed/painted or covered in wood paneling. All finishes will conform to BCBC 2006.

Site Cleanup and Reparation

All construction waste will be removed from the surrounding area to the building site and disposed/recycled at the CVRD's Meades Creek or Duncan facilities. Any temporary

structures for the preparation of concrete, staining, and cutting of wood, will be removed and the area restored to the original state of the site. Any disturbed areas will be re-vegetated by planting and seeding with native trees and shrubs. All planting will follow the DFO guidance on Riparian Re-vegetation.

Use of the QEP

Ted Burns has been procured as the QEP for this project and he will be involved in monitoring and ensuring compliance during site preparation, construction, and at project conclusion. The SPEA and proposed alternative building sites have already been marked with survey tape by the QEP.

Request for CVRD and DFO Approval

The owner respectfully requests the CVRD and DFO to approve of the proposed construction envelope and plans, under the above listed conditions.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date March 1, 2010

I. Primary QEP Information

First Name	Ted	Middle Name	
Last Name	Burns		
Designation	Biologist	Company	
Registration #	895	Email	tedburns@shaw.ca
Address	9715 Epp Drive		
City	Chilliwack	Postal/Zip	V2P 6N7
Prov/state	BC	Country	Canada
		Phone #	604-795-9716

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

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
		Phone #	

III. Developer Information

First Name	Mike	Middle Name	
Last Name	Dix		
Company			
Phone #	250-477-0101	Email	mjdix@shaw.ca
Address	4596 Bonnieview Place		
City	Victoria	Postal/Zip	V8N 3V6
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Construction: Single Family Residential		
Area of Development (ha)	.03	Riparian Length (m)	692
Lot Area (ha)	1.46	Nature of Development	New
Proposed Start Date	May 2010	Proposed End Date	Sept. 2011

V. Location of Proposed Development

Street Address (or nearest town)	Youbou		
Local Government	Cowichan Valley Regional District	City	Duncan
Stream Name	Cowichan Lake		
Legal Description (PID)	000-121-924	Region	Vancouver Island
Stream/River Type	Lake	DFO Area	South Coast
Watershed Code	9202577		
Latitude	48	51	60
Longitude	124	11	07

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.

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2. Windthrow.....	9
3. Slope Stability.....	9
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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

Development Proposal

Mike Dix proposes to construct a home on the east lobe of Billy Goat Island (Cowichan Lake) which is also known as Island 4. The approximately 290 m long 1.46 ha island (which is two islands at higher water levels because the two lobes of the island are separated by a high water channel) is located adjacent to the eastern portion of Youbou which is Reach 56 of Cowichan Lake. The dwelling would cover some 253 m² and there will be some additional intrusion for a septic system and a small shed for a total of approximately 300 m². The island is about 47 m wide at the building site and a SPEA of 45 m is required. Therefore nearly all of the development footprint will overlap the SPEA and a bend in it will be necessary to accommodate the works. Because the West Lobe of the Island is a separate riparian unit of about .6 ha and will remain undeveloped, the footprint can be compensated for there. It will also be necessary to procure a Section 9 Water Act Notification for a dock and a water licence for the domestic water supply which will be pumped from Cowichan Lake. A Type 3 septic system (Eagle Engineering) will be employed which delivers high quality effluent to a land dispersal system on site.

Riparian Conditions

The island has a riparian length of 692 m and approximately half of this is Class 1 or 2 fish habitat (most of the north shore and the channel which separates the two lobes of the island). The south shore of the island and its ends are exposed to both southeasters and west winds and the habitat value is much reduced by wave attack. The north shore riparian band is quite narrow (approximately 1 – 4 m wide but usually 1 - 2 m) and consists of Red Osier, Pacific Ninebark and occasional alders. The shore abruptly grades into dry Douglas fir-Salal upland on this side of the island. The south shore riparian community consists of sparse vegetation common to dry exposed shores on the South Island: Nootka Rose, Pacific Ninebark, a bit of alder and Sweet Gale. Much of the shore is not vegetated consisting of pocket beaches and bedrock. The south shore zone is broader than that of the north because of its low angle (3-5%) but very little of it is riparian in the biological sense of the word. Most of it is Class 3 or 4 in terms of fish habitat value. The interior of the island is entirely terrestrial dry upland with Salal-Douglas Fir and occasional Red Huckleberry, Western Red Cedar, Arbutus and Shore Pine. Maximum elevation of both lobes of the Island is above the designated 200 year flood level of 167.33 m. The highest recorded lake level to date was 165.388 m. The building site is in the interior and well removed from riparian values. No fish habitat disturbance will result from building at the chosen location

Cowichan Lake as Fish Habitat

Cowichan Lake and, in particular, its shore zone, is very important fish habitat. **Cowichan Lake** is a large, deep, oligotrophic coastal lake. It covers a surface area of 62,043,000 m², has a volume of 3,109,138,000 m³ and a perimeter of 102,740 m. The shore zone has been divided into 85 reaches and sub-reaches (Burns, 2002). It has a strong and diverse fish community.

Table 1: Cowichan Lake Physical Description

Elevation	Area (m ²)	Volume (m ³)	Mean Depth (m)	Max. Depth (m)	Perimeter (m)	Reaches
158-165	62,043,000	3,109,138,000	50.1	152	102,740	85

Cowichan Lake is utilized by rainbow and cutthroat trout, brown trout, Dolly Varden char, kokanee, chinook and coho salmon. Chum salmon also use the lake on a short term basis. Threespine sticklebacks and sculpins are also present (*Cottus asper* and *Cottus aleuticus*). The Cowichan Lamprey is also present (Table 2).

Table 2: The fishes of Cowichan Lake and their relative abundance

Species	Relative Abundance
Coho salmon	Very abundant in the shore zone between May and July. Can persist all summer in cool years.
Three – spine stickleback	Very abundant in the shore zone for most of the year
Kokanee	Very abundant but mainly in open water
Cutthroat trout	Very abundant. At least two races or forms in the lake.
Rainbow trout	Very abundant but slightly less so than cutthroats
Dolly Varden	Formerly abundant especially in the west portion of the lake but have declined markedly of late. Now uncommon.
Chinook salmon	Scarce. Very abundant prior to 1950's in the form of early run (June) that held in the lake until fall rains then spawned in a number of tributaries. Fall Chinooks are still relatively abundant in the Cowichan system but they make little use of the lake.
Chum salmon	Not abundant, spawns in several tributaries in small numbers, total escapement to the lake tributaries usually less than 1000. Very occasional beach spawning near Youbou and possibly at other sites. Young are in shore zone from late April to June.

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Brown trout	Uncommon in the lake but some large individuals are present. Browns are common in the Upper Cowichan River
Cowichan Lamprey	Abundant. This species is red listed likely because Cowichan Lake is its only known location. The lamprey is most abundant in Mesachie and Bear Lakes and is known to spawn in Mesachie and Halfway Creeks.
Prickly Sculpin	Abundant in the shore zone
Aluetian Sculpin	Common in the lake and portions of its tributaries

Of the Cowichan Lake fish community, Threespine sticklebacks and coho salmon are the most at risk from development adjacent to the lake because they are most dependent on shore zone habitat. All juvenile salmonids winter in the shore zone (inland extent of riparian vegetation and, in most cases, seasonal wetting, to the 6 m contour offshore). But coho and sticklebacks are present in all but the warmest weather periods when water temperature exceeds 22°. However they are not usually present in all habitats being largely limited to protected, well vegetated Class 1 and 2 Shores. Along Billy Goat Island, the north shore is utilized by both Three Spine Sticklebacks and coho juveniles as is the wetland channel between the island lobes. Juvenile trout likely are present in the channel in the winter months. The south shore of the island is less capable fish habitat due to its high exposure to both southeasters and west-south west winds and its harder shores

Section 2. Results of Riparian Assessment (SPEA width)

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: February 18, 2010

Description of Water bodies involved (number, type)

1 lake

Stream	
Wetland	
Lake	X
Ditch	
Number of reaches	1
Reach #	1

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

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

Site Potential Vegetation Type (SPVT)

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

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Polygon No:
SPVT Type

Method employed if other than TR

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	15						
Litter fall and insect drop ZOS (m)	15						
Shade ZOS (m) max	15	South bank	Yes		No	☒	X
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report		
SPEA maximum	15	(For ditch use table3-7)					

Segment No:	2	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	30						
Litter fall and insect drop ZOS (m)	15						
Shade ZOS (m) max	15	South bank	Yes	☒	x	No	
SPEA maximum	30	(For ditch use table3-7)					

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)							
Litter fall and insect drop ZOS (m)							
Shade ZOS (m) max		South bank	Yes		No		
SPEA maximum		(For ditch use table3-7)					

I, (Ted Burns), hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer (Mike Dix);

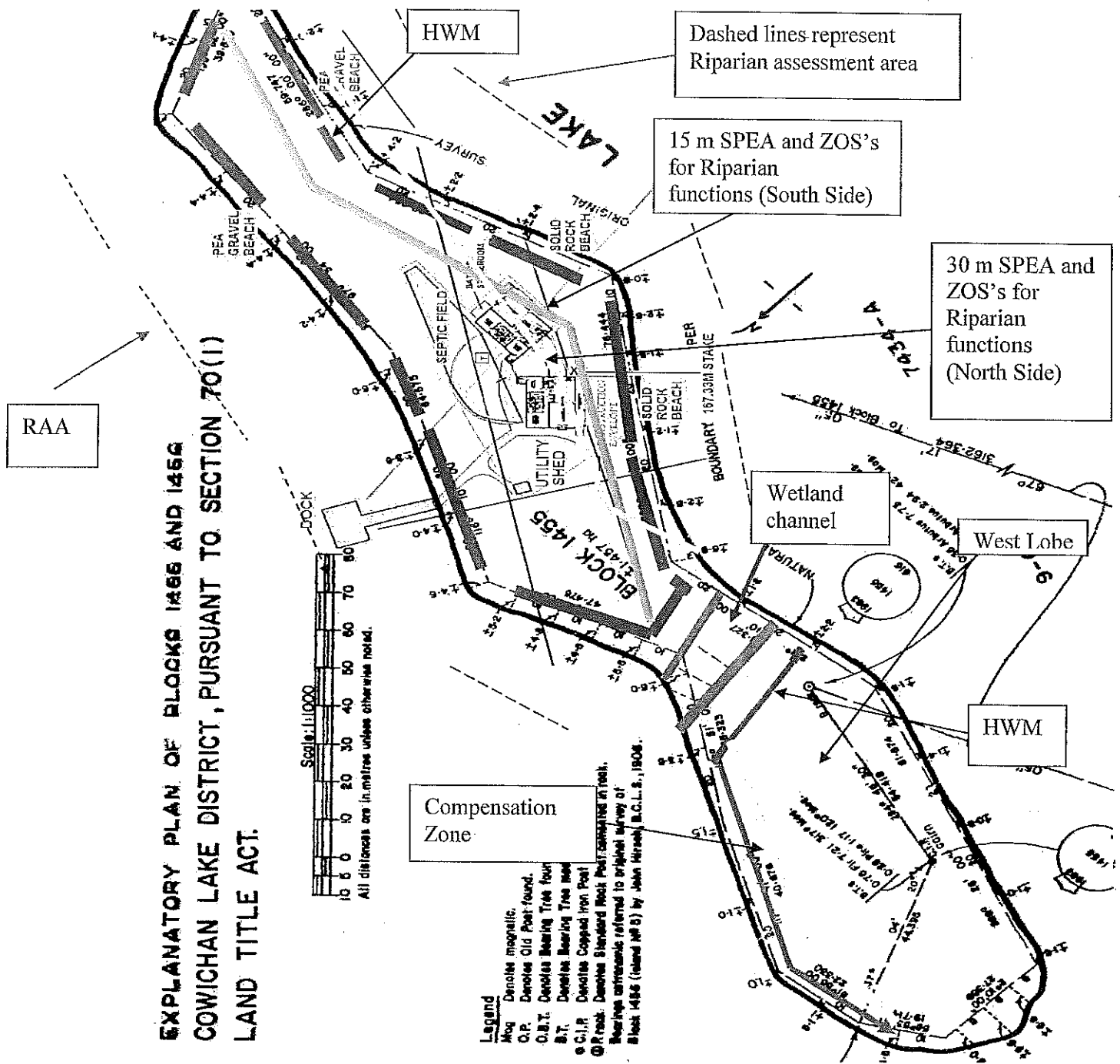
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

A dock will be required on the island. There are good locations for a dock on eastern lobe of the island on its north (inside) shore. It should be noted that there is a large shoal on the north side of the island and, prior to the Cowichan Lake Weir, it was possible to wade out to the island in the latter parts of very dry summers.

Section 3. Site Plan



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Section 4. Measures to Protect and Maintain the SPEA

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

1. Danger Trees	There are some large Douglas fir vets on the island that are around 1 m diameter breast height. The trees appear wind firm and show little evidence of die back or their advanced age. However, it is always possible that one or more of these huge trees could come down or lose branches in a heavy storm. The trees will be assessed for risk and appropriate measures will be employed to reduce the risk as much as possible. Gord Closson of South Coast Standing Stem will make the assessment.
I, <u>(Ted Burns)</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Although there are some old growth Douglas firs on The island of great size, there is little evidence of blow down or branch loss. Trees all appear to be quite wind firm. Could clearing for the structures open the area to higher Wind speeds? This is doubtful because of the small area involved. The island forest is fairly thin as it is and an increase in wind intensity is not anticipated. The above noted assessment will examine the possibility of windthrow.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	There are no significant slopes on the island which is somewhat flat or very gently rolling. There is one knoll on the east lobe which is some 5-10 m higher than the rest of the land. It is very stable.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	Trees not in the way of the home sites or access to them will be protected by snow fencing which will confine equipment to the work site (s)
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

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<i>Protection Act;</i> b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	There is some potential for encroachment during construction and snow fencing will isolate the work site (s) from the surrounding forest once equipment and materials are on site. The SPEAS will be clearly marked with low fencing around the home site once construction is over. SPEA symbols will also be attached to trees.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	Heavy construction will be limited to the dry months. There are no moist areas near the potential building sites and the small footprint and low relief insure that no sediment generation will occur.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Stormwater Management	Storm water runoff generated by the small surface areas involved will be miniscule. Nonetheless, rock pits will be installed at the downspout outfalls to buffer the flow and direct it into the porous island soil.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(name of developer)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
8. Floodplain Concerns (highly mobile channel)	Of course there is no mobile channel here but there is some floodplain. The eastern most 35 m of the west lobe of the island is subject to flooding. This area is flooded by wave surges at high water and is covered with drift wood. The building site is well above flood level of 167 plus.
I, <u>(Ted Burns)</u> , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>(Mike Dix)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Construction Methods

A more detailed description of construction methods is part of the CVRD development permit application but a brief sketch is included here. Work would start in the spring of 2011 when lake levels are low enough to permit landings on the island. Equipment and materials would be barged to pre-selected landings on rocky shores on the south side of the island. An access path would be rouged out between the landing and the building site. Clearing would be a combination of hand and small excavator. Materials would then be transported to the building sites which will be minimally cleared. The pre-fabbed building will be erected in sections on a concrete pad/pier base. Power will be supplied by a combination of solar panels/generator. Work should be completed by September, 2011.

Prior to Construction

Before construction begins, a meeting will be held to review the construction plan especially in terms of access onto the island and to the building site. This is a critical aspect of the project. SPEA protection measures will also be discussed. This project is quite different than most because the entire East Lobe will be SPEA except for the building site.

During Construction

Periodic visits to the site will be made during construction to insure protection measures are being adhered to. Frequent phone discussions will also take place with Mr. Dix and the contractor.

Post Development

When the project is fully built, a Post Development Report that describes the degree of compliance with the SPEA protection measures will be prepared. The report will document any restoration needs that may be required and outline a plan to accomplish them.

Section 6. Photos

Provide a description of what the photo is depicting, and where it is in relation to the site plan.

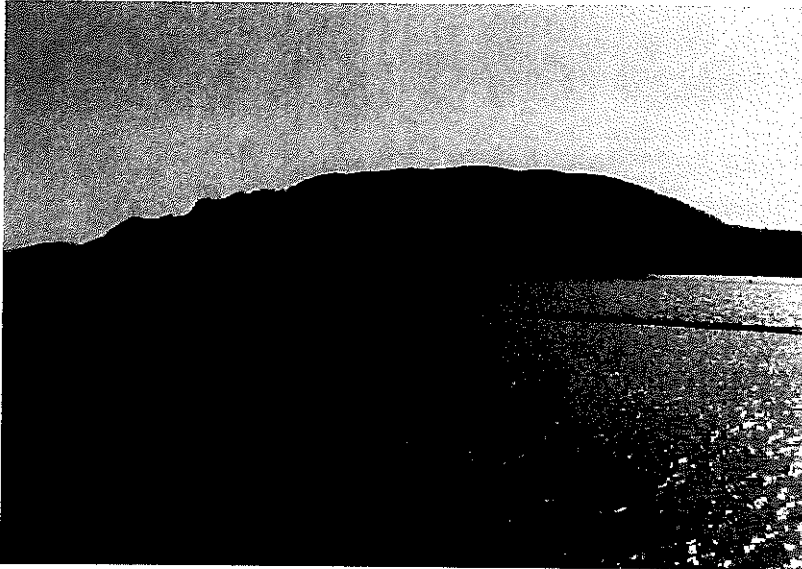


Photo 1: View of island from the north. All photos are from February 18, 2010

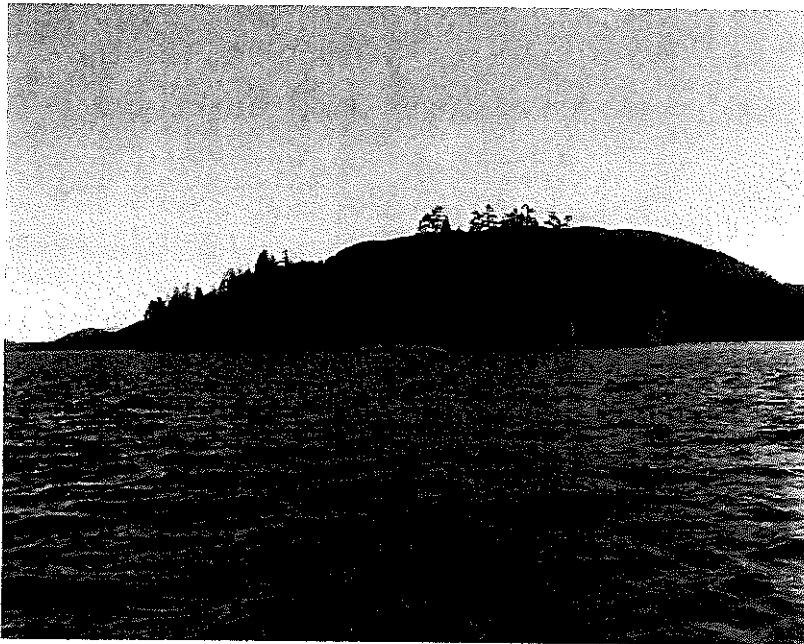


Photo 2: A closer view: Bald Mtn.in the background and tiny Sweet Gale Island in the centre foreground.

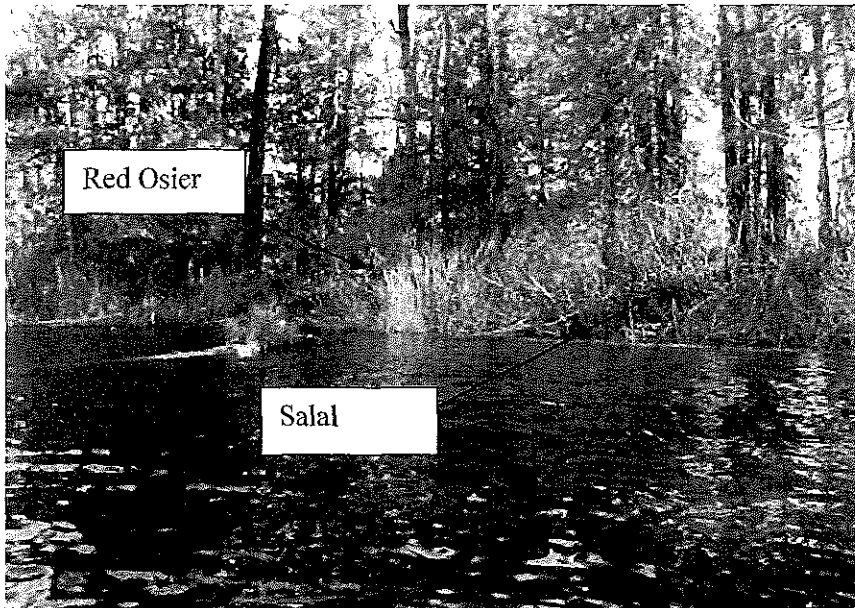


Photo 3: Riparian band on the north side of the island in its widest place. Red Osier is the dominant riparian species here. Note how quickly the shore zone changes to upland as evidenced by the proximity of salal.

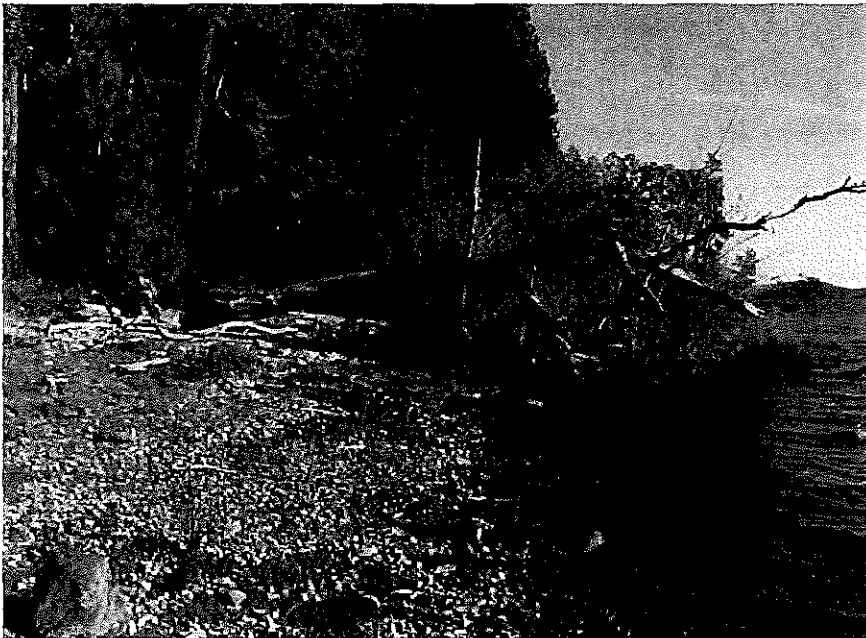


Photo 4: More or less typical riparian conditions on the south, more exposed shore of the island where there is a low gradient beach shelf composed largely of gravel and bedrock. Good barge landing sites are present.

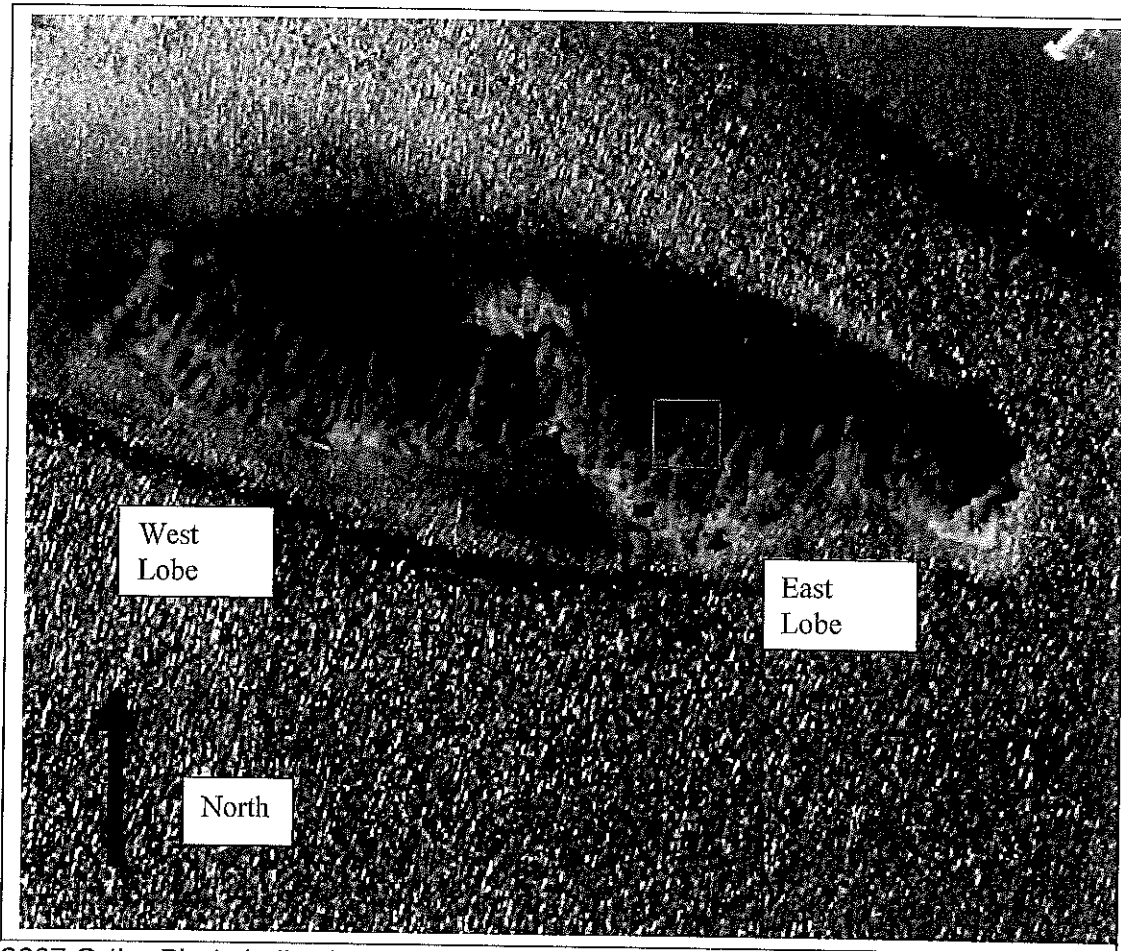
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Photo 5: Typical landscape on the inside (interior) of the island. This an elevated site near the building envelope on the East Lobe.



Photo 6: Another view of the interior. Note the large Douglas fir.



2007 Ortho Photo indicating possible development site (orange square).

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date February 28, 10

1. I/We Ted Burns

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

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

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

- a) ☒ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) If the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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

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Protocol for Management of Riparian Area Regulation Variances
Between the Department of Fisheries & Oceans
and the Ministry of Environment

Purpose:

The Department of Fisheries and Oceans (DFO) and the Ministry of Environment share responsibility for the delivery of conservation and protection measures for fish and fish habitat under the *Fisheries Act (FA)*. In the case of riparian vegetation, this is primarily through S. 35(1) of the *FA* which makes it illegal to harmfully alter, disrupt or destroy (HADD) fish habitat unless Authorised by S. 35(2) of the *Act*. Additional responsibilities for riparian protection derive from the *Riparian Areas Regulation (RAR)* of the *BC Fish Protection Act*. Section 4(3) of the RAR allows for development to proceed within the Streamside Protection and Enhancement Area (SPEA) if DFO provides approval. The conditions upon which such approvals will be granted is explained in Section 3.4.2 of the *Riparian Area Regulation Guidebook* (January, 2006); specifically, approvals, known as variances, will be granted when there is a hardship, or special circumstance. This protocol provides additional specific information detailing the conditions and circumstances when such variances will be considered.

The following variance protocol is for local governments (LG), developers and RAR-compliant Qualified Environmental Professionals (QEP's) and is intended to inform all parties as to how Streamside Protection and Enhancement Area (SPEA) variance RAR referrals will be managed, including guidance relevant to final decision-making by DFO and the Ministry of Environment (MoE). The variance protocol provides specific standards and methods to determine the amount of allowable encroachment into the SPEA in cases of undue hardship and is based on site specific considerations such as the property size, configuration and present environmental condition (Appendix 1).

An important change to the previous process is that LG letters of support pertaining to undue hardship will no longer be required, as the methodology within the protocol will determine if there is a justification of hardship.

Variance requests for which there is no undue hardship will not be supported by either agency.

Undue Hardship:

DFO and MoE will only consider variance requests in circumstances where there is undue hardship. A determination of undue hardship will be made where no private development of the land remains available to the landowner¹.

For example, a determination of undue hardship can be made where the project is a single, legal lot which:

- a) was created in accordance with fish habitat legislation and guidelines of the day;

¹ Riparian Protection and Compensation – Fish Protection Act – prepared by Linda Nowlan, West Coast Environmental Law Research Foundation for the BC Ministry of Environment, Lands and Parks, January 1999.

- b) cannot be reasonably developed for the purpose for which the lot was created with the current zoning and the required SPEA; and,
- c) the Local government has relaxed other development restrictions as much as reasonably possible.

Situations where application of the SPEA still allows some uses of the land, even if those uses are unsatisfactory or less economical to the landowner will not be considered to have undue hardship. At the subdivision stage or rezoning stage a loss of development potential will not be considered undue hardship.

Through the provincial RAR, the SPEA is recognized as an ecologically important area that is to remain protected from development. Therefore, development sites that meet the undue hardship criteria must be designed to minimize the development footprint within the SPEA and to provide offsetting measures (i.e. mitigation or compensation) for any unavoidable encroachment (Appendix 2).

Period of Effectiveness:

The variance protocol will remain in effect until December 31, 2010 at which time it may be retained for a specified period of time, updated or discontinued. The protocol may also be modified at any time should changes to RAR and/or policy warrant this action. Any changes to this protocol will be registered on the MoE RAR website.

Geographic Area of Effectiveness:

The variance protocol applies to all portions of the Province of BC in which the RAR applies (i.e. portions of Vancouver Island, the Lower Mainland and Sunshine Coast, the Thompson-Nicola Regional District, the Columbia-Shuswap Regional District, and the Okanagan, Kettle and Similkameen areas, covering in whole or in part all of Ministry of Environment Regions 1, 2, 3, 5 and 8 (see attached map, Appendix 3).

Variance Protocol:

The RAR places certain responsibilities on DFO and MoE as they relate to variances of the Streamside Protection and Enhancement Area (SPEA).

Variances are of two forms:

1. The SPEA can not be accommodated by the development plan, or local government permitting agency, and there is likely a HADD of fish habitat requiring a *Fisheries Act* S. 35(2) Authorisation.
2. The SPEA can not be maintained by the development plan, or local government permitting agency, but there is not necessarily a HADD of fish habitat.

The intent of the RAR is to protect areas of both existing and potential vegetation. Therefore, prior to applying this protocol to Non-HADD SPEA Variances or considering and applying to DFO for a SPEA variance with a HADD, the QEP/proponent *must* undertake the following:

- a) The project proposal must be assessed for all reasonable redesign and relocation options to avoid need for a SPEA Variance.

- b) The QEP/Proponent must work with the LG to consider changes to other municipal restrictions such as adjusting other property line setback requirements or frontage distances prior to their request for variance of the SPEA boundary.
- c) Local Governments have some limited discretionary power to “flex” the SPEA boundary. Therefore, work with the Local Government to apply “flexing” where appropriate.
- d) Determine that there is no option to undertake a reasonably sized development appropriate for the zoning, and therefore there would be an Undue Hardship if a variance was not granted (direction in determining “reasonable” is provided in Appendix 1).

If there is still a requirement to encroach into the SPEA that can not be accommodated by any of the above options, then the QEP must provide written verification that there has been every effort made to relax other LG restrictions on the development such as front and side yard setbacks. Appendix 4 provides a template letter the QEP and LG’s can use to document the verification.

Additional considerations in the determination of Variance allowances, as per Appendix 1, include the present condition of the property and the relative health and environmental function of the riparian zone.

- Properties that have been previously developed and have a relatively low riparian function are defined as “Brownfield” and the QEP will be expected to assure agencies that the project will not cause a HADD of fish habitat. To determine if a riparian area is modified to such a degree as to be defined as “Brownfield”, if less than 30% of the site potential vegetation is remaining, the site is to be considered a Brownfield site. The alteration must be from historic activities and not relate to recent property modifications.
- Properties that are in a relatively unmodified state and have good riparian function, are considered “Greenfield”. Greenfield Variances will likely result in a HADD determination. Therefore, if 30% or more of the riparian site potential vegetation is remaining, it is a “Greenfield” site.

Only after all the above considerations have been made can:

- the variance protocol be applied to Non-HADD SPEA variances with submission of notification to DFO; or,
- the proponent apply to DFO for a SPEA Variance with a HADD.

The Methodology to Determine the Degree of Allowable Encroachment into the RAR SPEA under an Undue Hardship Justification in Appendix 1 is to be followed to determine the size, location and configuration of a development within the SPEA.

Encroachment will require offsetting measures. Brownfield sites requiring mitigation shall follow the *Mitigation Measures Process and Standards* in Appendix 2. For Greenfield sites, compensation will be negotiated by a DFO Habitat Management assessor.

Process Completion:

Non-HADD SPEA Variance

If upon the completion of an RAR assessment, a QEP determines that the SPEA can not be accommodated, an undue hardship exists and confirms that in their opinion that there **will not be a HADD** of fish habitat after the application of redesign, relocation and mitigation measures, then the project may proceed provided that all the following have occurred:

- the *Methodology to Determine the Degree of Allowable Encroachment into the RAR SPEA under an Undue Hardship Justification* in Appendix 1 is followed;
- the mitigation measures defined in Appendix 2 are applied; and
- all the QEP's guidance and direction and any additional measures that may be required to avoid a HADD of fish habitat are incorporated into the design.

The project can then be submitted to DFO. DFO will review the project if it is in salmon bearing habitat. For resident only habitat, the project will be referred to MoE to undertake the review and decision. If DFO or MoE's decision supports the variance request, a letter will be issued by DFO that must then be appended to the RAR assessment and submitted to the RAR Registry. A RAR SPEA Variance can not be registered without such a letter of approval.

When registering their RAR Assessment in the notification system, the QEP will be required to include, attached to their assessment report, a letter stating:

1. that the project is deemed to be a non-HADD and explain how the brownfield determination was made;
2. that their results were reached following this protocol document;
3. how the SPEA variance requirement was determined;
4. the notification is being made in accordance with direction provided by the DFO-MoE Variance Protocol document; and,
5. their professional opinion that if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

The agencies will monitor notifications to verify the accuracy and appropriateness of QEP HADD determinations, the compliance of developments with QEP-prescribed mitigation measures and the effectiveness of these measures in avoiding a HADD of fish habitat.

SPEA Variance with HADD

If, upon the completion of a RAR assessment, a QEP determines that the SPEA can not be accommodated, a situation of undue hardship exists, and that there **will be a HADD** of fish habitat after application of redesign, relocation, mitigation and other local government measures, and as such the development will require a *FA S. 35(2)* Authorisation with compensation to legally proceed, the development proposal is to be submitted for review by DFO. The project will still be required to follow the *Methodology to determine the degree of allowable encroachment into the RAR SPEA under an Undue Hardship Justification* in Appendix 1. If DFO agrees that

no other options exist, proposed compensation options for the HADD may be discussed with the appropriate DFO Habitat Management assessor. In order for the Department to properly assess the development proposal and come to a decision as to whether to Authorise the proposed HADD or not, it will likely be necessary for the proponent and QEP to provide the Department with more information than is provided in an RAR assessment.

For all proposed HADD's in both salmon (anadromous) and resident (non-anadromous) habitat, the development proposal should be submitted to DFO with all information detailed in the *Proponent's Guide to Information Requirements for Review Under the Fish Habitat Protection Provisions of the Fisheries Act*. DFO will forward non-anadromous HADD project proposals to MoE to assess risk to resident habitat and fish stocks.

Once a completed proposal for compensation is received by DFO, DFO will review the information provided and when applicable also consider MoE's assessment of foreshore and habitat values in resident fish habitat. DFO will then determine if the proposed HADD of fish habitat should be authorised and will subsequently notify the appropriate parties (i.e. the QEP, MoE and the local government) of the decision. DFO will also consider MoE advice and recommendations for appropriate compensation requirements in resident fish habitat areas. In most instances, a decision by the Department to issue a *FA* s. 35(2) Authorisation will trigger an environmental assessment under the *Canadian Environmental Assessment Act* (CEAA).

Authorisations will be monitored for compliance with their terms and conditions.

It is the proponents' responsibility to ensure that all other legislation and regulations are met including, but not limited to, the *Wildlife Act*, the *Species at Risk Act*, the *Water Act*, and Local Government Bylaws. Although it is not a requirement of RAR, it is recommended that this information be included in the assessment report.

Appendix 1.

**Methodology to Determine the Degree of Allowable Encroachment into the RAR
SPEA under an Undue Hardship Justification.**

1. Work with Local Government (LG) to maximise LG setbacks and flexing options to accommodate the development footprint. The submission to DFO should provide written documentation of the efforts made to avoid encroachment into the SPEA, and that other options to accommodate the development footprint are not feasible.
2. Assess the total potential developable area of the site above the Mean Annual High Water Mark (MAHWM), or designated lake elevation / floodplain elevation. The developable area is the portion of the property that is not constrained by non-SPEA development restrictions. However, the SPEA may be included in the overall property area for the purpose of calculating the total developable area. Easements, right-of-ways (ROW), LG property setbacks and topographical constraints significant enough to preclude development should be subtracted from the overall property area to determine the developable area, unless the restriction, or a portion of it, can reasonably be incorporated into the SPEA. See the attached diagram (Figure 1) for assistance.
3. A QEP is required to assess if the site is a Brownfield or Greenfield.
4. Undue hardship will only be considered in those situations where:
 - The development footprint is less than 40% of the developable area on **Brownfield** lots, or
 - The development footprint is less than 30% of the developable area on **Greenfield** lots (see pg. 3 of the Protocol for definitions of "Brownfield" & "Greenfield").

If the development footprint can not be achieved without encroachment into the SPEA, and an Undue Hardship exists, a SPEA variance may be requested.

The development footprint is to include all buildings and other hard surface features, including proposed and existing buildings, outbuildings including garages, sheds, upland boathouse, gazebos, driveways, walkways, paths, patios, and decks.

5. The proposed development footprint within the SPEA is to be configured in such a way as to minimise the encroachment toward fish habitat (e.g. water's edge); therefore, the proposed development is to be located as far upland as possible. The footprint is to be tight to front yard and side yard setbacks, and there will be no feature projections into the SPEA, such as a building wing, pool, deck or overhanging structures.

A project that clearly demonstrates that all standards have been achieved is likely to be approved without significant delay in the review process. Projects that do not meet the variance protocol measures or are likely to cause a HADD, will require a more detailed review. DFO will consider if the review can be accommodated through local government Environmental Review Committee's, a semi-annual project review meeting held between DFO, MoE and the LG, or via other legislative mechanisms such as review under CEAA.

Any proposals that exceed the allowable percentage will be rejected.

Figure 1. *Example Site Plan to Determine the Developable Area of a Brownfield Site using the RAR Variance Protocol.*

Appendix 2

Mitigation Measures Process and Standards

The term "mitigation" will apply to non-HADD or Brownfield SPEA Variances.

The goal is to ensure that the objectives of RAR to protect and enhance the stream side riparian area are achieved, even in situations where a SPEA encroachment is required under an Undue Hardship justification. Therefore, it is required that any encroachment will be offset by mitigative measures.

Mitigative requirements will escalate with the increasing amount of encroachment and habitat condition.

Site Environmental Condition	Area of Encroachment (m2)	Mitigation Ratio
Brownfield / Non-HADD	1 – 50	1:1
	51 – 100	1.5:1
	101 – 200	2:1
	201+	3:1

A consultant is developing a guidance document regarding appropriate standards for:

- Zonally appropriate Tree/shrub species and mix
- Planting density
- Plant size and age, etc

Map of the United States showing the distribution of various plant species. The map includes state boundaries and labels for major plant groups: Conifer, Decid. Conifer, Broadleaf, Palm, and others. A legend in the top left corner defines the symbols for different plant types. A scale bar in the top right corner indicates distances in miles. A small inset map in the bottom right corner shows the location of the study area within the United States.

Appendix 4

Local Government Letterhead

Date

File #:

Contact Name

Company Date

Address

City, BC, Postal Code

Dear Sir or Madam:

QEP Assessment # - Site Address (Legal)

Local Government Template Letter to Confirm Local Government Setback Relief

The (City/District/Village/Regional District) has reviewed the Riparian Areas Regulation (RAR) assessment report for the above Property and the proposed modified side yard and front yard setbacks.

The report proposes a modified Streamside Protection and Enhancement Area (SPEA), such that in the opinion of the Qualified Environmental Professional (QEP), the overall riparian area will function to protect and enhance fish habitat values. In order to achieve the desired outcomes, the development is required to be placed as far from the high water mark/natural boundary as reasonable. We acknowledge the level of effort given in the development plan to avoid the SPEA boundary.

The (LG) has agreed and approved the reduction of front and side yard setbacks from X metres to Y metres in order to maximise the development's setback from the high water mark/natural boundary.

This report will form the basis for support of a Development Variance Permit to (LG) Council with regards to the protection of the natural features, functions and conditions that support fish life processes.

Respectfully,

(Name)

(Title)



CVRD

MINUTES OF ELECTORAL AREA I (Youbou/Meade Creek) AREA PLANNING COMMISSION MEETING

DATE: September 7, 2010**TIME:** 7:00pm

MINUTES of the Electoral Area I Planning Commission meeting held on the above noted date and time at the Youbou Upper Community Hall, Youbou, BC. Called to order by Chairperson Mike Marrs at 7:05pm.

PRESENT:

Chairperson: Mike Marrs

Vice-Chairperson:

Members: Jeff Abbott, Shawn Carlow, Gerald Thom,

ALSO PRESENT:

Director: Klaus Kuhn (7:30pm)

Alternate Director:

Recording Secretary: Tara Daly

REGRETS:

George deLure, Erica Griffith, Pat Weaver

GUESTS:

Michael Dix, applicant for 3-I-10DP/VAR (Dix); Pat Tosczak, delegation for 3-I-10DP/VAR (Dix), Tyler Clarke (Lake Cowichan Gazette), Michelle Weisgerber, Trevor Gillott, Norma O'Connell, Dale O'Connell, Floyd Augustine, Barry McLachlan, Rose Steven

AGENDA:*It was Moved and Seconded to accept the agenda.***CARRIED****MINUTES:***It was Moved and Seconded to accept the minutes of June 1, 2010 as circulated.***CARRIED****DELEGATION:**

- **APPLICATION 3-I-10DP/VAR (DIX)** ~ M. Marrs explained the APC is an advisory body with final decisions being made by the CVRD Board of Directors; the applicant will make a presentation, the Commission members will ask questions if needed, and then a recommendation will be made if the Commission so desires; the public is only able to listen unless they've asked to make a presentation
- Michael Dix, the applicant, told the Commission he has been a resident property owner (shareholder in Cowichan Lake Recreational Community formerly Ben's Marina) in Youbou for the last four (4) years, has owned Billy Goat Island for the last five (5) years, and has been in the Cowichan Lake area for the last ten (10) years; he has taken time to determine how he wishes to develop Billy Goat

Island, wants to keep it as pristine as possible, has picked up garbage left by people using the island, hasn't put up 'private' signs.

- Mr. Dix noted, in his opinion, the island's current LR1 zoning shouldn't be applicable to islands and that Cowichan Lake islands recognized as #3 and #4 are not mentioned in the Area I (Youbou/Meade Creek) OCP; he has had dealings with CVRD Planning staff through developments in the Mill Bay/ Cobble Hill areas which focus on affordable housing.
- the current zoning allows one (1) dwelling with a 60m set-back; Mr. Dix is asking for a bend of the SPEA to allow for a second dwelling
- both dwellings would be above the 200 floodplain (165m) with top of the line septic systems
- Ted Burns, registered biologist, has little problem with development of the island
- **questions/comments** ~ the variance/ relaxation of the SPEA would be for the entire footprint as both dwellings would be within the Riparian Areas Regulations
- Has there been a detailed survey done? *The island was staked out in the course of the background work done in relation to the possible raising of the weir.*
- What kind of septic system? *Type 3, full treatment, similar to what is currently on Island #5.*
- Has there been an arborist report done? *Only the assessment done by Ted Burns.*
- Would there be a connection or pathway between the two (2) dwellings? *Yes, but seven (7) months of the year that area is under water.*
- Are you aware of the vandalism that has occurred on some of the islands? *Yes, Island #3 and Island #5.*
- What kind of lighting? *Solar.*
- What kind of heat source? *Have no problem with covenants in place the same as Island #3.*
- How high would the dwelling be? *It would be below the maximum allowed but built up on piles to keep clear of the winter weather; with the current stakes (markings) two-thirds of the house height would be above the pilings.*
- Would you live there year round? *No, it wouldn't be the primary residence but it would be used year round.*
- How would the island be accessed? *From the lot currently owned at Cowichan Lake Recreational Community.*
- What is the size of the island? *3.56 acres.*
- Are you willing to sell the island? *No, I want to enjoy the lifestyle the island will offer.*
- **discussion/ comments by Commission members** ~ don't understand why DFO puts in regulations/ rules and then allows them to be broken (referring to Ted Burns assessment); setbacks are 15m on the south facing side and 20m on the north facing side with the Riparian Areas Regulations (SPEA) set at 30m which effectively leaves no buildable land on the island; the relaxation of the SPEA would be needed for any dwellings on the island
- Pat Tosczak, 10220 Youbou Road, started by saying that her family bought their house, which looks out to the middle of Billy Goat Island, in 1972. The family dates back several decades in their attachment to Youbou. They are strongly opposed to the development of Billy Goat Island. The natural environment needs to be protected; DPA and Riparian Areas regulations need to be maintained. The island is home to a beaver dam and nesting area for Canada geese. It is

submerged each winter. Ms. Tosczak questions the staking that has been done on the island, feeling it isn't correct. 'This development needs to be nipped in the butt.'

- **discussion/ comments by Commission members** ~ There would be a negative impact on the adjacent parcels. A short discussion was held about whether or not Cowichan Lake is considered to be the adjacent properties; most of the Youbou residents are against the application moving forward in any form; most of the island is inside SPEA regulations; CVRD should purchase for greenspace; one (1) large building is preferable to two (2) small buildings but there is a concern over more and more land being gobbled up; the current zoning allows for a single dwelling but the land is ecologically sensitive and regulations for RAR and SPEA would have to be relaxed; allowing a second dwelling would mean a second septic system and more abuse of the sensitive areas with the walkway between the two (2) dwellings
- the APC needs to make a statement, statistics are showing a deterioration of Cowichan Lake water quality, much land has already been cleared and ruined around the lake, overall impact on the lake is a concern, regulations need to be maintained
- the APC felt the application was dealing with the building of a second dwelling on Billy Goat Island as the current zoning allows for a single dwelling but during discussions noted that even the single dwelling would need to have a relaxation in the SPEA in order to be built
- the Commission reiterated comments made at the June 1st meeting which are as follows: 'after much discussion, the Commission wanted to note that any infringements on Riparian Zones are not acceptable. The public, as well as, the APC wish to maintain the existing Riparian areas around the lake and increase, if possible.'
- attached to these minutes are comments made by David Hill, P. Eng. (resident of Youbou at 10210 Youbou Road), George deLure (member of the APC and unable to attend the meeting), Gerald Thom (member of the APC), and Mike Marrs (member of the APC); also attached is the assessment done by Ted Burns

It was Moved and Seconded that the Area I (Youbou/Meade Creek) Area Planning Commission reject Application File No. 3-I-10DP/VAR (Dix).

CARRIED

- The Commission thanked Mr. Dix for going through the process rather than making rash decisions and then asking for forgiveness.

BUSINESS ARISING FROM MINUTES:

OLD BUSINESS:

NEW BUSINESS:

- an informal discussion was held with respect to Lot 62 on Cypress Road; although an application hasn't come forward to the APC or the CVRD Planning Department that is known, nearby residents are concerned with comments made by the landowner of how he wants to develop the land including building a house, harnessing Coon Skin Creek for excess power to be sold to BC Hydro, desired placement of septic, excessive removal of trees for a better site-line for

lake views possibly affecting the stability of the creek bank, bank parallel to Youbou Road could be drastically effected, illegal use of MoTI property with installation of gate to his property

- Coon Skin Creek is a fish-bearing creek, the bank slope is very steep, the end of Cypress Road is designated as a turnaround but hasn't been done, access by Fire Department and Ambulance is limited now but with a gate would be further hindered
- existing water license holders have received correspondence informing them that because there is now a water system throughout Youbou, the land owner no longer has to allow their water rights on Coon Skin Creek; it is believed there is six-month notice needed when water licenses are asked to vacate
- the homeowners were given some suggestions on who and what to do leaving it in their hands to proceed
- **Boat Launch** ~ is very much needed in the Youbou area, the pseudo boat launch at the end of Coon Skin Creek Road is a problem with large boats, parking, and noise; possibly have bollards installed to deter large boats from launching, hope that Youbou Lands puts in a boat launch very near the beginning of their development

ANNOUNCEMENTS:

- **Next Meeting** October 5, 2010 at 7pm in Upper Youbou Hall (at the call of the chair)

The meeting was adjourned at 8:50pm

/s/ Tara Daly
Secretary



MINUTES OF ELECTORAL AREA I (Youbou/Meade Creek) AREA PLANNING COMMISSION MEETING

DATE: December 7, 2010

TIME: 7:00pm

MINUTES of the Electoral Area I Planning Commission meeting held on the above noted date and time at the Youbou Upper Community Hall, Youbou, BC. Called to order by Chairperson Mike Marrs at 7:00pm.

PRESENT:

Chairperson: Mike Marrs

Vice-Chairperson: George deLure

Members: Jeff Abbott, Shawn Carlow, Gerald Thom

ALSO PRESENT:

Director: Klaus Kuhn

Recording Secretary: Tara Daly

REGRETS:

Erica Griffith, Pat Weaver

GUESTS:

Michael Dix, Terry Coughlin

AGENDA:

It was Moved and Seconded to accept the agenda.

MOTION CARRIED

MINUTES:

It was Moved and Seconded to accept the minutes of November 2, 2010 as circulated.

MOTION CARRIED

DELEGATIONS:

• **APPLICATION NO: 3-I-1DP/RAR (Dix) – Billy Goat Island**

M. Dix observed that Ted Burns noted there would be no impact on the fish; septic fields (Type 3) are approved for both sites (Eagle Engineering); considering withdrawing the application for the second dwelling; proposing one (either) end of the island as parkland to be purchased by Area I (Youbou/Meade Creek) Parks; would consider selling the entire island for parkland; have spoken with TimberWest about purchasing the bottom of the lake in a way that would make the land mass a rectangle around both islands changing the positioning of the 164m mark; hydro would come down ROW (Grace Road) with CVRD having to agree to maintain the ROW; frustrated in the length of time the application is taking to process; have given CVRD staff two months for an answer

Commission asked if the site plan was proper (no); what's the height of building site (the knoll is about 1m above 200 flood plane according to the rough staking/elevation markings); Commission felt that, on either proposed site, a major bend in the SPEA would be required

It was Moved and Seconded by Area I (Youbou/Meade Creek) APC, based on public sentiment and long-standing motions regarding the enforcement of the SPEA, not to support Application 3-I-10DP/RAR (Dix) and recommends denial by the CVRD Board of Directors.

MOTION CARRIED

• **APPLICATION NO: 4-I-10DP/RAR (Coughlin)**

The property has been in the family for thirty (30) years, bought before current SPEA and RAR in effect; felt Coonskin Creek was moved to allow a buffer for Youbou Bar & Grill, would be a seasonal residence (but not RV) meeting CVRD requirements, small plateau (approximate size 24X24) is the proposed site, retaining wall would need to be put in for the installation of a driveway;

Commission concerns are the entire property is within the SPEA, grade of the land, stability of the bank, site-lines for highway access are dangerous, tree removal would put a lot of pressure on the soil

There is a specific clause within the RAR regulations known as 'hardship', which must be supported by CVRD, MoE/DFO which may be an avenue to pursue

It was Moved and Seconded by Area I (Youbou/Meade Creek) APC, based on public sentiment and long-standing motions regarding the enforcement of the SPEA, not to support Application 4-I-10DP/RAR (Coughlin) and recommends denial by the CVRD Board of Directors.

MOTION CARRIED

NEW BUSINESS

It was Moved and Seconded by Area I (Youbou/Meade Creek) APC that highwater and SPEA measurements should be pinned and flagged on Mann property on north side of Bald Mountain, along with installation of a snow fence along the SPEA border, enforcing motion made when Mann property development was approved

AND FURTHER THAT

any future developments be surveyed, flagged, and fenced along the SPEA boundary, if applicable, as part of DP requirements.

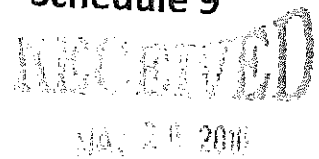
MOTION CARRIED

ANNOUNCEMENTS:

- **Next Meeting** at the call of the Chairperson

The meeting was adjourned at 8:40pm

/s/ Tara Daly
Secretary



May 7, 2010

CVRD,
Attention Jill Collinson, Planning Technician,

We are writing this letter in response to the Application made by Michael Dix for a variance to bylaw No. 2465. File No. **3-I-10DP/VAR (Dix)**. We definitely have some concerns regarding this application, the consequences of these buildings and the finer details of the application.

In your letter you state that there has been an application to vary the distance between the lake and the proposed secondary building. Looking at the attached sketch of the island, its natural boundaries and High Water Mark. It appears to me, if the drawing is even close to scale, that the proposed Single Family Dwelling is also substantially closer to the Natural Boundary of the island than the required 60m. Are there differing rules governing the requirements of Primary Residence and a Secondary Residence? If so what are they. What are the actual measurements of the Set Backs of the proposed Primary Dwelling. Are the measurements given on the application taken from the natural boundary of the island or from the high water mark. As a full time resident of Youbou, who lives on the lake, directly across from the island in question I can tell you that those two measurements are VERY different, and can vary by many feet in a day.

The letter shows that the applicant is requesting that the boundaries be relaxed by 66%-75%. That leaves the proposed buildings sitting 25%-33% of the distance required by everyone else who has built homes on the lake. I think it would be setting a very strong precedent to allow this variance to go through. Opening a flood gate of applications of this type.

I believe that the ENTIRE island is lower than the 200 year flood plain. Our home has a basement that is lower than the 200 year flood plain and as such is uninsurable. By granting this variance are you opening up the possibilities for

- A) Other buildings to be constructed that close to the lake.
- B) Existing buildings to apply for variances to the required setbacks to allow for the insuring of basements and their contents.

We have some questions that are of high importance to us. How are they proposing to deal with the septic systems and if separate, their grey water required by the residences. My home collects its drinking water directly from the lake and as I have stated I am located directly across from the island on the Youbou side. Do these people own other property on the Lake or in the area. What do they plan to do with their vehicles, how will construction materials be transported to the island. How will concrete and other potentially toxic construction supplies be transported to the island. What are the plans for these buildings. Are they to be used as a residence and detached in-law suite by the owners and their family, or are they to be used as seasonal rentals?

Besides the concerns and questions I have posed in this letter I would like to very clearly state that I am opposed to the variance that has been applied for in File No. **3-I-10DP/VAR (Dix)**.

Yours Truly,

Barrie and Renee Irving,
10168 Youbou Road,
Youbou, BC, V0R3E1
250-745-6258



David Hill, P.Eng.
10210 Youbou Road
Youbou, BC
V0R 3E1
May 6, 2010

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

Attention: Ms. Jill Collinson
Planning Technician

**RE: ISLAND #4 BILLY GOAT ISLAND, BLOCK 1455, COWICHAN LAKE DISTRICT
APPLICATION FOR DEVELOPMENT PERMIT VARIANCE
FILE NO. 3-I-10DP/VAR (DIX)**

Dear Ms. Collinson:

Further to the posting of signage and our recent telephone conversation, this letter is written to express my objections to the approval of the Development Permit with Variance for the above noted property. My objections are based on non-conformance with existing set-back rules, environmental, health, water supply and flood issues. Each of these issues is discussed below.

1. LR-1 ZONING SET-BACK RULES.

Review of the LR-1 regulations required that a secondary dwelling unit be set back at least 60 m from the natural boundary of the lake. The application requests a 40 m relaxation from the northern boundary and a 45 m setback from the southern boundary to provide only a 20 and 15 m setback from the northern and southern boundaries, respectively. This is an extreme relaxation, reducing the setbacks by between 66% and 75%. We are not talking about a couple of metres here, this is a wholesale abandonment of the existing rules. These setbacks are established for good reason for protection of the environment and sensitive areas and to totally disregard them in such an extreme manner would essentially invalid the concept of a setback for all future developments. If this variance is issued, there will be many others requesting a similar variance and the CVRD will have a very hard time refusing them due to the precedence set at this property and it will be very difficult to put the genie back in the bottle.

RECOMMENDATION: Do not permit such a flagrant disregard of the setback requirements.

2. APPLICATION FOR DP AND VARIANCES

From our discussions, I understand that Billy Goat Island is in a Watercourse Protections Development Permit Area. Section 13.0 of the OCP states that the Regional Board may give favourable consideration to a variance for development in these areas where the variance will have "...no negative impact on adjacent parcels and would enhance the aesthetics of the site." Construction of two residences, each with their own septic system could have negative impact on the adjacent water body and would certainly not enhance the aesthetics of the site as trees would have to be cut down to make room for the structures.

Section 13.15 of the OCP has very rigorous Application Requirements including very detailed description of the proposed development including the buildings, wells, sewage systems, covered surface, tree removal etc. as well as an inventory of sensitive plant life and animal habitat. A report prepared by a qualified environmental professional including a hydrogeological report addressing the suitability and stability of the soil for the proposed project. The issues related to the above noted report are discussed in some more detail below.

Recommendation: The CVRD should require the proponent to satisfy all the requirement of Section 13.15 of the OCP.

3. SEWAGE DISPOSAL AND LAKE WATER QUALITY

The sketch drawings you provided indicate that the proponent proposes to treat sewage using two septic field systems, one for each residence. The design, construction and operation of septic field systems must conform to the requirement of the BC Ministry of Health document "Sewage System, Standard Practice Manual" Ver. 2, September 2007.

With respect to location, the Manual states that the minimum set-back of a septic field from a water body is 30 m (100 ft). Review of the proposed septic field locations do not conform to that minimum standard. In fact, since the island is typically less than 60 m wide, there is virtually no location on the island that can conform to this standard.

RECOMMENDATION: The application be rejected on the basis of non-conformance with the MoH setback requirements.

Septic System Design and Performance

To treat effluent effectively, septic systems require the following:

- a layer of soil between the invert (bottom) of the distribution pipes and the high water table level. The BC Manual requires a minimum of 1.1 m (3.5 ft) of unsaturated soil between the pipe invert and the seasonal high water table level.

- the soil below the septic field should have a medium permeability (ability of water to flow through the soil). If the soil is too coarse grained (sand and gravel) the effluent flows downwards very quickly and the exposure time for the natural bacteria in the soil to “treat” the effluent is insufficient and untreated effluent enters the water table. If the soil is too fine grained (clay and silt), the effluent cannot flow downwards quickly enough and the field backs up and effluent breaks out at ground surface and flows into the lake.
- bedrock should be well below ground surface. If bedrock is too close to the ground surface below the field, the effluent flow downward through the soil cover hits the bedrock surface and then flows laterally towards the lake.

Following are concerns regarding the above requirements.

The drawings provided to not provide any hard survey data regarding the ground surface elevation. There are two contour lines shown (marked as El. 164 and 168 – presumably metres) but there are no spot heights on the drawing that would support drawing those contour lines as shown. The contours indicate significant relief across the island – possibly up to 6 m since the normal lake level is between El. 163 m and El. 165 m. I have not walked on the island but having boated around it hundreds of times, I am not convinced that there is as much relief as the drawing indicates (about 6 m or 20 ft – a two storey building).

RECOMMENDATIONS: As a minimum, a topographic survey of the island by a BC Land Surveyor should be required to confirm the ground surface elevations claimed.

Operation During Floods

The drawings indicate that both structures will be above the El. 168 m contour. I understand that the 1:200 year flood level for Lake Cowichan is El. 167 m. Assuming that the septic field discharge pipes are about 0.5 m below ground surface, the pipe invert will be at about El. 167.5 m. As the lake level rises during the winter, the water table below the island will also rise due to the proximity of the lake. At maximum flood level, there may be only 0.5 m between the pipe invert and the water table which does not conform to the MoH requirements. No effective treatment of the sewage can be expected in that condition and it is likely that untreated or partially treated sewage could enter the water table and ultimately, into the lake. This is an unacceptable condition. The water quality in Cowichan Lake is excellent and permitting sewage to enter the aquatic system is untenable.

Presence of Bedrock Close to Ground Surface

Billy Goat Island is probably a bedrock high that resisted erosion during the last glaciation. The available geological mapping of the area (Geology of the Cowichan Lake Area, Vancouver Island, B.C., BC Department of Mines, Bulletin No. 37) indicates that the island is underlain by shale and sandstone bedrock of the Haslam Formation (photocopy of mapping is attached). There may be shallow soil cover, but it is likely to be a veneer of soil cover over the bedrock surface.

Unfortunately, I have not had the opportunity to take my boat over and conduct a reconnaissance to examine the island for bedrock outcrops but I intend to do so on the May long weekend. As described above, a septic field will not be effective if the bedrock is too close to the ground surface. As described above, permitting development where rock is close to surface would create an unacceptable condition whereby untreated or partially treated sewage could enter the aquatic system.

This area of the lake is heavily used by families for water skiing, wake boarding and tubing due to the shelter provided by the island. Kids are regularly in the water after falling off skis, boards or tubes. If contaminated water is ingested by those participating in water sports, it could cause severe health problems and huge liability to both the proponent and the District for approving the development.

RECOMMENDATION: The proponent should be required to conduct a geotechnical investigation and percolation testing to assess the feasibility of this method of sewage disposal. The investigation and testing should be carried out by a competent, qualified professional, experienced in the investigation and design of septic fields in accordance with the MoH Manual. The groundwater level should be monitored over the winter using a data logger to determine the high water level, as this would be the critical condition.

4. WATER SUPPLY

The application does not make reference to the source of potable water.

If the owner intends to drill a well, a drill rig will have to be barged in and an access road cut through the trees to access the well site(s). This will cause a significant scar across the island and it will be visually unpleasant to those immediately across the lake. Loss of tree cover on the island will have a very negative visual impact on the environment with increased surface erosion and silt entering the lake.

I assume that the well will also be located on higher ground to avoid surface water (and associated contaminants from goose droppings) from entering the well casing. The MoH Manual requires a setback of 30 m between wells and septic fields. This may be difficult to satisfy at this site.

RECOMMENDATION: Vancouver Island Health Authority be requested to review and comment on the feasibility of obtaining a reliable potable water supply for this site within the constraints imposed by the MoT Standard Practice Manual.

4. FLOOD LEVEL

I understand that development adjacent to the lake requires that any residence be constructed above the 1:200 year flood level, i.e. above El. 167 m. While the drawing indicates the building site will be above El. 168 m, there is hard no topographic survey data to support this. As recommended above, a topographic survey of the island should be carried out prior to demonstrate that this requirement can be satisfied.

5. ACCESS

Access will obviously have to be by boat. The proponent does not state where from the shoreline he will launch and moor his boat.

RECOMMENDATION: The proponent should be required to provide information on how he intends to access the island.

6. CLOSURE

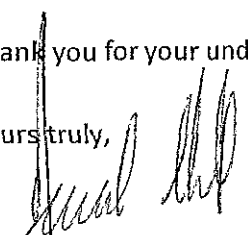
I understand that this application is for a development permit with a variance and that the issue at this time is the set-back from the lake. However, if a variance is granted, it will be the thin edge of the wedge and that, with this approval in hand, the proponent will push ahead to the next step and will continue to push the CVRD into a corner that will ultimately lead to full approval of the development and issue of a Building Permit for this risky and poorly conceived project.

RECOMMENDATION: I recommend that the CVRD reject this application at this early stage to put a nail in the coffin of the proposal to prevent an expectation of approval of subsequent stages of the application for a Building Permit based on issue of a D.P.

I would be pleased to discuss any item of this letter further with you. Should you wish to do so, please do not hesitate to contact me at work during business hours (604-684-4384) or at home (604-925-0419) in the evening.

Thank you for your understanding and consideration in advance.

Yours truly,


David Hill, P.Eng.

10100 FORDA ROAD
Youbou, B.C.
V0R 3E1

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

May 10, 2010

Attention Ms. Jill Collinson, Planning Technician
Development Services Division
Planning and Development Department

Dear Ms Collinson:

Re: Island #4, Billy Goat Island
Block 1455, Cowichan Lake District, As shown on Plan 40413
(PID: 000-121-924)

We are responding to your letter dated April 23, 2010 regarding the above mentioned proposed development.

The island proposed to be developed is an extremely important part of the Cowichan Lake area. The location of the island and its separation from the mainland shore make it ideal for animals, such as otter, mink and beaver. Also birds use the island for nesting and feeding. We regularly see eagles, blue heron, king fisher and many other small birds on and around the island. The fish stocks in Cowichan Lake are very important and struggling to survive. The shoreline areas of the subject island provide extremely valuable protection and feeding areas for young fish.

The shoreline areas of Cowichan Lake have been protected by legislation because government has recognized their importance to the well being of the lake. Granting wholesale relaxations of the type being considered here will destroy this protection and render it useless.

In addition to the above, consideration should be given to the topography of this island. The island is very low lying and we suspect it is all, or nearly all, below the 200 year flood-plain. This will create some difficult challenges for developing this site. The solutions used to overcome these problems will likely result in undesirable buildings built up on stilts or high concrete foundations.

Septic facilities will be particularly difficult because most, if not all the island surface can go under water. No matter how hard you try to overcome this you risk contaminating the lake with sewage.

We urge you to defend this lovely island. Do not allow the relaxation of the shoreline protection areas or the 200 year flood-plain.

Yours Truly

Mark J. Stey
A. Stey

Jill Collinson

From: CVRD Development Services
Sent: Tuesday, May 11, 2010 8:40 AM
To: Alison Garnett; Ann Kjerulf; Catherine Tompkins; Dana Leitch; Jill Collinson; Mike Tippet; Rob Conway
Subject: FW: variance,FileNo. 3-1-10DP/VAR[Dix].

From: Norma O'Connell [mailto:nordoc@shaw.ca]
Sent: Monday, May 10, 2010 9:12 AM
To: CVRD Development Services
Subject: variance,FileNo. 3-1-10DP/VAR[Dix].

May 10,2010
CVRD

Re: Island #4, Billy Goat Island

We are adamantly opposed to any development on Billy Goat Island. To even consider development on that small island is inconceivable. The environmental impact to that shallow corner of Cowichan Lake would be devastating.

We need to protect Cowichan Lake for future generations.

Dale and Norma O'Connell
10146 Youbou Rd.
Youbou, B.C.
V0R3E1

Lot 66

Jill Collinson

From: Jose Lommen [pastime@shaw.ca]
Sent: Thursday, May 06, 2010 7:44 PM
To: Jill Collinson
Subject: Billy Goat Island
Attachments: 20100423114452566.pdf

Hello Jill,

I have received a copy of this application for a Development Permit with Variance from a friend as I live fairly close to the island. I'm wondering if you could answer me a question? How is the developer going to deal with hydro, water and especially septic? I'm inquiring about hydro because of the possibility of a generator impacting our quality of life and about the septic because of the obvious pollution issue with 100% of that island being so close to the lake. Thanks for your time.

Regards,
Jose Lommen

>
>
> Attached to this email is a copy of the adjacent property owner letter
> and supporting documents that * requested earlier this week
> (pertaining to the development variance permit application).
>
> Please feel free to contact me if you have any further questions or
> concerns..
>
> Regards,
>
> Jill Collinson
> Planning Technician
> Development Services Division
> Planning and Development Department
> Cowichan Valley Regional District
> Phone: (250) 746-2620
> Fax: (250) 746-2621
> jcollinson@cvrld.bc.ca
>
>
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>
>

September 23, 2010

Alison Garnett, Planning technician
Cowichan Valley Regional District
175 Ingram Street, Duncan V9L 1N8

Dear Ms. Garnett:

Re: **Island #4, Billy Goat Island**
Block 1455, Cowichan Lake District, As Shown on Plan 40413 (PID: 000-121-924)

I am writing on behalf of concerned citizens of Youbou, BC. **We are OPPOSED to any development what-so-ever on Island #4 (Billy Goat Island).**

This island is currently protected from development via the **"Watercourse Protection Development Permit Area" (DPA)**. We are simply requesting the CVRD honour the setbacks imposed on this property. These setbacks would prohibit any development anywhere on the island based on the high water mark (a large portion of the island goes under water every winter).

We were in attendance at the Youbou Advisory Planning Committee meeting of September 7, 2010 and I was on the agenda to speak on behalf of the concerned citizens, which I did. I was present to hear, following the presentation, that the **Youbou Advisory Planning Committee voted to recommend refusal** of the application. I attach the minutes of the meeting and subsequent newspaper article for your reference.

In addition to the island being protected via the setbacks under the DPA, it has also been a long-term home to a family of beavers for many years. This beaver dam is protected under provincial law; Section 9 of the "Wildlife Act" makes it an offence to disturb, molest or destroy a beaver or muskrat house, den or dam..." This island is also a Canada Goose nesting site.

Additionally, any sewerage disposal system would be toxic to the lake water, based on the high water mark and would result in contamination. Section 35 of the federal Fisheries Act, administered by the Department of Fisheries and Oceans, prohibits any "harmful alteration, disruption or destruction of fish habitat". The definition of fish habitat under the Act includes all areas that provide habitat upon which "fish depend directly or indirectly in order to carry out their life processes".

I am prepared to attend any and all meetings regarding this and any future applications for development on this island. Please keep me apprised of the process.

Sincerely,


c/o 10220 Youbou Rd

Pat Tesczak
pat.t@shaw.ca
250 478 0577

The fate of Cowichan Lake's Billy Goat Island discussed in Youbou

By Tyler Clarke - Lake Cowichan Gazette

Published: September 13, 2010 9:00 PM

Updated: September 13, 2010 11:43 PM

Residents of Youbou don't want to look out to Billy Goat Island to see anything but nature.

The fate of Billy Goat Island was discussed by Youbou's Advisory Planning Commission (APC), Tuesday, September 7, with the commission rejecting the island owner's request to build a second building on the island. Although the APC made it clear that they are against any development on Billy Goat Island, they were only asked to deliberate on the second building.

"The APC is an advisory body to the CVRD board of directors. As such, any decisions we make now will be forwarded to the board," APC chair Mike Marrs said, introducing the item.

Having owned property in Youbou for four years, and in the Cowichan Lake area for 10 — including a number of low income properties — Michael Dix said that he bought Billy Goat Island about five years ago, on a whim.

"Billy Goat Island was a bit of a rush of blood to the head to buy it," he said, "I've taken my time to find out what would be best for the island."

Billy Goat Island, which is approximately 3.65 acres large in total size, is a narrow island, located between Bald Mountain and Youbou, and is 25 to 35 meters wide at different locations.

"The island is actually two land masses with one marshy bit in between them," Dix said.

Having set up a hammock and spent some time relaxing while at Billy Goat Island, Dix has come to the conclusion that he would like two residences on the island, including one primary and one secondary residence.

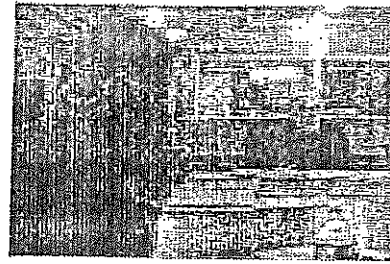
"This island is for my sole purpose," he said.

The only problem with this plan is that the secondary residence must be at least 60 meters from the shore — something Dix said is impossible in his situation.

"It's impossible to be 60 meters from the shore when you're on a cigar-shaped piece of land," he said. "Instead of one big large dwelling, I'd like two small ones."

These dwellings would include a path between them, through the marshy area at the middle of the island. Following Dix's presentation, the APC had a chance to voice their concerns.

"I can't get around fisheries setting up these rules and regulations... and for it to come to us, and to break these rules," APC member Jeff Abbott said, of the 60 meter setback for a secondary dwelling.



Billy Goat Island owner Michael Dix, left listens as Youbou's Advisory Planning Commission discusses the future of the island. At right is APC chair Mike Marrs. The commission decided that they wouldn't send their support of a secondary residence on the island to the CVRD, though the final decision will be in the hands of the CVRD board of directors.

"I can't get around fisheries setting up these rules and regulations... and for it to come to us, and to break these rules," APC member Jeff Abbott said, of the 60 meter setback for a secondary dwelling.

"The relaxation of these setbacks is a serious concern to me," APC member Shawn Carlow said. "You're asking for a very large setback."

"From my dealings with the people of Youbou, most of Youbou is not in favour of this application," APC member Gerald Thom said. "Riparian zones on the Cowichan Lake are already threatened... The more land left untarnished the better."

"I don't like to see the island being garbled up with a secondary property," Carlow agreed.

Kozak In addition to members of the APC being allowed to speak, a delegation with Youbou resident Pat Kozak as the speaker had its turn.

Kozak's property, on Youbou Road, is on the mainland across from Billy Goat Island.

"This designation was made by a body far greater than us," she said, of the 60 meter setback, in addition to riparian zone regulations being broken.

"I'm here to ask that we nip this in the bud," Kozak said.

Another concern is with regards to the safety of the property, Kozak said.

"We've seen most of the island go under water winter after winter," she said.

The APC then unanimously shot down Dix's request of a secondary residence on the island, though they were appreciative that Dix is going through the proper channels, unlike some other Youbou residents, who have been known to clear cut riparian zones and then deal with the consequences after the fact.

"It's nice to see someone go through the process. Looking around the lake, there's a lot going on around the lake that shouldn't," Thom said.

Following the meeting, Dix said that although he pretty well expected his request to be denied, he's frustrated, regardless.

That said, Dix said that he could empathize with the concerns of Youbou residents about the island, as they've been using the island for years as a free park.

"They want it as a park, without having to fund it as a park," he said, of the island, questioning why the CVRD didn't purchase the island when it went up for sale. "Does it make any sense to have a big monster of a home, or to spend it between two smaller opposite-sided buildings?" he asked.

The fact that it took Dix nine months to get his inevitable no is also a point of confusion.

"The process is clearly broken when it takes nine months to hear a no," he said. "I could have predicted this before I sat down."

Although Dix didn't get the APC support he'd hoped for, the issue will now go forward to the CVRD board of directors, who will decide whether or not primary and secondary dwellings will be allowed on the island.

5.3 LR-1 LAKEFRONT RESIDENTIAL 1 ZONE

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

1. Permitted Uses

The following principal uses and no others are permitted in the LR-1 Zone:

- a. Environmental protection and conservation;
- b. Single-family dwelling;

The following accessory uses are permitted in the LR-1 Zone:

- c. Bed and breakfast accommodation;
- d. Buildings and structures accessory to a principal permitted use;
- e. Home occupation;
- f. Secondary dwelling unit or secondary suite, provided the unit would not be located closer than 60 metres to the natural boundary of the lake.

2. Minimum Parcel Size

The minimum parcel size in the LR-1 Zone is 2500 m² if the parcel is connected to a community water system, and 1 hectare where the parcel is not connected to a community water system.

3. Number of Dwellings

Not more than one dwelling is permitted on a parcel, under 0.4 ha in area, that is zoned LR-1. For parcels zoned LR-1 that 0.4 in area or more, one additional secondary dwelling or secondary suite is permitted on a parcel.

4. Setbacks

The following minimum setbacks apply in the LR-1 Zone:

Type of Parcel Line	Residential and Accessory Buildings and Structures
Front parcel line	7.5 metres
Interior side parcel line	3.0 metres
Exterior side parcel line	4.5 metres
Rear parcel line	7.5 metres

5. Height

In the LR-1 Zone, the height of all buildings and structures must not exceed 7.5 metres, except in accordance with Section 3.8 of this Bylaw.

6. Parcel Coverage

The parcel coverage in the LR-1 Zone must not exceed 20 percent for all buildings and structures.

7. Parking

Off-street parking spaces in the LR-1 Zone must be provided in accordance with Section 3.13 of this Bylaw.

SECTION 13. WATERCOURSE PROTECTION DEVELOPMENT PERMIT AREA

13.1: CATEGORY

The Watercourse Protection Development Permit Area is designated pursuant to Section 919.1(1)(a) and (b) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biodiversity, and the protection of development from hazardous conditions.

13.2: SCOPE

The Watercourse Protection Development Permit Area is coincidental with the Riparian Assessment Area as defined in the *Riparian Areas Regulation*. It is indicated in general terms on Map 6. Notwithstanding the areas indicated on Map 6, the actual Watercourse Protection Development Permit Area will in every case be measured on the ground, and it will be:

- (a) for a stream, the 30 metre strip on both sides of the stream, measured from the high water mark;
- (b) for a 3:1 (vertical/horizontal) ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank, and
- (c) for a 3:1 (vertical/horizontal) ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

13.3: DEFINITIONS

For the purposes of this Development Permit Area, the terms used herein have the same meaning that they do under the *Riparian Areas Regulation* (BC Reg. 376/2004).

13.4: JUSTIFICATION/OBJECTIVES

- (a) The province of British Columbia's *Riparian Areas Regulation (RAR)*, under the *Fish Protection Act*, aims to protect fish habitat. This regulation requires that residential, commercial or industrial development as defined in the *RAR*, in a Riparian Assessment Area near freshwater features, be subject to an environmental review by a Qualified Environmental Professional (QEP).
- (b) The environmental quality of Cowichan Lake, its tributaries, and associated riparian areas should be protected, as they provide critical habitat for an abundance of fish and aquatic animals, birds, plants, and land-based wildlife such deer, bear, cougar, and Roosevelt Elk;
- (c) Increasing environmental awareness and declining fish stocks in the Strait of Georgia have led to the need for the protection of the OCP area's lake, streams, wetlands and adjacent riparian lands.
- (d) The riparian areas along Cowichan Lake and its tributaries act as natural water storage, drainage and purifying systems. These areas need to remain in a largely undisturbed state in order to prevent flooding, control erosion, reduce sedimentation, and recharge groundwater.
- (e) This area requires careful management, as it includes hazardous lands that have physical characteristics that may lead to property damage or loss of life if improperly built on.
- (f) The water quality of Cowichan Lake and its tributaries requires protection as it provides an important existing and potential domestic water source.
- (g) Research into watershed hydrology and environmental resilience has demonstrated that once certain thresholds of impervious surfaces (total area of roofs, paving, concrete slabs, accessory buildings and other hard surfaces) are exceeded, irretrievable harm may be done to aquatic life. Many of the developed areas of the OCP area already exceed this threshold of

imperviousness. The OCP aims to ensure that, henceforth, impervious surfaces are minimized to the extent possible, particularly in areas within close proximity to a watercourse.

- (h) The vegetation within the riparian areas requires special consideration as it is essential to the water quality, protecting the water resource from pollution and sedimentation, and permitting more regular water flows during the summer months than would occur otherwise.

13.5: APPICABILITY

A development permit must be applied for, and issued by the Cowichan Valley Regional District, prior to any of the following activities occurring in the Watercourse Protection Development Permit Area, where such activities are directly or indirectly related to existing or proposed residential, commercial or industrial land uses in any Zone or Land Use Designation:

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of nonstructural impervious or semi-impervious surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, retaining walls, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the Local Government Act.

13.6: GENERAL GUIDELINES

Prior to undertaking any activities outlined in Section 13.5 above, an owner of land that is in the Watercourse Protection Development Permit Area shall apply to the CVRD for a development permit, and the application shall meet the following guidelines:

- (a) Sites shall be retained in their natural state where possible, preserving indigenous vegetation and trees. If adequate, suitable areas of land for the use intended exist on a portion of the parcel located outside of the Watercourse Protection Development Permit Area, the proposed development should be directed to those areas in order to minimize development in the DPA. The precautionary principle will be applied, whereby the onus will be placed with the applicant to demonstrate that encroaching into the Watercourse Protection Development Permit Area is necessary due to circumstances such as topography, hazards or lack of alternative developable land, and that every effort is made to minimize adverse impacts.
- (b) Where a parcel of land is entirely within the Watercourse Protection Development Permit Area, the development should be sited so as to maximize the separation between the proposed building/land use and the most sensitive area. In cases where the appropriate course of action is unclear, the applicant may be required to prepare, at his/her own expense, a report by a qualified professional biologist, which will identify the area of lowest environmental impact that is suitable for the use intended.
- (c) Any work done in the Watercourse Protection Development Permit Area must be carried out in a manner that minimizes the need for vegetation clearing. An arborist should be consulted, to ensure that trees and shrubs in the riparian buffer area are carefully pruned, where necessary to enhance views, rather than removed. In order to control erosion and to protect the environment, the development permit may specify the amount and location of tree and vegetative cover to be planted or retained. Where a development proposal calls for the removal of vegetation within this Development Permit Area, the Regional Board may require

the preparation of a report by a qualified biologist, payable by the developer, indicating measures required to achieve no net loss of habitat and appropriate implementation measures. The Board may require the re-vegetation of land in a Development Permit.

- (d) Recommendations in the Ministry of Water Land and Air Protection's Best Management Practices (*Storm Water Planning – A Guidebook For British Columbia*) should be applied, to reduce areas of impervious surfaces and increase natural groundwater infiltration. On-site stormwater management techniques that do not impact surrounding lands, should be used, rather than the culverting or ditching of stormwater runoff.
- (e) The creation and implementation of a silt and sediment control plan and/or an integrated stormwater management plan, by qualified professionals may be required to permit the controlled release of runoff from the development and to buffer streams from the loading of sediment and nutrient materials. The Regional Board will require that a drainage study be completed by a licensed, professional engineer to determine the extent of the works required and to establish criteria for eliminating or minimizing storm flows from the developed site.
- (f) Figures for total imperviousness on sites within this development permit area should be calculated by the proponent and submitted at the time of development permit application. The Board may specify maximum site imperviousness or effective imperviousness in a development permit.
- (g) Where a subject property is located within a floodplain as shown on the "Cowichan Lake Floodplain Maps", buildings and structures will be subject to the flood construction levels specified on the floodplain maps, administered under Section 56 of the *Community Charter*.
- (h) Roads and driveways should be located as far as possible from the edge of a bank or from a shoreline, so as to keep sand, gravel, leach oils and fuels, and road salt out of runoff. Driveways should be angled across the hill's gradient, where possible, and be composed of porous materials such as road mulch, small modular pavers or pre-cast concrete lattice, to keep runoff to a minimum. For driveways that are already paved, a portion of the runoff can be diverted by the use of speed bumps in regular intervals. Settling pools can be installed in runoff ditches that slope to water.
- (i) Footpaths to a shoreline should be planned to avoid erosion, using slope contours rather than a straight downhill line, and be narrow to minimize impacts on drainage patterns. Impacts to a slope can be minimized by elevating stairs above the natural vegetation.
- (j) Retaining walls will be limited to areas above the high water mark, and to areas of active erosion. Backfilling behind a wall, to extend the existing edge of a slope, is not permitted unless it can be clearly demonstrated that the fill is necessary to prevent further erosion or sloughing of the bank.
- (k) Where a retaining wall is proposed, bioengineering – using native plants, will be encouraged. The use of concrete, rip rap, unsightly construction debris like broken concrete, bricks and shot rock are discouraged as materials to improve bank stability. The use of vegetation such as willows and/or deadfalls or logs are encouraged as alternatives to minimize erosion and reduce the velocity of stream flows. Natural materials such as wood and stone, particularly darker colours that blend in with the natural shoreline and are less obtrusive when seen from the water. In cases where hard armouring, such as using solid concrete or heavy rocks or rock in wire cages, is necessary, the planting of native vegetation should be done to soften its impact, and the base of the wall should be constructed to be habitat friendly; Large, fortress like, uniform walls should not be permitted unless composed of pervious materials and stepped or softened to provide for water absorption.

- (l) Where a fence is constructed on, or in conjunction with, a uniform retaining wall or the highest uniform section of a retaining wall, the retaining wall or portion thereof should be considered to be an integral part of the fence for the purpose of determining height.
- (m) Cultural/heritage features of a site must be undisturbed.
- (n) Pilings, floats, or wharves should be consistent with the current Operational Statement of Fisheries and Oceans Canada.
- (o) For subdivision proposals, where a sensitive area is proposed to be covenanted for conservation purposes or dedicated to a public body or conservation group, the parcel lines may abut or follow the boundaries of the sensitive area. In other cases, the appropriateness of proposed parcel line locations should be reviewed with respect to site-specific considerations and the overall goal of minimizing environmental impacts.
- (p) All development proposals subject to a development permit should be consistent with "Develop With Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia", published by the Ministry of Environment.
- (q) The draining of wetlands or watercourses, and the land filling or dredging of a watercourse, including a lake, to increase a property size, create a sandy beach area, or restrict the public use of an area beyond property lines, is prohibited.
- (r) Development proponents must ensure that the proposed development does not cause a harmful alteration, disruption or destruction to habitat.

13.7: RIPARIAN AREA REGULATION GUIDELINES

Prior to undertaking any activities outlined in Section 13.5 above, an owner of land that is in the Watercourse Protection Development Permit Area shall apply to the CVRD for a development permit, and the application shall meet the following guidelines:

- (a) A qualified environmental professional (QEP) will be retained at the expense of the applicant, for the purpose of preparing a report pursuant to Section 4 of the *Riparian Areas Regulation*. The QEP must certify that the assessment report follows the assessment methodology described in the regulations, that the QEP is qualified to carry out the assessment and provides the professional opinion of the QEP that:
 - (i) if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area; and
 - (ii) the streamside protection and enhancement area (SPEA) that is identified in the report is protected from the development and there are measures identified to protect the integrity of those areas from the effects of development; and
 - (iii) the QEP has notified the Ministry of Environment and Fisheries and Oceans Canada, both of whom have confirmed that a report has been received for the CVRD; or
 - (iv) confirmation is received from Fisheries and Oceans Canada that a harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area has been authorised in relation to the development proposal.
- (b) Where the QEP report describes an area designated as Streamside Protection and Enhancement Area (SPEA), the development permit will not allow any development activities to take place therein, and the owner will be required to implement a plan for protecting the SPEA over the long term through measures to be implemented as a condition of the development permit, such as:
 - a dedication back to the Crown Provincial,
 - gifting to a nature protection organisation (tax receipts may be issued),

- the registration of a restrictive covenant or conservation covenant over the SPEA confirming its long-term availability as a riparian buffer to remain free of development;
 - management/windthrow of hazard trees;
 - drip zone analysis;
 - erosion and stormwater runoff control measures;
 - slope stability enhancement.
- (c) Where the QEP report describes an area as suitable for development with special mitigating measures, the development permit will only allow the development to occur in strict compliance with the measures described in the report. Monitoring and regular reporting by professionals paid for by the applicant may be required, as specified in a development permit;
- (d) If the nature of a proposed project in a riparian assessment area evolves due to new information or some other change, a QEP will be required to submit an amendment report, to be filed on the notification system;
- (e) Wherever possible, QEPs are encouraged to exceed the minimum standards set out in the RAR in their reports;
- (f) Cowichan Lake is subject to natural water level fluctuations on an annual basis. Winter water (high) levels often flood shoreline areas of the lake. These shoreline areas provide important fish habitat, especially during winter periods. The QEP assessment must pay special attention to how the site may be within an active floodplain; the QEP should also assess the existence of floodplain plant species that are important fish refuge areas during high water, and clearly delineate exactly where the high water mark is on the site.
- (g) The mean annual high water mark on Cowichan Lake has been calculated by the Ministry of Environment as being 164 metres above mean sea level, so Qualified Environmental Professionals are very strongly encouraged to incorporate this into their reports, as being the point from which the SPEA will be measured.

13.8: EXEMPTIONS

In the following circumstances, a development permit will not be required:

- (a) Renovations, repairs and maintenance to existing buildings that are protected by Section 911 of the *Local Government Act*;
- (b) Minor interior and exterior renovations to existing buildings, excluding any additions or increases in building volume;
- (c) Removal of invasive non-native vegetation such as Gorse, Scotch Broom, and its immediate replacement with native vegetation;
- (d) Creation of a passage or trail not more than 1.5 metres in width cleared of vegetation, which does not involve the removal of any tree greater than 5 metres in height or with a diameter at breast height (DBH) of 10 centimetres, to allow for passage to the water on foot.

13.9: VARIANCES

Where a proposed development plan adheres to the guidelines of the Watercourse Protection Development Permit Area, the Regional Board may give favourable consideration to variances of its 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 may be incorporated into the development permit.

13.10: FLOOD CONSTRUCTION LEVELS

The Board will not give relaxations to the flood construction levels in any circumstance.

13.11: CONCURRENT DEVELOPMENT PERMIT AREAS

Where more than one development permit area applies to land in the Watercourse Protection Development Permit Area (DPA), a single development permit may be issued. Where any other DPA guidelines would conflict with the Riparian Areas Regulation guidelines, the latter shall prevail.

13.12: VIOLATION

(a) Every person who:

1. violates any provision of this Development Permit Area;
 2. causes or permits any act or thing to be done in contravention or violation of any provision of this Development Permit Area;
 3. neglects to do or refrains from doing any act or thing required under this Development Permit Area;
 4. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Development Permit Area;
 5. fails to comply with an order, direction or notice given under this Development Permit Area; or
 6. prevents or obstructs or attempts to prevent or obstruct the authorised entry of the Administrator, or person designated to act in the place of the Administrator;
- commits an offence under this Bylaw.

(b) Each day's continuance of an offence constitutes a new and distinct offence.

13.13 PENALTY

A person who commits an offence against this Bylaw is liable, upon conviction in a prosecution under the *Offence Act*, to the maximum penalties prescribed under the *Community Charter* for each offence committed by that person.

13.14: SEVERABILITY

If any section, sentence, clause, phrase, word or schedule of this Development Permit Area is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Development Permit Area.

13.15 APPLICATION REQUIREMENTS

(a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the **Watercourse Protection 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, including top of bank;
 - Topographical contours;
 - Location of slopes exceeding 25 percent grade;
 - Location of lands subject to periodic flooding;
 - Percentage of existing and proposed impervious surfaces;
 - Existing tree cover and proposed areas to be cleared;

- Areas of known sensitive or rare native plant communities;
- Areas of known wildlife habitat;
- Existing and proposed buildings;
- Existing and proposed property parcel lines;
- Existing and proposed roads, vehicular access points, driveways, and parking areas;
- Existing and proposed trails;
- Existing and proposed stormwater management works, including retention areas and drainage pipes or ditches;
- Existing and proposed erosion mitigation/watercourse bank alterations;
- Existing and proposed septic tanks, treatment systems and fields;
- Existing and proposed water lines and well sites.

4. A Qualified Environment Professional's report, prepared pursuant to Section 13.7.

- (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, 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 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/or
 3. A stormwater management plan, which includes an assessment of the potential impact of the development on the groundwater resource;
 4. To ensure that all of the applicable DPA guidelines are met, the CVRD may require, by Resolution of the Board, the deposit of a Security to be held until the requirements of a Permit have been met to the Board's satisfaction. Should a Development Permit holder fail to fulfill the requirements of a Development Permit, the CVRD may undertake and complete the works required at the cost of the Permit holder and may apply the Security in payment of the cost of the work, with any excess to be refunded to the Permit holder. Should there be no default as described above, the CVRD will refund the Security to the Permit holder.

SECTION 14 WATERFRONT SUBDIVISION DEVELOPMENT PERMIT AREA

POLICY 14.1 CATEGORY

The Waterfront Subdivision Development Permit Area is designated pursuant to Section 919.1(a) and (b) of the Local Government Act, for the purpose of protecting the environment, its ecosystems and biological diversity; and protection of development from hazardous conditions.

POLICY 14.2 SCOPE

The Waterfront Subdivision Development Permit Area applies only to lands designated as 'Waterfront Residential' and 'Waterfront Commercial', within Electoral Area I, and includes:

- (a) That portion of Block 118 south of Youbou Road, Cowichan Lake District.

POLICY 14.3 JUSTIFICATION

- (a) To protect the environmental quality of Cowichan Lake and the Cowichan River;
- (b) To encourage development that respects the environment, its ecosystems and biodiversity by minimizing impacts on lands during subdivision;
- (c) To ensure a high level of sewage treatment to protect ground water and Cowichan Lake.

POLICY 14.4 GUIDELINES

No person shall subdivide land that is within the Waterfront Subdivision Development Permit Area, prior to the owner first receiving a development permit, which conforms to the following guidelines:

- (a) Sites shall be retained in their natural state where possible, preserving indigenous vegetation and trees. Disturbance to vegetation should be minimized.
- (b) Buildings and structures requiring domestic water shall be connected to a community water system.
- (c) Access roads, driveways and parking areas should use pervious materials that can absorb runoff.
- (d) Vehicle access points, pedestrian pathways, parking, and circulation patterns shall be designed to encourage as safe a flow of pedestrians, service/emergency vehicles, and local vehicle traffic as possible.
- (e) The latest Best Management Practices for land development of the Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada, should be respected.
- (f) Runoff from the development should be strictly limited to prevent storm flows from damaging riparian areas. Impervious surfaces should be minimized.

POLICY 14.5 EXEMPTIONS

The terms of the Waterfront Subdivision Development Permit Area shall not apply to:

- (a) Lot consolidations/elimination of interior parcel lines;
- (b) Applications for a building permit.



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 3-I-10DP/VAR

DATE: APRIL 15, 2011

TO: MICHAEL DIX

ADDRESS: 4596 BONNIEVIEW PLACE

VICTORIA, BC V8N 3V6

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

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

*BLOCK 1455 COWICHAN LAKE DISTRICT, AS SHOWN ON PLAN 40413
(PID 000-121-924)*

3. Authorization is hereby given for the land to be subdivided and developed in accordance with the plans and conditions listed in Section 4 below.

4. The development shall be carried out subject to the following conditions:

- a) Authorization of the proposed SPEA encroachment by Department of Fisheries and Oceans and Ministry of Environment;
- b) Compliance with RAR Assessment Report #1910;
- c) On-site monitoring of construction by a Qualified Environmental Professional and submission of a post development report confirming compliance with the recommendations of RAR Assessment Report #1910 and any conditions of approval specified by the Ministry of Environment and Department of Fisheries and Oceans;
- d) Determination of the high water mark by legal survey and confirmation that the proposed building location is a minimum of 15 metres from the high water mark of Cowichan Lake;
- e) Installation of a 'Type 3' or better sewage disposal system authorized by the Vancouver Island Health Authority.

5. The following schedules are attached:

- Schedule A – Site Plan
- Schedule B – Proposed Construction Plan
- Schedule C – RAR Assessment Report #1910
- Schedule D – Trail Head Rain Water and Storm Water Run-Off Plan
- Schedule E – Trail Head Home Plans
- Schedule F - Building Permit Checklist

6. This Permit is not a Building Permit Approval. No building permit will be issued until all conditions and requirements of this Development Permit have been completed to the satisfaction of the Planning and Development Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. 11-062.10 PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE 15th DAY OF APRIL 2011.

Tom Anderson, MCIP
General Manager,
Planning and Development Department

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

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

Signature of Owner/Agent

Witness

Print Name

Occupation

Date

Date



R2

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: March 9, 2011 **FILE NO:** 8-I-10DP

FROM: Carla Schuk, Planning Technician, Development Services Division,
Planning & Development Department

SUBJECT: Development Permit Application No. 8-I-10 DP (Carbonneau)

Recommendation:

That Application No. 8-I-10DP **be approved**, and that a development permit be issued to Ken Carbonneau for Parcel A (DD 27619W) of Lot 26, District Lot 22, Cowichan Lake District, Plan 4922 (PID: 006-016-651), subject to the following:

- Strict compliance with the recommendations in Riparian Assessment Report No. 1777, submitted by Qualified Environmental Professional Trystan Willmott, of Madrone Environmental Services, on September 9, 2010;
- That the 10 metre SPEA be clearly demarcated with the use of flagging materials prior to commencement of development activities;

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Purpose:

To consider the issuance of a Development Permit for the construction of a single-family dwelling in accordance with the provisions of the Watercourse Protection Development Permit Area contained within OCP Bylaw No. 2650.

Background:

Location of Subject Property: 10171 Youbou Road, Youbou

Legal Description: Parcel A (DD 27619W) of Lot 26, District Lot 22, Cowichan Lake District, Plan 4922 (PID: 006-016-651)

Date Application and Complete Documentation Received: December 4, 2010

Owner: Sharon Moon

Applicant: Ken Carbonneau

Size of Parcel: ± 0.26 hectares (± 0.64 acres)

Existing Zoning: R-3 (Urban Residential 3 Zone)

Minimum Lot Size Under Existing Zoning: 0.2 hectares if connected to a community water system

Existing Plan Designation: Urban Residential

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North:	Forestry
South:	Residential
East:	Residential
West:	Residential

Services:

<u>Road Access:</u>	Youbou Road
<u>Water:</u>	Youbou Water System
<u>Sewage Disposal:</u>	Septic system

Agricultural Land Reserve Status: The subject property is not within the ALR.

Environmentally Sensitive Areas: The Cowichan Valley Environmental Planning Atlas identifies a Trim Stream with confirmed fish presence running through the property, and therefore the property is subject to the Watercourse Protection Development Permit Area.

Archaeological Site: No archaeological sites have been identified.

The Proposal:

An application has been made to: An application has been made to the Regional Board to issue a Development Permit in accordance with the requirements of the Watercourse Protection Development Permit policies contained within Official Community Plan (OCP) Bylaw No. 2650.

For the purpose of: construction of a single-family dwelling.

Policy Context:

The *Riparian Areas Regulation*, under the *Fish Protection Act*, aims to protect fish habitat. This regulation requires that development within 30m of a watercourse be subject to review by a Qualified Environmental Professional (QEP). The QEP submits a Riparian Assessment Report to the Ministry of Environment. The *Riparian Areas Regulation* states:

"An assessment report for the purposes of this regulation must employ the assessment methods set out in the Schedule and must report on all of the following:

(a) the width of the streamside protection and enhancement area which must be protected;

(b) the measures necessary to protect the integrity of the streamside protection and enhancement area."

The Youbou – Meade Creek Official Community Plan, Bylaw No. 2650, supports the protection of the natural environment. The following policies are derived from the Natural Environment objectives section of the OCP.

"(b) To identify, protect and enhance natural areas, including stream corridors, for the long term benefit of natural ecosystems, including fish, wildlife and plant habitat;

(c) To support the preservation of natural resources of the area for resource development, including forestry, fish and wildlife habitat, and tourism;

(d) To limit or prohibit development within hazardous or environmentally sensitive areas so as to protect area residents from personal injury or loss of property and to safeguard the natural environment;

(g) To support the retention of a greenway of adequate width adjacent to all watercourses;

(i) To maintain the water quality of Cowichan Lake and the Cowichan River."

Further to these, CVRD Bylaw No. 2650 has established guidelines for the protection of the natural environment through the Watercourse Protection Development Permit Area. Because a stream is located on the subject property and construction of a single family dwelling are proposed within the 30m Riparian Assessment Area as outlined in the OCP and the Provincial regulation, the need for approval of a Watercourse Protection Development Permit was triggered.

Planning Division Comments:

The subject property is located at 10171 Youbou Road in Electoral Area I – Youbou/Meade Creek. The property has an existing single family dwelling, which the applicant is proposing to replace with a new, smaller single family dwelling. The subject property is located within the Watercourse Protection Development Permit Area (DPA). As such, the applicant must receive a development permit from the CVRD prior to commencing any site preparation or construction, in accordance with Youbou/Meade Creek Official Community Plan Bylaw No. 2650. In compliance with the Watercourse Protection DPA guidelines, the applicant has retained the services of Trystan Willmott, a Qualified Environmental Professional (QEP), to conduct a Riparian Areas Regulation (RAR) Assessment.

The applicant is proposing to construct a 111.5 m² (1200 ft²) house in the south eastern corner of the property outside of the SPEA. The existing driveway and an existing rockwall and stairs are within the SPEA boundaries. Because the above developments are existing uses and alterations are not being proposed as part of this application, they are not subject to the RAR assessment.

The following section will outline how the proposed development addresses the Watercourse Protection DPA guidelines. The attached excerpt from OCP Bylaw No. 2650 provides the complete guidelines.

- (a) **Retention of natural vegetation** – The proposed dwelling will be built within the footprint of the existing dwelling, therefore no further vegetation removal is being proposed. The upper reaches of the property are largely forested and will not be disturbed by the proposed development.

- (b) **Coverage of entire area** – The proposed new house will be built within the existing footprint of the house that currently exists on the property. The new house will be smaller than the existing house and therefore reduce the coverage of the entire property.
- (c) **Riparian area protection** – this guideline has been largely superseded by the *Riparian Areas Regulation* guidelines.
- (d) **BMP implementation** – the role of the QEP is to examine all BMPs and integrate these into the Riparian Assessment Report. Report No. 1777 indicates the proponent will use rain gardens in order to moderate the impacts of roof run-off during peak rain events.
- (e) **Silt and sediment control** – Report No. 1777 states that construction will follow a number of sediment and erosion control measures. The QEP reports that building within an existing building footprint minimizes the generation of sediments during the construction phase. The QEP recommends that the majority of site preparations be carried out during periods of drier weather, covering stockpiled soil with tarps, covering exposed areas with straw mulch and seeded to prevent sediment mobilization, and installing a silt fence around the western perimeter of the construction area.
- (f) **Imperviousness figures** – The R-3 Zone permits 25% parcel coverage for all buildings and structures on a lot. However, the development proposal will result in far less parcel coverage than that permitted by the zoning, as well as less than what currently exists. The total house footprint including outdoor living area will be 111.5 m² on a 0.28 ha lot, which results in approximately 4% parcel coverage.
- (g) **Floodplain** – The QEP assessed the drainage of the property and confirmed that there was no evidence of drainage overtopping its banks and that there appeared to be no potential flooding concerns on the property. The property is also located above the 200 year floodplain (167m contour) for Cowichan Lake.
- (h) **Driveway design** – The driveway of the property is already existing and changes to it are not being proposed.
- (i) **Footpaths** – There are no footpaths being proposed as part of this development permit application
- (j) **Retaining walls** – No retaining walls are being proposed as part of this development permit.
- (k) **Retaining wall appearance** – see above.
- (l) **Retaining wall with fence** – see above.
- (m) **Cultural/heritage sites** – no such sites were identified.
- (n) **Pilings/floats** – No new such construction is proposed.
- (o) **Applicable only to subdivision**
- (p) **Develop with care** – the RAR Assessment Report will cover this within the Riparian Assessment Area.
- (q) **Wetlands** – there are no wetlands located on the property.
- (r) **Harmful Alteration/Destruction or Disruption of fish habitat** – compliance with the RAR Assessment Report will by definition prevent a HADD.

Riparian Areas Regulation Assessment Report:

RAR Assessment Report No. 1777 by Trystan Willmott identifies a 10 metre Streamside Protection and Enhancement Area (SPEA) on the both sides of the unnamed creek located on the subject property. The SPEA is measured from the high water mark of the creek. All proposed development will be located outside the designated SPEAs as shown in the site plan included within the RAR report. The existing driveway that is within the SPEA is a grandfathered use and will not be altered as part of this development proposal. The RAR report states that there are no danger trees located within the vicinity of the proposed development and that there will be no increase in the potential for windthrow. The report states that slope

stability is not an issue for the proposed development due to the limited slope of the SPEA in the lower portion of the property. The SPEA has been flagged on the property to prevent inadvertent encroachment during construction activity. The QEP's report states that the proposed development will reduce the amount of impermeable surfaces on the property and will not negatively impact the assessed SPEA if the recommendations from RAR Assessment Report No. 1777 are followed.

Advisory Planning Commission:

Members of the Area I Advisory Planning Commission reviewed this application at a meeting held February XX, 2011, and made the following recommendations:

"It was Moved and Seconded by Area I (Youbou/Meade Creek) APC, to support Development Permit Application No 8-I-10DP (Carbonneau) as presented."

Options:

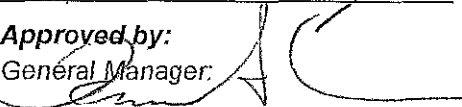
1. That Application No. 8-I-10DP **be approved**, and that a development permit be issued to Ken Carbonneau for Parcel A (DD 27619W) of Lot 26, District Lot 22, Cowichan Lake District, Plan 4922 (PID: 006-016-651), subject to the following:
 - Strict compliance with the recommendations in Riparian Assessment Report No. 1777, submitted by Qualified Environmental Professional Trystan Willmott, of Madrone Environmental Services, on September 9, 2010;
 - That the 10 metre SPEA be clearly demarcated with the use of flagging materials prior to commencement of development activities;
2. That application No. 6-I-10 DP **be revised**.

Option 1 is recommended.

Submitted by,



Carla Schuk,
Planning Technician
Development Services Division
Planning and Development Department

Reviewed by: Division Manager: 
Approved by: General Manager: 

CS/ca
Attachments



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 8-10DP/RAR

DATE: March XX, 2011

TO: Sharon Moon

ADDRESS: 10171 Youbou Road

Youbou, BC

1. This Development Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands within the Regional District described below (legal description):
Parcel A (DD 27619W) of Lot 26, District Lot 22, Cowichan Lake District, Plan 4922 (PID: 006-016-651)
3. Authorization is hereby given for construction of a single family dwelling in accordance with the conditions listed in Section 4, below.
4. The development shall be carried out subject to the following condition:
 - Strict compliance with RAR Report No. 1777, dated September 9, 2010 and written by Trystan Willmott of Madrone Environmental Services Ltd.
 - Demarcation of the 10 metre SPEA with the use of flagging materials prior to commencement of development activities
5. The land described herein shall be developed in substantial compliance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit shall form a part thereof.
6. The following Schedule is attached:
Schedule A – RAR Report No. 1777, written by Trystan Willmott, of Madrone Environmental Services Ltd.
7. This Permit is not a Building Permit. No certificate of final completion shall be issued until all items of this Development Permit have been complied with to the satisfaction of the Development Services Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. [fill in Board Resolution No.] PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE [day] DAY OF [month] 2011.

Tom Anderson, MCIP
General Manager, Planning and Development Department

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

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

Owner/Agent (signature)

Witness

Print Name

Occupation

Date

Date



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
consolidated for convenience
purposes only and that
boundaries are representational.

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

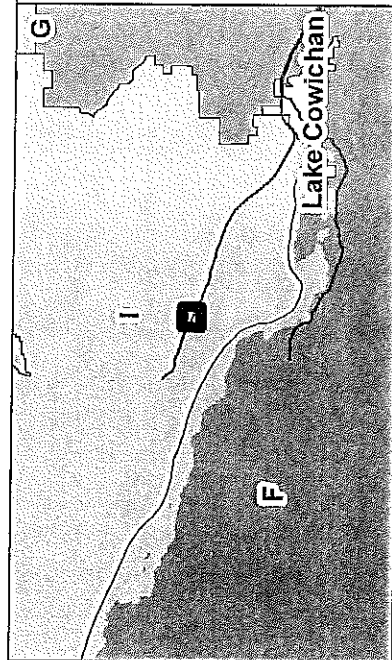
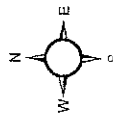
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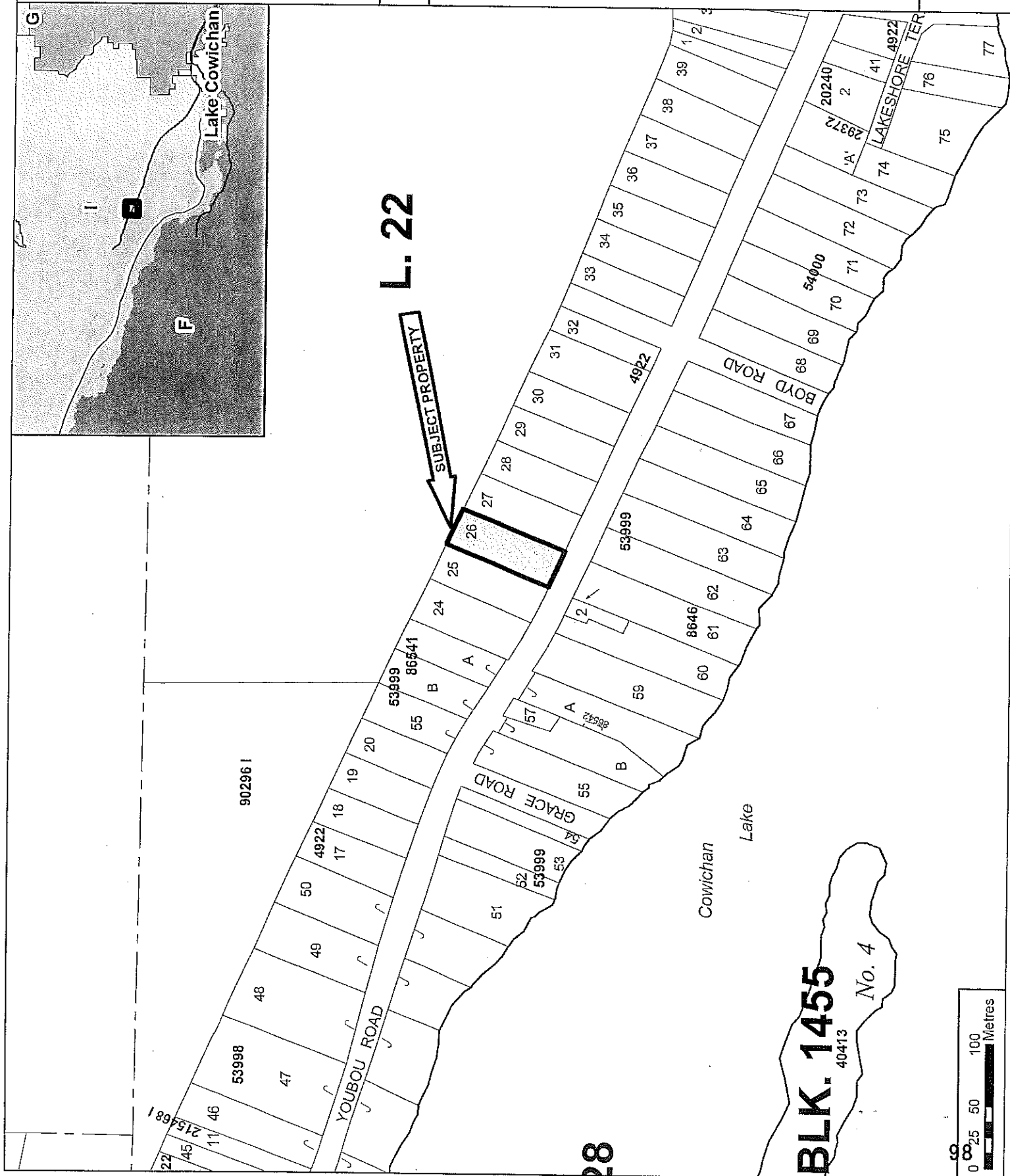


Subject Property



L-22

SUBJECT PROPERTY





Cowichan
Valley
Regional
District

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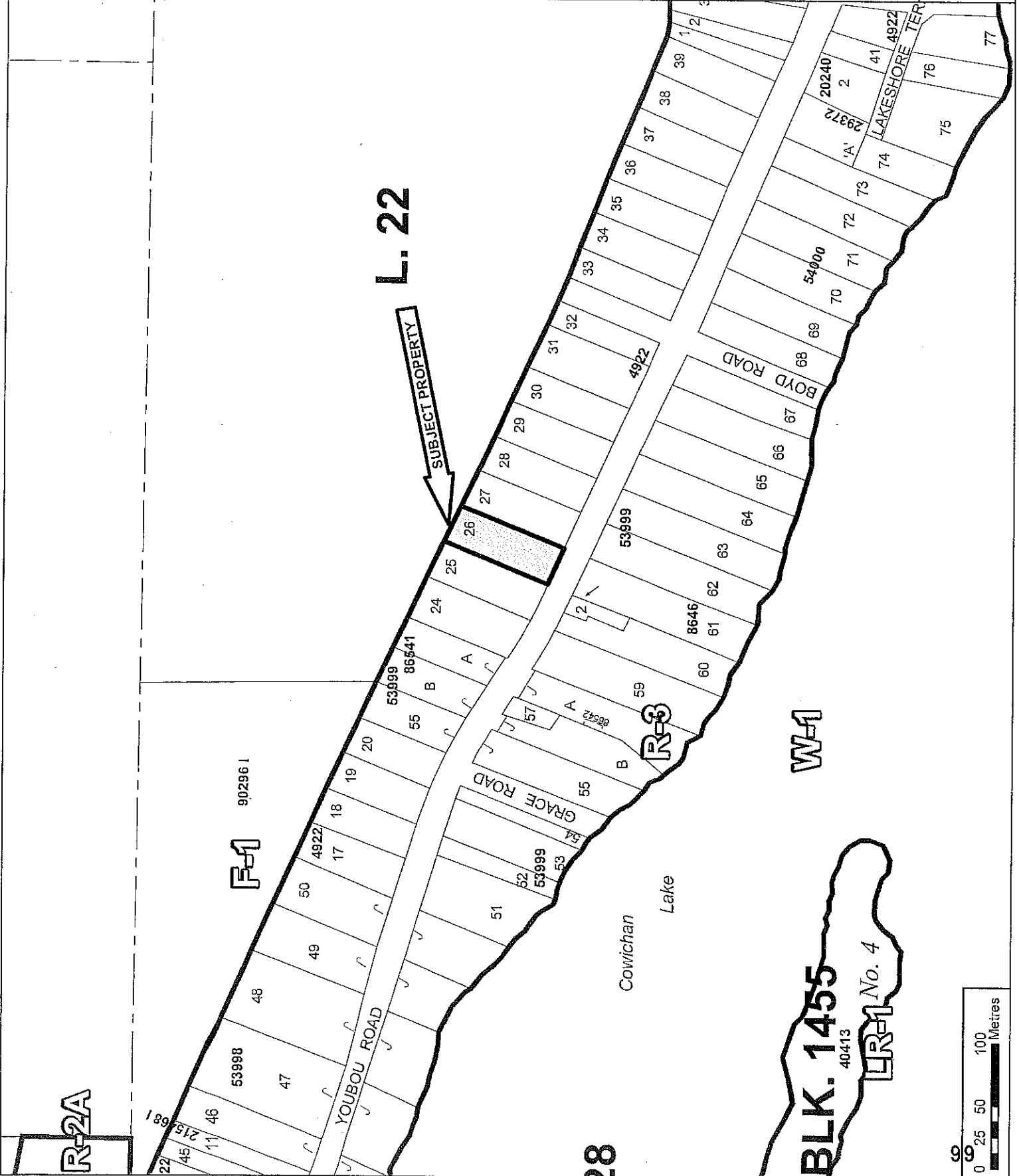
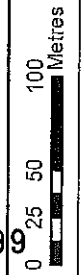
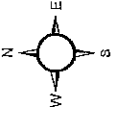
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ZONING

Legend





Cowichan
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Regional
District

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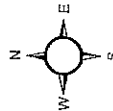
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of the Bylaws.

FILE:

08-I-10-DP-RAR

Google Earth
Photo (2005)



SUBJECT PROPERTY

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Image © 2011 IMTCAN

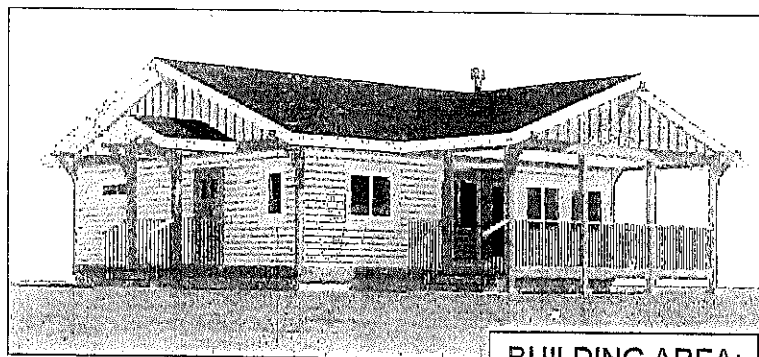
Imagery Date: Jul 17, 2005

48°52'07.14" N 124°10'57.24" W elev 543 ft

Eye alt 2251 ft

TABLE OF CONTENTS

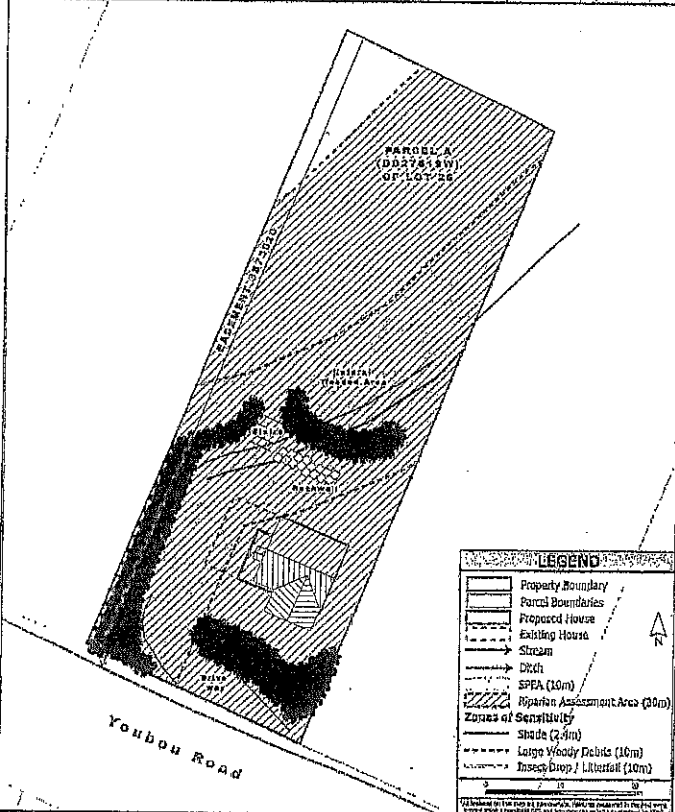
1. Title Page / Site Plan & Legal / Notes
2. Foundation Plan & Floor Plan & Details
3. Elevations & Details
4. Sections A1, B1, B2, B3
5. Kitchen & Bathrooms - plans & elevations



BUILDING AREA:
 FLOOR : 960.0 sq.ft.
 DECK : 227.2 sq.ft.
 PORCH : 26.4 sq.ft.
 TOTAL : 1,213.6 sq.ft.

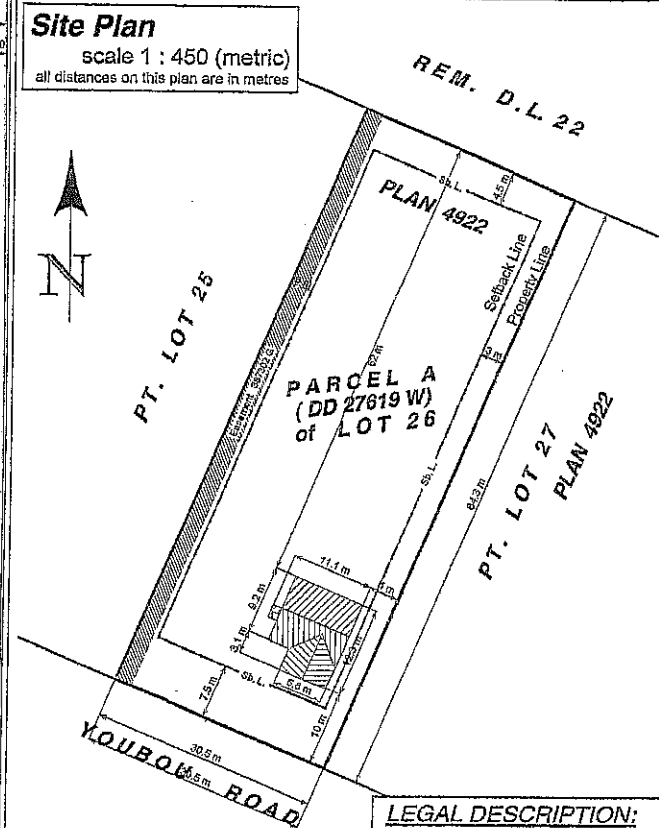
To the best of our knowledge these plans are drawn to comply with the owners' specifications and any changes made to them after prints are made will be done at the owners' expense and responsibility.
 The contractor shall verify all dimensions and enclosed drawings.
 "David Coulson Design Ltd." is not liable for errors once construction has begun if the contractor/builder is someone other than "David Coulson Design Ltd."
 While every effort has been made in the preparation of this plan to avoid mistakes,
 "David Coulson Design Ltd." cannot guarantee against human error.
 The job contractor must check all dimensions and other details prior to construction and be solely responsible thereafter.

PROJECT: RAR Assessment 10171 Youbou Road	CLIENT: Ken Carbonneau	DESIGN: 10.07231	DRAWN BY: Anna Jeffries
ASSESSED BY: Troyan Willett, B.Sc., A.Sc.T.	LOCATION: Youbou, BC	FIELD VISIT: August 11, 2010	MAP SCALE: 1:450
		MAPPING DATE: September 13, 2010	



Site Plan

scale 1 : 450 (metric)
 all distances on this plan are in metres



LEGAL DESCRIPTION:
 10171 Youbou, Youbou, B.C.
 Parcel A (DD 27619 W) of Lot 26,
 District Lot 22, Cowichan Lake District,
 Plan 4922, C.V.R.D. Area I,
 Zone R-3 for residential use

GENERAL NOTES

ALL WORK SHALL BE DONE IN ACCORDANCE WITH B.C. BUILDING CODES AND LOCAL CODES.
 FOUNDATION AND TRUSS DESIGN SHALL BE VERIFIED BY A QUALIFIED ENGINEER FOR COMPLIANCE WITH SITE REQUIREMENTS.
 DIMENSIONS AND NOTES SHALL TAKE PRECEDENCE OVER THE SCALING OF DRAWINGS.
 WALL DIMENSIONS ARE TO THE EXTERIOR OF FRAMING UNLESS NOTED OTHERWISE.
 LUMBER COMING IN CONTACT WITH CONCRETE OR MASONRY SHALL BE TREATED TO A MINIMUM OF 40.CCA.
 ALL LUMBER IN CONTINUOUS CONTACT WITH THE GROUND SHALL BE TREATED TO A MINIMUM OF .60 CCA.
 ALL FRAMING LUMBER TO BE #2 OR BETTER DF OR EQUIVALENT, UNLESS NOTED OTHERWISE.
 EXTERIOR AND INTERIOR MATERIALS AND FINISHES TO BE DETERMINED BY OWNER.

BUILDING PERFORMANCE

HEAT LOSS CALCULATIONS SHALL COMPLY WITH THE REQUIREMENTS OF REGIONAL AND LOCAL CODES.
 PORCH AND DECK AREAS NOT INCLUDED IN LIVING AREA.
 ALL EXHAUST FANS TO BE VENTED DIRECTLY TO THE EXTERIOR.
 ALL PENETRATIONS OF THE BUILDING ENVELOPE SHALL BE SEALED WITH CAULK OR FOAM.
 ALL COMBUSTION APPLIANCES WILL BE VENTED DIRECTLY TO THE EXTERIOR.
 WOOD BURNING STOVE SHALL HAVE OUTSIDE COMBUSTION AIR SUPPLY AND BE VERIFIED BY A QUALIFIED ENGINEER PURSUANT FOR COMPLIANCE AND PURSUANT TO REGIONAL

CONTRACTOR'S NOTE

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY "David Coulson Design Ltd." OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

OWNER & BUILDER'S NOTE

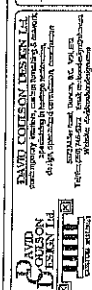
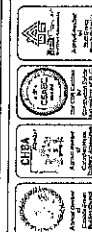
These plans shall not be used for construction until stamped, signed and approved by the local building department.
 The builder is expected to follow these plans, applicable building codes and local ordinances.
 He shall verify that site conditions are consistent with these plans before starting work.
 While these plans are drawn to show the proposed work as accurately as possible, schematic details may be used in some cases for clarity.
 Work not specifically detailed shall be constructed to the same quality as similar work that is detailed.
 Written dimensions and specific notes shall take precedence over scaled dimensions and general notes.
 "David Coulson Design Ltd." shall be consulted for clarification if site conditions are encountered that are different than shown, if discrepancies are found in the plans, or if a question arises over the intent of the plans or notes.
 "David Coulson Design Ltd." assumes no responsibility for scheduling, fabrication, construction techniques or quantities used in the work if the builder is someone other than "David Coulson Design Ltd."
 "David Coulson Design Ltd." assumes no responsibility for field changes, site variances or discrepancies not brought to its attention for clarification.



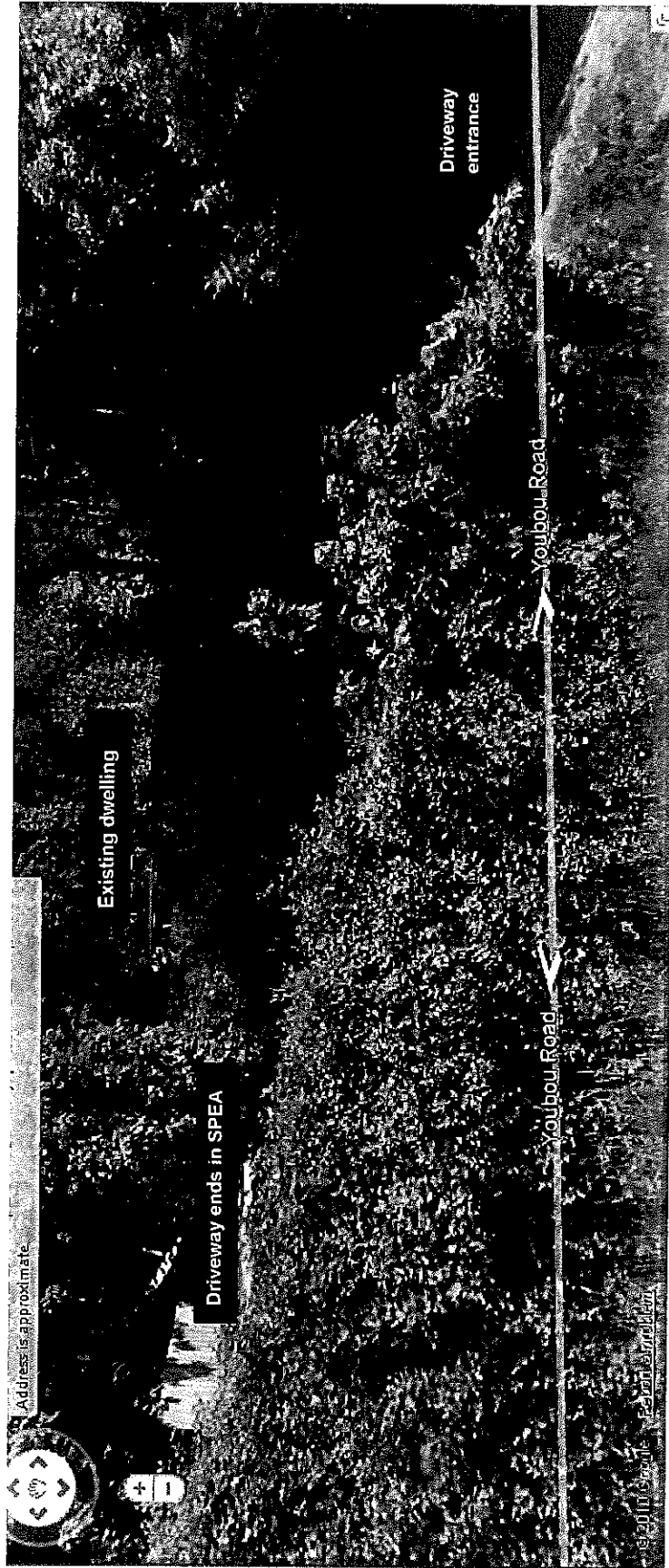
These drawings are the proprietary work product and property of "David Coulson Design Ltd.", developed for the exclusive use of "Tanya Marriott & Ken Carbonneau" with scope of work to build a residential use house on "10171 Youbou Rd., Youbou, B.C."
 Use of these drawings and concepts therein for different purposes or sale without the written permission of "David Coulson Design Ltd." is prohibited and may subject you to a claim for damages.

Project Name	10171 Youbou Road
Client Name	Ken Carbonneau
Design Date	10.07231
Drawn By	Anna Jeffries
Checked By	David Coulson
Scale	1:450
Sheet	1

Tanya Marriott & Ken Carbonneau
 10171 Youbou Road, Youbou, B.C.



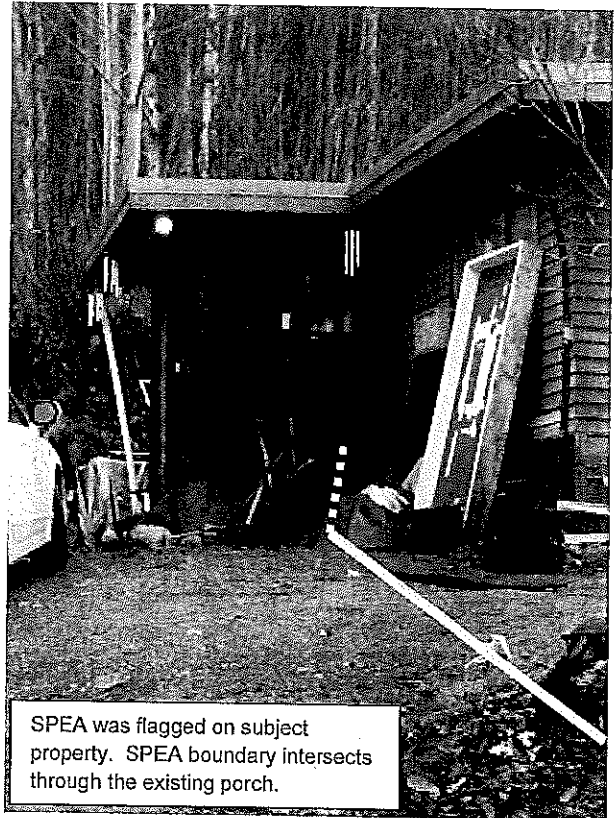
Site Visit Photos – 10171 Youbou Road



A view of the subject property from Youbou Road.



View of creek looking south. The creek runs along western property line west of the top of the driveway.



SPEA was flagged on subject property. SPEA boundary intersects through the existing porch.



Existing rockwall located within the SPEA. Blackberry branches cover most of the wall.



Existing stairs within SPEA as shown in RAR report. The stairs are located within a few meters of the dwelling.



Slope to the north of the dwelling will be left in natural state, but invasive blackberry bushes, as seen in foreground, will be removed.

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date 2010-09-09

I. Primary QEP Information

First Name	Trystan	Middle Name	
Last Name	Willmott		
Designation	A.Sc.T.	Company	Madrone Environmental Services Ltd.
Registration #	25491	Email	trystan.willmott@madrone.ca
Address	1081 Canada Avenue		
City	Duncan	Postal/Zip	V9L 1V2
Prov/state	BC	Country	Canada
		Phone #	250 746 5545

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

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
		Phone #	

III. Developer Information

First Name	Ken	Middle Name	
Last Name	Carbonneau		
Company	N/A		
Phone #	(250) 710 2516	Email:	kenandtanya@shaw.ca
Address	10171 Youbou Road		
City	Youbou	Postal/Zip	VOR 3E1
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Single family residential		
Area of Development (ha)	0.01	Riparian Length (m)	68
Lot Area (ha)	0.25	Nature of Development	New
Proposed Start Date	2010-09-14	Proposed End Date	2011-09-14

V. Location of Proposed Development

Street Address (or nearest town)	10171 Youbou Road		
Local Government	Cowichan Valley Regional District	City	Youbou
Stream Name	Un-named		
Legal Description (PID)	006-016-651	Region	1
Stream/River Type	Stream	DFO Area	South Island
Watershed Code	N/A		
Latitude	48	52	7.8
Longitude	124	10	56.8

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.

Table of Contents for Assessment Report

	Page Number
1. Description of Fisheries Resources Values	3
2. Results of Riparian Assessment (SPEA width)	5
3. Site Plan	7
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
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2. Windthrow	8
3. Slope Stability	8
4. Protection of Trees	9
5. Encroachment	9
6. Sediment and Erosion Control	9
7. Floodplain	10 and 11
8. Stormwater Management	11
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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

Nature of Development/Specific Activities:

The proposed construction of a new residence at 10171 Youbou Road, Youbou, has triggered the requirement for a Riparian Areas Regulation Assessment. The focus lot currently has a dwelling located on the southern portion of the property, with an associated gravel driveway and parking area. A small drainage flows along the western edge of the property, which originates on the steeper forested slopes to the north of the existing residence.

The proposed construction would involve removing the existing house and building a smaller structure on the current disturbed footprint. The proposed residence would consist of a living area of 928 square feet, with a screened porch adding another 230 square feet, resulting in a total proposed footprint of 1158 square feet (refer to Site Plan). The existing house footprint is 1250 square feet. The porch of the current house extends partially into the SPEA of the drainage, although the new structure would be built further to the east, beyond the SPEA boundaries, as indicated on the site plan.

Fish Habitat Attributes, Connected Habitat Values and Existing Riparian Vegetation Condition

The focus drainage is an un-named first order system, which originates on steep slopes located along the northern portion of the property. The drainage does not contain habitat attributes necessary for fish life processes, but it does meet the definition of a "stream" under the RAR methodology. The stream is classified as a default "Step-Pool" system, due to the gradient and width, but the general lack of channel morphology attributes in the drainage do not represent a typical "Step-Pool" system. The stream is relatively well defined, with continuous alluvial deposits, consisting mainly of large gravel and cobble. The stream was flowing during the assessment, which was likely in response to a rainfall event immediately prior to the field visit.

After it leaves the southern property boundary, the stream enters a vegetated swale/ditch that parallels the northern edge of Youbou Road. This ditch flows to the west before meeting a well defined stream flowing from north to south. This drainage enters a culvert underneath Youbou Road, and continues to flow to the south through private property before joining with Cowichan Lake. Despite the lack of fish habitat attributes in the subject drainage, connectivity to confirmed fish habitat (Cowichan Lake) by surface flow does occur via the roadside ditch and neighbouring stream.

Riparian vegetation is serving limited biological function in the developed area situated in the southern portion of the property. The SPEA in the developed zone consists mainly of a gravel driveway and parking area, with a narrow fringe of ornamental cedar (*Thuja* sp.), which forms a hedge. Young bigleaf maple (*Acer macrophyllum*) are also

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

interspersed throughout the immediate riparian area. The majority of the property, however, remains undisturbed. Upslope of the existing development footprint, the property consists of continuous young forest, with bigleaf maple (*Acer macrophyllum*) and red alder (*Alnus rubra*) dominating. The shrub vegetation consists of salmonberry (*Rubus spectabilis*), red huckleberry (*Vaccinium parvifolium*) and salal (*Gaultheria shallon*). Himalayan blackberry (*Rubus discolor*) is also common. The herb layer in the forested portion of the SPEA consists of horsetail (*Equisetum arvense*), bracken fern (*Pteridium aquilinum*), maidenhair fern (*Ophioglossum pedatum*), sword fern (*Polystichum munitum*) and foamflower (*Tiarella trifoliata*).

The property owners intend to maintain the area upslope of the development footprint as undisturbed forest. The proposed development would be limited to the existing building footprint.

Section 2. Results of Riparian Assessment (SPEA width)

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2010-09-09

Description of Water bodies involved (number, type)

1 Stream

Stream	X
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

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

	Channel Width(m)	Gradient (%)		
starting point	1.3		I, <u>Trystan Willmott</u>, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carboneau; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.	
upstream	0.9	22		
	0.6			
	0.7			
	0.8			
downstream	0.5			
	1.2	10		
	0.8			
	0.6			
	0.8			
	0.7			
Total: minus high /low	7.1			
mean	0.8	16		
	R/P	C/P		S/P
Channel Type				X

Site Potential Vegetation Type (SPVT)

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

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Polygon No:
SPVT Type

Method employed if other than TR

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	2.4	South bank	Yes	X	No		
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes	No	If non-fish bearing insert no fish bearing status report				
SPEA maximum	10	(For ditch use table3-7)					

Segment No:	2	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	N/A	South bank	Yes		No	X	
SPEA maximum	10	(For ditch use table3-7)					

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)							
Litter fall and insect drop ZOS (m)							
Shade ZOS (m) max		South bank	Yes		No		
SPEA maximum		(For ditch use table3-7)					

I, Trystan Willmott, hereby certify that:

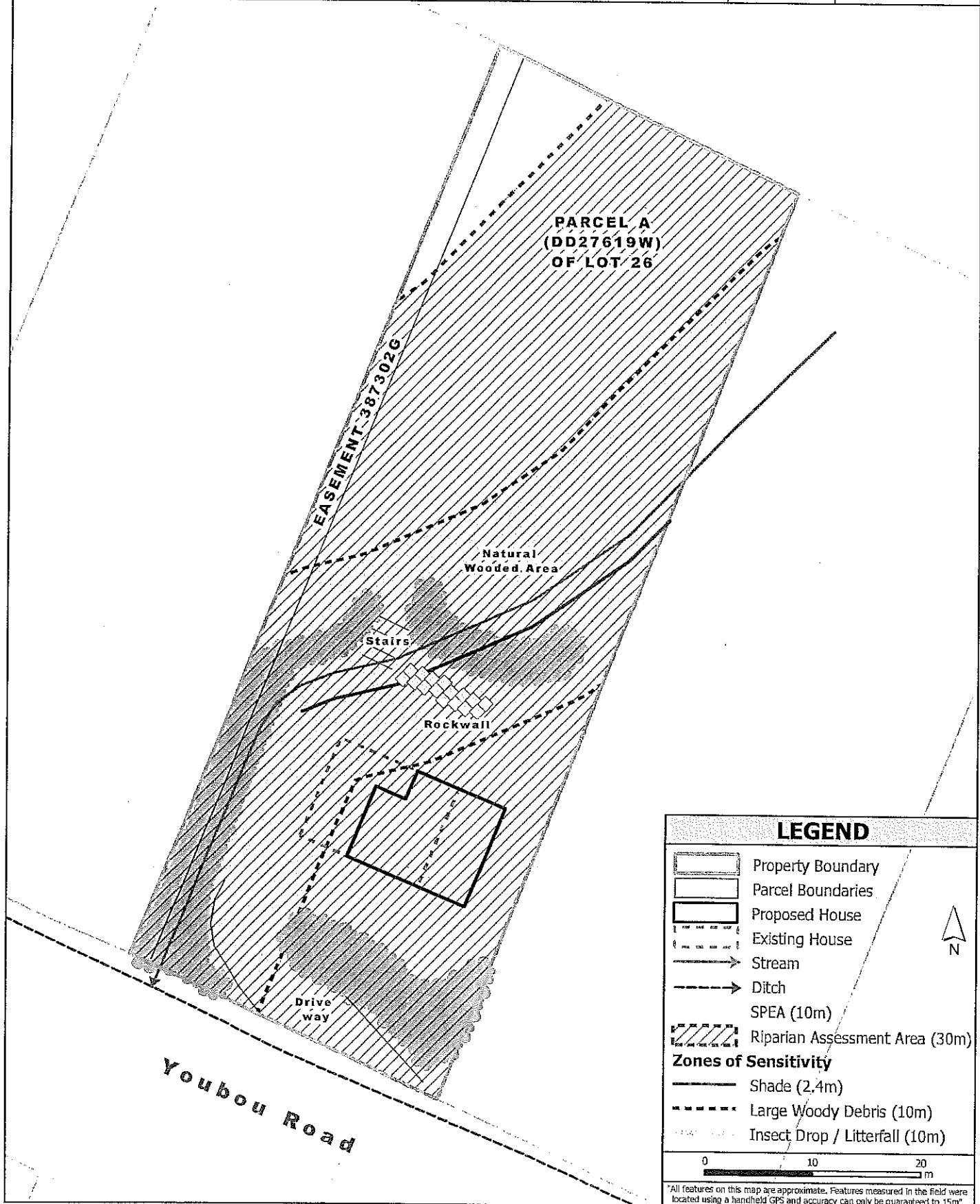
- a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carboneau;
- c) I have carried out an assessment of the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

Comments

Due to the flat site conditions at the proposed construction site and ease of measurement, the 10m SPEA was measured out and demarcated during the field assessment.



PROJECT: RAR Assessment: 10171 Youbou Road	CLIENT: Ken Carbonneau	DOSSIER: 10.0231	DRAWN BY: Anna Jeffries
ASSESSED BY: Trystan Willmott, B.Sc., A.Sc.T.	LOCATION: Youbou, BC	FIELD VISIT: August 11, 2010	MAP SCALE: 1:450 MAPPING DATE: September 13, 2010



FORM 1

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Section 4. Measures to Protect and Maintain the SPEA

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

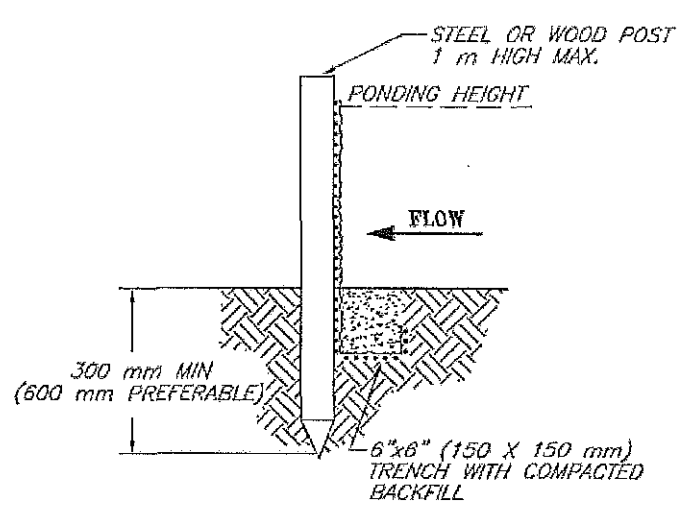
1. Danger Trees	The development proposal involves building over an existing footprint, with the adjacent SPEA consisting mainly of a gravel parking area. No development is proposed in the forested portion of the property upslope of the existing developed footprint. No danger trees exist in the SPEA in relation to the current development proposal.
I, <u>Trystan Willmott</u>, hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Damage from windthrow typically occurs as a result of removing large areas of trees and creating new exposed forest "edges" that become exposed to increased wind velocities. The proposed construction site consists of a cleared area with an existing house footprint. No trees will be removed during the development, meaning that risk from windthrow on the property as a whole will not be increased as a result of the construction. There are no development plans for the forested portion of the property upslope of the existing developed area.
I, <u>Trystan Willmott</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	The proposed development area consists of a flat pad with an existing residence. The slope of the SPEA is minimal adjacent to the proposed building footprint. Due to the existing flat building pad and lack of indicators of slope instability, the SPEA will not be negatively impacted by the proposed construction.
I, <u>Trystan Willmott</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; c. I have carried out an assessment of the development proposal and my assessment is set out in	

FORM 1
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this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	Adjacent to the proposed development area, the SPEA consists of a gravel parking area. The proposed construction will involve building on an existing footprint and there is, therefore, no potential for damage to trees located upslope of the footprint.
I, <u>Trystan Willmott</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	Currently, the proposed building area consists of an established residence, with a gravel driveway and parking area. In addition, part of the existing porch extends into the SPEA. Immediately adjacent to the house, the SPEA is represented by the gravel parking area. Current land uses and structures are considered legally non-conforming, but any new "developments" are not permitted inside the SPEA. It should be noted that the proposed residence will be smaller than the existing footprint and will be located further back from the stream in comparison with the current building configuration. The upper portion of the property has been maintained as undisturbed young forest by the current landowners. There are no plans to develop any portion of the forested area. It would be impractical to demarcate the edge of the SPEA during the construction process with temporary fencing, as it would be partly located across the existing parking area and property access. The SPEA has been flagged on site, and this flagged representation should remain during the construction process to prevent any inadvertent encroachment from the construction footprint.
I, <u>Trystan Willmott</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	The potential for sediment generation will be partly mitigated by the fact that the construction will be occurring on an existing footprint. As a result, site excavations will be minimized. However, any excavations (even if minimal) have the potential to introduce sediment into the adjacent drainage. The following measures must be implemented during the construction process: - if possible, the majority of site preparation operations should be carried out during periods of drier weather; - any soil/fill stockpiles should be covered (e.g. with tarps) to prevent the

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

	mobilization of unconsolidated material by rain-splash; - exposed areas should be covered with straw mulch and seeded to prevent the mobilization and transportation of sediment; and - a silt fence should be constructed at the western perimeter of the construction area, effectively containing the work area. The silt fence should be dug in properly, to ensure that it works effectively (refer to diagram). 
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I, Trystan Willmott, hereby certify that:

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

7. Stormwater Management	Increases in stormwater flow are generally caused by an increase in the surface coverage of impermeable materials (e.g. rooftops and driveways) following construction activities. In this particular case, the proposed development will lead to a reduction in the coverage of impermeable materials on site, as the footprint will be smaller than the existing structure. Despite the reduction in the coverage of impermeable materials, constructing a new residence allows for the opportunity to implement measures to manage stormwater. An aesthetically-pleasing option for the site would be to install a rain garden, which represents a cost-effective long-term solution to collecting stormwater and allowing it to infiltrate slowly. A rain garden can be added to over time, allowing for the establishment of an attractive feature. The surface area of a rain-garden should be approximately 20% of the impermeable surface area feeding into it. Rain-gardens should be in the form of a shallow depression and be approximately 10-15cm deep (after soil amendments have been added). The surface of a rain-garden should be kept as level as possible, with a slight depression in the centre. Run-off from roof tops
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	can be directed into a rain-garden via flexible plastic pipes running from the downspouts. To prevent erosion, small gravel (e.g. pea gravel) should be placed around the pipe inflow. After the rain-garden has been dug out, an adequate soil mix should be added, consisting of washed, coarse sand (approximately 50% by volume), hardwood mulch (15% by volume), weed free topsoil with a high organic content (30% by volume) and compost (5% by volume). It is important that the soil is not compacted (e.g. by foot traffic or machinery) after being spread. Minimal foot trampling will be unavoidable during the planting stage. There are numerous options regarding potential plants to use in a rain-garden, but the following species are recommended: red osier dogwood (<i>Cornus stolonifera</i>), salmonberry, red elderberry (<i>Sambucus racemosa</i>) and slough sedge (<i>Carex obnupta</i>).
I, <u>Trystan Willmott</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
8. Floodplain Concerns (highly mobile channel)	The drainage is relatively steep where it flows through the focus property. No indications of the drainage overtopping its banks were noted and there appear to be no potential flooding concerns on the property.
I, <u>Trystan Willmott</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ken Carbonneau; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

The proposed development represents a low-impact proposal over an existing footprint adjacent to a SPEA that consists of a gravel parking area. The monitoring regime, therefore, should not be an in-depth, detailed operation.

Actions Required:

A pre-construction meeting should be held between the developer and monitor to discuss potential construction-related impacts (e.g. sediment mobilization). Details regarding the proper implementation of the sediment and erosion control plan would be discussed, to ensure that measures are properly implemented and are site-specific. Stormwater management and potential location of the rain-garden would also be determined.

Schedule/Communications Plan:

The developer is responsible for contacting a qualified environmental professional (QEP) to arrange for a pre-construction site meeting. The meeting should be held at least two days prior to the anticipated start-up of construction activities. A site visit mid-way through the construction process is recommended to ensure that the construction is occurring as per the development proposal and to determine whether the sediment and erosion control measures are being properly implemented. At this point, the QEP has the opportunity to modify measures, or make further recommendations to ensure that the development is occurring in an appropriate manner. A final site visit should also occur following the cessation of construction activities to check on the final configuration of the development. This final visit can occur prior to the completion of finishing work inside the house. The developer must contact the QEP to arrange for the recommended on-site visits.

Post Development Report:

A post construction report is required, which details, in chronological order, the construction process and highlights the level of conformance to the stipulated measures. The report should contain site photographs to ensure the accurate portrayal of the development period.

Section 6. Photos

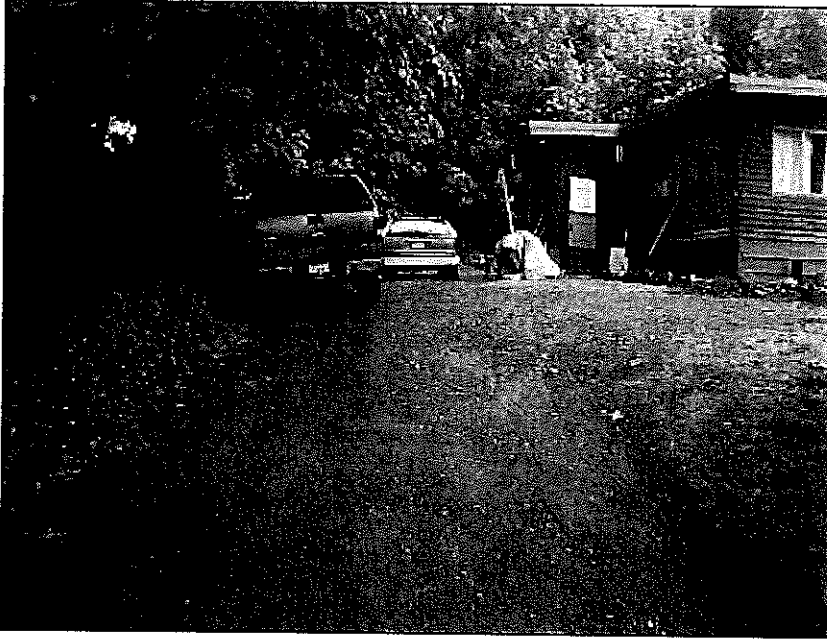


Photo 1. Looking north-east from the property access driveway towards the existing house and parking area. The drainage parallels the cedar hedge on the left of the photo (flows on the western side of the hedge).

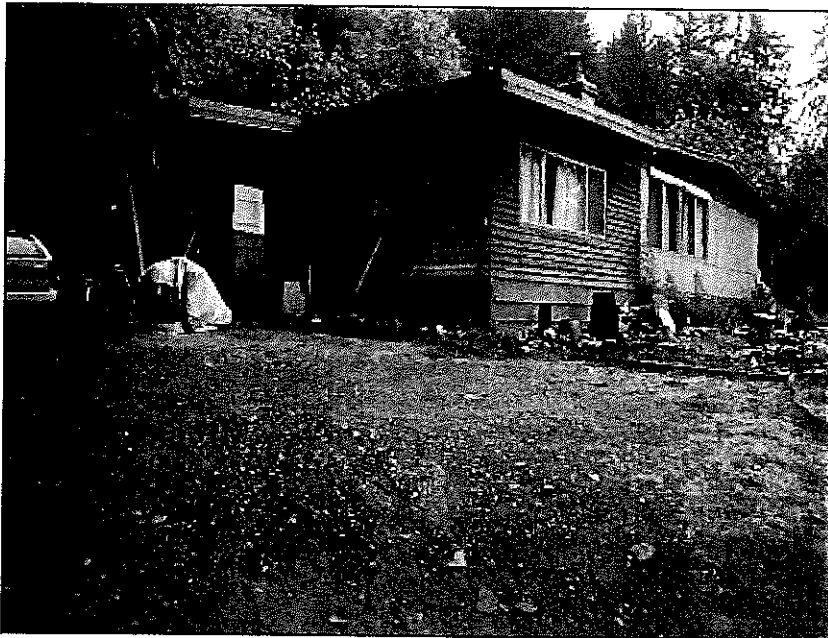


Photo 2. Looking east through the SPEA over the gravel parking area towards the existing house. The porch extends into the SPEA.

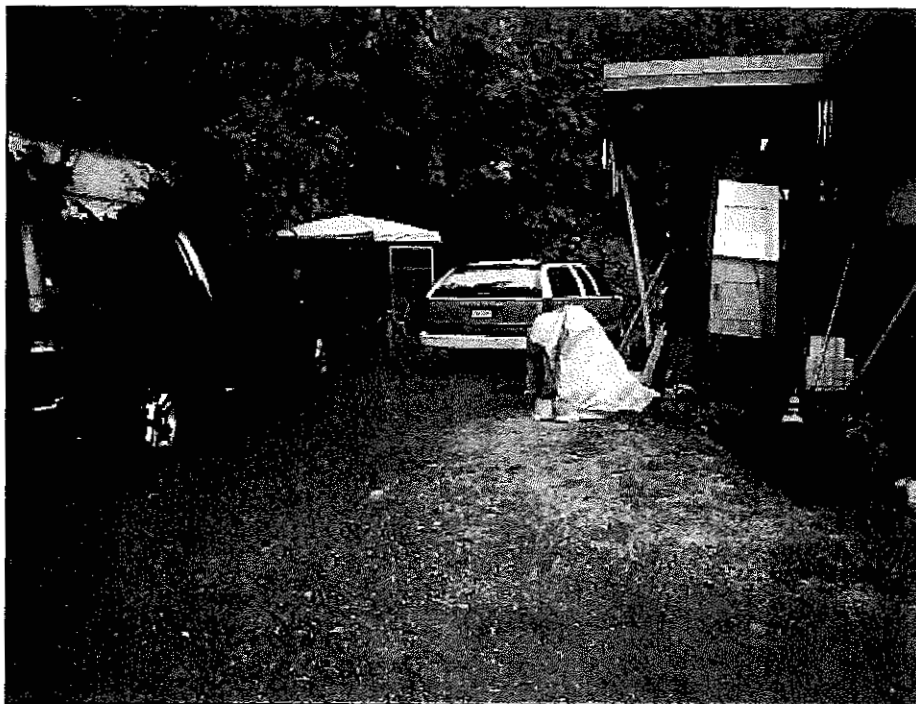


Photo 3. Looking north through the SPEA, which extends from the back of the porch and extends towards the west.



Photo 4. Looking south-west (downstream) along the drainage as it flows adjacent to the gravel parking area.



Photo 5. Looking downstream (south-west) along the drainage (highlighted) where it flows through the young forest upslope of the developed portion of the property.



Photo 6. Looking downstream (south) along the drainage immediately upstream of Youbou Road.



Photo 7. Typical characteristics of the young forest located along the length of the drainage upslope of the existing development footprint.

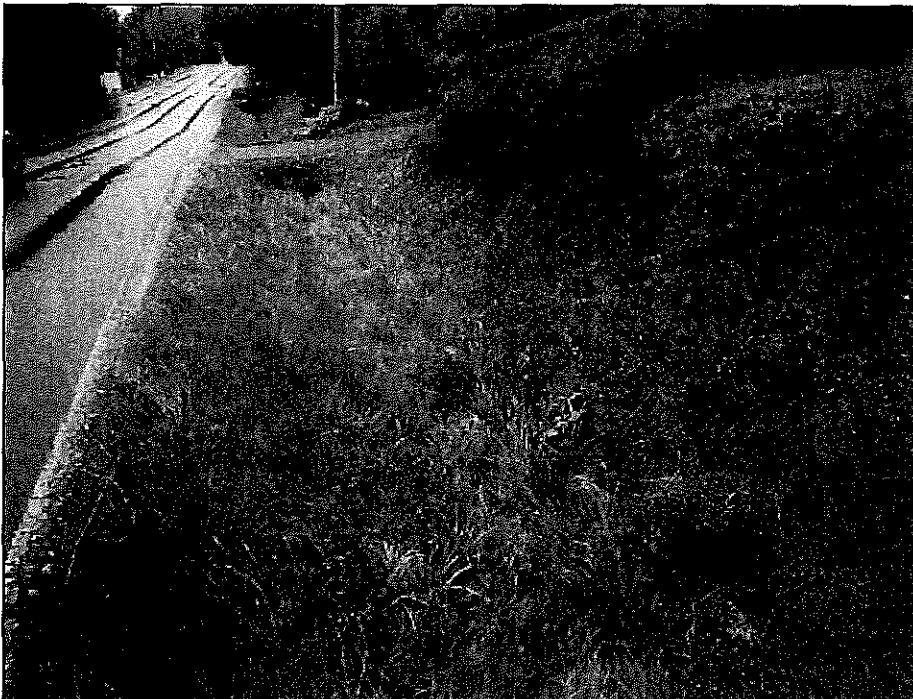


Photo 8. Looking downstream (west) along the vegetated ditch/swale that parallels Youbou Road. The subject drainage enters this ditch from the north, at the point where the photo was taken.



Photo 9. Looking down at the more obvious drainage located to the west of the subject property at the inflow of the culvert under Youbou Road. The course of the ditch shown in the previous photo is highlighted, which joins the larger drainage at the culvert inflow.

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date 2010-09-09

1. I Trystan Willmott, B.Sc., A.Sc.T.

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

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

2. As a qualified environmental professional, I hereby provide my professional opinion that:

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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



R3

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: February 22, 2011 **FILE NO:** 2-E-10 RS
FROM: Alison Garnett, Planner II **BYLAW NO:**
SUBJECT: Rezoning Application 2-E-10 RS (Young and Pywell)

Recommendation/Action:

That Application No. 2-E-10RS (Young and Pywell) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

Location: 3275 Glenora Road

Legal Description: Lot 1, Section 11, Range 5, Quamichan District, Plan 15117 (PID 004-196-007)

Date Application Received: August 13, 2010

Owner(s): Michelle Young and Fisher Pywell
Applicant: Same

Size of Land Parcel: 3.1 hectares (7.9 acres)

Contaminated Sites Regulation: Site Profile has been completed. No Schedule 2 uses noted.

Existing Use of Property: Residential

Existing Use of Surrounding Properties:

North:	Cowichan First Nation Reserve No. 1
South:	Rural Residential zoning, gravel pit operation
East:	Rural Residential zoning
West:	Residential

Road Access: Glenora Road

Water: On-site well

<u>Sewage Disposal:</u>	On-site septic
<u>Agricultural Land Reserve Status:</u>	The property is not located in the ALR
<u>Environmentally Sensitive Areas:</u>	None are identified in the CVRD Environmental Planning Atlas
<u>Archaeological Sites:</u>	None identified in CVRD mapping
<u>Fire Protection:</u>	Eagle Heights Fire Service Area
<u>Existing Plan Designation:</u>	Rural Residential
<u>Proposed Plan Designation:</u>	New Residential designation
<u>Existing Zoning:</u>	R-1 Rural Residential
<u>R-1 Zone minimum lot size:</u>	5 hectares (12.3 acres)
<u>Proposed Zoning:</u>	New residential zone
<u>Min lot size under proposed zoning:</u>	1 hectare (2.5 acres)

Property Context:

The subject property is a 3.1 hectare (7.9 acre) residential lot located on Glenora Road. There is currently a single family residence and accessory building on the lot, which are located adjacent to the western property line. These structures, as well as existing well and septic field, are identified on the attached conceptual subdivision plan submitted by the applicant. The lot is relatively level in the area closest to Glenora Road, however there is a steep bank at the rear of the existing house. There are no significant environmental features on the site, according to available ecosystem mapping.

The subject property's location is characterized by land that is zoned R-1 and designated Rural Residential in Electoral Area E's Official Community Plan. Zoning Bylaw No. 1840 establishes a 5 hectare minimum lot size in the R-1 zone, however subdivisions completed under preceding regulations have resulted in lots of various sizes, ranging from 35 hectares to 0.1 hectare. The majority of residential lots in the area are non-conforming with respect to the current 5 hectare lot size requirement.

As shown on the attached Official Community Plan map, this Rural Residential designated area is isolated by the surrounding Agricultural Land Reserve and Agricultural designation. Cowichan Tribes Reserve No. 1 occupies a large portion of land to the north of the subject property. We also note that a gravel extraction business historically operated opposite of the subject property on Glenora Road, and an active gravel extraction operation is located on Langtry Road. The agricultural hamlet of Glenora is located to the west of the subject property, and the higher density, fully serviced Eagle Heights residential area is located to the north-east, in close proximity to Duncan.

Proposal Overview:

The applicants are proposing to rezone their property to a new residential zone with a minimum lot size of 1 hectare (2.5 acres), for the purpose of permitting a 3 lot subdivision. The conceptual plan of subdivision demonstrates that each of the proposed lots would have considerable road frontage along Glenora Road. As there are no community water or sewer systems in this area, the lots would require onsite wells and septic fields. At the subdivision stage, the applicants would be required to meet the septic waste requirements of the Vancouver Island Health Authority, as well as the potable water requirements of CVRD Subdivision Bylaw No. 1215.

As fewer than 3 new lots are being proposed, no parkland dedication would be required at the subdivision stage, pursuant to Section 941 of the *Local Government Act*.

Policy Context:**Zoning**

This table summarizes the minimum lot size requirements for existing single family residential zones in Electoral Area E, based on the level of sewer and water servicing.

Zone	Minimum Lot Size
R-1 Rural Residential	5 hectares (12.3 acres)
R-2 Suburban Residential	0.4 ha for parcels served by community water and sewer 0.4 ha for parcels served by community water system 2.0 ha for parcels served neither by community water or sewer system
R-3 Urban Residential	0.09 ha for parcels served by community water and sewer 0.2 ha for parcels served by a community water system 2.0 ha for parcels served neither by a community water or sewer system

Although the subject property has no subdivision potential under the R-1 zone regulations, a small suite or secondary suite is theoretically permitted on the property. We note that no existing single family residential zone would permit subdivision of the 3 hectare sized subject property, based on the lack of community water system availability.

Official Community Plan

Electoral Area E- Cowichan Station/Sahtlam/Glenora- Official Community Plan Bylaw No. 1490 policies relevant to this application include the following:

Rural Residential Policy 7.2.1

Land designated as Rural Residential in the plan map comply with the following criteria:

- i) The land must be reasonably accessible to existing community facilities such as schools, shopping and fire protection services. Distant isolated parcels are not considered appropriate for rural residential densities;*
- ii) The development of land will not disrupt or interfere with productive agricultural or forestry use;*
- iii) The land is not anticipated to be serviced with community water for at least twenty years;*
- iv) The land must be outside of the ALR.*

Policy 7.2.2

Land designated Rural Residential shall be subject to a maximum density of one parcel per 5.0 hectares.

In addition, some of the Residential Objectives noted in Section 2.2.6 of the OCP state:

It is the objective of the Regional Board to:

- a) Control the pattern and phasing of land development in order to ensure the orderly development of the area.*
- b) Accommodate a diversity of lifestyles by permitting a variety of lot sizes and residential densities, while discouraging the indiscriminate mixing of parcel size where it would result in inefficient land use and servicing or where it would destroy the quality of life enjoyed by existing residents.*
- f) Ensure that residential development does not conflict with or preclude the utilization of resource lands and is in character with the rural setting.*

Advisory Planning Commission Comments:

The Electoral Area E APC reviewed this application January 20, 2011, and passed the following motion:

The APC supports the application based on the individual characteristics of this application which does not necessarily support a desire for a major change in our R-1 zoning.

3 support, 2 against.

Referral Agency Comments:

This application was referred to government agencies on January 4th, 2011. The following is a list of agencies that were contacted and the comments received.

- Ministry of Transportation and Infrastructure – *No objection. Applicant will be required to meet Ministry driveway standards at the subdivision stage. Dedication may also be required at that time.*
- Vancouver Island Health Authority – *This office has no objections to the above amendment at this time. During the subdivision referral phase, the applicants will be required to meet the Vancouver Island Health Authority Subdivision Standards. As the applicants have not indicated that the proposed subdivision will be connected to an approved community water system, individual wells will be required for each proposed lot.*
- Cowichan Tribes – *No comments received.*
- Duncan Volunteer Fire Department – *Driveways must be 6 metres wide. Addresses should be marked at road entrance (personal communication from City of Duncan staff)*
- School District #79 – *No comments received.*
- CVRD Parks and Trails Division – *Parks and Trails staff have reviewed the application and will not be referring it to the Parks Commission during the rezoning stage.*
- CVRD Public Safety Department – *Proposal is within the Duncan RCMP Detachment area. Proposal is within the BC Ambulance Station 152 (Duncan) Response area. Proposal is within the boundaries of the CVRD Regional Emergency Program. Proposal is within the contracted Eagle Heights Fire Protection response area and input from the Duncan Fire Department may further affect Public Safety concerns/comments. The Community Wildfire Protection Plan has identified this area as moderate to high risk for wildfire. Extra precautions should be taken such as full FireSmart compliance. A sprinkler system should be considered as firefighting in rural areas without a water system compliant with NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting is extremely challenging.*
- CVRD Environmental and Engineering Department (Water Management Division)– *This property is not in any CVRD water or sewer service areas, therefore Water Management has no comment for this development.*

Planning Division Comments:

The subject property is located in an isolated pocket of rural residential land, surrounded by the Agricultural Land Reserve and the Agricultural Plan designation. As a result of historical subdivision practices, the settlement pattern of this residential area consists of quite varied lot sizes, many of which are non-conforming with respect to current minimum parcel size requirements. However, existing zoning regulations set a 5 hectare minimum lot size in the R-1 zone, and this is reinforced through the Rural Residential OCP policy noted above. The introduction of a new zone with a 1 hectare minimum lot size would be a substantial deviation from these existing Zoning regulations and OCP policies.

We note that the APC supports this application. However, their comments provide a somewhat mixed recommendation, as they also state that they don't wish for a major change in the R-1 zoning. Staff wish to highlight that larger lot sizes are associated with, and appropriate to, rural and resource lands. Alternatively, higher residential densities are generally encouraged in well defined urban areas, where community water, sewer and other infrastructure can efficiently provide services. Maintaining this distinction between rural and urban areas, and appropriately allocating density, is considered an efficient use of land, helps retain a genuine rural setting, and reduces potential conflict that exists between residential and resource uses of land, such as agriculture, forestry or gravel extraction.

Attached to this report is a list of signatures (provided to the CVRD by the applicant) of area residents who support this 3 lot subdivision proposal. If there is indeed support within the community for increasing residential densities in this area, staff suggest that this issue is best approached through a more broad Plan policy review, rather than by a site specific OCP and Zoning bylaw amendment. In staff's opinion, there does not appear to be enough merit in this application to justify a spot zoning amendment or an increase in residential density in this rural resource area, and we therefore recommend that the application be denied.

Options:

A:

1. That Application No. 2-E-10RS (Young/Pywell) be denied and that a partial refund of application fees be given in accordance with CVRD Development Application Procedures and Fees Bylaw No. 3275.

B:

1. That draft bylaws for application No. 2-E-10RS (Young/Pywell) for a new rural residential zone be prepared and presented at a future EASC meeting;

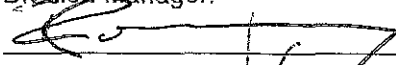
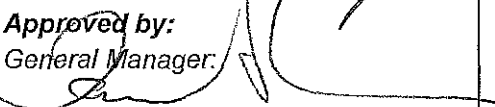
2. That the application referrals from the Ministry of Transportation and Infrastructure, Duncan Volunteer Fire Department, Vancouver Island Health Authority, Cowichan Tribes and School District #79 be accepted.

Option A is recommended.

Submitted by,



Alison Garnett
Planner II
Development Services Division
Planning and Development Department

Reviewed by: Division Manager: 
Approved by: General Manager: 

AG/ca



**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 consolidated for convenience purposes only and that boundaries are representational.

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

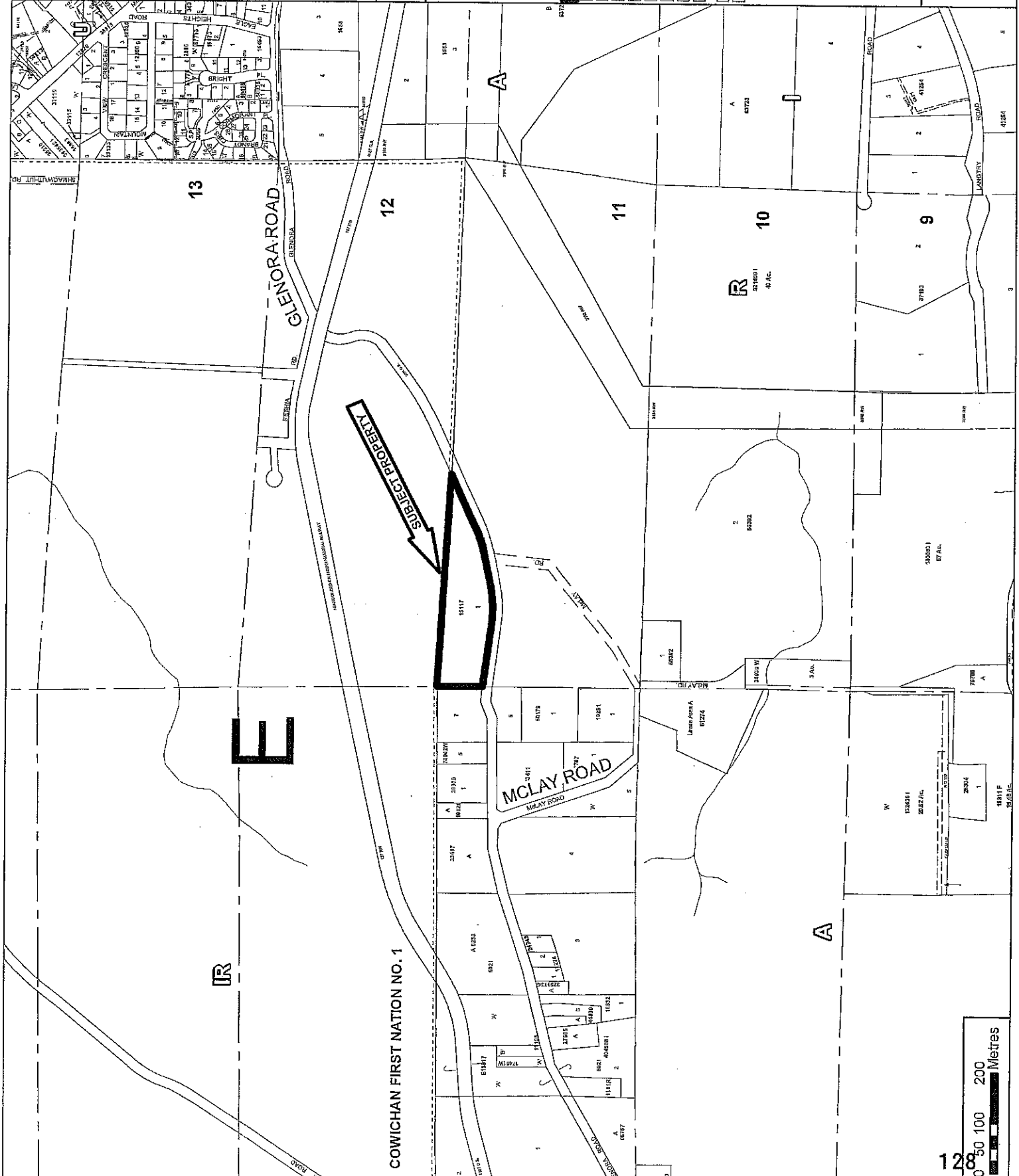
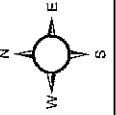
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OCP

Legend

Subject Property

- ☒ A - Agriculture
- ☐ F - Forestry
- ☐ R - Rural Residential
- ☐ S - Suburban Residential
- ☐ U - Urban Residential
- ☐ MHP - Manufactured Home Park
- ☐ RC - River Corridor
- ☐ CO - Comprehensive Development Residential
- ☐ C - Commercial
- ☐ I - Industrial





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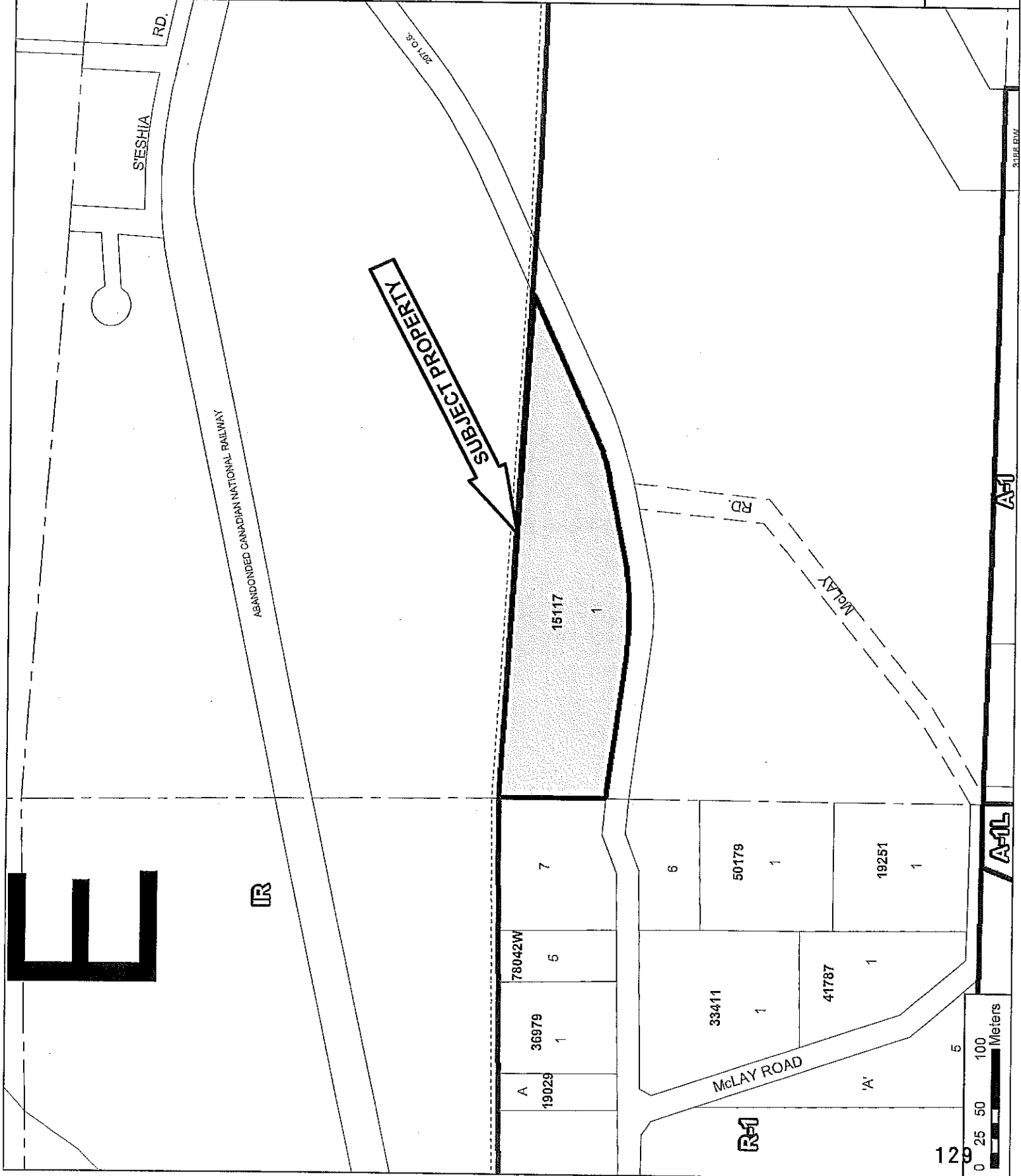
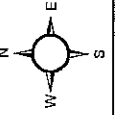
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ZONING

Legend



Subject Property
Zoning Electoral Area Boundary





Cowichan
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Regional
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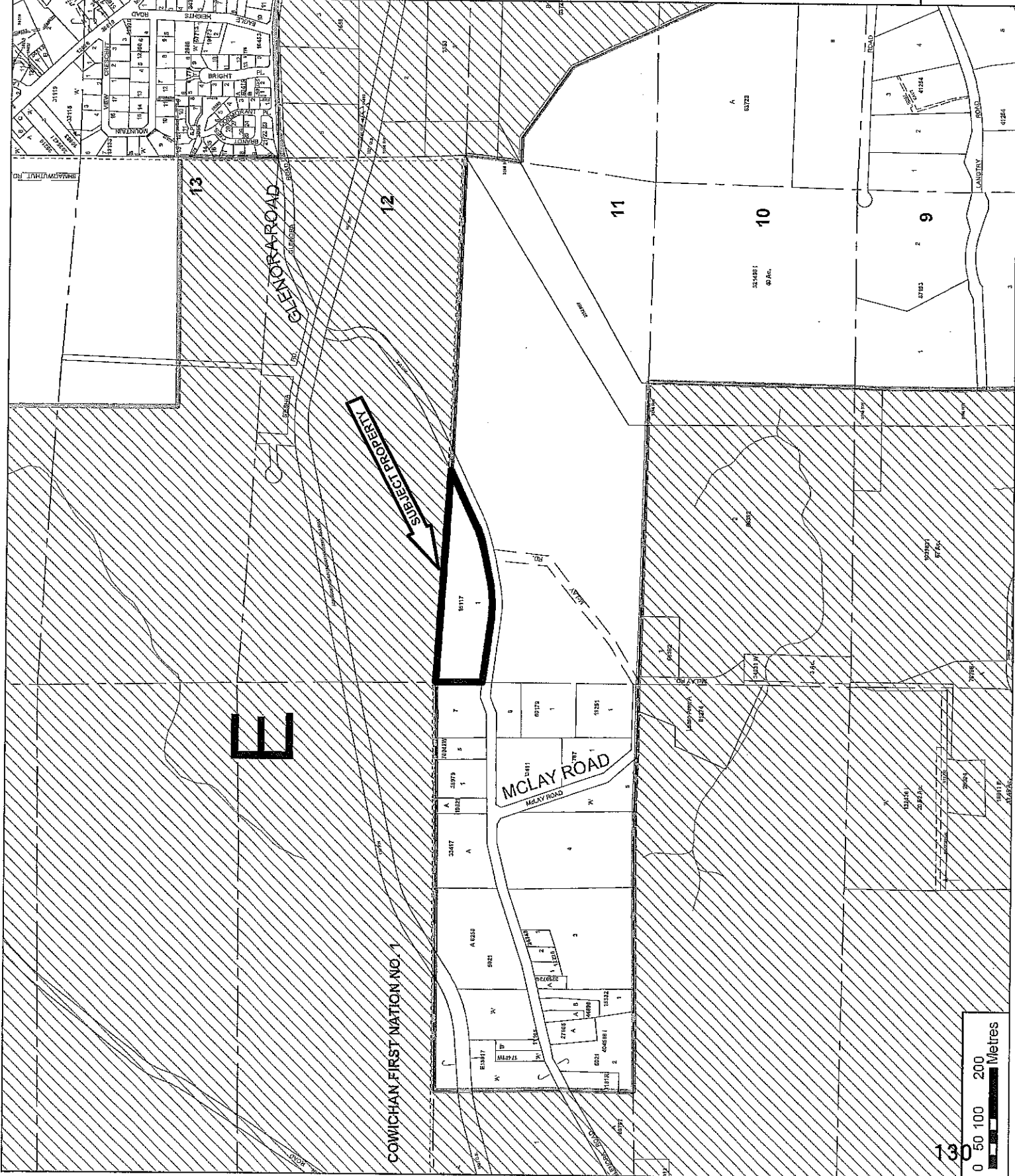
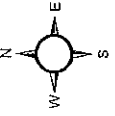
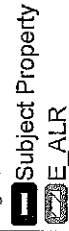
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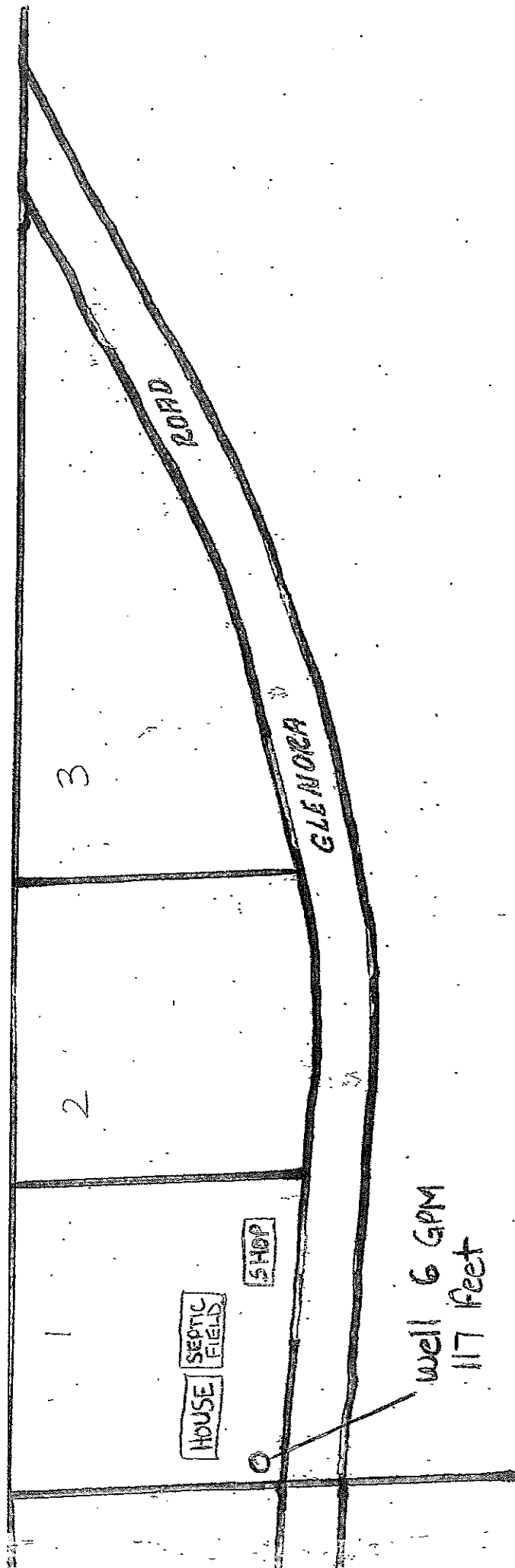
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ALR

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CONCEPTUAL PLAN OF SUBDIVISION- 3275 GLENORA ROAD





THE SUSTAINABILITY CHECKLIST For Rezoning and Development Permit Applications

REZONING ☒

DEVELOPMENT PERMIT ☐

Uses Proposed:

- | | |
|---|--|
| ☒ Single Family Residential

☐ Multi Family

☐ Commercial

☐ Other _____ | ☐ Industrial

☐ Institutional

☐ Agricultural |
|---|--|

Environmental Protection and Enhancement

Please explain how the development protects and/or enhances the natural environment. For example does your development:

	YES	NO	N/A	EXPLANATION
1. Conserve, restore, or improve natural habitat?			✓	
2. Remove invasive species?			✓	
3. Impact an ecologically sensitive site?		✓		
4. Provide conservation measures for sensitive lands beyond those mandated by legislation?			✓	
5. Cluster the housing to save remaining land from development and disturbance?			✓	
6. Protect groundwater from contamination?			✓	

Please explain how the development contributes to the more efficient use of land. For example does your development:					
		YES	NO	N/A	EXPLANATION
7.	Fill in pre-existing vacant parcels of land?				
8.	Utilize pre-existing roads and services?	✓			
9.	Revitalize a previously contaminated area?			✓	
10.	Use climate sensitive design features (passive solar, minimize the impact of wind and rain, etc.)?			✓	
11.	Provide onsite renewable energy generation such as solar energy or geothermal heating?			✓	

Please explain how the development facilitates good environmentally friendly practices. For example does your development:					
		YES	NO	N/A	EXPLANATION
12.	Provide onsite composting facilities?			✓	
13.	Provide an area for a community garden?			✓	
14.	Involve innovative ways to reduce waste, and protect air quality?			✓	
15.	Include a car free zone?			✓	
16.	Include a car share program?			✓	

Please explain how the development contributes to the more efficient use of water. For example does your development:					
		YES	NO	N/A	EXPLANATION
17.	Use plants or materials in the landscaping design that are not water dependant?			✓	
18.	Recycle water and wastewater?			✓	

		YES	NO	N/A	EXPLANATION
19.	Provide for no net increase to rainwater run-off?			✓	
20.	Utilize natural systems for sewage disposal and rain water?			✓	
21.	Use energy saving appliances?			✓	

Please explain how the development protects a 'dark sky' aesthetic by limiting light pollution and light trespass from outdoor lighting. For example does your development:

		YES	NO	N/A	EXPLANATION
22.	Include <u>only</u> "Shielded" Light Fixtures, where 100% of the lumens emitted from the Light Fixture are retained on the site?			✓	

Please explain how the project will be constructed sustainably.

		YES	NO	N/A	EXPLANATION
23.	Built to a recognized green building standard i.e., Built Green BC, LEED Standard, etc.?			✓	
24.	Reduce construction waste?			✓	
25.	Utilize recycled materials?			✓	
26.	Utilize on-site materials/ reduce trucking?			✓	
27.	Avoid contamination?			✓	
28.	Please outline any other environmental protection and enhancement features.				

Community Character and Design

Does the development proposal provide for a more "complete community" within a designated Village Centre? For example does your development:

		YES	NO	N/A	EXPLANATION
1.	Improve the mix of compatible uses within an area?			✓	
2.	Provide services, or an amenity in close proximity to a residential area?			✓	

		YES	NO	N/A	EXPLANATION
3.	Provide a variety of housing in close proximity to a public amenity, transit, or commercial area?			✓	
Please explain how the development increases the mix of housing types and options in the community. For example does your development:					
		YES	NO	N/A	EXPLANATION
4.	Provide a housing type other than single family dwellings?		✓		
5.	Include rental housing?			✓	
6.	Include seniors housing?			✓	
7.	Include cooperative housing?			✓	
Please explain how the development addresses the need for affordable housing in the community. For example does your development:					
		YES	NO	N/A	EXPLANATION
8.	Include the provision of Affordable Housing units or contribution to?			✓	
Please explain how the development makes for a safe place to live. For example does your development:					
		YES	NO	N/A	EXPLANATION
9.	Have fire protection, sprinkling and fire smart principles?			✓	
10.	Help prevent crime through appropriate site design?			✓	
11.	Slow traffic through the design of the road?			✓	
Please explain how the development facilitates and promotes pedestrian movement. For example does your development:					
		YES	NO	N/A	EXPLANATION
12.	Create green spaces or strong connections to adjacent natural features, parks and open spaces?			✓	
13.	Promote, or improve trails and pedestrian amenities?			✓	

		YES	NO	N/A	EXPLANATION
14.	Link to amenities such as school, beach & trails, grocery store, public transit, etc.? (provide distance & type)			✓	
Please explain how the development facilitates community social interaction and promotes community values. For example does your development:					
		YES	NO	N/A	EXPLANATION
15.	Incorporate community social gathering places? (village square, halls, youth and senior facilities, bulletin board, wharf, or pier)			✓	
16.	Use colour and public art to add vibrancy and promote community values?			✓	
17.	Preserve heritage features?			✓	
18.	Please outline any other community character and design features.				
Economic Development					
Please explain how the development strengthens the local economy. For example does your development:					
		YES	NO	N/A	EXPLANATION
1.	Create permanent employment opportunities?			✓	
2.	Promote diversification of the local economy via business type and size appropriate for the area?			✓	
3.	Increase community opportunities for training, education, entertainment, or recreation?			✓	
4.	Positively impact the local economy? How?			✓	
5.	Improve opportunities for new and existing businesses?			✓	
6.	Please outline any other economic development features.				

Other sustainable features?

Disclaimer: Please note that staff are relying on the information provided by the applicant to complete the sustainability checklist analysis. The CVRD does not guarantee that development will occur in this manner.

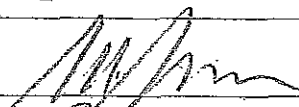
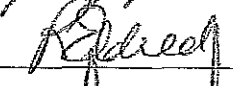
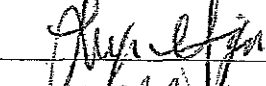
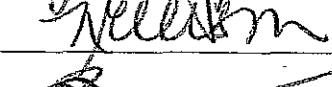
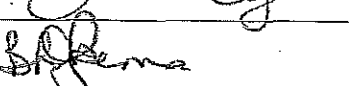
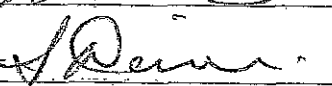
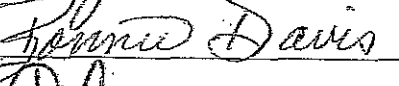
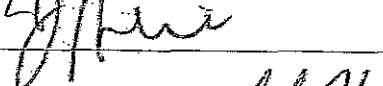
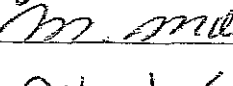
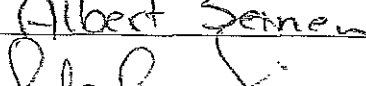
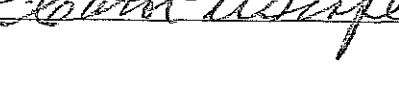
Michelle Young
Signature of Owner

Signature of Agent

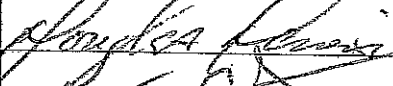
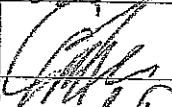
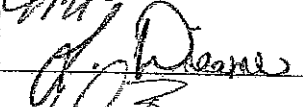
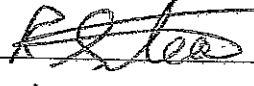
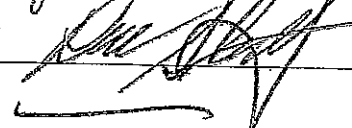
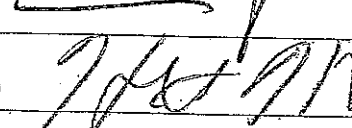
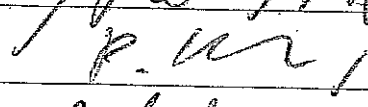
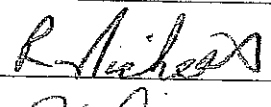
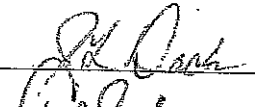
Date December 5, 2010

Date _____

I support the rezoning application of Michelle Young and Fisher Pywell for 3275 Glenora Road from R-1 (Rural Residential) to a new residential zone with a minimum parcel size of 1 hectare (2.5 acres) that would permit a 3 lot subdivision.

Name	Address	Signature
Michael Moore	3400 Glenora Rd.	
Rachel Eldred	3430 Glenora Rd.	
Luigi Gaiga	3440 Glenora Rd.	
NINA ELVISON	3440 Glenora Rd.	
MIKE HALLAM	3460 GLENORA RD.	
ROGER KETCH	3464 Glenora Rd.	
Kevin GALL	3475 Glenora RD	
Jess Gergel	3475 Glenora Rd.	
Bridgette Dykema	3491 Glenora Rd.	
Ed MATTIN	3560 Glenora Rd.	
J. Duran	3580 Glenora Rd.	
LARRY DESROCHES	3594 GLENORA RD	
M. J. Wechter	3655 GLENORA.	
B. Davis	3665 Glenora Rd.	
D. Miller	5010 ELLIOT RD	
M. Malachuk	5128 ELLIOT RD.	
A. Seinen	5080 Lee Rd.	
Jacquie de Jong Seinen	5080 Lee Rd.	
Carol Aispe	5865 Vanux Rd.	

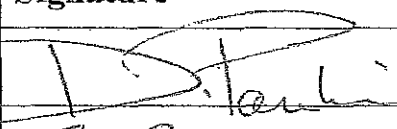
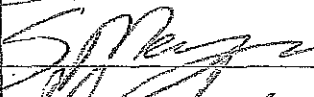
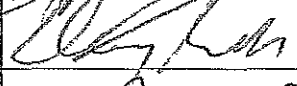
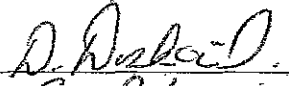
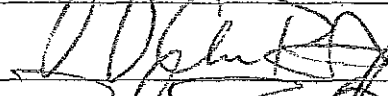
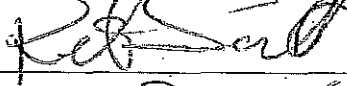
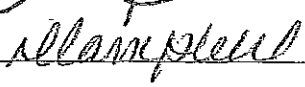
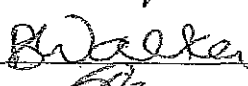
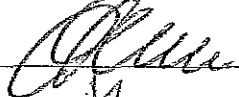
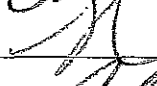
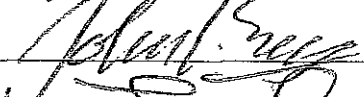
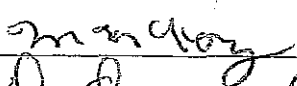
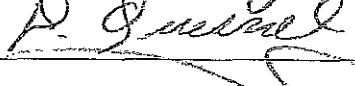
I support the rezoning application of Michelle Young and Fisher Pywell for 3275 Glenora Road from R-1 (Rural Residential) to a new residential zone with a minimum parcel size of 1 hectare (2.5 acres) that would permit a 3 lot subdivision.

Name	Address	Signature
	5080 LONE RD	
Marjorie Vessier	5080 Lone Rd.	
A JOHN SHIELL	3995 VAUX RD DUNCAN B.C.	
Sarah Mellings	3865 Rowe Road	
Robin Gibson	3875 Rowe Rd.	
Doug DAVIS	3950 ROWE RD	
CHES CARTER	3965 ROWE RD	
Cameron Frazer	3985 ROWE RD	
Lisa Pionne	3840 Glenora RD	
Deb Bumphrey	3815 Glenora Rd.	
Bob Stevens	3805 Glenora Rd	
Judy Greenwood	3795 Glenora Rd.	
RICK STANLEY	5091 Indian Rd	
	5010 MARSHALL RD	
HARRY HILL	5010 MARSHALL RD	
PAUL GELSVIK	4986 MARSHALL RD	
Richard Nichols	4984 Marshall Rd	
Doris Dods	4980 Marshall Rd.	
Charlene Pollanen	4910 Marshall Rd.	

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Name	Address	Signature
STAFFORD REIN	3520 GLENORA ROAD	Stafford Rein
Bark Pywell	1-5170 Elliott Rd.	Barbara Pywell
MERVIN Pywell	1-5170 Elliott Rd.	Mervin Pywell
Kevin Tiemer	3028 Glenora Rd	K. Tiemer
OTTO TIEMER	3066 DORCHESTER	O. Tiemer
Sebastian Santorelli	5218 Langtry Rd	Sebastian Santorelli
Rena Tiemer	5218 Langtry Rd	R. Tiemer
Lisa Lawton	3081 Glenora rd	Lisa Lawton
Fawn Townsend	5274 Cormorant pl.	Fawn Townsend
BELINDA PIERRE	3115 Glenora	Belinda Pierre
ALAN RICHARD	3360 GLENORA RD.	Alan Richard
DARREN JAMES	3470 GLENORA RD	Darren James
Maureen Orrick	3545 Glenora Rd	Maureen Orrick
Jeanette Lee	5145 Elliot Rd	Jeanette Lee
Robert Lee	5145 Elliot Rd	Robert Lee
GAIL ROBERTSON	5160 ELLIOT RD.	Gail Robertson
Doug Turlock	5094 Lee Rd.	Doug Turlock
Chris Hill	5085 Lee Rd.	Chris Hill
Karen Conley	5070 Lore Rd	Karen Conley

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Name	Address	Signature
DENISE POULIN	5156 JEFFRIES RD	
Shelley Meyers	5145 Jeffries rd	
Doug Baker	5165 Jeffries Rd	
Debbie Daskocil	5153 Alexander Rd	
Gregg Sloop	4037 Johns Rd	
DENNIS YOUNG	3959 JOHN'S RD	
Chris Bertin	5215 Bills Rd	
RICK SCRIMBAT	5187 BILLS RD	
Murray Shadil	5155 Bills Rd	
SANDY BARONVUK	3960 VOUX RD	
Debbie Campbell	3940 Vaux Rd	
Brenda Walker	TR-5034 Waters RD	
BUNWARE	4990 Marshal	
Sophia Link	4895 Marshal	
John Ramsey	4865 MARSHALL	
William Smith	4859 MARSHALL RD	
M. MCKAY	4811 MARSHALL RD	
Daryl Quesnel	3819 cavin Rd	
Linda Quesnel	3819 Cavin Rd Dunc	

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Name	Address	Signature
SHANE PYWELL	2-5170 ELLIOT Rd	Shane Pywell
Cheryl Sked	2-5170 ELLIOT Rd	Cheryl Sked
SUSAN CERIKO	5173 ELLIOT Rd	Susan Ceriko
Wendy Bone	5190 LEE RD	Wendy Bone
Rosmarie Runkel	5180 Lee Rd.	Runkel
Raul Runkel	" "	Runkel
Anda Cliff	5175 Lee Rd	Anda Cliff
John White	5175 LEE RD	John White
SEAN ROCKWELL	5170 LEE RD	Sean Rockwell
Tacy Rockwell	"	Tacy Rockwell
TODD SHIBEOKA	5185 LEE RD	Todd Shibeoka
VICKI NOONAN	5178 Elliott Rd	Vicki Noonan
Rick Lennox	5000 ELLIOT	Rick Lennox
Kimberly Atkinson	3551 Glenora Rd	Kim Atkinson
Terri Hill	3551 Glenora Rd	Terri Hill
Patrick Hill	3551 Glenora Rd	Patrick Hill
SEAN SAVAGE	3335 GLENORA RD	Sean Savage
Don Tiffin	3330 GLENORA RD	Don Tiffin
Stuart Stirling	3375 Glenora	Stuart Stirling

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Name	Address	Signature
DAVE CARHON	3750 CAVIN Rd	Dave Carhon
Glen Pontious	4811 Marshall Rd	Glen
John-Curtis McCorkell	3785 CAVIN Rd	JCM
Alicia Todd	3850 CAVIN Rd	Alicia Todd
Tanya Williams	4930 Waters Rd	Tanya Williams
Priscilla Howard	4816 Waters Rd	Priscilla Howard
BOB CARLSON	3915 Vany Rd	Bob
Stacey & Thane Davies	3481 Glenora Rd	Stacey
Margaret & Gary Phillips	3365 Glenora Rd	Margaret Phillips
Justin & Mag Phillips	3367 Glenora Rd	Justin Phillips

I support the rezoning application of Michelle Young and Fisher Pywell for 3275 Glenora Road from R-1 (Rural Residential) to a new residential zone with a minimum parcel size of 1 hectare (2.5 acres) that would permit a 3 lot subdivision.

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R4

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF MARCH 15, 2011

DATE: March 7, 2011 FILE No: 14-B-10DP
FROM: Rob Conway, MCIP BYLAW No: 985
SUBJECT: Development Permit Application 14-B-10DP (Elkington Forest – Phase 1)

Recommendation/Action:

1. That application No. 14-B-10DP (Elkington Forest – Phase 1) be approved, and that a development permit be issued to Charles Clayton and Diana McKay for an 18 lot subdivision and associated development subject to:
 - a. Compliance with RAR report #1850;
 - b. Demarcation of SPEA boundaries with fencing and signage and submission of a post-development report prepared by a Qualified Environmental Professional prior to subdivision;
 - c. Submission and approval of a drainage design that incorporates the rain management concepts described Schedule 7, prior to subdivision of lots in the Trail Head Hamlet;
 - d. Registration of a restrictive covenant to preclude multiple family use and further subdivision;
 - e. Registration of a restrictive covenant to preclude development of the identified Streamside Protection and Enhancement Areas and the protective zones identified in RAR Assessment Report #1850 and on Schedule 2;
 - f. Demonstration that proposed buildings comply with criteria listed on Schedule 11 prior to issuance of a building permit for any residential or commercial building;
 - g. Compliance with Covenants CA1648147 and CA1648148 (Fire Protection);
 - h. Compliance with Covenants CA1648144 and CA1648145 (Parks);
 - i. Compliance with Covenant CA1648146 (Servicing);
 - j. Installation of all wiring underground.
2. That Zoning Area "B" Zoning Bylaw No. 985 be amended to adjust the sub-zones in CL-1 Zone to comply with lot boundaries described development permit application 14-B-10DP.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: (Reviewed by Finance Division: N/A)

Property Information:

Location of Subject Property: South Shawnigan Lake

Legal Descriptions:

1. District Lot 201, Malahat District (PID 009-395-075)
2. That Part of Block 201, Malahat District, including part of Amended Parcel A (DD1896741) of Said Block. (PID 009-395-130)

Date Application and Complete Documentation Received: Initial application submitted October 1, 2010. Updates received January 5 and February 11, 2011.

Owners Dr Charles Clayton, Trustee and Ms Diana McKay, Trustee.

Applicant: Living Forest Planning Consultants Ltd.

Size of Parcel: Phase 1 Approximately 11.6 ha. (28.7ac.)

Zoning: Community Land Stewardship (CLS-1)

Minimum Lot Size: No minimum specified

OCP Plan Designation: Community Land Stewardship

Existing Use of Property: Forestry/Vacant

Existing Use of Surrounding Properties:

North: Forestry and Residential
 South: Capital Regional District Watershed; Forestry
 East: Forestry and Residential
 West: Forestry

Services:

Road Access: Goldstream Heights Drive
Water: Community Water
Sewage Disposal: Community Sewer or Private Sewer System
Fire Protection: Malahat Fire Service Area.

Agricultural Land Reserve Status: Out

Environmentally Sensitive Areas: Creeks and tributaries subject to the Riparian Area Regulation are located within the current phase of development.

Archaeological Sites: None identified

Background:

The Elkington Forest lands were rezoned in August, 2010 to a new Community Land Stewardship (CLS-1) Zone. The new zone applies to approximately 385 hectares of land, with 85% of the zoned land protected for eco-forestry and ecological conservation. The remaining 15% of the site is intended for agro-forestry use, clustered residential hamlets and low density residential use. A maximum of 90 dwelling units, excluding secondary suites, is permitted on the lands.

The majority of residential settlement on the Elkington Forest lands is planned in three phases of clustered development. Phase 1, referred to as the Trail Head Hamlet, is located at the east side of the property. Phase II, the Ridgeview Hamlet, is located along the south property boundary. The third phase, located west of the Trailhead Hamlet and north of the Ridgeview Hamlet, is comprised of the Meadow Hamlet, agro-forestry parcels and the Midlands. A plan showing the Elkington Forest site and three hamlet areas is attached to this report as Schedule 1.

The subject development permit application is for Phase 1, or the Trail Head Hamlet. The application proposes 18 residential lots. Other uses contained with the first phase are a community hall, fire hall, utility facilities, public park, strata-owned common property and eco-forestry lands.

Policy Context:

Zoning:

Electoral Area "B" Zoning Bylaw No 985, zones the entire Elkington Forest Lands as Community Land Stewardship (CL-1). Within the CL-1 zone, five sub zones are identified that specify the uses, densities and development criteria that apply to various parts of the property.

The development proposed in Phase 1 falls within the Hamlet sub zone, the Agro-forestry sub zone and the Eco-forestry sub zone. The primary residential use is clustered in the Hamlet sub zone, although some of the proposed lots also extend into the agro-forestry sub zone.

Since the Hamlet sub-zone permits multi-family use and does not have a minimum lot size, staff believe some limitation on use and subdivision is appropriate to maintain the owners' development rights on the remainder of the land and to avoid future disputes over land use and density on the property. A covenant is recommended to preclude multi-family use or future subdivision of the Trail Head lots following the initial subdivision.

A copy of the CL-1 zone is attached to this report as Schedule 12.

Official Community Plan:

Shawnigan Lake Official Community Plan Bylaw No. 1010 includes the subject lands within the Community Land Stewardship Development Permit Area. This development permit area is intended to achieve the following objectives:

1. To protect the ecological of the area;
2. To protect life and property from hazardous conditions;
3. To promote energy conservation, water conservation and reduce greenhouse gas emissions;
4. To minimize the degree of forest carbon emissions;
5. To ensure the form and character of intensive residential, commercial and industrial development conforms to basic principles of ecological sustainability and vernacular tradition urban design.

Any development within the Community Land Stewardship Development Permit Area, including subdivision, construction and land clearing requires a development permit. All development within the development permit area is expected to demonstrate compliance with the applicable development permit guidelines.

The subject application primarily proposes to subdivide the first phase of the Elkington Forest project as shown on the submitted plan for the Trail Head Hamlet. The CLS Development Permit Area also requires development permits for dwellings and other structures. As the design for all future dwellings and structures has not been finalized, the applicant has requested a more generalized approach to the application of development permit guidelines for structures so that separate development permit applications will not be required for each building that will be built in Phase 1. It is proposed that the current development application establish criteria for future structures within the current phase, and that further development permit applications not be required, provided the proposed development complies with the terms and conditions of the guidelines and issued permit. The Committee should note that this approach differs from what was intended when the development permit area was drafted. Staff supports the proposed approach, as requiring individual development permits for all future dwellings within the project would be time consuming and administratively cumbersome. A checklist for subsequent building permit applications is described later in this report, which is proposed as the mechanism for ensuring Phase 1 structures are compliant with the development permit guidelines.

In addition to being within the CLS Development Permit Area, the subject lands are also within the Riparian Area Regulation Development Permit Area. A Riparian Area Assessment and protection measures in accordance with the Riparian Area Regulation development permit area guidelines are therefore required and this development permit application is expected to also comply with the RAR development permit are requirements.

Proposed Development:

Roads and Access:

The Trail Head Hamlet will be accessed from Goldstream Heights Drive. An existing road stub that provides access to the Trans Canada Trail will be extended and a new road constructed to provide road access from the south side of the Hamlet. The road extension will require additional road dedication, which the applications are pursuing. The road extension is expected to also provide access to subsequent phases of development.

Lot Layout:

The Trail Head Hamlet will be developed as a bare land strata subdivision. Residential lots will be privately owned strata lots, with the roads, green space, utilities and eco-forestry lands owned in common by the strata corporation. Lots will be transferred to the CVRD for park land and a fire hall site. The majority of proposed lots within the strata subdivision will be oriented around a ring road and common open space. Lots surrounding the ring road vary in size between 685 square metres (7400 sq. ft.) and 1,554 square metres (16,730 sq. ft.). Three of the proposed lots, accessed from a shared driveway, are larger with lot sizes of between 0.29 and 0.69 hectares (0.72 to 1.7 ac.).

The zoning limits the footprints of dwellings to 200 square metres and the maximum floor area to 370 square metres. Covenants will be registered against the lots to limit the area that may be developed with structures, including fencing and retaining with the protected area left in a natural condition. Schedule 2 shows the protected areas of the residential lots.

Commercial and Community Uses:

A small commercial building is proposed at the north end of the common space in the centre of the Trail Head Hamlet. The building is expected to accommodate community meeting space and a coffee shop that would serve residents and travelers using the Trans Canada Trail. It is also expected that basic groceries and convenience products will be sold from the building. The

building will have a footprint of approximately 200 m², with the community centre and convenience store limited to floor areas of 100 m² each.

Parks and Trails:

4.15 hectares of park land will be dedicated in Phase 1. The park land is comprised of a strip along the east property boundary that will provide a connection to the Trans Canada Trail, a 1,7 square metres area that will provide a trail head access to the Trans Canada Trail and over 3.0 hectares land north of the Trail Head Hamlet as a conservation area. The park land is shown on Schedule 4.

The trail head access will be developed with some limited parking (two spaces) and a washroom building and covered picnic area. Other park improvements include trail construction and an off-site parking area. A section 219 covenant is registered against the subject property to secure park improvements, so not all of the park requirements are explicitly addressed in the development permit.

In addition to the public park land, a large strata-owned green space is proposed in the centre of ring road. Trees and other vegetation will be retained in the common green space, but the area will be thinned and trails constructed within it to achieve a more park-like landscape.

Services:

The Trailhead Hamlet will be serviced from a CVRD owned and operated community water system, supplied by on-site wells. Sewer service will be from a "Class A" sewer treatment system, as required by the CVRD's South Sector Liquid Waste Management Plan. It has not been confirmed yet if the sewage treatment system will be a CVRD utility or if the strata will own and maintain it.

Storm water will be managed on-site using a "natural drainage approach", whereby vegetated swales and natural drainage techniques will be used. A conceptual drainage plan has been prepared and is attached as Schedule 7. Detailed design for the storm water system and the sewer and water systems is not available at this stage but will be completed prior to subdivision.

Fire Protection:

As the Elkington Forest lands were not in a fire protection service area when the lands were initially proposed for development, a number of fire protection measures were required as conditions of rezoning and inclusion of the properties in the Malahat Fire Service Area. These include construction of a new fire hall, provision of dry hydrants and lockable equipment storage, standards for Fire Smart construction standards and fire hazard fuel management procedures and cash contributions for fire fighting equipment. A section 219 covenant is registered against the subject lands to secure fire protection commitments and conditions of the covenant must be satisfied prior to subdivision.

The proposed fire hall location is at the southeast corner of the Trailhead Hamlet. This location is strategically situated at the main entrance to the development. The fire hall site layout is not finalized, but the Public Safety Department and Malahat Fire Department have indicated they generally support what has been proposed. The detailed design will be confirmed at a later stage.

Sustainable Development Features:

Sustainable development features proposed with the development include homes built to the BuiltGreen™ Gold standard, a rainwater management plan that includes rainwater collection and reuse and a community geothermal heating system. A full description of sustainable development features incorporated into the development is provided in Schedule 10

(Sustainability Checklist). A Checklist for the Green Built program is also provided in Schedule 8.

Compliance with Community Land Stewardship Guidelines Development Permit Guidelines:

Four categories of development permit guidelines are identified in the Community Land Stewardship DPA. Rather than review each and every guidelines, staff comments regarding compliance with the guidelines are focused on the four general categories of the development permit area, as described below.

Environmental Protection:

Guidelines require a "sustainable rain water management plan", based on Ministry of Environment Best Management Practices. The applicants have provided a plan that describes the types of rain water management techniques that will be employed (Schedule 7), but have not provided a detailed design that shows the specific rain water management infrastructure that will be constructed. Staff recommend that a detailed rain management design in accordance with the concept plan be required as a condition of the development permit.

The applicants have advised that they will target a Built Green™ "Gold" standard for commercial and residential buildings in the development. Built Green™ is a checklist-based rating system for "green" building practices. The Built Green Gold standard has a minimum Energuide rating (a measure of energy efficiency and energy consumption) of 77. A minimum building design standard of Built Green Gold or better is recommended as a permit condition.

The proposed water and sewer systems for the development comply with guidelines for environmental protection.

Hazardous Conditions:

No areas of erosion or ground instability have been identified in Phase 1, so a geotechnical assessment is not recommended at the development permit stage. Geotechnical assessment may be required at the building permit stage should such issues be identified prior to constructions of dwellings or other structures.

A covenant (CA1648148) is registered against the subject lands that establish subdivision and building standards intended to protect the proposed development from fire hazard. Prior to subdivision approval and issuance of building permits, the owner will need to demonstrate that conditions of the covenant have been satisfied. Conditions required prior to subdivision include design of access roads and driveways to accommodate emergency vehicles, installation of dry hydrants and fire suppression equipment, the management of forest fuels and wild fire hazards. Residential and commercial structures are required to have interior sprinklers and are to be constructed in accordance with Fire Smart guidelines.

Form and Character of Development within the Hamlet Areas:

The 6 metre wide strata roads within the development will minimize cuts and fills and will have less impact on the landscape than public roads built to Ministry of Transportation standards.

No street lighting is proposed for the roadways. A "dark sky" approach exterior lighting is proposed, and the applicants have suggested making this a requirement for buildings and structures.

Concept plans for landscaping of the public areas of the Trail Head Hamlet have been provided, but the plan is far too general to know if these areas will be landscaped in accordance with the standards described in the development permit guidelines or if CPTED (Crime Prevention Through Environmental Design) principles have been followed. The Committee may wish to

consider if the general landscaping concepts submitted are acceptable, or if more detail is desired.

Many of the form and character design guidelines of the CLS Development Permit Area apply to structures, and are therefore not directly relevant to the proposed subdivision. The applicant has requested that the guidelines be applied prior to issuance of a building permit without further development permit review. The permit could be issued in this manner, but the review process would likely be much more cursory than would typically occur with a development permit review and staff would be responsible for determining compliance with this approach. A checklist is proposed on Schedule 11 that lists the proposed criteria for determining compliance with development permit guidelines prior to issuance of building permits. If the Committee and Board are agreeable with this approach, the checklist would become part of the development permit and would be used to review phase 1 building permit applications.

Energy Conservation, Water Conservation and Reduction of Greenhouse Gas Emissions:

Proposed energy conservation measures include a geothermal vertical ground heat exchanger and buildings constructed to the Built Green™ Gold standard. The Built Green rating system encourages water conservation through the use of low-flow fixtures, water efficient appliances, drought tolerant landscaping and rainwater and grey water re-use.

Compliance with Riparian Area Regulation Development Permit Guidelines:

Any development within the riparian assessment area of a creek, as defined by the *Riparian Area Regulation* requires a development permit in accordance with the RAR development permit area guidelines. In order to submit an application for this development permit area, applicants must have a report prepared by a Qualified Environmental Professional that identifies the Streamside Protection and Enhancement Areas (SPEAs) and provides recommendations for appropriate protection measures.

The Riparian Assessment Report that was provided with this application identified two creeks and two tributaries in the current phase of development. The primary hamlet area, where 15 of the 18 units are clustered, is largely defined on the north and west boundary by these watercourses. As there is development proposed within 30 metres of the high water mark of watercourses, a Riparian Area Assessment is triggered and compliance with the RAR Development Permit Guidelines is required.

RAR Assessment Report #1850 was provided with the development permit application. The report identifies a 15 metre SPEA for the watercourse on the west side of the hamlet and a 10 metre SPEA for water courses that separates the three larger lots from the primary Hamlet. As the proposed residential development is relatively close to the watercourses, the identified SPEA areas are within some of the proposed lots. The RAR Report recommends SPEA protection measures during the subdivision construction phase and building construction such as temporary fencing and erosion and sediment control measures.

The Assessment Report notes that long-term SPEA protection measures should be implemented, but does not recommend specific measures. Instead, the report states, "... the owner and DFO agree on the protection measures required for the SPEA, given the large lot size and location of property boundaries within the SPEA". Staff recommend that the SPEA boundaries be marked on the ground with signage or fencing to ensure the SPEA boundary can be identified. To encourage compliance with the RAR report and protection of the SPEAs during subdivision construction, staff recommend that a post-development report from a Qualified Environmental Professional be required prior to subdivision and that letter reports be required prior to issuance of building permits to identify site specific protection measures prior to development of the individual lots,

As the Riparian Assessment Report is a lengthy document, it was not included in the agenda package. It is, however, available for review at the Planning and Development Department.

Advisory Planning Commission Comments:

At the request of the Area Director, this application was not referred to the Area B APC.

Staff Comments:

The Elkington Forest development is unique and has many innovative land use and development concepts incorporated into it. As it is a complex project, it has been challenging for staff to structure the development permit in a manner that provides certainty about development on the site without requiring all aspects of the development to be pre-determined. Staff have tried to take an approach with this application that builds some flexibility into the approvals process while attempting to ensure the objectives and guidelines of the Community Land Stewardship and Riparian Area Regulation Development Permit Areas are followed. Staff believe the proposal and draft development permit are consistent with the applicable development permit guidelines, but defer to the Committee to determine if the proposed permit provides enough certainty regarding future development on the site.

Staff also wish to highlight that proposed development in the Trail Head Hamlet differs slightly from where residential development was proposed at the time of rezoning. Now that a more detailed development plan is available, staff recommend that sub-zones in the Community Land Stewardship Zone be adjusted to conform to the approved lot layout as part of a future Area B Zoning Bylaw amendment.

Options:

Option 1:

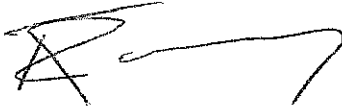
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 - f. Demonstration that proposed buildings comply with criteria listed on Schedule 11 prior to issuance of a building permit for any residential or commercial building;
 - g. Compliance with Covenants CA1648147 and CA1648148 (Fire Protection);
 - h. Compliance with Covenants CA1648144 and CA1648145 (Parks);
 - i. Compliance with Covenant CA1648146 (Servicing);
 - j. Installation of all wiring underground; and

That Zoning Area “B” Zoning Bylaw No. 985 be amended to adjust the sub-zones in CL-1 Zone to comply with lot boundaries described development permit application 14-B-10DP.

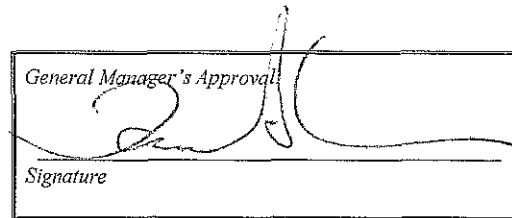
Option 2:

That application No. 14-B-10DP (Elkington Forest – Phase 1) not be approved in its current form, and that the applicant be requested to revise the proposal.

Submitted by,



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

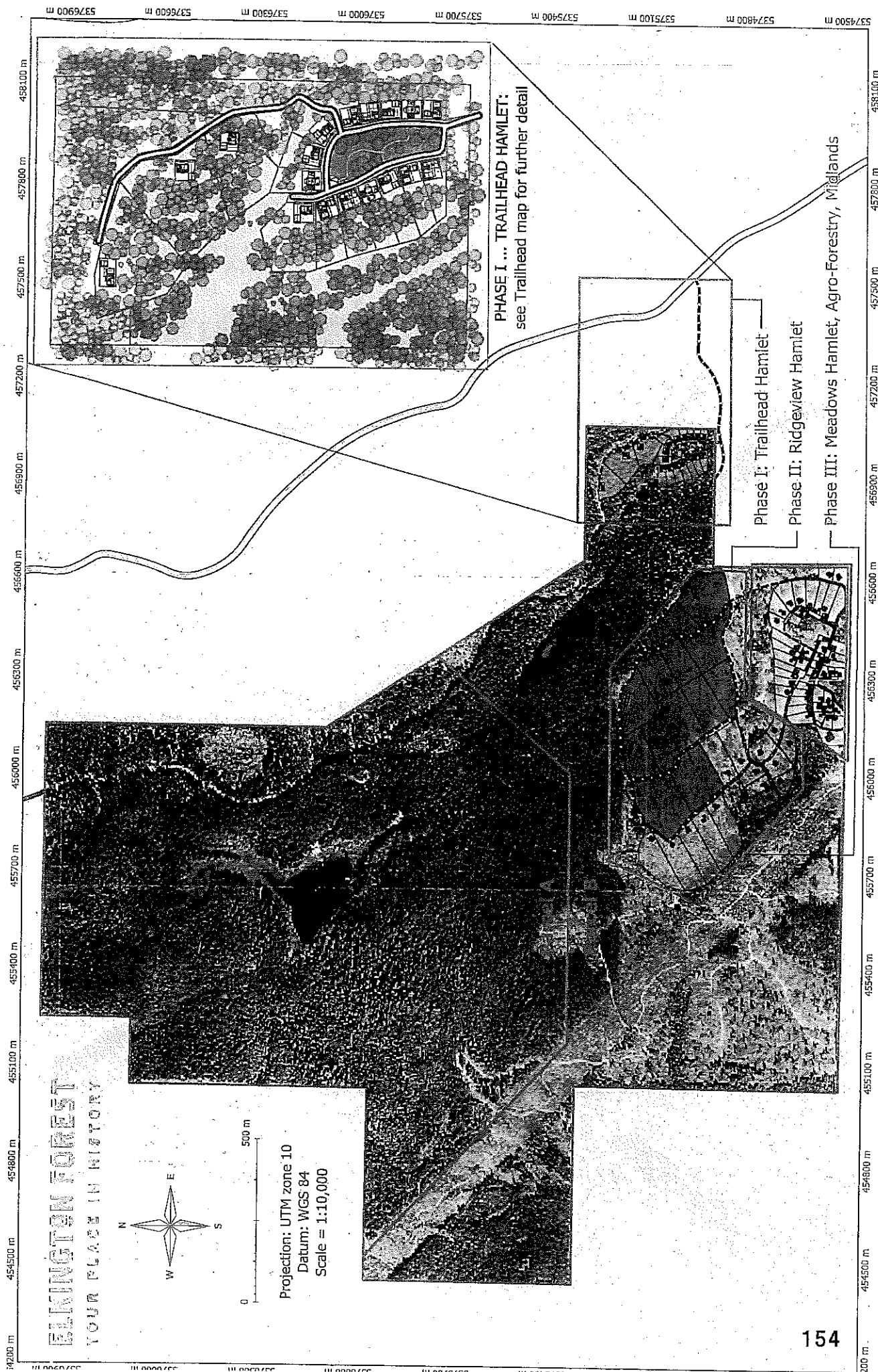


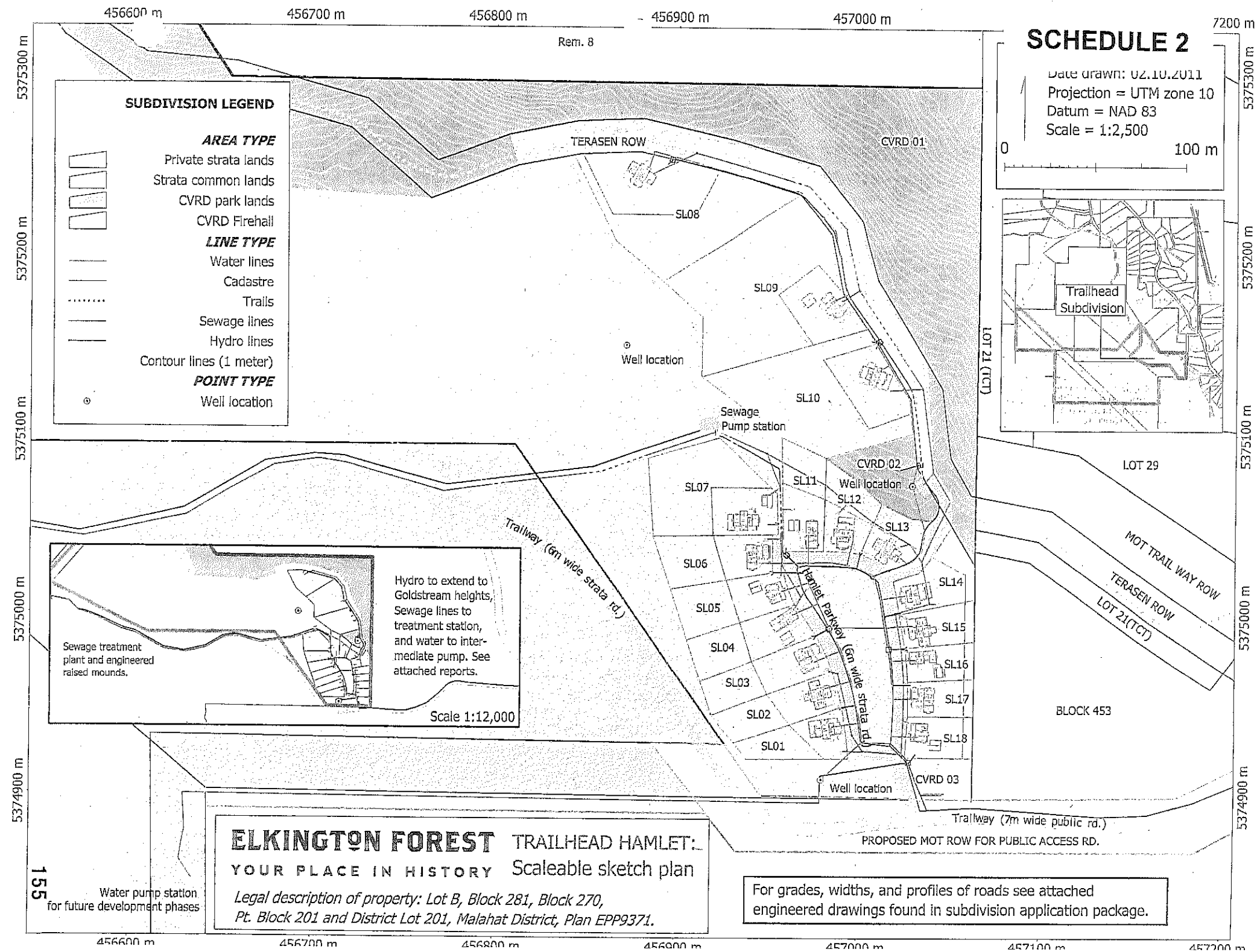
RC/ca

Attachments:

- Schedule 1 – Phasing Concept Plan
- Schedule 2 – Trail Head Hamlet Subdivision Plan
- Schedule 3 – RAR Assessment Plan
- Schedule 4 – Park Dedication Plan
- Schedule 5 – Strata Phasing Plan
- Schedule 6 – Zoning Overlay
- Schedule 7 – Trail Head Rain Water and Storm Water Run-off Plan
- Schedule 8 – Green Built™ Checklist
- Schedule 9 – Trail Head Home Plans
- Schedule 10 – Sustainability Checklist
- Schedule 11 – Building Permit Checklist
- Schedule 12 – CL-1 Zone
- Schedule 13 – Community Land Stewardship Development Permit Area
- Schedule 14 – Draft Development Permit

SCHEDULE 1

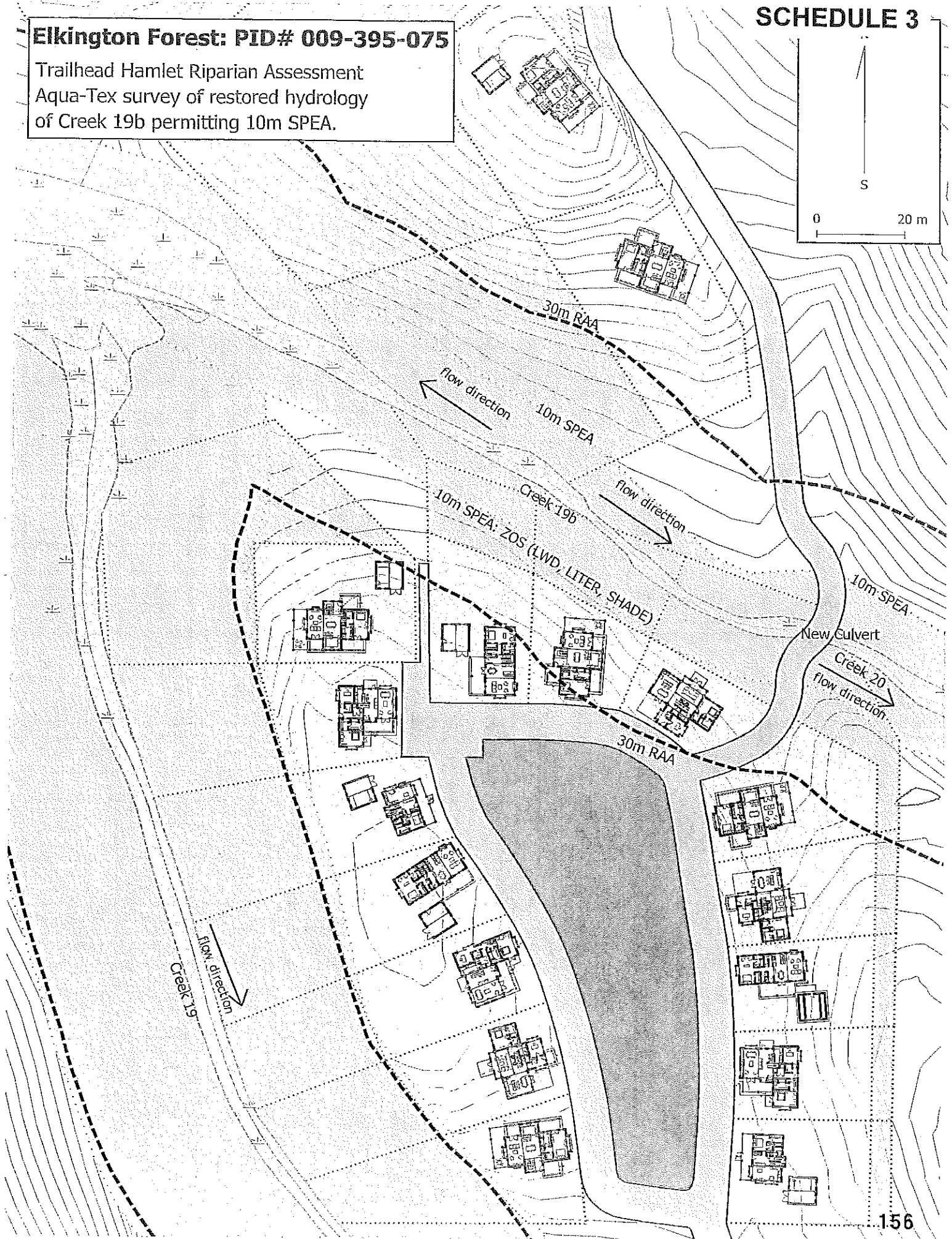




SCHEDULE 3

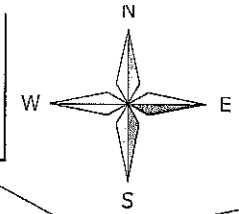
Elkington Forest: PID# 009-395-075

Trailhead Hamlet Riparian Assessment
Aqua-Tex survey of restored hydrology
of Creek 19b permitting 10m SPEA.



SCHEDULE 4

Ellkington Forest - CVRD parks dedicated areas.



Nature Conservation Park (Area = 3.37 Ha)
3.0 Ha committed to in covenant with an additional .37 Ha provided to compensate for the public park.

Cowichan Valley Trail Strip (Area = 0.65 Ha)
0.65 Ha committed to in covenant as reflected in park area.

Public Park (Area = 0.13 Ha)
0.5 Ha committed to in covenant, additional 0.37 Ha compensated in the Nature Conservation Park.

Additional park dedication once transferred from MOT

Park staging area to be accompanied by 0.83 Ha of park space once transferred by MOT to parks.

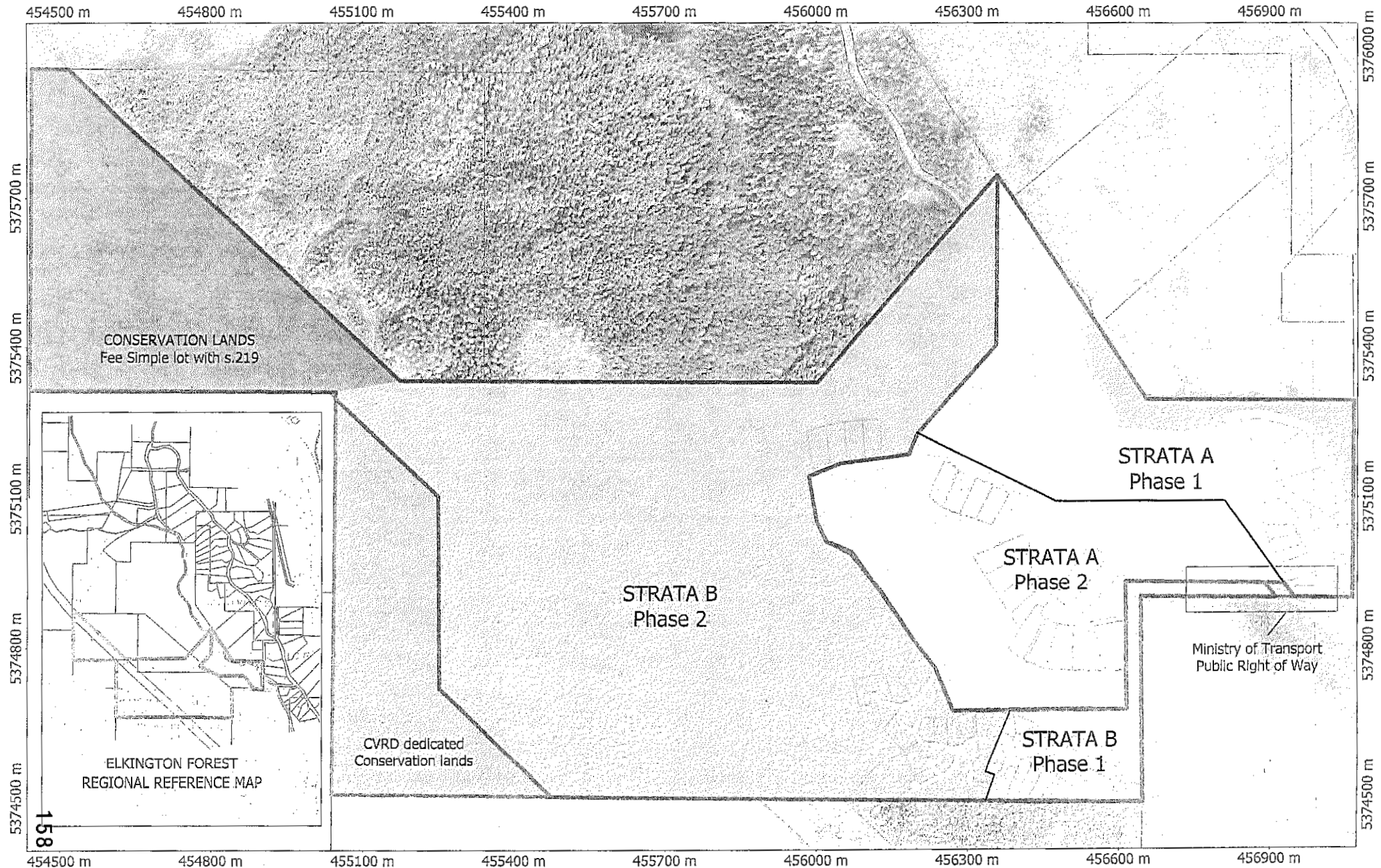
0 250 m

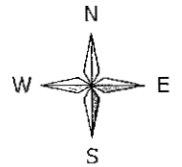
ELKINGTON FOREST

YOUR PLACE IN HISTORY

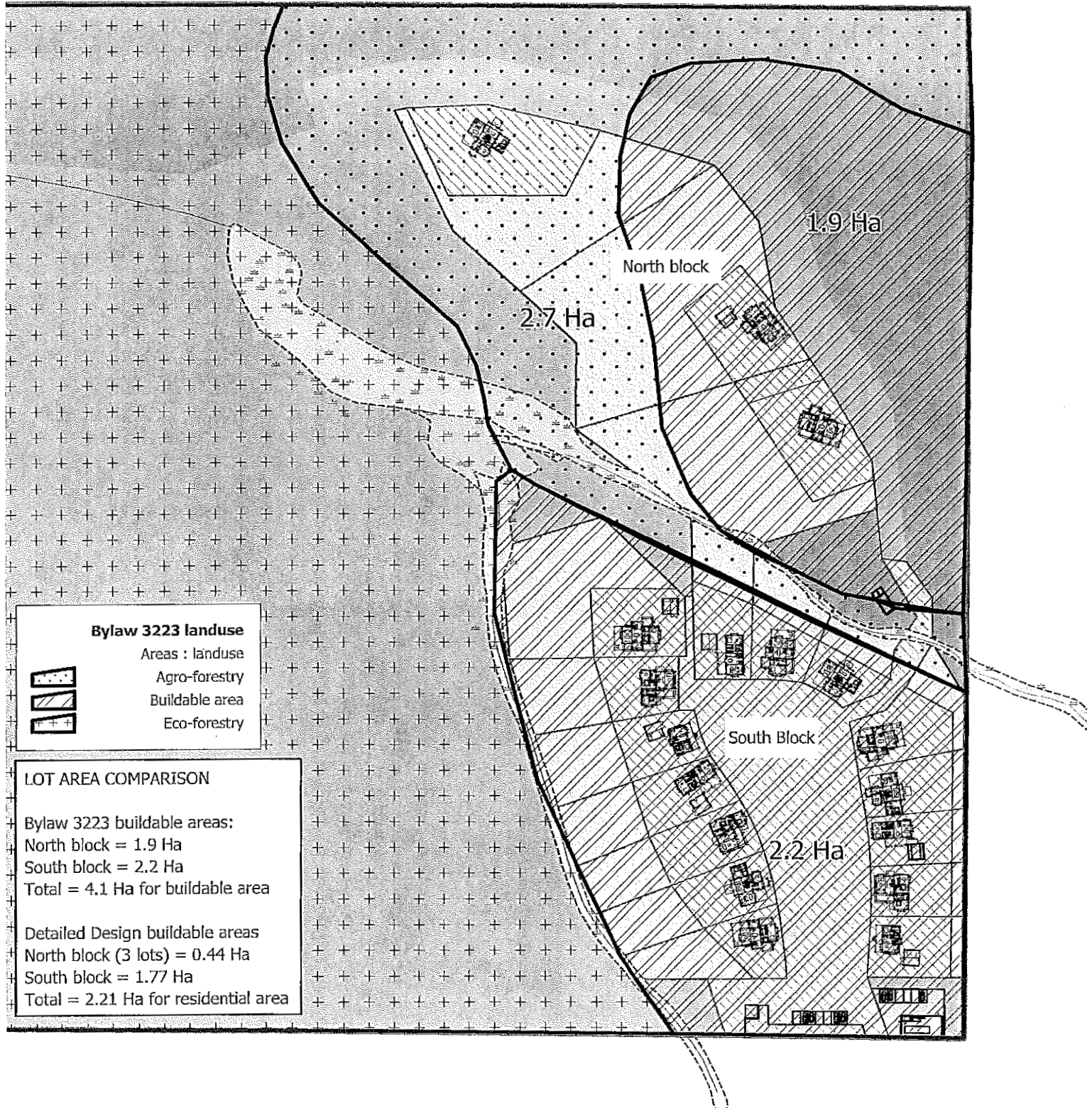
SCHEDULE 5

Living Forest Communities - Strata phasing plan



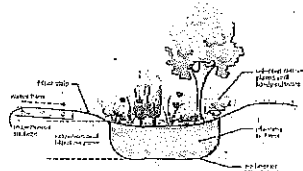
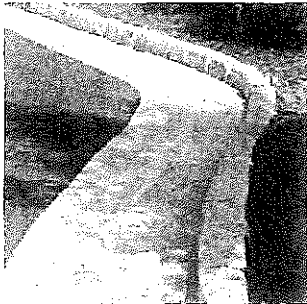


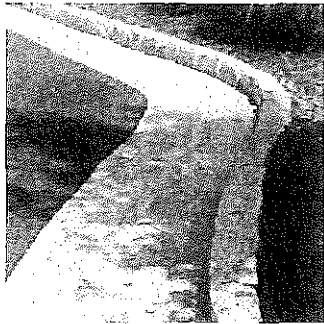
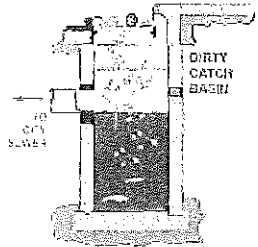
BYLAW 3223 Digitized overlay on Trailhead lots proposed in DP.



ELKINGTON TRAIL HEAD HAMLET SUSTAINABLE RAINWATER MANAGEMENT

The Elkington's project Natural Drainage System (NDS) approach to storm water management focuses on the use of natural landscaped pockets and parks merge within the residential hamlets. Each hamlet design includes a detail analysis of the site so the natural drainage of the ground is not highly impacted. Each home site has a small construction envelop that ensures that almost 60% of the surface runoff pre development stage remains intact. To manage storm water from road surfaces we have designed narrower streets made with porous materials that will reduce impervious surface area. Each hamlet is designed to improve subsurface infiltration of storm water, allowing natural biological and chemical processes within the soil environment to remove pollutants. In essence, green infrastructure involves design elements that employ natural or innovative processes or design schemes that serve as viable development alternatives. These designs have been implemented traditionally, and all are considered effective from a storm water management standpoint. Here is a reference table of the different elements included on the Trailhead Hamlet Rainwater management plan.

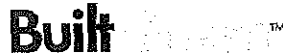
Component		Description	Function
Vegetated Swales		Vegetated swales are built roadside using specific soil and planting schemes with storm water management in mind. Soils are designed and implemented to achieve adequate infiltration, while still maintaining integrity and strength to prevent slope failures. Soils must also be of a proper growth medium. Plantings generally consist of groundcover and shrub strata.	Vegetated swales intercept storm water, slowing flow velocity and improving water quality via retention and infiltration. The vegetation serves to not only stabilize the soil and prevent erosion, but it also functions as a physical flow-barrier and promotes evapotranspiration.
Narrower Streets		Traditional street widths are reduced to reduce impervious surface.	Narrower streets reduce the amount of impervious surface (by up to 11 percent in some projects), while still allowing for two-way traffic and street-side parking. Narrower streets also require less paving.

Component		Description	Function
Permeable surfaces		Streets and walkways are made of natural stone and a more porous concrete mixture than traditionally.	Allows for storm water infiltration and reduced runoff volume.
Curvilinear Street Design		Instead of using a traditional straight street design, roads are built in a curvilinear fashion.	Curvilinear roads help to ensure that runoff leaves the road surface more rapidly and before gaining velocity, which reduces erosion. This road design can be especially useful in areas with steeper gradients and can slow traffic.
Rain Gardens		Rain gardens are beds of vegetation natural landscaped pockets within each hamlet near roads, parking lots, and other impervious areas with a large propensity for run-off.	Rain gardens function similarly to vegetated swales, but without a centralized ditch to pool water. They are effective at slowing runoff and infiltrating the first flush of runoff—they are not designed to retain high storm water volumes.
Catch basin		A catch basin (storm drain inlet, curb inlet) is an inlet to the storm drain system that typically includes a grate or curb inlet where storm water enters the catch basin and a sump to capture sediment, debris and associated pollutants.	
Trench under drains		Infiltration trench, usually filled with stone, designed to promote infiltration of surface water to the ground.	Stormwater runoff passes through some combination of pretreatment measures, such as a swale or sediment basin, before entering the trench. Runoff is then stored in the voids of the stones, slowly infiltrated through the bottom and into the soil matrix over a few days. The primary pollutant removal mechanism of this practice is filtering through the soil.

BUILT GREEN™ CHECKLIST 2009

Effective January 1st, 2009

To select points, click on boxes and select point value from drop-down list



Builder: _____ House Address: _____

Section 1: 0 Section 2: 0 Section 3: 0 Section 4: 0 Section 5: 0 Section 6: 0 Section 7: 0
Section 8: 0 = TOTAL POINTS: 0

I. OPERATIONAL SYSTEMS

This section awards points for construction methods and types of products that contribute toward lower energy consumption as well as alternative heating and electrical systems.

Minimum 10 Points Required

- | | | |
|------|---|--|
| 1-1 | Zoning from a HVAC source utilizing two or more thermostatically controlled zones or zoning from separate systems programmed through separate thermostats. (2 zones = 2 points, 3 zones = 3 points, 4 zones = 4 points.)
Efficiency can be significantly improved by only heating or cooling when occupants are present and by only heating/cooling to the exact desired temperature. Different desired temperatures can be set in each room or space and an individual zone can be turned off when not occupied. This type of system results in a dramatic reduction of energy consumption and operating costs. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">2, 3 or 4</div> |
| 1-2 | Install high efficiency, sealed combustion heating appliance with a minimum 92% AFUE (1 point), 94% AFUE (2 points) or 95% AFUE and above (3 points).
(Not for electric heat.) High efficiency furnaces or boilers, such as condensing systems, reduce energy consumption and consequently fossil fuel reliance. Because AFUE takes into account efficiency losses during start-up and cool down its rating is slightly lower. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">1, 2 or 3</div> |
| 1-3 | Install ground or water source heat pumps (10 points) or air source heat pumps (6 points) for heating and cooling.
Heat pumps can significantly reduce primary energy use for building heating and cooling. The renewable component displaces the need for primary fuels, which, when burned, produce greenhouse gases and contribute to global warming. Please Note: Cool climate heat pump systems are often more efficient due to the costs of electricity however cold climate heat pump systems are often not as efficient as typical boiler/furnace natural gas systems. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">6 to 10</div> |
| 1-4 | Install power vented domestic hot water (DHW) tank system (1 point), sealed combustion 2 pipe tank system (2 points), or condensing DHW tank system (3 points)

Hot water heater is direct vented with a closed combustion system. All air for combustion is taken directly from the outside. A direct system utilizes a co-axial vent pipe (pipe inside a pipe) draws combustion air in through the outer pipe, and exhausts the products of combustion through the inner pipe. A power vented heater exhausts air out of the building via a positive exhaust during main burner operation. Both systems eliminate the need for conventional chimneys or flue systems. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">1, 2 or 3</div> |
| 1-5 | Install instantaneous "tankless" hot water heater.
A tankless water heater does not have a storage tank to keep heated all day, or a pilot light; it burns gas only when you need hot water. This eliminates standby heat loss and its higher efficiency will save on utility costs. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">4</div> |
| 1-6 | Install high efficiency (AFUE 90 or better) boiler domestic hot water system. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">4</div> |
| 1-7 | Install geoechange DHW heating system to supply a minimum of 25% of the peak DHW heating load and 70% of the total DHW energy load.
A geoechange system uses the earths constant temperature to heat water for the home. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">4</div> |
| 1-8 | Install drainwater heat recovery units on the main drainage stack. 3 foot stack (1 point), 6 foot stack (2 points)
Drainwater heat recovery units transfer the heat from waste water to incoming water. This reduces the amount of energy needed for the DHW system. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">1 or 2</div> |
| 1-9 | Sealed combustion fireplace with electronic ignition if gas fueled.
Sealed combustion fireplaces involve a double-walled special vent supplied by the manufacturer that normally vents through a sidewall in a horizontal position. The unit must be Sealed Combustion meaning that combustion gasses can not enter the home even if the home becomes depressurized. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">2</div> |
| 1-10 | Install an EPA or CSA certified high-efficiency wood stove or pellet stove with a minimum efficiency of 72% (1 point) or 85% (2 points).
State-of-the-art wood and pellet stoves are among the cleanest burning heating appliances and deliver a high overall efficiency. EPA and CSA certified stoves ensure reduced emissions. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">1 or 2</div> |
| 1-11 | Install fireplace fan kit to circulate warm air into room (1 point per fan, maximum 2 points).
A fan kit allows the heat generated by a fireplace to be transferred into the home more effectively. | <div style="border: 1px solid black; width: 30px; height: 30px; display: inline-block;"></div> <div style="display: inline-block; vertical-align: middle;">1 or 2</div> |

- 1-12 All windows in home are ENERGY STAR labeled or equivalent for the climatic zone of home.  2
ENERGY STAR labeled windows save energy by insulating better than standard windows, making the home more comfortable all year round, reducing outside noise and can result in less condensation forming on the window in cold weather.
- 1-13 Electric range is self cleaning and/or Convection based  1
Ranges that self clean or have convection are better insulated and sealed, performing at or less than 500 kwh (520 kwh for convection) when rated by EnerGuide.
- 1-14 Refrigerator is an ENERGY STAR labeled product.  2
An ENERGY STAR label for refrigerator indicates the product has met strict requirements to reduce energy consumption.
- 1-15 Dishwasher is an ENERGY STAR labeled product.  1
An ENERGY STAR label for a dishwasher indicates the product has met strict requirements to reduce energy consumption.
- 1-16 Clothes washer or combo washer dryer is an ENERGY STAR labeled product.  1
An ENERGY STAR label for a clothes washer indicates the product has met strict requirements to reduce energy consumption.
- 1-17 Clothes dryer has an energy performance "auto sense" dry setting which utilizes a humidity sensor for energy efficiency.  1
- 1-18 Home is built "Solar Ready" following Canadian Solar Industries Association (CANSIA) guidelines.  2
Designing a home to be solar ready will make the addition of panels in the future much easier. Contact the Canadian Solar Industries Association for more info: www.cansia.ca.
- 1-19 Install active solar hot water heating system. Sized for 30% of DHW load (4 points), 50% (6 points), 80% (8 Points)  4, 6, 8
- 1-20 Install photovoltaic electrical generation system. Sized for 30% of electric load (4 points), 50% (6 points), 80% (8 points).  4, 6, 8
A photovoltaic system will greatly reduce the reliance on fossil fuel energy and reduce greenhouse gas emissions. System capacity must be verified by professional installer or engineer
- 1-21 50% (2 points) or 100% (4 points) of electricity used during construction of home is generated by wind power or equivalent green power certificate.  2 or 4
- 1-22 50% (2 points) or 100% (4 points) of electricity used by homeowner during first year of occupancy is generated by wind power or equivalent green power certificate. (prepaid by builder)  2 or 4
- 1-23 A properly supported and wired ceiling fan and a wall mounted switch roughed in for future installation.  1
Intended to allow for future temperature equalization.
- 1-24 Install interior motion sensor light switches. 1 point per switch to a maximum of 3 points.  1 to 3
Motion sensor switches prevent lights from remaining on in rooms that are unoccupied. This helps reduce electricity consumption. Switches on closet doors and pantries are also acceptable.
- 1-25 Install central, computerized control systems capable of unified automation control of lighting loads.  4
Lighting and automation control systems prevent lights from remaining on in rooms without occupants, thereby reducing electricity consumption.
- 1-26 Minimum 25% (1 point), 50% (2 points), 75% (3 points) or 100% (4 points) of interior and exterior light fixtures are fluorescent, compact fluorescent light bulbs or LEDs.  1 to 4
Fluorescent, compact fluorescent and LED lamps use 50% less energy than standard lamps and last up to ten times longer.
- 1-27 Minimum 50% of recessed lights use halogen bulbs.  1
Halogen bulbs are slightly more energy efficient, last longer and provide a more effective task light than conventional bulbs.
- 1-28 Air tight, insulation contact-rated recessed lights are used in all insulated ceilings, or insulated ceilings have no recessed lights.  1
Prevents heated air from exhausting through ceiling. Air tight light fixtures lead to a more airtight, energy efficient home.

TOTAL SECTION POINTS  0

II. BUILDING MATERIALS

This section deals with building components that make up the structure of the home. Items involve alternatives to using large dimensional lumber, products with a recycled component, utilizing wood products that come from sustainably managed forests and reducing the overall amount of lumber used.

Minimum 15 Points Required

2-1	Insulated Concrete Form (ICF) system used for foundation walls. Insulating Concrete Forms (ICF) are hollow building elements made of plastic foam that are assembled, often like building blocks, into the shape of a buildings exterior walls. The ICFs are filled with reinforced concrete to create structural walls. Unlike traditional forms, the ICFs are left in place to provide insulation and a surface for finishes.		2
2-2	Insulated Concrete Form (ICF) system used for main house walls. See description in 2.1.		3
2-3	Non-solvent based damp proofing (seasonal application). Water based damp proofing products use water as a thinner. Oil based damp proofing gives off a number of volatile organic compounds (VOCs) as the solvent evaporates after application. These VOCs can be a strong irritant and can add to air pollution.		1
2-4	Steel studding made from a minimum of 75% recycled steel is used to replace a minimum of 15% of wood studs in the home.		1
2-5	Exterior and interior wall stud spacing at 19.2" on-center (1 point) or 24" on-center (2 points) . Increasing stud spacing reduced the thermal performance of homes while saving materials.		1 or 2
2-6	Use of insulated headers / lintels (either manufactured or site built insulated headers) with minimum insulation value of R10. Headers can either be insulated on site or can be a pre-manufactured product (often insulated with a foamed plastic).		1
2-7	Install manufactured insulated rim/band joist, or build on-site built header wrap detail for continuous air barrier. Rim and band joists can either be insulated on site or can be pre-manufactured (often insulated with a foamed insulation).		1
2-8	Elimination of headers at non-bearing interior and exterior walls. It is not necessary to use the additional wood involved in header construction if the opening is less than 4' wide and is non-load bearing. For more details on Optimum Value Engineering framing principles see www.buildingscience.com .		1
2-9	Use of header hangers instead of jack studs. Using metal header hangers instead of jack studs allows for savings in wood use. For more details on Optimum Value Engineering framing principles see www.buildingscience.com .		1
2-10	Elimination of cripples on hung windows. For hung window openings, cripples are only necessary for siding or gypsum board attachment. For more details on Optimum Value Engineering framing principles see www.buildingscience.com .		1
2-11	Elimination of double plates, using single plates with connectors by lining up roof framing with wall and floor framing. Stack framing principles might allow for reduced wood usage. For more details on Optimum Value Engineering framing principles see www.buildingscience.com .		1
2-12	Use of two stud corner framing with drywall clips or scrap lumber for drywall backing instead of studs. Drywall clips can be used instead of a third corner stud allowing for reduced wood usage. For more details on Optimum Value Engineering framing principles see www.buildingscience.com .		1
2-13	Deck or veranda surfaces (1 point) and/or structure (1 point) made from a third-party certified sustainably harvested wood source. Wood must come from a sustainably harvested source with certification from Forest Stewardship Council (FSC), Sustainable Forestry Initiative (SFI), or Canadian Standards Association's Sustainable Forest Management Standard (CAN/CSA-Z809-02).		1 or 2
2-14	Deck or veranda surfaces (1 point) and/or structure (1 point) made from a third-party certified sustainable concrete. Concrete produced from aggregates derived from a pit or quarry with a valid reclamation plan approved by Materials and Resources Canada or the governing provincial body.		1 or 2
2-15	Structural insulated panel system used for at least 75% of roof (4 points) and/or 75% of walls (6 points). Reduces thermal migration and controls air leakage – keeps heating and cooling costs to a minimum compared to a conventionally framed wall.		4 or 6
2-16	Dimensional lumber from a third-party certified sustainably harvested source used for floor framing. Saves old growth forests by using trees from a second generation forests.		1
2-17	Dimensional lumber from a third-party certified sustainably harvested source used for wall framing. Saves old growth forests by using trees from a second generation forests.		2

2-18	Dimensional lumber from a third-party certified sustainably harvested source used for roof framing. Saves old growth forests by using trees from a second generation forests.		1
2-19	Use manufactured wood products for floor systems instead of dimensional lumber. Engineered wood floor systems saves old growth forests by using components from second generation forests and the use of recycled materials.		2
2-20	Reduce dimensional lumber use by using engineered product for all load bearing beams & columns. Engineered products include wood products, concrete and recycled steel.		2
2-21	Reduce dimensional lumber use by using engineered products for all exterior window and door headers. Engineered products include wood products, concrete and recycled steel.		1
2-22	Finger-jointed plate material and/or engineered plate material used for all framing plates. Use of recycled materials saves old growth forests.		1
2-23	Reduce dimensional lumber use by using engineered stud material for 10% of structural stud wall framing. Use of engineered lumber products saves old growth forests by using components from second generation forests and the use of recycled materials.		1
2-24	Finger-jointed studs for 90% of non-structural (1 point) and/or 90% of structural (1 point) wall framing. Use of recycled materials saves old growth forests.		1 or 2
2-25	Recycled and/or recovered content gypsum wallboard, minimum of 15% recycled content.		1
2-26	Recycled content exterior wall sheathing (minimum 50% pre- or post-consumer).		2
2-27	Use rain screen system separating cladding from the wall sheathing with a drainage plane (2 point), 60% or more recycled content (additional 1 point). Use of recycled content polypropylene, steel or aluminium rain screen strapping may replace the traditional use of wood strapping on rain screen systems.		1 or 2
2-28	Advanced sealing package, non HCFC expanding foam around window and door openings and all exterior wall penetrations. Controls air leakage and keeps heating and cooling costs to a minimum.		2
2-29	All sill plates sealed with foam sill gaskets or a continuous sandwiched bead of acoustical sealant. Controls air leakage and keeps heating and cooling costs to a minimum.		1
2-30	All insulation used in home is certified by a third-party to contain a minimum recycled content: 40% (1 point) or 50% (2 points).		1 or 2
2-31	Install site applied spray foam to insulate entire rim joist area (1 point), Garage to Bonus room floor (2 points) and/or house walls (2 points). Spray insulations provide excellent air sealing and insulation value. Spray foam must be fire protected and some types cannot come in contact with heating ducts or lines. Consult supplier or installer for further information.		2 or 4
2-32	Replace exterior wood sheathing with insulating sheathing and structurally required metal bracing. Using less materials when possible saves the forest reserves, reduces thermal migration and controls air leakage and keeps heating and cooling costs to a minimum compared to a conventional wall.		2
2-33	Install R5 (1 point), R8 (2 points) or R12 (3 points) above building code required under entire basement slab. Insulation installed under the basement slab will reduce the downward heat transfer into the ground below the slab, especially when hydronic in-slab heating is installed. Insulation under the slab can reduce temperature swings in the heated space and respond quicker to new changes in thermostat settings.		1, 2 or 3
2-34	Install Exterior Insulations system using extruded Polystyrene (XPS) on exterior of foundation, 1.5" R7.5 (1 point), 2" R10 (2 points), or 3" R15 (3 points) Insulation on the outside of a foundation system reduced energy loss		1, 2 or 3
2-35	Overhead garage door is made of 75% or greater recycled material.		1
2-36	Attached garage overhead door is insulated with R8 to R12 (1 point) or greater than R12 (2 points).		1 or 2
2-37	Attached garage is fully insulated. A fully insulated garage serves an additional insulating capacity for any walls encapsulated by it, further slowing heat loss through those walls.		1
2-38	Builder uses passive solar design shading devices for home. Permanent horizontal and/or vertical exterior shading devices for glazing (2 points), computer controlled devices (additional 1 point). Excludes interior blinds.		2 or 3
2-39	Install 100% recycled content carpet underlayment.		1
2-40	Install finished concrete interior floors instead of other types of finished floors (tile, carpet, hardwood, etc). For 300-500 ft² (1 point), 501-1000 ft² (2 points), 1001-1500 ft² (3 points), 1501+ ft² (4 points). Not applicable in unfinished basement areas. Using the concrete itself as a finished floor where concrete is being used regardless (for in floor heat or basement slabs) provides a durable floor with less material usage.		1 to 4
2-41	Install weather-stripped and insulated (R15 minimum) manufactured interior attic hatch (1 point), or no interior attic access (1 point)		1
TOTAL SECTION POINTS			

III. EXTERIOR and INTERIOR FINISHES

This section focuses on the finish materials used both inside and outside of the home. The items listed include using longer lasting products, products with recycled content and products that are harvested from third-party certified sustainably managed forests.

Minimum 10 Points Required

3-1	Exterior doors with a minimum of 15% recycled and/or recovered content. Recycled or recovered content ensures we keep our landfill use to a minimum. Not including overhead garage doors (see 2-33).		1
3-2	Interior doors with a minimum of 15% recycled and/or recovered content.		1
3-3	Interior doors made from third-party certified sustainably harvested wood. Uses trees from forests managed sustainably, that prevent clear cutting and replant trees in areas from which they've been harvested.		2
3-4	All exterior doors manufactured from fiberglass. Fiberglass doors insulate better than steel skinned or wood doors, have a longer lifespan, do not warp, twist or crack, and therefore reduce landfill use.		1
3-5	Exterior window frames contain a minimum of 10% recycled content. Reusing materials such as plastics reduces landfill usage and may not be biodegradable.		1
3-6	Exterior window frames made from third-party certified sustainably harvested wood. Uses trees from forests managed sustainably, that prevent clear cutting and replant trees in areas from which they've been harvested.		2
3-7	Natural cementitious stone/stucco/brick or fiber cement siding – complete or combination thereof for 100% of exterior cladding. Strong, long lasting, fireproof material.		4
3-8	Recycled or reclaimed exterior cladding material. 1/3 of exterior (1 point), 2/3 or more of home (2 points). Recycled brick blocks etc, intent is to replace siding materials, primarily exterior finish materials.		1 or 2
3-9	Fiber cement fascia and soffit. Fiber cement fascia and soffit, made with recycled content from sawmill waste and Portland cement, is a strong, long lasting and fireproof material.		2
3-10	Recycled and/or recovered-content fascia and soffit (minimum 50% pre- or post-consumer). Recycled and/or recovered-content fascia and soffit reduces the amount of new material used in production by gluing up mill scraps into large pieces, which conserves natural resources and reduces landfill usage.		1
3-11	Recycled and/or recovered-content siding (minimum 50% pre- or post-consumer). Recycled and/or recovered-content siding reduces the amount of new material used in production by gluing up mill scraps into large pieces, which conserves natural resources and reduces landfill usage.		4
3-12	Exterior trim materials are made from alternatives to solid lumber. Trim materials manufactured from OSB uses a laminating process to make larger pieces from smaller pieces or strands of wood. The process saves old growth forests by using trees from forests managed sustainably, that prevent clear cutting and replant trees in areas from which they've been harvested.		1
3-13	Exterior trim materials have recycled and/or recovered-content (minimum 50%). Recycled and/or recovered-content trim materials reduce the amount of new material used in production by gluing up mill scraps into large pieces, which conserves natural resources and reduces landfill usage.		3
3-14	All exterior trim is clad with pre-finished metal (1 point over wood backings, 2 points without wood backings). Trim clad with pre-finished metal is a durable long lasting product that requires no maintenance and reduces waste in landfills due to long life of product.		1 or 2
3-15	Deck or veranda surfaces made from low maintenance materials - deck surfaces do not need maintenance of any kind, including painting, for a minimum of 5 years. Materials that last longer reduce landfill usage and tend to require little to no maintenance, saving replacement costs and reducing energy use.		2
3-16	Minimum 25-year manufacturer warranty roofing material (2 points plus 1 point for each additional 5 years). A 25-year roof system saves homeowners money in replacement costs, and reduces the use of landfills due to the longevity of the product.		2 or more
3-17	Minimum 25% recycled-content roofing system (1 point underlay and 2 points roofing finish). Recycled content roofing material reduces the use of new resources and waste in landfills.		1 to 3
3-18	Domestic wood from reused/recovered or re-milled sources, 500 ft² minimum for flooring or all cabinets or all millwork. Reused, recovered or re-milled sources eliminate the need for new resources, saving energy, transportation costs, and forestry from depletion.		6
3-19	Natural or recycled-content carpet pad made from textile, carpet cushion or tire waste (rebond still qualifies). Natural or recycled-content carpet pad is a good use of reusable resources.		2

- | | | | |
|------|---|---|--------|
| 3-20 | Install carpet that has a minimum of 50% recycled content.
Recycled-content carpet is a good use of renewable resources, lessens off-gassing and improves air quality. |  | 2 |
| 3-21 | Install a minimum of 300 ft² of laminate flooring. |  | 2 |
| 3-22 | Bamboo, cork or hardwood flooring used in home, minimum of 300 ft² installed. Products must be third-party certified from sustainably managed forests or certified sustainable sources.
Cork flooring comes from stripping the bark off cork oak, which regenerates itself. The cork tiles are moisture, rot and mould resistant, providing a floor that can last over 30 years. Bamboo flooring is a good use of natural resources because it is fast growing, durable and flexible. All hard floorings promote better indoor air quality by not trapping contaminants. |  | 3 |
| 3-23 | All ceramic tile installed in home has a minimum of 25% recycled-content.
Reduces landfill usage. |  | 2 |
| 3-24 | MDF and/or finger jointed casing and baseboard used throughout home (1 point), and all jambs (1 point)
Medium Density Fiberboard (MDF) casing is created from sawdust and glues, utilizing all wood waste to create usable product. |  | 1 to 2 |
| 3-25 | Solid hardwood trim from third-party certified sustainably harvested sources approved for millwork and/or cabinets (2 points per application – maximum of 4 points).
This process saves old growth forests by using trees from forests managed sustainably, that prevent clear cutting and replant trees in areas from which they've been harvested. |  | 2 or 4 |
| 3-26 | Paints or finishes with minimum of 20% recycled content.
Paints or finishes made from recycled content are environmentally friendly because recycling paint reduces the hazardous waste in landfills. |  | 1 |
| 3-27 | Domestically sourced natural granite, stone or recycled glass (30% of content) countertops in 100% of the kitchen.
Natural product is more durable, easy to clean and maintain, resistant to heat and scoring. By quarrying and sourcing in Canada, the environmental cost of shipping is greatly reduced. Foreign stone cut or polished in Canada is not acceptable. |  | 2 |
| 3-28 | Natural granite, stone, recycled glass or concrete countertops for all other countertop areas.
Natural product is more durable, easy to clean and maintain, resistant to heat and scoring. |  | 1 |
| 3-29 | 100% agricultural waste or 100% recycled wood particle board used for shelving.
Products such as wheat board are made from agricultural waste. |  | 2 |
| 3-30 | PVD finish on all door hardware.
Physical Vapour Disposition provides a more durable product. No toxic wastes are produced making it. |  | 1 |
| 3-31 | PVD finish on all faucets.
Physical Vapour Disposition provides a more durable product. No toxic wastes are produced making it. |  | 1 |
| 3-32 | Install only Type 1 or 2 grade door hardware with lifetime mechanical and coating warranty.
High quality, durable Type 1 and 2 hardware will not require replacing for life of home. |  | 2 |

TOTAL SECTION POINTS  0

IV. INDOOR AIR QUALITY

This section focuses on the quality of the air within the finished home. Products listed here include materials that are low in VOC's, products made from all natural materials as well as various air cleaning and ventilation systems.

Minimum 15 Points Required

4-1	Install pleated media filter on HVAC system with minimum MERV 7 rating. MERV rating system specifies allowable amounts and practical sizes that a filter must catch. The higher the MERV rating, the smaller and greater number of particulates are caught, providing better indoor air quality.		1
4-2	Install electrostatic air cleaner on HVAC system. Permanent washable air filter that traps and removes airborne particles from the air before being circulated through the furnace and into the home.		2
4-3	Install electronic air cleaner on HVAC system. An electronic air cleaner offers a superior level of filtration by using advanced, 3-stage filtration technology to trap and filter airborne particles like dust, cat dander and smoke. It works by placing an electric charge on airborne particles, and then collecting the charged pollutants like a magnet. The air cleaner cells can be washed in your dishwasher or sink.		3
4-4	Install HEPA filtration system in conjunction with an HVAC system. HEPA stands for High-Efficiency Particle Arresting. HEPA filtration offers the highest particulate removal available - 99.97% of particles that pass through the system including dust, cat dander, certain bacteria, pollens and more. The system is connected to the cold air return of the forced air heating/cooling system which provides a whole house filtration system.		6
4-5	Install ultraviolet air purifier on HVAC system. Ultraviolet (UV) air treatment systems kill mould spores and certain live, airborne bacteria passing by the lamp to prevent them from being re-circulated into the air of the home.		2
4-6	Install thermostat that indicates the need for the air filter to be changed or cleaned. This feature displays filter maintenance reminders on the thermostat. Regular furnace maintenance is required to keep your mechanical equipment running efficiently and problem free as well as ensuring a healthy indoor air environment.		1
4-7	Install hardwired carbon monoxide detector outside main sleeping areas. Carbon monoxide detectors warn against high levels of toxic carbon monoxide.		1
4-8	Power vacuum all HVAC ducting prior to occupancy by homeowner. This process helps eliminate pollutants that drop into the HVAC ducting during the construction process from being circulated into the home.		2
4-9	Central vacuum system vented to exterior & central vacuum system has Carpet and Rug Institute (CRI) IAQ approval. A central vacuum system collects dust centrally, while exhausting to the exterior so that dust mites and bacteria do not have the opportunity to re-circulate. The result is cleaner, healthier air. Note: install far enough from air intake areas, see manufacturer's installation guidelines.		1
4-10	All insulation in the home is third-party certified or certified with low or zero formaldehyde. Formaldehyde is colorless gaseous organic compound, water soluble, with a characteristic pungent and stifling smell. Products with low formaldehyde emission levels will improve indoor air quality of homes and long term owner health.		2
4-11	Low formaldehyde sub floor sheathing (less than 0.18 ppm). Formaldehyde is colorless gaseous organic compound, water soluble, with a characteristic pungent and stifling smell. Products with low formaldehyde emission levels will improve indoor air quality of homes and long term owner health. Industry Standard ANSI A208.1-1999 sets a 0.20 ppm limit. Built Green™ requires a 10% better level of performance at 0.18 ppm. Products using Phenol Formaldehyde, or PMDI or MDI will meet this standard without testing.		3
4-12	Low formaldehyde underlayment is used in home (less than 0.18 ppm). Low formaldehyde (phenol) and formaldehyde-free binders (PMDI) are available and becoming more common. FSC certified OSB is becoming more common, reducing environmental impacts on air, water, social quality.		1
4-13	Low formaldehyde particle board/MDF (less than 0.18 ppm) = 1 point, or zero formaldehyde particle board/MDF (2 points) used for cabinets. Urea formaldehyde-free fiberboard can be used in the same way as conventional fiberboard, but with the added caution of greater potential for water damage.		1 or 2
4-14	Low formaldehyde particle board/MDF (less than 0.18 ppm) = 1 point, or zero formaldehyde particle board/MDF (2 points) for shelving. Urea formaldehyde-free fiberboard can be used in the same way as conventional fiberboard, but with the added caution of greater potential for water damage.		1 or 2
4-15	All interior wire shelving is factory coated with low VOC / no off gassing coatings Vinyl coating on conventional shelving units and site built MDF shelving offgas VOCs.		2
4-16	Water-based urethane finishes used on all site-finished wood floors. Water-based epoxy finish (generally referred to as epoxy-modified finish) differs from its solvent-based counterpart in that the epoxy resin is itself the catalyst for an acrylic or urethane resin.		2

- 4-17 All wood or laminate flooring in home is factory finished.  2
Installing a pre-finished floor eliminates the time, the dust and the odours associated with the on-site sanding and finishing of an unfinished product.
- 4-18 Water-based lacquer or paints are used on all site built and installed millwork, including doors, casing and baseboards. (less than 200 grams/litre of VOC's)  3
Water based interior finish products reduces VOC off-gassing which improves indoor air quality.
- 4-19 Interior paints used have low VOC content (less than 200 grams/litre of VOCs).  2
Volatile Organic Compounds (VOCs) are a class of chemical compounds that can cause short or long-term health problems. A high level of VOCs in paints/finishes off-gas and can have detrimental effects to a buildings indoor air quality and occupant health.
- 4-20 Interior paints used have no VOC's in base paint prior to tint.  3
Volatile Organic Compounds (VOCs) are a class of chemical compounds that can cause short or long-term health problems. A high level of VOCs in paints/finishes off-gas and can have detrimental effects to a buildings indoor air quality and occupant health.
- 4-21 Natural linoleum in place of any vinyl sheet flooring. Linoleum installed with low VOC adhesives (low VOC standard is less than 150 grams per litre).  2
Natural linoleum is made from natural linseed and other abundant renewable materials.
- 4-22 All ceramic tiles are installed with low VOC adhesives and plasticizer-free grout (low VOC standard is less than 150 grams per litre).  1
Most adhesives are still based on SB latex which releases large quantities of VOCs. The volatile solvents are used to emulsify (or liquefy) the resin that acts as the bonding agent. However, water-based adhesives emit far less VOCs than their conventional solvent based counterparts. There are three types of low-VOC formulas: water-based (latex and acrylics); reactive (silicone and polyurethane); and exempt solvent-based (VOC-compliant solvents). While all three technologies yield low- or zero-VOC caulks, sealants, and adhesives, their performance is slightly different.
- 4-23 All vinyl flooring in home is replaced by hard surface flooring.  2
Hard surface flooring is generally more durable and improves the Indoor Air Quality within a building. Carpets collect dust, dust mites and other allergens which when disturbed become airborne particulates, directly affecting the health of the occupants.
- 4-24 Carpet and Rug Institute (CRI) IAQ label on all carpet used in home.  2
To identify carpet products that are truly low-VOC, CRI has established a labeling program. The CRI Indoor Air Quality Carpet Testing Program green and white logo displayed on carpet samples in showrooms informs the consumer that the product type has been tested by an independent laboratory and has met the criteria for very low emissions.
- 4-25 Carpet and Rug Institute (CRI) IAQ label on all underlay used in home.  1
The adhesives used to install carpets and the latex rubber by some manufacturers to adhere face fibers to backing materials generate volatile organic compounds (VOCs). Carpets also cover large surfaces within an interior environment and can provide "sinks" for the absorption of VOCs from other sources.
- 4-26 Natural material based carpet in all living areas.  2
Natural wool carpets are durable and use less secondary backing materials and chemicals. Off-gassing is typically caused by the secondary backings and chemical additives in synthetic carpets, for controlling mildew, fungus, fire and rot.
- 4-27 All carpet in home is replaced by hard surface flooring.  4
Hard surface flooring is generally more durable and improves the Indoor Air Quality within a building. Carpets collect dust, dust mites and other allergens which when disturbed become airborne particulates- directly affecting the health of the occupants.

TOTAL SECTION POINTS  **0**

V. VENTILATION

This section covers the mechanical ventilation systems in the home, including filtrations and heat recovery.

Minimum 6 Points Required

*** Platinum Level Note*** Platinum level homes must use item 5-9 "Ventilation system is installed according to CSA Standard F326, as recommended by the Heating, Refrigeration and Air Conditioning Institute of Canada (HRAI)." as well as 6 additional points from this section.

- | | | | |
|------|---|--------------------------|---|
| 5-1 | All ductwork joints and penetrations sealed with low toxic mastic or aerosolized sealant system.
Duct mastic is a preferred flexible sealant that can move with the expansion, contraction, and vibration of the duct system components. A high quality duct system greatly minimizes energy loss from ductwork. The system should be airtight, sized and designed to deliver the correct airflow to each room. | ☐ | 3 |
| 5-2 | Programmable ENERGY STAR thermostat with dual set back and continuous fan setting.
A set back thermostat regulates the heating/cooling system to provide optimum comfort when the house is occupied and to conserve energy when it is not. | ☐ | 2 |
| 5-3 | Install HVAC appliance with variable speed fan (ECM).
A variable speed fan motor (ECM or DC powered) is designed to vary its speed based on the homes heating and air conditioning requirements. Working in conjunction with the thermostat, it keeps the appropriate air temperature circulating through the home, reducing temperature variances in the home. It also provides greater air circulation and filtration, better temperature distribution, humidity control, higher efficiency and quiet performance. | ☐ | 3 |
| 5-4 | Install motorized damper on fresh air inlet (must be interlocked with furnace system).
A constantly open fresh air supply (passive air) wastes energy. Positive control of this air will assure building comfort, safety and energy efficiency. | ☐ | 1 |
| 5-5 | Install all ventilation fans (bath or in-line type) to meet or exceed the Energy Star requirements
Energy Star fans have to meet standards for efficiency, and sound transmission, providing quiet and effective ventilation fans. www.cee.nrcan.gc.ca/energystar/english | ☐ | 2 |
| 5-6 | Install a programmable time or humidistat controlled ventilation fan meeting the Energy Star requirements for efficiency and sound level
A programmable timer ensures necessary, regular, automatic mechanical ventilation of the home. | ☐ | 2 |
| 5-7 | Install passive Heat Recovery Ventilator (HRV) and verify balanced installation.

A Heat Recovery Ventilator (HRV) is an air exchanger that exhausts humid, stale, polluted air out of the home and draws in fresh, clean outdoor air into the home. Invisible pollutants produced by common household substances, plus dust and excess humidity that get trapped in today's houses, can increase your risk of chronic respiratory illness and your homes risk of serious structural damage. A passive HRV unit does not have its own internal fan and is 100% furnace assisted. It works by tying the exhaust side of the unit to the supply air plenum which forces air to exhaust from the home and at the same time fresh air enters from outside through the unit and into the cold air return duct work. | ☐ | 2 |
| 5-8 | Install an active Heat Recovery Ventilator or Energy Recovery Ventilator (HRV or ERV) and verify balanced installation.

A Heat Recovery Ventilator (HRV) is an air exchanger that exhausts humid, stale, polluted air out of the home and draws in fresh, clean outdoor air into the home. Invisible pollutants produced by common household substances, plus dust and excess humidity that get trapped in today's houses, can increase your risk of chronic respiratory illness and your homes risk of serious structural damage. Much like the HRV, the ERV recovers heat; however, it also recuperates the energy trapped in moisture, which greatly improves the overall recovery efficiency. In dry climates and humidified homes the ERV limits the amount of moisture expelled from the home. In humid climates and air conditioned homes, when it is more humid outside than inside, the ERV limits the amount of moisture coming into the home. | ☐ | 4 |
| 5-9 | Ventilation system is installed according to CSA Standard F326, as recommended by the Heating, Refrigeration and Air Conditioning Institute of Canada (HRAI).
www.hrai.ca | ☐ | 5 |
| 5-10 | All bath fans used throughout home have a noise level of 1 sone or less
Installing quiet fans will encourage use for home ventilation. | ☐ | 1 |

TOTAL SECTION POINTS

VI. WASTE MANAGEMENT

This section deals with the handling of waste materials on the construction site and encourages recycling.

Minimum 7 Points Required

6-1	Comprehensive recycling program for building site including education, site signage and bins. A comprehensive recycling program that is strictly followed significantly reduces the amount of waste ending up in landfills. Currently it is estimated that up to 50% of landfill waste is construction related.		2
6-2	Collection of waste materials from site by a waste management company that is a current member of a provincial recycling council or equivalent association and verifies that a minimum of 10% of the materials collected from the construction site have been recycled. Not only does this reduce overall waste of product, it ensures that as much product as possible is being utilized for the production of future resources.		4
6-3	Suppliers and trades recycle their own waste, including leftover material and packaging (1 point per trade - maximum 4 points). Trades being responsible for recycling and removal of waste not only reduces landfill waste, but also promotes a cleaner and safer working environment.		1 to 4
6-4	Minimum 25% (2 points) or 50% (6 points) by weight of waste materials collected from construction site is diverted from waste stream. Trades being responsible for recycling and removal of waste not only reduces landfill waste, but also promotes a cleaner and safer working environment.		2 or 6
6-5	Use of recycled materials derived from local construction sites (1 point for each different product used, to max. of 3). Products recycled from the construction site, such as mulched wood cut offs or mulched gypsum are often useable as either clay/soil water retention additives or for organic burning.		1 to 3
6-6	Trees and natural features on site protected during construction. The protection of existing trees and other natural features such as streams, ponds and other vegetation reduces environmental and ecosystem impact. Many of these features can be protected simply by following good waste management procedures.		1
6-7	Metal or engineered durable form systems used for concrete foundation walls. The use of metal forming systems reduces the requirement of lumber, a limited resource.		1
6-8	Concrete used in home has a minimum supplementary cementing material of 25% (1 point) or 40% (2 points) within the scope of proper engineering practices. For every one ton of Portland cement generated, eighth tenths of a ton of carbon dioxide is produced. Supplementary cementations products include fly ash, blast furnace slag as well as metakaolin.		1 or 2
6-9	Reusable bracing is used for framing. The use of reusable bracing for framing reduces the requirement of lumber, a limited resource.		1
6-10	Install recycling center with two or more bins. By installing built in recycling centers, which can be as simple as labeled containers (paper, cardboard, cans, plastics, etc), homeowners are more likely to utilize the pre-existing facilities and thus contribute to the reduction in landfill waste.		3
6-11	Provide composter to homeowner. Providing a composter promotes a reduction in wastes heading to the landfill by giving homeowners an option for organic waste such as food leftovers.		2
6-12	Existing dwellings onsite are recycled or moved instead of demolished (recycled 2 points, moved 4 points).		2 or 4
TOTAL SECTION POINTS			

VII. WATER CONSERVATION

This section encourages a reduction in the amount of water used in the home or in individual units within multi-story buildings.

Minimum 7 Points Required

- | | | | |
|------|--|---|------------|
| 7-1 | CSA approved single flush toilet averaging 1.6 GPF or less installed in all bathrooms (1 point) |  | 1 |
| 7-2 | Install a dual flush or pressure assisted toilet in one or more bathrooms (3 points for first, 1 additional point for each after)
Dual flush toilets offer a choice between two water levels for every flush; at minimum should use, 1.6 GPF (6 LPF) or 0.8 GPF (3 LPF). |  | 3 or more |
| 7-3 | Install a 1.28 GPF toilet in one or more bathrooms (2 points for first, 1 additional point for each after)
1.28 GPF (Gallon per Flush) is general considered the new standard in water efficiency |  | 2 or more |
| 7-4 | Install manufactured non-electric composting toilet (3 points each, max of 6 points).
A composting toilet uses no water and is odourless. It uses a biological processes to break down the human excrement into organic compost material. |  | 3 or 6 |
| 7-5 | Insulate the hot water lines with flexible pipe insulation, first three feet of the water lines (1 point) or all hot water lines (2 points).
Minimizing the heat loss in the water line will decrease the initial water wasted by delivering hot water faster. |  | 1 or 2 |
| 7-6 | Install hot water recirculation line with insulated hot water lines and pump system.
Having the hot water re-circulated from the hot water source to the fixture points will decrease the initial water wasted by delivery the hot water faster. Pump should be on program or timer to reduce stand-by losses. |  | 3 |
| 7-7 | Install low flow faucets for all kitchen faucets and lavatories (2 points), all showers & tub/showers (additional 1 point).
Reduces water consumption by lowering the flow rate. Showers must use 9.8 L/min (2.2 imp. Gal/min) or less. Faucets, both kitchen and bath, must use 8.3 L/min (1.8 imp. Gal/min) or less. |  | 2 or 3 |
| 7-8 | Install hands free lavatory faucets. 1 point per faucet/unit.
Battery powered electronic sensor minimizes the spread of germs and saves water. |  | 1 per unit |
| 7-9 | Provide front loading clothes washer (3 points), or Condensing Combination wash/dry unit (4 points)
Front loading clothes washers conserve water by design, as they are only required to fill up the washing compartment 1/3 full to effectively wash clothing. Additionally they use up to 75% less environmentally damaging laundry detergent, AND they also conserve electrical or gas energy by significantly reducing drying time for clothes with a more thorough spin cycle. |  | 3 or 4 |
| 7-10 | Install water saving dishwasher that uses less than 26.0 L/water per load.
Water saving dishwasher use technology to reduce both the amount of water required as well as electrical energy requirements. The EnerGuide appliance directory put out by Natural Resources Canada has a comprehensive listing of all manufacturers and models of dishwashers and other appliances with water usage and energy efficiency ratings. |  | 1 |
| 7-11 | Install efficient irrigation technology that utilizes automatic soil moisture-based sensor technology at minimum
Show storm water management plan & design; water efficient irrigation systems, sensors, regulators, micro drip feed systems etc. |  | 3 |
| 7-12 | Install permeable paving materials for all driveways and walkways.
Permeable paving allows for storm water to flow back into the ground rather than into the storm sewers. |  | 3 |
| 7-13 | Provide a list of drought tolerant plants and a copy of the local municipality water usage guide to homebuyers with closing package.
Most municipalities provide a guide that gives the water requirements of various plants and grasses. When properly designed, landscaping choices can significantly contribute to water conservation. |  | 1 |
| 7-14 | Builder supplies a minimum of 8" of topsoil or composted yard waste, as finish grading throughout site.
Compared to subsoil materials, topsoil usually has higher aggregate stability, lower bulk density, and more favorable pore size distributions which leads to higher hydraulic conductivity, water holding capacity, and aeration porosity. |  | 2 |
| 7-15 | Builder incorporates water wise landscaping or xeriscaping in show home or customer home (customers 50% of lawn 2 points, 100% 4 points).
Xeriscaping (or drought resistant landscaping) plans and options can be obtained from professional landscaping contractors, and once a xeriscaping landscape is in place, it requires no manual watering. (Rain barrel usage, astro turf ineligible.) |  | 2 or 4 |
| 7-16 | Builder attaches water barrel with insect screen to downspout. Water barrel should also have a drain spout and overflow spout (1 point per barrel - maximum of 3 barrels).
Supplying a water barrel encourages homeowners to use rainwater for landscaping needs and therefore save on potable water. |  | 1, 2 or 3 |
| 7-17 | Install grey water system collecting waste from sinks, shower and/or kitchen to capture and treat for use in toilets or irrigation (6 pts), rough-in for future grey water system (3 points)
By reusing waste water, consumption can be drastically reduced. Rough-in must include clearly identified grey water drain stack, separated from sewer line. |  | 6 |

TOTAL SECTION POINTS



VIII. BUSINESS PRACTICE

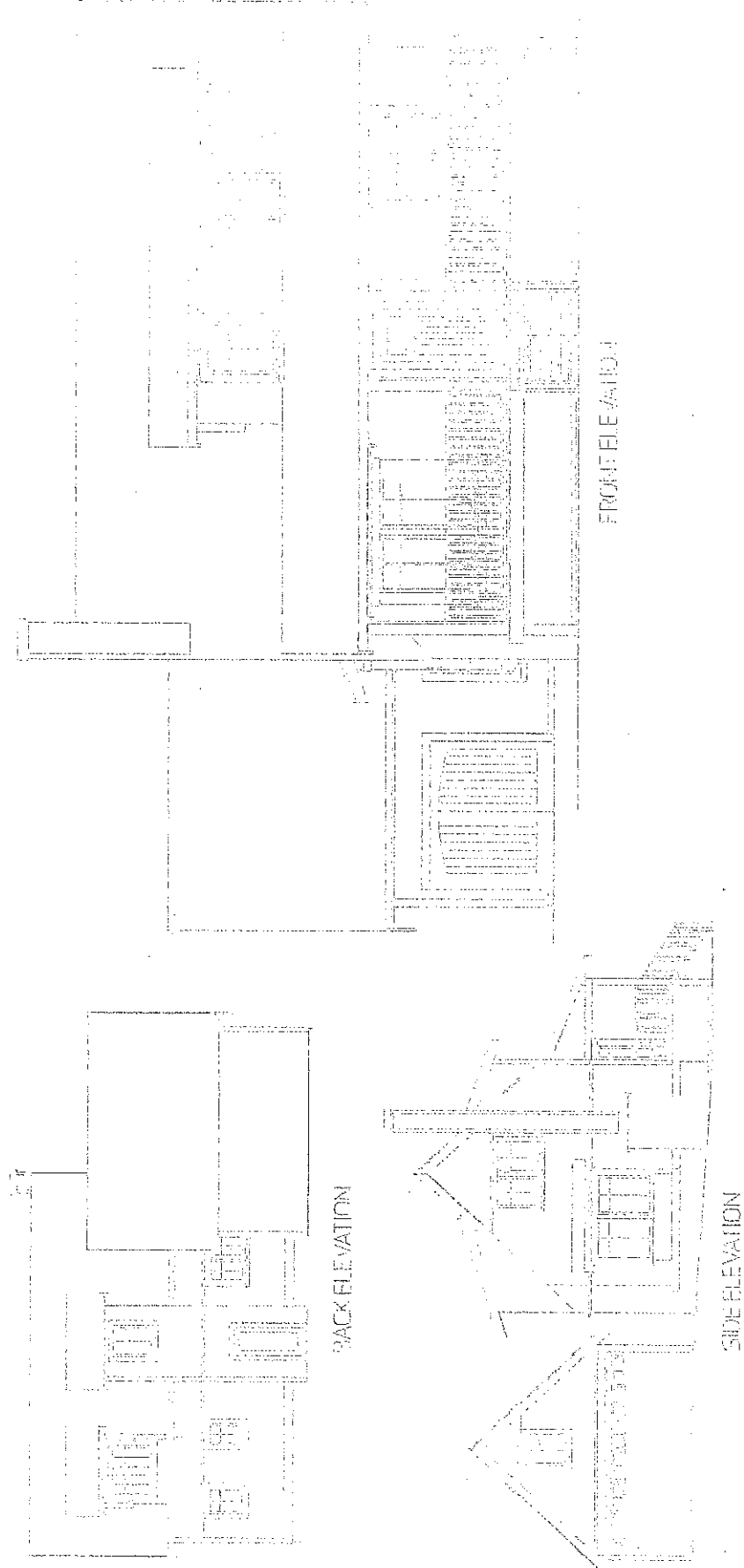
This section deals more with manufacturers and builders office and business practices.

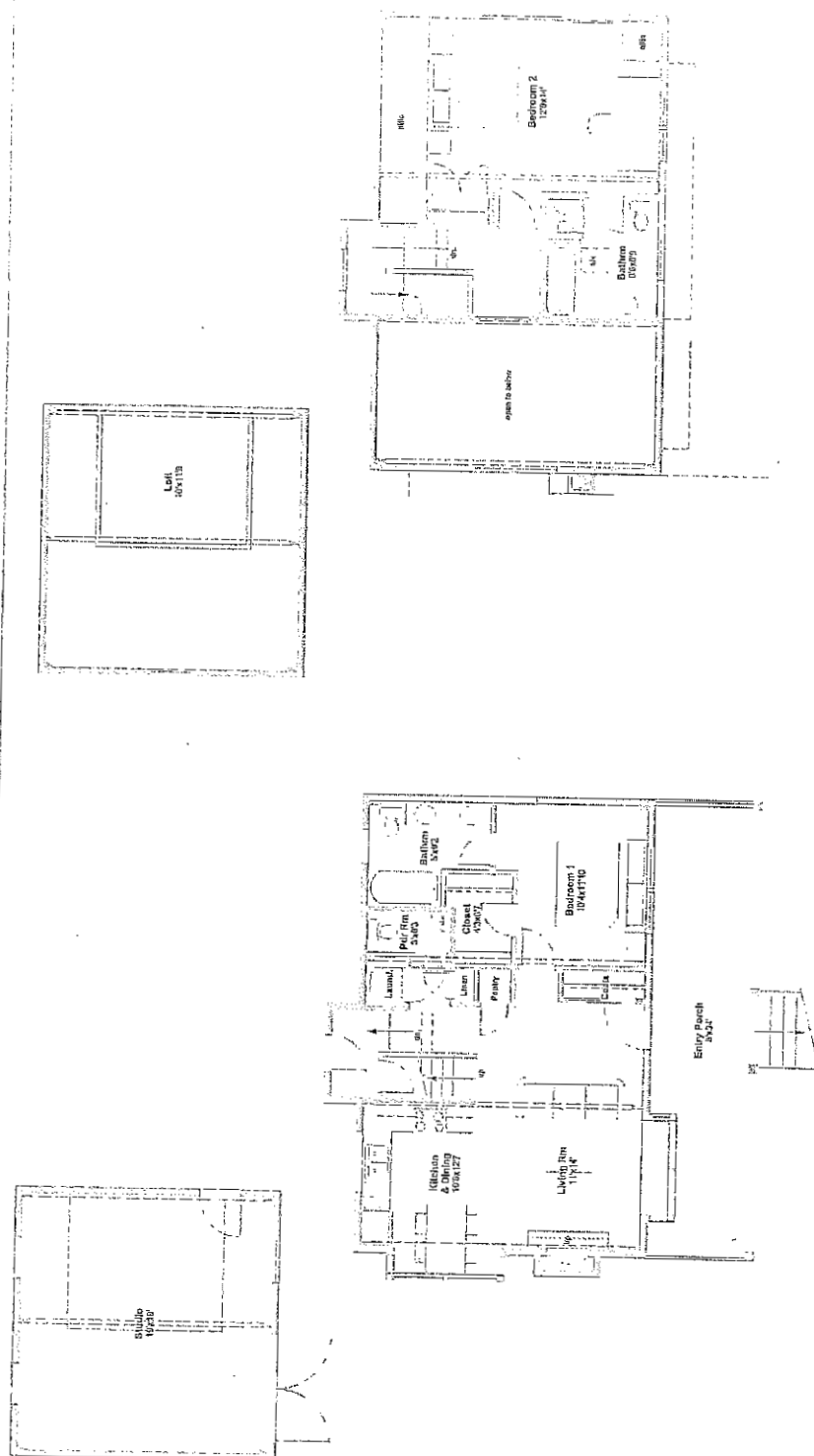
Minimum 6 Points Required

8-1	Products used for home are manufactured within 800 km (1 point for each product - maximum of 5). Products made closer to the location of use will have less embodied energy. Basically this means that the shorter the transportation distance the less energy used in moving the product. Less energy used means fewer emissions.	☐	1 to 5
8-2	Builder provides Built Green™ homeowner manual, completed Built Green™ checklist and educational walkthrough with sale or possession.	☐	3
8-3	Builders office and show homes purchase a minimum of 50% (1 point) or 100% (2 points) solar, wind or renewable energy. Wind energy is a cleaner way to provide energy. Lower CO2 emissions will benefit the environment.	☐	1 or 2
8-4	Manufacturers and/or suppliers purchase 50% or more solar, wind or renewable electricity. Wind energy is a cleaner way to provide energy. Lower CO2 emissions will benefit the environment.	☐	1
8-5	Builder has written an environmental policy which defines their commitment (must include an office recycling program and energy efficient lighting). A statement of commitment helps to emphasize priority and ultimately define a corporate culture.	☐	1
8-6	Manufacturer and/or supplier has written an environmental policy which defines their commitment (must include an office recycling program and energy efficient lighting). (1 point per supplier/manufacturer - maximum of 2 points).	☐	1 or 2
8-7	Builder has written an environmental policy which prioritizes milestones for future net zero housing developments.	☐	1
8-8	Builders' company vehicles are hybrid or bio-diesel vehicles (1 point per vehicle - maximum of 3 points). A commitment to the environment shouldn't stop at construction. Using a hybrid vehicle produces lower harmful emissions. Diesel construction vehicles converted to bio-diesel reduce fuel consumption by up to 75%.	☐	1 to 3
8-9	Environmental certification for builders place of business (building, office, etc). Many commercial buildings have been rated with various energy efficiency standards. Does your company work within an ENERGY STAR, EnerGuide for Houses (EGH), EnerGuide for New Houses (EGNH), REAP or LEED (or other certification standard) certified office building?	☐	3
8-10	Builder agrees to construct and label a minimum of 50% of all homes to the Built Green™ standard per calendar year (3 points for 50%, 5 points for 100%).	☐	3 or 5
8-11	Contracted trades and/or suppliers have successfully taken and maintained Built Green™ Builder Training status (1 point per trade organization, Max 5).	☐	1 to 5
TOTAL SECTION POINTS			0
TOTAL CHECKLIST POINTS			0

BALSAM Two Bedroom Elevations

TOTAL SQ. FT. 1150
BEDROOMS 2 BATHS 2.5



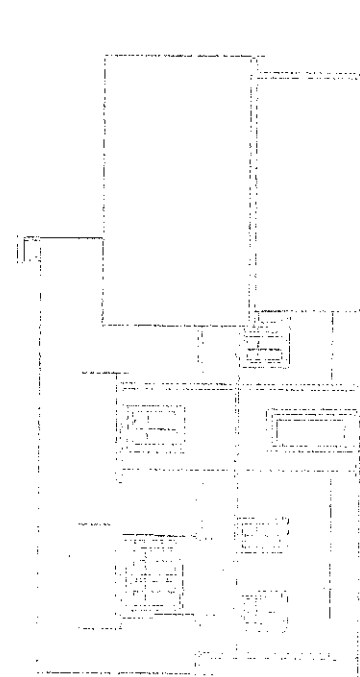
TOTAL 507:050
REPROOFED 2/10/05

MAIN FLOOR: 800 SQ. FT.
OPTIONAL STUDIO: 400 SQ. FT.

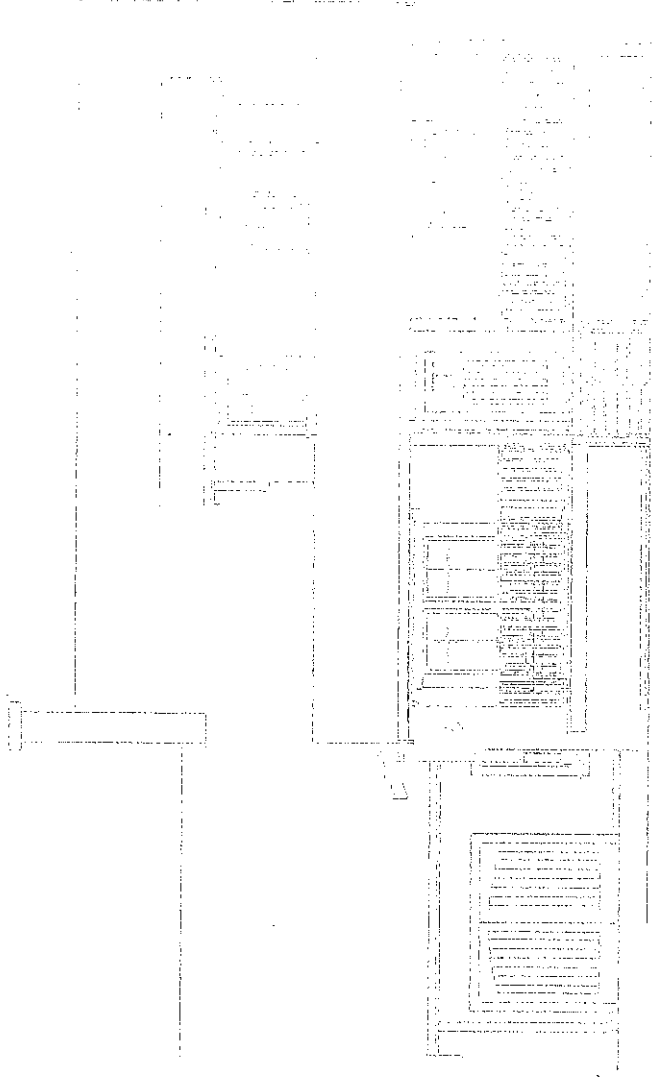
OPTIONAL: 1000

BALSAM Three Bedroom Elevations

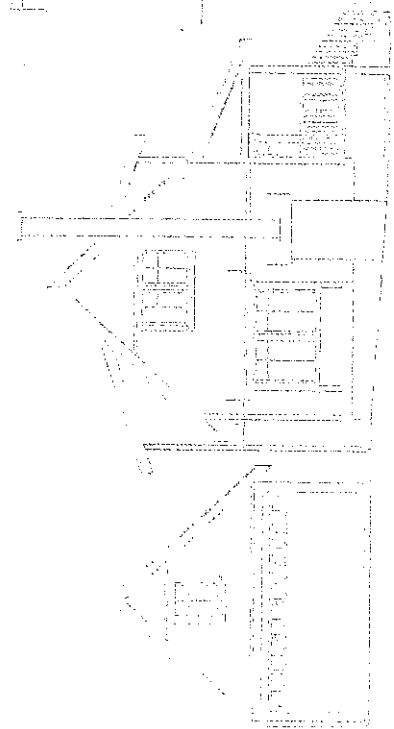
TOTAL SQ. FT. 1250
BEDROOMS 3 BATHS 2.5



BACK ELEVATION

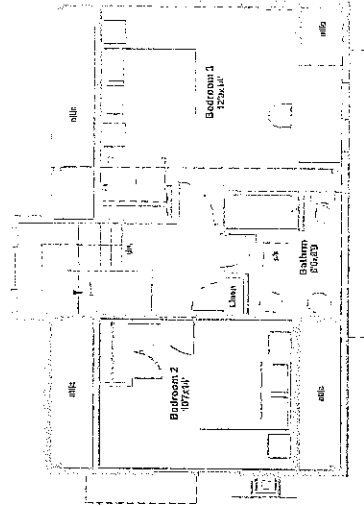
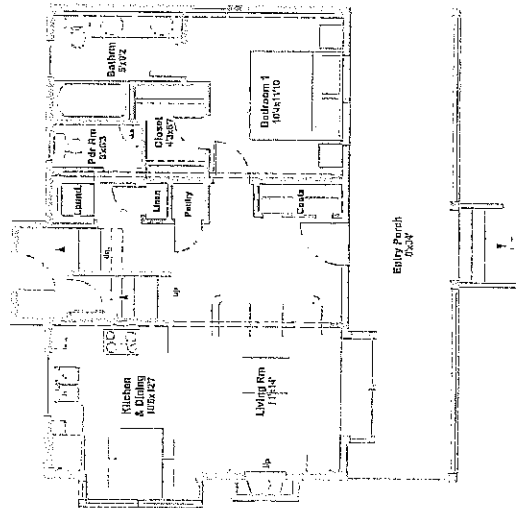
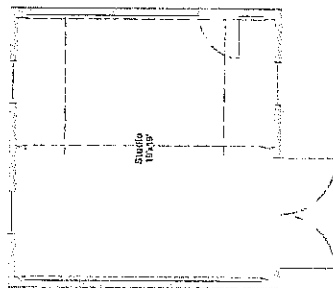


FRONT ELEVATION



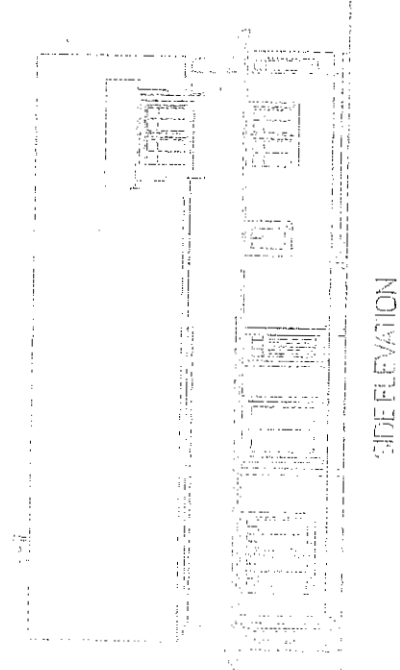
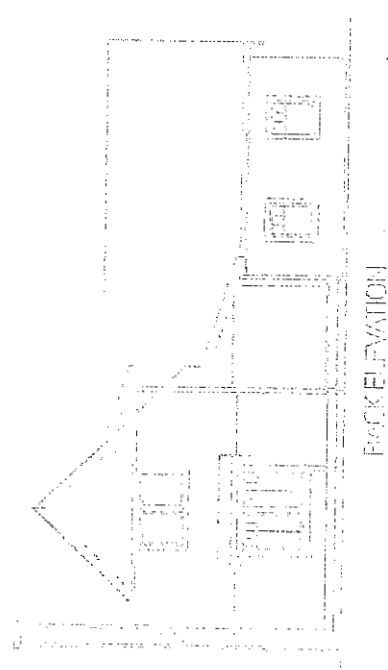
SIDE ELEVATION

Architectural Illustration

TOTALS FEB 1990
BEIJING, CHINA

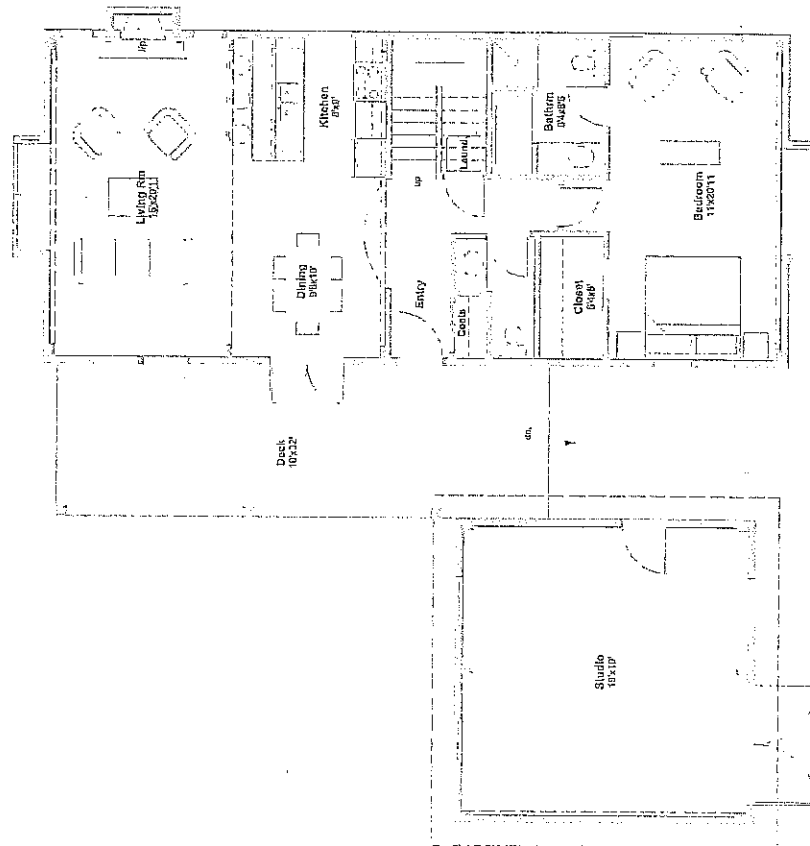
TECHNICAL STAFF

Building Two-Storey Extensions

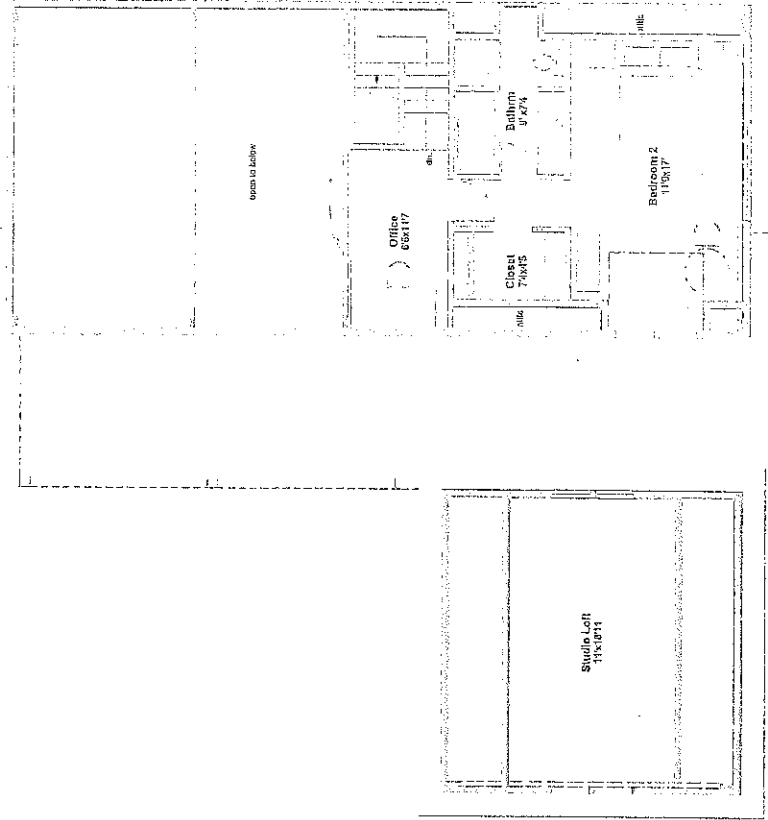
TOTAL SQ FT: 1600
BEDROOMS: 2 BATHS: 2

DOUGLAS Two Storey Floorplans

TOTAL SQ. FT. 1500
BEDROOMS 2 BATHS 2.5



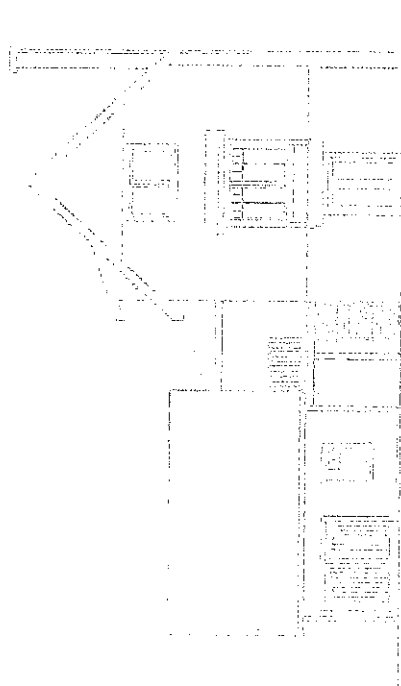
MAIN FLOOR: 150 SQ. FT.
OPTIONAL STUDIO: 400 SQ. FT.



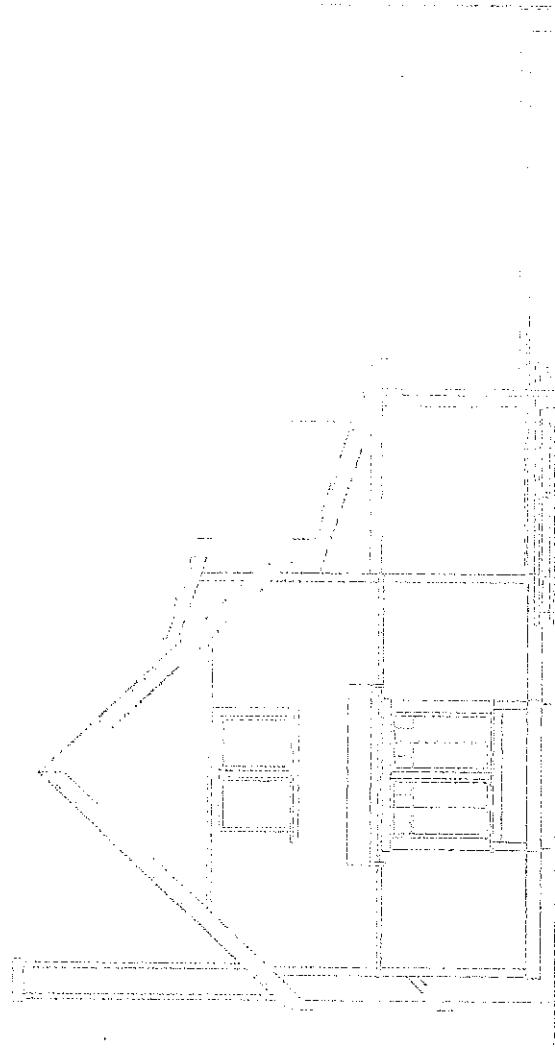
SECOND FLOOR: 150 SQ. FT.
OPTIONAL STUDIO: 400 SQ. FT.

WOLLA Three Storey Elevations

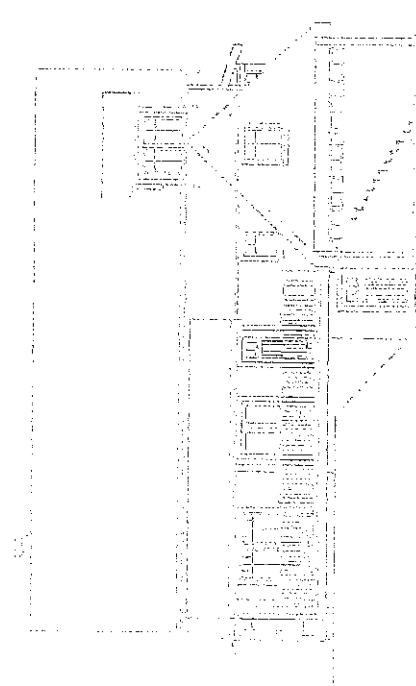
TOTAL SUIT 12140
BEDROOMS 2 BATHS 3.5



BACK ELEVATION



FRONT ELEVATION

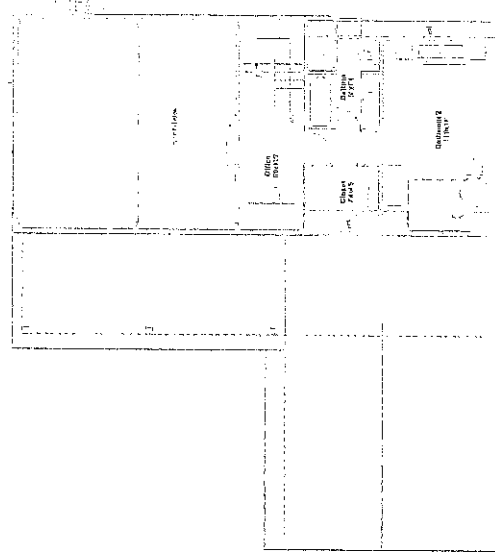
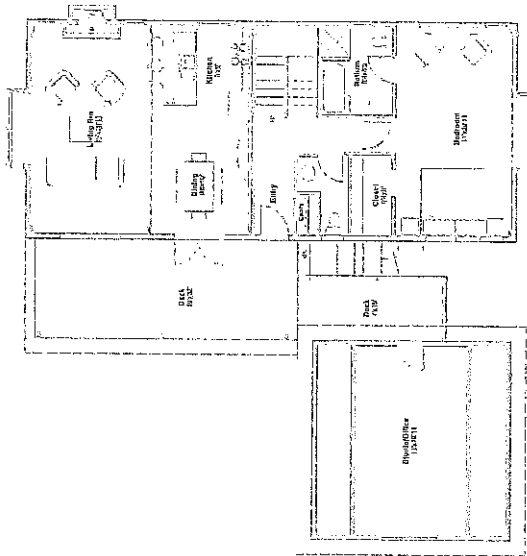
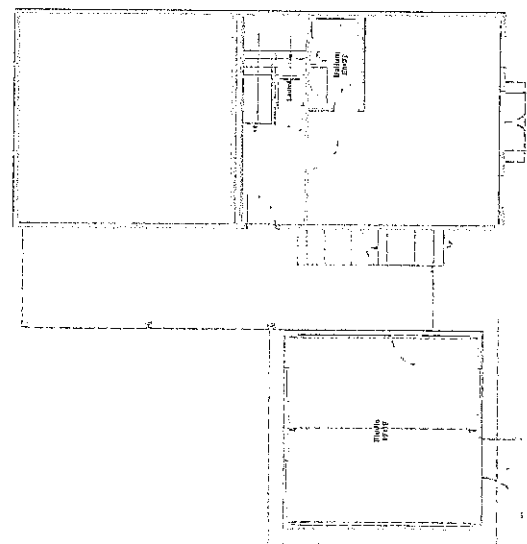


SIDE ELEVATION

2014 01/01/2014 10:00:00 AM

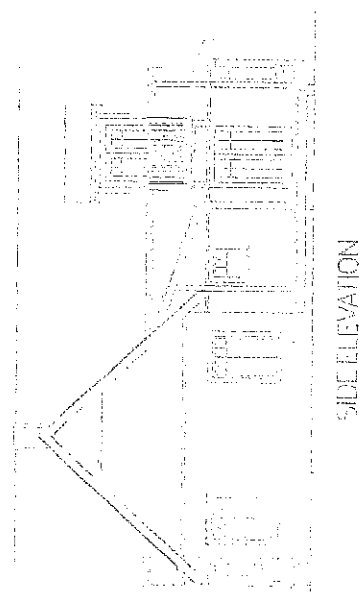
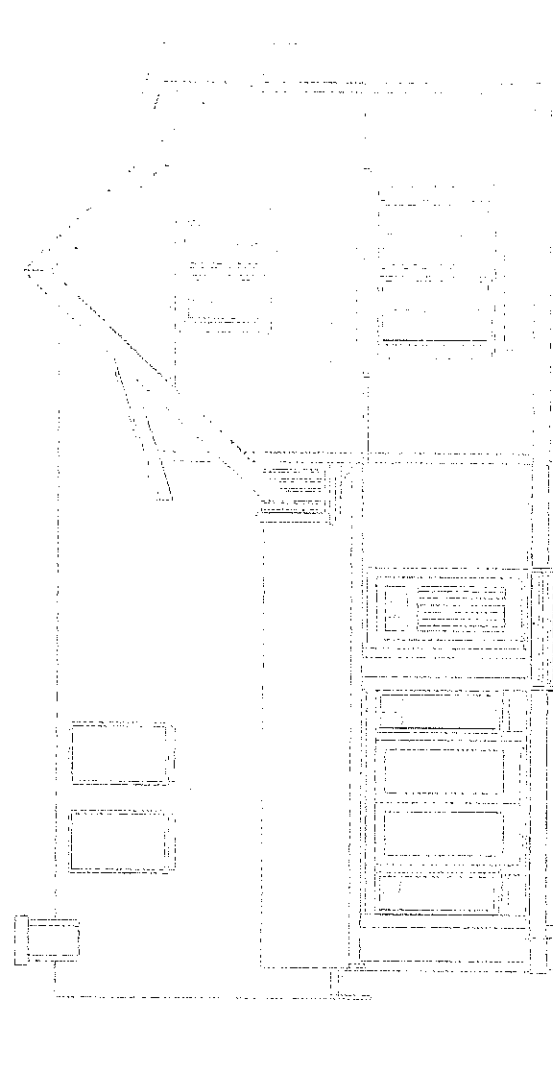
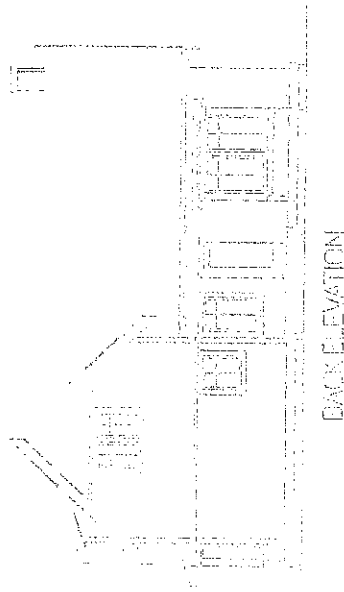
Douglas Three Storey Floorplans

TOTAL SQ FT: 2140
BEDROOM: 2 BATHS: 5

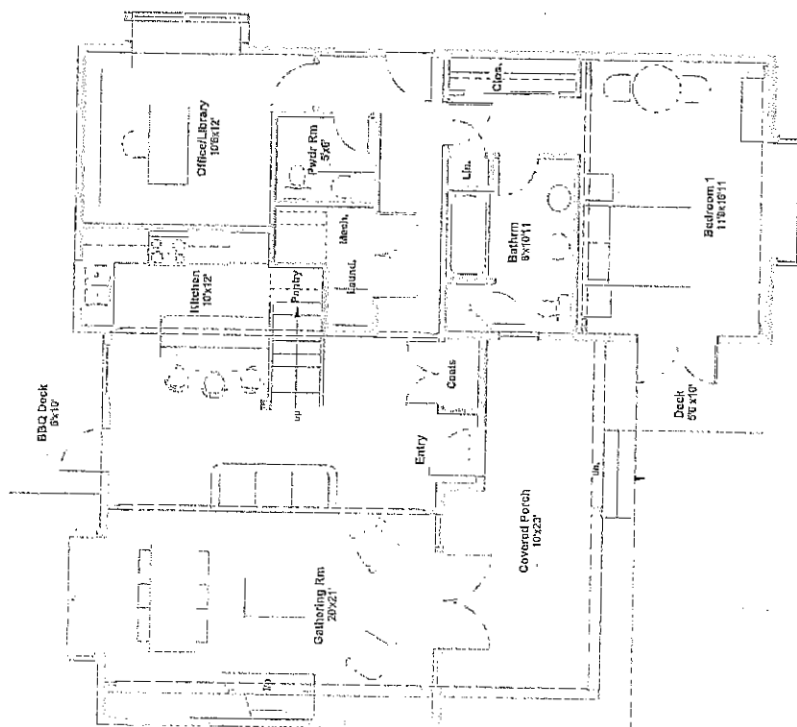


OAK Elevations

TOTAL SQ FT: 2200
BEDROOMS: 3 BATHS: 2.5



TEAL SAFETY
DECKMAN, GARY



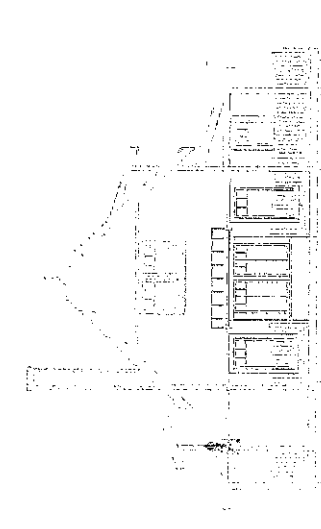
MAIN FLOOR 100 SQ. FT.



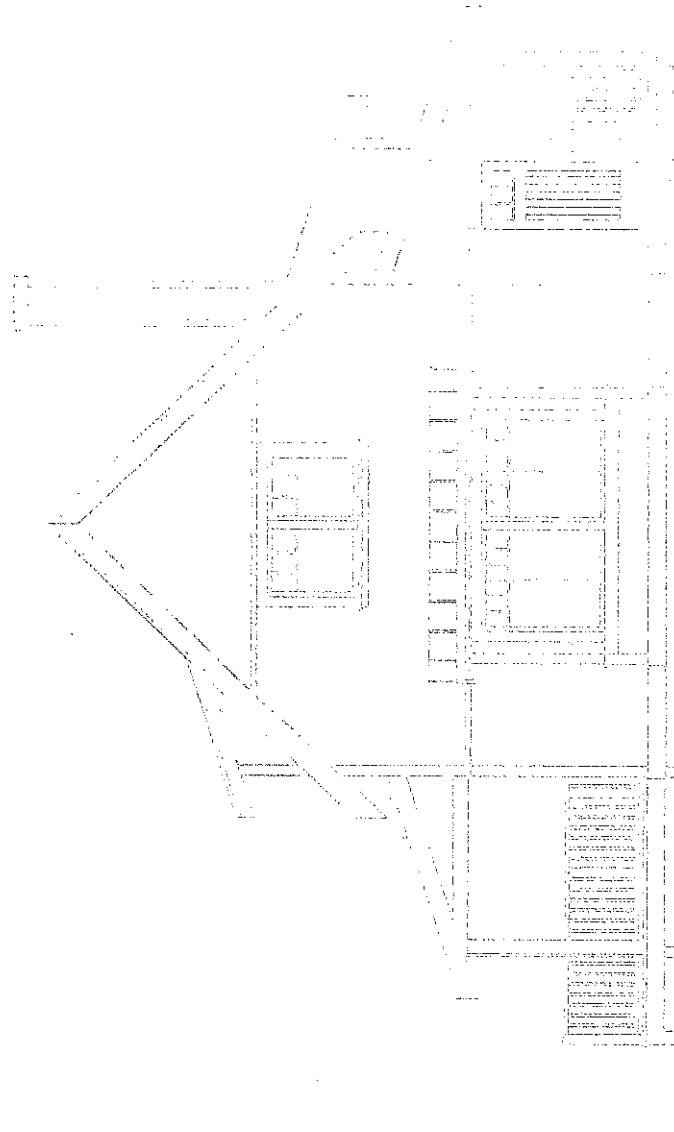
The figure consists of 17 subplots, each representing a different parameter's evolution over time \$t\$ from 0 to 100. The parameters shown are \$T_{\text{eff}}\$, \$\alpha\$, \$\beta\$, \$\gamma\$, \$\delta\$, \$\epsilon\$, \$\zeta\$, \$\eta\$, \$\theta\$, \$\iota\$, \$\kappa\$, \$\lambda\$, \$\mu\$, \$\nu\$, \$\xi\$, \$\omicron\$, and \$\pi\$. The trends vary significantly: some parameters increase monotonically, others decrease, and some exhibit oscillatory behavior before stabilizing.

Prime Two Storey Elevations

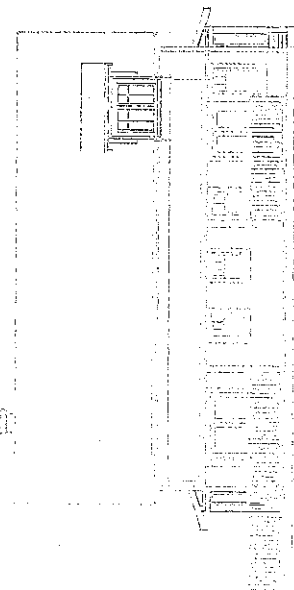
TOTAL SQ. FT. 1809
BEDROOMS 2 BATHS 2



BACK ELEVATION



FRONT ELEVATION

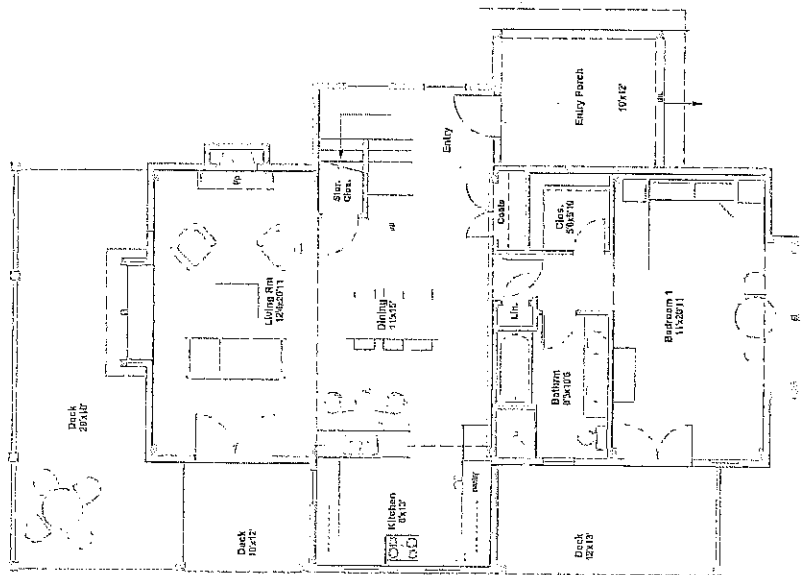


SIDE ELEVATION

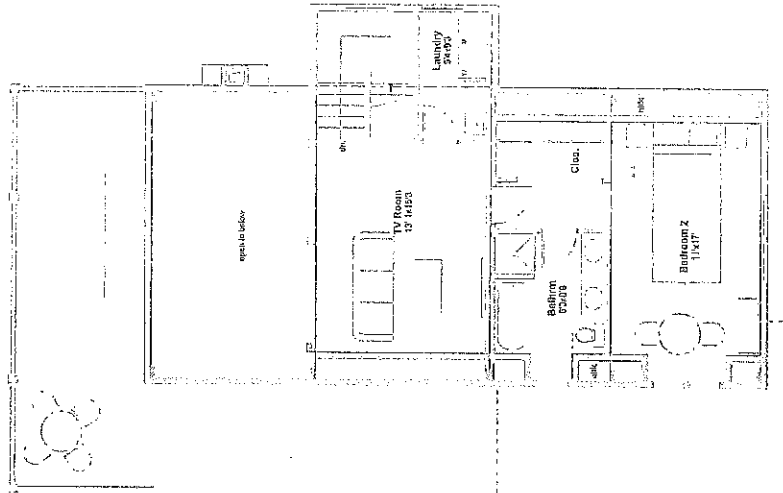
By: [illegible] 10/10/2010

PRIME Two Storey Floorplans

TOTAL SUITE: 1000
 BEDROOM: 2 BATHS: 2



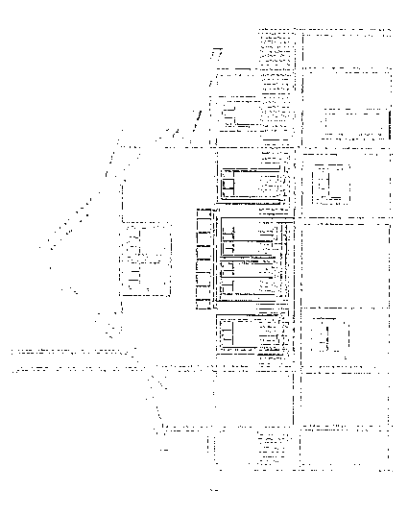
MAIN FLOOR: 1200 SQ. FT.



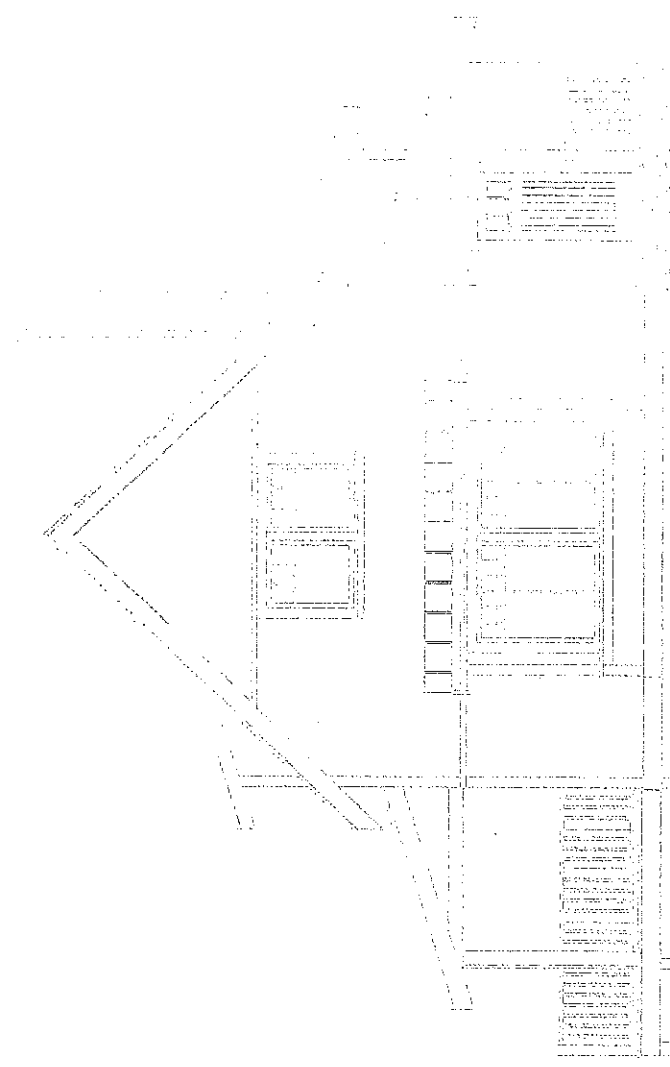
SECOND FLOOR: 600 SQ. FT.

PANEL Three Storey Elevations

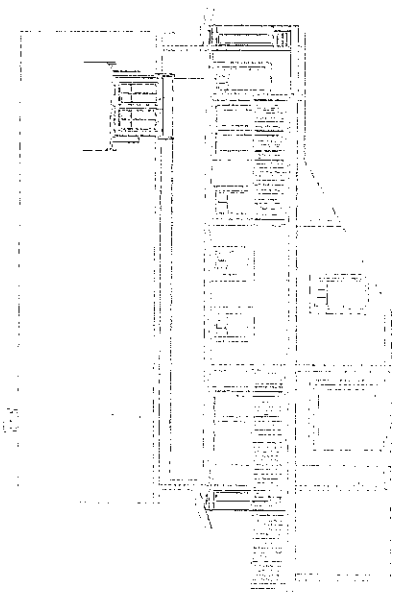
TOTAL S.O.P. 25000
BEDROOM 1 BATH 1



BACK ELEVATION



FRONT ELEVATION

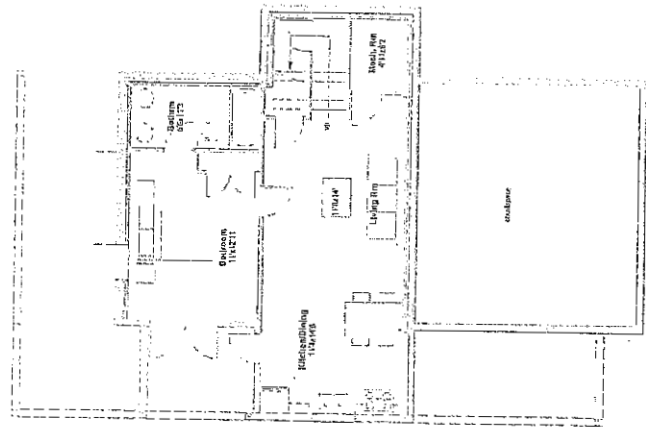


SIDE ELEVATION

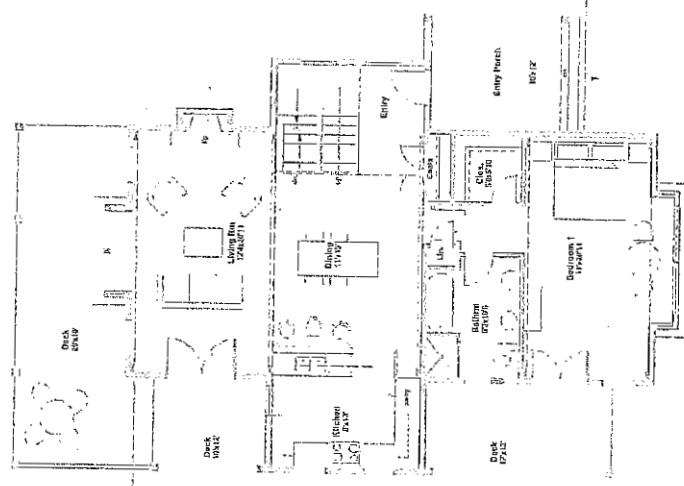
187

PRIME Three Storey Floorplans

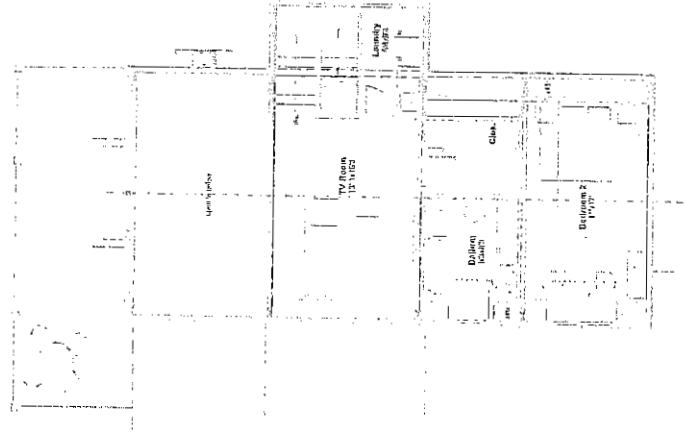
TOTAL SUITE 2500
BEDROOMS 3 BATHS 3



1ST FLOOR: 200 SQ FT



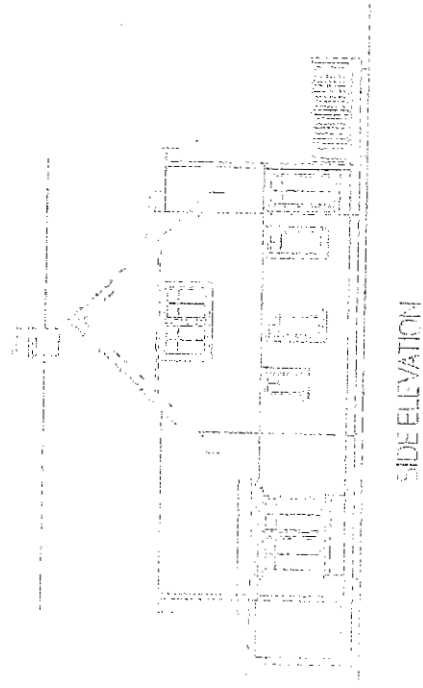
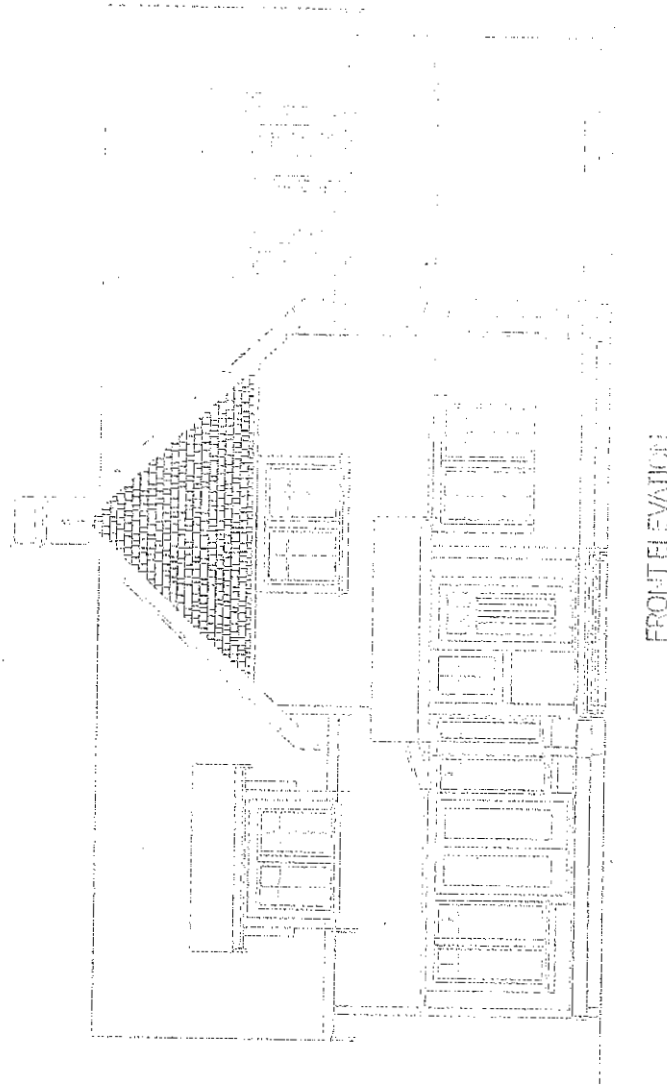
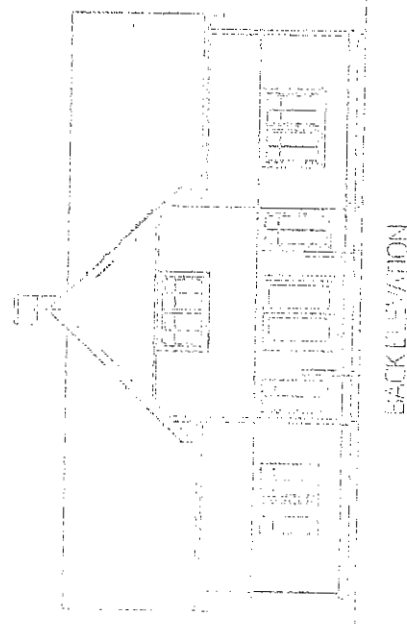
2ND FLOOR: 200 SQ FT



3RD FLOOR: 200 SQ FT

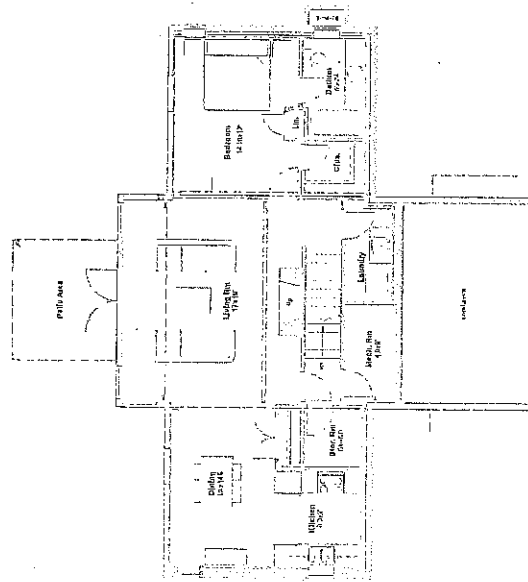
ARBITUS Two Storey Elevations

TOTAL G.F.A. £2400
BEDROOMS: 4 BATHS: 2

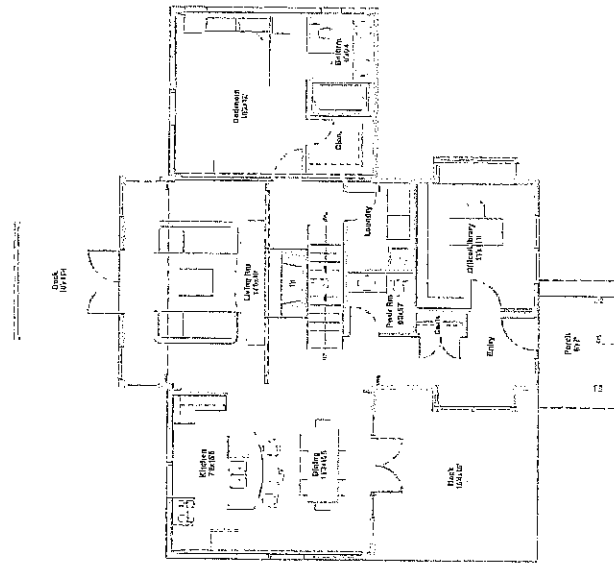


ARBUS Three Storey Floorplans

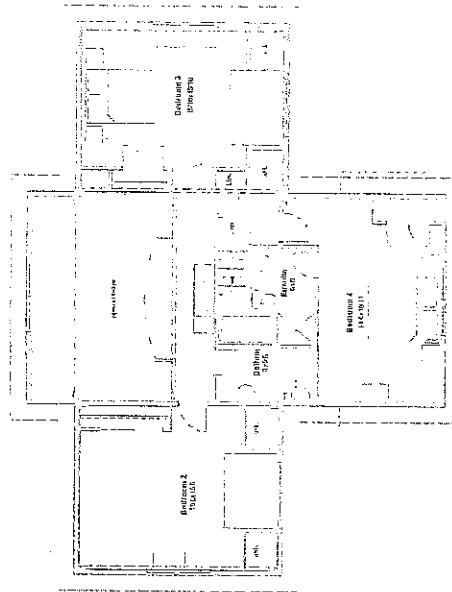
TOTAL SQ FT: 2400
 BEDROOMS & BATHS: 4.5
 BED AND BREAKFAST OPTION



BASEMENT: 1000 SQ FT



MAIN FLOOR: 1400 SQ FT



SECOND FLOOR: 1000 SQ FT

**The Sustainability Checklist
For Rezoning and Development Permit Applications**

Application for: Development Permit
Uses Proposed: Single Family Residential and Commercial

Part 1: Environmental Protection and Enhancement

Q1. Does your development conserve, restore, or improve natural habitat?

Yes. Under the Community Land Stewardship Zone together with Legal Covenants covering Conservation and ECO/Managed Forest, 85% of the land base will remain permanently under pure conservation and ECO/Managed Forest. The development is focused on protection of the headwaters of a significant watershed, as well as related conservation lands and wildlife corridors. The TLC and the CVRD will hold the Covenants. The remaining 15% of the land base will be apportioned between residential and commercial mixed use, and will utilize a small development footprint (using green infrastructure) and perma culture.

Q2. Does your development remove Invasive species?

Yes. The Mimulus assessment report that details the biological baseline of the lands shows minimal invasive species i.e. grasses, American bullfrogs, etc. except for Scotch Broom. Throughout the development phases and under the monitoring of a QEP the developer will annually remove invasive species and encourage the dominance of endemic species.

Q3. Does your development impact an ecologically sensitive site?

No. The focus of the development is on the protection of the existing biodiversity. An extensive baseline analysis was conducted by Mimulus to determine existing ecological inventory and to locate the development area away from the most sensitive lands. The proposed development sites are on the least ecologically sensitive lands as researched by Mimulus. During the proposed development phases a QEP will be retained to ensure continued monitoring of impact on protected species

Q4. Does your development provide conservation measures for sensitive lands beyond those mandated by legislation?

Yes. 85 % of the land will be protected by covenants and dedications ensuring a legacy for future generations. This is broken down into 25% protected as pure conservation land and 55% protected as managed forest that is FSC certified. This is stewardship protection beyond any existing provincial/ municipal regulations.

In addition there will be 5% of the land base set aside as additional parkland dedicated for watershed protection, public recreation and conservation focused trails.

Q5. Does your development cluster the housing to save remaining land from development and disturbance?

Yes. The 15% of the lands dedicated for development and agriculture will have small footprint clustered housing within 3 hamlets, integrated with food production. The lots are small, being equivalent in many cases to urban lots in scale and clustered within tight habitation boundaries. The first hamlet (Trailhead) is the subject of this application.

Q6. Does your development protect groundwater from contamination?

The Development area footprint is concentrated to minimize the impact to natural services. All Strata homes will be subject to a homeowner's sustainability guide ensuring proper disposal of contaminants. A QEP has been retained to ensure no impact within the Riparian assessment area. A community sewage treatment system will be put in place to ensure protection of groundwater.

Q7. Does your development fill in pre-existing vacant parcels of land?

No. The objective of this development is to conserve private forested resource lands at risk of resource mismanagement and being developed under traditional rural sprawl development patterns.

Q8. Does your development utilize pre-existing roads and services?

Yes. All existing arterial roads will be utilized to access the development. Within the strata development, the existing forestry skidder roads are to be used as footprint of access roads and hiking trails to minimize the impact of the transportation footprint on the natural surroundings. In addition the strata roads are being designed to be narrow, contour hugging roads, subject to being designed to permit emergency vehicle access.

Q9. Does your development revitalize a previously contaminated area?

No. There is no previously known contamination in this area.

Q10. Does your development use climate sensitive design features (passive solar, minimize impact of wind, rain, etc.)?

Yes. Subject to Fire smart guidelines, and the registered covenant, we are leaving as much of the forested landscape in close proximity to the homes as natural wind barriers and as a natural mechanism to store ground water and manage storm runoff. The design orientation of the homes will be towards a southern aspect to maximize the input of solar radiation as a mechanism to heat the home in the winter. Deciduous trees on the south aspect will provide shade in the summer and allow passive solar to warm the house in the cooler months.

Q11. Does your development provide on site renewable energy generation such as solar energy or geothermal heating?

Yes. We will be providing renewable energy generation on site. A community geothermal heating plan is being developed.

Q12. Does your development provide onsite-composting facilities?

Yes. Our hamlets will provide a composting facility in conjunction with community gardens and agriculture lots.

Q13. Does your development provide an area for a community garden?

Yes. The hamlets will have community gardens accessible to all strata homeowners.

Q14. Does your development involve innovative ways to reduce waste and protect air quality?

Yes. The stewardship focus of the development maintains much of the natural capital on the property through covenants to act as a natural filter improving local air quality and to protect the south Shawnigan watershed.

Q15. Does your development include a car free zone?

Yes. The majority of the lands will be car free save for extremely limited non-public emergency and institutional access requirements. All hamlets will be linked by a series of car free pathways serving also as emergency access routes. The dedicated public parks and trail ways will also be car free except for a parking lot as requested by CVRD.

Q16. Does your development include a car share program?

No. Unfortunately there is no local car share available. We intend to explore this option in the future if one becomes available.

Q17. Does your development use plants or materials in the landscaping design that are not water dependent?

Yes. The covenanted Fire Management Plan developed in conjunction with the CVRD deals with multiple Fire smart measures to be implemented in regards to parks landscaping, utilizing native plantings, as well as choice and placement of the landscaping within 2 zones surrounding the buildings.

Q18. Does your development recycle water and wastewater?

Yes. Catchment of rainwater for household and agricultural irrigation uses will be implemented utilizing catchment tanks and cisterns.

Q19. Does your development provide for no net increase to rainwater run-off?

Yes. We will retain a QEP to provide an assessment of any impact on existing groundwater resources. In addition, a sustainable Rainwater Management Plan will be developed for each hamlet and each individual building lot as required by Bylaw #3222 and a legal covenant in favour of the CVRD. This plan will utilize Ministry of Environment Best Practices and ensure that runoff will be managed by gradual dispersion via natural or constructed wetlands.

Q20. Does your development utilize natural systems for sewage disposal and rainwater?

Yes. A natural treatment system for sewage will be provided, subject to approval by the existing regulatory authorities.

Yes. Rainwater, pursuant to the Rainwater Management Plan, will be collected in a constructed wetlands and gravity feed for irrigational purposes.

Q21. Does your development use energy saving appliances?

Yes. Energy smart appliances will be provided with model strata homes. All custom homes will be highly encouraged to utilize the Energy Smart Program. All residential dwellings will have visible energy meters to increase transparency of energy consumption and decrease householder use.

Q22. Does your development include only shielded light fixtures, where 100% of the lumens emitted from the light fixtures are retained on site?

Yes. Each hamlet's exterior lighting will be consistent with "dark sky" environmental policies and the existing OCP policies. All exterior light fixtures will be shielded to minimize light pollution. The use of bollard type exterior light fixtures will reduce light pollution as well and maintain a rustic evening environment.

Q23. Does your development build to a recognized green building standard such as built green B.C. or LEED standards?

Yes. We will be building our model homes in compliance with either Build Green BC or LEED certification under the LEED for Homes Canada program. In addition we will be submitting an application for LEED neighbourhood certification as soon as the new 'neighbourhood development' criteria is in place in Canada.

Q24. Does your development reduce construction waste?

Yes. As part of the construction monitoring by a QEP, a plan will be developed to ensure that waste will be minimized and where possible recycled on site.

Q25. Does your development utilize recycled materials?

Yes. Recycled materials will be used as much as possible. In addition, local materials from the property will be utilized (aggregate, lumber) in construction.

Q26. Does your development utilize on-site materials and/or reduce trucking?

Yes. Building materials such as timber for framing and crushed rock for road development will be, as much as possible, drawn from the property. Some of the timber harvested under the Forest Management Plan will be milled on site to reduce the transportation footprint.

Q27. Does your development avoid contamination?

Yes. There will be ongoing Monitoring by a QEP focusing on the development impacts on land and watercourses within the DP Areas. In addition there will be ongoing monitoring of the 85% covenanted conservation lands base.

Q28. Please outline any other environmental protection and/or enhancement features.

As mentioned there will be 80% of the property covenanted as conservation lands plus 5% dedicated as public parks with public trail ways and amenities.

We are utilizing the latest green infrastructure with natural systems approach and we will be implementing an innovative stream keepers program to be established. Our infrastructure is focused on community water, community sewage treatment and community renewable energy systems. Where possible we will utilize locally sourced materials. The community is also designed using the latest BC Fire Smart guidelines.

Part 2: Community Character and Design

Q1. Does the development improve the mix of compatible uses within an area?

Yes. The Elkington lands are being developed as a community of 3 hamlets of clustered housing with a variety of mixed uses located on the least ecologically sensitive lands and as permitted under the OCP and Zoning Bylaws. These include residential dwellings with secondary suites, B&B's and home occupations. There will be an established community center, a commercial convenience store, a guest lodge, educational facilities and 6 tree top canopy units. Institutional use developments will be the fire hall, Trans Canada Trail (TCT) Washrooms and a picnic shelter. There will be an area for Forestry Industrial use such as timber processing and secondary manufacturing, and agricultural uses. The first construction phase will be the Trailhead hamlet with 18 mixed-use residential units. It is a traditionally designed community of not so big home sites clustered around a public green and eligible for live/work spaces or bed and breakfasts.

Q2. Does the development provide services, or an amenity in close proximity to a residential area?

Yes. The Trailhead hamlet includes coffee shop/store supplying amenities to residents and trail users. The hamlet is focused on the TCT that is immediately adjacent and includes a trail staging area and associated amenities for the public. We envisage a seasonal produce market selling local products occurring at the public amenity. The Ridgeview hamlet located on the southern boundary of the Elkington lands will include a guest lodge and day spa. The future Midlands hamlet phase will have community gardens and associated agricultural processing facilities.

Q3. Does the development provide a variety of housing in close proximity to a public amenity, transit, or commercial area?

Yes. The zoning provides each residence with the opportunity for a secondary suite as well as home occupation. In effect each home could be a mix of ownership and rental housing. Each hamlet is designed to be in close proximity to significant recreation amenities including the TCT and walking/hiking pathways. The future Ridgeview hamlet phase has a guest lodge and day spa. The Trailhead Hamlet will have a commercial site devoted to providing services for residents and trail users. An auxiliary fire hall will be located at the trailhead site and a commuter "park and ride" stop is located within 4km of the Trailhead hamlet.

Q4. Does the development provide a housing type other than single-family dwellings?

Yes. Each residence has the legal ability under the zoning to become a two family dwelling through secondary suites.

Q5. Does the development include rental housing?

Yes. Each dwelling residence includes secondary suites as a permitted use that can be rented to tenants.

Q6. Does the development include seniors housing?

The inclusions of secondary suites lend themselves to an intergenerational housing focus that may be accessible to all age groups. The creation of each hamlet community surrounding community gardens will encourage aging in place.

Q7. Does the development include cooperative housing?

No.

Q8. Does the development include the provision of affordable units or contribution to?

Yes. The Trailhead hamlet is designed to be market affordable. The small lot size and price point coupled with the legal ability to include a secondary suite/home occupation/B&B etc. will make acquisition more affordable.

Q9. Does the development have fire protection, sprinkling and fire smart principles?

Yes. The Conservation Covenants provide for a managed forest that will have a written plan to maintain diversity thereby reducing invasive species spread. The plan will mandate harvesting practices designed to reduce the risk of wildfire, wind throw and increasing the health of the trees. The development has a legal requirement to provide a new fire hall, equipment, and volunteers in conjunction with a service boundary extension. The legally required Fire Management Plan mandates all buildings to be constructed according to fire smart principles including choice of materials, sprinklers, building design, community layout and emergency egress and access provisions. Finally it mandates, as well, landscape restrictions around buildings and management practices.

Q10. Does the development help prevent crime through appropriate site design?

Yes. The Trailhead hamlet will be designed under CEPTED principles. For example we will ensure that adequate lighting is present in areas to reduce dark spots and deviant behaviour. We are clustering our homes on smaller lots and surrounding a common ground to create a sense of safety and promote neighborhood watch.

Q11. Does the development slow traffic through the design of the road?

Yes. Traffic calming mechanisms such as skinny roads, pedestrian prioritized crossings, and winding roads are included in our road design subject to emergency vehicle access considerations. We envisage that slow traffic speeds will be the result.

Q12. Does the development create green spaces or strong connections to adjacent natural features, parks and open spaces?

Yes. 85% of the development land base falls within registered covenants or dedicated lands which protect the natural capital of the development by placing 25% of the property into ecological conservation zones, 55% of the development as single stem selection FSC certified eco-forestry and 5% designated public parks. These are all located within close proximity to the trailhead hamlet. All hamlets will be connected with pathways. In addition agro-forestry and communal gardens will be integrated with the hamlet developments. The property abuts the Trans Canada Trail network that allows residents to access a variety of adjacent natural and urban features. Finally we are constructing within the land base abundant walking and biking trails to access the natural features of the property.

Q13. Does the development promote or improve trails and pedestrian amenities?

Yes. See previous question.

CVRD parks and services assisting those wishing to use the TCT will be provided as agreed in a registered covenant. Commercial services as well as a public staging area will be provided for trail users.

Q14. Does the development link to amenities such as school, beach & trails, grocery store, public transit, etc?

Yes. We will provide new amenities in the form of a coffee shop and small retail store to service both the community and trail users/local hikers. The development's trail network will link to other regional parks such as Wrigglesworth Lake and the Sooke Hills Wilderness Reserve.

Q15. Does the development incorporate community social gathering places? (Village square, halls, youth and senior facilities, bulletin board, wharf, or pier)

Yes. The Trailhead hamlet will provide a community hall, coffee shop, village square, bulletin boards, and communal seating in close proximity to the Trans Canada Trail, public meeting place with open sided BBQ structure, and associated amenities.

Q16. Does the development use colour and public art to add vibrancy and promote community values?

Yes. The developments design guidelines will ensure the use of a traditional earth toned motif reflective of the pioneer simplicity and traditional values of European hamlet design. Public gardens will be an expression of the artistic and creative nature of the communities' vibrancy with expressive signage and natural landscaping. The detailing of the hamlet homes will add further artistic expression of the hamlets community values through personalized design and community identity.

Q17. Does the development preserve heritage values?

Yes. The Conservation covenant protects the legacy value of this watershed landscape and associated biodiversity for future generations. The mandated Forest Management Plan will restore the forest to its long-term historical nature. All existing old growth trees will be protected as outlined in the plan and culturally significant trees, as noted on archaeological report, are forever protected. The detailed design guidelines for the homes will restore a forest hamlet vernacular traditional to local cultural values.

Q18. Please outline any other community character and design features.

The controlled detailing of hamlet homes to maintain community character is a significant factor in enhancing community character and design. We will utilize neo-traditionalist signage amongst community urban design, community gardens and trail networks. The community hall and communal park space landscaping will be rich in natural expression with the use of local stone, timber, and native plant species.

Part 3: Economic Development

Q1. Does the development create permanent employment opportunities?

Yes. The Managed FSC Forest and related value added activities including timber processing would create jobs for local residents. The zoning permits home occupations and will therefore permit homeowners to work from home. The commercial coffee shop and store permitted under the zoning will create at least 1 job. We envisage that the guest lodge and tree top canopy units together with the educational activities permitted could create several more local jobs. Finally the small-scale forest agriculture, and equestrian activities will create local jobs.

Q2. Does the development promote diversification of the local economy via business type and size appropriate for the area?

Yes. The B&B and home occupations permitted will create small-scale diversified employment. The managed forest and related timber processing and manufacturing will help maintain and in the long term enhance employment related to forestry.

The TCT staging areas coupled with home occupations permitted, and small coffee shop/ store will create economic opportunities to service TCT users.

The trails, the guest lodge & spa and treetop dwellings as well as educational uses will create tourism and recreation and outdoor education employment opportunities and promote diversification within the local economy.

Q3. Does the development increase community opportunities for training, education, entertainment, or recreation?

Yes. See also prior answer. Several outdoor education and recreation opportunities are both available through the conservation and trails aspects of the development. We envisage an outdoor education aspect and demonstration managed forest educational training. We will have tree top canopy educational and cultural facilities. We are negotiating a partnership with educational institutions such as (Royal Roads, and other NGO's to conduct educational experiences on the conservation aspects of our lands.

Q4. Does the development positively impact the local economy? How?

Yes. We see the creation of a net increase of local employment opportunities that will outlast the short-term construction aspects of the development. These will be directly related to the managed forest and careful harvesting. There will be forestry manufacturing, recreational and educational job opportunities created. Finally the zoning permits each homeowner to maintain self-employment at home to service not only the region but also users of the recreational opportunities on our doorstep.

Q5. Does the development improve opportunities for new and existing businesses?

Yes. Value added timber manufacturers have committed to relocate and gain access to our FSC harvested timber resources. The zoning and adjacent recreational opportunities affords our residents ability to be truly creative in servicing needs of those using the TCT and local recreational amenities. Agro forestry and perm culture will also create more jobs.

Q6. Please outline any other economic development features.

This stewardship community development maintains forestry as an aspect of South Shawnigan's cultural values, its natural capital and valued ecological services.

We will create a significant draw for those residents and non-residents using the TCT trail. The guest lodge /spa and Bed and Breakfast accommodations will bring an additional type of tourist to Shawnigan than the traditional cottager.

Please outline any other sustainable features of the property.

Another positive impact on the surrounding community, and in keeping with the principles of Bill 27 will be with respect to the benefits of maintaining the forest resources and preservation of the rich natural capital with respect to carbon sequestration and watershed management.

Elkington Forest Phase 1 – Building Permit Checklist

Development Permit Criteria for Building Permit Application

Applications for building permits on lands subject to Development Permit 14-B-10DP must demonstrate compliance with the following criteria prior to issuance of a building permit:

1. All residential and commercial buildings must be designed and built to a minimum Built Green™ Gold standard or equivalent;
2. All exterior lighting is shielded to minimize light pollution;
3. Primary heating for all residential and commercial buildings is to be from a geo-exchange heat pump or energy efficient equivalent;
4. All residential and commercial buildings are to be constructed with interior sprinklers;
5. All structures shall be designed and constructed using FireSmart standards;
6. Rain water management plans will be prepared for individual lots that incorporate concepts identified in the Elkington Trail Head Hamlet Sustainable Rainwater Management Plan and that are consistent with the approved rain water management plan for the Hamlet;
7. Development on lots that include Streamside Protection and Enhancement Areas will incorporate protection measures described in Riparian Areas Regulation Assessment Report No. 1850, Aqua-Tex Scientific Consulting, November, 2010;
8. Building and development will comply with applicable covenant and bylaw requirements;
9. Residential buildings will generally comply with the design standards illustrated in the Elkington Forest – Model Home Plans (attached).
10. Residential and Commercial buildings will comply with the following design guidelines, as specified in the Community Land Stewardship Development Permit Area:
 - Dwellings will have vertical proportions with one, two and two and a half storey construction;
 - The architecture will be predominately simple geometric proportions and massing; square, rectangular, T-shape, cruciform, H shape, etc., with dormers, gables, projecting balconies, recessed decks and doors, covered porches, and bay and box windows, designed with vertical proportions;
 - The main portion of all roofs will be a minimum of 12/12 pitch, in grey, black, copper, and other metal colors;
 - A palette of natural materials will be used, such as exposed timber frame trusses, beams, wood siding or shingles, and small areas of non-combustible rough textured stucco;
 - Dwellings will not exceed 200 m² in footprint, emphasizing efficiency in use of space, high quality design, and practical storage areas. The exception is the Low-Density Areas, which would include some larger, more private and less vertically oriented buildings;
 - Dwellings will front onto a public square or common area, to be accessible and public, while the backs of the homes will be more private
 - The street frontage will be designed to reflect visual continuity with neighbouring houses, with common but not mimicking features;

- Deep usable porches, windows overlooking the street, and clearly visible entrances are encouraged. Except for “curb-cuts” for driveways, there should be a continuity of the street wall incorporating the face of the dwellings, frontage walls, trellises, and vegetation;
- Carports, garages, and parking areas are to be hidden on the side or rear of houses, or tucked into basement areas;
- Fencing and walls to be restricted to portions of yards and gardens immediately adjacent to the dwelling, and to areas that are intensively cultivated, farmed, or used for agro-forestry uses (deer fencing is permitted);
- The use of rainwater catchment tanks and cisterns for re-use in irrigation is required;
- The use of alternative and renewable sources of energy is required.



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3223

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. 3223 - Area B – Shawnigan Lake Zoning Amendment Bylaw (Living Forest Planning Consultants/Elkington Estates), 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 following Part 11, a new Section be added as follows:

"PART TWELVE COMPREHENSIVE ZONES

12.0 Comprehensive Zones

Community Land Stewardship Zone

.../2

General Regulations

1. The following general regulations apply in the Community Land Stewardship Zone:
 - a) Within the CLS Zone, there are five distinct sub-zones as identified on the CLS-1 Sub-Zone Map. The five sub-zones are: Ecological Conservation Sub-Zone, Eco-Forestry Sub-Zone, Agro-Forestry Sub-Zone, Low Density Sub-Zone(A,B and C), and Hamlet Sub-Zone.
 - b) Forestry industrial uses, including timber processing, sawmill, planer mill and secondary wood processing and manufacturing, and accessory uses, shall not exceed 2 hectares for the entire Community Land Stewardship Zone;
 - c) Agro-forestry processing, greenhouses and accessory buildings shall not exceed 1500 m² for the entire Community Land Stewardship Zone;
 - d) Not more than one community centre facility is permitted within the entire Community Land Stewardship Zone.
 - e) Not more than one retail commercial area shall be permitted within the entire Community Land Stewardship Zone.
 - f) Not more than one Guest Lodge shall be permitted within the entire Community Land Stewardship Zone.
 - g) No more than six guest lodge tree top canopy units are permitted within the entire Community Land Stewardship Zone, and no Guest Lodge tree top canopy unit is to be located more than 300 metres from the Guest Lodge, the main building of which is permitted within the Hamlet Sub-Zone.
 - h) Kitchen facilities are prohibited in the guest lodge tree top canopy units.
 - i) Ecological education and interpretive structures shall not exceed 160 sq metres in total floor area for the entire Community Land Stewardship Zone.
 - j) Excavation and extraction of gravel, soil, fill and rock, shall be used only within the Community Land Stewardship Zone and shall not exceed 2 hectares in total land area;
 - k) A fire hall is permitted in any sub-zone within the Community Land Stewardship Zone.

Ecological Conservation Sub-Zone

1. The following uses and no others are permitted in the Ecological Conservation Sub-Zone:
 - a) Trails for use by pedestrians, bicyclists and emergency and security vehicles;
 - b) Management of forests for the purpose of maintaining the health of the forest, and minimizing the risk of wild fire, wind throw, or spread of invasive species.
2. Conditions on Use for Ecological Conservation Sub-Zone
 - a) Setbacks from watercourses and natural features shall be a minimum of 30 meters or as otherwise determined by the Riparian Areas Regulation.

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Eco-forestry Sub-Zone

- 1 The following uses and no others are permitted in the Eco-forestry Sub-Zone:
 - a) Silviculture;
 - b) Horticulture;
 - c) Management, harvesting and cultivation of non-timber forest products and agro-forestry products;
 - d) Trails for use by pedestrians, bicyclists and emergency and security vehicles;
 - e) Timber processing, including sawmill, planer mill and secondary wood processing and manufacturing;
 - f) Excavation and extraction of gravel, soil, fill and rock, for use only within the Community Land Stewardship Zone;
 - g) Guest Lodge tree top canopy units;
 - h) Non-habitable ecological education structures.
- 2 Conditions on Use for Eco-forestry Sub-Zone
 - a) Buildings and structures shall be set back a minimum of 15.0 metres from parcel lines, where the abutting parcel is not zoned as CLS-1 (Community Land Stewardship 1 Zone);
 - b) Buildings and structures shall be set back a minimum of 15.0 metres from lands outside of the Eco-forestry Sub-Zone;
 - c) The buildings and structures associated with permitted wood processing, sawmills, timber manufacturing, agro-forestry, greenhouses, and educational and recreational facilities shall be limited to a maximum height of 10.0 m, and a building footprint of 2000 m² in area, within the entire Community Land Stewardship Designation;
 - d) Setbacks from watercourses and natural features shall be a minimum of 30 meters or as otherwise determined by the Riparian Areas Regulation;
 - e) No ecological education structure shall exceed 40 m² in floor area;
 - f) Soil, fill and rock excavated and extracted on site shall only be used within the Community Land Stewardship Zone and shall not exceed 2 hectares in total land area;

Agro-forestry Sub-Zone

1. The following uses and no others are permitted in the Agro-forestry Sub-Zone;
 - a) Silviculture;
 - b) Horticulture;
 - c) Management, harvesting and cultivation of non-timber forest products and agro-forestry products, including horticulture;
 - d) Agro-forestry processing, greenhouses and accessory buildings;

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- e) Trails for use by pedestrians, bicyclists and emergency and security vehicles;
- f) Timber processing, including sawmill, planer mill and secondary wood processing and manufacturing;
- g) Excavation and extraction of gravel, soil, fill and rock, for use only within the Community Land Stewardship Zone;
- h) Guest lodge tree top canopy units.

2. Conditions on Use for Agro-forestry Sub-Zone

- a) Buildings and structures shall be set back a minimum of 10 metres from parcel lines, where the abutting parcel is not zoned as CLS-1 (Community Land Stewardship 1 Zone);
- b) Buildings and structures shall be set back a minimum of 10 metres from lands outside of the Agro-forestry Sub-Zone;
- c) The non-habitable buildings and structures associated with permitted wood processing, sawmills, timber manufacturing, agro-forestry, greenhouses, and educational and recreational facilities shall be limited to a maximum height of 10.0 m, and a building footprint of 2000 m² in area;
- d) Agro-forestry processing, greenhouses and accessory buildings, shall not exceed 1500 m² for the entire Community Land Stewardship Zone;
- e) Setbacks from watercourses and natural features shall be a minimum of 30 meters or as otherwise determined by the Riparian Areas Regulation.
- f) Soil, fill and rock excavated and extracted on site shall only be used within the Community Land Stewardship Zone and shall not exceed 2 hectares in total land area.

Low Density Sub-Zone (A, B, and C)

1. The following uses and no others are permitted in the Low-Density Sub-Zone;

- a) Management of forests for the purpose of ensuring the practice of eco-system based forestry and maintaining the health of the forest, and minimizing the risk of wild fire, wind throw, or spread of invasive species;
- b) Trails for use by pedestrians, bicyclists and emergency and security vehicles;
- c) A maximum of five (5) single family dwellings within Low-Density Sub-Zone A, a maximum of eight (8) single family dwellings in Low-Density Sub-Zone B, and a maximum of 14 dwellings in Low-Density Sub-Zone C. For the purposes of this section, a dwelling does not include a secondary suite;
- d) Home Occupation;
- e) Secondary Suites;
- f) Bed and Breakfast (B & B) accommodation;
- g) Guest lodge tree top canopy suites.

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2. Conditions on Use for Low-Density Sub-Zone

- a) The minimum parcel size within the Low-Density Subzone is 1 ha, where the parcel not serviced by a community water system or a community sewer system, and 0.4 ha where a community water system and a community sewer system are provided.
- b) The maximum height of all dwellings shall be 12 meters;
- c) Setbacks for structures or buildings shall be a minimum of 5 m from parcel boundaries, not including strata property lines;
- d) Dwellings shall be no greater than 400 sq. metres in floor area;
- e) Secondary suites shall be located within the footprint of the principal dwelling;
- f) Not more than one secondary suite shall be permitted within a dwelling;
- g) Setbacks from watercourses and natural features shall be a minimum of 30 meters or as otherwise determined by the Riparian Areas Regulation;
- h) Kitchen facilities are prohibited in guest house tree top canopy units.

Hamlet Sub-Zone

1. The following uses and no others are permitted in the Hamlet Sub-Zone;

- a) Management of forests for the purpose of ensuring the practice of eco-system based forestry and maintaining the health of the forest, and minimizing the risk of wild fire, wind throw, or spread of invasive species;
- b) Trails for use by pedestrians, bicyclists and emergency and security vehicles;
- c) Single Family and multi-family dwellings, to a maximum density of one dwelling per 4.5 ha land total land area, and where no more than a total of 77 dwellings are permitted in the combined Hamlet Sub-Zone and the Low-Density C Sub-Zone, and no more than 90 dwellings are permitted within the entire Community Land Stewardship Zone. For the purposes of this section, a dwelling does not include a secondary suite;
- d) Home Occupation;
- e) Secondary Suite;
- f) Bed and Breakfast (B & B) accommodation;
- g) Community centre building or structure;
- h) Convenience store;
- i) Guest Lodge, including tree top canopy units;
- j) Ecological education and interpretive recreational facilities, including tree top and ground based structures;

2. Conditions on Use for Hamlet Sub-Zone

- a) The maximum height of all dwellings shall be 12 meters;
- b) The maximum floor area of a dwelling shall not exceed 370 m²;

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- c) Setbacks for structures or buildings shall be a minimum of 1.5 m from side and rear parcel boundaries, not including strata property lines;
 - d) Setbacks from watercourses and natural features shall be a minimum of 30 meters or as otherwise determined by the Riparian Areas Regulation.
 - e) The total number of dwellings permitted in the in the combined Low-Density and Hamlet Sub-Zones, is limited to a maximum of 90 dwelling units, not including secondary suites. The average overall density will not be greater than one dwelling unit per 4.5 hectares of land, based on a land area of 411 hectares as shown in the Community Land Stewardship Sub-zone Map;
 - f) Secondary suites shall be located within the footprint of the principal dwelling;
 - g) Not more than one secondary suite shall be permitted within a dwelling;
 - h) Dwellings will not exceed 200 m² in footprint.
 - i) The community centre facility shall not to exceed 100 square meters in floor area.
 - j) The Guest House shall have a maximum floor area of 2000 sq metres, including the treetop canopy suites and the spa and wellness facility;
 - k) The Guest house is intended solely for the temporary accommodation of tourists, and shall consist of:
 - i. not more than 12 Guest Lodge accommodation suites within the main Eco-Tourism Guest Lodge;
 - ii. a Spa and wellness facility accessory to the Guest Lodge, to a maximum of 400 sq m in floor area;
 - iii. a maximum of 6 treetop canopy suites (for the entire Community Land Stewardship Zone, where each treetop canopy suite shall not exceed a total floor area of 40 sq m, and shall not be located more than 300 m from the main Guest Lodge;
 - l) Kitchen facilities are prohibited in guest house tree top canopy units.
 - m) The convenience store shall not exceed 100 square meters in floor area.
- b) That the Community Land Stewardship Sub-zone Map be attached to Section 12.1 CSL-1 -Community Land Stewardship Zone;
- c) That existing Section 12 be renumbered accordingly.
- d) That Schedule A (Zoning Map) to Electoral Area B – Shawnigan Lake Zoning Bylaw No. 985 be amended by rezoning Block 270 Malahat District; District Lot 201, Malahat District; Block 281, Malahat District; and that part of Block 201, Malahat District including part of amended Parcel A (DD1896741) of said Block, and within Lot 26, District Lot 201, Malahat District Plan VIP78459 outlined in red on Plan 1522R; as shown outlined in a solid black line on Schedule A attached hereto and forming part of this bylaw, numbered Z-3223, from F-1 (Primary Forestry) to CLS-1 (Community Land Stewardship 1).
- e) That CLS-1 (Community Lands Stewardship 1 Zone) be added to map legend.

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3. FORCE AND EFFECT

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

READ A FIRST TIME this 12th day of November, 2008.

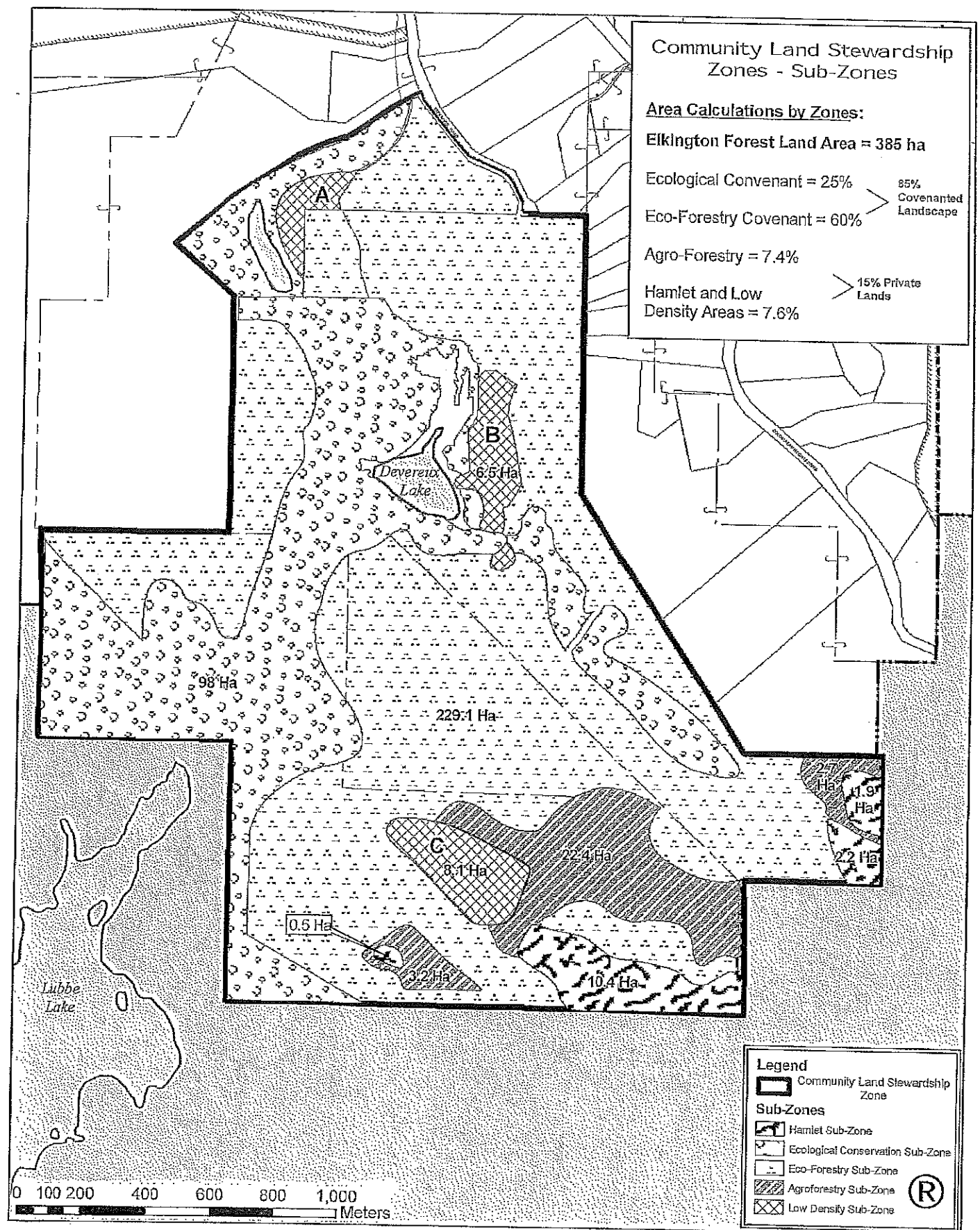
READ A SECOND TIME this 12th day of November, 2008.

READ A THIRD TIME this 25th day of March, 2009.

ADOPTED this 11th day of August, 2010.

Chairperson

Corporate Secretary

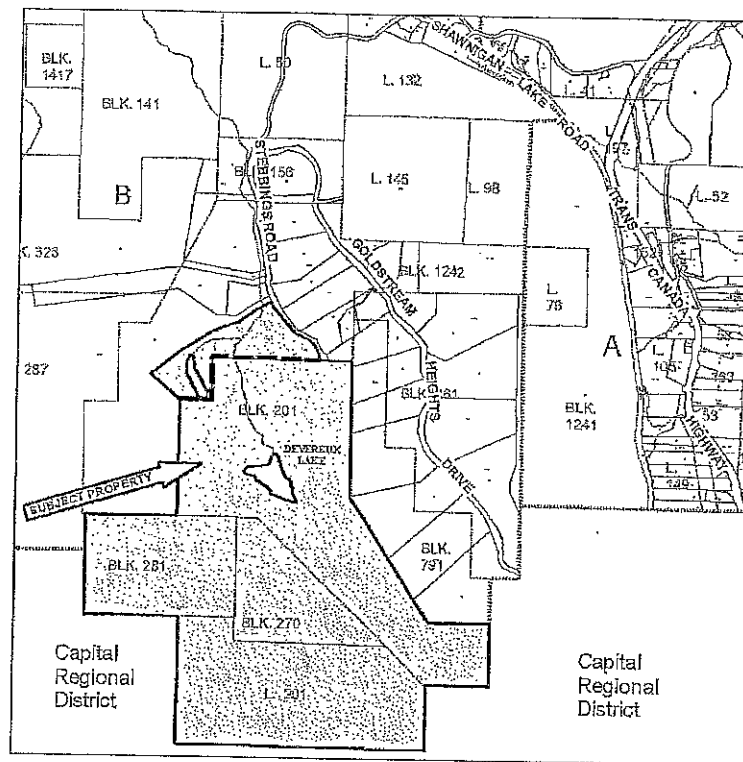


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PLAN NO. Z-3223

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

3223



THE AREA OUTLINED IN A SOLID BLACK LINE IS REZONED FROM

F-1 (Primary Forestry)

TO

CLS-1 (Community Land Stewardship 1)

APPLICABLE

TO ELECTORAL AREA B



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 3222

**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. 3222 - Area B – Shawnigan Lake Official Community Plan Amendment Bylaw (Living Forest Planning Consultants/Elkington Estates) 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 12th day of November, 2008

READ A SECOND TIME this 12th day of November, 2008.

SECOND READING RESCINDED this 25th day of March, 2009.

SECOND READING AS AMENDED this 25th day of March, 2009.

READ A THIRD TIME this 25th day of March, 2009.

I hereby certify this to be a true and correct copy of Bylaw No. 3222 as given Third Reading on the 25th day of March, 2009.

Corporate Secretary

Date

APRIL 24, 2009

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

this 11th day of March, 2009.

ADOPTED this 11th day of August, 2009-2010.

Chairperson

Corporate Secretary



CVRD

SCHEDULE "A"

To CVRD Bylaw No. 3222

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

1. Part Four PLAN POLICIES is amended by adding the following after Section 9:

10. COMPREHENSIVE DESIGNATION POLICIES

a. Community Land Stewardship Designation Policies

Policy 10.1

The Community Land Stewardship Designation affects 411 hectares of land within Block 270 Malahat District; District Lot 201, Malahat District; Block 281, Malahat District; and that part of Block 201, Malahat District including part of amended Parcel A (DD1896741) of said Block, and Lot 26, District Lot 201, Malahat District Plan VIP78459.

Policy 10.2

The Community Land Stewardship Designation aims to provide for the ecological sustainability of the land by requiring conservation and eco-forestry covenants on 85% of the land. The covenants are designed to protect the long term ecological functioning of the land, provide long-term employment (eco-forestry and organic agriculture), and mitigate climate change impacts. The remaining 15% of the land will incorporate low impact infrastructure, narrow roads, and site designs that limit and contain the ecological footprint of the development.

Policy 10.3

The Community Land Stewardship Designation is intended only for lands at least 400 ha in area, located in close proximity to existing communities or transportation routes between existing communities, with mature forest cover existing on at least 70% of the lands.

Policy 10.4

Within the Community Land Stewardship Designation, a minimum of 85% of the land will be within the Ecological Conservation and Eco-forestry sub-areas. Up to 15% of the land base may be within the Agro-forestry, Hamlet and Low-Density sub-areas. The five sub-areas within the Community Land Stewardship Designation are shown on Figure 2B "Community Land Stewardship Designation Sub-Areas Map".

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Policy 10.5

Buffer areas will be established on either side of watercourses and wetlands, according to the provincial Riparian Areas Regulation, the Forest Stewardship Council requirements, or equivalent, to protect the ecological integrity of these systems from potentially harmful human activities.

Policy 10.6

The 385 hectares of land within Block 270 Malahat District; District Lot 201, Malahat District; Block 281, Malahat District; and that part of Block 201, Malahat District including part of amended Parcel A (DD1896741) of said Block will be limited to not more than 85 dwellings. Furthermore, the 26 hectares within Lot 26, District Lot 201, Malahat District Plan VIP78459 will be limited to 5 dwellings.

Policy 10.7

While primarily a conservation area, the permitted uses within the Ecological Conservation Area will include trails and the management of forests so as to maintain the health of the forest and minimize the risk of wild fire, wind throw or the spread of invasive species.

Policy 10.8

Lands within the Ecological Conservation Area will be subject to a conservation covenant, held by the CVRD and the Land Conservancy of Canada, registered on the title of the lands.

Policy 10.9

Uses permitted within the Eco-forestry Area will include timber harvesting according to a Forest Stewardship Council management plan (or equivalent), silviculture, horticulture, cultivation of non-timber forest products and agro-forestry products. This sub-area will also permit recreational trails and small facilities or structures for ecological education, which may include non-habitable tree top canopy structures. Limited, small-scale timber milling, wood processing and other timber based manufacturing activities will be encouraged.

Policy 10.10

Lands within the Eco-Forestry Area will be subject to a forestry conservation covenant, held by the CVRD and the Land Conservancy of Canada, and registered on the Title of the Parcels. Uses within the Eco-Forestry Area will be subject to the "Small Operations Standards of the Forest Stewardship Council Regional Certification Standards for British Columbia (2005), or equivalent.

Policy 10.11

Uses permitted within the Agro-forestry Area, which is a more intensive agricultural land sub-area than the Eco-Forestry Area, will include eco-forestry based forest management systems, including timber harvesting according to a Forest Stewardship Council management plan (or equivalent), silviculture, horticulture, cultivation of non-timber forest products and agro-forestry products. This sub-zone will also permit recreational trails and small facilities or structures for ecological education, which may include tree top canopy structures. Small scale, value-added agriculture, organic gardening, food production and processing, greenhouses, and horticulture will be encouraged in this area. Limited, small scale, value added timber manufacturing, sawmills, planer mills and other low impact timber based manufacturing activities will be encouraged in this area.

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Policy 10.12

Uses permitted within the Low-Density Area will include Single Family residential units to a maximum density of five (5) dwellings in Area A, eight (8) dwellings in Area B, and fourteen (14) dwellings in Area C. All Single Family dwellings may have a home occupation, a secondary suite, and a bed and breakfast accommodation. Other permitted uses include agriculture, recreational trails and the management of forests in order to maintain the health of the forest and minimize the risk of wild fire, wind throw or spread of invasive species.

Policy 10.13

Within the Low Density Area, no dwelling shall be greater than 400 square metres in floor area.

Policy 10.14

Uses permitted within the Hamlet Area will include Single Family and multi-family residential units. Up to 77 dwelling units will be permitted in the Hamlet Area and the Low Density Area C Combined. Therefore, between 63 and 77 dwellings may occur in the Hamlet Area, depending on density within the Low Density Area C area. All Single Family dwellings may have a home occupation, a secondary suite, and/or a bed and breakfast accommodation.

Policy 10.15

Within the Hamlet Area, all intensive residential and multi-family dwellings will be subject to the Community Land Stewardship Development Permit Area.

Policy 10.16

Within the Hamlet Area, no dwelling shall be greater than 370 square metres in floor area (including basements).

Policy 10.17

Within the Hamlet Area, a Guest Lodge for tourist accommodation is permitted with up to 12 suites within the Lodge, and with up to 6 accessory tree top canopy units for tourist accommodation. These tree top canopy units will not exceed 40 m², and may be located in an Eco-forestry, Agro-forestry, Low-Density, or Hamlet Area, provided that they are located within 300 metres of the Guest Lodge.

Policy 10.18

Within the Hamlet Area, a community centre facility is permitted, not to exceed 100 square meters in area. In addition, community structures, gazebos, amphitheatres, community fire response centres or civic buildings are permitted. Not more than one Guest Lodge and one community centre is permitted within the Community Land Stewardship Designation.

Policy 10.19

Within the Hamlet Area, a convenience store, not exceeding 100 square meters in floor area, will be permitted.

Policy 10.20

Within the Hamlet Area, other permitted uses include recreational trails and the management of forests so as to maintain the health of the forest and minimize the risk of wild fire, wind throw or spread of invasive species.

Policy 10.21

Land uses within the Community Land Stewardship Designation will utilize water resources found within the designation area, in order to contain the ecological footprint of the development.

Policy 10.22

An Archeological Overview Assessment was conducted for the Subject property in 2007. Although all developable areas within the Community Land Stewardship Designation have been identified as having low probability of archaeological resources, nevertheless archaeological resources should be considered during all phases of project development.

2. That Figure 2B be added to Section 10.
3. That existing Sections 10 through 12 be renumbered accordingly.
4. That Section 13 (formerly Section 12) be amended by adding the following subsection after 13.8:

13.9 COMMUNITY LAND STEWARDSHIP DEVELOPMENT PERMIT AREA*Category*

The Community Land Stewardship 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.

Justification

The objectives of the Community Land Stewardship Development Permit Area are:

- (a) The Community Land Stewardship Development Permit Area encompasses Devereaux Lake, Stebbings Lake and Stebbings Creek, which come to a confluence on the property to form Shawnigan Creek. The Stebbings Lake and Devereaux Lake watersheds constitute the complete upper watershed for Shawnigan Lake and, as such, have a very significant ecological value for the Shawnigan Lake community. The Board aims to protect the ecological values of this area.

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- (b) The Board aims to protect life and property from hazardous conditions, including flooding, mud flows, torrents of debris, erosion, land slip, rock falls, subsidence, avalanche, and wildfire.
- (c) The Board wishes to promote energy conservation, water conservation and a reduction in greenhouse gas emissions.
- (d) The Board wishes to minimize the degree of forest carbon emissions.
- (e) The Board wishes to ensure that the form and character of intensive residential, commercial and industrial development conforms to basic principles of ecological sustainability, and vernacular traditional urban design as set out below.

Area

The Community Land Stewardship Development Permit Area applies to those lands shown outlined in a thick black line on Figure 5F.

Guidelines

Subject to the exemptions listed below, prior to commencement of any development, including subdivision, construction, or land clearing, on lands within the Community Land Stewardship Development Permit Area, the owner shall submit information that demonstrates how the proposed development meets the following guidelines:

Environmental Protection

1. A sustainable rain water management plan, based on Ministry of Environment Best Management Practices, will be required to ensure gradual dispersal of water to constructed wetlands or into natural groundwater infiltration system, in order to prevent channelization, soil erosion, or sedimentation flowing into existing watercourses.
2. A rain water runoff plan will be prepared for every proposed building lot and reviewed for compliance with the sustainable rain water management plan.
3. A Canadian Green Building Council LEED certification system, or its equivalent as agreed upon by the CVRD, is required for the Hamlet sub areas and all commercial and industrial buildings.
4. The latest Best Management Practices for land development of the Ministry of Environment will be used.
5. 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.
6. The South Sector Liquid Waste Management Plan will be respected.
7. Potable water must be provided from underground sources within the subject property.

Hazardous Conditions

8. The CVRD Board may, where it believes that development is proposed near or in an area that may be subject to erosion or ground instability, require the applicant, at the applicant's expense, to hire an engineer, experienced in natural hazards identification and mitigation. The engineer's recommendations will be incorporated into a Development Permit, if one is issued.

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9. Provision of Fire Smart Measures will be implemented, including appropriate fire fighting equipment on site, thinning of fuels around buildings, design of all dwellings with sprinklers and non-combustible roofing materials.

Form and Character of Development within the Hamlet Areas

10. Narrow roads will be encouraged that follow the natural contours of the land and minimize cutting or filling. Where possible, steep slopes shall be avoided.
11. Light pollution shall be avoided. Street and common area lighting design will provide adequate lighting while ensuring that there is no spillover into adjacent areas.
12. Dwellings will have vertical proportions with one, two and two and a half storey construction.
13. The architecture will be predominately simple geometric proportions and massing; square, rectangular, T-shape, cruciform, H shape, etc., with dormers, gables, projecting balconies, recessed decks and doors, covered porches, and bay and box windows, designed with vertical proportions.
14. The main portion of all roofs will be a minimum of 12/12 pitch, in grey, black, copper, and other metal colors.
15. A palette of natural materials will be used, such as exposed timber frame trusses, beams, wood siding or shingles, and small areas of non-combustible rough textured stucco.
16. Dwellings will not exceed 200 m² in footprint, emphasizing efficiency in use of space, high quality design, and practical storage areas. The exception is the Low-Density Areas, which would include some larger, more private and less vertically oriented buildings.
17. Dwellings will front onto a public square or common area, to be accessible and public, while the backs of the homes will be more private.
18. The street frontage will be designed to reflect visual continuity with neighbouring houses, with common but not mimicking features.
19. Deep usable porches, windows overlooking the street, and clearly visible entrances are encouraged. Except for "curb-cuts" for driveways, there should be a continuity of the street wall incorporating the face of the dwellings, frontage walls, trellises, and vegetation.
20. Carports, garages, and parking areas are to be hidden on the side or rear of houses, or tucked into basement areas.
21. Fencing and walls to be restricted to portions of yards and gardens immediately adjacent to the dwelling, and to areas that are intensively cultivated, farmed, or used for agro-forestry uses (deer fencing is permitted).
22. All public use areas will be landscaped in accordance with an overall landscape plan. The landscape plan may be reviewed in accordance with the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA).
23. Crime Prevention through Environmental Design (CPTED) will be considered in landscaping plans and building designs.
24. Vehicle access points, pedestrian pathways, and parking and circulation patterns within the Hamlet Areas will be physically linked and, where feasible, shared in order to encourage as safety and avoid unnecessary duplication.

.../7

25. Safe pedestrian routes across, within, and between sites shall be clearly delineated by means of separate walkways, sidewalks, or raised paths where they cross parking areas.
26. Signs will 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.
27. Where possible, underground wiring is encouraged rather than overhead wiring.

Energy Conservation, Water Conservation and Reduction of Greenhouse Gas Emissions

28. The use of rainwater catchment tanks and cisterns for re-use in irrigation is required.
29. The use of alternative and renewable sources of energy is required.
30. A Canadian Green Building Council LEED Rating system, or its equivalent, is required.
31. 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.

Exemptions

The terms of the Community Land Stewardship Development Permit Area shall not apply to:

1. Lot consolidations and minor boundary realignments;
2. Interior renovations and minor exterior renovations of existing structures;
3. Forest Management that does not require the use of buildings or structures;
4. Recreational trails and small facilities or structures for ecological education.

Requirements

- (a) Before the CVRD authorizes the issuance of a development permit for a parcel of land in the **Community Land Stewardship 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 at a scale of 1:2000, as follows:
 - a. Location and extent of proposed work;
 - b. Site plan showing existing and proposed parcel lines, existing and proposed buildings and structures, vehicular access points, roads, driveways and parking areas;
 - c. Location of all natural watercourses/waterbodies, including springs;
 - d. Setback distances from watercourses/waterbodies, including springs;
 - e. Existing tree cover, areas of sensitive native plant communities, proposed areas to be cleared;
 - f. Locations and size of treed buffers;
 - g. Topographical contours (1 metre), location of slopes exceeding 25 percent grade.

- h. location of lands subject to periodic flooding;
 - i. percentage of existing and proposed impervious surfaces;
 - j. existing and proposed trails;
 - k. existing and proposed stormwater management works, including retention areas and drainage pipes or ditches;
 - l. existing and proposed erosion mitigation and bank alterations;
 - m. existing and proposed sewage works, treatment systems and fields;
 - n. existing and proposed water lines and well sites;
- (b) In addition to the requirements listed above, the CVRD may require the applicant to furnish, at the applicant's expense, any of the following studies (the recommendations of which may be included in the development permit):
- a. a hydrogeological report, which includes an assessment of the suitability and stability of the soil for the proposed project, including information on soil depths, textures, and composition;
 - b. a report 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/or
 - c. a rainwater management plan, which includes an assessment of the potential impact of the development on the groundwater resource.
 - d. an environmental impact assessment, certified by a registered professional biologist, assessing any impacts of the project on watercourses and lands in the area.
 - e. The ecological baseline study, which was prepared in 2007 as a component of the development process to allow for the Community Land Stewardship Designation, and any current updates, to be made available to all homeowners, residents or users of the land, to ensure awareness of the biological functioning of the eco-system communities and awareness of the dangers of invasive species.
2. That Schedule B (OCP Map) to Electoral Area B – Shawnigan Lake Official Community Plan Bylaw No. 1010 be amended by redesignating Block 270 Malahat District; District Lot 201, Malahat District; Block 281, Malahat District; and that part of Block 201, Malahat District including part of amended Parcel A (DD1896741) of said Block, and Lot 26, District Lot 201, Malahat District Plan VIP78459, as shown outlined in a solid black line on Schedule B attached hereto and forming part of this bylaw, numbered Z-3222, from Forestry to Community Land Stewardship.

Figure 2B
Community Land Stewardship
Designation Sub-Areas

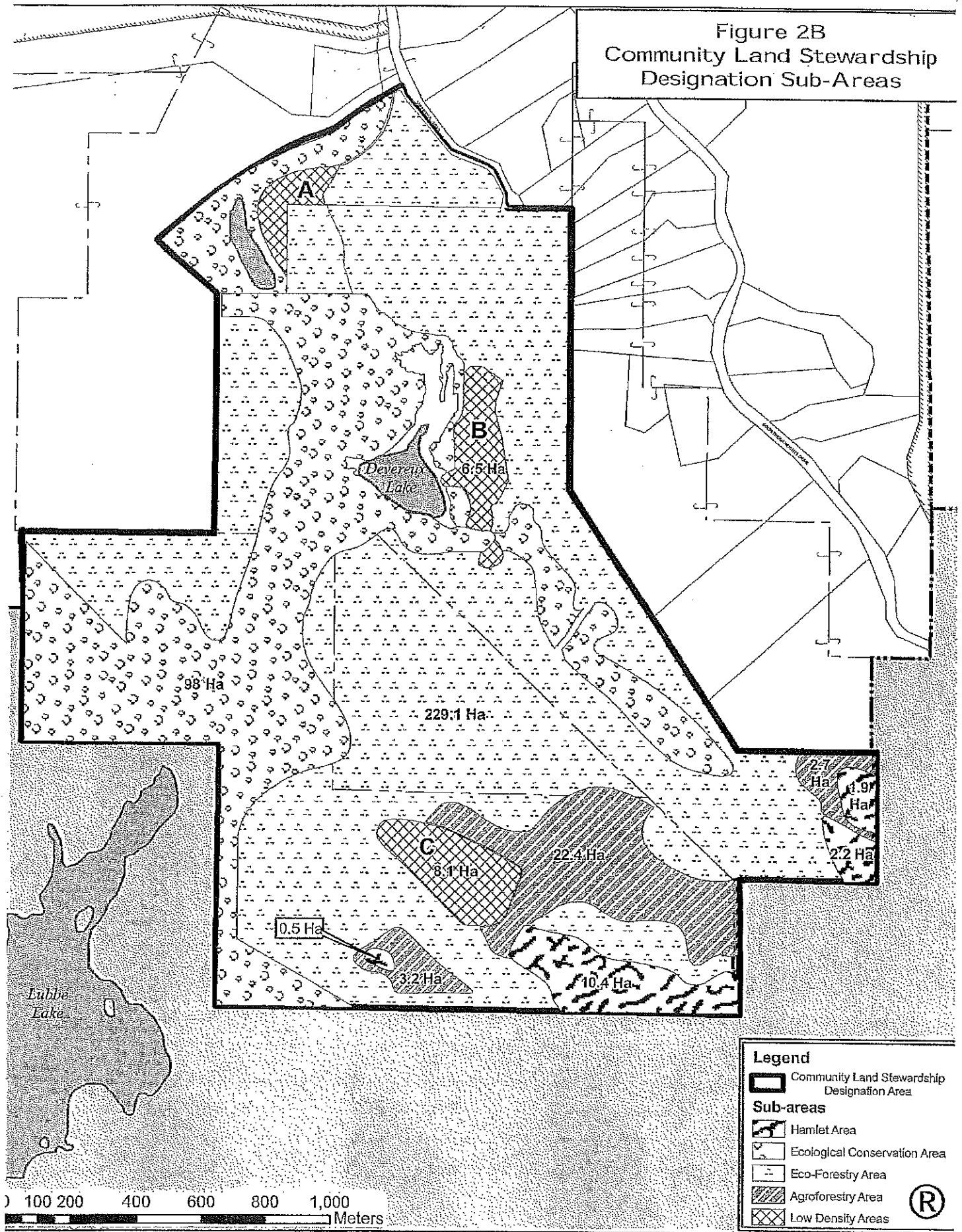
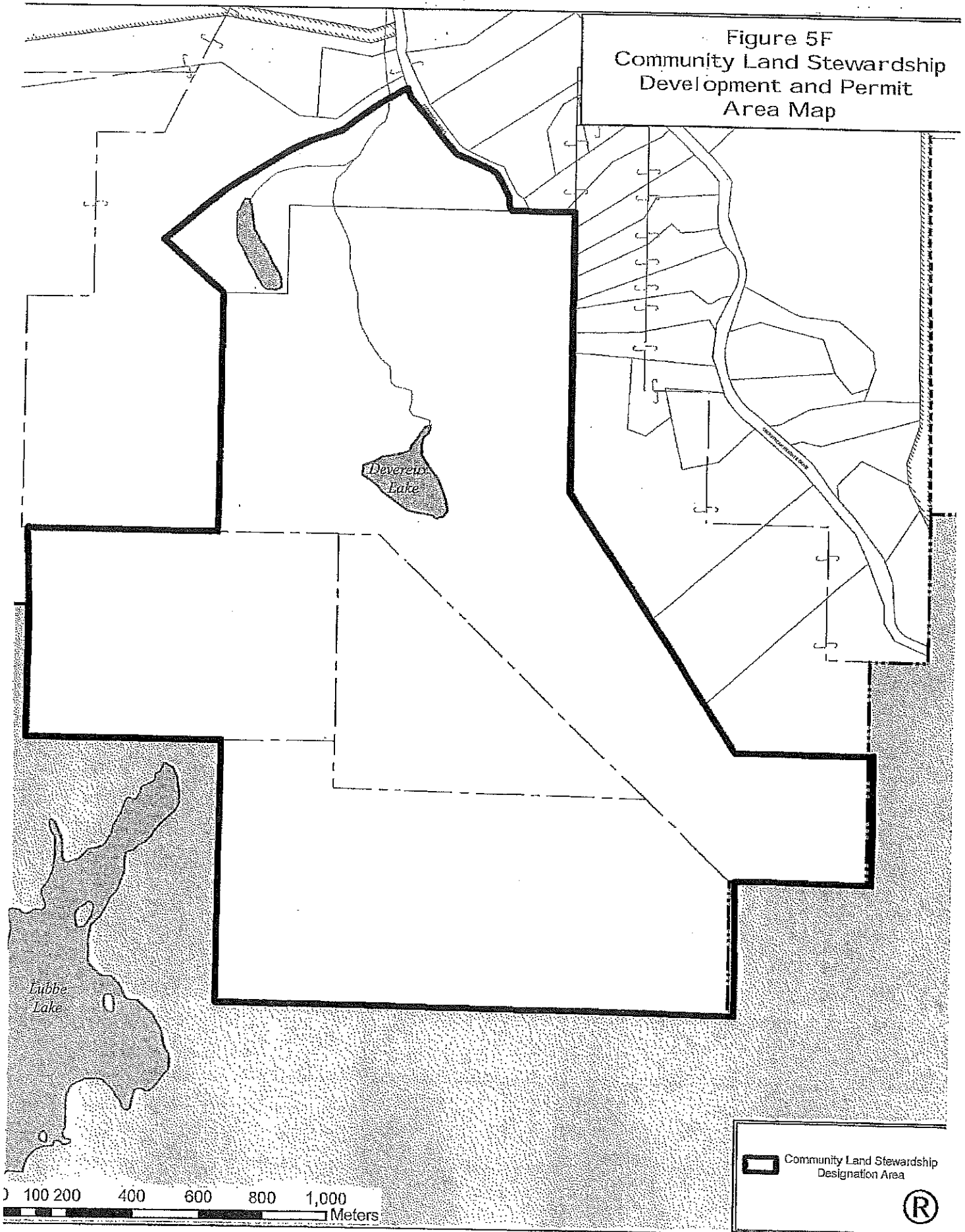


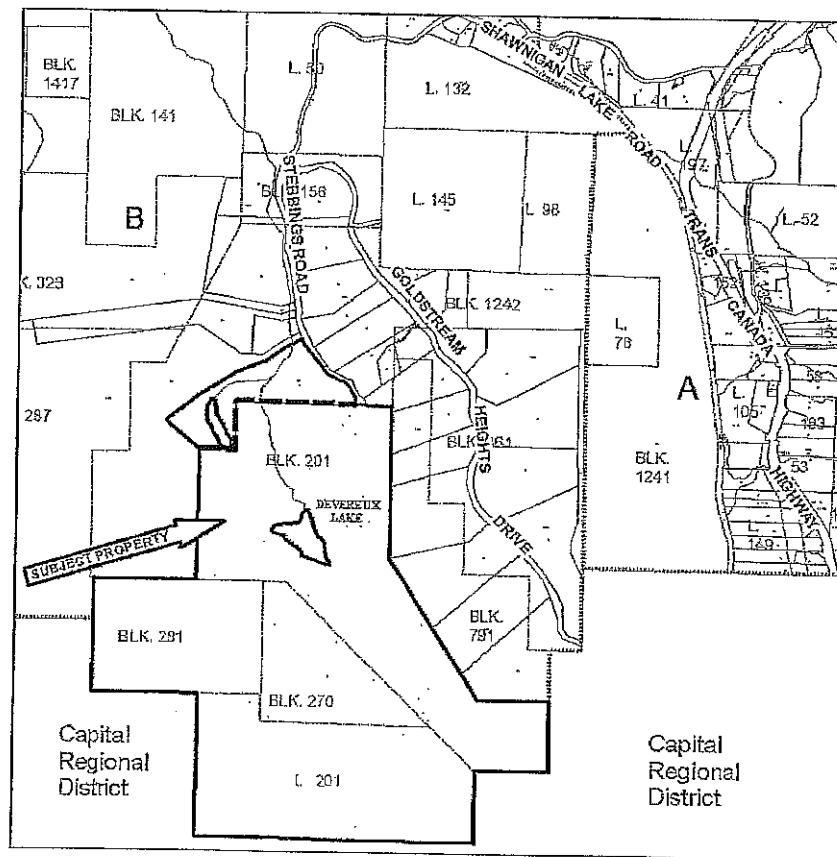
Figure 5F
Community Land Stewardship
Development and Permit
Area Map



PLAN NO. Z-3222

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

3222



THE AREA OUTLINED IN A SOLID BLACK LINE AND SHADED IS REDESIGNATED FROM

Forestry

TO

Community Land Stewardship

APPLICABLE

TO ELECTORAL AREA B



No. 2010008

Statutory Approval

Under the provisions of section 882

of the Local Government Act

I hereby approve Bylaw No. 3222

Cowichan Valley Regional District,

a copy of which is attached hereto.

Dated this 11th day
of March, 2009



Bill Bennett
Minister of Community and Rural
Development



COWICHAN VALLEY REGIONAL DISTRICT

DEVELOPMENT PERMIT

NO: 14-B-10DP/RAR

DATE: APRIL 15, 2011

TO: CHARLES CLAYTON and DIANA McKAY
c/o LIVING FOREST PLANNING CONSULTANTS

ADDRESS: #21 – 21 DALLAS ROAD
VICTORIA, BC V8V 4Z9

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

District Lot 201, Malahat District (PID 009-395-075)

That Part of Block 201, Malahat District, including part of Amended Parcel A (DD1896741) of Said Block. (PID 009-395-130)

3. Authorization is hereby given for the land to be subdivided and developed in accordance with the plans and conditions listed in Section 4 below.
4. The development shall be carried out subject to the following conditions:
 - a. *Compliance with RAR report #1850;*
 - b. *Demarcation of the SPEA boundary with fencing or signage and submission of a post-development report prepared by a Qualified Environmental Professional prior to subdivision;*
 - c. *Submission and approval of a drainage design that incorporates the rain management concepts described Schedule D, prior to subdivision;*

- d. *Registration of a restrictive covenant to preclude multiple family use and further subdivision of lots in the Trail Head Hamlet;*
- e. *Registration of a restrictive covenant to preclude development of the identified Streamside Protection and Enhancement Areas and the protective zones identified in RAR Assessment Report #1850 and on Schedule A;*
- f. *Demonstration that proposed buildings comply with criteria listed on Schedule F prior to issuance of a building permit for any residential or commercial building;*
- g. *Compliance with Covenants CA1648147 and CA1648148 (Fire Protection);*
- h. *Compliance with Covenants CA1648144 and CA1648145 (Parks);*
- i. *Compliance with Covenant CA1648146 (Servicing);*
- j. *Installation of all wiring underground.*

5. The following schedules are attached:

- Schedule A – Trail Head Subdivision Plan
- Schedule B – Park Dedication Plan
- Schedule C – Strata Plan
- Schedule D – Trail Head Rain Water and Storm Water Run-Off Plan
- Schedule E – Trail Head Home Plans
- Schedule F – Building Permit Checklist

6. This Permit is not a Subdivision Approval or a Building Permit Approval. No subdivision approval shall be recommended or building permit issued until all conditions and requirements of this Development Permit have been completed to the satisfaction of the Planning and Development Department.

ISSUANCE OF THIS PERMIT HAS BEEN AUTHORIZED BY RESOLUTION NO. 11-062.10 PASSED BY THE BOARD OF THE COWICHAN VALLEY REGIONAL DISTRICT THE 15th DAY OF APRIL 2011.

Tom Anderson, MCIP
General Manager,
Planning and Development Department

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

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

Signature of Owner/Agent

Witness

Print Name

Occupation

Date

Date

DRAFT



R5

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: March 9, 2011

FILE NO: 0360-20-ALC/01

FROM: Carla Schuk, Planning Technician

BYLAW NO:

SUBJECT: Soil Classification Mapping for Gordon Bay in Electoral Area F

Recommendation/Action:

That the Committee accepts this report for information

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

Soil classification mapping is not available for properties within Electoral Area F. Currently, the CVRD reviews applications for properties located within the Agricultural Land Reserve (ALR) in Electoral Area F without this information. After staff presented an application for subdivision within the ALR in Electoral Area F at the Committee meeting on November 23, 2010, the committee recommended that soil classification mapping be completed for ALR lands in Electoral Area F. At the Board meeting on December 8, 2010, resolution no. 10-261.5 was passed stating:

"That the Agricultural Land Commission be requested to do soil classification mapping for the Gordon Bay area of Electoral Area F which would provide the CVRD with the information needed to make recommendations on future ALR applications."

Staff contacted the Agricultural Land Commission (ALC) on January 24, 2011, notifying them of the CVRD Board's recent resolution. The ALC's response outlined that due to lack of resources, they are not able to undertake soil classification mapping for the Gordon Bay area of Electoral Area F. Staff submits this report to the Committee for informational purposes.

Submitted by,

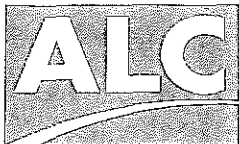
A handwritten signature in cursive script, appearing to read "Carla Schuk", is written over a horizontal line.

Carla Schuk, Planning Technician
Planning and Development Department

CS/ca
Attachment

Reviewed by:
Division Manager:

Approved by:
General Manager:



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

21st February 2011

Reply to the attention of Roger Cheetham
ALC File: 240-20/CVRD

Carla Schuk
Planning Technician
Development Services Division
Planning and Development Department Cowichan Valley Regional District
175 Ingram Street
Duncan, BC
V9L 1N8

Dear Madam:

**Re: Soil Classification Mapping for Gordon Bay Area of Electoral Area F:
Cowichan Valley Regional District**

With reference to your letter dated 24th January, 2011 the Commission's resources and priorities preclude the Commission undertaking of any soil capability mapping for the Gordon Bay Area.

When the Commission receives applications that are founded on an argument that soil capability ratings are different to those shown on the available soils information, it is not uncommon for the Commission to request that the applicant provide more detailed soils mapping undertaken by a soils Agrologist to substantiate the argument. The Board may like to consider doing the same if it considers that such information is needed in order for it to better evaluate a specific application.

Yours Truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: A handwritten signature in black ink, appearing to read 'B Underhill', written over the word 'Per:'.

Brian Underhill, Executive Director

rc/240-20/CVRD



R6

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE OF MARCH 1, 2011

DATE: February 22, 2011

FILE NO:

FROM: Ryan Dias, Parks & Trails Operations
Superintendent

BYLAW NO:

SUBJECT: Half IronMan Triathlon Special Event Request

Recommendation/Action:

That the Committee provide direction on the request from Lifesport Coaching for the provision of a Parks staff person for the duration of the two day weekend event and relocation of trail access boulders, estimated in the order of \$2,500, to be funded either through the Shawnigan Lake Community Parks budget or by the event organizers.

Relation to the Corporate Strategic Plan:

Achieve Excellence through Community Partnerships.

Financial Impact: *(Reviewed by Finance Division: N/A)*

Background:

The Cowichan Valley Regional Board in 2009 approved a multi-year approval for Lifesport Coaching of Victoria to stage the Shawnigan Lake Half Ironman Triathlon Event in West Shawnigan Lake Park and on portions of the Cowichan Valley Trail. For 2009 and 2010 the event organizers requested the assistance of the Regional District to undertake pre-event site preparation work at both West Shawnigan Lake Park (a BC Park operated at-cost by the CVRD through funding by the Electoral Area B Community Parks budget) and on the Cowichan Valley Trail, which was supported by the Shawnigan Lake Parks Commission and approved by the EASC and Board. For 2011, Lifesport BC has again submitted a letter requesting a number of items be addressed by the Regional District prior to and in support of the Shawnigan Lake Half Ironman Triathlon Event scheduled for May 27-29 (see attachment).

The letter was forwarded to the Shawnigan Lake Parks Commission to their meeting of February 17th, 2011 for consideration and feedback, due to the operational costs that would be incurred by the Electoral Area B Community Parks budget. In reviewing the requested support items from Lifesport Coaching, the Commission was supportive of a number of items that were at no additional cost, but expressed concerns over the expenditure of additional funds specific to items that were only of benefit to the event. As noted in the letter attached, the no additional cost items requested include providing the organizers with keys to the park and trail gates, sealing up existing toilets, mowing the grass areas and removing windfall (part of regular maintenance) and confirming sections of the Cowichan Valley Trail which will be accessible on the south side of the Kinsol Trestle.

However, the Parks Commission has expressed that such events should be supported at cost-recovery to the community. These additional cost items would include assignment of a CVRD Parks and Trails staff person to assist with any park logistics over the weekend of the event (would entail payment of overtime for staff coverage through the weekend and the removal/replacement of boulders on the connector trail (approximately \$1,000 cost). A couple of items in the letter are also beyond the authority of the CVRD to provide, as it involves private lands or works by BC Parks, as well as the request also repeats a request for Cowichan Valley Trail improvements which were previously done in 2009 for the annual event.

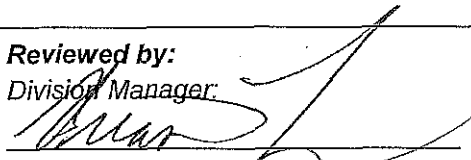
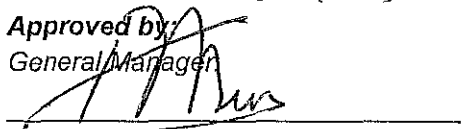
Direction is therefore required on whether to apply incurred costs in support of the 2010 Shawnigan Lake Half Ironman Triathlon Event to the Electoral Area B Community Parks budget or that the event organizers be advised that their request for an assigned CVRD Parks staff person for the duration of the event and relocation of boulders on the connecting trail between Shawnigan Lake Park and the Cowichan Valley Trail can be accommodated on the basis that the event cover these costs.

Submitted by,



Ryan Dias
Parks and Trails Operations Superintendent
Parks and Trails Division

RD/ca

Reviewed by: Division Manager: 
Approved by: General Manager: 

LifeSport COACHING

Janet Anderson, Series Director
770 Sayward Road
Victoria, BC, Canada, V8Y 1R2
250-220-2259 Phone
1-866-287-9465 Fax
www.LifeSport.ca
janet@triserries.ca

RECEIVED
C.V.R.D.
NOV 02 2010

October 21st, 2010

Mr. Brian Farquhar, CVRD Parks
175 Ingram Street
Duncan, BC, V9L 1N8
Attention: Brian Farquhar, Parks Manager

RE: Half IronMan Triathlon Event at Shawnigan Lake:

Dear Mr. Farquhar:

My name is Janet Anderson, and I am the Series Race Director for LifeSport. LifeSport is an international triathlon coaching and experienced sport event management group headed by Lance Watson and Paul Regensburg, the Canadian Olympic Triathlon team coaches at the Sydney and Athens Olympic Games. We are proposing to host a Half Ironman Triathlon event at Shawnigan Lake on Sunday May 29th, 2011. The event will feature:

- 500 participants from across North America
- 200 volunteers and many family members, media, and spectators
- The Superstar elite athletes of the triathlon world and the grass roots component of amateur participants
- A fun, family and community oriented kid's event
- Promotion of the fitness lifestyle of the world's three most popular activities; swimming, cycling and running
- A large economic impact to the Cowichan Valley and international exposure

LifeSport Coaching is seeking permission from the Cowichan Valley Regional District Parks to hold the running portion of our Triathlon on the Trans Canada Trail in the area of Shawnigan Lake. We are not asking for exclusive use of the trail, but only approval to hold an event using the trail.

This triathlon will be held on May 29th, 2011, starting with a 7:00 a.m. swim in West Shawnigan Lake Provincial Park (subject to approval), followed by a 88 kilometre bike ride around the Shawnigan Lake roads, followed by a 21 Kilometre run. We would like to use the Cowichan Valley Trail between the Kinsol Trestle and the Sooke Lake Road for the running portion of our event.

Since the run portion of this event is following both the swim and bike, I am estimating that the runners will be spread out on the trail between approximately 10:00 a.m. to 3:00 p.m. For the 2011 event, we are requesting that all the trail gates along this run route be opened and left open for the duration on the event. (See map attached)

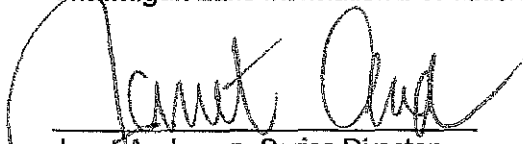
All the safety, liability, and insurance concerns for the entire event will be sanctioned by Triathlon British Columbia and the insurance policy will be forwarded early in 2011.

Further to our trail access requests for the upcoming Triathlon we will be requesting that the items below be activated as well.

- Provide access and full use of West Shawnigan Lake Provincial Park from May 27-29
- Have the boulders moved and replaced from both ends of the connector trail across the road from West Shawnigan Lake Provincial Park Service Road (Friday, May 27 for removal and Replaced Monday, May 30)
- Fill in the ditch and grade the first 12M of this connector trail to allow safe access for the runners (Friday, May 27)
- Grade & compact section of Cowichan Valley Trail south of Butler Road for 2 miles (Any time before May 28) if necessary
- Provide a copy of the West Shawnigan Lake Park key for both the parking lot and Service road gates
- Seal the Existing Toilets so they cannot be used.
- Provide Key for gates on the Cowichan Valley Trail for the run course from (Key needed sometime before May 27 to be used only on race day – May 29)
- Assign a staff member on site to assist with any park logistics for May 27-29 (Times to be Confirmed – 8:00 am – 7:00 pm)
- Confirm construction schedule and obstacles in the area south of the Kinsol Trestle as soon as possible.
- Confirm the brush mowing timeline as soon as possible.
- Provide GIS map of the CVRD.
- Confirm what is being done with the Goose Fencing at the edge of the Lake. Confirm if it is being left or whether it is being taken out.
- Cut the grass and removing the windfall from West Shawnigan Lake Provincial Park (May 25).
- Capital improvements as requested in 2009:
- Paving shoulder on eastside (park side) south of West Shawnigan Lake park access road to main access road.

This year we have once again formed a partnership with the Cowichan Family Caregivers support Society, and joined forces in planning an entire weekend of events including the Caregivers Walk on Saturday.

Your approval of this event would be greatly appreciated, and please contact me if you require any other information, or clarification. Thank you very much for your assistance in our preparation for the 5th Annual Shawnigan Lake International Triathlon.



Janet Anderson, Series Director
LifeSport



R7

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: March 9, 2011 FILE NO:
FROM: Ryan Dias, Parks Operations Superintendent BYLAW NO:
SUBJECT: 2011 Capital Projects Schedule for Community and Sub-Regional Parks

Recommendation/Action:

That the Committee endorse the 2011 Major and Minor Capital Work Program Schedule for Community and Sub-Regional Parks as the order and priority list for undertaking completion of capital project work approved in the 2011 budget.

Relation to the Corporate Strategic Plan:

Community infrastructure planned for current and future generations.

Financial Impact: (Reviewed by Finance Division: N/A)

Background:

Each year during the Fall budget planning process, Parks and Trails Division staff meet and/or request feedback from the various Parks and Recreation Commissions to plan major and minor capital project work for the coming year under each Electoral Area Community Parks and Sub-regional budget. The major and minor capital projects identified during this process are incorporated into a master project list which becomes the basis for implementation of the annual capital works schedule for the Community Parks and Trails Program. Preparation of the schedule takes into consideration a number of factors for each major and minor capital project including; pre-planning/design work requirements, regulatory approval requirements, park use conflict considerations, weather considerations, environmental factors, Parks and Trails Division staff resource capacity/availability and partnerships/involvement of other parties.

With approval of the 2011 CVRD budget by the Board on March 9, 2011, and in keeping with the EASC Directors desire to have staff develop an annual work program action plan, the Parks and Trails Division has prepared the attached work program schedule for implementation of Community and Sub-Regional Major and Minor Capital Projects throughout the remainder of 2011 (see attachment). The development of this schedule applied the various factors and considerations detailed above with respect to proposed timing of individual projects listed.

In the interest of orienting the Electoral Area Parks and Recreation Commissions with the proposed Major and Minor Capital Projects Schedule for 2011, a meeting of the Parks Commission Chairs is proposed in the coming weeks, to coincide with the Board's Purchasing Policies pertaining to commencement of capital projects no earlier than April 1st. The purpose of this meeting will be to review the schedule with the Chairs and advise of pre-planning work participation by individual Commissions with respect to specific projects, as well as identify the

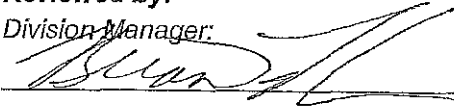
purpose of this meeting will be to review the schedule with the Chairs and advise of pre-planning work participation by individual Commissions with respect to specific projects, as well as identify the staff resource requirements and efforts to effectively implement and manage the project schedule throughout the year to most effectively complete the projects on the list.

The Committee is therefore requested at this time to review and endorse the schedule as the basis for implementing the Community and Sub-Regional Parks Major and Minor capital project work for 2011. A regular report will be provided to the Committee advising of the progress in completing the projects listed in the Major and Minor Capital Projects Schedule through the year, including requesting direction where required on major changes, additions or deletions to the order and prioritization of the project work schedule.

Submitted by,



Ryan Dias
Parks Operations Superintendent
Parks and Trails Division
Parks, Recreation, and Culture Department

Reviewed by: Division Manager: 
Approved by: General Manager: 

RD/ca

COWICHAN VALLEY REGIONAL DISTRICT									
2011 COMMUNITY PARKS AND TRAILS PROGRAM CAPITAL PROJECTS TIMELINE									
ELECTORAL AREA	PARK/ SITE	PROJECT DESCRIPTION							
		Early Spring	Spring	Summer	Fall	Winter			
		Jan-March	April-June	July-Aug	Sept-Oct	Nov-Dec			
\$	56,025.00	A	Mill Springs	Mill Springs Park development - Phase 1	Site Planning	Construct			
\$	12,000.00	A	Huckleberry Park	Playground Structure Replacement					
\$	3,000.00	A	Mill Bay Nature Park	Access Improvements					
\$	326,050.00	B	Shawigan Hills	Completion of Phase 1 and Phase 2	Phase 1	Phase 2			
\$	13,000.00	B	Old Mill Park	Parking Lot and Trail Improvements					
\$	20,000.00	B	Silvermine Trail	500 m Trail Connection					
\$	6,000.00	C	William Shearing	Playground Surface Material Upgrade					
\$	1,500.00	C	Manley Creek	Box Steps					
\$	-	C	Whitecap Beach Access	Box Steps or Staircase					
\$	23,500.00	C	Cobble Hill Common	Landscape Improvements					
\$	9,500.00	C	Watson Park	Trail Construction					
\$	10,000.00	C	Cleasby Bike Park	Bike Park Jump Modifications					
\$	24,000.00	C	Evergreen School	Contribution to the Sport Court					
\$	168,610.00	C	Quarry Park	Washroom Building					
\$	8,519.00	D	Beach Access	Public Beach access construction	Site Planning	Tender	Construct		
\$	15,000.00	E	Boys Rd Rest Stop	Community Pathway and Kiosk					
\$	15,000.00	E	Wake Lake	Parking and Picnic Area					
\$	20,000.00	E	Miller Rd Rest Stop	Pathway Extension to Roberts Road					
\$	20,000.00	E	Allenby Rd Pathway	Community Pathway					
\$	1,000.00	F	Central Park	Off Leash Park Signage and Access					
\$	3,000.00	F	Measchie Lake Park	Parking Lot Improvements					
\$	4,000.00	F	Central Park	Playground Surround Replacement					
\$	7,500.00	F	Central & Lily	Piling/Boomslick Replacement					
\$	15,000.00	G	Centennial Park	Sport Court Re-paving					
\$	58,294.00	G	Stocking Creek Park	New Trail Bridge crossing, trail and stair access to falls	Site Planning	Construct			
\$	10,000.00	H	Blue Heron and Elliotts Beach	Foreshore Stabilization	Approvals				
\$	3,000.00	BAP	Bright Angel Park	Entrance Improvements					
\$	2,500.00	SUB	Cobble Hill Memorial Park	Centaph Landscaping					
\$	2,500.00	SUB	Cow Bay Boat Launch	Boat Launch Etiquette/safety signage					
PROJECT TIMELINES/AND OR DETAILS UNDEFINED AT THIS TIME									
\$	4,000.00	E	John's/Granite Rd	Minor Parks/ite Improvements					
\$	10,500.00	F	Undefined						
\$	1,604.00	I	Undefined						
\$	115,408.00	SUB	Mill Bay Church	Phase 1 - Revitalization Work					
\$	59,732.00	BAP	Bright Angel Park	Washroom Building					
\$	150,000.00	E	Glenora Staging Area	Cookhouse Facilities -Requiring \$120,000 Grant Funding					
\$	1,199,742.00								
PROJECTS PER SEASON									
				2	15	14	10		



R8

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: March 9, 2011
FROM: Katy Tompkins MCIP Senior Planner
SUBJECT: 2010 Year End Report

Recommendation/Action:

The Year End Report is submitted for information purposes only.

Relation to the Corporate Strategic Plan: N/A

Financial Impact (Reviewed by Finance Division: N/A)

Background:

Each year the Development Services Department compiles a Year End Report to document general trends in development applications during the year. The 2010 Year End Report is attached for your convenience. You will note that 2010 has been a busy year for the Development Services Department, with increases in activity in all Electoral Areas, with respect to both planning and building.

If you have any questions regarding the information provided in the Report, do not hesitate to contact the Planning and Development Department. The Year End Report is submitted to the EASC each year at this time, and is made available to the public throughout each year.

Submitted by,

Katy Tompkins MCIP
Senior Planner
Community & Regional Planning Division
Planning and Development Department

Reviewed by:

Division Manager

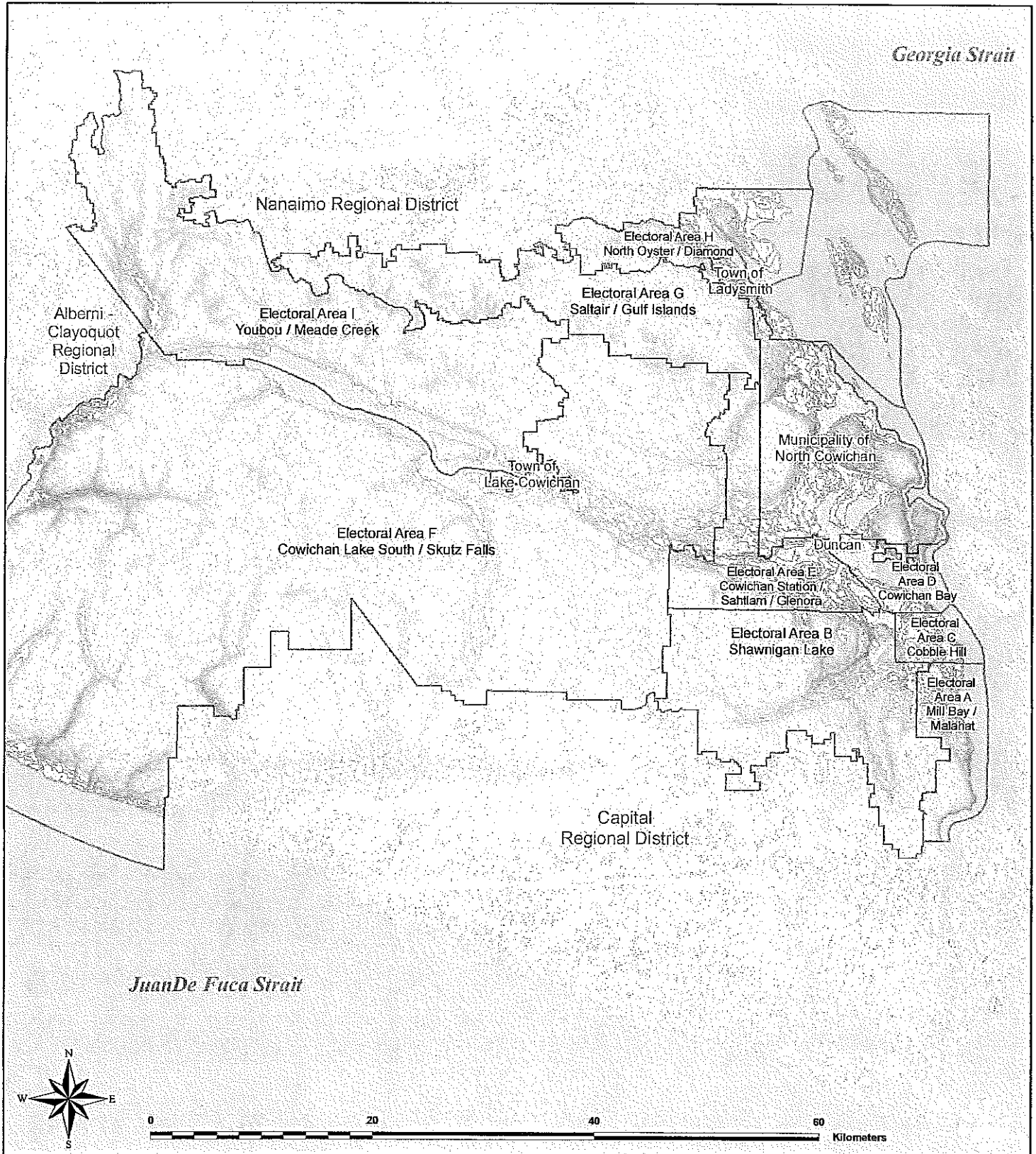
Approved by:

General Manager

KT/ca
attachment



Cowichan Valley Regional District
Planning and Development Department
2010 YEAR END REPORT



PART ONE: THE CVRD PLANNING AND DEVELOPMENT DEPARTMENT

1.1 INTRODUCTION

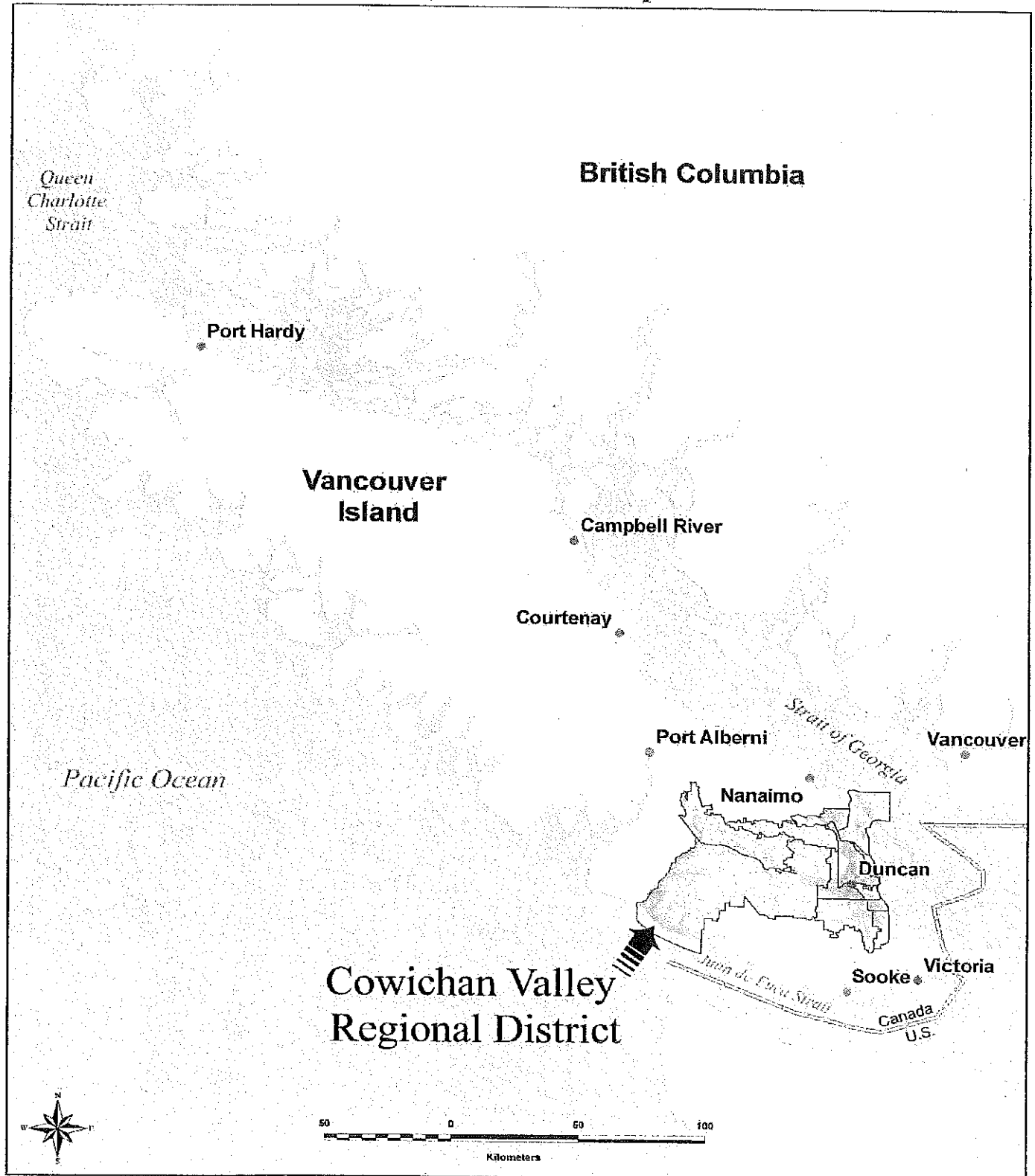
This report provides statistical information respecting land use and building applications received by the Cowichan Valley Regional District Planning and Development Department during 2010. Although this document is generally limited to providing a statistical summary of applications, the Department has many additional responsibilities related to motions arising from the Electoral Area Services Committee and other committees of the Regional Board. A primary responsibility not covered in this report is to provide long range plans for the nine electoral areas. The department also provides guidance and information to assist CVRD elected officials in making sound and informed decisions. Advice is based on technical considerations or is given with the over-arching principle being protection of the community ("public") interest over the long term, while being respectful of private property owners' individual interests.

Another role of the Planning and Development Department is to help the public and private sector to access and understand past, present and future planning and development issues, policies and trends, by gathering, analyzing and reporting information. The Department responds to inquiries for information from the public, students, businesses, governments and non-profit agencies. Such requests range from basic to complex. Staff response time varies in accordance with the complexity of the inquiry received as well as the number of inquiries received at that time.

PART TWO: GEOGRAPHICAL CONTEXT

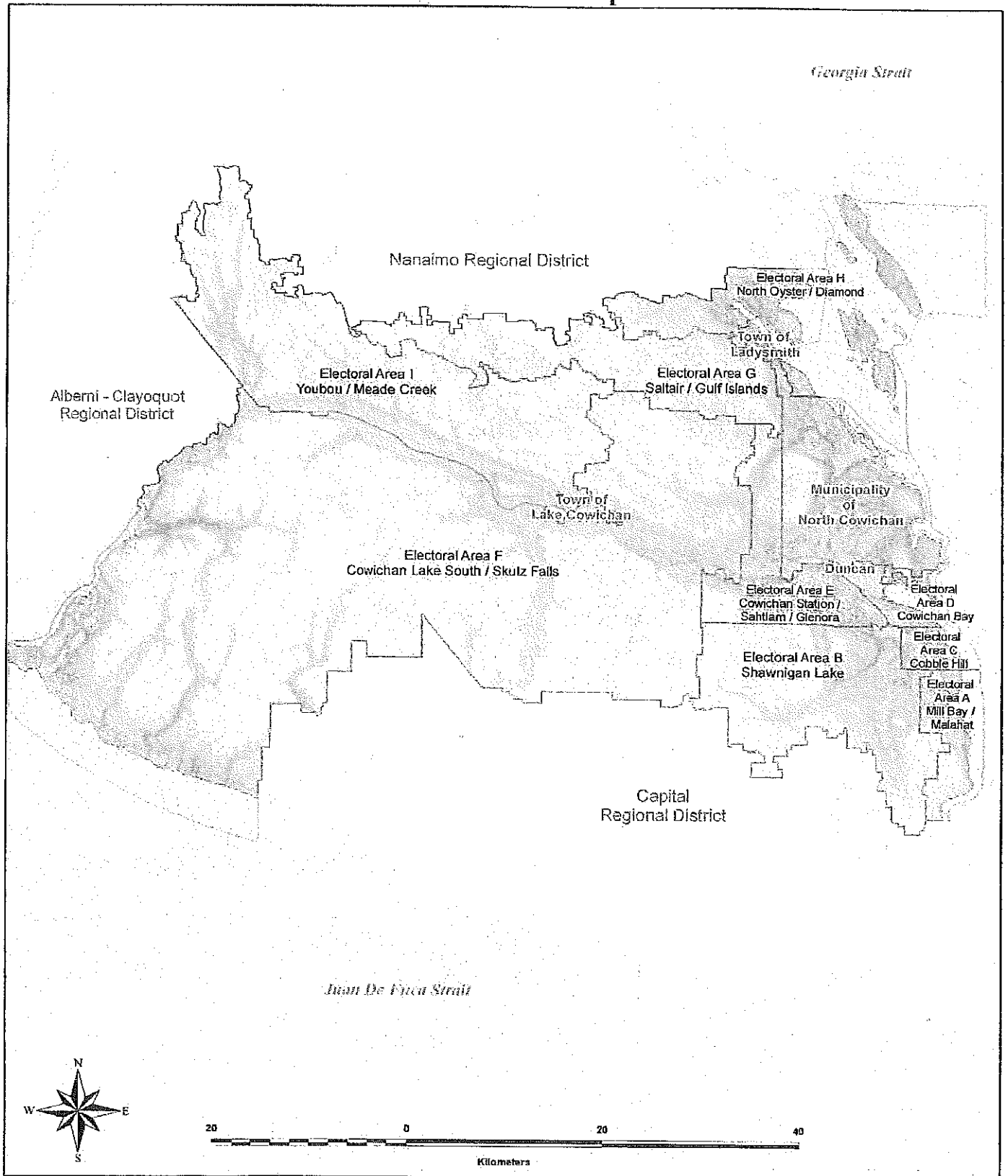


Cowichan Valley Regional District Planning and Development Department Regional Context Map





Cowichan Valley Regional District
 Planning and Development Department
Electoral Area Map



PART THREE: DEPARTMENTAL ACTIVITY REPORT

3.1 OFFICIAL COMMUNITY PLAN (OCP)/ZONING AMENDMENTS

Number of OCP/Zoning Amendment Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	4	5	5	0	7	5	1	1	0	28
1981	0	4	4	2	6	4	5	3	2	30
1982	6	5	4	0	1	5	2	0	1	24
1983	4	7	3	2	4	2	2	0	2	26
1984	4	2	2	0	3	3	0	1	0	15
1985	6	5	4	0	7	2	1	5	2	32
1986	6	2	1	4	4	1	3	0	2	23
1987	6	5	4	1	5	4	2	2	2	31
1988	6	3	6	2	2	1	0	2	0	22
1989	6	4	2	0	3	1	1	3	0	20
1990	9	3	1	4	4	0	5	2	0	28
1991	6	7	2	2	4	3	0	5	0	29
1992	7	8	6	3	6	1	0	1	2	34
1993	4	4	1	1	4	5	2	1	0	22
1994	3	4	3	3	3	4	0	4	1	25
1995	2	2	1	1	1	3	1	1	0	12
1996	2	1	0	2	2	0	0	0	0	7
1997	6	4	1	0	1	1	1	1	1	16
1998	1	3	2	2	1	2	1	0	0	12
1999	6	5	0	3	1	1	0	1	0	17
2000	0	1	2	2	1	1	0	1	0	8
2001	1	6	3	0	0	1	0	0	0	11
2002	2	4	0	2	1	2	0	1	4	16
2003	2	7	2	1	0	1	0	1	1	15
2004	2	8	4	3	2	3	0	2	0	24
2005	4	8	5	0	1	1	1	2	3	25
2006	5	8	5	3	3	1	0	3	3	31
2007	5	15	2	2	7	4	0	3	2	40
2008	5	6	1	4	3	3	2	1	0	25
2009	7	1	1	4	0	1	1	1	1	17
2010	5	3	1	4	3	1	1	0	0	17

3.2 SUBDIVISION ACTIVITY

Number of Subdivision Referrals Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1992	15	26	18	4	24	2	8	6	2	105
1993	18	37	12	9	15	8	10	9	5	123
1994	10	37	16	7	12	7	7	7	2	105
1995	3	16	4	10	9	9	3	4	3	61
1996	3	5	6	8	4	2	2	4	4	38
1997	3	9	3	3	3	7	4	5	0	37
1998	8	7	2	1	4	7	1	3	0	33
1999	5	13	3	2	5	1	3	1	0	33
2000	12	6	4	5	4	2	4	7	0	44
2001	5	9	5	3	3	4	0	4	2	35
2002	9	15	4	2	6	4	3	5	2	50
2003	6	18	2	9	9	4	1	3	3	55
2004	11	22	5	14	5	6	1	10	2	76
2005	12	23	9	5	7	9	24	6	5	100
2006	8	17	6	6	6	4	2	12	10	71
2007	12	19	4	12	6	6	5	8	8	80
2008	5	17	4	10	7	4	2	6	5	60
2009	5	9	5	1	6	8	1	2	0	37
2010	4	12	3	2	4	3	3	3	3	37
Potential Number Of Parcels Created - By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1992	52	97	48	3	47	9	8	37	15	316
1993	69	68	78	3	26	11	3	3	56	317
1994	37	59	177	20	57	16	7	5	38	416
1995	21	25	43	22	18	10	20	6	16	181
1996	8	32	54	3	17	10	10	3	14	151
1997	38	60	13	14	13	16	4	5	45	208
1998	1	19	1	7	6	0	3	15	0	52
1999	5	64	8	3	8	1	2	1	0	92
2000	17	18	30	9	7	1	5	10	0	97
2001	3	18	17	8	3	5	0	11	50	115
2002	79	31	4	1	3	6	3	6	52	185
2003	11	72	13	91	9	6	1	19	81	303
2004	88	96	25	154	5	9	1	10	13	401
2005	50	90	43	8	6	33	65	7	14	316
2006	74	86	29	9	15	10	2	11	34	270
2007	372	229	9	73	13	4	12	7	33	752
2008	13	40	8	48	13	4	3	2	76	207
2009	25	18	14	0	29	15	2	18	0	121
2010	22	22	3	93	74	2	0	3	0	219

3.3 AGRICULTURAL LAND RESERVE (ALR) APPLICATIONS

Number of ALR Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I*	Total
1985	2	1	4	1	2	0	1	4	NA	15
1986	2	1	3	4	2	0	0	2	NA	14
1987	2	3	5	6	1	0	0	2	NA	19
1988	2	2	3	2	5	0	1	1	NA	16
1989	0	2	5	4	8	0	2	3	NA	24
1990	1	1	8	2	6	0	3	1	NA	22
1991	0	2	2	2	4	1	0	1	NA	12
1992	2	2	4	3	7	0	1	3	NA	22
1993	2	1	6	1	4	1	0	2	NA	17
1994	2	2	3	0	5	0	2	1	NA	15
1995	0	0	2	2	6	0	0	1	NA	11
1996	1	1	1	1	1	0	0	3	NA	8
1997	1	1	2	1	4	1	0	1	NA	11
1998	1	2	1	1	3	1	1	3	NA	13
1999	1	2	2	0	1	0	0	0	NA	6
2000	0	2	2	2	1	0	1	0	NA	8
2001	0	2	0	0	3	0	1	1	NA	7
2002	1	2	0	1	3	0	0	1	NA	8
2003	1	2	0	2	4	1	0	1	NA	11
2004	1	3	5	4	2	2	1	3	NA	21
2005	1	3	2	0	2	0	0	1	NA	9
2006	2	2	3	4	3	1	0	6	NA	21
2007	2	3	2	0	3	1	0	1	NA	12
2008	0	1	2	1	4	1	0	0	NA	9
2009	0	1	3	3	2	0	0	2	NA	11
2010	1	2	1	1	4	0	1	0	NA	10

*There are no ALR lands within Electoral Area I (Youbou/Meade Creek).

3.4 DEVELOPMENT PERMIT APPLICATIONS

Number of Development Permit Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	3	0	0	3	2	0	1	1	0	10
1981	0	3	0	0	5	0	0	0	0	8
1982	2	0	2	1	2	0	0	1	0	9
1983	2	0	0	0	1	0	0	1	0	4
1984	1	0	0	1	2	0	0	0	0	4
1985	0	0	1	2	4	10	1	3	0	12
1986	0	0	0	0	0	0	0	2	0	2
1987	0	0	1	0	0	0	0	0	0	1
1988	0	0	1	0	0	0	0	0	0	1
1989	0	0	0	0	1	0	2	0	0	3
1990	0	0	0	0	0	0	1	4	0	5
1991	4	0	0	0	0	0	0	4	0	8
1992	2	0	1	0	4	0	2	2	0	11
1993	3	0	1	0	2	0	0	1	0	7
1994	2	1	1	0	1	0	1	1	0	7
1995	0	0	1	2	2	2	0	7	0	14
1996	3	0	0	0	2	0	0	3	0	8
1997	3	0	0	0	3	1	0	0	0	7
1998	1	0	1	1	1	1	2	1	0	8
1999	2	0	0	0	0	3	0	0	0	5
2000	2	1	0	2	2	0	1	1	0	9
2001	6	0	1	0	1	1	1	1	0	11
2002	0	0	1	0	2	1	0	0	0	4
2003	3	1	0	0	1	0	2	0	1	8
2004	3	4	1	1	1	1	1	3	0	15
2005	9	1	0	2	6	2	9	10	2	41
2006	6	10	1	0	5	3	3	7	10	45
2007	11	18	3	0	11	15	5	6	27	96
2008	4	8	2	6	7	3	3	6	7	46
2009	5	2	0	7	8	2	3	3	5	35
2010	7	19	1	1	7	4	8	4	8	59

3.5 DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Number of Development Variance Permit Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1986	0	0	1	1	2	0	0	1	2	7
1987	2	2	3	1	3	0	0	1	0	12
1988	4	4	3	5	6	0	2	1	2	27
1989	3	6	4	5	4	0	0	4	3	29
1990	1	3	4	4	6	0	3	1	0	22
1991	3	2	3	2	3	1	3	0	2	19
1992	3	3	1	0	0	0	1	1	1	10
1993	2	4	3	4	1	0	1	0	4	19
1994	2	6	2	5	2	2	0	1	3	23
1995	0	2	2	1	0	0	0	0	2	7
1996	0	4	2	4	2	1	0	3	1	17
1997	3	4	0	2	2	0	1	1	1	13
1998	3	3	3	2	2	2	4	2	1	22
1999	2	0	3	2	3	0	1	0	1	12
2000	2	5	2	2	0	0	4	1	0	16
2001	2	8	9	0	4	1	0	1	1	26
2002	0	6	1	3	4	0	0	1	0	15
2003	0	2	2	2	2	1	3	1	3	16
2004	8	5	1	1	2	2	3	1	1	24
2005	3	8	0	2	0	1	3	3	1	21
2006	2	7	2	2	1	1	4	4	4	27
2007	16	4	3	5	4	3	0	3	4	42
2008	8	2	1	0	5	1	1	0	5	23
2009	3	8	1	0	4	0	1	0	3	20
2010	3	5	2	2	2	2	4	1	1	22

3.6 BOARD OF VARIANCE APPLICATIONS

Number of Board of Variance Applications Received By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	1	4	2	1	2	5	5	1	1	17
1981	5	10	0	7	3	5	5	7	3	44
1982	10	12	2	2	11	3	3	3	1	55
1983	10	12	5	3	13	3	3	4	5	60
1984	12	9	2	2	12	1	1	4	8	60
1985	4	3	5	6	3	6	6	6	6	43
1986	3	11	3	3	2	2	2	4	0	30
1987	4	8	7	7	3	0	0	2	8	40
1988	0	1	1	0	2	1	1	0	1	7
1989	5	2	2	3	1	1	1	0	2	17
1990	2	2	2	1	3	3	3	0	0	15
1991	3	3	4	2	1	2	2	1	3	19
1992	4	5	6	1	3	2	2	0	0	22
1993	4	4	1	1	1	1	1	1	0	14
1994	2	5	3	2	3	5	5	1	2	24
1995	2	6	0	0	1	1	1	3	1	15
1996	4	4	3	3	1	1	1	2	2	20
1997	2	4	1	0	0	0	0	1	0	8
1998	0	2	0	0	2	1	1	0	0	6
1999	0	0	0	1	0	1	0	0	1	3
2000	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0
2002	0	1	0	0	0	0	0	0	0	1
2003	0	0	0	0	0	0	0	0	0	0
2004	0	1	0	0	0	0	0	0	0	1
2005	0	0	0	0	0	0	0	0	1	1
2006	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	1	1	0	0	0	2
2009	0	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0	0

3.7 NEW HOUSING STARTS

New Housing Starts By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1980	41	85	23	20	27	13	23	28	4	264
1981	32	121	31	25	46	37	13	40	8	353
1982	10	52	6	4	7	10	15	14	5	123
1983	14	64	15	14	23	13	10	12	8	173
1984	17	37	18	12	17	10	6	13	3	133
1985	11	34	6	8	9	9	8	13	0	98
1986	18	24	15	9	18	12	9	11	3	119
1987	17	63	44	8	10	10	9	17	3	181
1988	34	68	121	17	13	9	14	18	4	298
1989	40	143	130	16	10	14	14	15	2	384
1990	33	108	92	15	20	11	27	32	2	340
1991	29	89	66	15	35	21	20	24	8	307
1992	36	205	89	16	54	27	24	44	15	510
1993	50	81	76	5	28	14	13	20	24	311
1994	42	72	120	16	55	9	15	21	15	365
1995	24	35	50	13	19	10	22	14	9	196
1996	19	26	43	16	21	11	8	28	8	180
1997	38	38	54	12	22	15	5	8	3	195
1998	24	29	18	5	13	5	10	6	5	115
1999	18	53	32	4	12	8	8	10	3	148
2000	50	23	18	2	5	7	4	3	4	116
2001	17	29	23	2	6	6	5	7	3	98
2002	21	65	37	8	4	6	8	7	4	160
2003	22	58	20	21	17	8	4	8	4	161
2004	47	59	23	49	22	6	5	14	4	229
2005	68	39	15	47	17	(-8)	12	41	20	251
2006	46	62	15	28	17	16	17	15	28	244
2007	61	86	9	45	16	12	10	18	15	272
2008	47	71	20	17	18	12	13	13	15	227
2009	23	83	44	12	5	2	3	2	17	191
2010	41	80	34	21	19	6	16	10	11	238

3.8 RESIDENTIAL BUILDING PERMITS ISSUED

Number of Residential Building Permits Issued By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1989	74	214	171	54	46	37	50	43	28	717
1990	72	183	128	44	62	32	54	61	18	654
1991	70	186	130	52	73	43	44	54	21	673
1992	77	201	157	34	112	51	48	84	26	790
1993	82	184	128	19	73	41	38	53	39	657
1994	82	190	173	38	94	32	43	62	38	752
1995	64	111	85	31	60	34	43	47	25	500
1996	23	48	48	15	27	13	14	18	16	222
1997	68	94	101	15	49	29	26	27	11	420
1998	53	86	51	17	41	18	34	23	20	343
1999	46	104	71	16	29	21	20	23	16	346
2000	37	74	44	19	28	16	22	11	11	262
2001	44	78	51	18	22	23	21	24	12	293
2002	41	118	74	15	22	16	24	25	12	347
2003	50	116	52	35	37	27	27	27	13	384
2004	70	121	48	60	40	16	22	29	14	420
2005	91	123	38	52	40	24	34	54	34	490
2006	65	128	47	40	38	31	36	29	44	458
2007	100	150	35	67	41	23	29	41	35	521
2008	88	134	40	37	49	34	41	34	31	488
2009	58	162	76	28	33	33	24	34	32	480
2010	67	133	68	43	42	19	37	30	25	464

Value of Residential Building Permits Issued By Electoral Area (\$)										
	A	B	C	D	E	F	G	H	I	Total
1989	3,415,094	9,559,113	10,184,058	1,338,374	810,371	1,041,471	1,308,280	1,309,758	235,856	29,202,375
1990	3,130,058	8,752,282	7,553,512	1,394,803	1,845,689	989,410	2,676,166	3,157,001	358,317	29,857,238
1991	3,302,572	8,301,059	7,749,058	1,919,421	3,163,640	1,785,795	2,003,924	2,560,522	773,310	31,559,301
1992	4,050,473	13,986,338	9,280,492	2,225,043	4,818,697	2,468,241	2,592,562	4,078,473	1,603,248	45,103,567
1993	5,806,014	9,310,183	7,437,511	488,771	3,036,522	1,733,947	1,883,075	2,249,702	2,247,355	34,193,080
1994	5,639,937	11,195,065	14,316,822	1,999,876	5,790,247	1,091,248	2,120,179	3,143,945	1,972,520	47,269,839
1995	4,077,789	5,347,235	6,590,402	1,751,620	2,780,916	1,308,439	1,827,224	1,996,211	1,303,028	26,982,864
1996	1,314,365	2,661,758	3,625,972	1,721,682	1,697,315	754,566	719,151	1,338,590	940,029	14,773,428
1997	5,474,060	5,775,397	7,665,226	1,427,070	3,259,836	1,491,321	1,492,852	2,009,203	436,496	29,031,461
1998	3,043,682	5,321,380	3,604,434	781,141	1,890,584	768,885	2,068,015	658,756	681,124	21,818,001
1999	2,657,999	6,236,665	5,156,143	932,130	1,988,646	648,364	1,021,862	1,451,831	697,330	20,790,970
2000	4,990,189	3,602,720	3,213,814	722,380	707,739	464,274	1,103,349	704,828	649,331	16,158,624
2001	3,350,828	4,522,494	3,753,005	1,221,870	765,172	913,916	1,143,195	2,111,279	355,238	18,136,997
2002	2,997,385	8,077,426	5,925,903	1,326,327	784,469	553,963	1,338,915	1,862,403	628,258	23,495,049
2003	4,011,699	8,817,990	3,599,587	2,878,921	2,685,783	1,155,962	916,436	1,546,135	785,417	26,397,930
2004	6,985,553	8,777,395	3,573,219	5,834,417	3,018,220	779,063	1,072,030	2,291,712	567,901	32,899,510
2005	9,935,928	7,474,224	2,712,342	5,354,645	2,565,088	823,379	1,885,779	6,344,587	2,731,641	39,829,613
2006	6,384,207	9,993,765	2,204,188	4,207,257	1,990,634	1,517,734	2,672,659	1,936,214	4,055,384	34,962,042
2007	9,580,866	14,244,023	2,383,767	5,363,788	2,730,959	2,036,931	1,879,812	3,592,433	2,426,116	34,303,633
2008	10,532,070	14,237,670	3,843,967	2,705,130	3,744,801	2,325,817	3,151,954	2,718,737	2,269,179	45,529,325
2009	5,935,540	13,973,396	7,775,580	2,246,675	1,426,465	1,279,150	2,544,605	2,302,220	3,387,530	40,871,161
2010	9,023,743	15,048,575	7,425,819	6,298,440	4,444,089	1,038,166	4,271,410	1,617,250	2,404,102	51,571,594

3.9 COMMERCIAL BUILDING PERMITS ISSUED

Number of Commercial Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1989	3	0	3	4	2	0	0	0	4	16
1990	4	1	3	6	4	2	0	2	1	23
1991	4	3	6	2	3	1	1	2	2	24
1992	16	1	4	6	2	1	0	2	3	35
1993	9	8	2	2	4	0	0	3	0	28
1994	2	3	4	6	1	1	1	1	0	19
1995	4	1	3	4	1	0	0	0	1	14
1996	0	3	1	5	0	0	0	1	0	10
1997	2	5	19	8	1	3	1	2	2	43
1998	3	1	3	4	5	3	0	0	0	19
1999	1	4	7	2	1	0	0	2	0	17
2000	0	1	4	0	0	0	0	1	0	6
2001	3	1	1	3	0	1	0	3	2	14
2002	8	1	1	5	0	12	2	1	1	31
2003	4	4	1	2	2	7	2	1	0	21
2004	4	4	2	4	0	7	1	0	1	23
2005	4	4	5	2	0	7	0	1	0	26
2006	0	6	9	4	3	2	1	2	0	27
2007	2	7	4	2	3	4	1	3	0	26
2008	4	9	2	2	3	1	2	1	2	26
2009	1	1	1	5	1	0	0	1	4	14
2010	4	2	1	5	3	0	0	2	0	17

Value of Commercial Building Permits Issued By Electoral Area (\$)

	A	B	C	D	E	F	G	H	I	Total
1989	62,400	0	149,726	44,450	120,000	0	0	0	58,900	435,476
1990	595,158	7,500	192,828	55,125	182,300	58,080	0	52,256	2,304	1,145,551
1991	1,876,400	50,000	1,158,000	34,500	215,000	60,000	21,000	87,750	108,860	3,611,510
1992	3,767,236	500,000	259,243	51,665	58,000	140,000	0	84,400	253,808	5,114,352
1993	533,800	1,597,455	24,700	160,000	167,767	0	0	320,000	0	2,803,722
1994	24,600	23,900	30,992	485,980	45,217	104,832	70,000	1,000	0	786,521
1995	36,500	250,000	53,880	136,150	4,000	0	0	0	103,000	583,530
1996	0	299,000	0	120,160	0	0	0	8,736	0	427,896
1997	182,000	98,480	2,792,300	440,555	1,360	300,377	42,000	72,520	9,000	3,938,592
1998	59,000	10,000	908,000	56,080	261,240	85,246	0	0	0	1,379,566
1999	18,252	67,500	116,160	4,284	600	0	0	38,000	0	244,796
2000	0	100,000	110,000	0	0	0	0	145,000	0	1,660,000
2001	1,160,360	115,730	170,000	91,800	0	58,400	0	467,595	197,500	2,261,385
2002	1,171,127	8,800	1,000	316,000	0	93,847	55,000	55,800	28,020	1,729,594
2003	224,410	420,000	560,000	118,575	303,700	65,569	256,800	40,000	0	1,989,054
2004	50,000	966,094	643,150	239,510	0	33,020	40,000	0	10,000	1,742,264
2005	24,000	43,696	135,000	17,200	21,000	66,703	0	68,210	0	375,729
2006	0	287,858	2,719,012	142,109	881,975	21,868	11,440	10,000	0	4,074,262
2007	200,000	235,934	190,000	12,360	1,284,545	242,400	109,200	734,000	0	3,008,439
2008	55,000	340,068	575,000	205,000	366,300	111,750	7,500	97,050	520,000	2,277,668
2009	3,000,000	108,150	406,275	377,500	84,990	0	0	3,600	336,000	4,316,515
2010	328,700	25,480	100,000	128,750	447,500	0	0	159,000	0	1,189,430

3.10 INDUSTRIAL BUILDING PERMITS ISSUED

Number of Industrial Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1990	0	0	3	0	6	1	0	1	1	12
1991	0	0	0	0	7	1	0	1	0	9
1992	0	0	4	0	8	1	0	0	0	13
1993	1	0	2	0	6	0	0	1	0	10
1994	2	0	1	0	8	1	1	2	0	15
1995	2	0	0	1	4	0	0	1	2	10
1996	0	0	0	0	8	1	0	0	0	9
1997	1	0	1	0	7	0	0	0	0	9
1998	0	0	1	0	6	0	0	0	0	7
1999	2	0	0	0	5	0	0	0	0	7
2000	0	0	4	1	5	1	1	0	1	13
2001	0	0	0	0	6	2	0	0	0	8
2002	1	0	2	0	5	3	1	1	0	13
2003	1	0	3	0	8	1	0	0	0	13
2004	0	0	1	1	4	0	1	0	0	7
2005	2	0	1	0	2	1	1	1	0	8
2006	0	1	2	0	6	0	0	0	0	9
2007	0	0	2	0	1	1	0	0	0	4
2008	0	3	1	2	1	1	2	1	2	13
2009	1	3	0	2	2	0	0	1	1	10
2010	1	2	3	1	2	0	0	1	0	10

Value of Industrial Building Permits Issued - By Electoral Area (\$)

	A	B	C	D	E	F	G	H	I	Total
1990	0	0	170,000	0	669,390	53,170	0	35,000	165,000	1,092,560
1991	0	0	4,000	0	247,448	10,800	0	645,900	0	908,148
1992	0	0	266,500	0	524,882	30,600	0	0	0	821,982
1993	69,435	0	60,000	0	490,800	0	0	250,000	0	870,235
1994	167,980	0	60,000	0	1,460,040	180,000	18,000	188,000	0	2,074,020
1995	140,600	0	0	800,000	457,680	0	0	21,500	94,522	1,514,302
1996	0	0	0	0	462,750	0	0	0	0	462,750
1997	62,660	0	381,560	0	893,000	0	0	0	0	1,337,220
1998	0	0	30,000	0	316,558	0	0	0	12,000	358,558
1999	314,034	0	0	0	159,800	0	0	0	0	473,834
2000	0	0	511,400	300,000	327,570	150,000	130,000	0	30,000	1,448,970
2001	0	0	0	0	798,687	70,480	0	0	0	869,167
2002	90,000	0	202,994	0	205,000	435,000	42,000	30,472	0	1,005,466
2003	24,998	0	529,600	0	554,803	33,600	0	0	0	1,143,001
2004	0	0	170,000	10,000	193,920	0	54,600	0	0	429,520
2005	0	114,768	32,760	0	82,040	0	55,200	270,000	0	554,768
2006	0	1,300,000	278,800	0	1,001,680	0	0	0	0	2,580,480
2007	0	0	0	40,800	100,000	0	0	0	0	140,800
2008	0	3,202,400	400,000	0	39,000	0	0	8,696,000	0	12,337,400
2009	26,350	657,980	0	350,000	271,800	0	0	10,000	785,460	2,101,590
2010	45,000	424,790	86,500	25,000	625,000	0	0	15,000	0	1,221,290

3.11 INSTITUTIONAL BUILDING PERMITS ISSUED

Institutional Building Permits Issued By Electoral Area

	A	B	C	D	E	F	G	H	I	Total
1990	3	3	3	3	0	3	1	2	1	19
1991	1	2	2	2	3	1	0	0	0	11
1992	2	5	2	2	2	3	2	3	3	24
1993	2	7	2	0	0	0	1	2	0	14
1994	5	5	1	3	3	2	1	1	2	23
1995	6	4	5	1	0	1	1	0	2	20
1996	0	0	0	1	0	2	1	0	2	6
1997	5	5	4	1	2	2	2	1	2	24
1998	6	3	3	2	2	1	0	1	1	19
1999	3	1	0	0	2	1	0	0	1	7
2000	3	2	4	2	2	1	1	0	0	15
2001	4	7	1	0	0	1	0	0	0	13
2002	5	7	0	0	1	1	1	0	0	15
2003	0	2	0	0	3	0	0	0	1	6
2004	8	5	1	0	3	0	0	0	0	17
2005	2	5	2	0	0	0	0	1	1	11
2006	3	3	1	0	0	0	0	0	0	7
2007	0	0	2	0	1	1	0	0	0	4
2008	3	1	2	2	3	0	2	2	0	15
2009	0	4	0	1	2	0	0	1	0	8
2010	3	3	0	0	1	1	0	1	1	10

Value of Institutional Building Permits Issued By Electoral Area (\$)

	A	B	C	D	E	F	G	H	I	Total
1990	321,712	32,740	130,500	135,000	0	31,408	17,000	63,000	0	596,360
1991	12,960	825,000	165,000	65,120	73,760	0	0	0	0	1,128,880
1992	130,000	1,783,140	124,917	35,000	11,232	549,818	120,155	2,137,376	1,125,440	6,017,078
1993	180,000	1,420,300	210,500	0	0	0	12,000	53,500	0	1,876,300
1994	390,000	926,000	17,500	125,000	22,688	258,000	30,000	85,000	32,000	1,866,188
1995	457,120	968,700	652,620	80,000	0	716,000	80,000	0	115,210	3,069,650
1996	0	0	0	2,000	0	22,112	14,400	0	187,154	225,666
1997	437,550	556,743	61,063	1,920	55,400	103,928	75,000	20,000	261,500	1,573,108
1998	2,403,000	3,170,000	76,320	265,000	53,328	19,575	0	94,750	0	6,081,973
1999	50,186	82,740	0	0	65,000	3,500	0	0	3,000	204,426
2000	1,181,000	127,650	3,008,455	1,353,780	40,800	20,000	638,300	0	0	6,369,985
2001	385,000	3,845,746	1,768	0	0	17,408	0	0	0	4,249,922
2002	5,648,600	1,292,512	0	0	5,900	20,000	352,000	0	0	7,319,012
2003	3,000,000	535,000	0	0	240,178	0	0	0	30,000	3,805,178
2004	1,000,715	5,425,342	5,000	0	186,600	0	0	0	0	6,804,257
2005	12,850,000	306,616	10,000	0	0	17,628	0	0	175,000	13,341,616
2006	200,000	7,070,522	20,000	0	0	0	0	0	0	7,290,522
2007	0	0	1,062,800	0	32,186	0	0	0	0	1,094,986
2008	10,187,000	1,713,650	678,652	0	160,000	13,500	225,000	0	0	12,977,802
2009	0	1,429,375	0	7,500	165,240	0	0	5,000	0	1,607,115
2010	8,120,000	194,340	0	0	30,720	45,000	0	40,000	3,000	8,433,060

3.12 AGRICULTURAL BUILDING PERMITS ISSUED BY ELECTORAL AREA

Agricultural Building Permits Issued By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
2004	1	3	2	1	7	1	2	4	0	21
2005	1	2	3	3	6	0	0	2	0	17
2006	0	3	5	7	6	1	0	1	0	23
2007	3	4	2	0	12	2	0	2	0	25
2008	2	1	2	2	3	0	2	2	0	14
2009	1	0	2	1	3	0	0	0	0	7
2010	1	2	1	1	3	0	1	0	0	9
Value of Agricultural Building Permits Issued By Electoral Area (\$)										
	A	B	C	D	E	F	G	H	I	Total
2004	40,000	137,000	25,000	10,000	142,000	25,168	35,880	44,600	0	459,648
2005	0	53,500	60,050	351,084	79,575	13,468	0	47,880	0	605,557
2006	0	85,000	216,000	96,780	150,000	10,000	0	61,880	20,000	639,660
2007	186,140	27,958	12,500	0	1,335,311	40,000	0	105,000	0	1,706,909
2008	27,000	75,000	103,000	130,000	89,000	0	136,000	160,000	0	720,000
2009	7,500	194,000	116,500	25,000	226,560	6,000	0	15,500	0	591,060
2010	100,000	85,000	1,000,000	150,000	165,500	0	20,000	0	0	1,520,500

*Prior to 2004 agricultural building permits were included under the residential building permit category.

3.13 TOTAL BUILDING PERMITS ISSUED

Number of Building Permits Issued - By Electoral Area										
	A	B	C	D	E	F	G	H	I	Total
1989	81	212	178	59	55	37	49	46	30	747
1990	80	188	137	53	69	38	55	68	20	708
1991	77	191	133	56	80	44	45	56	22	704
1992	96	209	168	44	115	58	51	85	33	859
1993	94	198	134	21	83	42	39	59	39	709
1994	91	198	178	48	106	36	46	67	39	809
1995	77	116	93	37	65	34	43	49	30	544
1996	51	94	89	32	71	35	32	31	28	463
1997	76	104	125	24	59	34	28	31	15	496
1998	63	91	59	24	54	24	34	24	22	395
1999	50	98	73	18	36	19	20	23	17	354
2000	40	77	56	23	35	18	24	12	12	298
2001	51	86	53	21	28	27	21	27	14	328
2002	44	111	71	17	24	28	25	27	9	356
2003	57	123	57	38	57	35	29	30	15	441
2004	83	133	54	66	54	24	26	33	15	488
2005	100	134	50	57	48	32	35	59	35	549
2006	68	141	64	51	53	34	37	32	44	524
2007	105	161	45	69	58	31	30	46	35	580
2008	100	154	51	44	61	37	49	42	33	571
2009	58	148	75	35	40	33	21	32	37	479
2010	85	151	74	51	53	20	37	28	26	525

Value of Building Permits Issued - By Electoral Area (\$)										
	A	B	C	D	E	F	G	H	I	Total
1989	3,637,994	9,683,613	10,360,437	1,387,824	1,232,679	1,047,421	1,308,280	1,571,188	375,756	30,605,192
1990	4,046,928	8,792,522	8,046,840	1,584,928	2,697,379	1,132,068	2,693,166	3,307,257	525,621	32,826,709
1991	5,191,932	9,176,059	9,076,058	2,019,041	3,699,848	1,856,595	2,024,924	3,294,172	882,170	37,220,799
1992	7,947,709	16,269,478	9,931,152	2,311,708	5,412,811	3,188,659	2,712,717	6,300,249	2,982,496	57,056,979
1993	6,589,249	12,327,938	7,732,711	648,771	3,695,089	1,733,947	1,895,075	2,873,202	2,247,355	39,743,337
1994	6,222,517	12,144,965	14,425,314	2,610,856	7,318,192	1,634,080	2,238,179	3,417,945	2,004,520	52,016,568
1995	4,712,009	6,565,935	7,296,902	2,767,770	3,242,596	2,024,439	1,907,224	2,017,711	1,615,760	32,150,346
1996	1,314,365	2,960,758	3,625,972	1,843,842	2,160,065	776,678	733,551	1,347,326	1,127,183	15,889,740
1997	6,156,274	6,430,620	10,900,149	1,869,545	4,209,596	1,895,626	1,609,852	2,101,723	706,996	35,880,381
1998	5,852,403	7,996,119	4,618,754	1,102,221	2,521,710	873,706	2,068,015	753,506	708,124	26,494,558
1999	3,040,471	6,386,905	5,272,303	936,414	2,214,046	651,864	1,021,862	1,489,831	700,330	21,714,026
2000	6,171,189	3,898,369	6,799,338	2,376,160	1,075,309	662,114	1,239,932	2,154,828	679,331	25,056,570
2001	4,896,188	8,483,970	3,924,773	1,313,670	1,563,859	1,060,204	1,143,195	2,578,874	552,738	25,517,471
2002	9,907,112	9,378,738	6,129,897	1,642,327	996,369	1,102,810	1,787,915	1,948,675	656,278	33,550,121
2003	7,311,107	9,778,990	4,689,187	2,997,496	4,516,464	1,255,131	1,173,236	1,826,135	825,417	34,373,163
2004	8,076,268	15,305,831	4,446,369	6,063,927	3,540,740	837,251	1,202,510	2,336,312	577,901	42,387,109
2005	22,809,928	7,992,804	2,950,152	5,722,929	2,747,703	921,178	1,940,979	6,730,677	2,906,641	54,722,991
2006	6,584,207	18,737,145	5,438,000	4,446,146	4,024,289	1,549,602	2,684,099	2,008,094	4,075,384	49,546,966
2007	9,967,006	14,507,915	3,649,067	5,416,948	5,483,001	2,319,331	1,989,012	4,431,433	2,426,116	40,254,767
2008	20,801,070	19,568,788	5,600,619	3,040,130	4,399,111	2,451,067	3,520,454	11,726,787	2,789,179	73,897,195
2009	9,059,390	16,362,901	8,298,355	3,006,675	2,175,055	1,285,150	2,544,605	2,336,320	3,837,790	48,906,241
2010	17,617,443	15,778,185	8,612,319	6,602,190	5,712,804	1,083,166	4,291,410	1,831,252	2,407,105	63,935,874



R 9

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15, 2011

DATE: March 8, 2011
FROM: Katy Tompkins MCIP Senior Planner
SUBJECT: South Cowichan Official Community Plan

Recommendation/Action:

That the draft South Cowichan Official Community Plan be referred to Fisheries and Oceans Canada; Transport Canada; Cowichan Tribes; Malahat First Nations; Tsawout First Nations; Tsartlip First Nations; Chemainus First Nations; Paquachin First Nations; Agricultural Land Commission; Ministry of Community and Regional Planning – Intergovernmental Relations; Ministry of Forests and Range – Integrated Land Management Bureau; Ministry of Agriculture; Ministry of Energy and Mines; Ministry of Transportation and Infrastructure; Vancouver Island Health Authority; Ministry of Environment; Ministry of Community, Sport and Cultural Development; Land Titles and Survey Authority of BC; Capital Regional District; School District 79; Royal Canadian Mounted Police; Mill Bay Water Improvement District; Braithwaite Improvement District; Shawnigan Lake Improvement District; Cobble Hill Improvement District; Lidstech Holdings; Cowichan Bay Volunteer Fire Department; Malahat Volunteer Fire Department; Mill Bay Volunteer Fire Department; Shawnigan Lake Volunteer Fire Department; CWAV Safer Futures and Social Planning Cowichan.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: (Reviewed by Finance Division: N/A)

Background:

On December 7, 2010, the Electoral Area Services Committee requested staff to provide a general summary of the Draft South Cowichan Official Community Plan (OCP), during the final public review stage of the process. This report summarizes some of the main highlights of the OCP, and provides a brief description of the remainder of the planning process. The Draft South Cowichan OCP is attached, under separate cover, for your convenience.

As mentioned during previous EASC meetings, the South Cowichan OCP includes a main OCP document, three village plan documents, and corresponding land designation maps. The main OCP document affects the entire Plan area, and also has some land designation sections that pertain specifically to areas outside of the village containment boundaries (VCB). The three Village Plans affect lands within the Mill Bay VCB, Shawnigan Lake VCB, and Cobble Hill VCB.

The OCP includes many provisions, too numerous to outline here, however the following list contains a few of the highlights:

1. The OCP provides a policy framework for the natural environment, the marine shoreline, the Shawnigan Lake Watershed, climate change/ energy efficiency, economic development, social sustainability, heritage conservation, village containment boundaries, transportation, community water services, liquid waste management, solid waste management, fire protection and plan implementation, and establishes land use designations for all lands within the Plan area.
2. Three village containment boundaries (VCBs) are established, for Mill Bay Village, Shawnigan Village, and Cobble Hill Village. Most future growth is anticipated in the VCBs, with some provision for growth in the rural areas as well;
3. In Shawnigan Village, the lake will have a higher profile, with the commercial area expanding toward the lake. Public lake views and access are encouraged.
4. In Cobble Hill Village, the commercial areas are expanded, and multifamily residential uses encouraged close to the commercial core area. A heritage design theme will be encouraged;
5. In Mill Bay, new policies are introduced for the Stonebridge area, a new designation is provided for multiple family developments, and more focus is placed on beach views and beach access;
6. In all three village areas, higher densities are encouraged in the commercial core areas. Single family residential areas are protected from undue impacts.
7. Streetscaping/beautification plans are proposed for all three village areas.
8. Community amenity contributions that encourage future services, parkland and affordable housing, are introduced to ensure the future liveability of the area.
9. 58 known heritage sites are identified and are proposed to be considered for inclusion on the community heritage register.
10. In most cases the issuance of development permits will be dependent on the eradication or management of invasive, non-native weeds, such as Scotch Broom and Scotch Gorse, as they are declared both unsightly and a threat to the natural environment.
11. A Marine Conservation Designation is introduced, and development permit guidelines are introduced.
12. The Shawnigan Lake watershed is provided a greater level of protection;
13. For agricultural lands, a development permit area is proposed to mitigate impacts of non-farm uses.
14. A new institutional zone is proposed to include affordable housing opportunities in Shawnigan Village and Cobble Hill Village.
15. Wildfire interface development permit area guidelines are proposed for the rural area.
16. Development permit guidelines include protection of wildlife trees.

The Draft OCP has been prepared through a collaborative community effort which involved a broad cross section of South Cowichan residents, business owners, agencies and stakeholders. In particular, the Plan would not have been possible without the hard work and dedication of the South Cowichan OCP Steering Committee members, listed below:

June Laraman, Chair	Brent Beach	Brenda Krug
Geoff Johnson	Rod Macintosh	Al Cavanagh
Ken Waldron	Sarah Mallerby	Dave Thomson
Archie Staats	Jerry Tomljenovic	Bob Brooke
Roger Burgess	Rod de Paiva	Janice Hiles
Mike Hanson	Rosemary Allen	Larry George
Sarah Middleton	John Clark	Roger Painter
John Krug		

The Steering Committee has requested that the Draft OCP be submitted for public review. A series of open houses have been scheduled, as follows:

- **March 17, 2011:** Mill Bay Community League Hall, 4-7 pm
- **March 19, 2011:** Mill Bay Community League Hall, 10 am -2 pm
- **March 22, 2011:** Shawnigan Lake Community Centre Gym, 4-7 pm
- **March 24, 2011:** Mill Bay Community League Hall, 4-7 pm
- **March 26, 2011:** Mill Bay Community League Hall, 10 am -2 pm
- **March 31, 2011:** Cobble Hill Hall, 4-7 pm
- **April 2, 2011:** Shawnigan Lake Community Centre Gym, 10 am – 2 pm

The open houses will include a graphic presentation, primarily composed of posters and other written material, and will include a questionnaire component. The questionnaire will also be placed on the CVRD website, for the convenience of residents and stakeholders who are unable or do not wish to attend the open houses.

Further, although collaboration with external agencies has occurred throughout the process, a formal referral process should include the following local, provincial and federal agencies:

- Fisheries and Oceans Canada
- Transport Canada
- Cowichan Tribes
- Malahat First Nations
- Tsawout First Nations
- Tsartlip First Nations
- Chemainus First Nation
- Paquachin First Nations
- Agricultural Land Commission
- Ministry of Community and Regional Planning – Intergovernmental Relations
- Ministry of Forests and Range – Integrated Land Management Bureau
- Ministry of Agriculture
- Ministry of Energy and Mines
- Ministry of Transportation and Infrastructure
- Vancouver Island Health Authority
- Ministry of Environment
- Ministry of Community, Sport and Cultural Development
- Land Titles and Survey Authority of BC

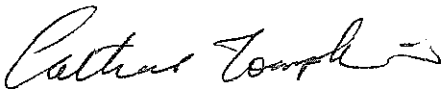
- Capital Regional District
- School District 79
- Royal Canadian Mounted Police
- Mill Bay Water Improvement District
- Braithwaite Improvement District
- Shawnigan Lake Improvement District
- Cobble Hill Improvement District
- Lidstech Holdings
- Cowichan Bay Volunteer Fire Department
- Malahat Volunteer Fire Department
- Mill Bay Volunteer Fire Department
- Shawnigan Lake Volunteer Fire Department
- CWAV Safer Futures
- Social Planning Cowichan

The agencies will be requested to provide comments by April 8, 2011. Following the open houses and the agency referral process, the Steering Committee will meet to review public and agency input, and will consider potential amendments to the draft OCP. The Plan will then be forwarded to the Electoral Area Services Committee for consideration.

The remaining components of the planning process include:

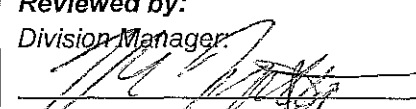
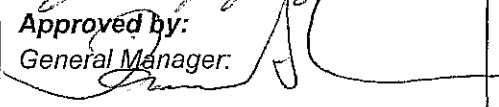
- Summary of open houses;
- Completion of agency referral process;
- South Cowichan OCP Steering Committee Meeting
- Electoral Area Services Committee (to prepare bylaws, hearing delegation)
- Preparation of Bylaw
- First and Second Readings
- Public Hearing
- Third Reading
- Final Adoption

Submitted by,



Katy Tompkins MCIP
Senior Planner
Community & Regional Planning Division
Planning and Development Department

KT/ca

Reviewed by: Division Manager:

Approved by: General Manager:




R10

STAFF REPORT

ELECTORAL AREA SERVICES COMMITTEE MEETING OF MARCH 15 2011

DATE: March 4, 2011 FILE NO: 2-C-10 DVP
FROM: Mike Tippet, Manager Community & Regional Planning BYLAW No: 3142
SUBJECT: Proposed change to covenant language concerning a vegetative screen – South Cowichan Mini Storage

Recommendation/Action:

That the second bullet under Board Resolution No. 10-487.22, related to application for a Development Variance Permit 02-C-10 DVP (South Cowichan Storage Ltd.) be rescinded and that it be replaced by the following:

- Receipt of a Certified Cheque in the amount of \$1200 as a security to ensure that the planted vegetative screen along the perimeter of the subject property survives, to be submitted by the applicant prior to the issuance of the Permit.

Relation to the Corporate Strategic Plan: N/A

Financial Impact: N/A

Background:

In September 2010, the following Board Resolution (10-487.22) was passed:

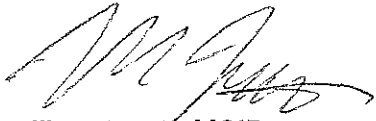
That Application No. 2-C-10 DVP by Kevin Lamont for a variance to Section 11.3(b)(3) of Zoning Bylaw No. 1405, to decrease the setback to the rear parcel line from 7.5 metres (24.61 feet) to 6.66 metres (21.85 feet) to be approved, subject to:

- *Applicant to provide a survey confirming compliance with approved setbacks; and*
- *Receipt of an irrevocable letter of credit in a form suitable to the CVRD equivalent to 125% of the value of the landscaping plan that includes irrigation, to be submitted by the applicant prior to the issuance of the permit.*

In the months since that time, a draft Development Variance Permit has been waiting in the file, for fulfillment of the conditions. Recently, the applicants contacted Director Giles in order to pursue the issuance of this permit. The applicants indicated that, because the vegetative buffer is on School District property, it is not going to be possible to install underground irrigation as per the September Board resolution because it would be on School District property. An alternative has been identified in which a \$1200 Certified Cheque would be deposited as a security by the proponents, no irrigation would be installed and on that basis the development variance permit could be issued.

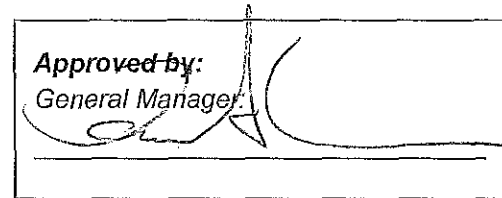
This proposal seems to resolve a difficult problem with respect to the conditions that were originally attached to the resolution, and would provide protection, through the \$1200 security, that the vegetative screen could be maintained should some of the trees die in the absence of permanent irrigation.

Submitted by,



Mike Tippett, MCIP
Manager
Community and Regional Planning Division

MT/ca



COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director BRIAN HARRISON Area "A" (Mill Bay / Malahat) MAR - 1, 2011

Financial Services Department

Grantee:	Grant Amount \$ <u>350.00</u>
NAME: <u>BOARD @ BRENTWOOD</u>	
ADDRESS: <u>% Rod PEARCE</u>	
<u>2561 Mill Bay Road</u>	
<u>Mill Bay, B.C. VOR 2P1</u>	
Contact Phone No:	<u>2506 743-4756</u>
PURPOSE OF GRANT: <u>ASSIST WITH 2011 PRODUCTION.</u>	
REQUESTED BY: <u>B.D. Harrison</u> Director Requesting Grant	

ACCOUNT NO.	AMOUNT	GST CODE
<u>01-2-1950-0312-III</u>	<u>350.00</u>	<u>10.0</u>

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization

— SUMMER PRODUCTIONS —
bard@brentwood
— T. GIL BUNCH CENTRE —

C.V.R.D.
RECEIVED
JAN 25 2011

January 20th, 2011

Mr. Brian Harrison,
Director, Electoral Area A
Cowichan Valley Regional District
175 Ingram Street,
Duncan, B.C.
V9L 1N8

Dear Brian:

Your support over the years for Bard@Brentwood is most appreciated. It has helped us to continue with our stated objective of providing arts and theatrical culture to our area in the Cowichan Valley.

We are all aware of the enormous pressure for support being placed on all agencies and organizations in these most stressful economic times.

Last year's production received no support from Direct Access Program Grant through the provincial government Lotteries Commission. This presented us with a significant challenge. We are pleased to advise that we managed to make it through thanks to a good attendance participation.

We are hopeful that your generous support in the past will be able to be continued through the CVRD Grant – In Aid program.

Our production this year will be the highly acclaimed "Inherit The Wind" directed by Gregg Perry with shows July 7, 8, 9, 14, 15 and 16.

Should you have any questions please do not hesitate to contact me.

Rod Pearce, Chair of Board
250-743-0760

Original: <i>Finance</i>	Copies to: <i>Brian Harrison</i>
(Date)	
Created by: <i>[Signature]</i>	Date: <i>Jan. 27/11</i>
File #	

T. GIL BUNCH CENTRE FOR PERFORMING ARTS

2735 Mt. Baker Road, Mill Bay, BC V0R 2P1

Box Office: (250) 743-8756 . boxoffice@brentwood.bc.ca . bard.brentwood.bc.ca

COWICHAN VALLEY REGIONAL DISTRICT

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

MAR - 7 2011

Submitted by Director BRIAN HARRISON Area "A"

Financial Services Department

Grantee:	Grant Amount \$ <u>10,000</u>
NAME: <u>Mill Bay / Malahat Historical Society</u>	
ADDRESS: <u>% Mauran Alexander</u>	
<u>P.O. Box 263</u>	
<u>Mill Bay, B.C. V0R 2P0</u>	
Contact Phone No: _____	
PURPOSE OF GRANT: <u>Assist Society in their efforts to collect, preserve and present the history and heritage of Mill Bay / Malahat</u>	
REQUESTED BY: <u>BD Harrison</u>	
Director Requesting Grant	

ACCOUNT NO.	AMOUNT	GST CODE
01-2-1950-0359-111	10,000.00	10.0

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

Disposition of Cheque:
Mail to above address: _____
Return to _____
Attach to letter from _____
Other _____

Approval at Regional Board Meeting of _____

Finance Authorization

Mill Bay/Malahat Historical Society

**P.O. Box 263
Mill Bay, B.C. V0R 2P0**

November 24, 2010

Director Brian Harrison
Area A, Mill Bay, B.C.

Dear Brian,

As you are aware the alternate approval process proposed for MBMHS funding was defeated. This was a crushing blow for all our members and we are appealing to you for a grant-in-aid of \$10,000 for 2011 to allow us to continue our work.

The Mill Bay/Malahat Historical Society is committed to stimulating a greater appreciation of local history by collecting, preserving and presenting the history of Mill Bay and the Malahat. It is vitally important, not only for newcomers and tourists, but also for long time residents, that important archives, artifacts and historic sites are not only documented but maintained for future generations.

Thanks to last year's \$10,000 grant-in-aid the MBMHS was able to open a museum in Pioneer Center, where we are currently cataloguing hundreds of artifacts and archives. Dozens of community groups have benefited from our historical presentations and displays and all ages enjoyed the Seeds and Salt historical theatre performances that brought local history to life.

We would like to host this highly successful theatre production in 2011 and expand the event to include local musicians. This would involve local businesses as well and be promoted as Pioneer Days.

As Mill Bay does not have records of its veterans or a cenotaph, one of our projects for 2011 is the placing of crosses on graves in the area's cemeteries and commissioning a commemorative veteran's plaque.

We are also currently working with the South Cowichan Chamber of Commerce, Cowichan Press, Cowichan Bay Maritime Society and the Shawnigan Museum to create a driving map showing the various historical sites in the area.

All of these projects develop pride in our community, and give visitors an incentive to stay longer in the area instead of just passing through.

Membership in the MBMHS has more than doubled in the last month and many more worthy projects have been suggested, so it is evident our efforts to raise public awareness and appreciation of this area's past have been successful and of benefit to the community.

Thank you for your consideration of this request and we look forward to hearing from you in the near future.

Yours very truly,

**Maureen Alexander MBMHS President
Charity # BN 812212827**

Registered Society #54825



R1 C3

COWICHAN VALLEY REGIONAL DISTRICT

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

Financial Services Department

Submitted by Director DOREY Area G

Grantee:

Grant Amount \$ 500.00

NAME:

~~MELE DOR~~ HARVEST HOUSE SOCIETY

ADDRESS:

9814 Willow St.
Box 188

Chernivius, B.C. VOR 1K0

Contact Phone No:

250-246-3455 or 246-9060

PURPOSE OF GRANT:

To help with basic food
to people in need

REQUESTED BY:

DOREY
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0383-117	500.00	10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL _____

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

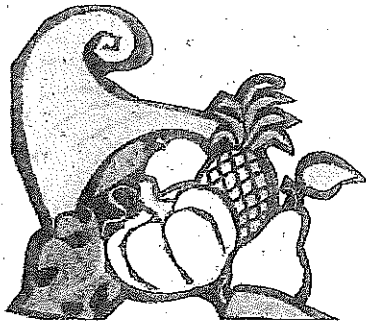
Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____

HARVEST HOUSE food bank
When in Need We are Here to Lend a Hand

HUNGER IS SCARY



HARVEST HOUSE SOCIETY
(food bank)

9814 WILLOW STREET (bsm)

BOX 188
CHEMAINUS, B.C. V0R1K0

250-246-3455 OR 250-246-9060

EMAIL : harvesthouse@shaw.ca

February 21, 2011

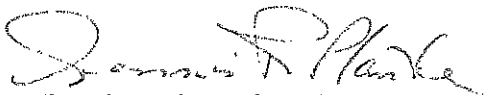
Mr Mel Dorey,
Regional Representative,
Area G, CVRD,
11095 Valdon Road,
Ladysmith, BC
V9G 1Z2

Dear Mel:

Chemainus Harvest House Food Bank has experienced an increase of about 15% in the number of people requiring assistance in the past year. We have been forced to reduce the quantity of items provided and foresee a problem maintaining what is considered basic food requirements. The Harvest House directors are reviewing all expenditures and are making every effort to cut costs. We would greatly appreciate any assistance in the form of a Grant-in-Aid from the CVRD.

Harvest House Food Bank was started in 2001 and was registered as a nonprofit society on April 16/02. Harvest House serves over 225 people each week many of whom are children. We do not have any paid staff and do not receive Provincial or Federal funding. Harvest House covers the areas of Crofton, Westholme, Chemainus, Saltair, Penelakut and Thetis Islands. We operate with approximately 25 volunteers who work on monday, thursday And friday of each week. Distributions are on friday in Chemainus and monday in Crofton to insure those in need can receive help.

Sincerely,


Dennis R Plante, Secretary



COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director KEN COSSEY Area B

Financial Services Department

Grantee:

Grant Amount \$ 500⁰⁰

NAME: COWICHAN SENIORS COMMUNITY FOUNDATION

ADDRESS: 135 THIRD ST

DUNCAN BC V9L 1R9

Contact Phone No: CAROL HUNT (250) 715 6481

PURPOSE OF GRANT:

HELP WITH FUND RAISING EVENT.

REQUESTED BY:

K. Cossey
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
01-2-1950-0372-112	500.00	10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____



Cowichan Seniors
Community Foundation

135 Third St., Duncan, B.C. V9L 1R9
Tel: (250) 715-6481
cscfoundation@shaw.ca
www.cowichanseniors.ca

February 1, 2011

Director Ken Cossey, CVRD Electoral Area B – Shawnigan Lake
Cowichan Valley Regional District,
175 Ingram Street,
Duncan, BC V9L 1N8

Dear Ken,

RE: GRANT-IN-AID

Last year, the CVRD Directors in each electoral district were asked by the Cowichan Seniors Community Foundation for assistance in the form of a Grant-In-Aid of \$500.00 each that would help off-set the costs in staging a major funding raising event, The Great Cowichan Caper, Sunday, June 6th. The Foundation received \$1,500.00 from Electoral Areas B,C and D. The Cowichan Seniors Community Foundation is very grateful for your support in this regard.

The Great Cowichan Caper was a success and will be repeated this year, only with some important changes to the venue and market audience. We were able to contribute \$20,000.00 (not all raised at this single event) to three most deserving community projects that benefit seniors here in Cowichan. This year we are staging a Grand Family Day at the BC Forest Discovery Centre on Sunday, June 5th. This is a partnering event with net profits being shared by these two organizations to support their respective community projects. Admission will be free, with tickets being sold for rides, activities and "contests".

The expected attendance is between 1000 – 2000 visitors. Since admission is free, no one will be left out due to financial circumstances. Enclosed is an overview of this fun family day and our projected costs and revenues. The Cowichan Seniors Community Foundation will, once again, award another \$20,000.00 to the successful candidate applying for the Seniors Community Fund.

We are again asking you to consider helping us with a grant to off-set this year's staging costs; \$500.00 per electoral area. A recent letter that our Foundation endorsed for the City of Duncan in application for funds to build an enhanced transit infrastructure, stated that over half the residents in the Cowichan Valley are, or will soon be, over the age of 55. Our Foundation is aggressively trying to build capacity for a community where aging in place may happen with the best possible programs and services available locally.

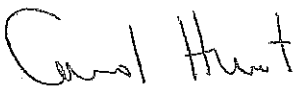
Currently we are the umbrella for Meals On Wheels here, publish a very popular Seniors Guidance Directory offered in hard copy and on line free of charge to the public, and participate in as many community planning activities as possible. We support other agencies that have a senior constituency.

We have representation on the Cowichan Community Health Network, the Working Group for Cowichan Lodge Re-Development, Community Futures and various business groups and service clubs.

Our events are run by a network of capable volunteers without whose help raising these funds would not be possible.

Thank you for your time and consideration re: a request for a grant-in-aid.

Sincerely,

A handwritten signature in cursive script that reads "Carol Hunt". The signature is written in dark ink and is positioned above the printed name and title.

Carol Hunt, Executive Director

Cowichan Seniors Community Foundation



CVRD

COWICHAN VALLEY REGIONAL DISTRICT

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

Submitted by Director KEN COSSEY Area B

Financial Services Department

Grantee:

Grant Amount \$ 750.00

NAME:

BARD@BRONTWOOD

ADDRESS:

2735 MT. BAKER ROADMILL BAY BC VOR 2P1

Contact Phone No:

RED PEARCE (250) 743 0760

PURPOSE OF GRANT:

HELP WITH THEIR PRODUCTIONS;"INHERIT THE WIND". SHOWS JULY 7, 8, 9, 14, 15 & 16.

REQUESTED BY:

K. Cossey
Director Requesting Grant

ACCOUNT NO.	AMOUNT	HST CODE
<u>01-2-1950-0312-112</u>	<u>750.00</u>	<u>10.0</u>

FOR FINANCE USE ONLYBUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization _____

— SUMMER PRODUCTIONS —
bard@brentwood
— T.GIL BUNCH CENTRE —

RECEIVED
JAN 25 2011

January 20th, 2011

Mr. Ken Cossey
Director, Electoral Area C
Cowichan Valley Regional District
175 Ingram Street,
Duncan, B.C.
V9L 1N8

Dear Ken

Your support over the years for Bard@Brentwood is most appreciated. It has helped us to continue with our stated objective of providing arts and theatrical culture to our area in the Cowichan Valley.

We are all aware of the enormous pressure for support being placed on all agencies and organizations in these most stressful economic times.

Last year's production received no support from Direct Access Program Grant through the provincial government Lotteries Commission. This presented us with a significant challenge. We are pleased to advise that we managed to make it through thanks to a good attendance participation.

We are hopeful that your generous support in the past will be able to be continued through the CVRD Grant – In Aid program.

Our production this year will be the highly acclaimed "Inherit The Wind" directed by Gregg Perry with shows July 7, 8, 9, 14, 15 and 16.

Should you have any questions please do not hesitate to contact me.

Rod Pearce

Rod Pearce, Chair of Board
250-743-0760

Original: <i>France</i>	Copies to: <i>Dir Cossey</i>
Board:	
Committee(s):	
Director: <i>John</i>	Date: <i>Jan 27/11</i>

T. GIL BUNCH CENTRE FOR PERFORMING ARTS

2735 Mt. Baker Road, Mill Bay, BC V0R 2P1

Box Office: (250) 743-8756 . boxoffice@brentwood.bc.ca . bard.brentwood.bc.ca



COWICHAN VALLEY REGIONAL DISTRICT Financial Services Department

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

Submitted by Director Giles Area 'C'

Grantee: Grant Amount \$ 1,000.00

NAME: South Cowichan Chamber of Commerce

ADDRESS: 368-3720 Alfred Bay Road

Contact Phone No: 250-743-3566

PURPOSE OF GRANT: to assist the Chamber in staging
activities that promote agriculture and
provide educational awareness in community

REQUESTED BY: Gerry Giles
Director Requesting Grant

ACCOUNT NO.	AMOUNT	GST CODE
01-2-1950-0138-113	1000.00	10.0

FOR FINANCE USE ONLY

BUDGET APPROVAL [Signature]

VENDOR NO. _____

Disposition of Cheque:

Mail to above address: _____

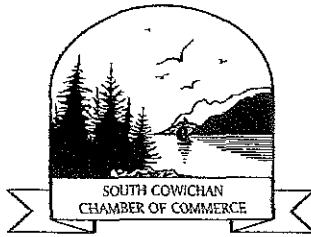
Return to _____

Attach to letter from _____

Other _____

Approval at Regional Board Meeting of _____

Finance Authorization



Member of



February 3, 2011

CVRD
175 Ingram Street
Duncan, BC V9L 1N8

ATTENTION: Gerry Giles, Area Director, Cobble Hill
Ken Cossey, Area Director, Shawnigan Lake
Brian Harrison, Area Director, Mill Bay

RE: Grants in Aid

The South Cowichan Chamber of Commerce would like to apply for an on-going grant for permanent funding for Districts A, B and C. These areas cover our Chamber's business districts, Shawnigan Lake, Cobble Hill and Mill Bay.

Our Chamber's mandate is to strengthen business and community in the South Cowichan Valley. In order to achieve our mandate, we need funding and support from CVRD through the Grants in Aid program.

We are applying for \$15,000. Some of our on-going projects and future projects are as follows:

- Signage for Cobble Hill, Mill Bay, Shawnigan Lake, Top of the Malahat
- New Visitors Information Centre
- Community Café – Business and public meetings to discuss issues and concerns of the South Cowichan Valley

I have enclosed a copy of our By-Laws, and Mission Statement along with our present Board Members.

For more information please call the Chamber Manger, Rosalie Power at 250-743-3566 or email southcowichanchamber@shaw.ca

I am looking forward to your reply and meeting with you to discuss this request.

Yours truly,

A handwritten signature in black ink, appearing to read 'Mike Hanson', with a large, stylized loop at the end.

Mike Hanson,
President

INI

Meeting of the Area E Advisory Planning Commission (APC)

January 13, 2011

Members Present: Dan Ferguson
Coleen MacGregor
Ben Marrs
Frank McCorkell
David Tattam
Keith Williams

Also present: David and Ula Coulson, Applicants; Director Loren Duncan,
Rachelle Moreau, CVRD Planner I

1-E-10 RS Urban Edge Properties Site Visit and Application Review

Members convened at the site at 4:00 pm to conduct a site visit, followed by a discussion of the application.

A site visit was conducted on the subject property, 5241 Koksilah Road. Mr. Coulson toured APC members around the site describing the following:

- History of the site and buildings,
- Vision of the site for mixed-use and affordable housing;
- Drainage right-of-way on the south side;
- Riparian area on the east side;
- Description of adjacent land uses;
- Overview of the restoration and improvement to all buildings including the McLay heritage house.

The meeting re-convened inside the heritage house.

Nominations of Chair: Frank McCorkell was nominated and elected as Chair of the APC.

Mr. Coulson indicated that the concept for this development, Urban Edge Properties, was inspired by European and international model communities/neighbourhoods, and significant resources have been put into preserving and renovating the heritage building suggesting that this should be seen as a community amenity. He also introduced the concept of a "woonerf", which is a multi-purpose, traffic calming type of road used to encourage pedestrian and cycle use.

The new cabins/single family dwellings are proposed to be approximately 650 sq. ft.

He would like to see some commercial/institutional zoning applied to the heritage house to allow for non-residential uses such as consultant offices, health clinic, or educational facility. He would like to see it leased for one tenant only and not multiple.

There was discussion regarding the location of a proposed pathway. Director Duncan introduced the idea of a trail corridor that would be dedicated to the CVRD along the west and north property lines. The

applicant presented his proposal for trail(s) through the property, which would connect to the woonerf. It was advised that the Parks Commission and CVRD Parks Department will also be reviewing and making recommendations on this application.

No concerns were expressed regarding the proposed residential density on the lot. There was discussion regarding the proposed uses and that some of the uses as presented would allow more intensive industrial activity than the applicant intends. It was suggested that no business activity/work activity should be allowed outdoors, and that more work is required to fine tune the proposed uses.

Recommendation:

APC agrees with the density and overall concept of the proposal, however the proposed uses require more refining to better reflect the small scale nature of the proposed commercial and industrial uses. The APC would like to review the revised list of proposed uses.

Adjourned 6:40 pm

Meeting resumed at the Glenora Hall at 7:10 for application **3-E-10 RS (Wandering U Inc.)**

Present: Dan Ferguson, Coleen MacGregor, Ben Marrs, Frank McCorkell, David Tattam, Keith Williams, Director Loren Duncan, Rachelle Moreau (CVRD staff)

Applicants: Roger Morgan and Rob Roycroft

Absent: David Coulson

Mr. Roycroft presented the application indicating that the business world is evolving, and that the agricultural implement industry needs to be able to carry different product lines than strictly agricultural equipment. The existing zoning on the property is too narrow, and is preventing the current tenant from offering different products. There are a number of different possible product lines that the current tenant John Deere can't offer as a result of the restrictions on the zoning.

Potential products include weedwackers, lawnmowers, excavation equipment, and exercise equipment. Anything that is offered as another line of products but associated with the principle tenant, and agricultural equipment is a potential.

APC members support agricultural business, but were concerned that permitting "*equipment repair, sales, storage and rental*" would allow an undesirable amount of retail activity, and were concerned about the types of products that would be for sale. Form and character of the business is also very important because of the location along the Trans Canada Highway.

Mr. Roycroft indicated that the size of the operation is limited by size of the site, there are no proposed changes to the building, and that they have been good business stewards.

Recommendation:

It was recommended that the application be approved with the revised wording, "*equipment, repair, sales and rental accessory to the prime tenant.*" The prime tenant, or principle use, would still remain as "agricultural equipment manufacture, repair, storage and accessory retail and wholesale sales".

IN2

Area A Advisory Planning Commission Agenda

March 8th, 2011 at 6:30 PM

Mill Bay Fire Hall

Minutes February 8th, 2011

New Business

- Ocean Terrace Development Permit Application No. 6-A-10DP/RAR (Wyatt)

Other

Director Update

Meeting Adjournment

Note: the next meeting is scheduled for Tuesday, April 12th at the Mill Bay Fire hall.

Minutes of the Cobble Hill Advisory Planning Commission meeting held just prior to the South Cowichan Official Community Plan Review Committee meeting at 6 p.m. on Thursday, January 27th 2011 in the Cobble Hill Hall.

Those present: Rosemary Allen, Robin Brett, Joanne Bond, Rod de Paiva, Don Herriott, Brenda Krug, Jens Liebgott, Dave Lloyd, Dave Thomson, Jerry Tomljenovic and Director Gerry Giles.

Regrets: David Hart

Also present were members of the OCP review committee along with several observers from the public.

June Laraman called the meeting to order then turned the Chair over to Director Giles to conduct the election of Chair, Vice Chair and Secretary of the Cobble Hill APC.

After the call for nomination and proper conduct of elections, Rod de Paiva was declared elected as Chair of the Cobble Hill APC for 2011 while Jens Liebgott was elected Vice Chair and Brenda Krug was elected as Secretary.

The meeting was then turned over to Chair de Paiva who welcomed Don Herriott and Dave Lloyd to the APC. After the appropriate greeting, the meeting was adjourned at 6:10 p.m. whereupon the South Cowichan Official Community Plan meeting commenced.

Brenda Krug, Secretary

Area "H" Advisory Planning Commission Minutes

IN 4

Date: August 12, 2010

Time: 7:02PM

Location: North Oyster Community Center

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

Also Present: Director Marcotte

Absent: APC member – Jody Shupe

Members of the Public Present: 6

Potential Advisory Planning Commission member ; attending as a guest.

Mike Fall introduced Gord Wyndlow

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

Motion: Carried

Adoption of the Minutes:

It was moved and seconded, that the minutes of the May 13, 2010 workshop and the July 18, 2010 site visits minutes of the Advisory Planning Commission, be accepted as presented. Seconded.

Motion: Carried

Old Business arising from the regular meeting, May 13, 2010 and the site visits of July 18, 2010.

A. Request for a set back variance: Lot 1, District Lot 223, Oyster District, Plan 18300 (PID 003-902-641).

The applicant and proposed new owner, Bryan McCulloch was present . Mr. McCulloch made a presentation. Included in his presentation was the size of the proposed home, and the setbacks that he needs to have to fit this home. He stated that he has decreased the size of this home as much as possible it is now 2809 square feet. He stated that there was some resistance from the neighbourhood and that 2 neighbours support this. There is limited water supply 1 gallon / minute. The septic system would be above the road easement.

A discussion ensued, from this discussion the following comments were made by the APC; a) That if the APC were to agree with this, they could be setting themselves up for setting a precedence. b) This could remain as a recreational property c) a much smaller home could be built. c) The older home on the property next door is within this new setback area, the APC was advised that this home was legally non-conforming. Question directed to Director Marcotte, can this go to a public hearing?

Motion: That we approve the variance as per option 1 of the application from staff, 15 meters to 9.1 meters from the high tide with a covenant that a geotechnical report be prepared. Seconded. *Motion: Tied* A tie vote is a vote of defeat.

The Chairman of the APC asked that the Director please ask the CVRD planner, Jill why the CVRD recommended this? Please have the answer put in writing to the APC.

Motion: To table this until the September meeting providing that the applicant be in attendance at another site visit. Seconded. *Motion: Carried*

Another site visit was scheduled for August 14, 2010 @ 9:00am at 4991 Reiber Road, Ladysmith, and B. C.

B. Proposed subdivision of : Lot 1, District Lots 64 & 65, Oyster District, Plan 23935, except part in Plan 39835 and VIP85702. 12290 Chandler Road, Ladysmith.

The proponent was not present at the meeting. Kate Millar, CVRD environmentalist is willing to attend a site visit during CVRD hours. Mike will contact her with regards to this.

New Business:

A discussion was had regarding the CVRD Agricultural Plan. The APC has been encouraged to read this report.

A discussion was had regarding the Subdivision Servicing Bylaw. The APC has been encouraged to read this report.

Director's Report:

Director Marcotte updated the APC on the various applications before the board.

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

Thursday, September 9, 2010 @ Diamond Hall

Adjournment: Moved and seconded. @ 8:29 PM

Motion: Carried

Jan Tukham, Secretary

IN 5

AREA "H" ADVISORY PLANNING COMMISSION SITE VISIT MINUTES

Date: August 14, 2010

Time: 9:00 AM

Location: 4991 Reiber Road

Applicant Present: Bryan McCulloch

Members Present: Mike Fall, Chris Gerrand, Jan Tukham, Alison Heikes, Jody Shupe, John Hawthorn and Gord Wyndlow

Also Present: Director: Marcotte

Public Member Present: Dave Hammond, President of the Nanaimo/Ladysmith School Society

The Advisory Planning Commission toured the subject property; Lot 1, District Lot 23, Oyster District, Plan 18300 (PID 003-902-641)

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

Motion: To refer this to the next appropriate meeting. Seconded. *Motion: Carried*

Adjourned: 9:38 AM

Jan Tukham - Secretary

ING

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

Date: October 14, 2010

Time: 7:00 PM

Location: North Oyster Community Hall

Members Present: Chairperson – Mike Fall, Chris Gerrand, John Hawthorn,
Ben Cuthbert, Alison Heikes, Gord Wyndlow

Members Absent: Secretary Jan Tukham, Jody Shupe,

Also Present: Director Marcotte, alt dir Rob Waters

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

Motion: Carried

Adoption of the Minutes:

It was moved and seconded, that the minutes of ;
July 18, 2010 site visits to Reiber Rd. and Chandler Rd, and
August 12 2010 Regular Meeting (with change to Page 2 item C), and
August 14 2010 Reiber Road second site visit.
Of the Advisory Planning Commission, be accepted as presented.

Motion: Carried

Old Business

A: Request for a setback variance: Lot 1, District Lot 223, Oyster District, Plan 18300 (PID 003-902-641). (1-H10– DVP) - Reiber Road (2-H10-SA)

It was moved that approval be recommended, of the variance as per option 1 of the application from staff, 15 meters to 9.1 meters from the high tide with a covenant that a geotechnical report be prepared. Seconded.

Motion: Carried

B: Proposed Subdivision - Chandler Road,
It was moved and seconded that the Application be held in abeyance until Mr. Rob Conway contacts the applicant regarding a Riparian Area Study. Also that the CVRD is to be made aware of the fact that this stream is designated to be fish bearing.

New Business

Discussion Items

Directors Report

Adjournment: Moved and Seconded @ 8:15 PM

Motion: Carried

Jan Tukham – Secretary
(Minutes prepared by C Gerrand)

IN 7



MINUTES OF ELECTORAL AREA I (Youbou/Meade Creek) AREA PLANNING COMMISSION MEETING

DATE: March 1, 2011

TIME: 7:00pm

MINUTES of the Electoral Area I Planning Commission meeting held on the above noted date and time at the Youbou Upper Community Hall, Youbou, BC. Called to order by Chairperson Mike Marrs at 7:00pm.

PRESENT:

Chairperson: Mike Marrs

Vice-Chairperson:

Members: Shawn Carlow, Bill Gibson, Gerald Thom, Pat Weaver

ALSO PRESENT:

Director: Klaus Kuhn

Recording Secretary: Tara Daly

REGRETS:

Jeff Abbott, George deLure

GUESTS:

Ken & Tanya Carbonneau

AGENDA:

It was Moved and Seconded to accept the agenda.

MOTION CARRIED

MINUTES:

It was Moved and Seconded to accept the minutes of December 7, 2010 as circulated.

MOTION CARRIED

ELECTIONS:

- elected by acclamation were Mike Marrs, chairperson; George deLure and Gerald Thom as co-vice-chairpersons. Thanks were extended from the APC members.

DELEGATIONS:

- **APPLICATION NO: 8-I-10DP (Charbonneau)**

The applicants have owned the property for fifteen (15) years; currently there is a non-conforming double-wide trailer of about 1300-1400 square feet; it sits slightly in the RAR mostly the porch; the new dwelling will be two (2) bedrooms in 960 square feet with a 240 square foot porch; it will be built environmentally sensitive using wood including cedar siding; the applicants expect to build as much as possible themselves using skilled trades for roofing and foundation; the septic will be situated in the front rather than on the side and plans have been submitted to and approved by VIHA; Ardvaark Septic will do the septic installation; the desire is to maintain the natural setting currently at the back of the property and enhance the front keeping

eco-friendly; no chemicals or pesticides have been used on the property since the current owners have been in residence; QEP will monitor construction; it is expected that the construction timeframe will be eight (8) months to one (1) year; the owners plan to keep the property in the family forever.

Some of the current footprint will be used but moved towards the east farther away from the SPEA.

It was Moved and Seconded by Area I (Youbou/Meade Creek) APC, to support Development Permit Application No.8-I-10DP (Carbonneau) as presented.

MOTION CARRIED

NEW BUSINESS

- **Town of Lake Cowichan OCP review** ~ annexation of any portion of Area I would be in the town's backyard but in the frontyard of Area I – would not be acceptable; the picture on Page 14 of the document is of Meade Creek which is not part of the Town and should be removed; Page 18 – there should be a more cooperative effort with Electoral Areas F and I plus the Town; there seems to be adequate land for residential growth but not industrial; Page 24 iii – 'secondary suites and (rather than or) affordable housing'; note the Town is supportive of industrial growth outside of its boundaries; Page 35 – APC not in favour of boundary expansion to include Johel Bros. Industrial Park; APC supports the return of ownership of Cowichan Lake bottom to the Crown; maintenance of school properties is important; Regional Transit expansion must be effective for the entire Cowichan Lake area; not much focus in the document on urban interface (fire hazards)
- It would be an asset to have water and sewer on North Shore Road and the APC felt that could happen without annexation; it was noted that further development of the light industrial acreage at Meade Creek should have a frontage road, not direct access to Youbou Road
- the Area I (Youbou/Meade Creek) generally saw no problems with the outlined Town of Lake Cowichan OCP EXCEPT for the possible expansion of the town boundaries, especially to the west, along North Shore Road

ANNOUNCEMENTS:

- **Next Meeting** at the call of the Chairperson with the meetings held on the first Tuesday of the month in the Youbou Upper Community Hall starting at 7pm

The meeting was adjourned at 8:00pm

/s/ Tara Daly
Secretary

IN 8

DISTRICT ENERGY

BC Hydro offers new capital incentive

BC Hydro 
powersmart

DISTRICT ENERGY JUST GOT BETTER

Dear Kate Miller,

District Energy (DE) systems are a smart way for communities to save energy, integrate renewables, stimulate a local green economy, and reduce greenhouse gases. Now, they're easier to implement.

BC Hydro's Sustainable Communities Program is pleased to announce the District Energy Capital Incentive Offer: Up to \$240,000 per gigawatt hour of electricity saved annually.

The offer is available to project proponents to offset the cost of constructing a DE system.

Learn how BC Hydro can support your community energy and emissions goals – and save.

[▶ LEARN MORE](#)

BC HYDRO FUNDS ENERGY STUDIES

Technical and financial support is available to assess the potential for DE systems.

▶ [Pre-feasibility Energy Studies](#)

▶ [Feasibility Energy Studies](#)

BENEFITS FOR LOCAL GOVERNMENT

District Energy helps local governments play a leadership role in efficiency, cost control, and energy security.

▶ [Learn More](#)

BENEFITS FOR DEVELOPERS

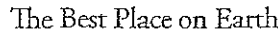
Stay ahead of regulations and build your green brand.

[Learn More](#)

Questions?

Please contact Angela Massey at 604-453-6314 or email Angela.Massey@bchydro.com, or phone 604 522 4713 in the Lower Mainland, 1 866 522 4713 elsewhere in B.C.

You've received this email at kmiller@cverd.bc.ca because you work for local government or a developer in British Columbia. Not interested any more? Unsubscribe. Add customer.service@bchydro.com to your address book or safe list to ensure our emails reach your inbox.



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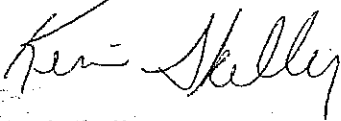
- 45 (1) Subject to section 46 [*persons not responsible for remediation*], the following persons are responsible for remediation of a contaminated site: (d) a person who (i) transported or arranged for transport of a substance, and (ii) by contract, agreement or otherwise caused the substance to be disposed of, handled or treated in a manner that, in whole or in part, caused the site to become a contaminated site.

Based on information you provided, QMLP arranged for the relocation of the aforementioned soil on the belief that a soil relocation agreement was not required. cursory review of the data provided and confirmation in your letter indicates that the soil relocated met the applicable standards for the receiving site. We therefore, do not require further action regarding the soils relocated to the Koksilah Road site by QMLP at this time. We understand that QMLP will implement new internal procedures at all of its facilities to ensure all future soil relocation activities comply with the Act and Regulations. Please provide confirmation to the ministry once these changes have been made.

This letter is without prejudice to any future action that may be taken under the *Environmental Management Act*.

Please contact the undersigned at 604-582-5266 if you have any questions regarding this letter.

Sincerely,



Kerri Skelly

Senior Contaminated Sites Officer

cc: Nino Morano, Bylaw Officer, CVRD, 175 Ingram Street, Duncan, BC V9L 1N8
Andrea Miskelly, MOE, Nanaimo
David Howells, Evan's Redi-Mix Ltd., 985 Perez Drive, Victoria, BC V8Y 3G2
Anthony Trace, Evan's Redi-Mix Ltd., 2113 Nicklaus Drive, Voctoria, BC V9B 6T2
Steve Trace, Evan's Redi-Mix, 763 Westbury Road, Victoria, BC V8Y 1G8



MEMORANDUM

DATE: March 8, 2011

TO: Tom R. Anderson, General Manager, Planning and Development Department

FROM: Brian Duncan, Chief Building Inspector

SUBJECT: BUILDING REPORT FOR THE MONTH OF FEBRUARY, 2011

There were

Electoral Area	Commercial	Institutional	Industrial	New SFD	Residential	Agricultural	Permits this Month	Permits this Year	Value this Month	Value this Year
"A"				814,700	44,480		6	14	859,180	1,991,850
"B"				183,810	129,500		7	10	313,310	406,320
"C"		5,000		305,890			2	3	310,890	508,920
"D"				234,580	209,930	100,000	5	12	544,510	1,174,660
"E"			700,000	163,710		192,000	3	8	1,055,710	1,282,950
"F"					87,785		2	4	87,785	335,385
"G"				537,710	42,280		5	6	579,990	582,990
"H"					281,260		4	5	281,260	543,180
"I"				314,660			2	5	314,660	924,460
Total	\$ -	\$ 5,000	\$ 700,000	\$ 2,555,060	\$ 795,235	\$ 292,000	36	67	\$ 4,347,295	\$ 7,750,715

B. Duncan, RBO
Chief Building Inspector
BD/db

NOTE: For a comparison of New Housing Starts from 2008 to 2011, see page 2
For a comparison of Total Number of Building Permits from 2008 to 2011, see page 3

IN 10



CVRD

Total of New Housing Starts

	2008	2009	2010	2011
January	26	8	13	18
February	12	14	26	13
YTD Totals	38	22	39	31

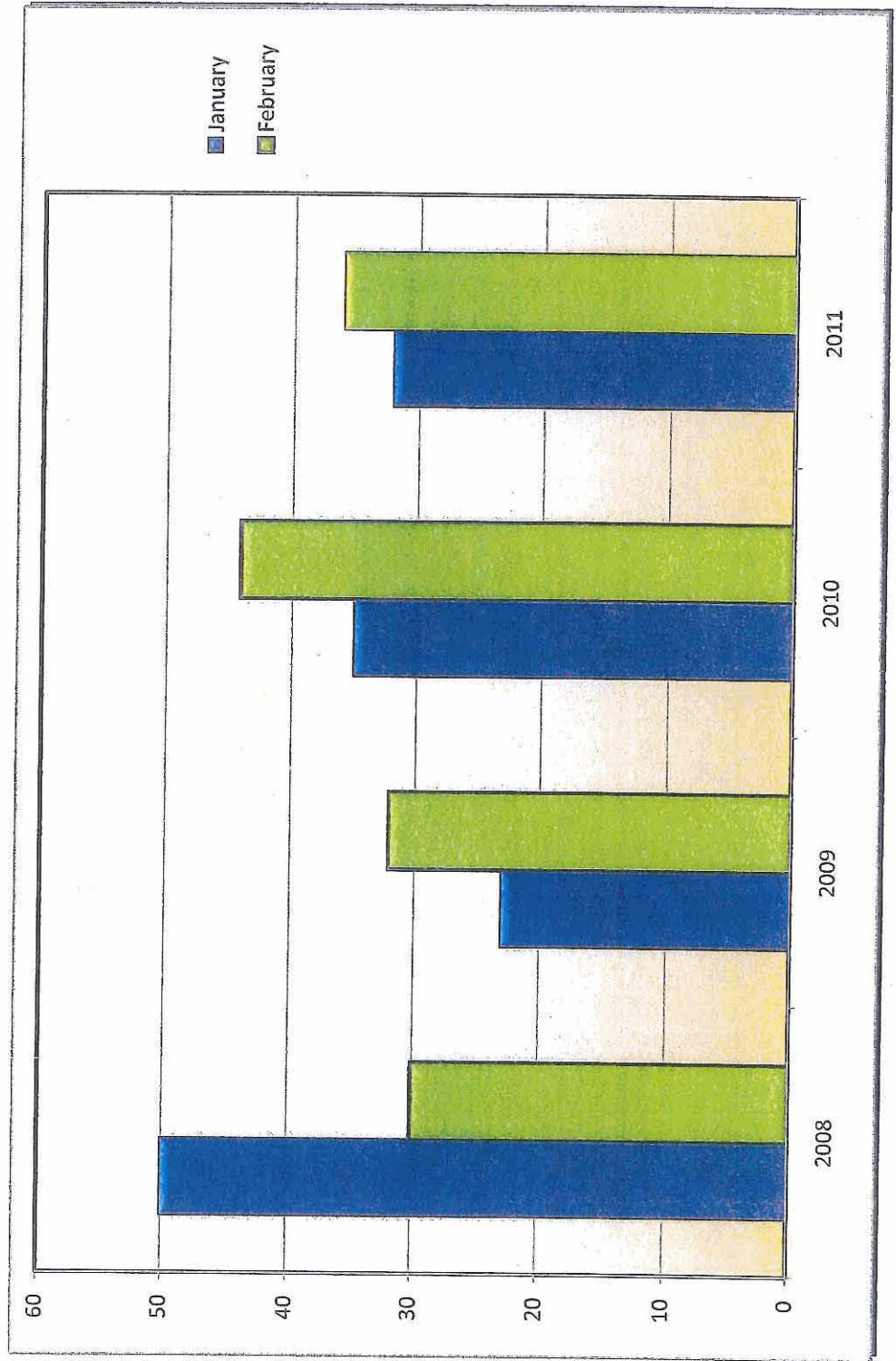




CVRD

Total Building Permits Issued

	2008	2009	2010	2011
January	50	23	35	32
February	30	32	44	36
YTD Totals	80	55	79	68



Notice of Motion:

That the EAS Directors request that the Chair separate the present Engineering Committee into two separate committees.

One to deal with Regional issues.

One to deal with Electoral Area issues.

Loren Duncan